



PLANNING COMMISSION

Council Chambers, 180 NE 2nd Street

Where Life is Sweet

October 08, 2025 at 7:00 PM

AGENDA

*Other ways of viewing or participating in live meetings are available through:
Zoom with Meeting ID: 836 2582 6527 Passcode: 470746 Telephone number to join is: 1 253
215 8782; or submitting comments to meetings@hermiston.gov*

1. CALL TO ORDER - 7:00 PM

2. MINUTES

A. Minutes of the September 10, 2025 regular planning commission meeting

3. HEARINGS

A. Continued from September 10, 2025

Major Variance Request – Eastern Oregon Development LLC, 579 E Elm Ave 4N 28
02CD Tax Lot 500

4. NEW BUSINESS

A. Subdivision- Anides & Soler Subdivision 4N2811DA Tax Lot 2700

B. Partition Plat- The HUB Hermiston LLC 4N2811AD Tax Lot 100 - 963 E Diagonal Blvd

C. Replat Final Plat – Four Bros LLC. & City of Hermiston, 4N 28 11BA Tax Lots 101 and
102

5. PLANNER COMMENTS AND UNSCHEDULED COMMUNICATION

6. ADJOURN

**** AMERICANS WITH DISABILITIES ACT NOTICE****

Please contact Hermiston City Hall, 180 NE 2nd Street, Hermiston, OR 97838 (Phone No.
541-567-5521) at least 48 hours prior to the scheduled meeting time if you need an
accommodation. TTY and TDD users please call Oregon Telecommunications Relay Service

at 1-800-735-2900 or 711.



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Regular Meeting Minutes
September 10, 2025

Chairman Fialka called the regular meeting to order at 7:00PM. Present were Commissioners Misner, Caplinger, Saylor, Doherty, and Serrano. Commissioners Guerrero, Kirkpatrick, and Hamm were excused. Staff in attendance included Planning Director C.F. Spencer, City Attorney Rich Tovey, and Planning Assistant Heather La Beau. Youth Advisor Gabriel Richards was in attendance.

Chairman Fialka welcomed Youth Advisor Richards to the meeting.

Minutes

Commissioner Saylor moved, and Commissioner Serrano seconded to approve the minutes of August 13, 2025, regular meeting. Motion passed 5-0 with Commissioners Misner, Caplinger, Saylor, Doherty and Serrano in favor.

Hearing Major Variance Request - Eastern Oregon Development LLC 579 E Elm Ave 4N2802CD Tax Lot 500

There were no conflicts of interest or ex parte contact declared so Chairman Fialka opened the hearing at 7:02PM and read the hearing guidelines.

Planning Director Spencer presented the staff report. The applicant is requesting RV storage be allowed on a gravel surface. Section 157.179 requires a hard surface. Staff has always interpreted this to be asphalt, concrete, or chip seal. Two sets of Findings have been provided, one in favor and alternative findings in denial. Staff recommends denial of the variance as the evidence does not meet the criteria.

Commissioners discussed the possibility and ability to enforce a time limit on granting a variance.

Testimony

Steve Richards 42980 Haney Lane Pendleton- Mr. Richards owns two mini-storage facilities in Hermiston. Mr. Richards referenced page 43, bullet 11 of the staff report regarding city's interpretation of hard surface. He hopes to convince the commissioners that compacted gravel that has been designed for driving surfaces and addresses drainage meets the definition of impervious ground for hard surface. A handout was provided by the applicant (attached) which references additional definitions of impervious and hard surfaces from several sources. Referring to the planning commission's ability to grant a variance due to hardship, Mr. Richards explained that a lack of supply of affordable RV storage parking may create hardship for some residents, especially those facing code enforcement complaints from parking on the streets. This site is different in that there are multiple drainage swales, and the compacted gravel has gone through many compaction tests. Most of the site is already paved, and there are natural buffers. There has not been a single dust complaint since the facility opened. He is willing to do dust abatement if that is required. If the concern is code enforcement, then the variance addresses that. If the concern is impervious surface, his research suggests compacted gravel addresses the drainage and environmental issues. Mr. Richards appreciates the prompt, professional, and courteous service provided by the Hermiston Planning Department.

In response to Commissioner Doherty's question, Mr. Richards said if there was a demand for additional storage, he would probably construct more buildings in the future, but if he can fill up parking pads, he would probably keep the open parking storage. He states he could always build more units on his additional property to the east.



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Marisel Espinoza, Manager of Hermiston Mini Storage 579 E Elm Ave- Ms. Espinoza assists with managing Highland Mini Storage and Stanfield Self Storage, where parking is offered. Some Stanfield tenants are Hermiston residents. There are currently 20 Hermiston residents on a waiting list for parking spaces. She feels offering new uncovered parking storage is a cheaper option for Hermiston residents and would alleviate the waiting list.

Chairman Fialka questioned how the commissioners could be certain that compacted gravel could work as well as other impervious surfaces. Youth Advisor Richards suggested compaction tests could be required at intervals to determine if they are still functioning as designed.

Commissioner Saylor questioned the difference between a gravel driveway and a compacted gravel driveway and noted the importance of an answer to make a decision. She inquired if a compromise may be to pave the drive alleys and not the parking pads to save costs.

Commissioners discussed long-term maintenance and costs of gravel versus other hard surfaces. There are different issues to consider with each option. Future effects of each option need to be considered, along with the future use of the property. Several commissioners expressed preference to compacted gravel over paving for environmental reasons.

Commissioner Saylor moved, and Commissioner Misner seconded that the Planning Commission continue the hearing to the October 8 regular meeting to allow for new evidence, including the city engineer's definition of compacted gravel. Motion passed 5-0 with Commissioners Misner, Caplinger, Saylor, Doherty and Serrano voting in favor.

Minor Partition - James Maret 395 NE 10th St 4N2811AD Tax Lot 1500

Planning Director Spencer presented the staff report for this partition. Written testimony was received today (attached) from an adjacent property owner requesting an encroaching fence be moved. The City does not typically get involved with fence placement issues as it is a civil issue. The plat depicts a future shop; the shop is already constructed.

Findings of Fact

Chapter 154: Subdivisions

Design Standards

§154.15 Relation to Adjoining Street System.

The property is serviced by NE 10th Street. NE 10th Street is partially improved adjacent to Parcels 1 and 2. All street rights of way are already platted and no changes are proposed.

§154.16 Street and Alley Width.

All existing rights of way are 60 feet in width and in compliance with the city standards for collector streets.

§154.17 Easements.

There are existing 5-foot power easements along the rear lot lines of Parcels 1 and 2. There are also two 5-foot power easements running perpendicular to the front and rear lot lines. All easements are shown on the plat. ORS 92.044 only permits cities to require easements abutting a street.

§154.18 Blocks.

Block length is not applicable to this plat.



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§154.19 Lots.

Parcel 1 is 27,741 square feet or 0.63 acres. Parcel 2 is 33,583 square feet or 0.77 acres. Parcel 1 contains an existing dwelling and out-buildings. Parcel 2 contains an existing outbuilding. Each lot exceeds the minimum lot size for single- and two-family housing in the R-1 zone. Each lot exceeds the minimum lot width of 60 feet and the minimum lot depth of 80 feet in the R-1 zone. Lot design standards are satisfied.

§154.20 Character of Development.

The development is occupied with a single-family dwelling and out-buildings on Parcel 1. Parcel 2 contains an outbuilding and is intended for additional residential development. Uses permitted in the R-1 zone are listed in 157.025 of the Hermiston Code of Ordinances.

§154.21 Parks, School Sites and the Like.

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

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

NE 10th Street is partially improved with paving but no curb, gutter, or sidewalk. A non-remonstrance agreement agreeing to participate in a future LID for Parcels 1 and 2 was signed and recorded in January of 2025 for the issuance of a building permit for the outbuilding on Parcel 2. Additionally, at the time of new residential construction on Parcel 2, street improvements consisting of infill paving, curb, gutter, and sidewalk will be required consistent with §157.164(D) of the Hermiston Code of Ordinances.

§154.62 Water Lines

Each parcel is adjacent to municipal water service along the entire parcel frontage. A 12 inch municipal water line is installed in NE 10th Street. Parcel 2 will be required to connect to municipal water service at the time of residential development. The applicant or owner is responsible for all costs associated with connection to water service.

§154.63 Sanitary Sewer System.

Each parcel is adjacent to municipal sewer service along the entire parcel frontage. An 8 inch sanitary sewer line is installed in NE 10th Street. Parcel 2 will be required to connect to sanitary sewer service at the time of residential development. The applicant or owner is responsible for all costs associated with connection to sewer services.

Preliminary Plat

Staff has reviewed the plat and determined the submission of a preliminary plat is not required in accordance with §154.35(B) of the Hermiston Code of Ordinances which states:

"...Minor partitions containing three lots or less may be exempted from the provisions of this section."

Final Plat



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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**
- 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**
- 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 or 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

§157.025 Low Density Residential (R-1)

Each lot exceeds the minimum lot size of 8,000 square feet for single and two-family dwellings. Each lot



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exceeds the minimum lot width of 60 feet and the minimum lot depth of 80 feet. Total coverage of all structures on Parcel 1 and Parcel 2 is less than the 40% maximum lot coverage for each lot. The R-1 development standards are satisfied. Uses permitted in the R-1 zone are listed in §157.025(A) and (B) of the Hermiston Code of Ordinances.

§157.101 Development Hazard Overlay

Comprehensive Plan Figure 12 identifies portions of this subdivision as subject to groundwater pollution hazards due to excessively well-drained soils. In accord with 157.101 of the Hermiston Code of Ordinances, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels. Any additional requirements or prohibitions necessary to mitigate groundwater pollution problems must be developed in conjunction with the Departments of Environmental Quality and Water Resources. At the discretion of the planning commission, the applicant may obtain an exemption to the above requirements if a registered engineer presents documentation which demonstrates that the proposed development will not contribute to potential groundwater pollution.

Conditions of Approval

1. Applicant shall work with and receive certification from the Hermiston Irrigation District prior to final plat approval. Applicant should be aware that the City of Hermiston will not sign the final plat until the irrigation district has been satisfied and signs the final plat.
2. 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.
3. Parcel 2 will be required to complete street improvements to NE 10th Street, including consisting of infill paving, curb, gutter, and sidewalk will be required consistent with §157.164(D) of the Hermiston Code of Ordinances.
4. A residence shall be constructed on Parcel 2 within 18 months of plat recording. If a residence is not constructed on Parcel 2 within 18 months of plat recording, the property owner shall sign and record with Umatilla County records a covenant not to sell separately if property owner is the same for Parcels 1 & 2 or remove the structure, if property is not held in same ownership as Parcel 1.

Commissioners questioned an existing shed that is built across an easement. This is not part of the new lot lines being created. Commissioners discussed sidewalk requirements, and effectiveness of non-remonstrance agreements. Commissioner Misner moved, and Commissioner Saylor moved to approve the findings of fact. Motion passed 5-0 with Commissioners Misner, Caplinger, Saylor, Doherty and Serrano in favor. Commissioner Saylor moved and Commissioner Caplinger seconded to approve the final plat subject to the conditions of approval. Motion passed 5-0 with Commissioners Misner, Caplinger, Saylor, Doherty and Serrano in favor.

Minor Partition – Jason Lines 620/640 SE 5th St 4N2811CD Tax Lot 4502

Planning Director Spencer presented the staff report. The applicant was granted a variance in 2024 allowing the reduced lot widths to partition the property into two lots. Each existing house will be on its own lot. The shed shown on the plat has already been relocated and is no longer across the property lines.

Public Testimony

Jason Lines 32136 W Walls Road- Mr. Lines is the owner of the lot and is requesting the partition be approved.



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Findings of Fact

Chapter 154: Subdivisions

Design Standards

§154.15 Relation to Adjoining Street System.

The property is serviced by SE 5th Street. SE 5th Street is partially improved adjacent to Parcels 1 and 2. All street rights of way are already platted and no changes are proposed.

§154.16 Street and Alley Width.

All existing rights of way are 50 feet in width and in compliance with the city standards for local streets.

§154.17 Easements.

No easements are shown on the plat. ORS 92.044 only permits cities to require easements abutting a street.

§154.18 Blocks.

Block length is not applicable to this plat.

§154.19 Lots.

Parcels 1 and 2 are each 5,639 square feet (0.12 acres). The minimum lot size in the R-3 zone is 5,000 square feet for single and two-family dwellings. Each parcel contains a single-family dwelling. Each lot exceeds the minimum lot size for single- and two-family housing in the R-3 zone. Each lot exceeds the minimum lot depth of 80 feet in the R-3 zone. The lots do not meet the 60 foot lot width standard and a variance from this standard was granted on September 11, 2024. There is a shed which straddles the lot line common to Parcels 1 and 2. The applicant has indicated the shed will be relocated to only one parcel. Upon relocation of the shed, the lot design standards are satisfied.

§154.20 Character of Development.

The development is occupied with two single-family dwellings. Uses permitted in the R-3 zone are listed in 157.027 of the Hermiston Code of Ordinances.

§154.21 Parks, School Sites and the Like.

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

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

SE 5th Street is partially improved with paving but no curb, gutter, or sidewalk. A non-remonstrance agreement agreeing to participate in a future LID for Parcels 1 and 2 was signed and recorded in February of 2025 as a condition of approval for the major variance.

§154.62 Water Lines



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Each parcel is adjacent to municipal water service along the entire parcel frontage. A 12 inch municipal water line is installed in SE 5th Street. Each dwelling is connected to the municipal water supply.

§154.63 Sanitary Sewer System.

Each parcel is adjacent to municipal sewer service along the entire parcel frontage. An 8 inch sanitary sewer line is installed in SE 5th Street. Each dwelling is connected to the sanitary sewer system.

Preliminary Plat

Staff has reviewed the plat and determined the submission of a preliminary plat is not required in accordance with §154.35(B) of the Hermiston Code of Ordinances which states:

“...Minor partitions containing three lots or less may be exempted from the provisions of this section.”

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**
- 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**
- 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



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necessitate the preparation of a separate instrument, reference to such instrument shall be made on the plat. **No restrictions are proposed or 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

§157.027 Medium-High Density Residential (R-3)

Each lot exceeds the minimum lot size of 5,000 square feet for single and two-family dwellings. Each lot exceeds the minimum lot depth of 80 feet. A variance was granted on September 11, 2024 allowing a 47 foot lot width based on the existing configuration of the dwellings. Total coverage of all structures on Parcel 1 and Parcel 2 is less than the 45% maximum lot coverage for each lot. The R-3 development standards are satisfied. Uses permitted in the R-3 zone are listed in §157.027(A) and (B) of the Hermiston Code of Ordinances.

Conditions of Approval

1. Applicant shall work with and receive certification from the Hermiston Irrigation District prior to final plat approval. Applicant should be aware that the City of Hermiston will not sign the final plat until the irrigation district has been satisfied and signs the final plat.

Commissioner Saylor moved, and Commissioner Doherty seconded to approve the findings of fact. Motion passed 5-0 with Commissioners Misner, Caplinger, Saylor, Doherty and Serrano in favor. Commissioner Saylor moved, and Commissioner Doherty seconded to approve the final plat with the conditions of approval as amended. Motion passed 5-0 with Commissioners Misner, Caplinger, Saylor, Doherty and Serrano in favor.

Replat – Four Bros LLC 678/692 E Elm Ave 4N2811BA Tax Lots 101 & 102

Planning Director Spencer presented the staff report. This is a replat of a 2022 partition. This replat moves the flag access from the eastern property line to the middle of the parcels. The flag includes an area for shared access, generating more developable area.

Findings of Fact

Chapter 154: Subdivisions

Design Standards

§154.15 Relation to Adjoining Street System.

The property is serviced by E Elm Ave (OR 207). E Elm Ave is partially improved adjacent to Parcels 1, 2, and 3. All street rights of way are already platted and no changes are proposed.

§154.16 Street and Alley Width.

All existing rights of way are 66 feet in width and in compliance with the city standards for minor arterial streets.

§154.17 Easements.



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A new 36 foot wide and 60 foot deep shared access easement is created on Parcel 3 for the benefit of Parcels 1, 2, and 3. Maintenance responsibilities for this area shall be spelled out in a separate instrument. ORS 92.044 only permits cities to require easements abutting a street.

§154.18 Blocks.

Block length is not applicable to this plat.

§154.19 Lots.

Parcel 1 is 35,169 square feet or 0.81 acres. Parcel 2 is 26,906 square feet or 0.62 acres. Parcel 3 is 156,966 square feet or 3.6 acres. All parcels are currently vacant. There is an approved development to construct a tire shop on Parcel 1. Parcel 3 is owned by the City of Hermiston and is intended for future public use, either for additional public works storage or for future park use.

§154.20 Character of Development.

The development is currently vacant. All parcels are zoned for commercial use and a tire shop has received site plan approval from the city for Parcel 1. Uses permitted in the C-2 zone are listed in 157.041 of the Hermiston Code of Ordinances.

§154.21 Parks, School Sites and the Like.

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

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

Elm Ave is partially improved with paving but no curb, gutter, or sidewalk. As a condition of approval for the tire shop on Parcel 1, the city is requiring completion of the street with curb, gutter, sidewalk, and paving adjacent to the property frontage. As each additional parcel develops, the same improvements will be required.

§154.62 Water Lines

Each parcel is adjacent to municipal water service along the entire parcel frontage. A 12 inch municipal water line is installed in E Elm Ave. The applicant and city have agreed to jointly bore under E Elm Ave to connect to this water line with one point of connection.

§154.63 Sanitary Sewer System.

There are no sewer services available in E Elm Ave and the site is more than 300 feet from the nearest sewer service. Each parcel may utilize a private septic system for sanitary service.

Preliminary Plat

Per §154.35(C) the preliminary plat shall show:

1. The location of present property lines, section lines and the lines of incorporated areas, streets, buildings, water courses, tree masses and other existing features within the area to be subdivided



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and similar information regarding existing conditions on land immediately adjacent thereto;
Shown as required

2. The proposed location and width of streets, alleys, lots, building and setback lines and easements;
Shown as required
3. Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract or immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet are to be indicated in a general way upon the plat; **The 12 inch water line in E Elm Ave is not shown on the plat. However, the location of this line shall be provided with civil drawings for the development**
4. The title under which the proposed subdivision is to be recorded and the name of the subdivider platting the tract; **A proper name for the replat shall be provided on the final plat**
5. The names and adjoining boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels of unsubdivided land; **Shown as required**
6. Contours referred to a City Engineer's bench mark with intervals sufficient to determine the character and topography of the land to be subdivided, but in no case shall the intervals be more than one foot; **Contours are not shown**
7. North point, scale and date; **Shown as required**
8. Grades and profiles of streets and plans or written and signed statements regarding the grades of proposed streets; and the width and type of pavement, location, size and type of sanitary sewer or other sewage disposal facilities; water mains and other utilities; facilities for storm water drainage and other proposed improvements such as sidewalks, planting and parks, and any grading of individual lots; and **This information is required with civil improvement drawings and not recommended for this replat.**
9. All the above information unless waived by the Planning Commission.

Staff recommends that the planning commission waive the requirements in 3, 6 and 8 above, but to require a proper name for the replat to be submitted with the final plat.

Chapter 157: Zoning

§157.041 Outlying Commercial (C-2)

Parcel 1 is 35,169 square feet or 0.81 acres. Parcel 2 is 26,906 square feet or 0.62 acres. Parcel 3 is 156,966 square feet or 3.6 acres. All parcels are currently vacant. There is an approved development to construct a tire shop on Parcel 1. There is no minimum lot size, width, or depth requirement in the C-2 zone. Uses permitted in the C-2 zone are listed in §157.041(A) and (B) of the Hermiston Code of Ordinances. A tire shop as proposed for Parcel 1 is a permitted use per §157.041(A)(12).

§157.101 Development Hazard Overlay

Comprehensive Plan Figure 12 identifies portions of this subdivision as subject to groundwater pollution hazards due to a high water table. In accord with 157.101 of the Hermiston Code of Ordinances, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels. Any additional requirements or prohibitions necessary to mitigate groundwater pollution problems must be developed in conjunction with the Departments of Environmental Quality and Water Resources. At the discretion of the planning commission, the applicant may obtain an exemption to the above



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requirements if a registered engineer presents documentation which demonstrates that the proposed development will not contribute to potential groundwater pollution.

Conditions of Approval

1. Applicant shall work with and receive certification from the Hermiston Irrigation District prior to final plat approval. Applicant should be aware that the City of Hermiston will not sign the final plat until the irrigation district has been satisfied and signs the final plat.
2. The following corrections shall be made to the plat:
 - a) A name for the subdivision shall be submitted with the final plat consistent with §154.35(4) of the Hermiston Code of Ordinances.
 - b) The Lands of City of Hermiston parcel shall be renamed as Parcel 3.
3. All conditions of approval from the June 4, 2025 Four Bros tire shop site plan approval remain in effect and are incorporated into the conditions by reference.
4. The property lies within an area subject to potential groundwater pollution hazards due to high water table. Therefore, the outdoor storage of hazardous chemicals and the underground storage of gasoline and diesel fuels are prohibited per §157.101(B) of the Hermiston Code of Ordinances. Per §157.101(D) of the Hermiston Code of Ordinances, a developer may receive an exemption from this requirement upon submission of evidence from a registered engineer that the storage will not contribute to groundwater pollution.

Public Testimony

Phyllis Delgado 277 Shepler St Dallasport WA- Ms. Delgado is part owner of J&J Northeast Construction, the contractor who will be developing the tire shop. The project is a new experience for them and has been a big learning curve. The tire shop is currently operating in a small, rented space outside of town on N Hwy 395. They bought the property to expand the business and look forward to being a good addition to the city.

Commissioners discussed access paving, maintenance, and future development of the city's lot.

Commissioner Saylor moved and Commissioner Serrano seconded to approve the findings of fact, waiving requirements 3, 6, and 8 on page 78 of the staff report. Motion passed 5-0 with Commissioners Misner, Caplinger, Saylor, Doherty and Serrano in favor. Commissioner Caplinger moved and Commissioner Doherty seconded to approve the preliminary plat with the conditions of approval. Motion passed 5-0 with Commissioners Misner, Caplinger, Saylor, Doherty and Serrano in favor.

Planner Comments and Unscheduled Communication

Planning Director Spencer reported the council approved the UGB amendment and it now moves on for county approval in September and October. State approval is anticipated by the end of the year.

Staff are hoping to work again with Winterbrook Planning, as a state pre-approved consultant, if the city is awarded a Housing Assistance Planning grant for residential code update.



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Commissioners briefly discussed the location of barrier placement for ODOT's project on E Elm Ave and Highway 395.

A solution was reached between the railroad and the county for increased septic capacity at a business on S Hwy 395.

Introductions were made between the commissioners and Youth Advisor Gabriel Richards. He also serves as a Youth Advisor on the City Council and the Parks & Recreation Committee.

Adjournment

Chairman Fialka adjourned the meeting at 8:42PM.

DRAFT

Many industry sources equate “impervious surfaces” with “hard surfaces”.

From a stormwater and environmental standpoint, compacted and graded gravel, when engineered for vehicular use and appropriately maintained, is often identified as a hard (impervious) surface.

Key References

1. Aaron Hoefft – ACH Engineering (Engineer for Hermiston Mini Storage project)

“When it comes to drainage, hard surfaces are defined as asphalt, concrete, brick or **compacted gravel**. They all have the same coefficient of water runoff.

2. American Society of Civil Engineers (ASCE)

ASCE's stormwater and LID design frameworks identify **impervious or hard surfaces as those that significantly impede infiltration, such as:**

- a. **Pavements**
- b. **Rooftops**
- c. **compacted gravel areas** engineered for vehicle use.

3. Department of Environmental Quality (DEQ)

In the **Water Quality Model Code and Guidebook**, DEQ defines impervious surfaces as:

“Impervious surface means a constructed hard surface that prevents or retards the infiltration of water into the soil... Examples include rooftops, asphalt or concrete paving, driveways, sidewalks, patios, parking lots, storage areas, and compacted gravel.”

Kimberly Lopez
31967 Sun Ridge Lane
Hermiston, OR 97838

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City of Hermiston
Clint Spencer, Planning Director
180 NE 2nd St
Hermiston, OR 97838

RE: 4N2811AD Tax Lot 1500 Land Partition by James Maret

Planning Director Spencer,

I own the property located at 985 E Ridgeway Ave., also known as 4N2811AD tax lot 1700. My property borders the south west portion of the Maret property. After the Maret property was surveyed for the land partition, it became apparent that their fence in encroaching onto my property. I would like it noted and request that Mr. Maret relocate the fence to his side of the property at his expense.

Thank you

Kimberly Lopez



Where Life is Sweet

Members of the Planning Commission
STAFF REPORT
 For the Meeting of October 8, 2025

Title/Subject

Continued from September 10, 2025

Major Variance Request – Eastern Oregon Development LLC, 579 E Elm Ave 4N 28 02CD Tax Lot 500

Summary and Background

The planning commission opened a public hearing on September 10, 2025 to consider a request for a major variance for the existing Hermiston Mini Storage located at 579 E Elm Ave. The request was to deviate from the city's hard surface requirement for parking lot construction. The applicant seeks to utilize an existing compacted gravel surface for RV parking rather than install additional paving. The applicant presented evidence at the September meeting that civil engineers may consider compacted gravel an acceptable hard or impervious surface and therefore should be allowed under the city's hard surface requirements.

In light of new evidence being presented at the hearing, the planning commission moved to continue the hearing and solicit additional evidence from the city engineer. Attached to this memo is the supplemental memo from Anderson Perry, the city's consulting engineers, considering additional definitions of hard surface and considering the long term maintenance expectations for compacted gravel versus asphalt or concrete.

In summary, the memo states that impervious and hard surfaces are terms of art which are often clearly defined in codes. However, the two terms are not generally considered equivalent. An impervious surface is considered a hard surface for purposes of considering stormwater runoff. However, a compacted gravel surface will require more intermittent maintenance and be shorter lived than the asphalt, concrete, or chip-seal surfaces required by the city.

It is important to note that city requirements serve more purposes than stormwater. The city also considers long-term maintenance, aesthetics, urban form, dust control, and other factors. A compacted gravel surface offers a lower initial cost but does not contribute to the urban form considered in the city's adopted code, developed through a public process. A compacted gravel surface is unsuited for regular vehicular traffic and will require regular grading and weed control if used in areas accessible to the public. It falls to the planning commission to consider if the type of use under consideration in this hearing, RV storage, is of a level of infrequent use that compacted gravel is acceptable in this instance. It is the staff opinion that although this

use will see infrequent trips, the aesthetic and design considerations are of such import that the burden of proof for all variance criteria must be considered with a strict eye to compliance. Staff cannot find evidence that special or unusual circumstances apply to this property that do not apply generally to other properties in the same zone or vicinity (§157.225(A)(1)(a)) nor that the granting of the variance would not be materially detrimental to the purpose of the ordinance... or the objectives of any other development pattern or policy (§157.225(A)(1)(c)).

Attached to this report are the report from Anderson Perry and the existing materials from the September 10 meeting. There is no change to the staff recommendation.

Tie-In to Council Goals

See September 10, 2025 report

Fiscal Information

See September 10, 2025 report

Alternatives and Recommendation

Alternatives

The planning commission may choose to approve or deny the variance request.

Recommended Action/Motion

Staff recommends that the planning commission make the following motions:

- Motion to approve findings of fact contained in Exhibit A.2
- Motion to deny variance request

Should the motion to approve the findings of fact in Exhibit A.2 fail, the planning commission should make a motion to adopt the findings of fact contained in Exhibit A.1 and render a decision to approve the variance request.

Submitted By:

Clinton Spencer, Planning Director

MEMO

To: Planning Commission

From: Joshua Lott, P.E.

Subject: **City of Hermiston, Oregon - Memorandum for Planning Commission Opinion Request**

Date: October 1, 2025

The purpose of this memo is to respond to the supporting evidence presented by Steve Richards during the last planning meeting (see attached) that a compacted and graded gravel surface is a hard surface. In particular, the following questions will be addressed as requested by the city planner, Clint Spencer:

1. Are there clear definitions for impervious and hard surfaces, and is an impervious surface synonymous with a hard surface?
2. Can compacted gravel be considered a hard surface?
3. Is compacted gravel an equivalent material to asphalt, concrete, or chip seal paved surfaces?
4. What are appropriate recommendations for the maintenance of compacted gravel surfaces?

This memo aims to support consistent interpretation and application of the terms “impervious surface” and “hard surface” in design and evaluates how these terms are currently used within the Code of Hermiston.

Impervious and Hard Surfaces

According to current design manuals and municipal codes in the Pacific Northwest, impervious surfaces are areas that have little to no infiltration of water into the underlying soil and causes water to run off in greater quantities or at an increased flow rate as compared to prior or natural conditions (National Cooperative Highway Research Program, 2019; Bainbridge Island, 2025). Impervious surfaces tend to have higher runoff coefficients because nearly all rainfall becomes runoff, which decreases the amount of infiltration available (Department of Land Conservation and Development [DLCD], 2000). “Impervious” is a hydrological descriptor since it has an influence on stormwater system designs, particularly runoff and treatment practices. According to the Oregon Department of Transportation (ODOT) Hydraulics Design Manual, impervious surfaces have runoff coefficients greater than 0.80 and are hard surfaces that prevent or slow the entry of water into the soil. Examples of impervious surfaces include rooftops, walkways, patios, driveways, parking lots or other storage areas, concrete or asphalt paving, gravel roads, or other similar surfaces (ODOT, 2014).

The term “hard surface” is often used more generically in policies or land use codes when describing non-vegetated or developed surfaces. However, a number of municipal codes and standards refer to impervious surfaces as hard surfaces (Bainbridge Island, 2025; City of Eugene, 2025; ODOT, 2014; DLCD, 2000) because they generate greater surface water runoff than the natural environment and slow the entry of water into the soil.

The term “hard surface” as used in the above contexts is directly related to its permeability and is exclusive of other characteristics such as strength and durability. While the terms “hard surface” and “impervious surface” are often correlated, they are not synonymous. It is possible to have a hard surface that allows water to infiltrate through it (i.e., pervious/permeable concrete).

Gravel Surfaces

There is evidence that municipalities in Oregon consider gravel surfaces impervious if they cover an impervious surface or are compacted enough for the runoff coefficient to meet or exceed 0.8 (City of Eugene, 2025). ODOT also lists gravel pavement as an impervious surface with a runoff coefficient of 0.85 in their Hydraulics Design Manual (ODOT, 2014). Compacted gravel is considered impervious in many Oregon jurisdictions, and impervious surfaces are generally referred to as a hard surface in many of those jurisdictions.

While compacted gravel surfaces may be considered hard surfaces due to their relative equivalence in stormwater runoff characteristics to concrete, asphalt, and chip seal paving, it is not equivalent in terms of strength and durability. The typical average life expectancy of a concrete road is approximately 27.5 years before repairs are needed. That number decreases to 15.5 years when asphalt is used (Michigan Concrete, 2020). The design life of a compacted gravel road is much more difficult to determine, but it is significantly less than either concrete or asphalt roads. Compacted gravel roads require maintenance much sooner in their lifespan and more often than either concrete or asphalt roads.

Maintenance of compacted gravel areas should be on an as-needed basis. Areas should be maintained by grading, compacting, or by other means as necessary whenever the storm drain system does not function as intended, when grades have naturally shifted enough to cause stormwater runoff to leave the property, or when blowing dust becomes a nuisance as indicated in the Code of Hermiston.

Relevance to the Code of Hermiston

In the Code of Hermiston, precise definitions for impervious surface and hard surface are not provided under Transportation Improvements, Standards and Procedures, or Design Requirements.

In the context of vehicular tracking and driving on developed surfaces, Code of Hermiston states that “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” (City of Hermiston, 2025). While this is consistent with the previous findings, this has historically been interpreted by the City to mean that vehicular maneuvering needs to be on a hard

Planning Commission
October 1, 2025
Page -3-

surface of asphalt, concrete, or chip seal. A hard surface can be considered impervious in some cases, since it creates runoff that should be accounted for in the design of developed areas.

Conclusions

- Impervious surface is clearly defined in many Oregon codes, while most contain no definition for hard surface.
- Many codes in Oregon generally consider an impervious surface as a hard surface from a stormwater runoff perspective.
- Impervious surfaces and hard surfaces are not synonymous (i.e., permeable concrete) but are often correlated.
- A compacted gravel surface is readily accepted as an impervious surface and can be considered a hard surface from a stormwater runoff perspective; however it is not comparable to asphalt or concrete in terms of strength, durability, life cycle and maintenance
- Compacted gravel areas need to be maintained earlier in their life cycle and more often than concrete or asphalt surfaces.
- Maintenance of gravel surfaces should occur on an as-needed basis.
- There is no precise definition of either an impervious surface or a hard surface in the Code of Hermiston.

JL/xd

Encl. File No. 736-183-002 (w/ encl.)

Planning-PlanningCommissionOpinionRequest_Hermiston_736-183-002.docx

Planning Commission
 October 1, 2025
 Page -4-

References

- Bainbridge Island (2025). *Bainbridge Island Municipal Code*. Accessed 30 September 2025. <https://www.codepublishing.com/WA/BainbridgeIsland/#!/BainbridgeIsland15/BainbridgeIsland1520.html#15.20>
- City of Eugene (2025). *City of Eugene Municipal Code 6.406 Definitions*. Accessed 30 September 2025. <https://eugene.municipal.codes/EC/6.406>
- City of Hermiston (2025). *Code of Hermiston - A Codification of the General Ordinances*. Accessed 30 September 2025. <https://www.codepublishing.com/OR/Hermiston/>
- Department of Land Conservation and Development (2000). *Water Quality Model Code*. Water Quality Model Code.
- Michigan Concrete (2020). *Concrete vs. Asphalt: How Long Does Each Last*. Accessed 30 September 2025. <https://info.miconcrete.org/blog/concrete-vs-asphalt-how-long-each-lasts>
- National Cooperative Highway Research Program (2019). *Stormwater Infiltration in the Highway Environment: Guidance Manual*. 2019 National Academy of Sciences.
- Oregon Department of Transportation (2014). *Hydraulics Design Manual*. Accessed 30 September 2025. https://www.oregon.gov/odot/hydraulics/Docs_Hydraulics_Manual/HDM_Complete.pdf

Many industry sources equate “impervious surfaces” with “hard surfaces”.

From a stormwater and environmental standpoint, compacted and graded gravel, when engineered for vehicular use and appropriately maintained, is often identified as a hard (impervious) surface.

Key References

1. Aaron Hoefft – ACH Engineering (Engineer for Hermiston Mini Storage project)

“When it comes to drainage, hard surfaces are defined as asphalt, concrete, brick or **compacted gravel**. They all have the same coefficient of water runoff.

2. American Society of Civil Engineers (ASCE)

ASCE's stormwater and LID design frameworks identify **impervious or hard surfaces as those that significantly impede infiltration, such as:**

- a. **Pavements**
- b. **Rooftops**
- c. **compacted gravel areas** engineered for vehicle use.

3. Department of Environmental Quality (DEQ)

In the **Water Quality Model Code and Guidebook**, DEQ defines impervious surfaces as:

“Impervious surface means a constructed hard surface that prevents or retards the infiltration of water into the soil... Examples include rooftops, asphalt or concrete paving, driveways, sidewalks, patios, parking lots, storage areas, and compacted gravel.”



Where Life is Sweet

Members of the Planning Commission

STAFF REPORT

For the Meeting of September 10, 2025

Title/Subject

Major Variance Request – Eastern Oregon Development LLC, 579 E Elm Ave 4N 28 02CD Tax Lot 500

Summary and Background

Steve Richards of Eastern Oregon Development LLC has submitted a request for a major variance for property located at 579 E Elm Ave. The property is described as 4N 28 02CD Tax Lot 500 and is zoned Outlying Commercial (C-2) with a Neighborhood Commercial overlay (NCO). The property is developed with Hermiston Mini Storage, which received conditional use approval from the planning commission in 2021.

The applicant is requesting a variance from §157.179(A) of the Hermiston Code of Ordinances in order to add additional RV parking. This section of the zoning code requires hard surfaces for parking areas. The relevant section states:

157.179 DESIGN REQUIREMENTS.

(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.

The applicant is requesting to use the existing gravel which has been laid down on the property as the parking surface for RV storage rather than using concrete or asphalt as the required hard surface. The area proposed for the variance also has an approved site plan and conditional use permit for the construction of additional mini-storage buildings on the proposed parking area in the future. The existing conditional use permit considered construction of the mini-storage buildings in two phases, the unbuilt portion under consideration is part of phase two on the plans.

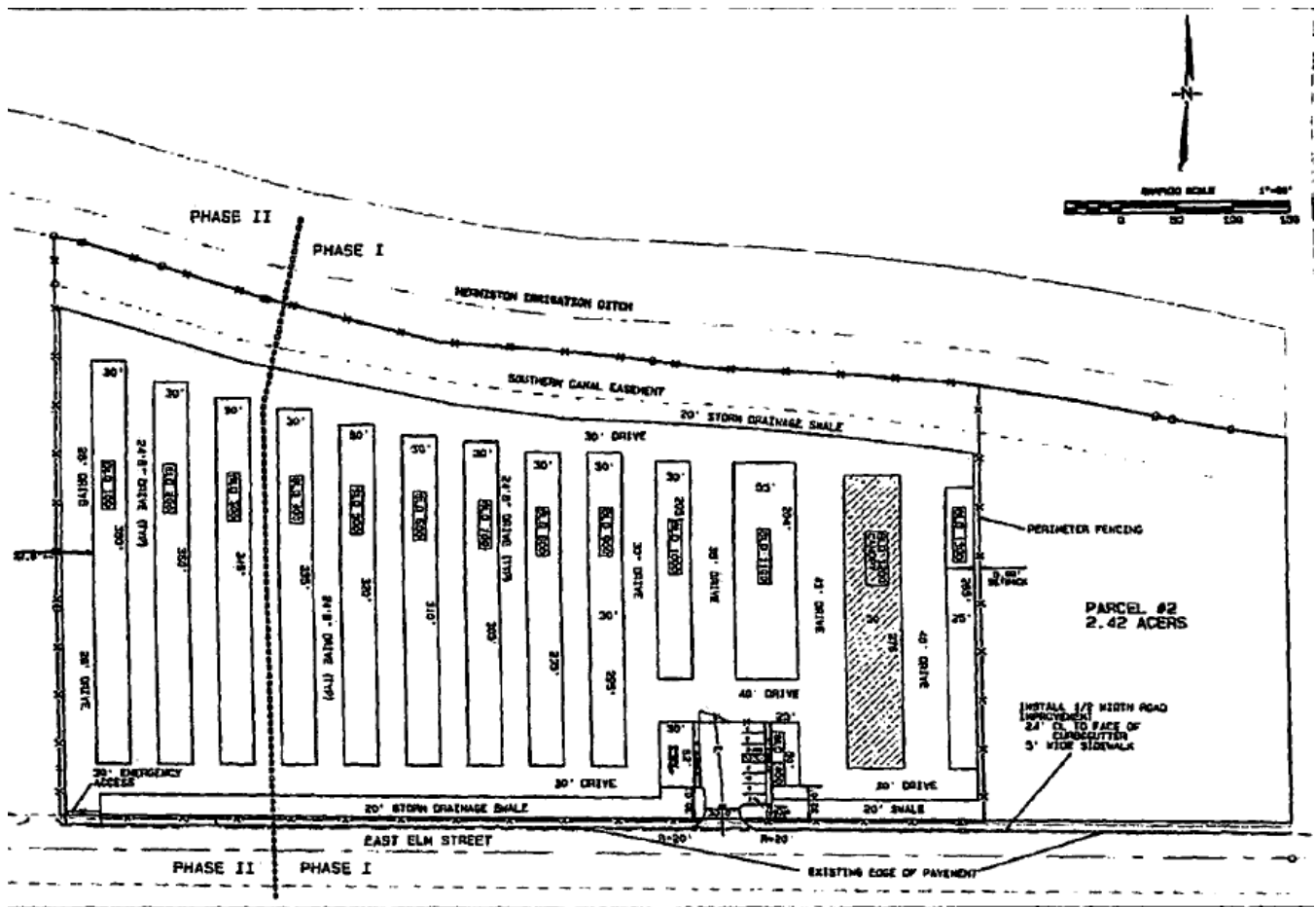


Figure 1 Approved Phase I and II Plan



Figure 2 Proposed Gravel RV Storage

The applicant contends that the existing gravel area has been prepared for Phase II usage and is adequate for RV storage as-is. The gravel was installed as part of the construction of Phase I and is functioning adequately as dust control and is seeing vehicle crossings with no significant dust issues.

The planning commission has considered a similar issue in the past. In 2015, the planning commission approved a conditional use permit from Preferred Properties for RV storage near the intersection of E Highland Ave and S 1st St. At the time of approval for that storage development, the city imposed a condition of approval requiring paving for the storage of RVs. The planning commission imposed a condition of approval on the Preferred Property RV storage stating:

All parking areas and travel lanes must be paved or finished with concrete prior to use for storage. Paving may be installed in phases, but vehicles may not be stored in any unpaved paved unless and until paving is installed and verified by city staff.

Per §157.225(A) of the Hermiston Code of Ordinances, the planning commission may grant variances where it can be shown that, owing to special and unusual circumstances, literal interpretation of the zoning code would cause an undue or unnecessary hardship.

The specific criteria relied upon by the planning commission are contained in §157.225(A) of the Hermiston Code of Ordinances. In granting a variance, the applicant must demonstrate that all of the following criteria have been met:

1. Exceptional or extraordinary conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, shape, topography or other circumstances over which the applicant has no control.
2. The variance is necessary for the preservation of a property right of the applicant substantially the same as possessed by owners of other property in the same zone or vicinity.
3. The authorization of the variance shall not be materially detrimental to the purposes of this chapter, be injurious to property in the zone or vicinity in which the property is located, or be otherwise detrimental to the objectives of any development pattern or policy.
4. The variance requested is the minimum variance from the provisions and standards of this chapter which will alleviate the hardship.

It is not necessary to restate other ordinances and statutory requirements of the variance as part of the proceedings. The granting or denial of the variance will not affect the requirements of the City of Hermiston to comply with building, plumbing and electrical codes, other ordinances, statutory or regulatory compliance issues.

Public notice was provided to all property owners within 300 feet by direct mail on August 27, 2025. A sign was physically posted on the property on August 27, 2025. A notice of hearing was also published in the East Oregonian on August 27, 2025.

The property operates under an existing land use approval from the city which was subject to sixteen conditions of approval. The applicant has met or is complying with all of the approval conditions. No additional conditions of approval are recommended.

The applicant has provided findings of fact in support of the application. Staff has also drafted findings of fact in denial of the application. The planning commission should make a motion to adopt the preferred set of findings and make a final decision on the variance based on the adopted findings. Hard surfaced parking areas are a foundational policy of the city wherever possible. Staff does not support the variance request and recommends denial of the application.

Tie-In to Council Goals

N/A

Fiscal Information

The property has an assessed value of \$2.6 million and generates approximately \$16,000 in city property tax revenue annually.

Alternatives and Recommendation

Alternatives

The planning commission may choose to approve or deny the variance request.

Recommended Action/Motion

Staff recommends that the planning commission make the following motions:

- Motion to approve findings of fact contained in Exhibit A.2
- Motion to deny variance request

Should the motion to approve the findings of fact in Exhibit A.2 fail, the planning commission should make a motion to adopt the findings of fact contained in Exhibit A.1 and render a decision to approve the variance request.

Submitted By:

Clinton Spencer, Planning Director

Exhibit A.1
Findings of Fact - Support
Eastern Oregon Development Major Variance
579 E Elm Ave
October 8, 2024

Exceptional or extraordinary conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, shape, topography or other circumstances over which the applicant has no control.

1. The area proposed for the variance is approximately two acres of the overall 8.5 acre site. It currently contains flat, compacted gravel installed at the time of mini-storage development.
2. The existing gravel has been installed to create a base for future paving and building pads when the second phase of the storage is constructed and is adequate for travel as demonstrated by two years of continuous use.
3. The improvements are installed as part of a phased site plan and has substantial infrastructure in place.
4. There is existing paving in place within the mini-storage development allowing vehicular access to the storage site in compliance with the hard surface requirement.
5. The existence of a substantial gravel base creates an exceptional circumstance not found in similar nearby undeveloped sites.

The variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same zone or vicinity.

6. The site is located within the Neighborhood Commercial Overlay which allows mini-storage and RV storage through the conditional use permit process.
7. RV storage is an extension of the approved mini-storage and RV storage use, responding to community demand.
8. The paving requirement presents a challenge utilizing the existing compacted and graveled area.

The authorization of the variance would not be materially detrimental to the purposes of the zoning ordinance, be injurious to property in the zone or vicinity in which the property is located, or be otherwise detrimental to the objectives of any development pattern or policy.

9. The proposed outdoor parking will take place entirely within a fenced, secure storage facility which already includes privacy fencing, drainage swales, and

natural buffers such as the 50' wide Hermiston Irrigation District canal and easement.

10. The gravel surface has been in place since the facility opened in 2022 and there have been no complaints related to dust or maintenance during that time.
11. RVs in storage are used infrequently. Vehicle trips across the gravel surface will be rare as most tenants rarely access their vehicles.
12. The facility is equipped with more than 80 security cameras and electronic gate access, helping to protect vehicles and surrounding property.
13. The use itself is low impact and helps reduce on-street clutter by providing more off-street storage options to city residents.

It is impractical to maintain the zoning ordinance requirements and at the same time build, erect, or use the structure.

14. It is impractical to pave the entire two acre gravel area from a financial and operational perspective. It is unlikely the operation would recoup the significant cost of paving. Maintaining the existing gravel surface, allows the applicant to offer secure, affordable RV parking at multiple price points.
15. The majority of the facility's existing vehicle alleys are already paved, minimizing dust and allowing compliant access. The existing gravel area would be available for the storage of vehicles which are infrequently moved.
16. Requiring paving of the RV storage area restricts the applicant's ability to use otherwise functional land and adds costly improvements which will be removed with the eventual development of the second phase of storage buildings.

The variance requested is the minimum variance from the provisions and standards of the zoning ordinance which will alleviate the hardship.

17. The variance request seeks a limited exception to the paving requirement for a specific, already improved gravel area within the existing storage facility. The area is in place and has been functioning without issue for over two years. The remainder of the site is improved and complies with city paving standards.
18. The use of this area for RV parking does not change the approved use of the property and requires no other modifications to the zoning rules.
19. Allowing use of this gravel area for low traffic RV parking allows practical use of the area without compromising safety, appearance, or generating adverse impact to neighboring properties.

Exhibit A.2
Findings of Fact - Denial
Eastern Oregon Development Major Variance
579 E Elm Ave
October 8, 2024

Exceptional or extraordinary conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, shape, topography or other circumstances over which the applicant has no control.

1. The site is generally flat and well-suited for commercial development.
2. The site is improved with paved surfaces for all vehicle travel areas and RV storage within phase one of the development as required by the conditional use approval from the planning commission issued March 10, 2021.
3. Existing paved surfaces are designed to accommodate all storm water within the site boundary and have sufficient capacity to accommodate a 25-year storm event.
4. Based upon the current site operations and approved civil engineering for the site, there is no evidence to demonstrate that there is insufficient drainage capacity necessitating gravel rather than pavement improvements for parking.
5. The existing site topography and drainage conditions do not demonstrate that exceptional circumstances exist on the site preventing installation of paving improvements.

The variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same zone or vicinity.

6. The city has authorized RV storage on this site through the conditional use process in 2021 and required installation of paved parking for RV storage.
7. The city has authorized RV storage on a site located at 705 S 1st Street through the conditional use process in 2015 and required installation of paved parking for RV storage.
8. Each site authorized for RV storage is zoned Outlying Commercial and the subject site has the Neighborhood Commercial Overlay added to the C-2 zoning.
9. The city allows exercise of property rights for RV storage in commercial zones in compliance with the parking standards contained in §157.197(A).
10. The city approved the requested variance area for mini-storage use through the conditional use process in 2021. The applicant has not yet constructed the second phase of the mini-storage structures. However, evidence in the record demonstrates that the existing gravel within the subject has been placed in preparation for the second phase of construction and the applicant's approval for the second phase of storage is a vested right based upon the time limit standards

in §157.228(B). Therefore, denial of the variance does not preclude the applicant's exercise of property rights to construct the approved storage units.

The authorization of the variance would not be materially detrimental to the purposes of the zoning ordinance, be injurious to property in the zone or vicinity in which the property is located, or be otherwise detrimental to the objectives of any development pattern or policy.

11. The City has interpreted §157.179(A) as defining "hard surface" as concrete, chip seal, and asphalt.
12. The parking lot design standards in Chapter 157 have been adopted by the city council through a participatory, representative process and implemented equally on all development throughout the city where applicable.
13. Compliance with the hard surface requirement is uniform across all commercial and residential development and compliance often requires a significant investment.
14. It is injurious to the rights of previous compliers with the requirement and to the objectives of the zoning ordinance to grant waivers from this requirement for storage use. RVs, even if moved infrequently, are standing vehicles as identified in §157.179(A).

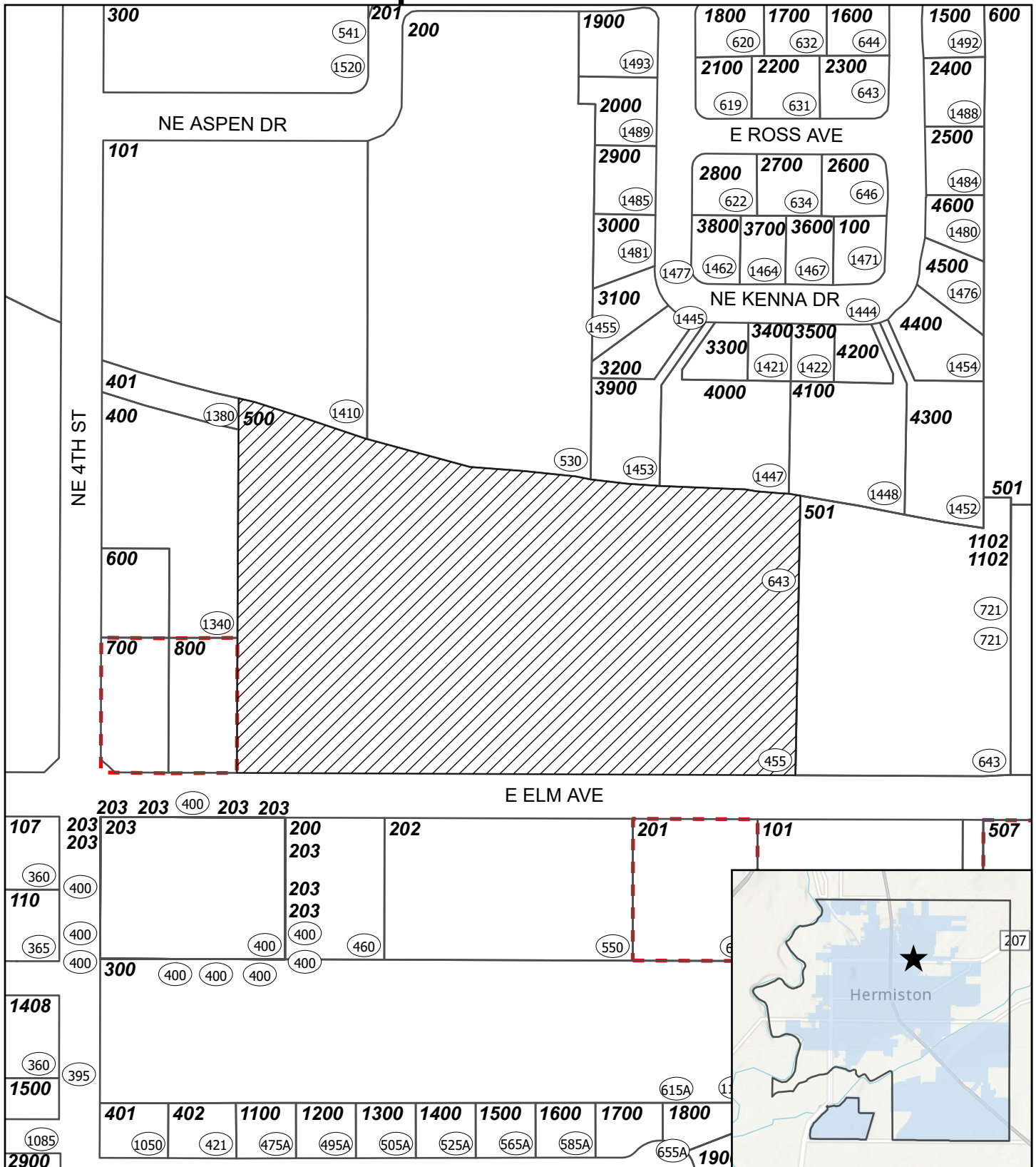
It is impractical to maintain the zoning ordinance requirements and at the same time build, erect, or use the structure.

15. The application identifies that the area of requested variance is traversed by vehicles using the storage facility. The evidence in the record therefore demonstrates that it is not impractical to use the area.
16. The area cannot be used for RV storage under the municipal code unless it is improved with a hard surface. However, nothing in the code prevents other uses on the site. Such use may include construction of the three approved storage buildings in the 2021 conditional use permit, or separation of the area for commercial development.
17. Evidence in the record demonstrates that it is impractical financially to improve the area with a hard surface. However, cost alone is not the determining factor in deciding which provisions of the zoning ordinance are applicable to development and the site is suitable for improvement with structures or with paving.





The variance requested is the minimum variance from the provisions and standards of the zoning ordinance which will alleviate the hardship.

18. Improve of the site with gravel parking is the minimum variance from the provisions and standards of the zoning ordinance. An alternative such as returning the surface to natural conditions would be more injurious in terms of dust and noise.

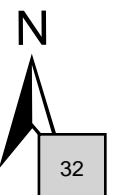
Notice of Proposed Land Use Action



Legend

-  Area of Proposed Land Use Action
-  Property Line
-  Urban Growth Boundary
-  City Limits





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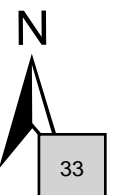
Notice of Proposed Land Use Action



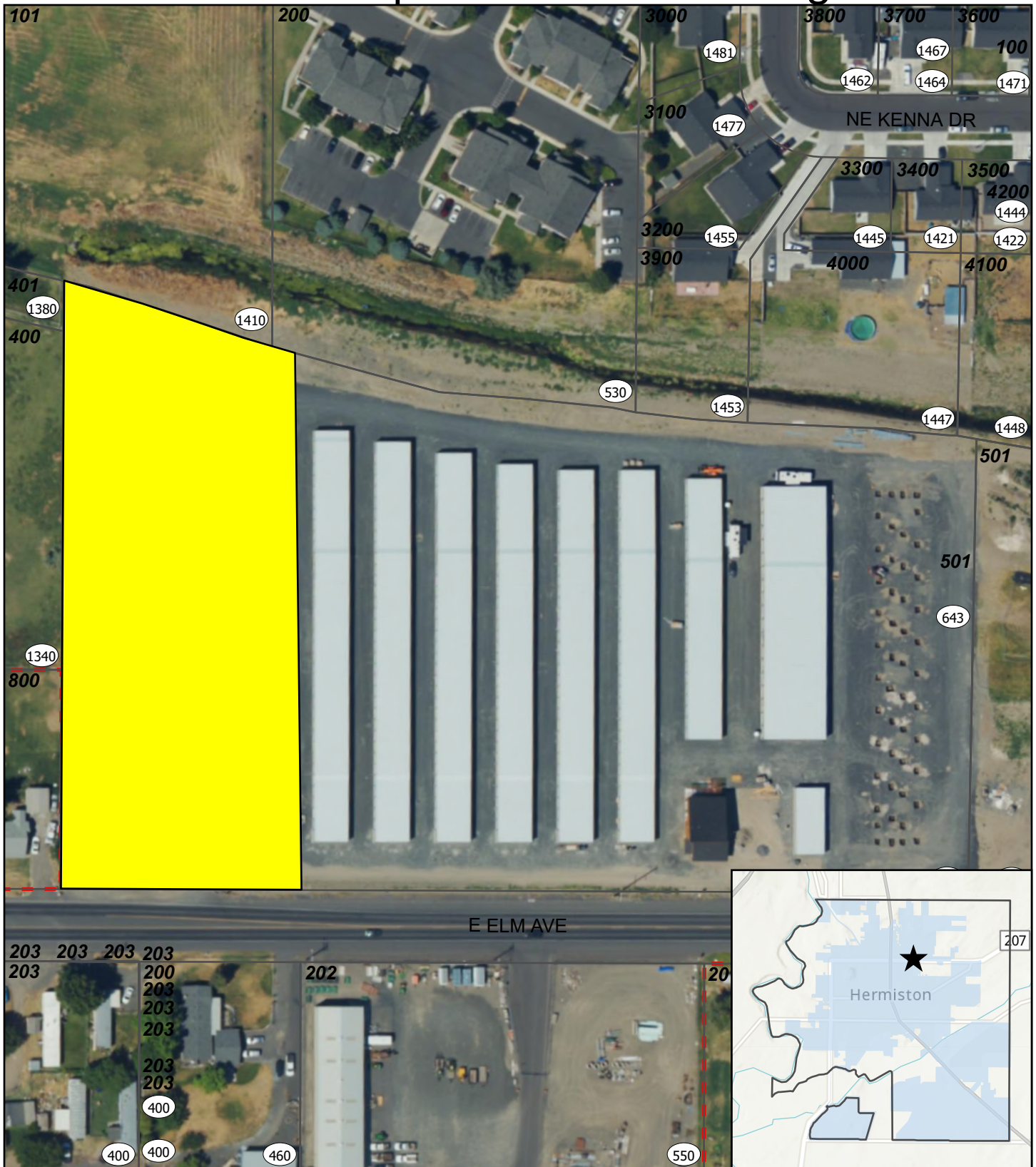
Legend

-  Area of Proposed Land Use Action
-  Property Line
-  Urban Growth Boundary
-  City Limits

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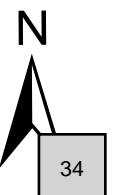
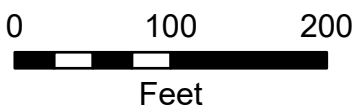


Proposed Gravel Parking



Legend

- Property Line
- Urban Growth Boundary
- City Limits



CITY OF HERMISTON APPLICATION FOR MAJOR VARIANCE

Pursuant to the provisions of §157.225 of the Hermiston Code of Ordinances, application is hereby made for a variance for the following described property:

Name of Applicant: E.O. DEVELOPMENT, LLC - STEVE RICHARDS Phone: 541-969-6634

Mailing Address: 579 E. ELM AVE., HERMISTON, OR 97838

Name of Owner (If Different): _____ Phone: _____

Mailing Address: _____

Legal Description: Assessor's Map No: 4N2802C0 Tax Lot No: 500 Subdivision: _____

Please Attach a Metes and Bounds Legal Description

Street Address: 579 E. ELM AVE., HERMISTON, OR 97838

Current Zoning Designation: _____

Variance Requested:

157.179 DESIGN REQUIREMENT RELATED TO PAVING

IMPORTANT!: Oregon's Land Use Planning Laws and §157.225 of the Hermiston Code of Ordinances require the findings of fact with regard to variance requests. The findings provide justification to either approve or deny the application. Read the questions that follow and answer them as completely as you can; use additional sheets if necessary. Your responses will help you to make findings and evaluate the merits of your request. The chances of a successful application depend upon the adequacy of the arguments you present to justify approval of the application.

1. Explain what exceptional or extraordinary conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, topography or other circumstances over which the applicant has no control. (Note: These exceptional circumstances should relate to the land rather than persons.)

REFER TO ADDENDUM

2. Why is the variance necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same zone or vicinity?

REFER TO ADDENDUM

Explain why the authorization of the variance would not be materially detrimental to the purposes of the zoning ordinance, be injurious to property in the zone or vicinity in which the property is located, or be otherwise

detrimental to the objectives of any development pattern or policy.

REFER TO ADDENDUM

4. Explain why it is impractical to maintain the zoning ordinance requirements and, at the same time, build, erect or use the structure.

REFER TO ADDENDUM

5. Explain why the variance requested is the minimum variance from the provisions and standards of the zoning ordinance which will alleviate the hardship.

REFER TO ADDENDUM

ADDITIONAL INFORMATION TO BE FURNISHED & ATTACHED TO APPLICATION:

1. Evidence that applicant is owner or purchaser of the property or has written permission of such owner to make an application for the variance.
2. Two copies (one digital) of a site plan (11"x17") drawn to scale, showing the location of the property concerned with all proposed or existing building(s), and the location of all highways, streets and alleys.

The above statements are true to the best of my belief and knowledge. As applicant, I understand that the planning commission requests my attendance, or the attendance of my authorized representative.

I am the ☒ owner ☐ owner's authorized representative. **If authorized representative, please attach letter signed by owner.**

Signature of Applicant: Stan Bickman

Date: 7-9-2025

OUT-OF-POCKET EXPENSES FOR MAILING & PUBLICATION COSTS WILL BE BILLED LATER

NOTE: The Hermiston Planning Commission meets the second Wednesday of each month. Because of public notice requirements and time constraints, this application must be returned to City Hall no less than **four weeks** prior to the hearing date. If you have any questions about completing the application or the procedure, please feel free to contact the planning department at the Hermiston City Hall, 180 NE 2nd Street, Hermiston, Oregon 97838, or telephone (541)667-5025. The City's fax number is (541)567-5530.

Date Filed: 7/15/25
Fee: \$800.00

Office Use Only
Received By: Maile
Date Paid: 7-15-25

Meeting Date: SEP 10 2025
Receipt No: 7-000000336

**CITY OF HERMISTON
APPLICATION FOR MAJOR VARIANCE
ADDENDUM**

1. Explain what exceptional or extraordinary conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, topography or other circumstances over which the applicant has no control. (Note: These exceptional circumstances should relate to the land rather than persons.)

This property includes approximately two acres of flat, compacted ground that has been graveled since development began under a city-approved conditional use permit in 2022. This gravel area was prepared for future building pads and alleyways and has remained stable and functional for over two years. The exceptional circumstance is that this land was developed under a phased site plan and is already improved with 4–6 inches of graded and compacted gravel. Unlike other raw or undeveloped lots, this site is in active use, has substantial infrastructure in place, and was not originally required to pave under the initial CUP. Furthermore, most of the facility's main drive aisles are already paved, and the remaining gravel areas experience limited vehicle movement. The physical condition, prior investment, and functional performance of the gravel surface create unique circumstances not common to nearby properties, and these conditions are tied to the land rather than any personal situation of the owner.

2. Why is the variance necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same zone or vicinity?

The subject property operates under a unique overlay zoning and conditional use permit (CUP) granted by the City in 2022, allowing for self-storage uses on this site. As part of a modern storage facility, outdoor vehicle and RV parking is a natural extension of the approved use and responds directly to community demand for secure, off-street storage options.

The variance is necessary to allow the property to be used in a manner consistent with the storage function already permitted. Although the CUP enables storage use, the paving requirement presents a challenge for utilizing the existing compacted and graveled area, which was prepared during initial site development and has functioned effectively for over two years without issue. Granting the variance would allow the applicant to make full, appropriate use of the site while remaining consistent with the intent of the overlay zoning and CUP—supporting a secure, low-impact storage environment that serves local needs.

3. Explain why the authorization of the variance would not be materially detrimental to the purposes of the zoning ordinance, be injurious to property in the zone or vicinity in which the property is located, or be otherwise detrimental to the objectives of any development pattern or policy.

Approving this variance would not negatively affect nearby properties or conflict with the purpose of the zoning ordinance. The proposed outdoor parking would take place entirely within a fenced, secure storage

facility that already includes privacy fencing, drainage swales, and natural buffers like the 50' wide Hermiston Irrigation District canal and easement. The gravel surface has been in place since the facility opened in 2022, and there have been no known complaints related to dust or maintenance during that time.

In discussions with the City of Hermiston code enforcement officer, it was noted that RV parking on public streets is a significant issue in the community. Allowing secure, off-street RV storage at this facility would help address that concern by giving residents a safe and legal place to park their vehicles. Most RV tenants rarely access their vehicles, so traffic on the gravel area would be minimal.

The facility is also equipped with more than 80 security cameras and electronic gate access, which helps protect both vehicles and surrounding property. Overall, the proposed use is low-impact, well-managed, and supports broader city goals, including reducing clutter on public streets and providing more storage options to residents.

4. Explain why it is impractical to maintain the zoning ordinance requirements and, at the same time, build, erect or use the structure.

Paving the entire two-acre gravel area is impractical from both a financial and operational perspective. The cost of paving such a large area would be significant and may not be recouped, especially considering that not all residents can afford the cost of enclosed or covered RV storage. By maintaining the gravel surface - which is already compacted and functional - the applicant can offer secure, affordable parking options at multiple price points, responding to clear and consistent community demand.

The majority of the facility's high-traffic alleys are already paved, minimizing dust and ensuring safe access. The remaining gravel areas would be available for vehicles that are infrequently moved, making the paving requirement excessive relative to the actual use. Enforcing full paving would restrict the applicant's ability to use otherwise functional land and prevent the facility from offering a widely needed service to the community.

5. Explain why the variance requested is the minimum variance from the provisions and standards of the zoning ordinance which will alleviate the hardship.

This request seeks a limited exception to the paving requirement for a specific, already improved gravel area within the existing storage facility. The area has been in place and functioning without issue for over two years, and the rest of the site—including the main drive aisles—already complies with city paving and development standards.

The use of this gravel area for vehicle parking does not change the approved use of the property and requires no other modifications to zoning rules. Avoiding the cost and disruption of paving this low-traffic area allows for practical use of the land without compromising safety, appearance, or neighboring properties. This is the smallest adjustment needed to put the space to productive use while still meeting the intent of the zoning code.

After recording return to grantee herein.
Until a change is requested send all tax
statements to grantee herein.

GRANTEE'S NAME AND ADDRESS:
EASTERN OREGON DEVELOPMENT, LLC
42980 HANEY LN
PENDLETON, OR 97801

GRANTOR'S NAME AND ADDRESS:
RAQUEL MEDELEZ
1186 PUNKIN CENTER RD
HERMISTON, OR 97838

State of Oregon
County of Umatilla

Instrument received
and recorded on

05/21/2021 02:25:42 PM

In the record of instrument
code type DE

Instrument number 2021-7210573
\$101.00

Office of County Records

Jean Chandler
Records Officer P2

WARRANTY DEED -- STATUTORY FORM

(INDIVIDUAL or CORPORATION)

RAQUEL MEDELEZ Grantor, conveys and warrants to: **EASTERN OREGON DEVELOPMENT, LLC**, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

SEE ATTACHED EXHIBIT 'A' FOR LEGAL DESCRIPTION

Encumbrances: SEE ATTACHED EXHIBIT 'A' FOR PERMITTED EXCEPTIONS

The true consideration for this conveyance is \$1,050,000.00 PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR. However, if the actual consideration consists of or includes other property or other value given or promised, such other property or value is the whole of the consideration.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.341 (Legislative Findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 555, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 5, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 (Definitions for ORS 92.010 to 92.092) OR 215.010 (Definitions), TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930 (Definitions for ORS 30.930 to 30.947), AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300 (Definitions for ORS 195.300 to 195.336), 195.341 (Legislative Findings) AND 195.305 (Compensation for restriction of use of real property due to land use regulation) TO 195.336 (Compensation and Conservation Fund) AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 555, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 5, OREGON LAWS 2010.

If grantor is a corporation, this has been signed by authority of the Board of Directors.

Dated this 21 day of May, 2021.

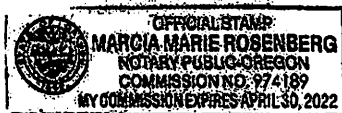
GRANTOR(S):

Raquel Medelez
RAQUEL MEDELEZ

State of Oregon
County of UMATILLA

This instrument was acknowledged before me on May 21, 2021 by RAQUEL MEDELEZ.

Marcia Marie Rosenberg
(Notary Public for Oregon)
My commission expires 4/30/22



PIONEER TITLE CO. 101557
109 SW COURT, PEND. OR 97801

EXHIBIT "A"

Legal Description:

All that portion of the Southeast Quarter of the Southwest Quarter of Section 2, Township 4 North, Range 28, East of the Willamette Meridian, Umatilla County, Oregon, lying and being 8 feet Southerly from the South line of the Hermiston Irrigation District Drainage Canal;

Excepting therefrom the West 230 feet thereof;

Also excepting therefrom any portion lying within the County Road and Street rights-of-ways.

Subject to the following permitted exceptions:

1. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
2. The premises herein described are within the boundaries of the Hermiston Irrigation District, and this property is therefore subject to all easements, levies and assessments thereof.
3. Water right reservations, including the terms and provisions thereof, contained in Deed,
Grantor : Harm H. Casper, etux
Recorded : November 21, 1946, Book 179, Page 237, Deed Records.

HERMISTON IRRIGATION DISTRICT



366 East Hurlburt Avenue
Hermiston, OR 97838-2445
Office: 541-567-3024
Fax: 541-564-1069
Mobile: 541-571-7698
E-mail: Manager@hermistonid.org

September 4, 2025

City of Hermiston
Clint Spencer, Planning Director
180 NE 2nd St
Hermiston OR 97838

**Re: Hermiston Mini Storage, LLC
Major Variance – 4N2802CD 500**

Director Spencer,

I have reviewed the information regarding the request for variance by Steve Richards for the map and tax lot listed above. This property is within the District boundary and has water rights that will need to be removed. This property is also boarded on the north by the Hermiston Drain, which has a Right-of-Way of 200 feet (100' to the north and 100' to the south).

HID has no objection to the site plan. Thank you for the opportunity to review and comment on this application.

Respectfully,

Karra

Karra Van Fossen
Water Right Specialist



Where Life is Sweet

Members of the Planning Commission
STAFF REPORT
 For the Meeting of October 8, 2025

Title/Subject

Subdivision- Anides & Soler Subdivision 4N2811DA Tax Lot 2700

Summary and Background

Phoenix Builders Investment Group LLC has submitted an application for a preliminary subdivision plat. The proposed plat creates 12 lots on land zoned Low-Density Residential (R-1). The property is located at 945 E Newport Ave and extends north to an unimproved alley which will be dedicated and improved as an extension of E Hurlburt Ave. The applicant is also the property owner.

The development proposal consists of eight lots abutting E Newport Ave and four lots abutting E Hurlburt Ave. The lots range in size from 8,000 to 14,000 square feet. The minimum lot size in the R-1 zone is 8,000 square feet. It is the intent of the applicant to develop the site with single-family housing. The R-1 zone allows for both single and two-family housing.

All of the proposed lots have access to a public street. Adequate access is provided to E Newport Ave and following improvement and extension of E Hurlburt Ave, those lots fronting Hurlburt will also have adequate access. All of the lots are designed in accordance with the R-1 subdivision design standards with the exception of Lot 6 on the preliminary plat. Lot 6 has a depth in excess of three times the lot width. The planning commission should consider the lot design and site topography and consider if an amendment to the preliminary plat is necessary. The findings detailing compliance with the subdivision design and zoning standards are attached as Exhibit A to this report.

Notice was mailed to all property owners within 100 feet of the proposal and affected agencies by direct mail on September 24, 2025. A sign was placed on the property on September 24, 2025.

The criteria that are applicable to the preliminary plat are contained in 94.20 through 94.26, 154.15 through 154.35, 154.60 through 154.66, 157.025, and 157.101 of the Hermiston Code of Ordinances.

Tie-In to Council Goals

Provision of market rate housing is a council priority.

Fiscal Information

There are 12 low density residential lots resulting in 12 new homes proposed for the subdivision. Each house should sell in the \$350-400,000 range. At full build-out the development will generate approximately \$29,000 in revenue to the city each year.

Alternatives and Recommendation

Alternatives

The planning commission may choose to:

- Approve the subdivision plat and conditions
- Approve the subdivision plat and modify the conditions
- Modify the subdivision plat
- Reject the subdivision plat

Recommended Action/Motion

Staff recommends that the planning commission approve the preliminary plat subject to the draft conditions.

- Motion to approve the findings of fact
- Motion to approve the conditions of approval
- Motion to approve the preliminary plat with conditions of approval

Submitted By:

C.F. Spencer, Planning Director

EXHIBIT A
Findings of Fact
Soler & Anides Subdivision
945 E Newport Ave
October 8, 2025

Chapter 94: Streets and Sidewalks

One street extension is proposed on the preliminary plat. The applicant proposes to extend E Hurlburt Avenue approximately 221 feet west from its current terminus. Both streets are properly labeled on the preliminary plat. No changes other than installation of improvements is proposed for E Newport Ave. Sidewalk installation is required at the time of development of dwellings on each lot.

Chapter 154: Subdivisions

Design Standards

154.15 Relation to Adjoining Street System.

The preliminary plat has lots serviced by E Newport Ave and E Hurlburt Ave. Each street is classified as a local residential street in the Hermiston Transportation System Plan. The scope of the development will not change the functional classification of either street. Development will require each street frontage to be improved to local residential standards with infill paving where appropriate, curb, gutter, sidewalk, and storm drainage.

The development extends the existing E Hurlburt Ave cul-de-sac providing a portion of the extension necessary for the eventual connection of E Hurlburt Ave to SE 9th Street. No modification to the existing cul-de-sac bulb is required for this street extension.

No offset streets are proposed, no street intersection angle varies by more than 10% from a right angle, and streets obviously in alignment with existing streets (E Hurlburt Ave) will bear the name of the existing street.

154.16 Street and Alley Width.

All streets have a width of at least 50 feet which meets the minimum requirement for local residential streets. The preliminary plat dedicates an additional 30 feet to E Hurlburt Ave. Combining the thirty foot dedication to the existing 20 foot alley creates the required 50 foot street width. The street design standards are satisfied.

154.17 Easements.

Easements of 10 feet in width are provided on all street frontages. ORS 92.044 only permits cities to require utility easements abutting a street. However, there is also an

existing drainage ditch along the north property line of all lots which is not protected with an existing easement. Additional easements are required for the protection of this drain. Width requirements for the easement are further described in the conditions of approval.

154.18 Blocks.

There are no blocks proposed as part of the subdivision proposal.

154.19 Lots.

The lots are numbered sequentially from the Bratton Replat. The preliminary plat is located on Lot 3 of the replat. Since this subdivision is a new plat proposed within Lot 3, the lots shall be renumbered starting with Lot 1 and not Lot 3.

All the proposed lots will make desirable building sites properly related to topography as required by §154.19(A) of the Hermiston Code of Ordinances. All side lot lines are at right angles to straight street lines and there are not double frontage lots as required by §154.19(B). All lots are at least 60 feet wide as required by §154.19(C). Lot 6 on the preliminary plat has a lot depth in excess of three times the lot width (208 feet of depth vs 63 feet of width). After reviewing the topographic information provided, the city finds that there is 14 feet of fall in the south 50 feet of the lot. This area is not suitable for home building and allowing an exception to the lot depth is justified. All the proposed lots exceed the minimum lot size of 8,000 square feet in the R-1 zone.

There are no corner lots in the development. The provisions of §154.19(D) and (E) are not applicable.

There are no flag lots in the development. The provisions of §154.19(F) are not applicable.

154.20 Character of Development.

Staff understands that the applicant intends to market the subdivision as a single-family development. The lot sizes proposed for the development exceed the minimum size required in the R-1 zone for single- and two-family dwellings. Uses permitted in the R-1 zone are listed in §157.025 of the Hermiston Code of Ordinances.

154.21 Parks, School Sites and the Like

The comprehensive plan and parks master plan do not indicate a need for any parks or schools in the vicinity of the proposed development. There are two existing schools (Highland Hills Elementary and Sandstone Middle School) in the neighborhood.

Preliminary Plat

The preliminary plat was filed on August 4, 2025, more than 30 days prior to the October 8 planning commission meeting in accordance with §154.35(A)

The preliminary plat contains most of the information required by 154.35 of the Hermiston Code of Ordinances.

The following items are not included with the preliminary plat:

- Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract or immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet are to be indicated in a general way upon the plat;
- Grades and profiles of streets and plans or written and signed statements regarding the grades of proposed streets; and the width and type of pavement, location, size and type of sanitary sewer or other sewage disposal facilities; water mains and other utilities; facilities for storm water drainage and other proposed improvements such as sidewalks, planting and parks, and any grading of individual lots;

The above information must be included unless waived by the planning commission. Profiles for the streets and utility information are required as part of the civil drawing review process and final plat process. Staff recommends that the planning commission waive the required information for the preliminary plat but require it for civil drawing submission.

Required Minimum Improvements

154.60 Permanent Markers.

All subdivisions shall be surveyed in accordance with ORS 92.050 through 92.080. The preliminary plat has been surveyed.

154.61 General Improvements.

As a condition of approval for the final plat, the city will require the installation of grading, storm drainage, curb and gutter, sidewalks, street paving and all service utilities. All improvements must comply with the Public Works Department standard plans and specifications manual. As a condition of approval, the planning commission shall require the applicant to sign an improvement agreement with the city agreeing to specific development conditions. In lieu of completion of such work, the City may accept a Letter of Credit in an amount and conditions to be specified.

E Newport Ave is partially improved with curb and gutter for the entire development site frontage. E Newport Ave shall have improvements in the form of sidewalk, curb, gutter, drainage improvements, and infill paving for the entire development frontage. E Hurlburt Ave is entirely unimproved along the development site frontage. The remaining 30 feet of E Hurlburt Ave frontage shall be dedicated from the current terminus to the west edge of the development site and shall be improved with sidewalk, curb, gutter, drainage, and a half street plus 10 feet of paving along the north development site frontage.

Final design approval of all improvements must be obtained from the city engineer. Streetlights must also be installed at the applicant's cost. Once installed, the City will assume the monthly service charges.

154.62 Water Lines.

Each lot is planned for connection to the municipal water supply. Water system extensions and fire hydrant locations must be approved by the city engineer. The south portion of the development will be serviced by the existing water improvements in E Newport Ave. Water improvements are required in E Hurlburt Ave in the form of an 8 in water main to be installed from the current terminus in E Hurlburt Ave to the west edge of the development, a distance of approximately 240 feet.

154.63 Sanitary Sewer System.

Each lot is planned for connection to the sanitary sewer system. The sewer layout must be approved by DEQ, the city sewer superintendent and the city engineer. The south portion of the development will be serviced by the existing sewer improvements in E Newport Ave. Sewer improvements are required in E Hurlburt Ave in the form of an 8 in sewer main to be installed from the current terminus in E Hurlburt Ave to the west edge of the development, a distance of approximately 240 feet.

154.64 Drainage.

All necessary facilities shall be installed sufficient to prevent the collection of surface water in any low spot and to maintain any natural water course. A portion of the Hermiston Drain extends along the north boundary of Lots 3, 4, 5, 6, and 14. The city will require the dedication of a 10 foot easement for the protection of and access to the drain in this area.

154.65 Sidewalks.

The applicant shall install sidewalks along all street frontages of all lots as required by the improvement agreement.

154.66 Bikeways.

The City of Hermiston Transportation System Plan does not call for any bikeways in this area.

Chapter 157: Zoning157.025 Low Density Residential Zone (R-1)

All the proposed lots are created in conformance with the requirements of the R-1 zone. All the proposed lots exceed the minimum lot size of 8,000 square feet. All proposed lots are at least 60 feet wide and 80 feet deep. The lot sizes proposed for the development exceed the minimum size required in the R-1 zone for single- and two-family dwellings. Uses permitted in the R-1 zone are listed in §157.025 of the Hermiston Code of Ordinances.

§157.101 Development Hazard Overlay

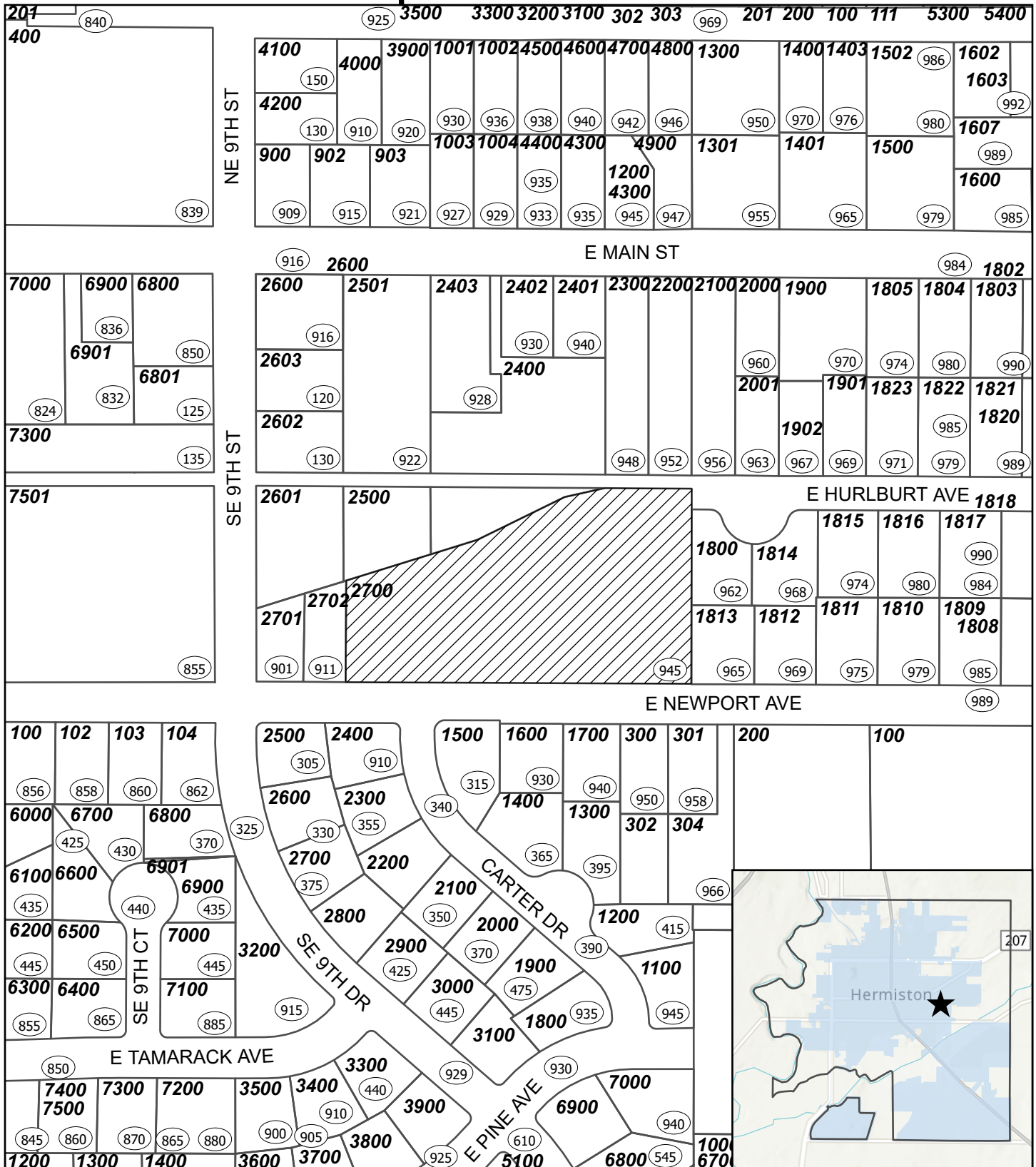
Comprehensive Plan Figure 12 identifies portions of this subdivision as subject to groundwater pollution hazards due to a high water table. In accord with 157.101 of the Hermiston Code of Ordinances, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels. Any additional requirements or prohibitions necessary to mitigate groundwater pollution problems must be developed in conjunction with the Departments of Environmental Quality and Water Resources. At the discretion of the planning commission, the applicant may obtain an exemption to the above requirements if a registered engineer presents documentation which demonstrates that the proposed development will not contribute to potential groundwater pollution.

EXHIBIT B**Conditions of Approval****Soler & Anides Subdivision****945 E Newport Ave****October 8, 2025**

1. Lots shall be renumbered sequentially starting with Lot 1. Lots 1 and 2 of the Bratton Replat shall not be included in the lot numbering. Remove the existing lot lines on Lot 3.
2. Applicant shall work with and receive certification from the Hermiston Irrigation District prior to final plat approval. Applicant should be aware that the City of Hermiston will not sign the final plat until the irrigation district has been satisfied and signs the final plat.
3. Applicant must sign an improvement agreement and shall install grading, storm drainage, curb and gutter, sidewalks, street paving, and all service utilities for this development. All improvements for each phase shall comply with city standards and specifications and shall receive final approval from the city engineer.
4. Thirty feet for E Hurlburt Ave frontage shall be dedicated from the current terminus to the west edge of the development site and shall be improved to local street standards with sidewalk, curb, gutter, drainage, and a half street plus 10 feet of paving along the north development site frontage.
5. Extension of E Hurlburt Ave will require relocation of an existing ditch inlet located in the existing alley. Applicant/developer shall bear all costs associated with relocation of this inlet as part of street construction.
6. E Newport Ave shall have improvements in the form of sidewalk, curb, gutter, drainage improvements, and infill paving for the entire development frontage.
7. A portion of the Hermiston Drain extends along the north boundary of Lots 3, 4, 5, 6, and 14. The city will require the dedication of an easement for the protection of and access to the drain in this area. The width of the easement shall include the ditch and be established from the top of the ditch bank plus 10 feet for the protection of access for maintenance vehicles.
8. The applicant/developer shall install an eight inch water main in E Hurlburt Ave from the current terminus to the west edge of the development site.
9. The applicant/developer shall install an eight inch sanitary sewer main in E Hurlburt Ave from the current terminus to the west edge of the development site. Lots on E Hurlburt Ave shall be serviced with gravity sewer; force mains are not allowed.

10. The property lies within an area subject to potential groundwater pollution hazards due to high water table. Therefore, the outdoor storage of hazardous chemicals and the underground storage of gasoline and diesel fuels are prohibited per §157.101(B) of the Hermiston Code of Ordinances. Per §157.101(D) of the Hermiston Code of Ordinances, a developer may receive an exemption from this requirement upon submission of evidence from a registered engineer that the storage will not contribute to groundwater pollution.
11. The applicant shall submit a geotechnical report considering the depth of groundwater within the development. Finished grades of all building pads shall be no less than four feet above the seasonal high ground water table.
12. Applicant 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.

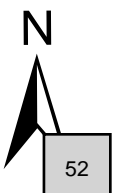
Notice of Proposed Land Use Action



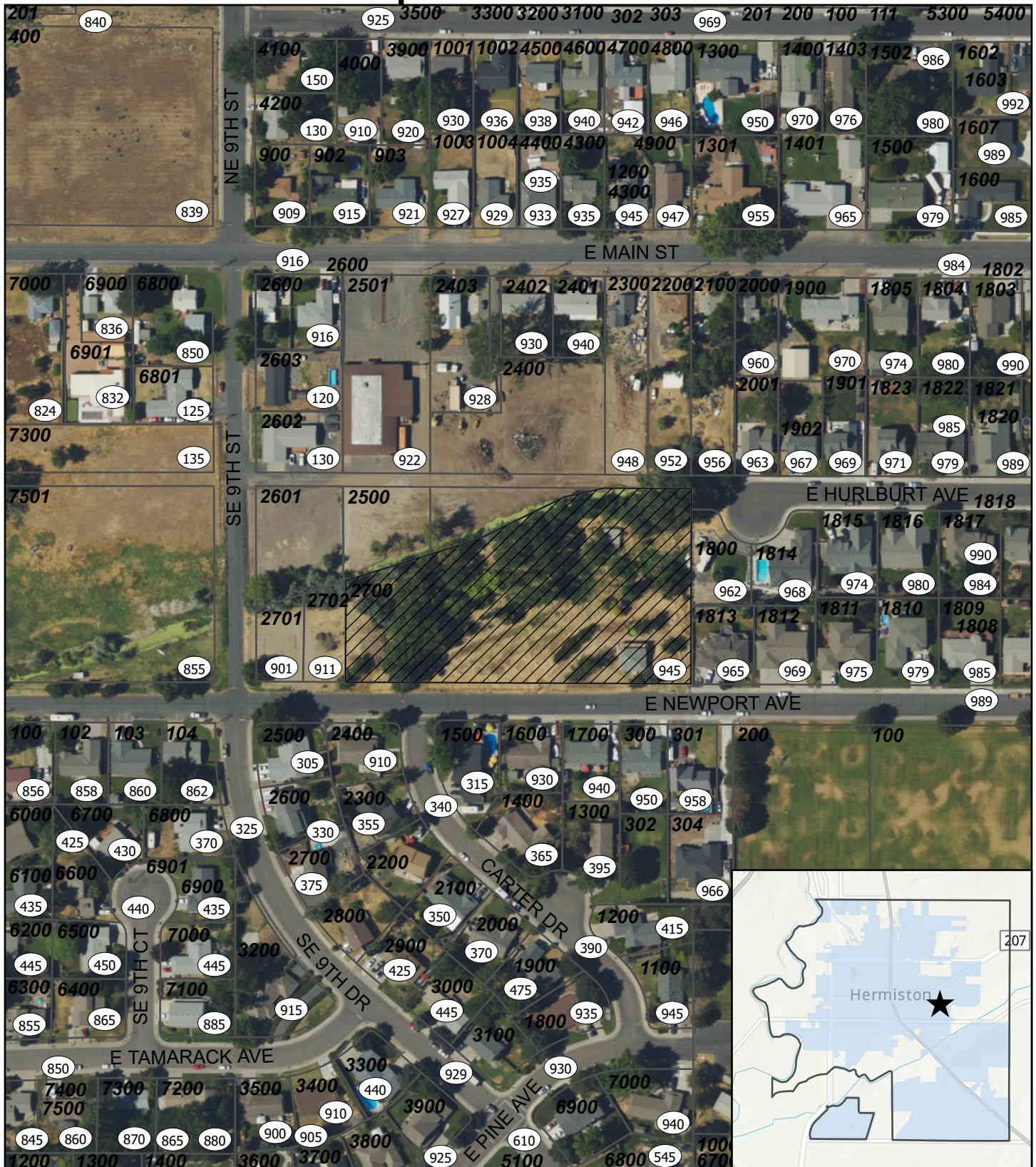
Legend

- Area of Proposed Land Use Action
- Property Line
- City Limits
- Urban Growth Boundary





0 100 200 300 400
Feet

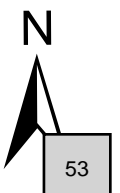
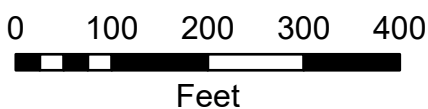


Notice of Proposed Land Use Action



Legend

-  Area of Proposed Land Use Action
-  Property Line
-  City Limits
-  Urban Growth Boundary



CONTACT INFO

OWNER/DEVELOPER:
PHOENIX BUILDERS INVESTMENT
GROUP LLC
ATTN: ANIDES GUERENA
1500 W COURT ST
PASCO, WA 99301
PHONE:(509)792-1369

SURVEYOR:
...
ATTN: ...
PHONE:(#####)###-####
...

ENGINEER:
KNUTZEN ENGINEERING
ATTN: PAUL KNUTZEN
5401 RIDGELINE DRIVE
SUITE 160
KENNEWICK, WA 99338
PHONE:(509)222-0959

BASIS OF BEARINGS

NAD83 OREGON STATE PLANES (POLYCONIC), NORTH ZONE, US FOOT, BASED ON GPS
OBSERVATIONS USING WSRN AND GEOID 2021A, UNITS OF MEASUREMENT ARE US SURVEY FEET

BASIS OF ELEVATION

NAVD 1988 VERTICAL DATUM ON ORTHOMETRICALLY CORRECTED GPS
OBSERVATIONS USING WSRN AND GEOID 2012A

LEGAL DESCRIPTION

...

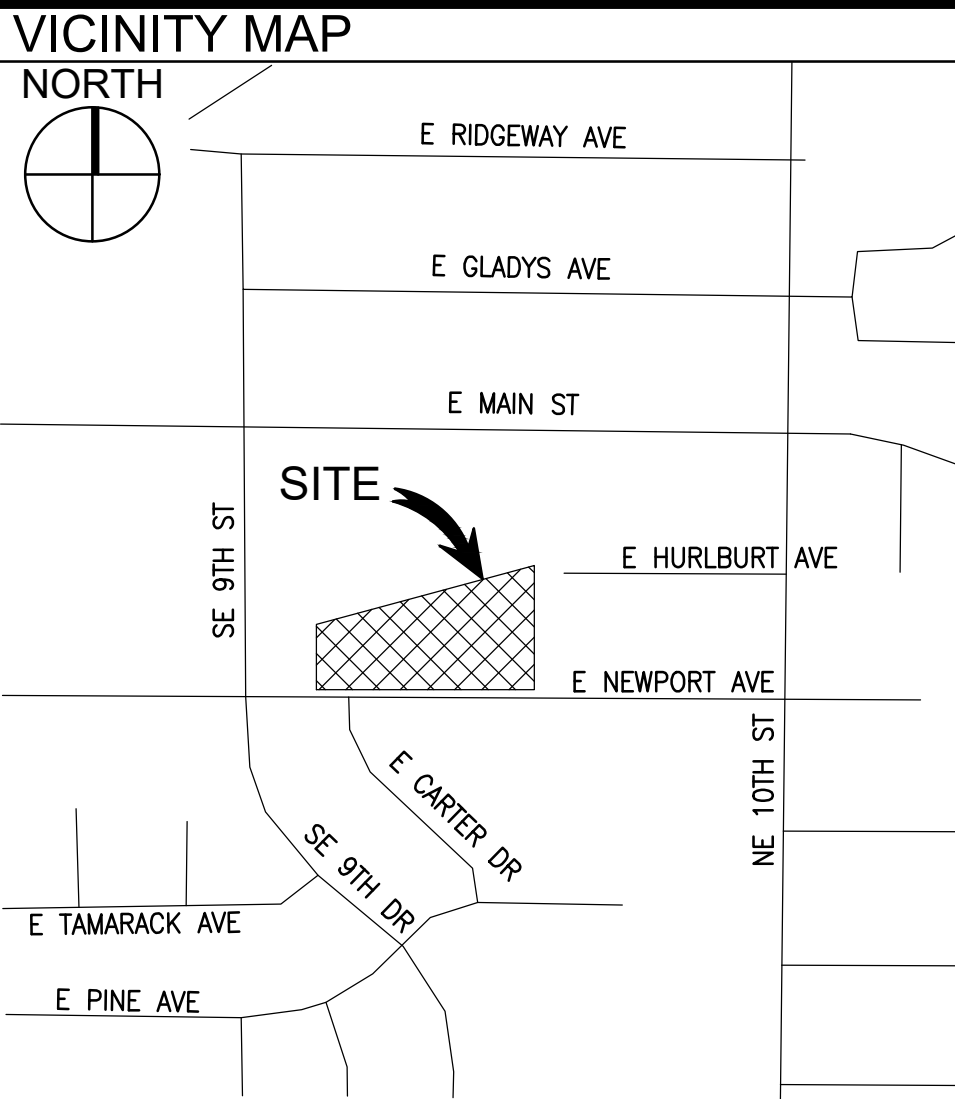
LAND USE SUMMARY	
GROSS ACREAGE:	2.70 AC
NET LOT ACREAGE:	2.58 AC
AREA OF PUBLIC ROW:	0.12 AC
TOTAL NUMBER OF LOTS:	12 LOTS
AVERAGE LOT SIZE:	9,361 SF
LARGEST LOT AREA:	14,070 SF
SMALLEST LOT AREA:	8,000 SF
DENSITY:	4.44 DU/AC
PRESENT ZONING:	R-1
TYPE OF WATER SERVICE:	CITY
TYPE OF SEWER SERVICE:	CITY



ANIDES & SOLER SUBDIVISION

PRELIMINARY PLAT

... 1/4 OF THE ... 1/4 OF SEC. ##, T.##., R.##, W.M., CITY OF HERMISTON,
UMATILLA COUNTY, OR



5401 RIDGELINE DR.
SUITE 160
KENNEWICK, WA 99338
1-509-222-0959
www.knutzenengineering.com

DESIGN	CHKD	APPD
DATE		
REVISIONS		
No.		

04/16/25

PRELIMINARY PLAT

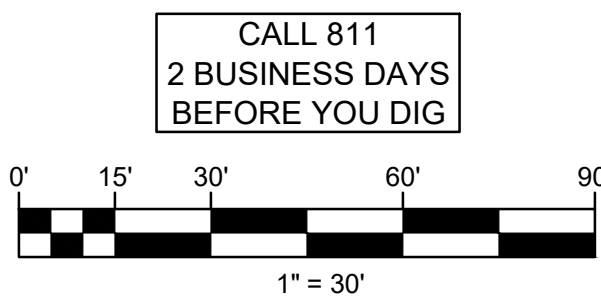
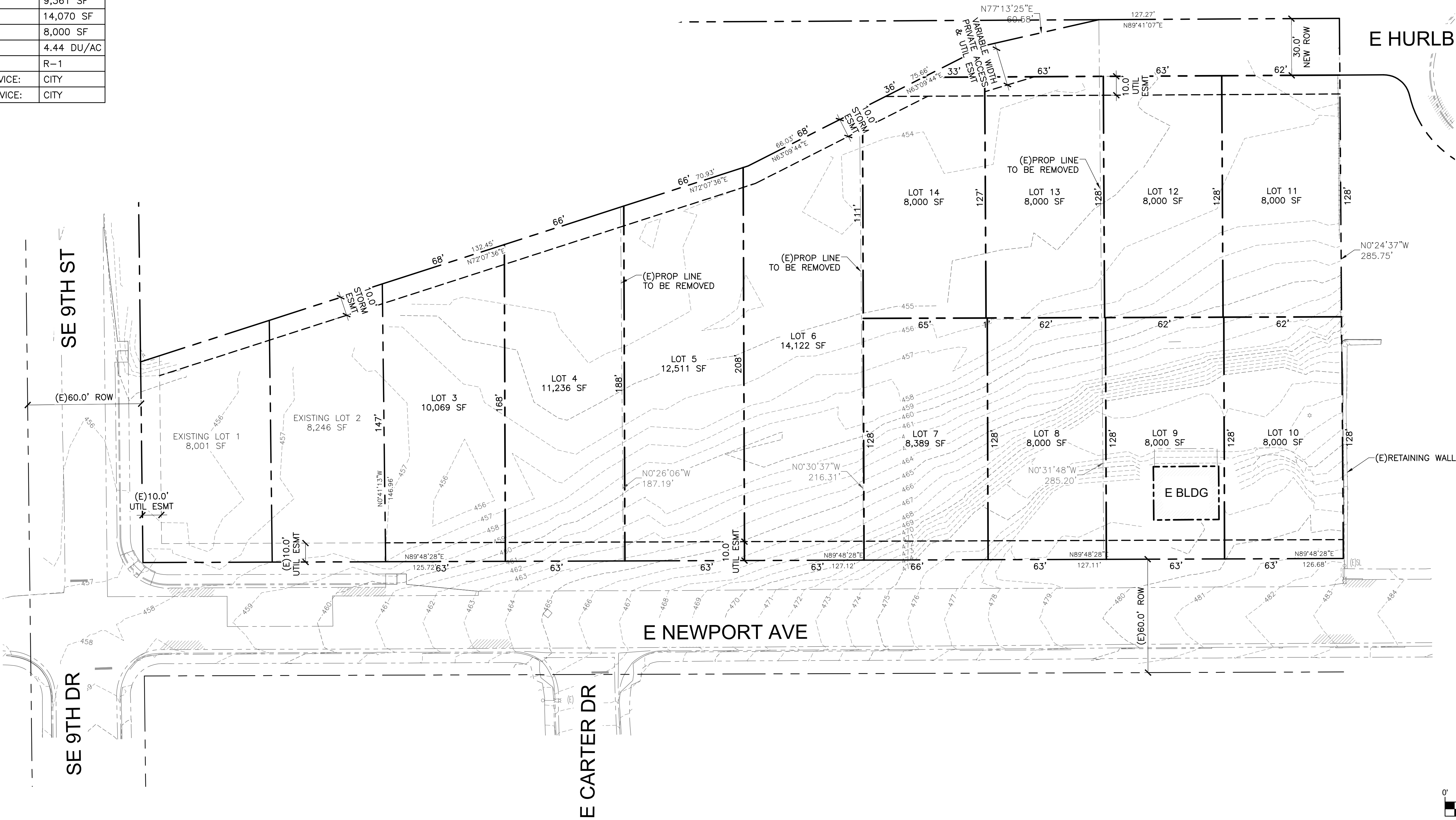
PHOENIX BUILDERS INVESTMENT GROUP, LLC
ANIDES & SOLER SUBDIVISION
945 E NEWPORT AVE, HERMISTON, OR 97838

APPROVAL		
DESIGN	NJB	07/16/25
CHECKED	RAM	07/16/25
APPROVED	RAM	07/16/25

SCALE: AS NOTED		
CADFILE: 21353PP01		
JOB No.	REV.	
21353	0	

DWG. No.

PP01



A1

PRELIMINARY PLAT

SCALE: 1" = 30'-0"



Where Life is Sweet

Members of the Planning Commission
STAFF REPORT
 For the Meeting of October 8, 2025

Title/Subject

Partition Plat- The HUB Hermiston LLC 4N2811AD Tax Lot 100

Summary and Background

Jeff Bolton of Multi-Tech Engineering has submitted a request for a minor partition of land located at 963 E Diagonal Blvd. The proposed partition creates two parcels of land on the area approved by the city for multi-family housing and mini-storage in July of this year. The applicant is seeking a partition for financing purposes on the overall project. The property is owned by The Hub Hermiston LLC. The property is split zoned. The north portion of the property is zoned Medium Density Residential (R-3) and the Diagonal Road frontage in the south portion of the property is zoned Outlying Commercial (C-2).

The proposed partition creates two lots. The lot line common to the two parcels will split the multi-family development and follow a travel lane within the multi-family parking area. Following partitioning, Parcel 1 will have 192 units on 8.1 acres and Parcel 2 will have 78 multi-family units and the mini-storage on 3.98 acres.

The planning commission's approval of the conditional use permit for the development was subject to thirteen conditions of approval. All of the adopted conditions remain in effect and no modification is necessary for this partition, although Hermiston Irrigation District approval is required for land divisions within their territory.

The criteria that are applicable to the decision to accept the preliminary plat are contained in 154.35 of the Hermiston Code of Ordinances. The final plat findings are attached to this report as Exhibit A. Conditions of approval are attached as Exhibit B. The map showing the property boundary, adjacent streets, and parcels is attached as Exhibit C. An aerial photo is attached as Exhibit D. The preliminary plat as prepared by the surveyor is attached as Exhibit E. Conditions of approval from the conditional use permit are attached as Exhibit F.

Tie-In to Council Goals

Approval of plats is a matter of administration of city ordinances.

Fiscal Information

Until the property is fully constructed and assessed, it is difficult to produce an accurate statement of fiscal impact. However, similar multi-family developments county-wide have

valuations of over \$20,000,000 and produce approximately \$250,000 in annual property tax revenue.

Alternatives and Recommendation

Alternatives

The planning commission may choose to approve or deny the preliminary plat.

Recommended Action/Motion

Staff recommends the planning commission approve the preliminary plat subject to the condition that the Hermiston Irrigation District also approve the final plat.

Motion to approve the preliminary plat with the conditions of approval.

Submitted By:

C.F. Spencer, Planning Director

EXHIBIT A
Findings of Fact
The Hub Hermiston LLC Minor Partition
963 E Diagonal Blvd
October 8, 2025

Chapter 94: Streets and Sidewalks

No street creation or extension is proposed on the preliminary plat. Both streets providing access are properly labeled on the preliminary plat. The street naming requirements of Chapter 94 are satisfied.

Chapter 154: Subdivisions

Design Standards

154.15 Relation to Adjoining Street System.

The preliminary plat is serviced by E Jennie Ave and E Diagonal Blvd. The scope of the development will not change the functional classification of either street. Development will require improvements to adjacent streets as required by the conditions of approval for the site plan and conditional use permit for the site.

No offset streets are proposed, no street intersection angle varies by more than 10% from a right angle, and streets obviously in alignment with existing streets will bear the name of the existing street. The relational standards are satisfied.

154.16 Street and Alley Width.

No street dedication is proposed. All adjacent streets meet the width standards for their respective classification. The street design standards are satisfied.

154.17 Easements.

Utility easements of 10 feet in width shall be provided on all street frontages. ORS 92.044 only permits cities to require utility easements abutting a street. However, there is also an existing access easement to E Diagonal Blvd which is properly reflected on the plat. A new shared access easement is proposed along the shared property line common to Parcels 1 and 2. This easement protects the right of users to cross from lot to lot while accessing the site.

154.18 Blocks.

There are no blocks proposed as part of the subdivision proposal.

154.19 Lots.

All the proposed lots will make desirable building sites properly related to topography as required by §154.19(A) of the Hermiston Code of Ordinances. All side lot lines are at right angles to straight street lines as required by §154.19(B). All lots are at least 60 feet wide as required by §154.19(C). Each lot exceeds the minimum lot size of 5,000 square feet in the R-3 zone.

There are no corner lots in the development. The provisions of §154.19(D) and (E) are not applicable.

There are no flag lots in the development. The provisions of §154.19(F) are not applicable.

154.20 Character of Development.

Staff understands that the applicant intends to build a multi-family and commercial development on the site and has received approval from the city.

154.21 Parks, School Sites and the Like

The comprehensive plan and parks master plan do not indicate a need for any parks or schools in the vicinity of the proposed development. There are three existing schools (Highland Hills Elementary, Loma Vista Elementary, and Sandstone Middle School) in the neighborhood.

Preliminary Plat

The preliminary plat was filed on August 18, 2025, more than 30 days prior to the October 8 planning commission meeting in accordance with §154.35(A)

The preliminary plat contains most of the information required by 154.35 of the Hermiston Code of Ordinances.

The following items are not included with the preliminary plat:

- Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract or immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet are to be indicated in a general way upon the plat;
- Grades and profiles of streets and plans or written and signed statements regarding the grades of proposed streets; and the width and type of pavement, location, size and type of sanitary sewer or other sewage disposal facilities; water mains and other utilities; facilities for storm water drainage and other proposed improvements such as sidewalks, planting and parks, and any grading of individual lots;

The above information must be included unless waived by the planning commission. Profiles for the streets and utility information are required as part of the civil drawing review process and final plat process. Staff recommends that the planning

commission waive the required information for the preliminary plat but require it for civil drawing submission as part of the site development process.

Required Minimum Improvements

154.60 Permanent Markers.

All subdivisions shall be surveyed in accordance with ORS 92.050 through 92.080. The preliminary plat has been surveyed.

154.61 General Improvements, 154.62 Water Lines, 154.63 Sanitary Sewer System, 154.64 Drainage, 154.65 Sidewalks, 154.66 Bikeways.

General improvements are detailed in the conditions of approval for the site development. All conditions of approval remain in effect. No additional requirements related to general improvements, water, sanitary sewer, drainage, sidewalks, and bikeways are required for this partition.

Chapter 157: Zoning

157.027 Medium Density Residential Zone (R-3)

All the proposed lots are created in conformance with the requirements of the R-3 zone. All the proposed lots exceed the minimum lot size of 5,000 square feet. All proposed lots are at least 60 feet wide and 80 feet deep. The lot sizes proposed for the development exceed the minimum size required in the R-3 zone for multi-family dwellings. Uses permitted in the R-3 zone are listed in §157.027 of the Hermiston Code of Ordinances.

157.043 Neighborhood Commercial Overlay (NCO)

The NCO zone does not have dimensional standards for lots. The lot sizes proposed for the development are adequate for multi-family dwellings. Uses permitted in the NCO zone are listed in §157.043 of the Hermiston Code of Ordinances.

§157.101 Development Hazard Overlay

Comprehensive Plan Figure 12 identifies portions of this subdivision as subject to groundwater pollution hazards due to a excessively well-drained soils. In accord with 157.101 of the Hermiston Code of Ordinances, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels. Any additional requirements or prohibitions necessary to mitigate groundwater pollution problems must be developed in conjunction with the Departments of Environmental Quality and Water Resources. At the discretion of the planning commission, the applicant may obtain an exemption to the above requirements if a registered engineer presents documentation which demonstrates that the proposed development will not contribute to potential groundwater pollution.

EXHIBIT B

Conditions of Approval

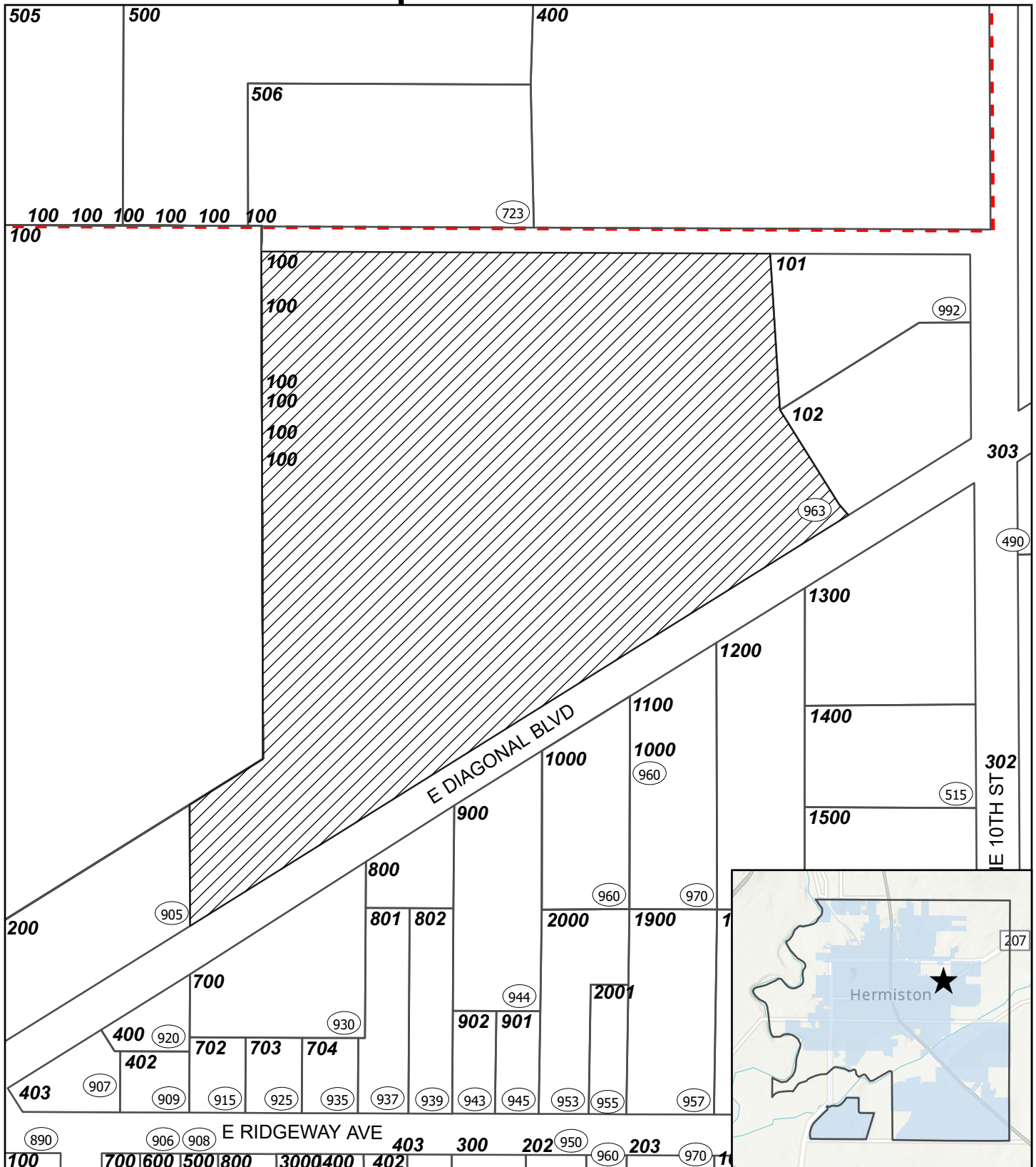
The Hub Hermiston LLC Minor Partition

963 E Diagonal Blvd

October 8, 2025

1. Applicant shall work with and receive certification from the Hermiston Irrigation District prior to final plat approval. Applicant should be aware that the City of Hermiston will not sign the final plat until the irrigation district has been satisfied and signs the final plat.
2. All conditions of approval from the June 12, 2025 site plan approval and July 11, 2025 conditional use approval shall remain in effect.

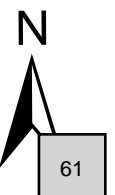
Notice of Proposed Land Use Action



Legend

- Area of Proposed Land Use Action
- Property Line
- City Limits
- Urban Growth Boundary





0 100 200 300 400
Feet

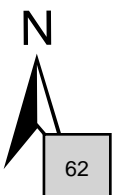
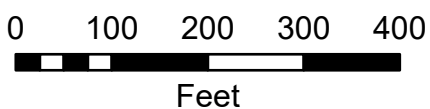


Notice of Proposed Land Use Action



Legend

-  Area of Proposed Land Use Action
 Property Line
 City Limits
 Urban Growth Boundary

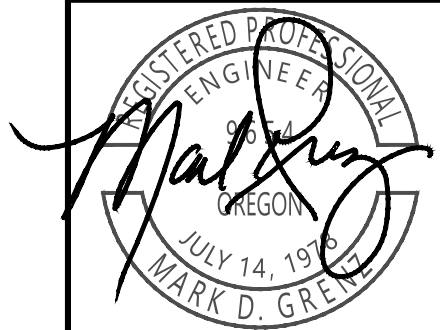


PROPOSED PARTITION
PLAN

THE HUB

NO CHANGES, MODIFICATIONS
OR REPROCESSED DRAWINGS
MADE WITHOUT WRITTEN
AUTHORIZATION FROM THE
DESIGN ENGINEER.
DIMENSIONS & NOTES TAKE
PRECEDENCE OVER
GRAPHICAL REPRESENTATION.

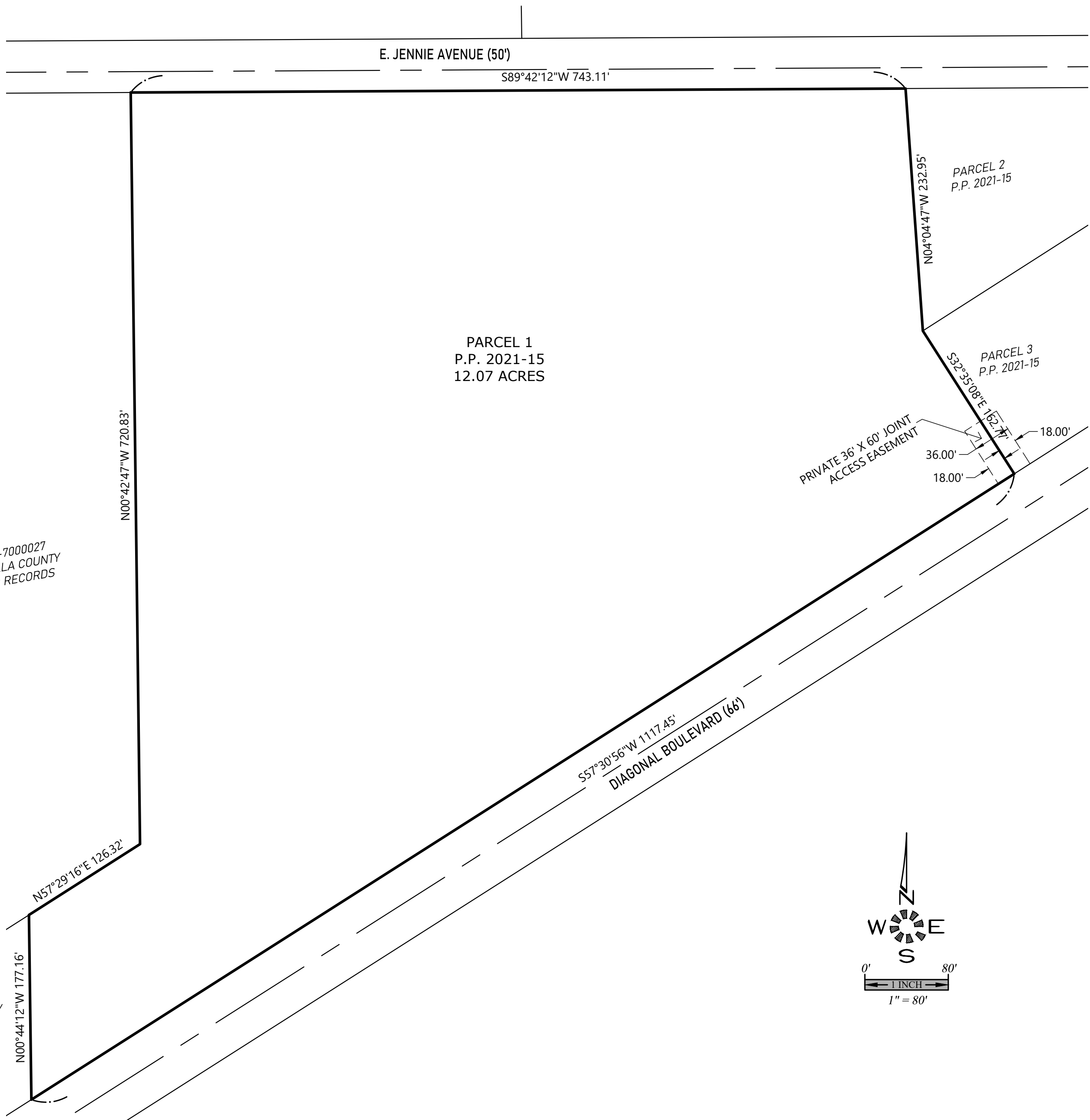
Design: M.D.G.
Drawn: T.M.N.
Checked: J.C.B.
Issue Date: 8/18/2025
Scale: AS SHOWN



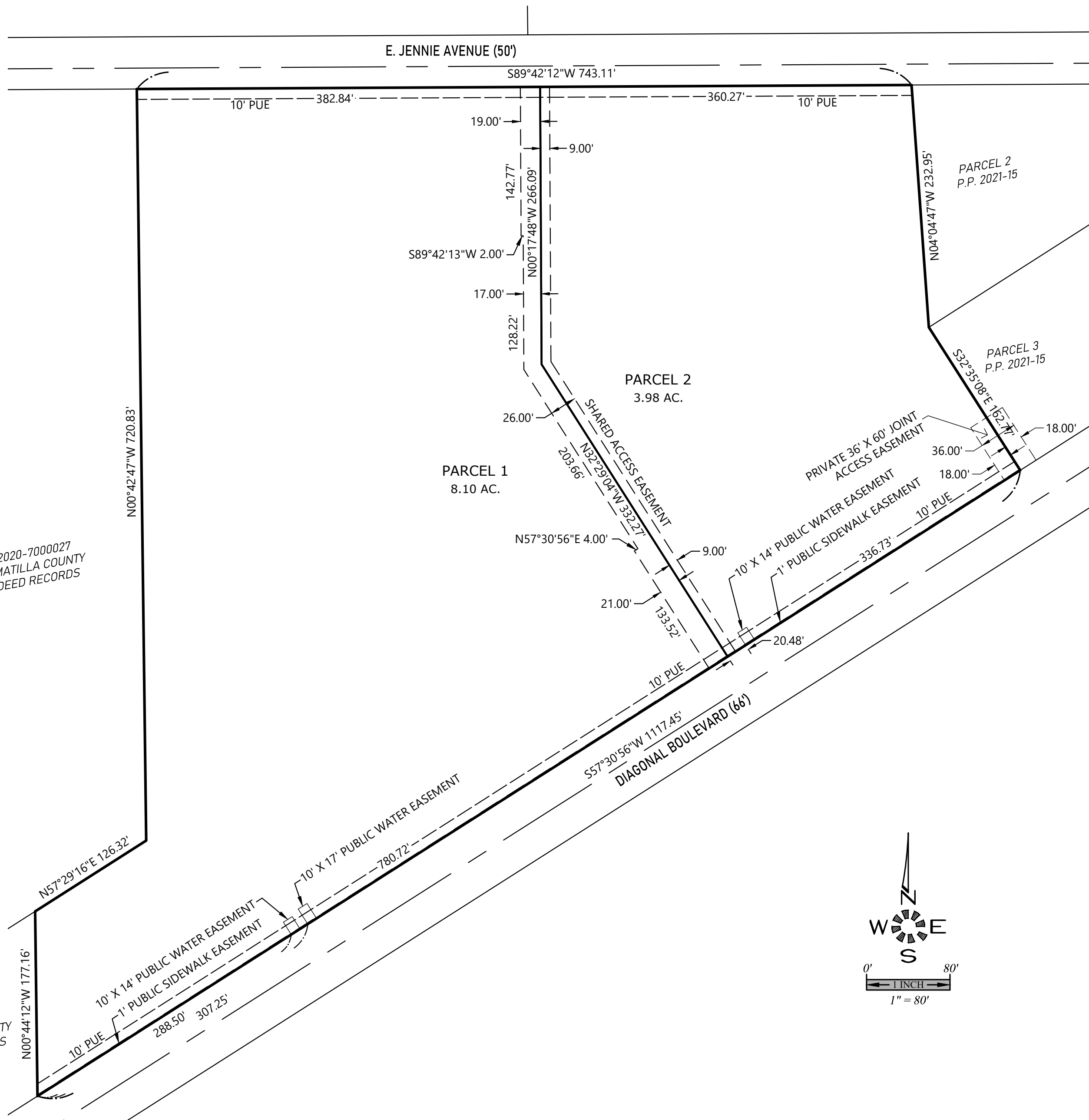
EXPIRES: 06-30-2027

JOB # 7497

THE HUB
NE 1/4, SEC. 11, T. 4 S., R. 28 E., W.M.
963 EAST DIAGONAL BOULEVARD, CITY OF HERMISTON
UMATILLA COUNTY, OREGON
12.07 ACRES



EXISTING



PROPOSED

Conditions of Approval
The Hub Multi-Family and Mini-Storage Development
963 E Diagonal Blvd
June 11, 2025

Subject to the evidence and testimony presented at the public hearing, the following draft conditions of approval are proposed:

1. 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. At the discretion of the Planning Commission, an applicant whose property is located in the DH overlay area may obtain an exemption from this condition if he can demonstrate the proposed development is not constrained by development limitations and/or will not contribute to potential groundwater pollution. To obtain an exemption, the applicant must present documentation to this effect prepared by a registered engineer.
2. The applicant shall work with and receive certification from the Hermiston Irrigation District prior to issuance of any building permit.
3. All storm water shall be retained on site. Use of private dry wells and/or private swales as necessary is required. The city engineer will review the proposed drainage plan and storm report as part of the civil drawing review process.
4. Parking lot, mini-storage, and exterior lighting, where proposed, shall be designed not to interfere with adjacent residential uses.
5. Consistent with §157.164(D)(1) of the Hermiston Code of Ordinances the applicant shall be required to participate in a future improvement district to construct and dedicate all public facilities, such as water, wastewater, drainage, curb, gutter, sidewalk and street right-of-way adjacent to the development on E Jennie Ave.
6. Consistent with §157.164(D)(2) of the Hermiston Code of Ordinances the applicant shall be required to improve the E Diagonal Blvd frontage of the entire site with infill paving, curb, gutter, sidewalk, left turn lanes at each entrance to the site and drainage improvements. Design of the E Diagonal Blvd improvements shall be reviewed and approved by the city engineer.
7. Civil drawings shall be submitted to the city engineer for review and approval prior to issuance of a building permit. Civil drawings shall be prepared in accordance with the design guidelines for plan preparation contained in the city's standard plans and specifications located at:
<https://www.hermiston.or.us/commdev/page/hermiston-design-standards-specifications-and-plans>
8. Signage shall be installed consistent with the provisions of §155.36 of the Hermiston Code of Ordinances (relating to installation of signage in the R-3 zone) which states:
 - a. Application. This section shall apply to all residential districts designated as Multi-Family Residential (R-3) and Multi-Structure Residential (R-4).

- b. Size and height. Signs permitted in the R-1 and R-2 districts are permitted in the R-3 and R-4 zones. For multiple-family dwellings, permitted mobile home parks and conditional uses in the R-3 and R-4 zones, one identification sign totaling 32 square feet in area shall be permitted for each street frontage.
 - c. Location. Signs permitted in these residential districts may be located anywhere on the premises; however, no free-standing sign shall exceed eight feet in height or extend beyond a property line. Building-mounted signs shall be wall-mounted and shall not be erected on any building roof.
- 9. All areas for the standing and maneuvering of vehicles shall be paved with a hard surface of concrete or asphalt prior to the occupancy of any dwelling or mini-storage unit as applicable.
- 10. Applicant 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 development.
- 11. Bicycle parking is shown on the site plan and shall be installed as shown in accordance with 157.150(L)(4) of the Hermiston Code of Ordinances.
- 12. The west property line of the site is adjacent to residentially zoned property which is residentially occupied with a manufactured dwelling park currently under construction. Consistent with 157.179(B) of the Hermiston Code of Ordinances (Minimal Resident Disturbance), a sight-obscuring fence of at least five feet in height and not more than six feet in height shall be installed along the west property line of Tax Lot 100 wherever the parking lot is adjacent to the property line. It is recommended but not required that the fencing be installed along the entirety of the west and east property lines for resident privacy and security.
- 13. The developer shall enter into an agreement with the city to address future improvements to the Highway 207/Highway 395 intersection at E Elm Ave and N First St. The agreement will specify a fixed dollar amount equaling 1.9% of the cost of future improvement to add capacity to the interchange. At the discretion of the city, the developer may choose to defer payment until an interchange design is prepared by ODOT and cost estimates assigned.



Where Life is Sweet

Members of the Planning Commission
STAFF REPORT
 For the Meeting of October 8, 2025

Title/Subject

Replat Final Plat – Four Bros LLC. & City of Hermiston, 4N 28 11BA Tax Lots 101 and 102

Summary and Background

Robert English has submitted a final plat for land located at 678 and 692 E Elm Ave. The replat reconfigures the boundary between two existing parcels and creates a third, new commercial parcel. All parcels are currently vacant. The property is zoned Outlying Commercial (C-2). After replatting, the existing flag providing access to Parcel 2 will shift 100 feet to the west and Parcel 2 will be renumbered as Lot 3. Parcel 1 will decrease in size from 1.43 acres to 0.81 acres (35,169 square feet) and is renumbered at Lot 1. A new Lot 2 of 0.62 acres (26,906 square feet) is also created. The properties are owned by Four Bros LLC and the City of Hermiston.

The planning commission's approval of the preliminary plat was subject to four conditions of approval. Corrections to the plat have been made and there are now three approval conditions.

The criteria that are applicable to the decision to accept the final plat are contained in 154.46 of the Hermiston Code of Ordinances. The final plat findings and conditions of approval are attached to this report as Exhibit A. The map showing the property boundary, adjacent streets, and parcels is attached as Exhibit B. An aerial photo is attached as Exhibit C. The final plat as prepared by the surveyor is attached as Exhibit D.

Tie-In to Council Goals

Approval of plats is a matter of administration of City ordinances.

Fiscal Information

The property has an assessed value of \$87,500. Commercial development on Parcels 1 and 2 will substantially increase the assessed value of each site.

Alternatives and Recommendation

Alternatives

The planning commission may choose to approve or deny the final plat.

Recommended Action/Motion

Staff recommends the planning commission approve the final plat subject to conditions of approval.

Motion to approve the final plat with the conditions of approval.

Submitted By:

C.F. Spencer, Planning Director

Exhibit A
Findings of Fact & Conditions of Approval
Four Brothers LLC Final Plat
678 and 692 E Elm Ave
October 8, 2025

Chapter 154: Subdivisions

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**
- (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**
- (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 benchmarks 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 (C-2)

Parcel 1 is 35,169 square feet or 0.81 acres. Parcel 2 is 26,906 square feet or 0.62 acres. Parcel 3 is 156,966 square feet or 3.6 acres. All parcels are currently vacant. There is an approved development to construct a tire shop on Parcel 1. There is no minimum lot size, width, or depth requirement in the C-2 zone. Uses permitted in the C-2 zone are listed in §157.041(A) and (B) of the Hermiston Code of Ordinances. A tire shop as proposed for Parcel 1 is a permitted use per §157.041(A)(12).

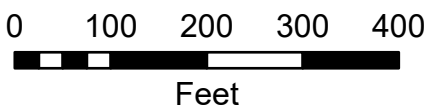
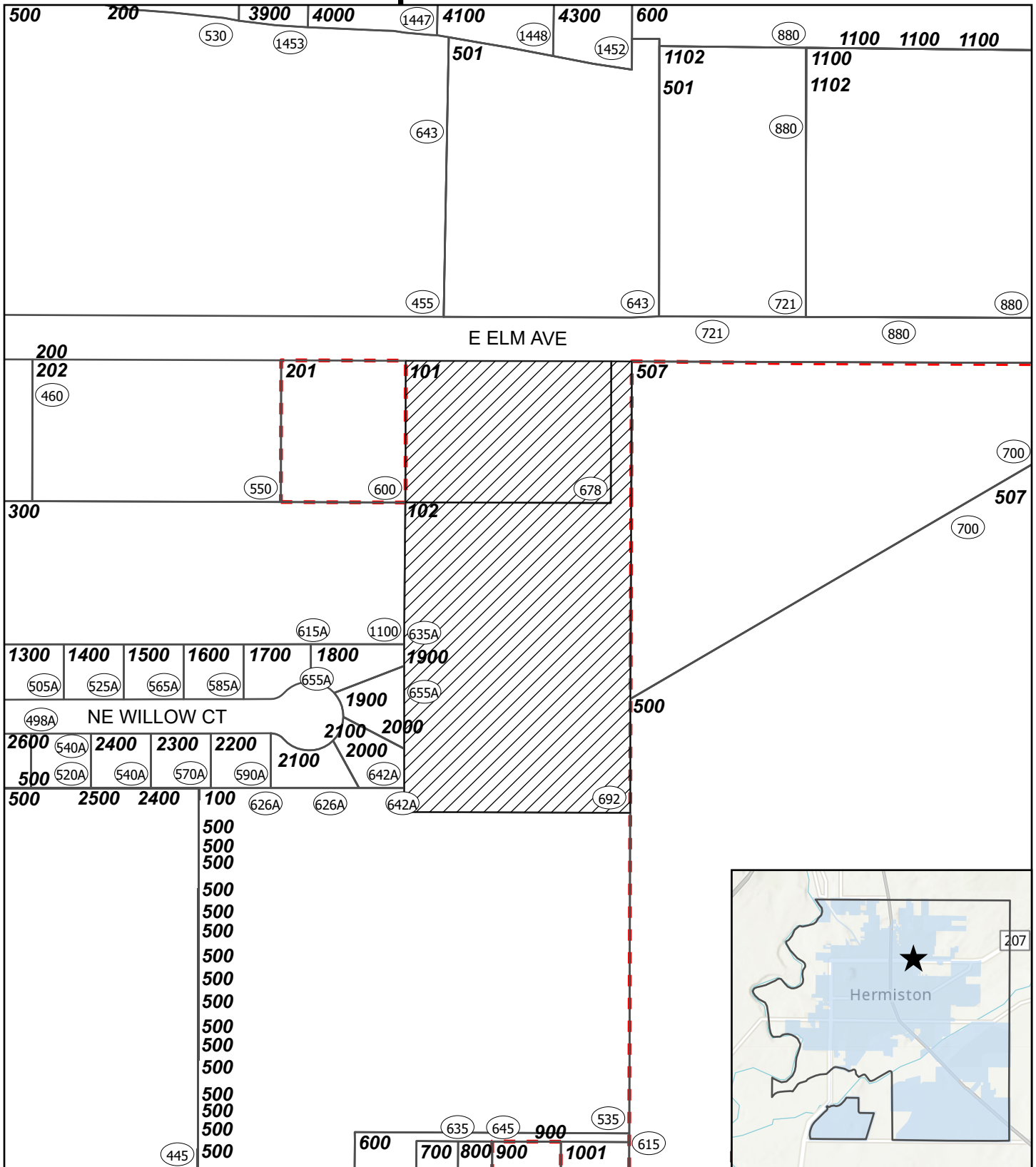
§157.101 Development Hazard Overlay

Comprehensive Plan Figure 12 identifies portions of this subdivision as subject to groundwater pollution hazards due to a high water table. In accord with 157.101 of the Hermiston Code of Ordinances, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels. Any additional requirements or prohibitions necessary to mitigate groundwater pollution problems must be developed in conjunction with the Departments of Environmental Quality and Water Resources. At the discretion of the planning commission, the applicant may obtain an exemption to the above requirements if a registered engineer presents documentation which demonstrates that the proposed development will not contribute to potential groundwater pollution.

Conditions of Approval

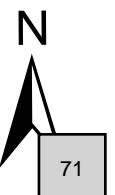
1. Applicant shall work with and receive certification from the Hermiston Irrigation District prior to final plat approval. Applicant should be aware that the City of Hermiston will not sign the final plat until the irrigation district has been satisfied and signs the final plat.
2. All conditions of approval from June 4, 2025 Four Bros tire shop site plan approval remain in effect and are incorporated into the conditions by reference.
3. The property lies within an area subject to potential groundwater pollution hazards due to high water table. Therefore, the outdoor storage of hazardous chemicals and the underground storage of gasoline and diesel fuels are prohibited per §157.101(B) of the Hermiston Code of Ordinances. Per §157.101(D) of the Hermiston Code of Ordinances, a developer may receive an exemption from this requirement upon submission of evidence from a registered engineer that the storage will not contribute to groundwater pollution.

Notice of Proposed Land Use Action



Legend





- Area of Proposed Land Use Action
- Property Line
- City Limits
- Urban Growth Boundary



Notice of Proposed Land Use Action



Legend

-  Area of Proposed Land Use Action
 Property Line
 City Limits
 Urban Growth Boundary

