



# PLANNING COMMISSION

Hermiston City Hall 180 NE 2nd St

*Where Life is Sweet*

---

**June 12, 2024 at 7:00 PM**

## **AGENDA**

---

*Other ways of viewing or participating in live meetings are available through:  
Zoom with Meeting ID: 878 6809 7745 Passcode: 709002 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 May 8, 2024, regular Planning Commission meeting

**3. HEARINGS**

A. Annexation & Comprehensive Plan Map Amendment - 3 Rivers Oregon Property LLC/Victory Lighthouse Church/Bankston 4N2801B Tax Lots 1500, 1502, & 1503 - 1940/1990/2180 NE 10th St

**4. NEW BUSINESS**

A. Replat - Owens 4N2811DA Tax Lots 2400 & 2403 928 E Main St

**5. PLANNER COMMENTS AND UNSCHEDULED COMMUNICATION**

**6. ADJOURN**

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

Please contact Hermiston City Hall, 180 NE 2nd St, 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.



# PLANNING COMMISSION

## Regular Meeting Minutes

May 8, 2024

Chairman Fialka called the regular meeting to order at 7:00PM. Present were Commissioners Doherty, Hamm, Saylor, Guerrero, and Kirkpatrick. Commissioners Collins and Caplinger were excused. Staff in attendance included Planning Director C.F. Spencer, City Attorney Richard Tovey, Assistant City Manager Mark Morgan, and Planning Assistant Heather La Beau.

### Minutes

Commissioner Saylor moved, and Commissioner Hamm seconded to approve the minutes of the April 10, 2024, regular meeting. Motion passed.

### **Subdivision- Henry K's Phase 1 Hermiston Home Works Inc 4N2813 Tax Lots 200 & 500- 1295 SE 10<sup>th</sup> St**

Planning Director Spencer presented the staff report. Phase 1 of the subdivision proposes 28 single family lots, two commercial lots, and one large lot for future residential development. The county co-adopted the comprehensive plan map amendment at their May 1 meeting.

### Testimony

Tyler Brandt 469 SW Cottonwood Dr- Mr. Brandt is the property owner/developer. He stated the smallest proposed lot size is 6,000 square feet (not 6500 as reflected in the staff report). Mr. Brandt sees a need for single family homes as Hermiston continues to grow and it is his goal to provide affordable homes. He feels the park will be a nice addition but is uncertain how homeowners may feel about it and therefore plans to disclose to potential buyers and builders the location of the future park. There has not been much interest in the commercial lots, save for someone inquiring about a ten-acre parcel for apartments.

Commissioners discussed the trip cap numbers and how they may change when development occurs on the BMCC and surrounding properties, fencing requirements of the canal from Hermiston Irrigation District, access for the proposed park, and the lot fee. The trip caps would adjust with future development. The lot fee is assessed at development and is generally passed to the homebuyer.

### Findings of Fact

#### **Chapter 94: Streets and Sidewalks**

Two new streets are proposed on the preliminary plat. The applicant proposes an extension of SE Columbia Drive through the development. This extension will connect to E Highland Ave in future phases in accordance with the Hermiston Transportation System Plan and has sufficient right of way width to accommodate urban minor collector construction standards. A second street is proposed for connection to SE Columbia Drive (Road A). This street is proposed as a local residential street and has adequate right of way width to accommodate local standard improvements. Although not shown on the preliminary plat, Road A is proposed as a semi-circular road which will connect back to SE Columbia Drive in a future phase. This street shall be designated as a "Drive" on the final plat and be designated with the prefix ordinal of SE denoting its location in the southeast quadrant of the city in accordance with §94.23 of the Hermiston Code of Ordinances.

#### **Chapter 154: Subdivisions**

##### Design Standards

##### 154.15 Relation to Adjoining Street System.



## PLANNING COMMISSION

### Regular Meeting Minutes

May 8, 2024

The preliminary plat is adjacent to SE 10<sup>th</sup> Street. Two new streets are proposed. SE Columbia Drive is planned for eastward extension and will connect to E Highland Ave in a future phase. A second semi-circular road, designated as Road A on the preliminary plat, is also proposed. SE Columbia Drive is an urban minor collector and has 56 feet of right of way width on the preliminary plat in accordance with public works drawing ST10. Road A is a local residential street and has 50 feet of right of way width in accordance with public works drawing ST11. SE Columbia Drive intersects SE 10<sup>th</sup> Street at a right angle and in alignment with the current terminus of SE Columbia Drive creating an adequate and safe intersection. No cul-de-sacs are proposed. However, Road A is currently proposed as a semi-circular drive and will not meet fire safety standards for vehicle turn-arounds as proposed. As a condition of approval, the city will require a temporary turn around to be installed at the end of Road A until the future extension of Road A is completed, allowing fire and life safety exits.

#### 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 urban minor collector street has a right of way width of 56 feet satisfying the higher requirement for collectors. No new alleys are proposed as part of the preliminary plat. The street design standards are satisfied.

#### 154.17 Easements.

Easements of 10 feet in width are provided on all street frontages. These easements are public utility easements that accommodate storm drainage, utilities, and sidewalks. The preliminary plat notes several existing easements on the property, including PacifiCorp power easements accommodating electrical transmission infrastructure and an irrigation easement along the A Line Canal.

#### 154.18 Blocks.

SE Columbia Drive is prepared in accordance with the 600-foot maximum block length for residential streets. Road A may exceed the 600-foot length requirement at completion in future phases. The planning commission shall discuss if a pedestrian easement and path is desirable to connect Road A to future development to the north. At the planning commission's discretion, a path may be required, per §154.18(B).

#### 154.19 Lots.

All the proposed lots will make desirable building sites properly related to topography as required by §154.19 of the Hermiston Code of Ordinances. All proposed lots are at least 60 feet wide and 80 feet deep. All the proposed lots exceed the minimum lot size of 5,000 square feet in the R-3 zone. Corner lots meet or exceed the 6,000 square foot minimum lot size and 70-foot minimum width. Where possible, all side lot lines are at right angles or are radial to street lines. There are three corner lots in the proposed development. Lot 1 is serviced by the development's local street network and also has frontage on SE 10<sup>th</sup> Street. To preserve the functionality of traffic movements on SE 10<sup>th</sup> Street, staff recommends the planning commission require the applicant to place a notation on the final plat stating that Lot 1 shall not access SE 10<sup>th</sup> Street. Lots 6 and 28 are corner lots with frontage on SE Columbia Drive and Road A. To preserve the functionality of traffic movements on SE Columbia Drive, staff recommends the planning commission require the applicant to place a notation on the final plat stating that Lots 6 and 28 shall not access SE Columbia Drive.



## PLANNING COMMISSION

### Regular Meeting Minutes

May 8, 2024

#### 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 permitted in the R-3 zone for single-family dwellings. Five lots are adequate in size to accommodate triplex or higher density uses. 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 indicate a need for a park in the vicinity of the proposed development. The developer is negotiating with the city to develop a park accessing the A Line Canal in a future phase of the development.

#### Preliminary Plat

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:

- (a) Grades and profiles of proposed streets
- (b) names of recorded owners of adjoining parcels of unsubdivided land

The above information must be included unless waived by the planning commission. Profiles for the streets will be required as part of the civil drawing review process or 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.

SE 10<sup>th</sup> Street is partially improved with paving, curb, and gutter for approximately 330 feet along the development site from the A Line Canal to the south edge of SE Columbia Drive. Sidewalk shall be required along the SE 10<sup>th</sup> Street frontage of Lots 1 and 30 at the time development occurs on these lots. SE 10<sup>th</sup> Street is not improved from the south line of SE 10<sup>th</sup> Street to the Union Pacific railroad, a distance of approximately 800 feet. Commercial development of Lot 29 will require 3/4 improvement to SE 10<sup>th</sup> Street with two travel lanes, curb, gutter, and sidewalk. Final design approval of all improvements must be obtained from the city engineer.





## PLANNING COMMISSION

Regular Meeting Minutes  
May 8, 2024

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 development will be serviced by the existing water improvements in SE 10<sup>th</sup> Street.

### 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 development will be serviced by the existing sewer improvements in SE 10<sup>th</sup> Street.

### 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.

### 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 calls for on-street bikeways on SE Columbia Drive and SE 10<sup>th</sup> Street. Striping will be required as part of the public improvement design and construction.

## **Chapter 157: Zoning**

### 157.027 Medium-High 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 and corner lots are at least 6,000 square feet. All proposed lots are at least 60 feet wide, and 80 feet deep meet the 25-foot minimum street frontage requirement in 157.027(C)(3).

### 157.101 Development Hazard Overlay (DH)

Comprehensive Plan Figure 12 identifies this site as an area subject to development hazards due to excessively well drained soils and restrictive foundation soils. Therefore, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels. Prior to the development of lots containing cemented hardpan, the city shall require a registered engineer's assessment of the design and structural techniques needed to mitigate potential hazards.

### 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.



## PLANNING COMMISSION

### Regular Meeting Minutes

May 8, 2024

2. 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.
3. Streetlights shall be installed at the applicant's cost. Once installed, the City will assume the monthly service charges.
4. 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.
5. All streets shall be designated in accordance with §94.22 of the Hermiston Code of Ordinances as detailed in the findings of fact for Chapter 94. Road A shall be labeled as a named street on the final plat with a SE prefix and Drive suffix.
6. Applicant/owner shall improve the Lot 29 frontage of SE 10<sup>th</sup> Street with a ¾ street improvement consisting of two travel lanes, curb, gutter, and sidewalk at such time that commercial development occurs on Lot 29.
7. Comprehensive Plan Figure 12 identifies this site as an area subject to development hazards due to excessively well drained soils and restrictive foundation soils. Therefore, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels. Prior to the development of lots containing cemented hardpan, the city shall require a registered engineer's assessment of the design and structural techniques needed to mitigate potential hazards.
8. A notation shall be placed on the plat stating that Lot 1 shall not access SE 10<sup>th</sup> Street and Lots 6 and 28 shall not access SE Columbia Drive.
9. A per lot assessment for Lots 1 through 28 shall be established of \$1,557. The assessment will be collected at the time of building permit issuance on each lot and shall be used for replacement of the A Line Canal bridge. Said fee is based upon the residential trip cap of 325 peak hour residential trips and a development plan of 208 residential lots. Should the trip cap or lot count be amended in subsequent phases, recalculation of the fee for lots 29 and above shall be performed by the City.
10. Sidewalk shall be installed along the SE 10<sup>th</sup> Street frontage of Lots 1 and 30 at such time that residential development occurs on each respective lot.
11. SE Columbia Drive is designated as an urban minor collector on the Hermiston TSP and shall be designed with on-street bike lanes through the development. An on-street bike lane shall be striped on the east side of SE 10<sup>th</sup> Street adjacent to Lots 1 and 30 when residential construction commences on each lot.



## PLANNING COMMISSION

### Regular Meeting Minutes

May 8, 2024

12. The applicant shall dedicate 32.7 feet to SE 10<sup>th</sup> Street right of way adjacent to the development to align right of way and street improvements within the public domain.
13. A temporary turn-around shall be installed at the end of Road A until future extension of Road A to connect with SE Columbia Drive is completed. Temporary turn around shall be constructed in accordance with Appendix D (Fire Apparatus Access Roads) of the Oregon Fire Code.

Commissioner Hamm moved and Commissioner Kirkpatrick seconded the motion to make the project file a part of the record. Motion passed. Commissioner Hamm moved and Commissioner Saylor seconded to approve the Findings of Fact as written. Motion passed. Commissioner Saylor moved and Commissioner Hamm seconded to approve the conditions of approval as written. There is not a need to amend the conditions to specify not using raised curbs and installing driveway cuts along the canal as this will be addressed in the civil drawings review. Motion passed. Commissioner Hamm moved and Commissioner Saylor seconded to approve the preliminary plat subject to the conditions of approval. Motion passed.

#### **Roundtable discussion Economic Opportunities Analysis (EOA) update**

Planning Director Spencer explained that as part of the upcoming urban growth boundary expansion, Oregon requires the city to inventory and analyze the current land supply for future employment and residential needs. The economic landscape has changed significantly in the seven years since the inventory was last reviewed. The addition of data center sites has absorbed 250 acres of the industrial land supply. There is no capability to handle the heavier industries needing 100+ acre size parcels. The first draft of the updated analysis was provided with the staff report.

Brendan Buckley of Johnson Economics introduced Brian Varricchione and Sid Hariharan Godt from MacKenzie, attending via Zoom, who are working on the buildable lands inventory. Using a slide show (attached), Brendan reviewed the findings and analysis of the EOA, including the components of an EOA and an overview of the process. The draft buildable land inventory finds that while there is bulk acreage, none of the industrial sites are over 100 acres. The 20-year demand for data center campus forecasts a deficit of approximately 1,400 acres.

Commissioners asked how to determine which areas the boundary expands and what city does the expansion. Mr. Morgan responded that it often comes down to which municipality can service the lands. The City of Hermiston has potable and non-potable water, as well as sewer currently available in Feedville Road to service development.

Some revisions needed to the draft plan have been identified. One of which is the assumptions having to do with land usage. The amount of needed land may be revised after hearing input from partners. The jobs data is proved by the historical data seen in the neighboring county over the last decade. The “temporary” construction jobs should possibly be included in the employment total. It can be easier on the community to absorb the large employment numbers as they develop over a long period of time as the data centers are built.

Mr. Buckley reviewed the vision statements from the 2011 EOA and the comprehensive plan. He solicited feedback from the commissioners regarding what may need to be updated and changed to reflect the current economic landscape more accurately. Planning Director Spencer pointed out that development has closely aligned with the vision statement created in 2011 as part of the periodic review.



## PLANNING COMMISSION

### Regular Meeting Minutes

May 8, 2024

Results of the Hermiston 2040 vision study found residents like the small-town atmosphere. A balance of economic growth and retention of the small-town component must be considered. The job growth with data centers can be absorbed slowly over time allowing steady growth without overwhelming the community. Data centers are an intense land use, and revenue generator without generating transportation congestion.

Commissioners discussed aspects of job growth related to jobs outside of city limits, where workers live, and commuting trends. A majority of data center jobs are locally filled. A full one-third of residents live and work in city. This is high compared to other cities.

The economic benefit of irrigated acres is phenomenal and will see some growth. Two large irrigation projects came online last year. Only 7-8% of Columbia River water is used to irrigate. Data Center transferred water rights off fields and retain them in the area to increase available water to other crops. The non-contact cooling water is discharged to regional irrigation canals to be used for agricultural irrigation. Developed water capacity is 27k/gal minute. Current development uses 20k/gal minute. Port of Umatilla has water rights 4 times that but are not developed. Significant undeveloped water rights capacity exists. Aquifer storage & recovery program is currently under consideration. The pumping capacity not used in the winter would be injected into the salt layer and then be pulled out in the summer when needed.

Dawn Hert, DLCD Eastern Oregon Regional Representative, thanked the commissioners for being invited to the discussion and appreciates Brendon's presentation. Potential UGB expansions are tracked by DLCD and look forward to more information.

Brendan asked what commercial land needs were not currently being met in Hermiston. Commissioners responded a shopping variety, grocery chain, trade jobs, local affordable housing, restaurants, and overall commercial diversity. Potential increases in higher wage jobs may correlate to greater commercial diversity. It was suggested within the next 20 years residential uses downtown will convert to businesses. Two to three acre lots are needed to accommodate chain restaurants and additional lands for parking is justifiable.

Transportation and warehousing fell short of forecasted projections. Lower land costs in other areas, available work force, and wage cannibalism were factors. Meyer Distribution did locate in Hermiston. The Walmart DC is large enough to skew any increases.

The role of land supply hindering government employment located where services are needed was discussed. Mr. Morgan stated there is adequate land supply for office jobs, not for Umatilla Army Depot size employment. Umatilla County corrections and health dept opened locations in Hermiston and continue to add more services.

Administration and waste management saw a drop instead of the moderate growth expected. It was speculated this was due to the demilitarization project of waste incineration at the Army dept. Brendan will research to identify specifics.

Health care facilities are generally a residential land use, and the land supply is adequate. Childcare and children's activities are needs that continue to grow for residents and workers. This is a statewide issue and DLCD is working on a program to evaluate the regulatory hurdles for childcare licensing.

Airport expansion is constrained by 395 on the west and high-capacity powerlines to the east. The Master Plan update in 2020 includes extending the runway 500 ft to the east, which is achievable without relocating



## PLANNING COMMISSION

Regular Meeting Minutes  
May 8, 2024

powerlines. The City is currently In the process of acquiring land near the east end of runway to reroute Ott Road. Airport traffic has increased significantly in the last 3 to 4 years.

The next step is to meet with DLCD to solicit feedback. A final EOA update is anticipated to be ready for adoption in July. Brendan will add a chapter summarizing findings. Commissioners desire flexibility in place to capitalize on this and future opportunities that will bolster the economic wellbeing in the area.

### **Planner Comments and Unscheduled Communication**

Planning Director Spencer distributed this year's Oregon Land Use Legislation Report, a synopsis of housing and land use bills. The report is attached to the minutes. Several areas will require code amendments.

There was additional discussion regarding the need for more childcare providers/facilities in the area and how to fill the need. In home preschool options are desired over larger facilities in this region.

### **Adjournment**

Chairman Fialka adjourned the meeting at 9:29PM.



# Hermiston Economic Opportunities Analysis

**Planning Commission  
& Roundtable**

**May 8, 2024, 7:00 pm**



# Economic Opportunities Analysis

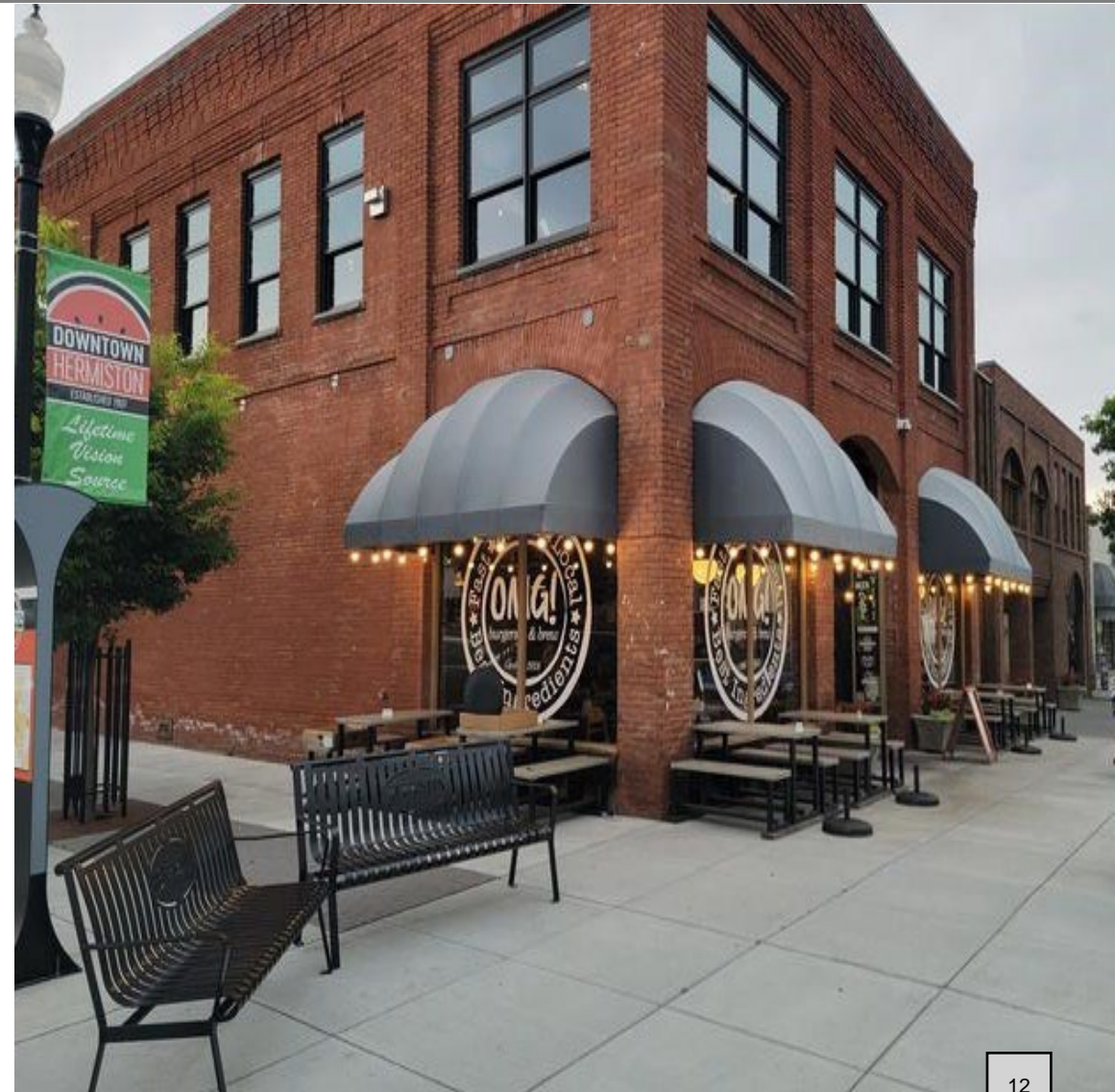


## What is an “EOA”?

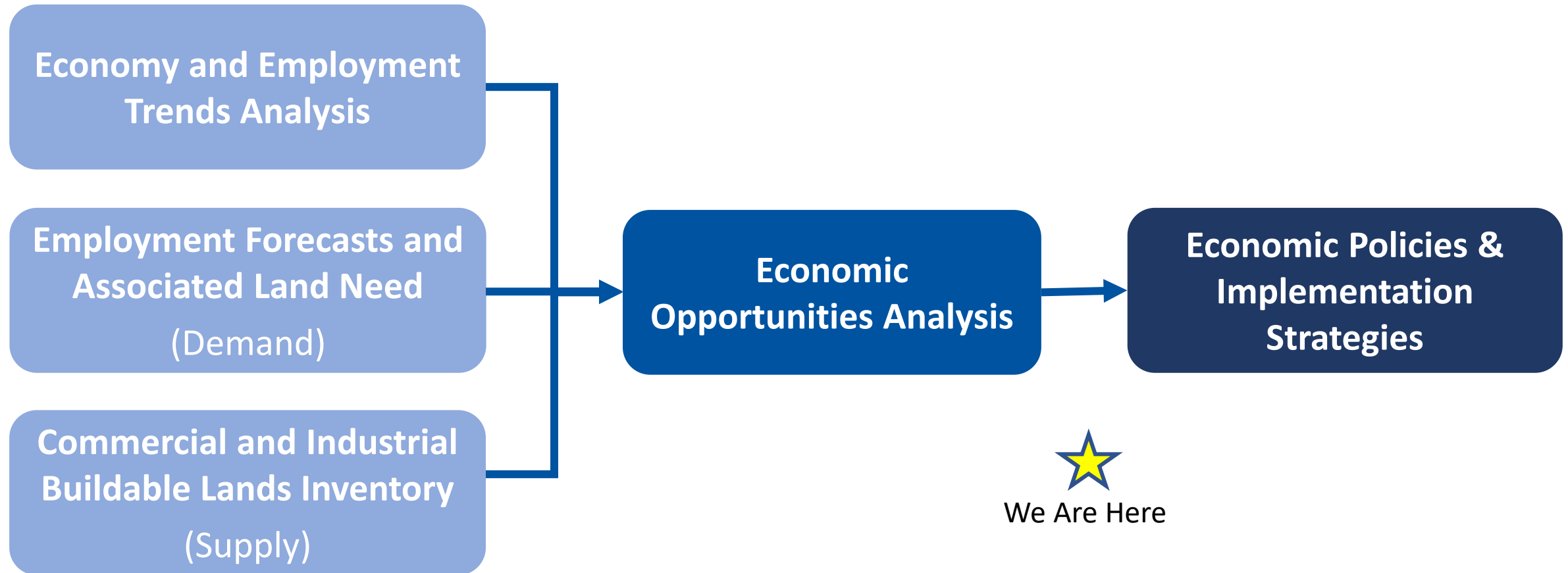
- Identify local economic goals and target industries
- Forecast economic trends and job growth
- Inventory and evaluate land for employment
- Formulate new policies and action items
- Update the Comprehensive Plan, address “Goal 9”

# Components of an EOA

1. Statement of Economic Objectives
2. Economic Trends
3. Target Industries
4. Forecast of Job Growth & Land Need
5. Comparison to Land Inventory
6. Findings and Recommendations

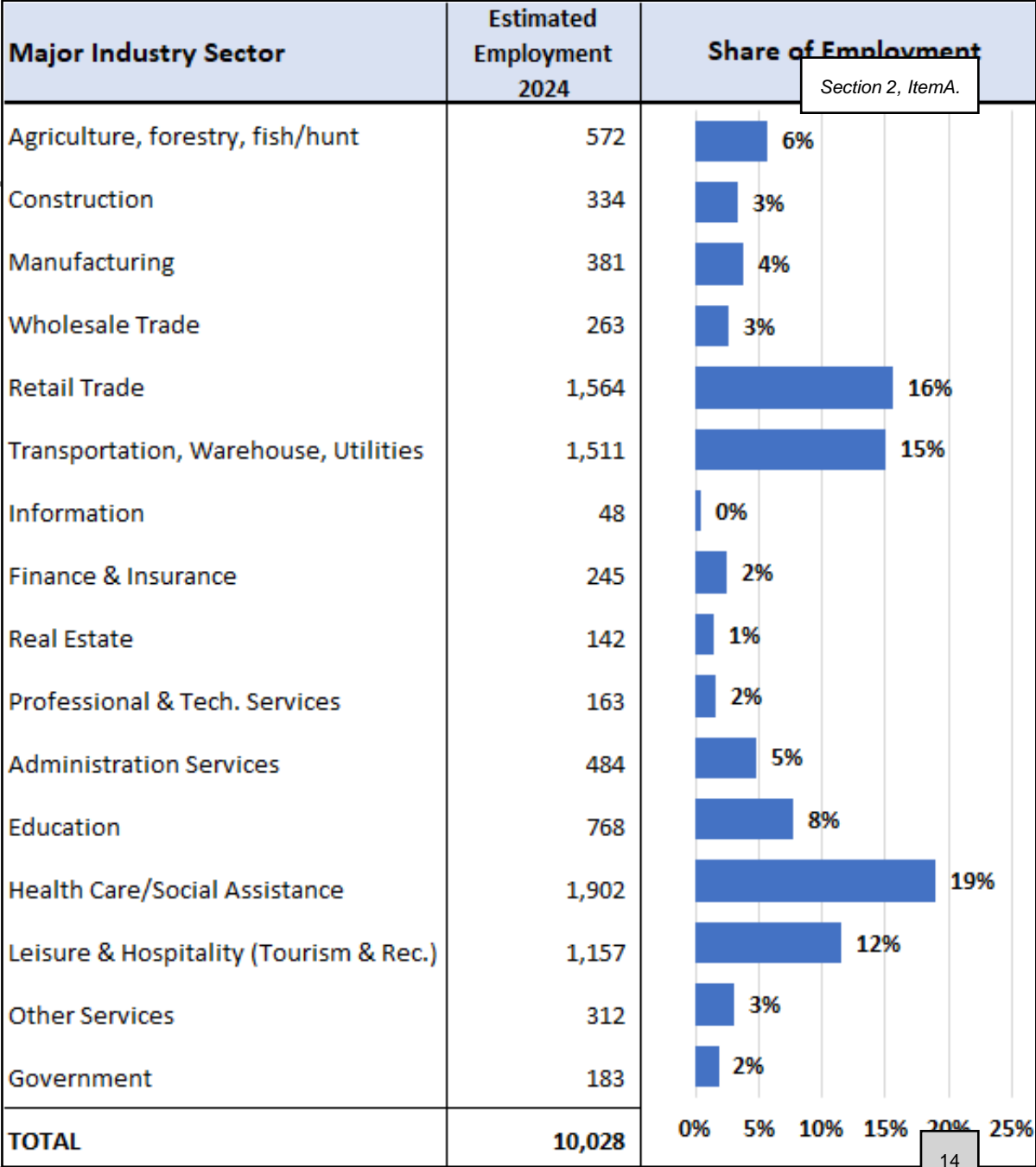


# Overview of EOA Process



# Employment Forecast

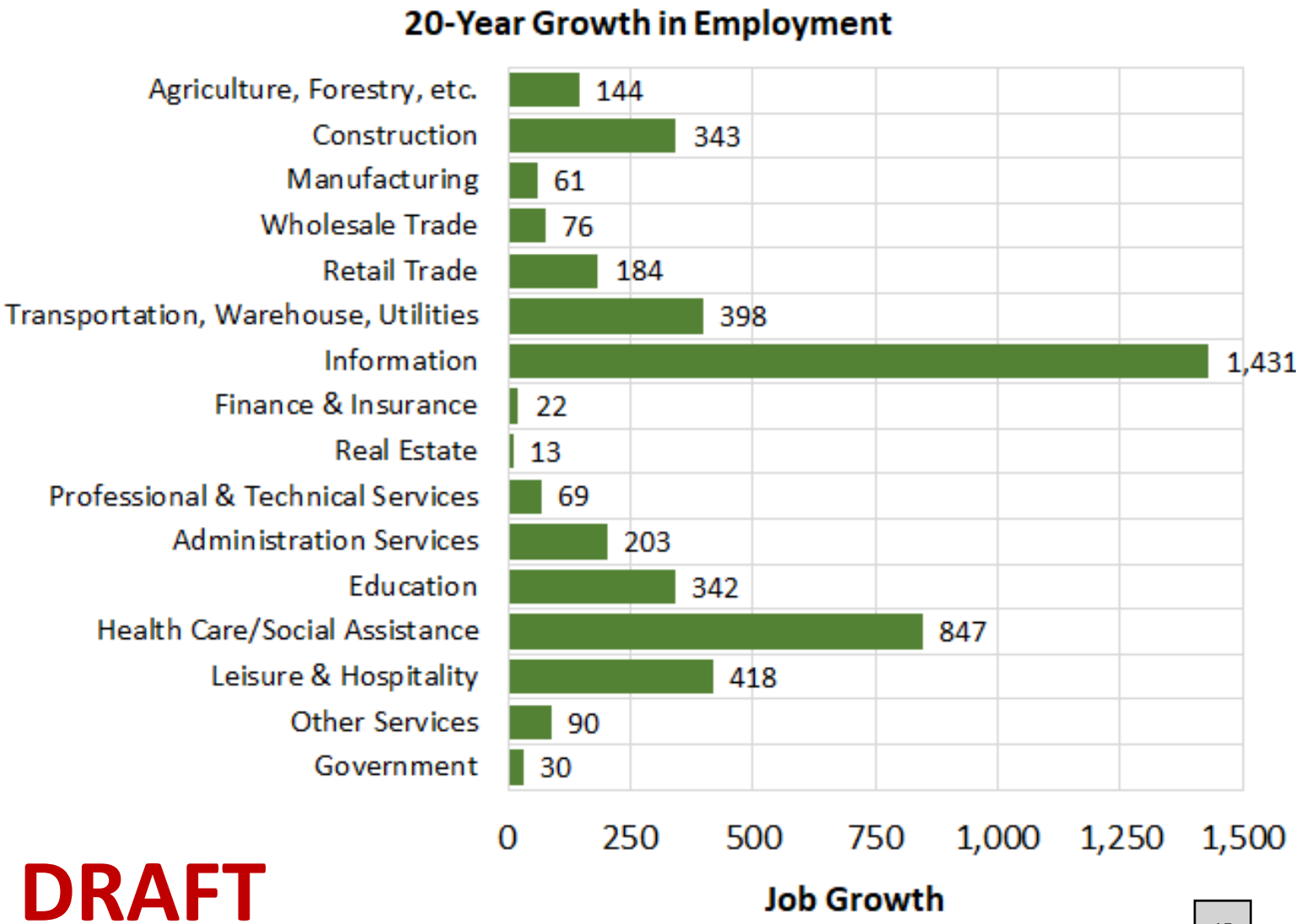
- Start with Current Employment Profile
- Safe Harbor Approach:
  - PSU Population Forecast (1.0% AAGR)
- Adjusted Growth Forecast
  - Reflects target industries and goals
  - Known proposed development
  - Data center and Construction jobs
  - Indirect and induced employment



# Draft Employment Projection

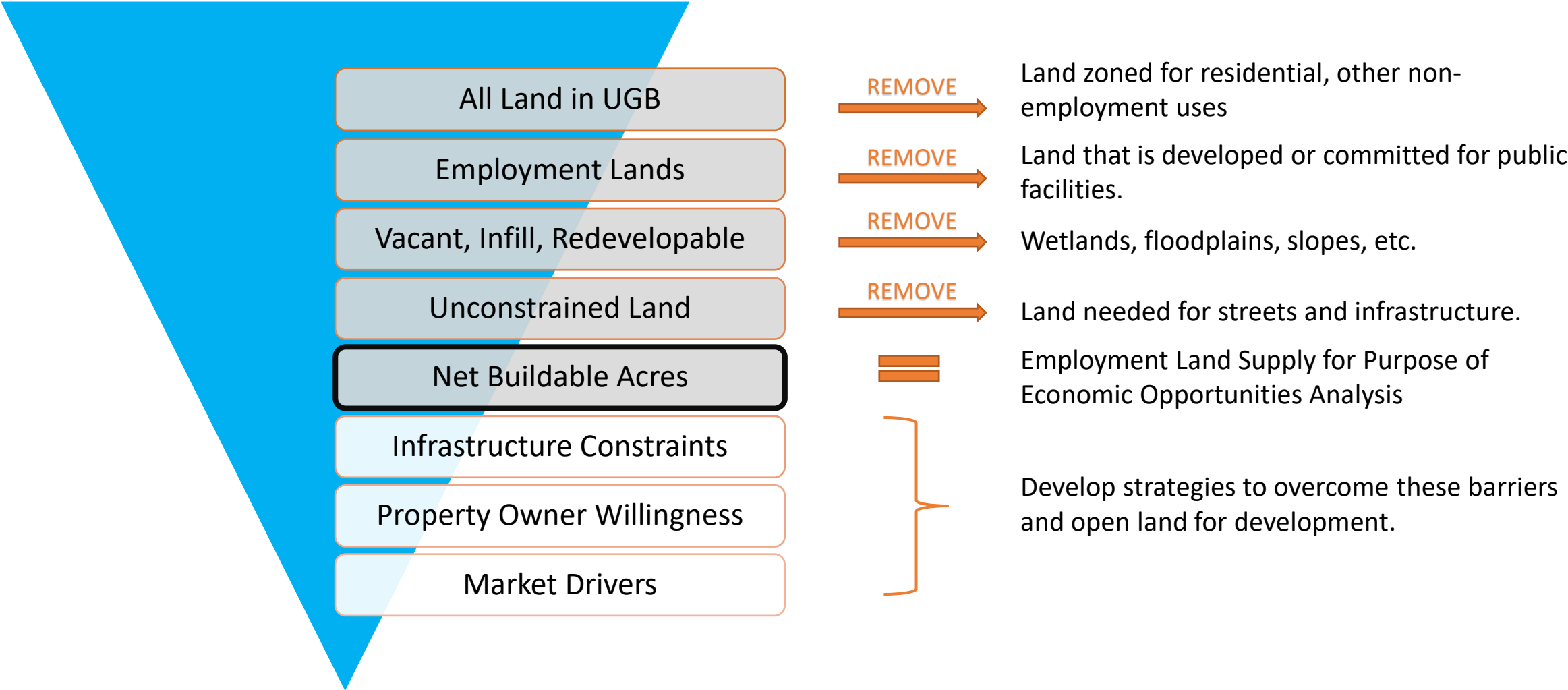
## Adjusted Forecast (2044)

- 14,700 total jobs
- 4,650 new jobs
- 1.9% annually
- Rate since 2010





# Buildable Land Inventory: Filters





# Buildable Land Inventory

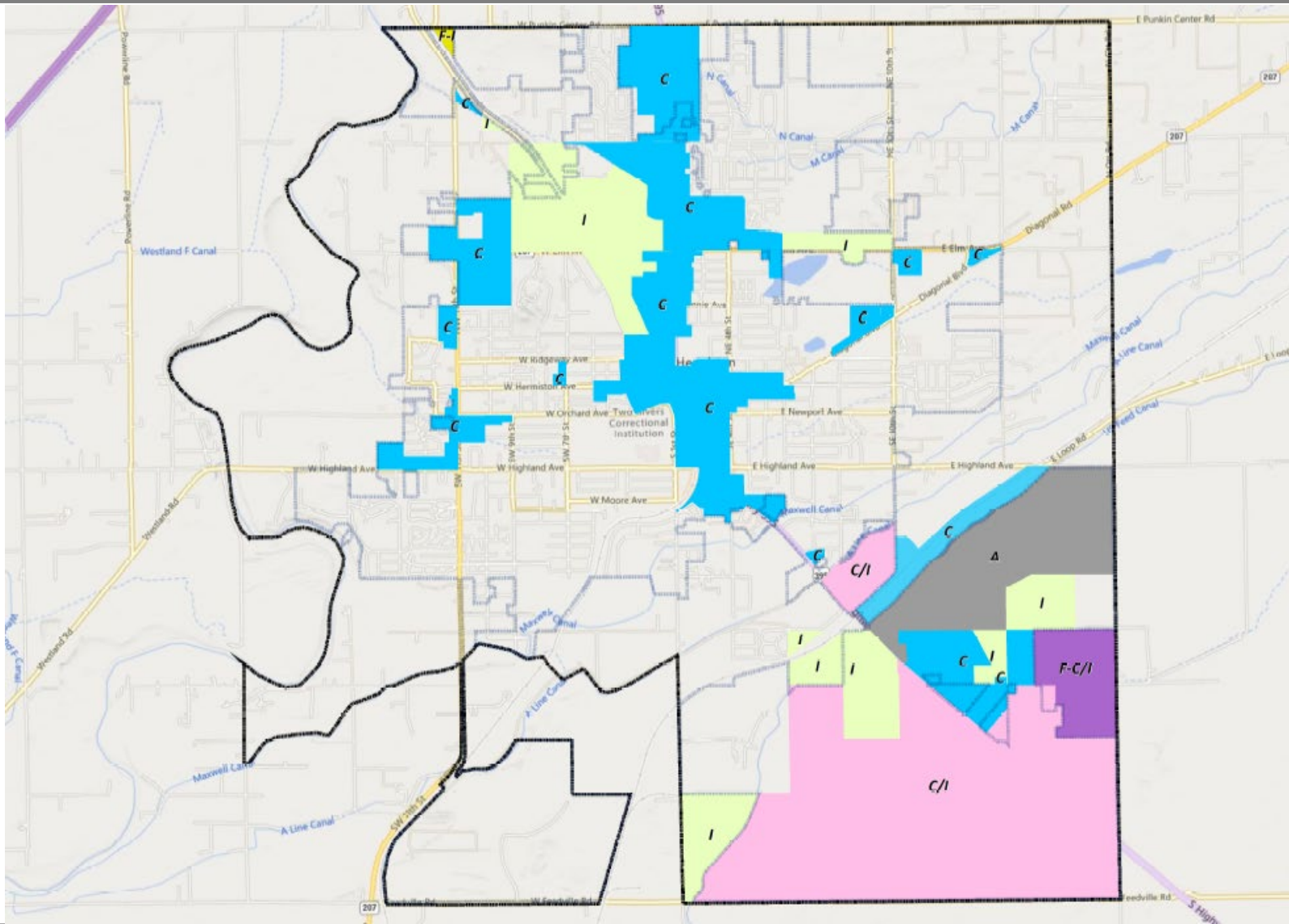
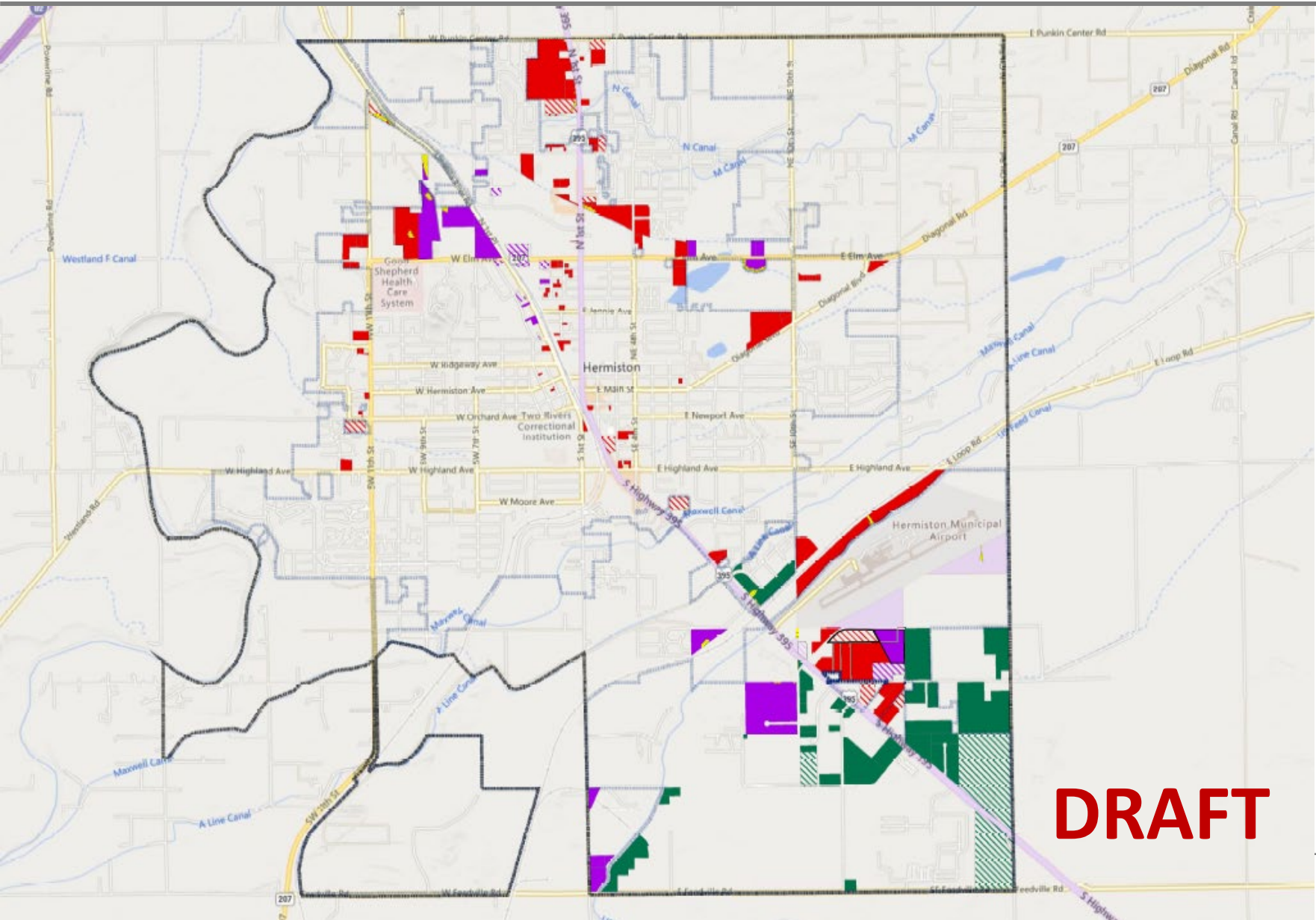


Figure 2: Hermiston  
Employment Land  
Comprehensive Plan  
Designations

Hermiston, Oregon

- LEGEND
-  Hermiston City Limits
  -  Hermiston Urban Growth Bounday (UGB)
  - Comprehensive Plan Designations
    -  Airport (A)
    -  Commercial (C)
    -  Commercial/ Industrial (C/I)
    -  Future Commercial/ Industrial (F-C/I)
    -  Industrial (I)
    -  Future Industrial (F-I)

# Draft Buildable Land Inventory



**Figure 5: Hermiston  
Net Buildable  
Employment Land**

**Hermiston, Oregon**

- LEGEND**
- Hermiston City Limits
  - Hermiston Urban Growth Boundary (UGB)
  - Commercial - Vacant
  - Commercial - Redevelopable
  - Industrial - Vacant
  - Industrial - Redevelopable
  - Mixed - Vacant
  - Mixed - Redevelopable
  - Airport - Vacant
  - Airport - Redevelopable
  - Constrained (Unbuildable) Land

# Buildable Land Inventory

**DRAFT**

## Land Inventory

- 386 Commercial
- 685 Industrial
- Most sites very small
- No larger sites
- Further revisions expected

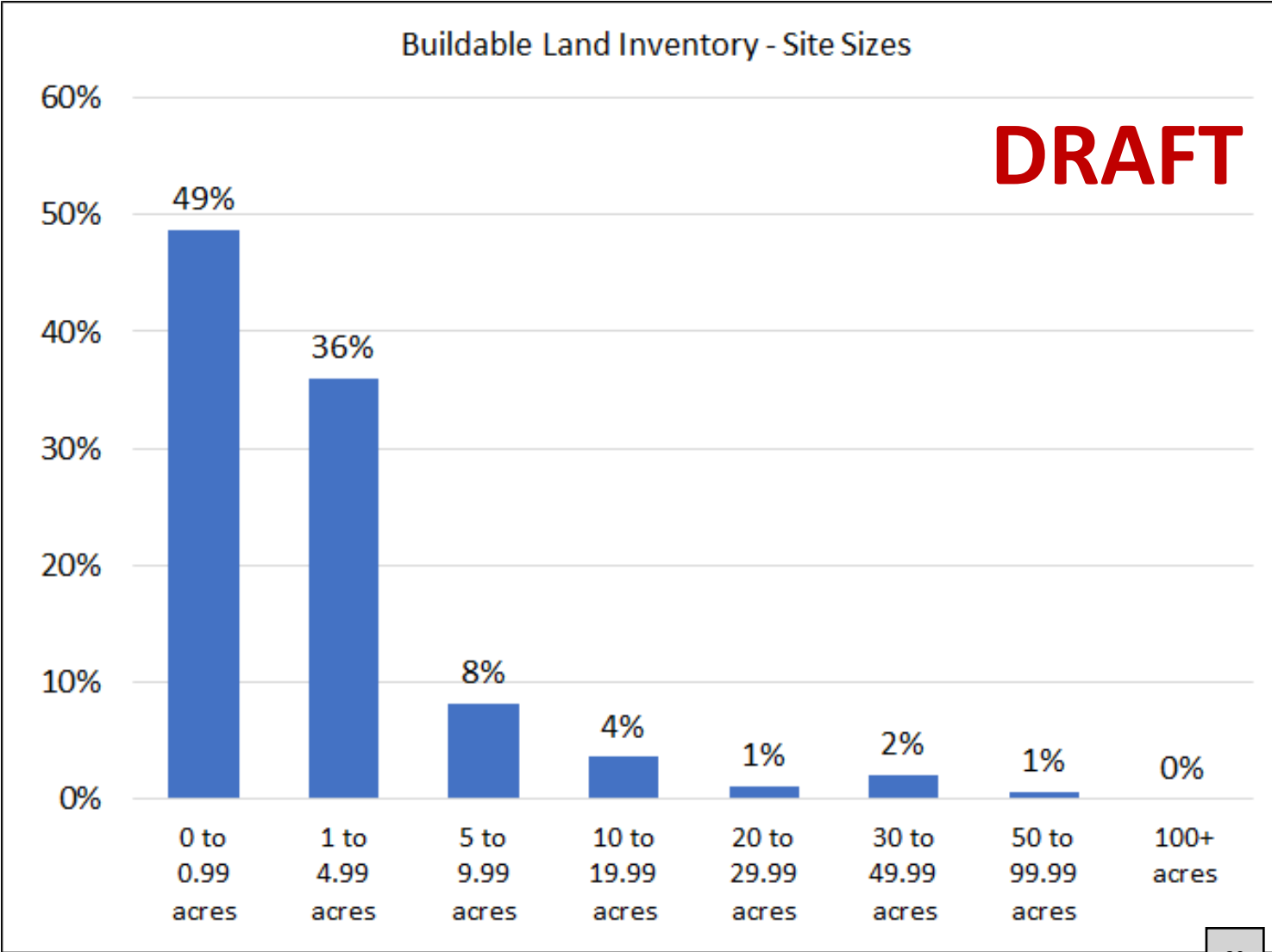
TABLE 3: RECLASSIFIED HERMISTON EMPLOYMENT BUILDABLE LANDS INVENTORY <sup>1</sup>			
	<i>Vacant</i>	<i>Redevelopable</i>	<i>Total</i>
<i>Designation</i>	<i>Net Buildable Acreage</i>	<i>Potential Acreage<sup>2</sup></i>	<i>Potential Acreage</i>
<b>Commercial Designation (includes 50% of Mixed Designations acreage)</b>			
Commercial (C)	208.71	35.90	244.61
50% of Mixed Commercial/Industrial (C/I) and Future Mixed Commercial/Industrial (F-C/I)	90.97	50.28	141.25
<i>Commercial subtotal</i>	<i>299.68</i>	<i>86.18</i>	<i>385.86</i>
<b>Industrial Designations (includes 50% of Mixed Designations acreage)</b>			
Airport (A)	48.04	1.88	49.92
Industrial (I)	105.22	15.70	120.92
50% of Mixed Commercial/Industrial (C/I) and Future Mixed Commercial/Industrial (F-C/I)	90.97	50.28	141.25
<i>Industrial subtotal</i>	<i>244.23</i>	<i>67.86</i>	<i>312.09</i>
<b>Total</b>	<b>543.91</b>	<b>154.04</b>	<b>697.95</b>
<b>Table Note:</b> <sup>1</sup> Due to rounding, some totals may not correspond with the sum of separate figures. <sup>2</sup> The Redevelopable Potential Acreage assumes removal of existing structures, and redevelopment of the entire parcel.			



# Buildable Land Inventory

## Land Inventory

- 50% < one acre
- 85% < five acres
- 96% < 20 acres
- No sites over 100 acres



# 20-Year Land Demand vs. Supply

EMPLOYMENT ZONING DESIGNATION	20 YR. DEMAND (Gross Acres)	BUILDABLE LAND (Acres)	Permitted Data Center Sites (Acres)	SURPLUS OR (DEFICIT) (Gross Acres)
Commercial (Office, Institutional, Retail)	100.9	385.9		285.0
Industrial (Gen. Ind., Warehouse, Flex)	122.6	312.1		189.5
Data Center Campus	1,614.2	NA	214	(1,400.2)
<b>TOTAL:</b>	<b>1,837.7</b>	<b>698.0</b>	<b>214.0</b>	<b>(925.7)</b>

DRAFT

## Questions or Comments So Far?



# Community Economic Objectives

## Vision Statement from Prior EOA (2011)

The City of Hermiston aspires to become the regional center for trade and industry through the following actions:

- Ensuring an adequate supply of industrial land in large parcels to provide job creation and economic growth.
- Ensuring an adequate supply of commercial land in the downtown and along commercial corridors.
- Removing barriers to commercial redevelopment to ensure a modern and efficient commercial base.
- Continue to provide leadership in identifying and locating new, and expanding existing, industrial, and commercial businesses into the City.
- Providing adequate infrastructure to support all employment activities through public and private funding sources.



# Community Economic Objectives

## Comprehensive Plan (Policy 20)

### Overview

Hermiston is well situated as an economic hub in Umatilla County and the surrounding region. The city enjoys some competitive advantages which can be enhanced in the future to grow employment, establish successful industry clusters, and diversify the employment base. An ample supply of buildable commercial and industrial lands, in multiple zoning classifications, will provide the flexibility to meet the needs of new and expanding businesses.

### Vision

To become the center of commercial and industrial activity in northeast Oregon providing an attractive, livable community utilizing adaptive, modern policies to capture economic development opportunities.



# Community Economic Objectives



## Discussion:

- What does the Hermiston economy need?
- What businesses or services are lacking locally?
- What types of jobs are most needed?
- What does the local workforce/residents need?
- What are some barriers to job/business growth?
- What does Hermiston look like in 20 years?

# Next Steps

- Revised and Final EOA and BLI documents
- City Council public hearing
- Phase II: Urban Growth Boundary (UGB) consideration process

## THANK YOU!



# Hermiston Economic Opportunities Analysis

Planning Commission  
& Roundtable

May 6, 2024, 7:00 pm



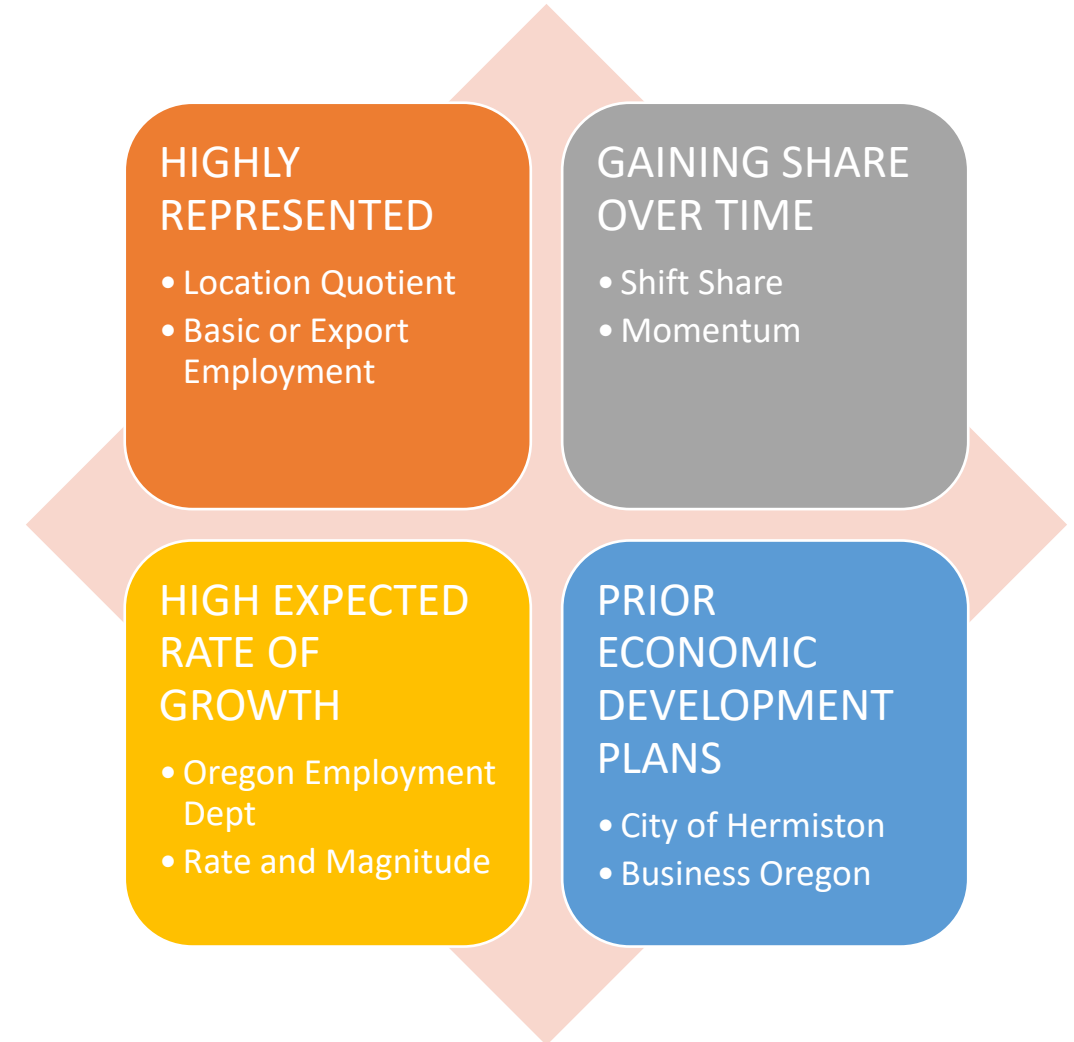
# Economic Opportunities Analysis





## Identifying Target Industries

- Local economic development goals
- National, State & Regional trends
- Location Quotient
- Shift-Share Analysis
- OED forecasted regional growth



To: Byron Smith, City Manager  
 Rich Tovey, City Attorney  
 From: Clinton Spencer, Planning Director  
 Subject: Oregon Land Use Legislation Report  
 Date: April 18, 2024



The legislative short session for 2024 has concluded and it is time to evaluate our development code framework in context with the adopted legislation. I performed a similar analysis at the end of the 2023 session, but at the time determined that the city could simply fall back on statutory language rather than perform code amendments to comply with the 2023 package. Now that we have two years of legislation to consider, it is appropriate to consider all adopted legislation and consider what, if any, changes we deem appropriate to pursue.

#### SB 1537 (2024)

This is the omnibus housing bill and establishes many new requirements for housing production in the state. Many of them will have far-reaching consequences for municipal operations but are much more top down from the state and won't require action on the city's part.

- The Housing Accountability and Production Office is a nebulous construct which may or may not prove to be successful. It will monitor complaints about cities not following statewide housing law and enforce those rules on cities. It is also being set up to provide funding opportunities to bring cities into compliance with housing law. *(No action needed)*
- A new rule is established to let developers opt-in to new housing laws that are established after an application is submitted without re-applying. I am a little surprised this needed to be written. I assumed most jurisdictions would use a commonsense approach to let developers use whichever mechanism benefitted them more. If you submit a permit application with a 10-foot setback and the city lowers the setback requirement to five feet, of course you should be able to build at five feet. Conversely if it was submitted with a five-foot requirement which was increased to ten feet, they should be able to take advantage of what was in place at the time of application. *(No action needed)*
- Cities and developers can now be awarded attorney fees when an appeal is decided in their favor. *(No action needed)*
- Funding is being established for infrastructure supporting housing, and to subsidize affordable housing construction. *(No action needed)*

## PLANNING DEPARTMENT

- Residential development may request up to ten deviations from property development standards and the city shall grant such requests unless they impact affordability, natural resource protection, and hazard mitigation. Building and fire code waivers are not eligible deviations. This process is remarkably similar to our infill process already in code. An applicant must demonstrate compliance with a specific set of criteria established in Section 38. This is a limited land use decision, but only the applicant is eligible to appeal. Local governments may apply to the housing production office for an exemption to the requirement, but that is not recommended. *(Recommend code amendment to clarify process and criteria)*
- Some limited land use decisions have been moved from a quasi-judicial process to an administrative process. Property line adjustments, replats, and expansion of a non-conforming use are all considered administrative effective January 1, 2025. Hermiston processes property line adjustments administratively, but the others require additional approvals. This has been a pet project of mine for several years, especially for replats. It is good to see legislation reflect the actual need. *(Recommend code amendments to subdivision and zoning code)*
- One-time UGB amendment for housing. The UGB expansion may only be undertaken when the city can demonstrate less than 20 acres of contiguous undeveloped residential land in the UGB and the expansion is less than 50 acres. *(No action needed. Hermiston will not qualify)*

HB 2063 (2024)

HB 4063 also establishes some new housing production requirements, very few of which will be applicable to Hermiston.

- Metro unincorporated lands are required to be planned for future housing. *(No action needed)*
- Realtors are again able to forward letters from prospective buyers to the seller. This had been previously banned and the ban was found unconstitutional. *(No action needed)*
- A remainder lot from a partition may be further partitioned again into three lots in the same calendar year if it's to be used for middle housing. Current law allows a partition to create three lots in a calendar year. The amendment allows lots within that partition to be partitioned into an additional three lots in the same year for middle housing land divisions. *(Potential amendment needed to subdivision code, but also could just be a citation in a report)*
- Clarifies single-unit housing property tax exemption process. *(No action needed)*

SB 1564 (2024)

Directs DLCD to develop model housing codes for small, medium, and large cities. The codes will encompass single-family, middle, multi-family, and ADU units. These model codes already exist but will be more refined. *(No action needed)*

**PLANNING DEPARTMENT***HB 4026 (2024)*

Prohibits a local government from referring an urban growth boundary expansion to the voters. *(No action needed)*

*Housing Production Advisory Council Recommendations Report (2024)*

In 2023 the governor formed a council to recommend future changes to law and policy to better to facilitate housing construction. The report was issued in February of 2024. It does not carry the force of law but is a set of recommendations that the governor will use to shape the 2025 legislative agenda. Some of the recommendations are listed below. I am working with several other eastern Oregon cities to discuss this document.

- Annual housing production of 36,000 “homes” is established by executive order 23-04. What constitutes a home is not specified.
- Develop a process to streamline the divestiture of government owned property suitable for housing construction.
- Expand executive order to declare housing an emergency and create expedited process for housing construction and approval.
- Create a one-time UGB expansion process solely for housing. Cities using the process will receive prioritized support and be required to adopt minimum affordability parameters.
- Streamline wetlands delineation and banking process for housing.
- Allow affordable housing developers right of first refusal for publicly owned land.
- Preclude local governments from creating special processes for surplus land for housing.
- Create by-right legislation allowing affordable housing on public land and precluding additional process or design standards for housing on public land.
- Expand Building Codes Division to increase staff and decrease plan review time.
- Consider increasing third party inspectors licensed by the state to inspect and perform plan reviews.
- Consider virtual inspections.
- Eliminate courtyard and separate utilities requirements for cottage cluster housing.
- Require cities to produce clear and objective building permit process similar to zoning standards. Handouts must be developed for land use, construction, and building permitting.
- Require only two rounds of review for civil plans. After the first round’s request for changes are addressed, future comments may only address fire and life safety.
- Consider increasing the percentage of by-right development adjustments in SB 1537 from 10% to 20%.



**PLANNING DEPARTMENT**

- Remove housing development from public discretionary review or review by city councils.
- Cities should create a “feasibility acceptance” process. This acceptance is binding for 18 months on the final application submittal.
- After a city deems an application complete, no additional information may be requested.
- Appeals should be sent to a hearings officer instead of planning commission or city council. State may create hearings officer circuits for cities with no hearings officer.
- Legislature to create definition for adequate findings to limit revisions.
- Applicants should have an opportunity to rebut questions of staff even after closure of a hearing.
- Allow use of single stair for buildings up to five floors.
- Allow multiple water and sewer services off a single mainline tap.
- Develop taskforce to determine conflicts between climate friendly rules and housing production targets.
- Consider if transportation planning standards create barriers to housing development.
- There are several transportation related mitigation measures proposed, all of which will streamline the process, including interim mitigation measures.
- Mandatory annual training for all cities over 10,000 for annual legislation and case law. Must be attended by at least one planning staff member.
- Consider SDC delay or financing options.
- Measure 50 reform. Increase from 3% to 5% annual increase. Exempt cities from compression. Authorize voters to increase permanent levy.
- Exempt property taxes temporarily for housing at 120% AMI or below.
- Incentivize construction by paying cities \$10,000 per housing unit constructed within city limits over next ten years.

There are some very good ideas and some extremely bad ideas in this document. It is worth reading from cover to cover. Some of the ideas, such as allowing only one civil review and then only addressing the initial review after that are very bad for long term infrastructure health. Third party inspectors are also a great idea. Not allowing additional information to be requested once an application is complete is a headache in practice. *(No action needed)*

#### HB 4064 (2022)

HB 4064 is a bill that was adopted several years ago at the behest of Oregon’s mass timber industry. In February of this year DLCD finally issued guidelines for how cities should address its provisions, which in essence mandate additional freedoms for siting manufactured and modular housing. Hermiston is generally in compliance already, but there are a few items in the new guidelines which will require amendment. In essence, the law still remains the same that cities must permit manufactured and modular housing in all areas that permit site built single-family housing. However, statute used to allow siting and design requirements that were

## PLANNING DEPARTMENT

specified in the ORS such as requiring a foundation. With the adoption of the new language, it has been modified to state that cities may not place any additional requirements on manufactured housing that is not required for site-built homes. There are exceptions for compliance with statewide planning goals (requiring blow-outs for housing in flood plains for example) and to meet thermal envelope requirements for energy efficiency. The requirement to allow prefabricated housing on all single-family lots still does not apply to residential trailers or single-wide mobile homes. The specific prohibitions on prefabricated housing that will impact the city are the requirement for a 1,000 square foot minimum and multi-sectional, carport or garage, foundation, and roof pitch standards. *(Recommend code amendments)*

HB 2001 (2023)

This bill created the Oregon Housing Needs Analysis framework. The authority for housing production targets to be assigned to regions and cities are created here. DLCDC is tasked with developing those targets in 2024. Housing production has to be balanced across all levels of AMI. Requires DLCDC to adopt more flexibility related to administration of Goal 10 (Housing) and Goal 14 (Urbanization) with the goal of prioritizing housing production. First draft of the Housing Accountability and Production Office was established in this bill. *(No action needed, but continual monitoring is necessary)*

HB 3395 (2023)

A large bill which made many changes to housing production. At the time of passage, we considered if they needed immediate action or if we could roll them into other future changes.

- Adjusts threshold for cities to comply with middle housing rules from 10,000 to 2,500. *(No action needed)*
- Requires cities to allow affordable housing in commercial zones or mixed use structures with ground floor commercial. *(Recommend code amendment)*
- Allows cities up to seven extra days beyond the 120-day deadline to finalize an approval order. *(No action needed)*
- Amends the “shall approve” requirement for emergency shelter siting. Clarifies language. Cities still shall approve an emergency shelter as long as it is operated by a non-profit or government organization, is meeting building codes, not in an area subject to natural hazards, and cannot be used for any other purpose. *(Recommend code amendment)*
- Removes condominium plats from local review and moves regulation to the office of the real estate commissioner. *(No action needed, however it would be a good policy moving forward to understand how a manufactured dwelling park subdivision under ORS 92.830 is not a condominium under ORS 100 and out of the city’s hands)*
- Directs cities to accept funding commitments in the form of award letters for affordable housing projects. *(No action needed)*

## PLANNING DEPARTMENT

- Requires cities to approve single-room occupancy structures of up to six units in single-family zones and consistent with multi-family density standards in all other residential zones. *(Recommend code amendment)*

HB 2127 (2023)

Specific legislation tied to expansion of Pendleton's UGB. Pendleton missed a filing deadline, and the legislature granted an extension. *(No action needed)*

HB 2898 (2023)

The bill relaxes and extends the permissions relating to siting a recreational vehicle as a shelter. Although there is little doubt the legislature will eventually require cities to allow RVs as dwelling units, this bill still relates to RV parks, Mobile Home parks, and RVs used as shelter after a wildfire. *(No action needed)*

HB 2984 (2023)

Requires cities to allow conversion of commercial property to residential use. A city may not require more parking than originally required for the commercial use. This has far reaching potential consequences for some of Hermiston's aging hotels. It is not clear from the adopted language in ORS 197A.445(3) if the conversion of commercial to residential use must be "affordable" housing or not. The other provisions in the section speak to affordable housing, but (3) does not. *(Recommend code amendment)*

HB 3197 (2023)

Requires cities to apply clear and objective standards to residential development. Added other types of housing outside of UGBs to also use clear and objective standards. *(No action needed)*

SB 1013 (2023)

Allows counties to allow placement of a recreational vehicle as an accessory dwelling in rural areas. This rule does not apply within an urban growth boundary. *(No action needed)*

HB 3362 (2023)

Allows a county to validate a unit of land created prior to 1/1/23 if the county later revoked the approval. This appears to be a specific fix that would have helped with the illegal partition at the corner of SE 4<sup>th</sup> St and Highway 395 which was stuck in legal limbo for nearly two decades. *(No action needed)*

**Recommended Actions**

There are several items which could be interpreted as requiring immediate code amendments before 1/1/25. In the past, we have treated statutory changes which override our code as being something we acknowledge and stop applying the affected portion of code (our 10-day appeal period became 12 days per statute, so we simply started changing our notices). However, the City Attorney had said that

**PLANNING DEPARTMENT**

having outdated code language can impact the entire enforceability of the code, especially in a litigation situation. Therefore, it is prudent to consider several changes to the code in the next year. The recommended amendments are listed in recommended order of importance.

1. Draft amendments to §157.145 governing manufactured dwelling standards to reflect the large amendments made to local design standards.
2. Draft new code language to clarify the up to ten variances process to comply with SB 1537 (designated as “housing land use adjustments” in the new statute).
3. Draft new code language to establish process and criteria for building affordable housing in commercial zones and for converting commercial structures to residential use.
4. Amend R-1 zone to permit up to six SRO units on a lot and amend other multi-family zones to permit SRO units.
5. Draft new code language for emergency shelter siting. Potentially amend the M-1 shelter language at the same time as it is now redundant with state law.
6. Amendments to Subdivision and Zoning code to clarify that replats, non-conforming use expansions, and property line adjustments are administrative decisions.
7. Clarify that middle-housing land divisions may be partitioned up to twice in a calendar year in the Subdivision code.
8. As part of these amendments, we may also consider working to develop code language for expedited land divisions and middle housing land divisions for the Subdivision code. It does not appear that DLCD has a model code for those processes but it is likely that we will need to have local code soon rather than relying on the statutory language which is confusing and hard to interpret.





*Where Life is Sweet*

Members of the Planning Commission

## **STAFF REPORT**

For the Meeting of June 12, 2024

### **Title/Subject**

Annexation & Comprehensive Plan Map Amendment - 3 Rivers Oregon Property LLC/Victory Lighthouse Church/Bankston 4N2801B Tax Lots 1500, 1502, & 1503 - 1940/1990/2180 NE 10th St

### **Summary and Background**

Dennis Gisi has submitted an application to amend the comprehensive plan map designation for approximately 25.9 acres of land located on the northeast corner of E Theater Lane and NE 10<sup>th</sup> Street. The applicant proposes to annex two non-contiguous tracts into the city for future development purposes. Each tract is contiguous with city limits in NE 10<sup>th</sup> Street. The land is proposed for annexation as Low Density Residential (R-1). The comprehensive plan map amendment proposes to change the Future Residential designation to Low Density Residential. Maps illustrating the existing and proposed comprehensive plan map designations are attached to this report.

The two tracts are under separate ownership. The owners have mutually agreed to file a single application for comprehensive plan amendment and annexation in order to efficiently use time and resources. It is more efficient, especially in terms of traffic analysis, to combine as many parcels as possible into one application. Three Rivers-Oregon LLC owns 12.91 acres of land described as 4N 28 01B Tax Lot 1500. The property is currently vacant, and the owner intends to develop the property residentially following annexation. Victory Lighthouse Church and Larry and Florence Bankston own the property described as 4N 28 01B Tax Lots 1503 and 1502 respectively. Victory Lighthouse Church sits on a portion of Tax Lot 1503 and approximately 9.2 acres of the lot are vacant. A single-family dwelling occupies Tax Lot 1502. Victory Lighthouse intends to expand existing church operations on the western portion of Tax Lot 1503 and develop the eastern portion residentially.

The properties sit within a generally rural, but urbanizing portion of the urban growth boundary. To the west sits the newly constructed Loma Vista Elementary School and several single-family subdivisions which are either under construction or are approved by the city and scheduled for construction. To the north and east sit rural single-family estates and undeveloped land. To the south sits the Country Squire Mobile Home Park, the Vista Mobile Home Park, and rural single-family development. Topographically, the site generally slopes downhill from the north to the south. Access to the site is provided by NE 10<sup>th</sup> Street and E Theater Lane.

The properties sit within the urbanizable portion of the urban growth boundary. The city's comprehensive plan map designates each parcel as Future Residential (FR). The county's

zoning map designates the property as FU-10. The FU-10 is a residential urbanization intended to preserve large lots within the UGB to facilitate future urban level development. Since this land is within the UGB and designated as Future Residential, amending the comprehensive plan designation to Low Density Residential is an implementation of the existing comprehensive plan designation and assigns an urban density level to land that is already accounted for within the city's housing needs analysis and residential land inventory. Thus, there is no change to the city's housing capacity as a result of the amendment. The change is a fulfillment of the residential plan.

The housing needs analysis demonstrates that the city has adequate acreage within the residential inventory to accommodate 18,000 housing units over a twenty-year planning horizon. The housing needs analysis assumes a portion of the future residential land will develop with Low Density Residential designation, providing approximately 1,220 single-family homes or 16% of capacity. The proposed R-1 designation provides capacity of approximately 71 of those 1,220 units. Additionally, all lots may also be developed with two-family dwellings, thereby doubling the capacity to 142 units.

The applicants propose to annex the property with Low Density Residential (R-1) zoning. This designation allows single and two-family dwellings on lots with a minimum lot size of 8,000 square feet. The existing Victory Lighthouse Church is also a use permitted conditionally in the R-1 zone. No additional permitting is required to annex the property with an R-1 zoning designation. Future expansion or modification of the site will require modification of a conditional use permit subject to the requirements of §157.205 through §157.210 of the Hermiston Code of Ordinances. Other uses permitted in the R-1 zone are listed in §157.025 of the Hermiston Code of Ordinances.

When considering an amendment to the comprehensive plan map, the city must apply the criteria contained in the Hermiston Code of Ordinances, the comprehensive plan itself, the Hermiston Planning Area Joint Management Agreement, and state law. The City must consider the state's Transportation Planning Rule (TPR) in OAR 660-012-0060. In order to comply with the TPR, the applicants commissioned a transportation impact analysis (TIA) from PBS Engineering. The TIA considers potential development on the site and analyzes the impacts of that development within the planning horizon for the city's Transportation System Plan. City and ODOT staff reviewed the PBS TIA and determined the development will not have a significant effect on the studied intersections. A copy of ODOT's findings is attached to this report.

E Theater Lane is an urban minor collector from Highway 395 to NE 10<sup>th</sup> Street in the city's TSP. At NE 10<sup>th</sup> Street, it is downgraded to a rural collector. This rural designation reflects the urbanizable nature of the urban growth boundary, thereby retaining the collector status for future east/west connectivity but should develop as an urban collector as urban level development occurs along the frontage east of NE 10<sup>th</sup> Street. As the city grows eastward, the road development will necessarily reflect urban standards. E Theater Lane previously narrowed to 40 feet in right of way width at NE 10<sup>th</sup> Street. However, when Tax Lots 1502 and 1503 were partitioned in 2005, an additional 10 feet of right way was dedicated to E Theater Lane, bringing the right of way into compliance with collector standards. No additional right of way dedication is necessary for E Theater Lane. However, development will trigger street improvement to E Theater Lane in compliance with urban minor collector standards in the city's public works details.

§150.05 of the Hermiston Code of Ordinances provides the requirements for annexations. The requirements for annexation are as follows:

1. The proposal is in conformance with all applicable state annexation requirements.
2. The property is contained within the urban portion of the urban growth boundary as identified on the comprehensive plan.
3. The proposed zoning is consistent with the underlying comprehensive plan designation.
4. Findings of fact are developed in support or denial of the annexation.
5. All city services can be readily extended, and the property owner is willing to bear costs associated with sewer, water, and roads.

Chapter 156 of the Hermiston Code of Ordinances provides the procedures for amendments to the comprehensive plan. Specific criteria are not detailed within the code, but all amendments to the comprehensive plan and implementing ordinances are required to demonstrate compliance with the statewide planning goals and the Hermiston Comprehensive Plan policies. Findings of fact demonstrating compliance are attached as Exhibit A.

Public notice requirements have been satisfied through the following actions:

1. Notice was provided by direct mail to all property owners within 300 feet on May 22, 2024.
2. Notice was published in the Hermiston Herald on May 22 and 29, 2024.
3. A sign displaying a notice of public hearing was placed on the property on May 22, 2024.

### **Tie-In to Council Goals**

Goal 1.6 Attract market-rate rental housing developments to increase middle housing inventory.

### **Fiscal Information**

There is no fiscal impact resulting from amendments to the comprehensive plan. However, annexation will add the land to the city's property tax base. The properties have an assessed value of \$448,860. The property has the potential to add 71 or more dwellings. Residential development will likely generate approximately \$151,000 annually at full build-out.

### **Alternatives and Recommendation**

#### **Alternatives**

The planning commission has several items to consider with the applications before the board.

The planning commission may choose to:

- Recommend approval of the comprehensive plan map amendments to the city council
- Recommend denial of the comprehensive plan map amendments to the city council
- Recommend an amendment of the map changes to different zoning to the city council
- Recommend approval of the annexation to the city council
- Recommend denial of the annexation to the city council
- Continue the hearing to allow additional evidence and testimony

#### **Recommended Action/Motion**

- Motion to make the project file a part of the record
- Motion to adopt the findings of fact
- Motion to impose conditions of approval

- Motion to recommend approval of comprehensive plan map amendment to the council
- Motion to recommend approval of annexation to the city council

**Submitted By:**

C.F. Spencer, Planning Director



## Exhibit A

### Findings of Fact

#### Bankston/3 Rivers Oregon Property LLC/Victory Lighthouse Church

#### Comprehensive Plan Map Amendment and Annexation

1940/1990/2180 NE 10<sup>th</sup> Street

June 12, 2024

#### *Findings of Fact on Comprehensive Plan Map Amendment*

#### **Goal 1 (Citizen Involvement) and Policy 1 (Citizen Involvement)**

1. Notice of the proposed annexation and amendment was published in the local newspaper on May 22 and 29, 2024 soliciting comments on the proposed annexation and amendment in conformance with 157.229(A) of the Hermiston Code of Ordinances.
2. Notice of the proposed land use action was physically posted on the property on May 22, 2024, in conformance with 157.229(B) of the Hermiston Code of Ordinances.
3. Notice of the proposed land use action was provided by direct mail to all property owners within 300 feet on May 22, 2024, in conformance with 157.229(C) of the Hermiston Code of Ordinances.
4. Comments received as a result of all required publications are incorporated into the record of proceedings.

#### **Goal 2 (Land Use Planning) and Policies 2 (Planning Process) and 3 (Intergovernmental Coordination)**

5. The city is required to review its land use designations and supply adequate amounts of all zoning types.
6. The proposed map amendments are citizen initiated to fulfill perceived market demand rather than city initiated. The city applies all applicable comprehensive plan policies and statewide planning goals to determine the appropriateness of the proposed amendments to land supply.
7. Notice of the proposed amendment was provided to Umatilla County, DLCD, ODOT, the Hermiston Irrigation District, and the Confederated Tribes of the Umatilla Indian Reservation on May 22, 2024.
8. The subject properties of approximately a combined 25.85 acres of land is within the urban growth area and has the "urbanizable" plan designation and a FR (Future Residential) comprehensive plan designation and FU-10 zoning designation. The owners have evaluated the market demands and analyzed appropriate and compatible uses in the neighborhood surrounding the subject property. Both owners are each proposing single family housing, which will be compatible to the neighborhood.
9. The proposed R-1 zoning includes a combined 25.85 acres between the three parcels (TL 1500, 1502, and 1503).

#### **Policies 4 (Orderly Urban Growth), 5 (Annexation), and 6 (Conversion)**

10. As all three parcels adjoin existing roadways, utilities, and the existing Hermiston city limits, the change will promote compact urban development and ensure efficient

utilization of land resources. It will facilitate economic provision of urban facilities and services because it will add much needed housing stock for the local residents. It will also convert land that is not considered high value farmland to low density (R-1) residential lots.

11. The existing church is considered a preexisting conditional use within the proposed R-1 zone under its previous approval from Umatilla County. Future expansion, or change in use on the site will require new conditional use approval subject to 157.205 through 157.210 of the Hermiston Code of Ordinances.
12. Residential development is needed in this area and is a good fit with existing adjacent property uses.
13. The property is within the urbanizable portion of the UGB and has a county FR (Future Residential) comprehensive plan and an FU-10 zoning designation. The property is adjacent to the city limits and the proposed annexation is consistent with Policy 5. Following amendment of the plan map designation to a mix of low density residential, the property will become part of the urban portion of the UGB.
14. The applicant is proposing annexation and incorporation to the city and therefore Policy 6 is not applicable.

### **Goal 3 (Agricultural Lands) and Policy 17 (Agriculture and Agriculture Related Economy)**

15. The Subject properties are vacant or used as a residence and a church. It is located within the city's acknowledged urban growth boundary and is designated as urbanizable land. The land is not considered high value farmland and is not protected as Goal 3 farmland and therefore an exception to Statewide Planning Goal 3 is not required.

### **Goal 4 (Forest Lands) and Policy 7 (Natural Resources)**

16. There are no forest lands identified within the Hermiston UGB. Goal 4 is not applicable.

### **Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) and Policies 8 (Surface and Groundwater Resources), 9 (Mineral and Aggregate Resources), and 10 (Historic Resources)**

17. The properties do not have any identified natural resources, scenic and historic areas, open spaces, surface water, mineral or historic resources, therefore an exception to the Statewide Planning Goals 5, 8, 9 and 10 is not required.

### **Goal 6 (Air, Water and Land Resources Quality and Policies 11 (Air Quality), 12 (Noise), and 13 (Water Quality)**

18. The city is required to comply with state and federal regulations regarding air and water quality in all development permitting per 157.004 of the Hermiston Code of Ordinances. Development is required to preserve natural resource quality as part of the development review and construction process.

### **Goal 7 (Areas Subject to Natural Hazards) and Policy 14 (Natural Hazards and Development Limitations)**

19. Figure 12 of the Hermiston Comprehensive Plan indicates this property is subject to potential natural hazards due to excessively well drained soils.

20. The city will require compliance with §157.101 of the Hermiston Code of Ordinances. This section requires mitigation measures to protect groundwater resources.
21. In the case of an existing or potential groundwater pollution threat, the city shall prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels.

**Goal 8 (Recreational Needs) and Policy 16 (Parks, Recreation and Open Space)**

22. The Hermiston comprehensive plan map and parks master plan each identify areas for future park locations and future park upgrades. This portion of the urban growth boundary is not identified in either document as a potential park site. Additionally, the city has developed Cimmaron Park within 1,500 feet of this site.

**Goal 9 (Economic Development) and Policies 18 (General Industrial Development), 19 (Commercial Development), and 20 (General Economic Development)**

23. Goal 9 requires an adequate supply of employment lands, both commercial and industrial. This land is listed on the Comprehensive Plan as F-R and not meant for economic development. Employment lands are not affected by this amendment to the comprehensive plan. Therefore, Goal 9 and the implementing policies are not applicable.

**Goal 10 (Housing) and Policies 21 (Housing Availability and Affordability) and 22 (Neighborhood Quality)**

24. Changing the subject property from county F-R to city R-1 Low-Density helps satisfy the city's projected housing need. The 2021 City of Hermiston Housing Capacity Analysis shows the existing housing supply of 8,051 housing units. The forecast from PSU Population Forecast Program (2019) estimates the population will grow at a rate of 1% between 2020 and 2040. To accommodate the growth in population, the city's projected need within the city's housing needs analysis will require a total of 10,081 housing units, resulting in a need for 2,030 new housing units by 2040.
25. The subject property is currently zoned county FU-10, which allows for one housing unit per 10-acre lot. The proposed change includes 25.85 acres zoned R-1 Low-Density Residential which the applicant believes will yield 65-70 housing units. Figure 6.2 *Summary of Forecasted Future Unit Need (2040)* on the City of Hermiston Housing Capacity Analysis identified 1,164 new single family detached units are needed by 2040. There is an identified demand of 1,220 new units within the Low-Density zoning by 2040 thus the proposed zone change would go further to satisfy this projected need than the current zoning.
26. This residential development is close to public services, schools, and retail services, as well as public transit.
27. Applicant plans to develop lots primarily for single-family detached homes that would range in sales price from low \$300s to mid-\$400s.
28. The creation of approximately 70 new houses will have a meaningful impact on housing availability and affordability, in alignment with Policies 21 and 22.

**Goal 11 (Public Facilities and Services) and Policies 23 (Provision of Public Services and Facilities), 24 (Water, Sewer, and Storm Drainage), 25 (Solid Waste), 26 (Schools), 27**

**(Police Protection), 28 (Fire Protection), 29 (Local Government Services and Facilities), and 30 (Private Utilities)**

29. Water and sewer are currently adjacent to the property on 10<sup>th</sup> Street.
30. NE 10<sup>th</sup> Street is an urban major collector that borders all three of the properties. East Theatre Lane is classified as a minor collector that runs along the south border of the southern property (Tax Lot 1503). All streets abutting the property will be improved to comply with the city's transportation plan at such time as development of abutting phases occurs.
31. All storm water will be retained within the boundaries of the future development. There is no city-wide storm water retention and disposal system.
32. Future development will utilize Sanitary Disposal for solid waste services as encouraged by the city.
33. Future development will not provide recycling services as the City of Hermiston has already provided recycling collections points in two locations of the city.
34. The Hermiston Police Department provides public safety services to the area under consideration. The police department has adequate capacity to patrol and protect the area with no additional actions required by the developer.
35. Umatilla County Fire District #1 provides fire and life safety services to the area under consideration. The UCFD#1 has adequate capacity to service the area with no additional actions required by the developer.
36. Concurrent with development, applicant will extend power and telecommunications services to the property after adoption of annexation and zone changes.

**Goal 12 (Transportation) and Policies 31 (Integrated Transportation System), 32 (Rail/Air Transportation), 33 (Alternative Transportation), and 34 (Transportation System Plan)**

37. Applicant has provided a transportation study and transportation impact analysis.
38. The Oregon Department of Transportation has accepted the submitted analysis.
39. The following summary and recommendations have been extracted from the transportation study performed by PBS Engineering and Environmental, Inc.
  - All study intersections are anticipated to operate within agency mobility standards in the 2025 Current and Proposed Zone Designation scenarios. As such, no improvements are specifically necessary to mitigate the Proposed Zone Designation transportation impacts.
  - All study intersections have adequate storage available on all approach movements to accommodate the 95th percentile vehicle queues.

**Goal 13 (Energy Conservation)**

40. This goal requires land to be developed in a manner that maximizes energy conservation based upon sound economic principles through efficient use of density and mixing of uses. The proposed zoning of the subject property will promote low-scale density residential development in close proximity to schools, parks, and existing commercial neighborhoods thereby minimizing travel needs.



**Goal 15 (Willamette River Greenway), Goal 16 (Estuarine Resources), Goal 17 (Coastal Shorelands), Goal 18 (Beaches and Dunes), and Goal 19 (Ocean Resources)**

41. Goals 15, 16, 17, 18, and 19 are geographically based statewide planning goals intended to protect specific, identified natural resources. None of the resources under these goals are within the Hermiston planning area. Goals 15, 16, 17, 18, and 19 are not applicable.

*Findings of Fact on Annexation*

1. The City has received consent to annexation from the property owners for approximately 25.8 acres of land.
2. Notice of public hearing was published in the local newspaper for two consecutive weeks prior to the planning commission hearing on May 22 and 29, 2024. Notices were also posted in four public places in the city for a like period. Comments or remonstrances received have been incorporated into the record.
3. Notice of public hearing was physically posted on the property on May 22, 2024.
4. Affected agencies were notified.
5. A public hearing of the planning commission was held on June 12, 2024. Comments received at the hearing are incorporated into the planning commission record.
6. Notice of public hearing of the city council was published in the local newspaper for two consecutive weeks prior to the city council hearing on May 29 and June 5, 2024. Notices were also posted in four public places in the city for a like period. Comments or remonstrances received have been incorporated into the record.
7. A public hearing of the city council was held on June 24, 2024. Comments received at the hearing are incorporated into the record.
8. The proposal is consistent with all applicable state annexation requirements in ORS 222.
  - a. The city has received consent from the property owners within the affected area.
  - b. An election has been deemed not necessary since consent from more than half the owners has been received.
  - c. The property is contiguous with the existing city limits.
  - d. All statutorily required notices have been published and posted.
9. Since the property is contiguous to the existing city limits, the annexation is in accord with Comprehensive Plan Policy 4 which promotes compact urban development within and adjacent to existing urban areas to ensure efficient utilization of land resources and facilitates economic provision of urban facilities and services.
10. The annexation is consistent with the requirements of Comprehensive Plan Policy 5 relating to annexation.
11. Following adoption of conversion from urbanizable to urban status by the City of Hermiston and Umatilla County, the property will be located within the urban portion of the urban growth boundary (UGB) as identified on the comprehensive plan map.
12. Water is currently adjacent to the property in NE 10<sup>th</sup> Street. A 12" water main is available to service the property and may be extended into the development site. Water sizing will be determined at the time of development.
13. Sanitary sewer is currently available adjacent to the property in NE 10<sup>th</sup> Street. A 12" line is available to service the property and may be extended into the development site. Sewer sizing will be determined at the time of development.
14. Applicant is willing to extend both sewer and water to the subject property.

*Findings of Fact on Zoning Designation*

1. Following amendment by the city and adoption by Umatilla County, the comprehensive plan map will designate the area as Low Density Residential. Proposed map designations are attached as a map to this report.
2. The proposed Low Density Residential zoning designation appropriately implements the Low Density Residential comprehensive plan map designations adopted for the property.

**Exhibit B**  
**Conditions of Approval**  
**Bankston/3 Rivers Oregon Property LLC/Victory Lighthouse Church**  
**Comprehensive Plan Map Amendment and Annexation**  
**1940/1990/2180 NE 10<sup>th</sup> Street**  
**June 12, 2024**

Subject to the testimony received and deliberations of the planning commission, the following draft findings are proposed:

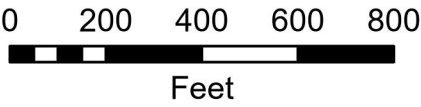
1. Annexation is contingent upon co-adoption of the comprehensive plan map amendment by Umatilla County under the provisions of the Hermiston Planning Area Joint Management Agreement, dated March 2, 2017. In the event that Umatilla County fails to co-adopt the map amendments, annexation shall fail, and a new comprehensive plan map amendment and annexation application shall be submitted.
2. Portions of the property are identified on Figure 12 of the Hermiston Comprehensive Plan as being subject to ground water pollution hazards due to excessively well-drained soils. In the case of an existing or potential groundwater pollution threat, the city shall prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels.
3. Future access to NE 10<sup>th</sup> Street and E Theater Lane will be subject to access permitting by the Umatilla County Road Department.
4. NE 10th Street adjacent to each parcel shall be improved to urban major collector status to the centerline at such time that development occurs on each affected parcel.
5. E Theater Lane adjacent to Tax Lot 1503 shall be improved to urban minor collector status to the centerline, plus one travel lane at such time that development occurs on Tax Lot 1503.



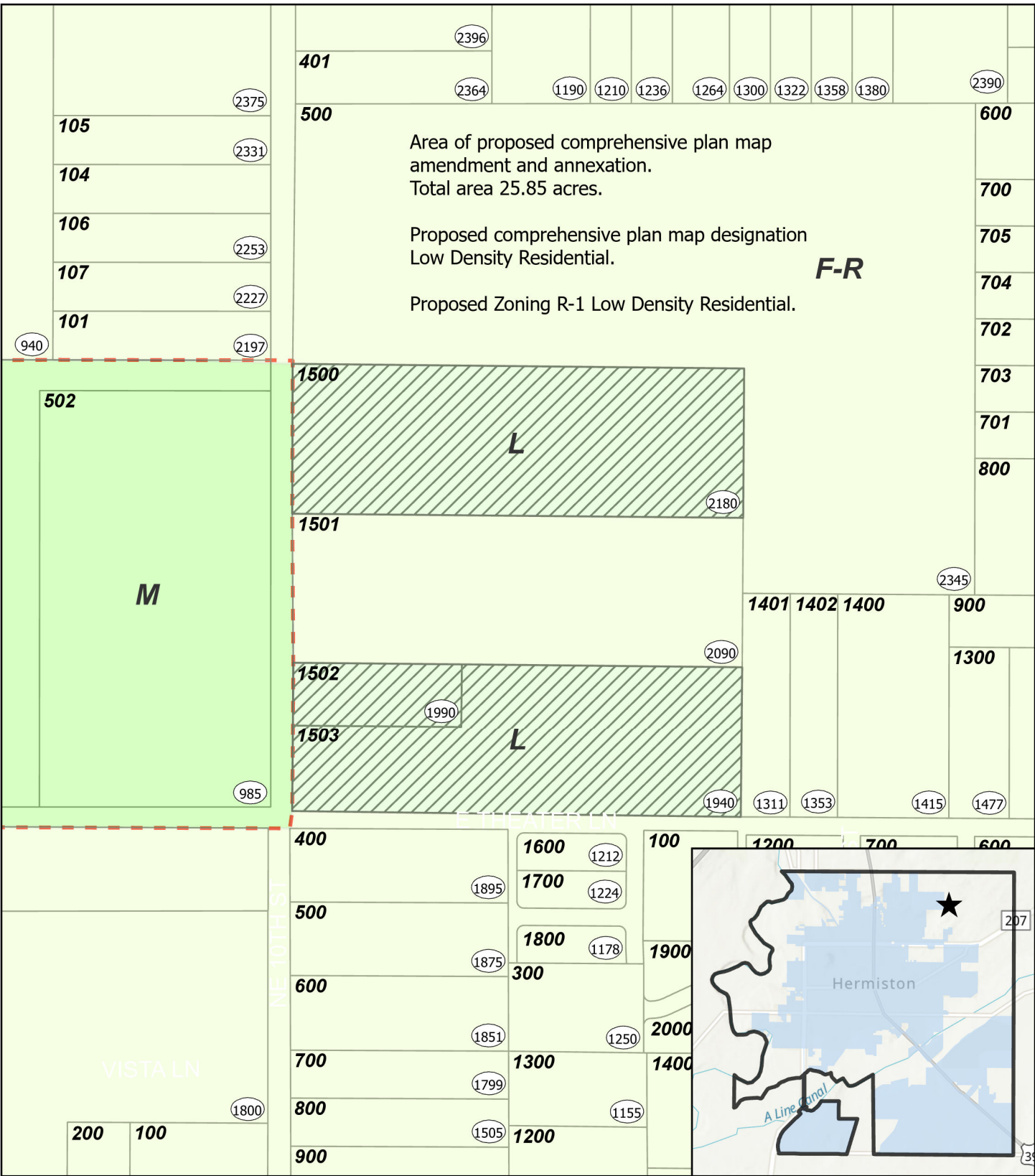


Legend

- Area of Annexation and Comp Plan Amendment
- Property Line
- City Limits
- Urban Growth Boundary

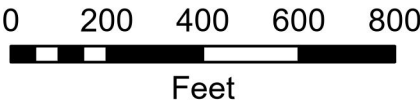






### Legend

- City Limits  
Urban Growth Boundary  
Comprehensive Plan Map Designation  
F-R  
L  
M



# 10th Street Subdivision Traffic Impact Analysis

City of Hermiston Tax Lots 4N2801B001500, 4N2801B001501, and  
4N2801B001503

Hermiston, Oregon 97838

Prepared for:

Dennis Gisi

PO Box 906

Walla Walla, WA 99362

&

Victory Lighthouse Church

1940 NE 10th St

Hermiston, OR 97838

February 5, 2024

PBS Projects 66132.003 & 66535.000



RENEWS: DECEMBER 31, 2024



1325 SE TECH CENTER DRIVE

SUITE 140

VANCOUVER, WA 98683

360.695.3488 MAIN

866.727.0140 FAX

PBSUSA.COM

Table of Contents

1 INTRODUCTION..... 1

1.1 Scope of Study..... 1

1.2 Existing Site Conditions..... 1

1.3 Existing Infrastructure ..... 1

1.3.1 Land Uses ..... 1

1.3.2 Existing Roadways..... 1

1.3.3 Major Intersections and Traffic Controls..... 2

1.4 Traffic Volumes..... 2

1.4.1 Baseline Traffic Volumes ..... 2

1.4.2 Background Growth..... 2

1.4.3 In-Process Projects ..... 2

1.4.4 Future Volumes..... 2

2 PROPOSED CONDITIONS..... 3

2.1 Project Description..... 3

2.2 Access and Circulation..... 3

2.3 Trip Generation and Distribution ..... 3

2.3.1 Proposed Trip Generation ..... 3

2.3.2 Proposed Trip Distribution ..... 4

2.3.3 Future Volumes with Project..... 4

3 INTERSECTION OPERATIONS AND ROADWAY CAPACITY ANALYSES ..... 5

3.1 Operations Description ..... 5

3.2 Operation Standards ..... 5

3.3 Analysis Methodology ..... 5

3.4 Level of Service Analyses..... 6

3.4.1 2024 Existing Conditions..... 6

3.4.2 2025 Future Conditions Without Project..... 7

3.4.3 2025 Future Conditions with Project..... 7

3.5 Queuing Analysis ..... 8

4 SAFETY ANALYSIS..... 10

4.1 Collision Analysis ..... 10

4.2 Transit, Pedestrian, and Bicycle Facilities..... 10

4.3 Intersection Sight Distance ..... 11

4.4 On-Site Parking ..... 11

5 STUDY FINDINGS..... 12

5.1 Trip Generation..... 12

5.2 Level of Service..... 12

5.3 Queuing Analysis ..... 12

5.4 Collision Analysis ..... 12

5.5 Transit, Pedestrian, and Bicycle Facilities..... 12

5.6 Intersection Sight Distance ..... 12

Traffic Impact Analysis for 10th Street Subdivision  
Dennis Gisi & Victory Lighthouse Church

Tax Lot Number: 4N2801B001500, 4N2801B001501,  
4N2801B001503  
Hermiston, Oregon

---

<b>6</b>	<b>RECOMMENDATIONS .....</b>	<b>13</b>
6.1	On-Site Parking .....	13
<b>7</b>	<b>REFERENCES .....</b>	<b>14</b>



Traffic Impact Analysis for 10th Street Subdivision  
Dennis Gisi & Victory Lighthouse Church

Tax Lot Number: 4N2801B001500, 4N2801B001501,  
4N2801B001503  
Hermiston, Oregon

---

## Supporting Data

### TABLES

- Table 1. Land Uses Around the Site
- Table 2. Existing Roadway Information
- Table 3. ITE Trip Generation – 10th Street Subdivision
- Table 4. Estimated 2024 LOS for Existing Conditions
- Table 5. Estimated 2025 LOS for Without Project Conditions
- Table 6. Estimated 2025 LOS for With Project Conditions
- Table 7. PM Peak Hour Intersection Queueing Analysis
- Table 8. Collision Analysis for Study Area Intersections (January 2018 through December 2022)

### FIGURES

- Figure 1. Vicinity Map
- Figure 2. Site Plan
- Figure 3. Existing Lane Configurations and Traffic Control
- Figure 4. 2024 Existing Volumes
- Figure 5. In-Process Project Trips
- Figure 6. 2025 Without Project Volumes
- Figure 7. Trip Distribution and Assignment
- Figure 8. 2025 With Project Volumes

### APPENDICES

- Appendix A: Traffic Counts
- Appendix B: Trip Generation Calculations and Trip Distribution Model Outputs
- Appendix C: Oregon Highway Plan – Mobility Targets
- Appendix D: Level of Service Reports
- Appendix E: Queue Reports
- Appendix F: Collision Rate Calculations and Data
- Appendix G: In-Process Projects

©2024 PBS Engineering and Environmental Inc.

1 INTRODUCTION

The purpose of this study is to determine the impact of the traffic generated by the 10th Street Subdivision (Project) on the surrounding roadway infrastructure. The project sites are shown on the vicinity map (Figure 1). This study will determine if mitigation is required to keep the roadways operating safely and at capacity levels acceptable under the current level of service (LOS) standards. This report documents the findings and conclusions of a traffic impact analysis (TIA) conducted for the proposed site plans (Figure 2) for property located in Hermiston, Oregon.

1.1 Scope of Study

This study documents the existing and proposed conditions, traffic data, safety analysis, and intersection operations in accordance with the City of Hermiston (City) TIA guidelines, which are presented within the City's *Public Works Standards, Technical Specifications, and Standard Drawings* (see References).

The following intersections were identified for analysis:

- |  |  |
|--|--|
| 1. 10th St / Theater Ln                              | 6. 10 <sup>th</sup> Street / Second Access (Proposed)  |
| 2. 10th St / Punkin Center Rd                        | 7. Theater Lane Access (Proposed)                      |
| 3. US-395 / Punkin Center Rd                         | 8. 10 <sup>th</sup> Street / Church Access             |
| 4. US-395 / Theater Ln                               | 9. 10 <sup>th</sup> Street / Third Access (Proposed)   |
| 5. 10 <sup>th</sup> Street / First Access (Proposed) | 10. 10 <sup>th</sup> Street / Fourth Access (Proposed) |

This TIA includes analysis of future background conditions growth based on an assumed 2% annual growth rate.

This TIA is prepared for submission to the City. The traffic-related issues addressed in this report include:

- Existing traffic conditions
- Proposed site-generated traffic volumes and their distribution
- Build-out year (2025) conditions without and with the project
- Capacity analysis of the existing and future conditions for weekday PM peak hours
- Safety analysis of the existing and future conditions
- Recommendations for mitigation of traffic impacts and conclusions

1.2 Existing Site Conditions

The project site consists of three tax lot numbers (4N2801B001500, 4N2801B001501, and 4N2801B001503) and is located at 10th Street in Hermiston, Oregon. Tax lot number 4N2801B001500 is owned by Dennis Gisi, and 4N2801B001503 is owned by Victory Lighthouse Church. Tax lot number 4N2801B001501 is not currently owned by Dennis Gisi but is included as part of this traffic impact analysis (TIA) in case of future development of the lot. It is assumed that the lot will be identical to Tax Lot Number 4N2801B001500 (the 45-lot site) as seen on the site plan in Figure 2.

All three tax lots are currently undeveloped.

1.3 Existing Infrastructure

The existing infrastructure and operational traffic conditions in the study area were documented. Roadway conditions were studied to confirm that the roadway is currently operating in a safe and efficient manner.

1.3.1 Land Uses

The land uses surrounding the site are documented to help identify the site location and provide reference for any discussion of conditions that might impact the adjacent properties. The land uses surrounding the site are shown in Table 1.

Table 1. Land Uses Around the Site

North of Site	
Zoning	Unzoned
Description	Within City Urban Growth Boundary (UGB)
Existing Use	Undeveloped

West of Site	
Zoning	R-3
Description	Medium-High Density Residential Zone
Existing Use	Elementary School

East of Site	
Zoning	Unzoned
Description	Within City UGB
Existing Use	Residential & Undeveloped

South of Site	
Zoning	Unzoned
Description	Within City UGB
Existing Use	Residential

1.3.2 Existing Roadways

The existing roadways providing access to the site are 10th Street and Theater Lane. Data was gathered on these and other roadways in the study area to inform operations analysis of the existing roadway system. The pertinent information regarding the study area roadways is tabulated below in Table 2.

Table 2. Existing Roadway Information

Roadway Name	Classification <sup>1</sup>	Speed Limit (mph)	Lane Configuration			
			Lanes	Sidewalks	Bike Lanes	TWLTL
US-395	Highway	45	4	Yes	No	Yes
10th Street	Urban Major Collector	45	2	No	No	No
Theater Lane	Rural Collector	25	2	No	No	No
Punkin Center Road	Urban Major Collector	45	2	No	No	No

Traffic Impact Analysis for 10th Street Subdivision  
Dennis Gisi & Victory Lighthouse Church

Tax Lot Number: 4N2801B001500, 4N2801B001501,  
4N2801B001503  
Hermiston, Oregon

mph: miles per hour; TWLTL: two-way left-turn lane

<sup>1</sup> Based on the City of Hermiston Transportation System Plan. See  
<https://hermiston.maps.arcgis.com/apps/View/index.html?appid=14224b2c622c452ba28e985646812b13>

**1.3.3 Major Intersections and Traffic Controls**

Figure 3 shows existing lane configurations and intersections controls for each studied intersection.

**1.4 Traffic Volumes**

**1.4.1 Baseline Traffic Volumes**

Turning movement counts were gathered for the weekday PM (4:00 to 6:00 pm) peak periods by All Traffic Data on January 9, 2024, at the following list of studied intersections:

- 1. 10th St / Theater Ln
- 2. 10th St / Punkin Center Rd
- 3. US-395 / Punkin Center Rd
- 4. US-395 / Theater Ln

Figure 4 shows the 2024 existing volumes based on these counts. Copies of the count data used are provided in Appendix A.

**1.4.2 Background Growth**

Background growth is a linear increase in traffic volumes that is not attributable to specific developments. A linear background growth of 2% was applied to all 2024 existing peak hour movement volumes between public roadways at the studied intersections.

**1.4.3 In-Process Projects**

There is one in-process project currently in the study area. MonteVista Homes, a 250-lot single family home development west of the Project site. Little information is provided with respect to the build-out date of the project. It will be assumed that the first two phases of the project will be built when our Project is built out in 2025. See Figure 5 for the In-Process Project trip distribution and Appendix G for the reference in-process project information.

**1.4.4 Future Volumes**

The baseline volumes for the 2025 intersection operations analyses, termed the 2025 Without Project volumes, represent the sum of 2024 existing traffic and background growth. Figure 6 presents the 2025 Without Project volumes for the weekday PM peak hour. These volumes were input to the intersection operations analyses, addressed later in this TIA.



2 PROPOSED CONDITIONS

The proposed development will add traffic to the roadway system. The project location, size, and completion date are all important elements that need to be considered to determine the development’s impacts on safety and capacity. It is also important to exine how the project will operate with the existing transportation system, estimate how much new traffic it will generate, and predict where traffic generated by the site will be distributed. Furthermore, this section will address any funded infrastructure changes planned by other agencies or developers. All these elements are important in assessing the traffic impacts of this project.

2.1 Project Description

The applicants, Dennis Gisi and Victory Lighthouse Church, propose to develop subdivisions and a church expansion along 10th Street located at Tax lot numbers 4N2801B001500, 4N2801B001501, and 4N2801B001503 in Hermiston, Oregon. The applicants propose constructing a total of 113 single family homes and a 10,000 square-foot (sf) expansion of additional church amenities/sanctuary developed in accordance with City of Hermiston zoning ordinances for low density residential development.

Tax lot number 4N2801B001501 is not currently owned by Dennis Gisi but is included as part of this traffic impact analysis (TIA) in case of future development of the lot. It is assumed that the lot will be identical to Tax Lot Number 4N2801B001500 as seen on the site plan. See Figure 1 for the vicinity map and Figure 2 for the site plans. The estimated completion date of the project is 2025.

2.2 Access and Circulation

The applicants propose four new accesses to the site through 10th Street, one new access to the site on Theater Lane, and there is an existing access to the Church. See Figure 2 for the site plan. The two most northern proposed accesses closely align with the new Loma Vista Elementary School accesses.

2.3 Trip Generation and Distribution

The following sections rely on data provided in the Institute of Transportation Engineers’ (ITE) *Trip Generation Manual* (see References). Detailed trip generation calculations are provided in Appendix B.

2.3.1 Proposed Trip Generation

The trips generated by the site are estimated by treating the development as 113 units of “Single-Family Attached Housing” ITE land use code 210 and 10,000 square-feet of “Church” ITE land use code 560. The trip generation results are summarized in Table 3, and the calculation details are attached. The site trips are presented for the average weekday and the PM peak hour between 4:00 pm and 6:00 pm.

Traffic Impact Analysis for 10th Street Subdivision  
Dennis Gisi & Victory Lighthouse Church

Tax Lot Number: 4N2801B001500, 4N2801B001501,  
4N2801B001503  
Hermiston, Oregon

**Table 3. ITE Trip Generation – 10th Street Subdivision**

Land Use (ITE Code)	Single-Family Detached Housing (210)		Church (560)		Combined	
Independent Variable	Dwelling Units		1,000 sf GFA <sup>2</sup>			
Size	113		10			
Time Period	ADT <sup>1</sup>	PM Peak Hour	ADT	PM Peak Hour	ADT	PM Peak Hour
In	565	70	38	2	603	72
Out	565	41	38	3	603	44
Total Trips	1,130	111	76	5	1,206	116

<sup>1</sup> ADT = Average Daily Traffic

<sup>2</sup> sf GFA = Square-Foot Gross Floor Area

**Findings:** The Project is anticipated to generate 1,206 vehicle trips during a typical weekday and 116 vehicle trips during the PM peak hour.

### 2.3.2 Proposed Trip Distribution

The trip distribution is based on engineering judgement and feedback from ODOT and the City. Trip distribution and trip generation were used together to assign trips to access points and the studied intersections. The distribution of site-generated trips was estimated as follows:

- 60% to and from US-395, north of Punkin Center Road.
- 5% to and from Punkin Center Road, west of US-395.
- 15% to and from US-395, south of Theater Lane.
- 5% to and from Theater Lane, west of US-395.
- 10% to and from NE 10th street, south of the Theater Lane.
- 5% to and from Punkin Center Road, east of 10th Street.

Site-generated trip distribution and assignments are provided in Figure 7.

### 2.3.3 Future Volumes with Project

Figure 8 presents the 2025 With Project volumes, or the sum of Without Project volumes and the site-generated trips, for the weekday PM peak hours.

### 3 INTERSECTION OPERATIONS AND ROADWAY CAPACITY ANALYSES

#### 3.1 Operations Description

Traffic operations are assessed in terms of LOS, a concept developed by transportation engineers to qualify the level of operation of intersections and roadways (*Highway Capacity Manual* (HCM), see References). LOS measures are classified in grades "A" through "F," indicating a range of operation, with LOS "A" signifying the best level of operation and LOS "F" representing the worst level.

LOS at unsignalized intersections is quantified in terms of average delay per vehicle. LOS "A" reflects full freedom of operation for a driver, while LOS "F" represents operational failure.

The volume-to-capacity (v/c) ratio quantifies the portion of the theoretical capacity consumed by traffic demand volume. A v/c ratio of zero (0.00) reflects none of the capacity is consumed and all the capacity is fully available. A v/c ratio of one (1.00) reflects all the capacity consumed and represents operational failure. The v/c ratio can be calculated for an intersection approach lane or for a signalized intersection, with the latter calculation aggregating the v/c ratios of the critical movements.

#### 3.2 Operation Standards

The City only uses LOS to evaluate intersection operations. The mobility standard for the studied intersections that fall under the City's operation standard is LOS "D" or better according to *City of Hermiston Transportation System Plan* (See Reference). This standard is applicable to the 10th Street/Theater Lane, 10th Street/Punkin Center Road, and access intersections.

ODOT has a mobility standard of a v/c ratio of 0.80 or less for Freight Routes on a Statewide Highway located inside an Urban Growth Boundary in a non-metropolitan planning organization (MPO) with a speed limit greater than or equal to 45 miles per hour (see Appendix C). The mobility standard for the intersecting local roads is a v/c ratio of 0.90 or less. These standards apply to the US-395 / Punkin Center Road and US-395 / Theater Lane intersections, with US-395 being the Freight Route standard and the other roads being the intersection local roads standard.

#### 3.3 Analysis Methodology

The project's traffic impacts were estimated to determine the changes in traffic conditions. To make these determinations, the following were employed:

- The individual peak hour volumes were analyzed for 2024 and 2025.
- The peak hour factor (PHF) for the overall intersection, as calculated from the count data, was applied for the 2024 baseline analysis scenario and the future 2025 conditions.
- The counts on ODOT facilities were seasonally adjusted based on the ODOT 2022 On-Site Automatic Traffic Recorders Table and ODOT 2023 Seasonal Trend Table according to Analysis Procedures Manual, Version 2 (See Reference).
- A minimum heavy vehicle percentage (HV%) of 2% was assumed for each movement for all analysis scenarios. The HV% calculated from the count data was applied if it was greater than 2%.
- Baseline traffic volumes on the surrounding street system were determined prior to adding the traffic impacts of the proposed project. Baseline traffic volume estimates were prepared for 2025 Without Project conditions.

Traffic Impact Analysis for 10th Street Subdivision  
Dennis Gisi & Victory Lighthouse Church

Tax Lot Number: 4N2801B001500, 4N2801B001501,  
4N2801B001503  
Hermiston, Oregon

- As noted previously, trip generation estimates for the project were prepared for the weekday PM peak hour on the surrounding street system.
- Cumulative traffic impacts of the proposed Project were determined by adding the project-generated traffic to the background weekday PM peak traffic at all studied intersections. This is termed the 2025 With Project condition.
- The LOS for all signalized and stop-controlled intersections was calculated with Trafficware’s Synchro software, Version 11, based on HCM 6th Edition (see References) methodologies.
- Queuing analysis was performed to evaluate queue storage adequacy at the studied intersections. The 95th percentile queues were estimated using simulation models in Trafficware’s Synchro software, Version 11
- The intersection results report the critical approach LOS and delay for the City’s intersections and reports the major and minor approach v/c ratios of ODOT highway intersections.

3.4 Level of Service Analyses

LOS calculation reports for the study area intersections are provided in Appendix D. The key analysis findings are listed in the following tables. LOS results that do not meet the City’s standards are shown in bold text.

Lane group abbreviations for the following tables are defined and patterned as follows:

- WB = Westbound, EB = Eastbound, NB = Northbound, SB = Southbound
- WBT = Westbound Through
- WBR = Westbound Right
- WBL = Westbound Left
- WBTR = Westbound Through-Right
- WBLT = Westbound Left-Through
- WBLR = Westbound Left-Right
- WBLTR = Westbound Left-Through-Right

3.4.1 2024 Existing Conditions

Table 4 describes the LOS for each intersection within the study area for the 2024 baseline volumes during the PM peak hours.

Table 4. Estimated 2024 LOS for Existing Conditions

Intersection	Intersection Control	Mobility Standard	PM Peak Hour		
			LOS	Delay (sec/veh)	v/c (lane)
10th St / Theater Ln	TWSC	LOS D	B	10.3	0.012 (WB)
10th St / Punkin Center Rd	TWSC	LOS D	B	11.1	0.082 (NB)
US-395 / E Punkin Center Rd	Signalized	v/c ≤ 0.80 <sup>1</sup> v/c ≤ 0.90 <sup>2</sup>	B	14.1	0.54 (SBTR) <sup>1</sup> 0.50 (WBR) <sup>2</sup>
US-395 / Theater Ln	Signalized	v/c ≤ 0.80 <sup>1</sup> v/c ≤ 0.90 <sup>2</sup>	B	19.0	0.70 (NBTR) <sup>1</sup> 0.71 (EBR) <sup>2</sup>

Traffic Impact Analysis for 10th Street Subdivision  
Dennis Gisi & Victory Lighthouse Church

Tax Lot Number: 4N2801B001500, 4N2801B001501,  
4N2801B001503  
Hermiston, Oregon

Intersection	Intersection Control	Mobility Standard	PM Peak Hour		
			LOS	Delay (sec/veh)	v/c (lane)
10th St / Church Access	TWSC	LOS D	A	0	0

sec/veh: seconds per vehicle; TWSC: two-way stop control

<sup>1</sup> For ODOT Highway Approaches

<sup>2</sup> For Local Road Approaches

**Findings:** As shown in Table 4, all studied intersections currently operate at an acceptable LOS in the 2024 Existing conditions during the Weekday PM peak hours.

### 3.4.2 2025 Future Conditions Without Project

Table 5 describes the LOS for each intersection within the study area for the 2025 volumes without the project trips during the PM peak hours.

**Table 5. Estimated 2025 LOS for Without Project Conditions**

Intersection	Intersection Control	Mobility Standard	PM Peak Hour		
			LOS	Delay (sec/veh)	v/c (lane)
10th St / Theater Ln	TWSC	LOS D	B	10.3	0.012 (WB)
10th St / Punkin Center Rd	TWSC	LOS D	B	11.2	0.085 (NB)
US-395 / E Punkin Center Rd	Signalized	v/c ≤ 0.80 <sup>1</sup> v/c ≤ 0.90 <sup>2</sup>	B	14.5	0.56 (SBTR) <sup>1</sup> 0.51 (WBR) <sup>2</sup>
US-395 / Theater Ln	Signalized	v/c ≤ 0.80 <sup>1</sup> v/c ≤ 0.90 <sup>2</sup>	C	20.4	0.72 (NBTR) <sup>1</sup> 0.71 (EBR) <sup>2</sup>
10th St / Church Access	TWSC	LOS D	A	0	0

sec/veh: seconds per vehicle; TWSC: two-way stop control

<sup>1</sup> For ODOT Highway Approaches

<sup>2</sup> For Local Road Approaches

**Findings:** As shown in Table 5, all studied intersections will operate within acceptable LOS in 2025 Without Project conditions during the Weekday PM peak hour.

### 3.4.3 2025 Future Conditions with Project

Table 6 describes the LOS for each intersection within the study area for the 2025 volumes with the project trips during the PM peak hours.



Traffic Impact Analysis for 10th Street Subdivision  
Dennis Gisi & Victory Lighthouse Church

Tax Lot Number: 4N2801B001500, 4N2801B001501,  
4N2801B001503  
Hermiston, Oregon

**Table 6. Estimated 2025 LOS for With Project Conditions**

Intersection	Intersection Control	Mobility Standard	PM Peak Hour		
			LOS	Delay (sec/veh)	v/c (lane)
10th St / Theater Ln	TWSC	LOS D	B	10.7	0.028 (WB)
10th St / Punkin Center Rd	TWSC	LOS D	B	12.0	0.142 (NB)
US-395 / E Punkin Center Rd	Signalized	$v/c \leq 0.80^1$ $v/c \leq 0.90^2$	B	15.5	0.62 (SBL) <sup>1</sup> 0.56 (WBR) <sup>2</sup>
US-395 / Theater Ln	Signalized	$v/c \leq 0.80^1$ $v/c \leq 0.90^2$	C	21.3	0.73 (NBR) <sup>1</sup> 0.72 (EBR) <sup>2</sup>
10th St / Church Access	TWSC	LOS D	A	9.3	0.004 (WB)
10th St / First Access	TWSC	LOS D	A	8.7	0.01 (WB)
Theater Ln / Access	TWSC	LOS D	A	8.4	0.009 (SB)
10th St / Second Access	TWSC	LOS D	A	8.7	0.01 (WB)
10th St / Third Access	TWSC	LOS D	A	9.1	0.011 (WB)
10th St / Fourth Access	TWSC	LOS D	A	9.1	0.011 (WB)

sec/veh: seconds per vehicle; TWSC: two-way stop control

<sup>1</sup> For ODOT Highway Approaches

<sup>2</sup> For Local Road Approaches

**Findings:** As shown in Table 6, all studied intersections will operate within acceptable LOS in 2025 With Project conditions during the Weekday PM peak hour.

### 3.5 Queuing Analysis

Queuing analysis was performed to evaluate queue storage adequacy at the studied intersections. To make these determinations, the following approaches were employed:

- The 95th percentile queues were estimated using the Trafficware's Synchro software (Version 11).
- Queue demand was rounded up to the nearest 25 feet, the average length of a queued vehicle.
- Available storage was measured from aerial photography and was rounded to the nearest 5 feet.
- Queues are reported for all controlled approach lanes. Uncontrolled lanes do not experience queuing and are not reported.

Table 7 summarize queuing analysis results for the PM peak hours. Queues that exceed the available storage are shown in bold text. Data output sheets from all queuing calculations are included in Appendix E.

Traffic Impact Analysis for 10th Street Subdivision  
Dennis Gisi & Victory Lighthouse Church

Tax Lot Number: 4N2801B001500, 4N2801B001501,  
4N2801B001503  
Hermiston, Oregon

**Table 7. PM Peak Hour Intersection Queueing Analysis**

Intersection	Approach and Movement		Available Storage (Feet)	95th Percentile Queue (Feet)	
				2025 Without Project	2025 With Project
1. 10th St / Theater Ln	EB	LTR	1000+	75	75
	WB	LTR	1000+	50	50
	NB	LTR	1000+	25	25
	SB	LTR	1000+	-	-
2. 10th St / Punkin Center Rd	EB	TR	425	-	25
	WB	LT	825	25	25
	NB	LR	1000+	50	75
3. US-395 / Punkin Center Rd	EB	L	175	75	100
		TR	750	100	125
	WB	L	175	75	75
		TR	345	100	125
	NB	L	230	75	75
		T	1000+	175	175
		TR	750	175	175
	SB	L	230	150	150
		T	1000+	125	150
		TR	890	150	175
4. US-395 / Theater Ln Road	EB	L	140	100	100
		TR	1,000+	150	150
	WB	L	140	100	100
		TR	400	125	125
	NB	L	230	150	150
		T	1000+	250	250
		TR	325	250	250
	SB	L	220	125	125
		T	1000+	250	275
		TR	340	225	250

**Findings:** As shown in Tables 7, all 95th percentile queue lengths are at or below the existing storage lengths for each lane movement. No queuing concerns were identified at the studied intersections.

Traffic Impact Analysis for 10th Street Subdivision  
Dennis Gisi & Victory Lighthouse Church

Tax Lot Number: 4N2801B001500, 4N2801B001501,  
4N2801B001503  
Hermiston, Oregon

## 4 SAFETY ANALYSIS

### 4.1 Collision Analysis

Collision data from the study area were obtained from WSDOT for the five-year period spanning from January 2018 through December 2022. This analysis assumes a collision rate less than the 1 per Million Entering Vehicle (MEV) is typically considered to be within acceptable parameters. A collision rate above 1 per MEV is formatted in bold font and is worthy of further examination. The detailed collision data can be found in Appendix F. Table 8 presents the results of the collision analysis.

**Table 8. Collision Analysis for Study Area Intersections (January 2018 through December 2022)**

Intersection	Collision Type						Total Collisions	Collision Rate
	Angle	Left-Turn	Rear-End	Sideswipe	Object	Other		
1. 10th St / Theater Ln	-	-	-	-	-	-	0	0
2. 10th St / Punkin Center Rd	-	-	-	-	-	-	0	0
3. US-395 / Punkin Center Rd	6	3	5	-	-	-	14	0.35
4. US-395 / Theater Ln Road	4	4	1	-	-	3	12	0.31

To calculate the collision rate, the PM peak hour total entering volumes from the existing TMCs were multiplied by 10 to provide an approximation of the average daily traffic (ADT). Detailed calculations of collision rates are provided in Appendix F.

As shown in table 8, the collision rate is less than 1 per MEV at all study intersections.

*Findings:* The 2018 through 2022 collision history at the study intersections was reviewed. All studied intersections have a collision rate below 1 per MEV.

### 4.2 Transit, Pedestrian, and Bicycle Facilities

Sidewalks currently exist partially along Theater Lane, west of 10th Street, and no sidewalks are available east of 10th Street. Sidewalks are also currently available along the west side of 10th Street, along the Loma Vista Elementary School frontage. The proposed development will construct sidewalks along the frontages of 10th Street and Theater Lane.

Bicycle lanes are not available along the studied roadways. According to the City's TSP, 10th Street, Punkin Center Road, and Theater Lane are identified to have bike lanes in future. Punkin Center Road is identified to have a shoulder bikeway while 10th street and Theater Lane are identified to have on-street bike lane.

There is no transit service nearby.

To assure accessibility compliance, all driveways, sidewalks, crosswalks, and curb ramps constructed with 10th Street subdivision should be designed and constructed according to the current Americans with Disabilities Act (ADA) guidelines.

*Findings:* Pedestrian transportation options are currently not available. However, it might become available with the proposed development, for future residents. Bicycle and transit facilities are not presently available; however, they may be provided in the future as the area builds out.

**4.3 Intersection Sight Distance**

The sight distance at the proposed site accesses along 10th Street and Theater Lane were checked using aerial imagery to verify it can meet intersection sight distance (ISD) requirements and that no objects are within the ISD triangles that would block approaching drivers' views of approaching traffic. The American Association of State Highway and Transportation Officials (AASHTO) tables 9-6 and 9-8, Design Intersection Sight Distance Left/Right Turn from Stop (see references), were used in determining required ISD.

*Findings:* Access intersections on 10<sup>th</sup> Street should have at least 430 feet of sight distance looking to the north for a right turn and 500 feet of sight distance looking to the south for a left turn based on the 45-mph posted speed on 10th Street. The relatively flat terrain and clear view past 500 feet in both directions suggests all proposed access intersections have adequate sight distance.

Access intersections on Theater Lane should have at least 240 feet of sight distance looking to the north for a right turn and 280 feet of sight distance looking to the south for a left turn based on the 25-mph posted speed on Theater Lane. The relatively flat terrain and clear view past 280 feet in both directions suggests all proposed access intersections have adequate sight distance.

**4.4 On-Site Parking**

According to the Code of Hermiston (See References), Chapter 157.175, the Victory Lighthouse Church is required to have one space per four seats or eight feet of bench length in the main auditorium. The development is required to provide adequate additional parking spaces as needed by the final outlay of the church expansion.

Additionally, the proposed site plan should meet the minimum requirement for accessible parking spaces per the Americans with Disabilities Act (ADA) parking requirements from ORS 447.233 based on the number of proposed parking spaces.

*Recommendations:* The Project should meet the minimum parking requirements as well as the requirements for accessible parking spaces for the proposed church expansion.

5 STUDY FINDINGS

The findings of this TIA are listed below.

5.1 Trip Generation

The Project is anticipated to generate 1,206 vehicle trips during a typical weekday and 116 vehicle trips during the PM peak hour.

5.2 Level of Service

As shown in Table 4, all studied intersections currently operate at an acceptable LOS in the 2024 Existing conditions during the Weekday PM peak hours.

As shown in Table 5, all studied intersections will operate within acceptable LOS in 2025 Without Project conditions during the Weekday PM peak hour.

As shown in Table 6, all studied intersections will operate within acceptable LOS in 2025 With Project conditions during the Weekday PM peak hour.

5.3 Queuing Analysis

No significant queue concerns were identified at the studied intersections due to this project.

5.4 Collision Analysis

The 2018 through 2022 collision history at the study intersections was reviewed. All studied intersections have a collision rate below 1 per MEV.

5.5 Transit, Pedestrian, and Bicycle Facilities

Pedestrian transportation options are currently not available. However, it might become available with the proposed development, for future residents. Bicycle and transit facilities are not presently available; however, they may be provided in the future as the area builds out.

5.6 Intersection Sight Distance

Access intersections on 10<sup>th</sup> Street should have at least 430 feet of sight distance looking to the north for a right turn and 500 feet of sight distance looking to the south for a left turn based on the 45-mph posted speed on 10th Street. The relatively flat terrain and clear view past 500 feet in both directions suggests all proposed access intersections have adequate sight distance.

Access intersections on Theater Lane should have at least 240 feet of sight distance looking to the north for a right turn and 280 feet of sight distance looking to the south for a left turn based on the 25-mph posted speed on Theater Lane. The relatively flat terrain and clear view past 280 feet in both directions suggests all proposed access intersections have adequate sight distance.



Traffic Impact Analysis for 10th Street Subdivision  
Dennis Gisi & Victory Lighthouse Church

Tax Lot Number: 4N2801B001500, 4N2801B001501,  
4N2801B001503  
Hermiston, Oregon

---

**6 RECOMMENDATIONS**

The recommendations of this TIA are listed below.

**6.1 On-Site Parking**

The Project should meet the minimum parking requirements as well as the requirements for accessible parking spaces for the proposed church expansion.

Traffic Impact Analysis for 10th Street Subdivision  
Dennis Gisi & Victory Lighthouse Church

Tax Lot Number: 4N2801B001500, 4N2801B001501,  
4N2801B001503  
Hermiston, Oregon

---

## 7 REFERENCES

AASHTO (American Association of State Highway and Transportation Officials). (2018). *A Policy on the Geometric Design of Highways and Streets*, 7th Edition.

City of Hermiston, Oregon. (Updated 2023, March 6). *Code of Hermiston*.

City of Hermiston, Oregon. (January 2023). *Public Works Standards, Technical Specifications, and Standard Drawings*.

City of Hermiston, Oregon. (May 1997). *City of Hermiston Transportation System Plan*.  
<https://hermiston.maps.arcgis.com/apps/View/index.html?appid=14224b2c622c452ba28e985646812b13>

ITE (Institute of Transportation Engineers). (2021). *Trip Generation Manual*, 11th Edition.

ODOT (Oregon Department of Transportation). (2023, April). *Analysis Procedures Manual*, Version 2.

Transportation Research Board, National Research Council. (2016). *Highway Capacity Manual*, 6th Edition.



# Oregon

Tina Kotek, Governor

Section 3, ItemA.

Department of Transportation  
Region 5, District 12  
1327 SE 3<sup>rd</sup> Street  
Pendleton, OR 97801

May 13, 2024

Clint Spencer, Planning Director VIA EMAIL: cspencer@hermiston.or.us  
City of Hermiston  
180 NE 2nd Street  
Hermiston, Oregon 97838

Subject: *Proposed Annexation and Amendment Comprehensive Plan Map designation of 25.85 acres from Future Residential (F-R) to Low Density (L) with a corresponding change in zoning designation from Future Urban Residential – 10 acre minimum (FU-10) to Low Density Residential (R-1).*

The Oregon Department of Transportation (ODOT) has reviewed the City of Hermiston Staff Report for the April 8, 2024, City Council Meeting. ODOT has jurisdiction of US 395 and OR 207, including responsibility for managing access within these corridors.

David Boyd, P.E. has identified the proposed change from Future Urban Residential (FU-10) to Low Density Residential (R-1) for 25.85 acres will increase traffic by 970 Average Daily Traffic (ADT), see attached Trip Generation. As such, this land use change is not anticipated to cause a "Significant Affect" per Oregon Highway Plan Action 1F.5 for the following highway intersections:

- NE Tenth St/OR207, 3Ln, 7000 ADT – below thresholds
- OR207/US395, 5 Ln, 18600 ADT – below thresholds
- Theater Ln/US395, 5 Ln, 14000 ADT – below thresholds

In addition, ODOT would like an opportunity to review and provide further comments if the developer provides a Traffic Impact Analysis (TIA) and/or the City of Hermiston requires a TIA.

Thank you for the opportunity to comment. Please provide ODOT with a copy of the final decision.

Rich Lani, District 12 Manager

CJS

cc: David Boyd, Regional Access Management Engineer  
Paul Howland, District 12  
Tom Lapp, District 12

## CITY OF HERMISTON

## APPLICATION FOR ANNEXATION

Pursuant to the provisions of ORS Chapter 222 and Chapter 150 of the Hermiston Code of Ordinances, application is hereby made to annex the following described property:

Name of Applicant: Dennis Gisi Phone: 509.520.0505

Mailing Address: PO Box 906, Walla Walla, WA 99362

Contact Person: Ryan Billen, PE, PBS Engineering and Environmental Phone: 509.942.1600

Mailing Address: 400 Bradley Blvd, Suite 106, Richland, WA 99352

Name of Owner (If Different): Larry & Florence Bankston (1502) Phone: 541.561.1048

Mailing Address: 1900 NE 10th St, Hermiston, OR 97838

Legal Description: Assessor's Map No: 4N2801B0 Tax Lot No 1500 (Dennis Gisi)

Subdivision (If Applicable): N/A 1502 (Bankston,

1503 (Church)

Street Address: 1940, 1900, and 2180 NE 10th St, Hermiston, OR 97838

Current Comprehensive Plan Designation: FR Proposed Zoning Designation: FR

Land Area (In Acres): 25.85

Existing Use of Property:

Number of Single-Family Units: 1 Number of Multi-Family Units: 0

Number of Commercial Units: 0 Number of Industrial Units: 0

Public Facilities or Other Uses: Victory Lighthouse Church (1503)

Population: Owners: 2 Tenants: 2 Voters: 2+

Please Include the Names and Ages of All Residents: \_\_\_\_\_

Larry & Florence Bankston (1502), 60+, (1500) vacant and 1503) church building, varied

Surrounding Use of Property:

North: Vacant/residential dwelling

South: Vacant/residential dwelling/church/roadway

East: Vacant

West: Elementary school/residential

Current Year Taxes: \$1,108.68(1503), \$3,992.28 Previous Year Taxes: \$1,071.39(1503), \$3,858.06(1502), \$1,833.51(1500)

Total Assessed Valuation: \$205,990(1503), \$473,440(1502), \$289,860(1500)

Please provide a general description of the property including topography, vegetation, drainage basins, flood plain areas, etc.:

1500: vacant, flat to slightly rolling, juniper and grasses

1502: single family house, flat to slightly rolling, landscaping around house, juniper and grasses

1503: church and outbuilding, flat to slightly rolling, landscaping around house, juniper and grasses

No flood plain areas or existing drainage basins on any of the parcels.

## APPLICATION FOR ANNEXATION - PAGE 2

Please explain why the annexation has been proposed:

Two parcel owners (1500 and 1503) have intentions of developing their land (separate projects). To do so, they need to have the zoning and the services that the City provides. The Bankston property does not have plans to develop.

If the property is undeveloped, please describe plans for future development. This description should describe whether the development will be residential, commercial or industrial and include building types, public facilities, number of units, etc.:

1500: the developer intends to build approx. 45 single family homes with supporting infrastructure required.

1502: the existing single Bankston family home would remain as is.

1503: the existing church would remain and approx. an additional 24 single family homes with park open space would be built on the east end of the property.

The existing church would need a conditional use permit to remain functioning in the proposed zone. Single family housing is allowed outright.

Does the proposed development conform to the uses allowed under the proposed zoning designation? see above

Please provide the following information regarding services and utilities:

Location and size of the nearest water line:

There is an existing 12" ductile iron water main in NE 10th Street adjacent to the project site.

---

Location and size of the nearest sewer line:

There is an existing 10" PVC sewer main in NE 10th Street adjacent to the project site.

---

Proximity of other facilities (storm drains, gas lines, irrigation lines, etc.):

There is an existing gas line in NE 10th Street.

---

The time at which services can be reasonably provided by the city or other district:

Immediately

---

The estimated cost of extending such facilities and/or services and the method of financing:

None - utilities are already located adjacent to the property.

---

Availability of the desired service from any other unit of local government (list service and government):

No additional utilities requested at this time.

---

Please indicate the roads that adjoin the parcel or will provide service to the parcel:

NE 10th Street will run across the west side of all three parcels, E Theater Lane will run across the south of TL 1503 and will access NE 10th Street E/W from the south. E Punkin Center Road will access NE 10th Street E/W from the north.



## APPLICATION FOR ANNEXATION - PAGE 3

Please indicate the condition of the roads and any improvements that are projected:

The portion of NE 10th Street from the elementary school south to E Theater Lane was repaved 3/4 width when the Loma Vista Elementary School was constructed. The remaining pavement on the road to the north is in average condition with no curb, gutter, or sidewalk.

Please indicate if any new roads will be created or extended through the property:

TL 1500 and 1503 will create local roads to serve the homes. Any new roads will follow city development code for width, cross circulation and access points.

If the property is presently included within the boundaries of any of the following types of governmental units, please indicate by stating the name or names of the governmental units involved.

Rural Fire District: Umatilla County #1

Irrigation District: Hermiston

School District: Hermiston

Drainage District: Unknown

Library District: Hermiston Public

Parks and Recreation District: Hermiston

Special Road District: Unknown

Please indicate which services are presently being received in the territory (For example, are residents receiving municipal water or sewer services?):

Residents currently receive power, water from a shared well and individual septic fields.

**ADDITIONAL INFORMATION TO BE FURNISHED AND 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 proposed use.
2. Two copies of a site plan (11" x 17") drawn to scale, showing the location of the property concerned, the location of all proposed building(s), highways, streets and alleys.
3. A metes and bounds legal description of the entire property proposed for annexation. A metes and bounds legal description of each individual parcel is not sufficient.

The above statements are true to the best of my beliefs and knowledge. As applicant, I understand that the city council, planning commission and annexation advisory committee request the attendance of me, or my representative, at the meeting(s) where this request is scheduled for consideration and that the city council, planning commission and annexation advisory committee retain the right to approve or deny this request and impose those conditions as may be necessary to lessen probable adverse impacts based upon the testimony provided at the hearing.

I am the \_\_\_owner/\_\_\_owner(s) authorized representative.

(If authorized representative, attach letter signed by owner or owners.)

Dennis Gisi

Signature of Applicant

Larry Bankston

Signature of Owner

3/27/2024

Date

3/27/2024

**OUT OF POCKET EXPENSES FOR PUBLICATION COSTS AND RECORDING FEES WILL BE BILLED LATER**

For further information, please feel free to contact the planning department at the Hermiston City Hall, 180 N.E. 2nd Street, Hermiston, Oregon 97838, or telephone (541) 667-5025. The City's fax number is (541) 567-5530.

**OFFICE USE ONLY**

Date Filed: \_\_\_\_\_

Received By: \_\_\_\_\_

Meeting Date: \_\_\_\_\_

Fee: \$900.00

Date Paid: \_\_\_\_\_

Receipt No: \_\_\_\_\_

## CITY OF HERMISTON

APPLICATION TO AMEND COMPREHENSIVE  
PLAN MAP

Pursuant to the provisions of 157.226 of the Hermiston Code of Ordinances, application is hereby made to amend the text or the comprehensive plan map for the following described property:

Name of Applicant: Dennis Gisi Phone: 509.520.0505

Mailing Address: PO Box 906, Walla Walla, WA 99362

Name of Owner (If Different): Larry & Florence Bankston (1502) Phone: 541.561.1048

Mailing Address: 1900 NE 10th St, Hermiston, OR 97838

Legal Description: Assessor's Map No: 4N2801B0 Tax Lot No: 1500 (Dennis Gisi)

Subdivision: Parcel 3, Partition Plat 1998-42, Parcels 1 and 2, Partition Plat 2005-37 1502 (Bankston,

Street Address: 1940, 1900, and 2180 NE 10th St, Hermiston, OR 97838 1503 (Church)

Current Comprehensive Plan Designation: FR

Proposed Comprehensive Plan Designation: R-1

**IMPORTANT!:** The code of ordinances requires a positive recommendation from the Hermiston Planning Commission and approval from the Hermiston City Council, Umatilla County Planning Commission & Umatilla County Board of Commissioners before a change can be made in the comprehensive plan designation of any property. This approval must be determined after separate public hearings before these bodies. Oregon's Land Use Planning Laws require findings of fact with regard to requests for comprehensive plan amendments. 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 make findings and evaluate the merits of your request. In as much as **THE BURDEN OF PROOF IS ON THE PROPONENT**, the chances of a successful application depend upon the adequacy of the arguments you present to justify approval of the application.

**APPROVAL CRITERIA**

- The burden in all land use proceedings is upon the applicant
- Findings of Facts specific to how the proposed amendments comply with Oregon's 19 Statewide Planning Goals and the City's Comprehensive Plan must be submitted with the application
- The requested change must be justified by proof of the following:

1. Explain how the requested change is in conformance with the comprehensive plan and also the goals and policies of the plan.

Please see attached narrative.

---



---



---



---



---

2. Describe the public need for the comprehensive plan amendment and whether that public need is best served by changing the zoning classification on the property under consideration.

Please see attached narrative.

3. Explain how the public need is best served by changing the classification of the site in question as compared with other available property.

Please see attached narrative.

4. Explain how the potential impact upon the area resulting from the change has been considered.

Please see attached narrative.

**ADDITIONAL INFORMATION TO BE FURNISHED AND 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 proposed use.
2. Two copies of a site plan (11" x 17") drawn to scale, showing the location of the property concerned, the location of all proposed building(s), highways, streets and alleys.
3. A metes and bounds legal description of the entire property proposed for amendment. A metes and bounds description of each parcel is not sufficient.

The above statements are true to the best of my beliefs and knowledge. As applicant, I understand that the planning commission requests the attendance of me, or my representative, at the meeting(s) where this request is scheduled for consideration and that the planning commission retains the right to approve or deny this request and impose those conditions as may be necessary to lessen probable adverse impacts based upon the testimony provided at the hearing.

DocuSigned by:	DocuSigned by:		
		3/27/2024	3/27/2024
<small>909CF448A4104C8</small>	<small>B66E679AD9314F6</small>		
Signature of Applicant		Date	

#### OUT OF POCKET EXPENSES FOR MAILING AND PUBLICATION COSTS WILL BE BILLED LATER

**NOTE:** The planning commission shall conduct a public hearing on the proposed amendment at the earliest regular meeting, after the application is deemed complete, in accordance with the public hearing procedures under 157.226 of the Hermiston Code of Ordinances. Both text and map amendments shall also be submitted to the Department of Land Conservation and Development 35 days prior to the date of the first evidentiary hearing except as provided for under ORS 197.610. For further information, please feel free to contact the planning department at the Hermiston City Hall, 180 N.E. 2nd Street, Hermiston, Oregon 97838, or telephone (541) 667-5025. The City's fax number is (541) 567-5530.

#### Office Use Only

Date Filed: _____	Received By: _____	Meeting Date: _____
Fee: \$1,500.00	Date Paid: _____	Receipt No: _____

This map was prepared for Assessment & Taxation purposes only and was NOT prepared nor is it suitable for legal, engineering or surveying purposes.

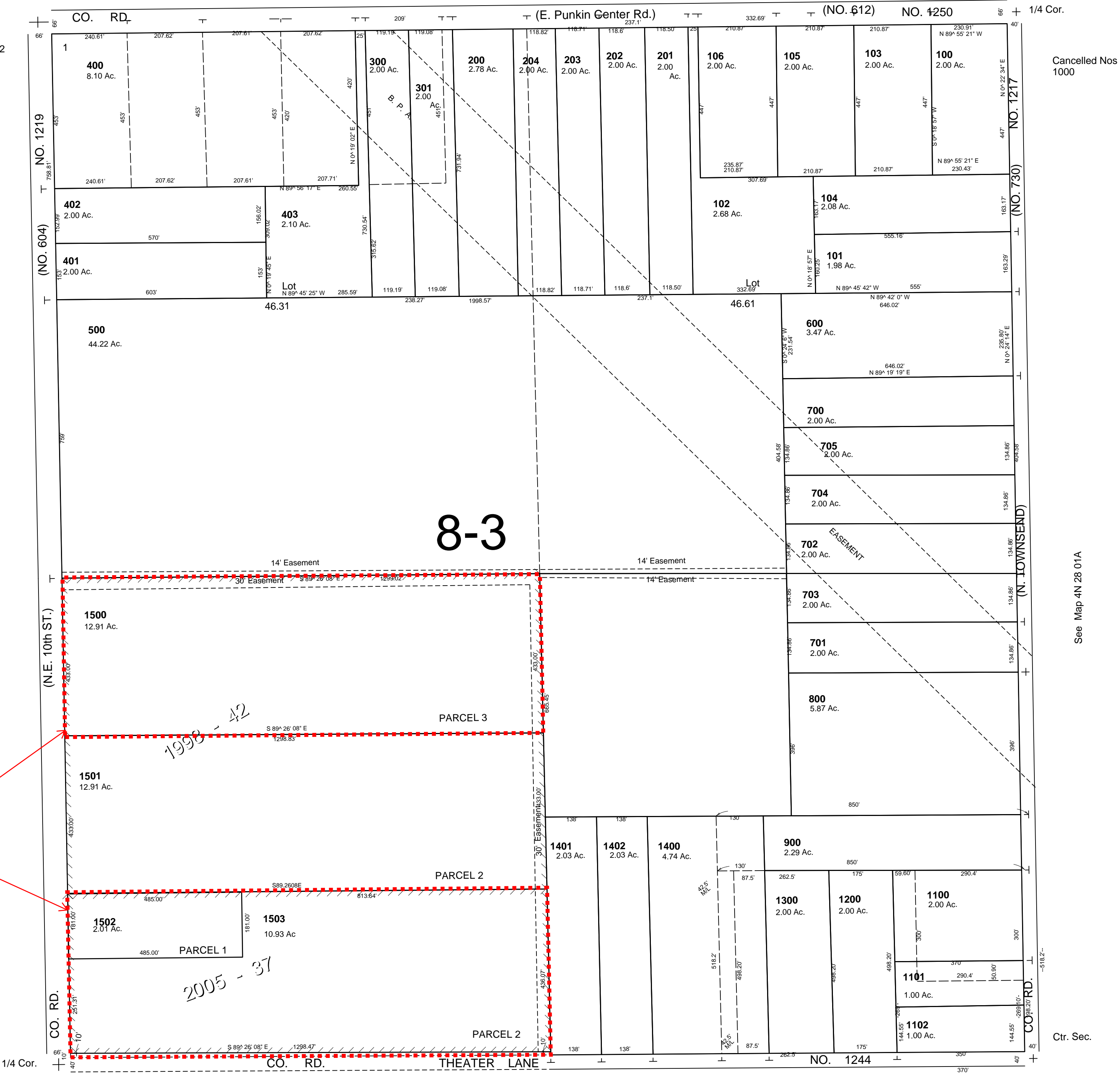
NW1/4 SEC 1 T4N R28E WM

4N 28 01B

UMATILLA COUNTY SCALE 1"=200'

AERIAL PHOTO NO. 1P-122

See Map 5N 28 36C



REVISED: 11-15-11

See Map 4N 28 01 CB

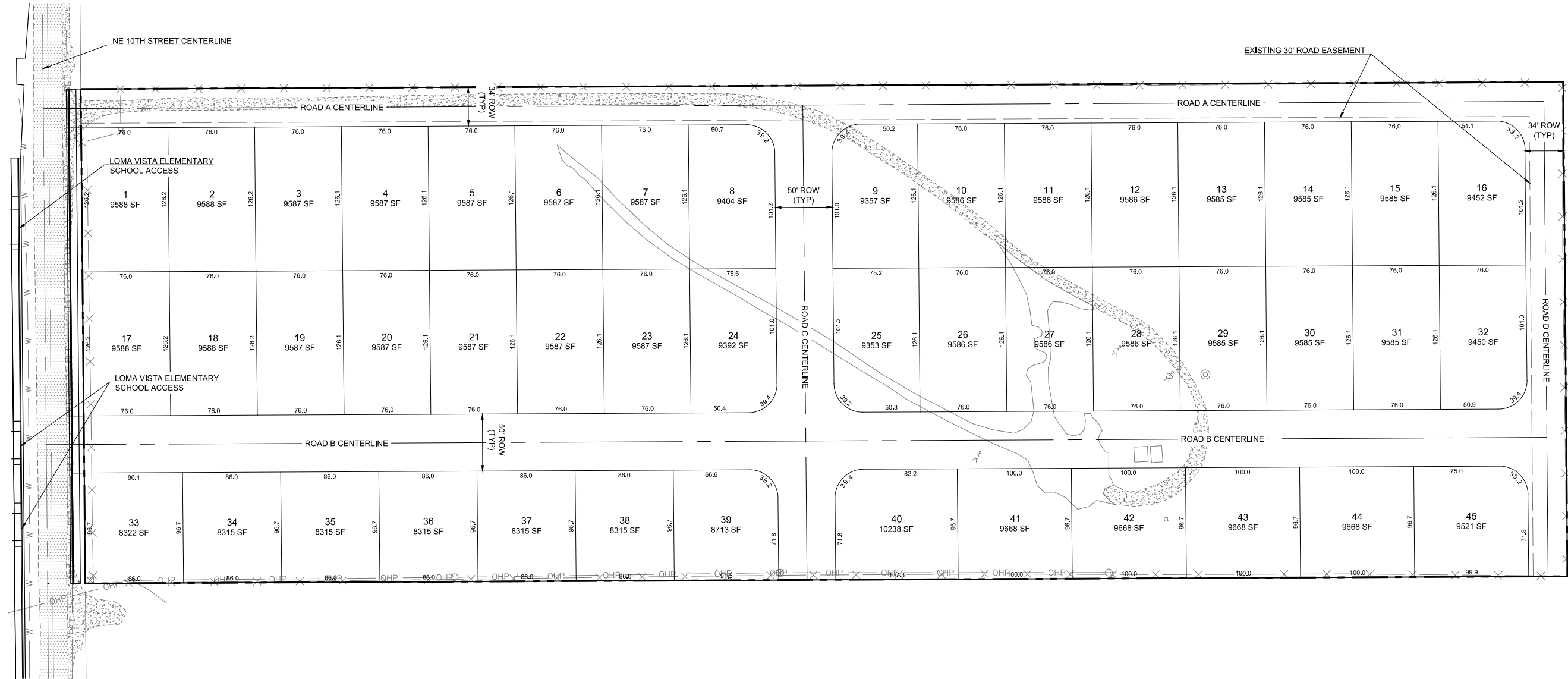
See Map 4N 28 01CA

4N 28 01B



Filename: L:\Projects\66000\66132\66132-003\_Civil\CAD\Working\Exhibits\66132-003\_NE-10th-ST\_Parcel.dwg User: Moy Iquardo CAD Pki Date/Time: 9/22/2023 12:24:01 PM Layout Tab: EXHIBIT

Full Size Sheet Format Is 22x34; If Printed Size Is Not 22x34, Then This Sheet Format Has Been Modified & Indicated Drawing Scale Is Not Accurate.



Section 3, Item A.

PBS Engineering and Environmental Inc.  
10000 SW 10th St.  
Portland, OR 97205  
503.942.1800  
pbsusa.com



SHORT PLAT CONCEPTUAL EXHIBIT FOR:

**NE 10TH STREET**

A SITE LOCATED IN THE CITY OF HERMISTON, OREGON

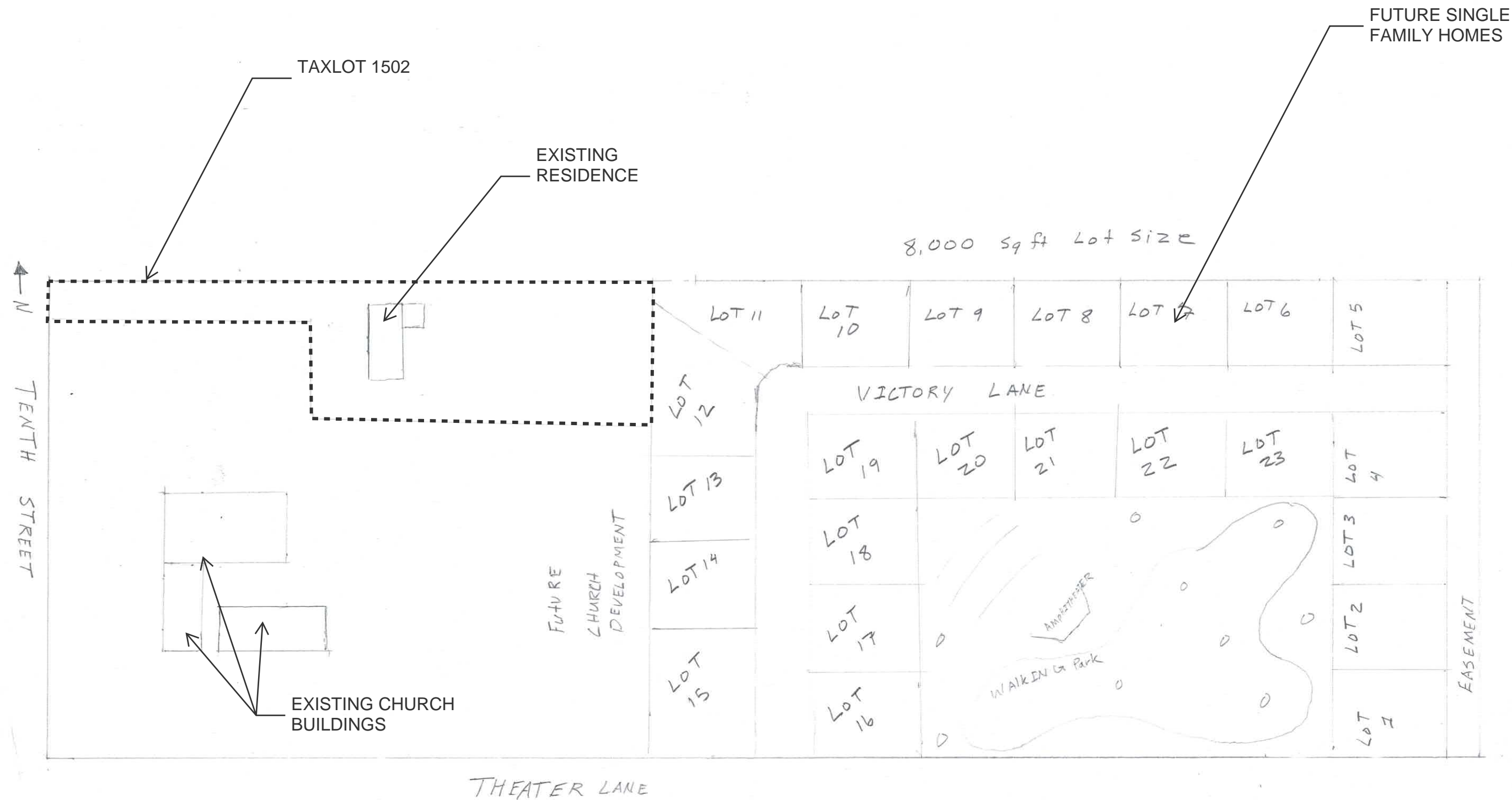


Know what's below.  
Call before you dig.

DESIGNED: JLM/MZ  
CHECKED: JLM  
MARCH 2022  
66132-003

SHEET 1 OF 1  
C0.1 77

SITE PLAN EXHIBIT - TAXLOT 1502 & 1503







LEGEND

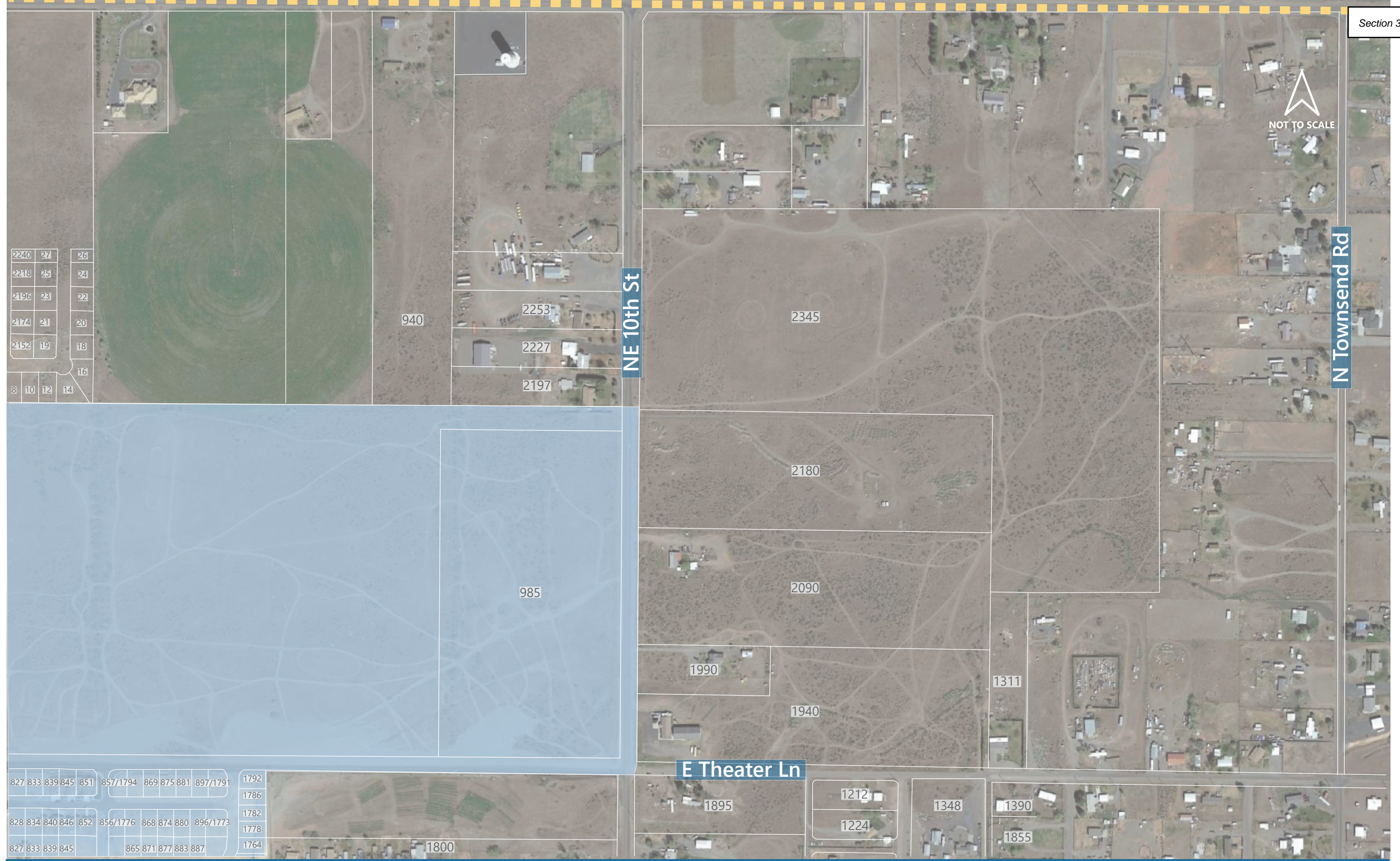
- PROPERTY BOUNDARY
- CURRENT CITY BOUNDARY

10TH STREET ANNEXATION - EXISTING









# LEGEND

- PROPERTY BOUNDARY
- URBAN GROWTH BOUNDARY (UGB)
- R3 ZONE

## 10TH STREET ZONING - CURRENT





2240	27	26	
2218	25	24	
2196	23	22	
2174	21	20	
2152	19	18	
		16	
8	10	12	14

NE 10th St

N Townsend Rd



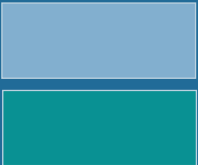
827	833	839	845	851	857/1794	869	875	881	897/1791	1792
828	834	840	846	852	856/1776	868	874	880	896/1773	1786
827	833	839	845		865	871	877	883	887	1782
										1778
										1764

LEGEND



PROPERTY BOUNDARY

URBAN GROWTH BOUNDARY (UGB)



R3 ZONE

R1 ZONE (PROPOSED)

10TH STREET ZONING - PROPOSED







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

June 3, 2024

City of Hermiston  
Clint Spencer, Planning Director  
180 NE 2<sup>nd</sup> St  
Hermiston OR 97838

**Re: 3 Rivers Oregon Property LLC, Victory Lighthouse Church and Larry &  
Florence Bankston  
Rezoning of Properties - 4N2801B 1500, 1502, 1503**

Director Spencer,

I have reviewed the information regarding the request for rezoning submitted by Dennis Gisi for the map and tax lots listed above. My research has shown that these properties are within the District boundary, however, there are no water rights on these properties or Federal rights-of-way.

HID has no objection to the rezoning. 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 June 12, 2024

**Title/Subject**

Replat - Owens 4N2811DA Tax Lots 2400 & 2403 928 E Main St

**Summary and Background**

Brian Owens has submitted a replat application to adjust the boundary of two lots located at 928 E Main Street. The property is approximately 1.25 acres and contains a single-family dwelling and several accessory buildings. The proposal will adjust the boundaries between two lots. Lot 1 will increase in size from 9,048 square feet to 18,320 square feet. Lot 2 will decrease in size from 58,693 square feet to 49,420 square feet. Administrative property line adjustments are typically used to move the boundaries between two lots. However, as these lots are within an existing subdivision, a replat is necessary to adjust the boundary between the two lots. The existing lots cover portions of Lots 7, 8, 13, and 14, Block G, Hermiston Orchards Subdivision. The property is owned by Brian & Carolyn Owens and zoned Low Density Residential (R-1).

Each lot is a pre-existing lot of record. Lot 1 is an existing 87-foot-wide lot with an existing residence. Lot 2 is a pre-existing flag lot of 16 feet in frontage with several outbuildings. The purpose of the replat is to adjust the boundary between these two lots and transfer the location of the outbuildings to Lot 1 and facilitate construction of an additional shop on Lot 1. The minimum required width for the access portion of a flag lot is 25 feet. Lot 2 is a pre-existing lot with 16 feet of frontage on E Main Street. As a pre-existing lot of record, the 25-foot access requirement is not applicable. However, in order to further subdivide Lot 2 into two or more lots in the future, 25 feet of frontage on E Main Street is required unless access is provided from E Hurlburt Ave.

Public notice was provided for the proposed replat. Notice of the proposed land use action was mailed by direct mail to all property owners within 100 feet on May 29, 2024. A sign informing the public of the proposal was placed on the property on May 29, 2024. As a result of noticing, the Hermiston Fire Marshall requested that a fire access easement be added to the plat to preserve access for fire trucks. The access shall be added to the lots prior to signing the final plat.

The criteria that are applicable to the decision to accept the proposed replat are contained in 154.15 through 154.66, 157.025, and 157.101 of the Hermiston Code of Ordinances. The final plat requirements and findings are attached to this report as Exhibit A. The recommended 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 final plat as prepared by the surveyor is attached as Exhibit E.

### **Tie-In to Council Goals**

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

### **Fiscal Information**

There will be no financial change as a result of the partition. Subsequent residential development may generate additional revenue but it is not possible to calculate at this time. The existing improvements on Lot 1 have an assessed value of \$166,500.

### **Alternatives and Recommendation**

#### **Alternatives**

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

#### **Recommended Action/Motion**

Staff recommends the planning commission approve the final plat with the conditions.

- Motion to make the project file a part of the record
- Motion to approve the findings of fact
- Motion to approve the final plat with the conditions of approval

### **Submitted By:**

C.F. Spener, Planning Director

**Exhibit A**  
**Findings of**  
**Fact Owens**  
**Replat**  
**928 E Main St**  
**June 12, 2024**

Chapter 154: Subdivisions

Design Standards

§154.15 Relation to Adjoining Street System.

The property is bordered by E Main St. The portion of E Main St adjacent to the property is a paved city street with a bike lane and no additional improvements. The site has 103 feet of frontage on E Main St. The south portion of Lot 2 is bisected by a 20 foot alley that aligns with E Hurlburt Ave. The alley is completely unimproved.

§154.16 Street and Alley Width.

No new streets or alleys are proposed as part of the partition. The property is serviced by E Main St which has a right-of-way width of 70 feet. An alley 20 feet in width bisects Lot 2.

§154.17 Easements.

No easements are shown on the plat.

§154.18 Blocks.

No additional block access is required.

§154.19 Lots.

Lot 1 is 18,320 square feet and Lot 2 is 49,420 square feet. The minimum lot size in an R-1 zone is 8,000 square feet. The access portion of Lot 2 is 16.40 feet in width. The minimum required width for the access portion of a flag lot is 25 feet. Lot 2 is a pre-existing lot with 16 feet of frontage on E Main Street. As a pre-existing lot of record, the 25-foot access requirement is not applicable. However, in order to further subdivide Lot 2 into two or more lots in the future, 25 feet of frontage on E Main Street is required unless access is provided

from E Hurlburt Ave.

§154.20 Character of Development.

Lot 1 contains a single-family dwelling and several accessory structures. Lot 1 has access to E Main St. Lot 2 is vacant, bisected by an alley, and bordered on the south by an open ditch. Lot 2 is accessed by E Main St. The lot sizes exceed the minimum requirement permitted in the R-1 zone for single-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 additional parks or schools in the vicinity of the proposed partition. There is an existing elementary school in the neighborhood.

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

E Main St is a paved city street with no additional improvements. The alley is completely unimproved right-of-way that aligns with E Hurlburt Ave. At such time that construction occurs on each parcel which triggers the development standards of 157.163 of the Hermiston Code of Ordinances, street improvements are required along that parcel's frontages.

§154.62 Water Lines

Lots 1 and 2 are serviceable by a municipal water line in E Main St.

§154.63 Sanitary Sewer System.

Lots 1 and 2 are serviceable by municipal sewer. There is a municipal sewer line in E Main St.

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 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.**

*Finding:* All items required for the final plat are shown on the final plat.

Chapter 157: Zoning

§157.025 Low Density Residential (R-1)

The proposed lots exceed the minimum lot size of 8,000 square feet. 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.

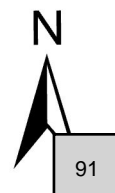
**Exhibit B**  
**Conditions of Approval**  
**Owens Replat**  
**928 E Main St**  
**June 12, 2024**

Subject to the public hearing and testimony presented to the city council, the following conditions of approval are proposed:

1. At such time that construction occurs on each parcel which triggers the development standards of 157.163 of the Hermiston Code of Ordinances, street improvements are required along that parcel's frontage on E Main St.
2. The applicant should be aware that the City of Hermiston will not sign the final plat until the Hermiston Irrigation District has signed the final plat.
3. Comprehensive Plan Figure 12 identifies this site as an area subject to development hazards due to a high water table. Therefore, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels.
4. A fire apparatus turn around easement compliant with Appendix D of the 2019 Oregon Fire Code shall be added to the final plat prior to signature.



- 

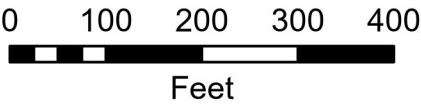






Legend

- Area of Proposed Replat
- Property Line
- City Limits
- Urban Growth Boundary





OWENS REPLAT

OF A PORTION OF LOTS 7, 8, 13 AND 14, BLOCK G OF "HERMISTON ORCHARDS" (2-81) LOCATED IN A PORTION OF THE NE 1/4 OF THE SE 1/4 OF SECTION 11, T 4 N, R 28 E, W.M. CITY OF HERMISTON UMATILLA COUNTY, OREGON

JUNE 03, 2024  
JOB NO. 24-119

SHEET 1 OF 2

SURVEY REFERENCES:

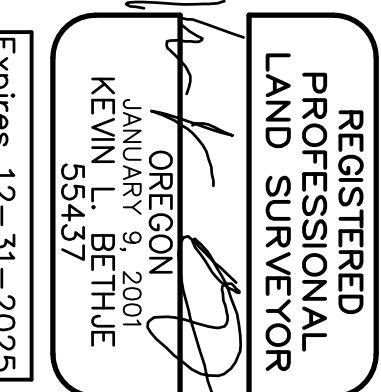
- 1) PRIMA SURVEY, 22-124-C
- 2) "HERMISTON ORCHARDS" BOOK 2, PAGE 81
- 3) EDWARDS SURVEY, 03-327-B
- 4) "BRATTON REPLAT" BOOK 16, PAGE 83
- 5) EDWARDS SURVEY, L-087-A

LEGEND

- INDICATES SET 5/8" X 30" IRON REBAR WITH YPC STAMPED: "BETHUE 55437"
- INDICATES FOUND MONUMENT AS NOTED
- INDICATES CALCULATED POSITION, NOTHING FOUND OR SET
- (XXXX) INDICATES RECORD DATA PER SR NO. 1 UNLESS NOTED OTHERWISE
- (XXXX)\* INDICATES RECORD DATA AND MEASURED OR COMPUTED DATA ARE THE SAME

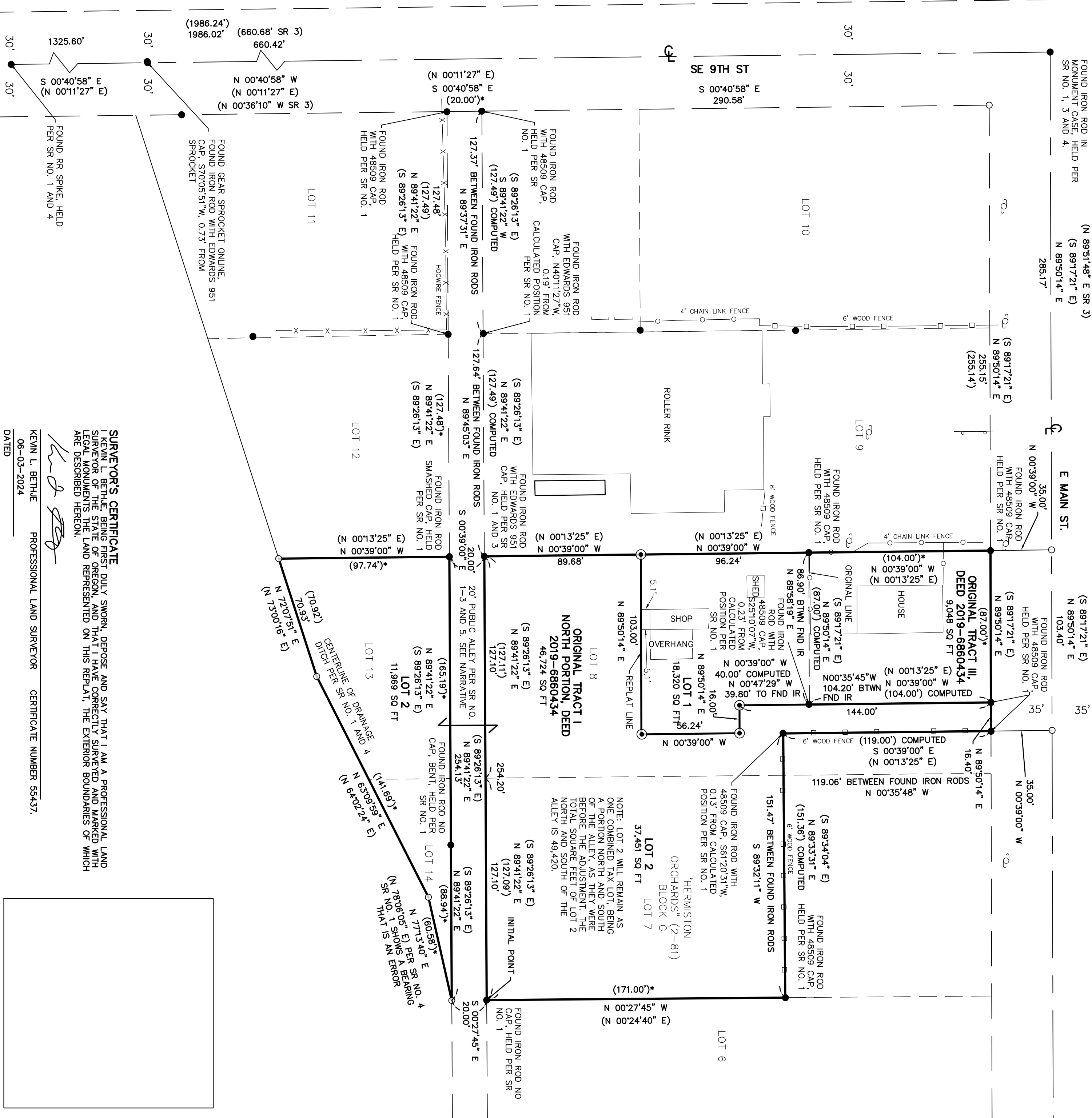
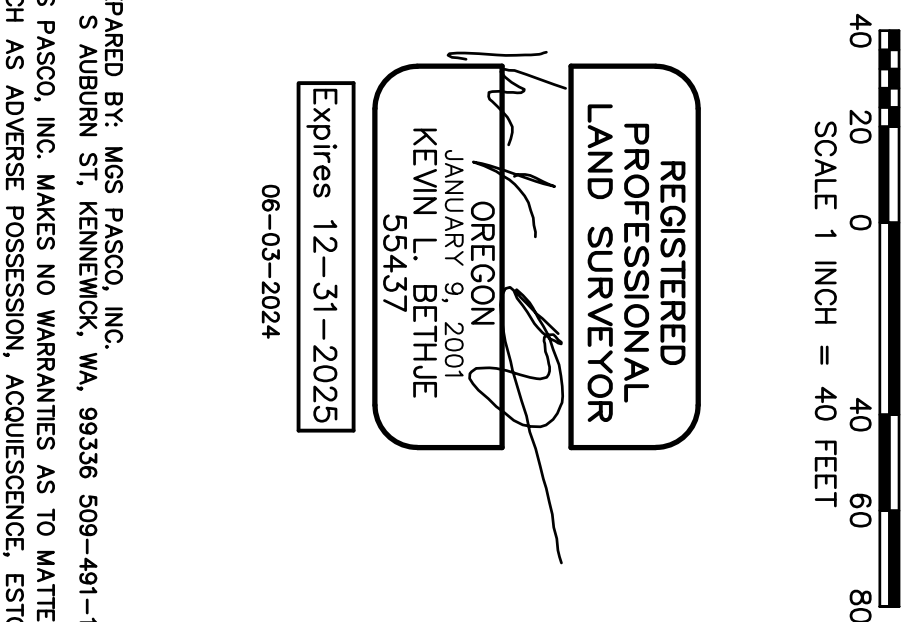
SHEET INDEX

- 1) SURVEY, MONUMENT TIES, ROAD CENTERLINES AND RIGHT-OF-WAYS
- 2) SIGNATURES, LEGAL DESCRIPTIONS, VICINITY MAP, NARRATIVE



Expires 12-31-2025  
06-03-2024

BASIS OF BEARING: OREGON NORTH STATE PLANE COORDINATE SYSTEM, NAD83/2011, INTERNATIONAL FEET PER OPUS SOLUTION AT THE FOUND IRON ROD AT THE NORTHWEST CORNER OF SITE. COMBINED SCALE FACTOR 0.99994496. DISTANCES SHOWN ARE GROUND DISTANCES.



**SURVEYOR'S CERTIFICATE**  
I, KEVIN L. BETHUE, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT I AM A PROFESSIONAL LAND SURVEYOR OF THE STATE OF OREGON, AND THAT I HAVE CORRECTLY SURVEYED AND MARKED THE LEGAL MONUMENTS THE LAND REPRESENTED ON THIS REPLAT, THE EXTERIOR BOUNDARIES OF WHICH ARE DESCRIBED HEREON.

KEVIN L. BETHUE  
PROFESSIONAL LAND SURVEYOR  
CERTIFICATE NUMBER 55437.  
DATED 06-03-2024



OWENS REPLAT

OF A PORTION OF LOTS 7, 8, 13 AND 14, BLOCK G OF "HERMISTON ORCHARDS" (2-81) LOCATED IN A PORTION OF THE NE 1/4 OF THE SE 1/4 OF SECTION 11, T 4 N , R 28 E, W.M. CITY OF HERMISTON UMATILLA COUNTY, OREGON

JUNE 3, 2024  
JOB NO. 24-119

SHEET 2 OF 2

LEGAL DESCRIPTION:  
PER WARRANTY DEED-STATUTORY FORM INSTRUMENT NUMBER 2019-6860434

TRACT I  
A TRACT OF LAND LOCATED IN BLOCK "G", HERMISTON ORCHARDS, AN ADDITION TO THE TOWN, NOW THE CITY OF HERMISTON, UMATILLA COUNTY, OREGON AND DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF LOT 7 OF SAID BLOCK "G", THENCE NORTHERLY ALONG THE EAST LINE OF SAID LOT 7, A DISTANCE OF 171 FEET; THENCE SOUTH 89°53'10" WEST, A DISTANCE OF 152 FEET; THENCE NORTH 00°11'39" WEST, A DISTANCE OF 119 FEET TO THE NORTH LINE OF LOT 8 OF SAID BLOCK "G"; THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 8, A DISTANCE OF 16.40 FEET; THENCE SOUTHERLY ALONG A LINE PARALLEL WITH THE WEST LINE OF SAID LOT 8, A DISTANCE OF 10.4 FEET; THENCE WESTERLY ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID LOT 8, A DISTANCE OF 87 FEET TO THE WEST LINE OF SAID LOT 8; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT 8, A DISTANCE OF 186 FEET TO THE SOUTHWEST CORNER OF SAID LOT 8; THENCE EASTERLY ALONG THE SOUTH LINES OF SAID LOTS 7 AND 8, A DISTANCE OF 255.40 FEET TO THE POINT OF BEGINNING;

ALSO INCLUDING ALL THAT PORTION OF LOTS 13 AND 14 OF SAID BLOCK "G", LYING NORTHERLY OF THE HERMISTON IRRIGATION DISTRICT DRAINAGE CANAL.

TRACT III  
THE WEST 87 FEET OF THE NORTH 104 FEET OF LOT 8, BLOCK "G", HERMISTON ORCHARDS, AN ADDITION TO THE TOWN, NOW THE CITY OF HERMISTON, UMATILLA COUNTY, OREGON.

ACKNOWLEDGEMENT:

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_  
THIS IS TO CERTIFY THAT ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 202\_\_\_\_, AND BEING DULY SWORN, I HAVE PERSONALLY APPEARED BEFORE ME, THAT SHE SIGNED THIS INSTRUMENT AS HIS VOLUNTARY ACT AND DEED IN WITNESS WHEREOF, I HAVE SET MY HAND AND OFFICIAL SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

SIGNATURE NOTARY PUBLIC-OREGON \_\_\_\_\_ DATE \_\_\_\_\_

PRINTED NAME \_\_\_\_\_

COMMISSION NO.: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

ACKNOWLEDGEMENT:

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

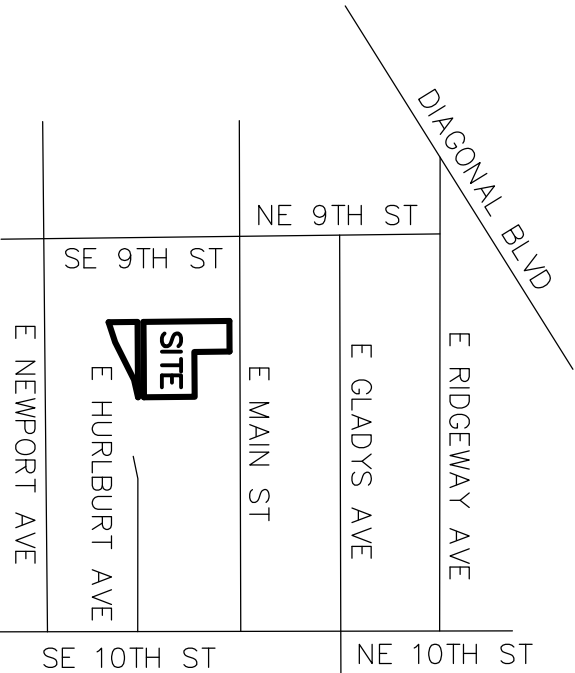
THIS IS TO CERTIFY THAT ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 202\_\_\_\_, AND BEING DULY SWORN, I HAVE PERSONALLY APPEARED BEFORE ME, THAT SHE SIGNED THIS INSTRUMENT AS HIS VOLUNTARY ACT AND DEED IN WITNESS WHEREOF, I HAVE SET MY HAND AND OFFICIAL SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

SIGNATURE NOTARY PUBLIC-OREGON \_\_\_\_\_ DATE \_\_\_\_\_

PRINTED NAME \_\_\_\_\_

COMMISSION NO.: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_



VICINITY MAP  
NOT TO SCALE

SURVEYORS NARRATIVE:

THIS REPLAT IS INTENDED TO ADJUST THE BOUNDARY LINES BETWEEN TRACT I AND TRACT III AS SHOWN IN WARRANTY DEED-STATUTORY FORM UMATILLA COUNTY RECORDS, INSTRUMENT NUMBER 2019-6860434, IN ORDER TO CONDUCT THIS SURVEY, WE SETUP A TRIMBLE R12 GNSS BASE STATION ON THE FOUND IRON ROD AT THE NORTHWEST CORNER OF TRACT III AND COLLECTED DATA FOR 4 HOURS. THIS DATA WAS SUBMITTED TO TRIMBLE OPUS WEBSITE AND AN OPUS SOLUTION WAS ACQUIRED AT THAT POINT. COMBINED SCALE FACTOR 0.99994496 AS DETERMINED IN THAT OPUS SOLUTION, WAS APPLIED TO COMPUTE TO GROUND DATA. WE TIED THE IRON ROD IN THE MONUMENT CASE AT THE INTERSECTION OF MAIN ST AND SE 9TH STREET AS SHOWN IN SURVEY REFERENCES 1, 3 AND 4, WE THEN TIED THE RAILROAD SPIKE SOUTHERLY 1966.02 FEET ON THE CENTERLINE OF SE 9TH STREET AND HELD THAT. WE THEN TIED SEVERAL IRON RODS THAT ARE SHOWN IN SURVEY REFERENCE NO. 1 AND 3 AND THOSE ARE SHOWN HEREON. MANY OF THOSE IRON RODS WERE HELD WITH A FEW NOT WATCHING THE POSITION AS SHOWN IN SURVEY REFERENCE NO. 1. THE DISTANCE TO CALCULATED POSITION IS SHOWN HEREON. I THEN ANALYZED PRIMA'S NARRATIVE AND DETERMINED HIS SOLUTION TO BREAK DOWN HERMISTON ORCHARDS BLOCK G WAS REASONABLE AND HELD HIS BREAKDOWN PER SR NO. 1. THE CENTERLINE OF MAIN STREET WAS COMPUTED FROM FOUND IRON RODS SHOWN IN SURVEY REFERENCE NO. 1. THERE IS A 20.00 FOOT PUBLIC ALLEY WAY SHOWN HEREON, THIS WAS ESTABLISHED IN ORIGINAL PLAT OF "HERMISTON ORCHARDS" IN 1909.

SURVEYOR'S CERTIFICATE

I, KEVIN L. BETHUE, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, AND THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH LEGAL MONUMENTS THE LAND REPRESENTED ON THIS REPLAT, THE EXTERIOR BOUNDARIES OF WHICH ARE DESCRIBED HEREON.

KEVIN L. BETHUE  
PROFESSIONAL LAND SURVEYOR  
CERTIFICATE NUMBER 55437.  
DATED 06-03-2024

CERTIFICATE OF OWNERSHIP AND DEDICATION:

WE, BRIAN OWENS AND CAROLYN OWENS, ARE OWNERS OF THE TRACT OF LAND DESCRIBED ON THE ACCOMPANYING REPLAT, AND DO HEREBY ACKNOWLEDGE THAT WE HAVE CAUSED THIS REPLAT TO BE PREPARED. WE ESTABLISH AND ACKNOWLEDGE THIS REPLAT AS THE OFFICIAL MAP OF OWENS REPLAT. ALSO, ACKNOWLEDGE EXISTING STREETS AND ALLEYS WILL NOT BE ALTERED FROM THE ORIGINAL "HERMISTON ORCHARDS" PLAT

BRIAN OWENS \_\_\_\_\_ DATE \_\_\_\_\_

CAROLYN OWENS \_\_\_\_\_ DATE \_\_\_\_\_

UMATILLA COUNTY SURVEYOR:

I, DAVID H. KRUMBEN, UMATILLA CO. SURVEYOR, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE ACCOMPANYING REPLAT, THAT IT COMPLIES WITH THE LAWS OF THE STATE OF OREGON WITH REFERENCE TO THE FILING AND RECORDING OF SUCH REPLATS, AND I THEREFORE APPROVE SAID REPLAT FOR THE APPROVAL OF THE COUNTY COMMISSIONERS OF UMATILLA COUNTY, OREGON, DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 202\_\_\_\_.

UMATILLA COUNTY SURVEYOR \_\_\_\_\_

CITY OF HERMISTON PLANNING COMMISSION

I DO HEREBY CERTIFY THAT I HAVE EXAMINED THE ACCOMPANYING REPLAT AND THAT IT COMPLIES WITH THE CITY OF HERMISTON REGULATIONS WITH REFERENCE TO SUCH REPLATS, AND I THEREFORE APPROVE SAID REPLAT.

CHAIRMAN \_\_\_\_\_ DATE \_\_\_\_\_

HERMISTON CITY COUNCIL

I DO HEREBY CERTIFY THAT I HAVE EXAMINED THE ACCOMPANYING PLAT AND IT IS APPROVED FOR FILING AND RECORDING BY MY AUTHORITY

MAYOR \_\_\_\_\_ DATE \_\_\_\_\_

HERMISTON IRRIGATION DISTRICT

I DO HEREBY CERTIFY THAT I HAVE EXAMINED THE ACCOMPANYING REPLAT AND IT IS APPROVED FOR FILING AND RECORDING BY MY AUTHORITY.

MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

UMATILLA COUNTY COMMISSIONERS:

THIS IS TO CERTIFY THAT THE ACCOMPANYING REPLAT IS APPROVED FOR FILING AND RECORDING IN THE "RECORD OF TOWN PLATS" OF UMATILLA COUNTY, OREGON, BY THE UNDERSIGNED BY ITS ORDER. DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 202\_\_\_\_.

CHAIRMAN \_\_\_\_\_ COMMISSIONER \_\_\_\_\_

COMMISSIONER \_\_\_\_\_

ASSESSOR AND TAX COLLECTOR:

WE, THE ASSESSOR AND TAX COLLECTOR OF UMATILLA COUNTY, OREGON, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TAX RECORDS RELATIVE TO THE LAND COVERED BY THE ACCOMPANYING REPLAT AND THAT ALL MONIES DUE FOR STATE AND COUNTY TAXES AND ASSESSMENTS THAT COULD CONSTITUTE A LIEN ON SAID LAND HAVE BEEN PAID ADN WE HEREBY APPROVE SAID PLAT.  
DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 202\_\_\_\_

COUNTY ASSESSOR \_\_\_\_\_ COUNTY TAX COLLECTOR \_\_\_\_\_

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JANUARY 9, 2001  
KEVIN L. BETHUE  
55437

Expires 12-31-2025

06-03-2024

PREPARED BY: MGS PASCO, INC.  
809 S AUBURN ST, KENNEWICK, WA, 99336 509-491-1071  
MGS PASCO, INC. MAKES NO WARRANTIES AS TO MATTERS OF UNWRITTEN TITLE  
SUCH AS ADVERSE POSSESSION, ACQUISCEENCE, ESTOPPEL, ETC.



366 East Hurlburt Avenue  
Hermiston, OR 97838-2445  
Office: 541-567-3024  
Mobile: 541-571-7698  
E-mail: [Office@HermistonID.org](mailto:Office@HermistonID.org)

June 3, 2024

City of Hermiston  
Clinton Spencer, Planning Director  
180 NE 2nd Street  
Hermiston, OR 97838

**RE: Replat for Brian & Carolyn Owens  
4N2811DA 2400 & 2403**

Director Spencer,

Thank you for the opportunity to review the replat for Mr. & Mrs. Owens. These parcels are located within the Hermiston Irrigation District boundaries and parcel 2400 is bordered on the south by a drainage canal. HID does not hold an easement nor does it maintain this drain. There are no water rights on either property.

HID has no objection to the replat of these properties. Thank you for the opportunity to comment on this request.

Respectfully,

*Karra*

Karra Van Fossen  
Water Right Specialist