



PLANNING COMMISSION

Community Center – 415 S. Hwy 395

Where Life is Sweet

July 10, 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 June 12, 2024 regular planning commission meeting

3. HEARINGS

A. Annexation & Comprehensive Plan Map Amendment - Reyes 4N2812C Tax Lot 308
1088 E Newport Ave

4. NEW BUSINESS

A. Minor Partition Zamudio 4N2802BC Tax Lot 1500 - 309 E Theater Lane

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.



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

Chairman Fialka welcomed the return of Commissioner Misner. Brief introductions were given as the commissioners expressed welcoming greetings to Commissioner Misner.

Minutes

Commissioner Saylor moved, and Commissioner Kirkpatrick seconded to approve the minutes of the May 8, 2024, regular meeting. Motion passed.

Hearings- 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

Chairman Fialka opened the hearing at 7:07PM. There were no conflicts of interest or ex parte contact declared. The following hearing guidelines were read.

The planning commission is holding a hearing to consider a request for a comprehensive plan map amendment and annexation to the City of Hermiston. The planning commission will consider the request and make a recommendation based on the criteria established in §156.08 and §150.05 of the Hermiston Code of Ordinances. The applicant proposes the comprehensive plan map amendment and annexation of approximately 25.9 acres of land located on the northeast corner of E Theater Lane & NE 10th Street. The applicants are Dennis Gisi and Larry Bankston.

The applicable substantive criteria relied upon by the City in rendering the decision to amend the Comprehensive Plan Map and annex the property are contained in §156.08 and §150.05 of the Hermiston Code of Ordinances.

Testimony and evidence must be directed toward the criteria described above or other criteria in the comprehensive plan or land use regulations which the person believes apply to the decision. Failure to raise an issue by the close of the record at or following the hearing, in person or by letter, precludes appeal to the Land Use Board of Appeals (LUBA) or the city council based on that issue. Failure to raise an issue with sufficient specificity to afford the decision maker and the parties an opportunity to respond to that issue precludes appeal to LUBA or the city council based on that issue. Failure to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government or its designee to respond to the issue precludes an action for damages in circuit court. Prior to the conclusion of the evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application. The planning commission shall grant such a request by continuing the public hearing pursuant to ORS 197.797(6)(B) or leaving the record open for additional written evidence, arguments or testimony pursuant to ORS 197.797(6)(C).

For this hearing, the process begins with the staff report, followed by testimony from the applicants and any other supporters of the application. This will be followed by opponents to the application. Finally, a rebuttal by the applicant will be allowed. The public hearing portion of the procedure will then be closed, and the planning commission will consider the information and testimony received, adopt findings of fact,



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and make a recommendation to the city council on comprehensive plan map amendment and annexation.

Planning Director Spencer presented the staff report. The application considers three tracts under three separate owners for consideration of comprehensive plan map amendment and annexation. Low Density Residential (R-1) zoning is proposed. The vacant portion of the lots are intended to develop residentially after annexation. Utilities are sufficient in NE 10th St to service future residential development. The county will need to co-adopt the comprehensive plan amendment for the annexation to be approved. The Joint Management Agreement between the city and county dictates when the city will assume responsibility for a road. It is not automatic with annexation.

Testimony

Dennis Gisi PO Box 906 Walla Walla WA- Mr. Gisi is one of the property owners/developer and is happy to have the opportunity to help Hermiston grow. His vision for the property is larger, 10,000 square foot residential lots to allow for a shop or pool along with the home. He feels there is a market for this due to the professional growth in the area. His realty firm assists various entities with employee relocation.

Ryan Billen 400 Bradley Blvd Suite 106 Richland WA (via Zoom)- Mr. Billen is with PBS Environmental, the engineer who prepared the applications and supporting documents. A comprehensive approach was taken in preparing the traffic report., including a large area of land evaluated to consider future development growth. ODOT and HID both reviewed the report.

Chairman Fialka closed the hearing at 7:24PM.

Findings of Fact

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.



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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)



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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.



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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 10th Street.
30. NE 10th 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.



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- 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.



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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 10th 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 10th 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.

Conditions of Approval

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 10th 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.

Commissioner Saylor moved and Commissioner Collins seconded to make the project file a part of the record. Motion passed. Commissioner Collins moved and Commissioner Kirkpatrick seconded to adopt the Findings of Fact as written. Motion passed. Commissioner Saylor moved and Commissioner Guerrero



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seconded to approve the conditions of approval as written. Motion passed. Commissioner Doherty moved and Commissioner Misner seconded to recommend approval of the comprehensive plan map amendments to the city council. Motion passed. Commissioner Saylor moved and Commissioner Collins seconded to recommend approval of the annexation to the city council. Motion passed.

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

Planning Director Spencer presented the staff report. This replat is proposed to adjust the lot lines between the two properties. The county surveyor preferred the lot line adjustment be processed as a replat. The existing 16' wide flag lot access is acceptable as is, however if the owner wished to partition the lot in the future, additional width would need to be provided.

Testimony

Brian Owens 665 W Division Ave-Mr. Owens is the owner of the properties. Due to the restrictions of the irrigation canal and Hurlburt, his development plans have changed. He is adding a portion of the parcel to the existing house lot to allow for additional parking and area to build a shop. He currently has no plans for the vacant lot other than to keep it clean.

Steve Barrows 130 SE 9th St- Mr. Barrows owns property adjacent to the alley and inquired if Mr. Owens would continue using the alley to access the property. He states Mr. Owens currently uses the alley everyday as access, including semi-trucks and other large equipment that have broken his concrete. Mr. Barrows further stated the alley was never used prior to Mr. Owens purchasing the property.

Planning Director Spencer responded the public alley is owned by the public and it is permissible for the public to transverse. Property owners adjacent to the alley are responsible to maintain that portion. Grading would be coordinated with the city. Both lots in the replat have access from Main St. The required future street improvements cannot be determined without a development plan.

In rebuttal, Mr. Owens stated Tax Lot 2500 only has access from the alley. Since 1964 when the roller rink was built, the alley has been used for fire access and other deliveries. The 16' flag lot access is only used as a driveway for the lot. His only plan is to possibly build one house on this lot. He responded that none of his trucks have broken Mr. Barrows concrete. In the future he may redevelop the roller rink property to residential use.

Findings of Fact

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.



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§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

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



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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.



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fuels. Any additional requirements or prohibitions necessary to mitigate groundwater pollution problems must be developed in conjunction with the Departments of Environmental Quality and Water Resources. At the discretion of the planning commission, the applicant may obtain an exemption to the above requirements if a registered engineer presents documentation which demonstrates that the proposed development will not contribute to potential groundwater pollution.

Conditions of Approval

1. 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.

After some discussion, Commissioner Saylor moved, and Commissioner Kirkpatrick seconded to make the project file a part of the record. Motion passed. Commissioner Collins moved and Commissioner Saylor seconded to approve the Findings of Fact as written. Motion passed. After a clarification of the language of Condition 1, and development triggers for street improvements, Commissioner Caplinger moved, and Commissioner Doherty seconded to approve the final plat with the conditions of approval. Motion passed.

Planner Comments and Unscheduled Communication

Commissioners discussed:

- SE 2nd Street & S Hwy 395 improvements complete
- Upcoming agenda topics
- Draft code updates due to legislative changes
- Newspaper circulation decline and its effect on noticing requirements
- Good Shepherd Hospital to expand urgent care at existing facility, not develop on Hwy 395
- Need for walkable/driveable connectivity of future development

Adjournment

Chairman Fialka adjourned the meeting at 8:20PM.



Where Life is Sweet

Members of the Planning Commission
STAFF REPORT
 For the Meeting of July 10, 2024

Title/Subject

Annexation & Comprehensive Plan Map Amendment - Reyes 4N2812C Tax Lot 308 1088 E Newport Ave

Summary and Background

Mayra and Felipe Reyes have submitted an application to amend the comprehensive plan map designation for approximately two acres of land located at 1088 E Newport Ave. The land is located at the southwest corner of E Newport Ave and SE 11th Street. The applicants propose to annex the land to the City of Hermiston in order to sell it for residential development. The land is proposed for annexation as Medium-High Density Residential (R-3). The comprehensive plan map amendment proposes to change the existing Future Residential designation to Medium Density Residential. Maps illustrating the existing and proposed comprehensive plan map designations are attached to this report.

The land is currently vacant and sits at the southwest corner of SE 11th St and E Newport Ave. E Newport Ave, SE 11th St, and E Tamarack Ave provide three boundaries for the parcel. The western boundary is adjacent to an existing two-acre homesite. The property sits adjacent to the existing city limits line in E Newport Ave and land to the north is developed with low density single-family housing. Lands to the south, east, and west are also developed with rural single-family and low-density single-family housing. However, there is significant undeveloped land to the east. Many of the lots to the south are urban sized based on historic development patterns despite the fact that they are outside the city limits and not serviced by municipal services. Highland Hills Elementary School lies approximately 350 feet to the west.

The property sits within the urbanizable portion of the urban growth boundary. The city's comprehensive plan map designates it as Future Residential (FR). The county's zoning map designates the property as FU-10. The FU-10 is a residential urbanizable zone 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 Medium 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 with 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 Medium Density Residential designation, providing approximately 735 dwelling units or 6% of capacity. The proposed R-3 designation provides capacity of approximately 10 of those 735 units. Additionally, all lots may also be developed with two-family dwellings, thereby doubling the capacity to 20 units. Additionally, should the property develop with a multi-family use permitted in the R-3 zone, the maximum capacity of the site is 45 units.

The applicants propose to annex the property with Medium-High Density Residential (R-3) zoning. This designation allows single and two-family dwellings, as well as multi-family units, on lots with a minimum lot size of 5,000 square feet and 7,500 square feet for multi-family units. Other uses permitted in the R-3 zone are listed in §157.027 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 staff reviewed the PBS TIA and determined the development will not have a significant effect on the studied intersections nor change the classification of any adjacent street. All adjacent streets are local residential streets.

As noted above, the property is adjacent to three streets. E Newport Ave is a city street forming the north property line of half the site. E Newport Ave is approximately 40 feet in width at this point. In order to provide for future connectivity of E Newport Ave, the city will require dedication of 10 feet of right of way at the time of development on the site. The remaining E Newport Ave right of way will be dedicated by property to the north at the time that property develops. Roughly half of E Newport Ave is already in place in the Highland Summit subdivision and no further dedication is required through that development.

SE 11th Street forms the east boundary of the site and is a county road. E Tamarack Ave forms the south boundary of the site and is also a county road. SE 11th Street is entirely unimproved at this time and has a right of way width of 35 feet. Additional right of way dedication is required to bring this road up to standard width. However, the necessary right of way is already dedicated for the western half of the road. The additional 15 feet of width will be required from the east side of the road in the future. If additional right of way were dedicated from the subject property, it would cause a misalignment at the SE 11th St/E Newport Ave intersection. E Tamarack Ave is also entirely unimproved adjacent to this property and has a right of way width of 60 feet. No additional right of way is needed for E Tamarack Ave in the future.

At the time development is proposed for the property, improvements proportionate to the impact of the development scope will be required for the three street frontages. For example, construction of a single single-family residence on the entire site may require frontage improvement to only the street providing access and non-remonstrance agreements for the remaining frontages. Construction of high-density housing may require full improvement of all three frontages and off-site improvement of E Tamarack Ave to the point of connection to SE 10th Street. Amendment of the city's comprehensive plan map and annexation to the city are

not land use actions that in and of themselves trigger improvement. However, it is important to note that improvements are required at the time the property develops within the city limits.

The site is served by a 12-inch water line and an 8-inch sewer line. Both lines terminate at the intersection of SE 11th Street and E Newport Ave. There is adequate capacity in the municipal services to accommodate any level of development on the site. However, as a condition of development, when connection is made to each line, the city will require extension of these lines south in SE 11th Street to the intersection with E Tamarack Ave. §157.164 of the Hermiston Code of Ordinances requires extension of public facilities to be readily available for connection by the next adjacent development.

§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 June 18, 2024.
2. Notice was published in the Hermiston Herald on June 18 and 25, 2024.
3. A sign displaying a notice of public hearing was placed on the property on June 18, 2024.

Tie-In to Council Goals

Although not specifically implemented through this application, Goal 1.6: Attract market-rate rental housing developments to increase middle housing inventory is affected through the addition of additional residential land to the city's land bank.

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 property has an assessed value of \$133,480.

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

Submitted By:

C.F. Spencer, Planning Director

Exhibit A
Findings of Fact
Reyes Comprehensive Plan Map Amendment and Annexation
1088 E Newport Ave
July 10, 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 June 18 and 25, 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 June 18, 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 June 18, 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 June 18, 2024.
8. The subject property 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. The owners propose multi-family housing, which will be compatible to the neighborhood.
9. The proposed R-3 zoning will add 2.01 acres of multi-family land adjacent to existing single-family development.

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

10. The change will promote compact urban development and ensure efficient utilization of land resources. As land immediately adjacent to the city limits and current terminus of both city roads and city utilities, it provides a logical continuation of urban development into the urban growth boundary. 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 and not currently providing agricultural use to medium high density (R-3) residential development.
11. Residential development is needed in this area and is a good fit with existing adjacent property uses.
 12. 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.
 13. 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)

14. The subject property is vacant and not under cultivation. 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)

15. 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)

16. 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)

17. 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)

18. Figure 12 of the Hermiston Comprehensive Plan indicates this property is subject to potential natural hazards due to a high water table.
19. The city will require compliance with §157.101 of the Hermiston Code of Ordinances. This section requires mitigation measures to protect groundwater resources.
20. 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)

21. 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.

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

22. 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)

23. Changing the subject property from county F-R to city R-3 Medium-High 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.
24. The subject property is currently zoned county FU-10, which allows for one housing unit per 10-acre lot. The proposed change includes 2 acres zoned R-3 Medium-High Density Residential which the applicant believes will yield 10 single-family or up to 45 multi-family housing units. Figure 6.2 *Summary of Forecasted Future Unit Need (2040)* on the City of Hermiston Housing Capacity Analysis identified 735 new multi-family units are needed by 2040. Thus the proposed zone change would go further to satisfy this projected need than the current zoning.
25. This residential development is close to public services and schools.
26. The proposed amendment and annexation will provide additional housing opportunities in the southeast quadrant of the city helping to balance growth which is now concentrated in the northeast and southwest quadrants.
27. The creation of new housing units, especially potential four-plex units, 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)

28. Water and sewer are currently adjacent to the property in SE 11th Street.
29. The site is bounded by E Newport Ave, SE 11th Street, and E Tamarack Ave. All streets are classified as local residential streets. Street improvements, compliant with the city's transportation plan and proportional to the impact of development will be required at such time as development occurs.

30. All storm water will be retained within the boundaries of the future development. There is no city-wide storm water retention and disposal system.
31. Future development will utilize Sanitary Disposal for solid waste services as encouraged by the city.
32. Future development will not provide recycling services as the City of Hermiston has already provided recycling collections points in two locations of the city.
33. 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.
34. 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.
35. 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)

36. Applicant has provided a transportation study and transportation impact analysis.
37. 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 2043 Current and Proposed Zone Designation scenarios. As such, no improvements are specifically necessary to mitigate the Proposed Zone Designation transportation impacts.
 - Development on the site will not change the functional classification of any impacted street.
 - All study intersections have adequate storage available on all approach movements to accommodate vehicle queues.

Goal 13 (Energy Conservation)

38. 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)

39. 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 2.01 acres of land.
2. Notice of public hearing was published in the local newspaper for two consecutive weeks prior to the planning commission hearing on June 18 and 25, 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 June 18, 2024.
4. Affected agencies were notified.
5. A public hearing of the planning commission was held on July 10, 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 July 3 and 10, 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 July 22, 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 SE 11th 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 SE 11th Street. An 8" 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

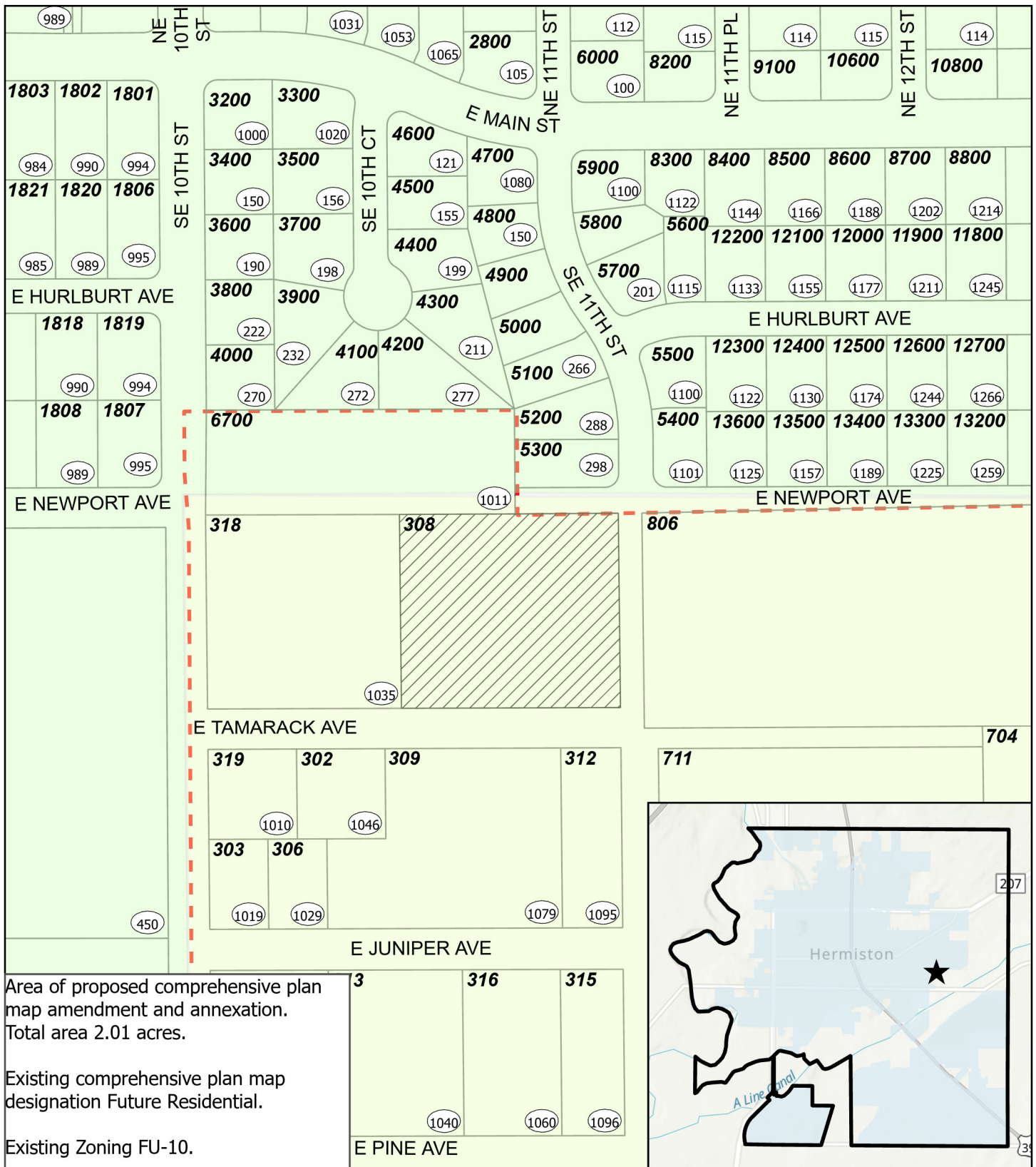
1. Following amendment by the city and adoption by Umatilla County, the comprehensive plan map will designate the area as Medium Density Residential. Proposed map designations are attached as a map to this report.

2. The proposed Medium-High Density Residential zoning designation appropriately implements the Medium Density Residential comprehensive plan map designations adopted for the property.

Exhibit B
Conditions of Approval
Reyes Comprehensive Plan Map Amendment and Annexation
1088 E Newport Ave
July 10, 2024

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

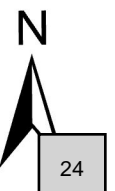
1. Annexation is contingent upon co-adoption of the comprehensive plan map amendment by Umatilla County under the provisions of the Hermiston Planning Area Joint Management Agreement, dated March 2, 2017. In the event that Umatilla County fails to co-adopt the map amendments, annexation shall fail, and 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 a high water table. 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 E Tamarack Ave and SE 11th Street will be subject to access permitting by the Umatilla County Road Department.
4. In order to provide for future connectivity of E Newport Ave, the city will require dedication of 10 feet of right of way at the time of development on the site.
5. Improvements for E Tamarack Ave and SE 11th Street shall be determined at the time of development on the site and shall be proportional to the impact of the proposed development.
6. E Newport Ave shall be improved with half-street improvements to local residential standards at the time of development.

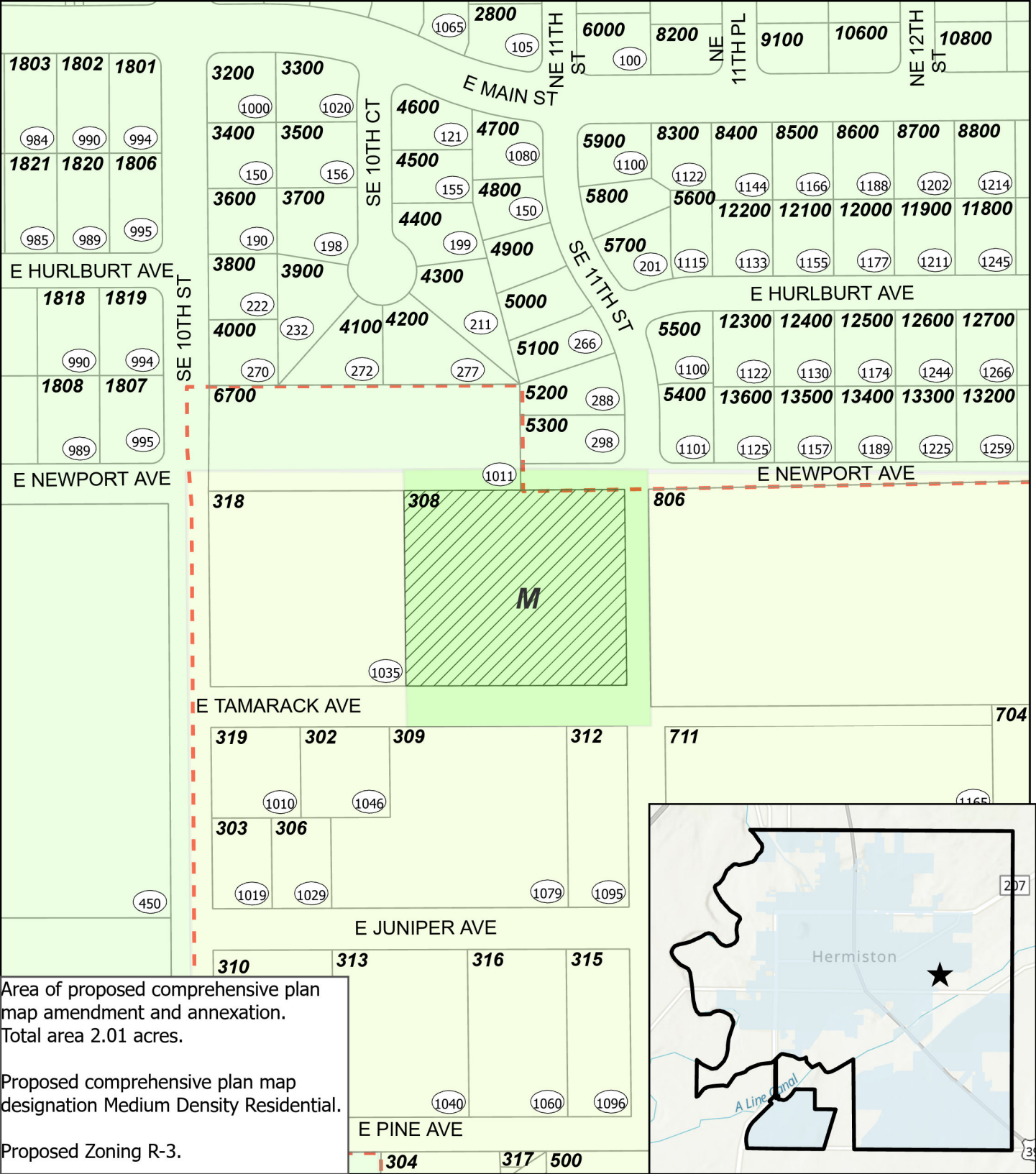


Legend

- Property Line
- City Limits
- Urban Growth Boundary

0 200 400
Feet

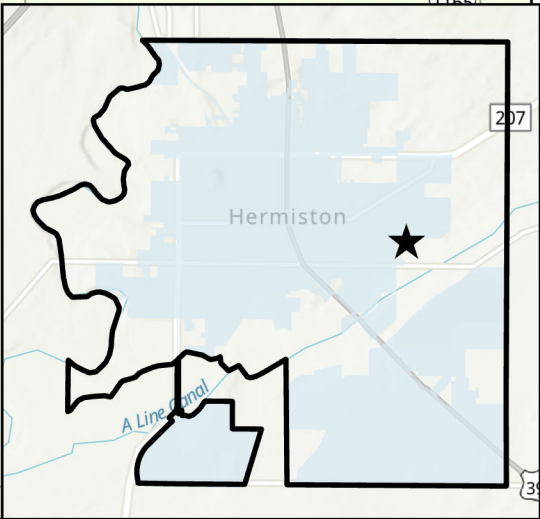




Area of proposed comprehensive plan map amendment and annexation. Total area 2.01 acres.

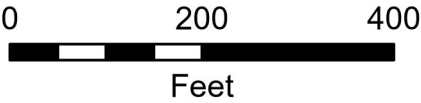
Proposed comprehensive plan map designation Medium Density Residential.

Proposed Zoning R-3.



Legend

- Property Line
- City Limits
- Urban Growth Boundary



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: Mayra & Felipe Reyes Phone: 5417203684

Mailing Address: 1055 W Linda Ave

Contact Person: Mayra Reyes Phone: 5417203684

Mailing Address: 1055 W Linda Ave

Name of Owner (If Different): Mayra & Felipe Reyes Phone: 5417203684

Mailing Address: _____

Legal Description: Assessor's Map No: 4N2812C/308 Tax Lot No: 308

Subdivision (If Applicable): _____

Street Address: 1258 E. Tamarack Drive

Current Comprehensive Plan Designation: FR Proposed Zoning Designation: m R3 (R2)

Land Area (In Acres): ~~0.98~~ 2.01

Existing Use of Property:

Number of Single-Family Units: 2 Number of Multi-Family Units: 0

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

Public Facilities or Other Uses: 0

Population: Owners: 2 Tenants: 2 Voters: 2

Please Include the Names and Ages of All Residents:

Mayra Reyes
Felipe Reyes

Surrounding Use of Property:

North: E NEWPORT AVE SFD

South: SE 11TH ST Rural residential

East: TAMARACK AVE rural residential
West: rural residential - elementary school
Current Year Taxes: ~~\$14,188~~ 518.01 Previous Year Taxes: ~~\$14,188~~ 529.65
Total Assessed Valuation: \$35,150

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

Please explain why the annexation has been proposed:

Future development

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.:

Residential

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

Please provide the following information regarding services and utilities:

Location and size of the nearest water line:

E NEWPORT AVE ABOUT 800 FEET

Location and size of the nearest sewer line:

E NEWPORT AVE ABOUT 800FEET

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

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

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

Availability of the desired service from any other unit of local government (Please indicated which government):

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

E NEWPORT AVE

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

N/A

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

N/A

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: CCC UCFD #1 Irrigation District: Hermiston
 School District: Hermiston School Drainage District: _____
 Library District: County District Parks and Recreation District: Hermiston
 Special Road District: _____

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

residents will connect to water and sewer for hermiston city limits

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 (one digital copy) of a site plan (11" x 17") drawn to scale, showing the location of the property concerned, the location of all proposed 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.)

Signature of Applicant [Signature]

Date 3/15/2024

OUT OF POCKET EXPENSES FOR PUBLICATION COSTS 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) 567-5521. The City's fax number is (541) 567-5530.

OFFICE USE ONLY

Date Filed: 4-15-24

Received By: Wapl

Meeting Date: June 12 2024

Fee: \$700.00
900.00

Date Paid: 4-16-24
owe \$200.

Receipt No: 7000282
pay 200. owe \$200

CITY OF HERMISTON

APPLICATION FOR CONVERSION

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: Mayra Reyes & Felipe Reyes Phone: (541) 720-3684

Mailing Address: P.O. Box 430 Hermiston OR 97838

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

Mailing Address: _____

Legal Description: Assessor's Map No: 4N2812C1 Tax Lot No: 308

Street Address: E Tamarack

Current Comprehensive Plan Designation: FR

Proposed Comprehensive Plan Designation: M

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.

See 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.

The city would benefit for future growth and development of R3 zoning

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

More housing available for residents

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

Area would be developed for new multi family homes

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 conversion. A metes and bounds 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 planning commission/city council requests the attendance of me, or my representative, at the meeting(s) where this request is scheduled for consideration and that the planning commission/city council 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.

Signature of Applicant

Date

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

NOTE: The planning commission/city council 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: 4-16-24 Received By: [Signature] Meeting Date: June 12, 2024
Fee: \$1,500.00 Date Paid: 4-16-24 Receipt No: # 7000282

Citizen Involvement:

- 1) Notice of proposed annexation and conversion with traffic study approved.
- 2) proposal for land use as R-3 is in the process
- 3) Notice of proposed land use action was provided in office directly to the City of Hermiston planning division.

Land Use planning:

- 4) The city is required to review its land use designated and supply adequate amounts of all zoning types as it is about 600ft from school ground.
- 5) The proposed 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 the land supply.
- 6) the subject property is approximately 2.01 acres of land is within the urban growth area and has the “urbanizable” plan designation and the R-3 general zoning. The owner has evaluated the market demands as well as analyzed appropriate and compatible uses in the neighborhood surrounding the subject property and process a development for multiple family homes to meet the needs of more citizens for more homes.
- 7) The proposed zoning includes 2.01 acres between E-Tamarack and S Townsend Rd this is to be zoned as an R-3

Policies Annexation and Conversion

- 8) This development will ensure efficient utilization of land resources and facilitate economic provision of urban facilities and services because it will add home to our residents. This land is considered to be within the urban growth of city limits therefore, it would be for everyone’s interest for it to be zoned as R-3, this proposal would not only add more home but it’s also adding more tax dollars to our city.
- 9) Residential development is needed in this area and is a good fit with existing adjacent property uses.
- 10) Future plans for the E Tamarack rd. extension will add a convenient transportation route to and from the subject property.

11) The property is within the urbanized portion of the UGB and has county R-3 (General Rural Designation). The property is contiguous with the city limits and annexation is consistent with policy 4.

12) The applicant is proposing annexation and incorporation to the city.

Agricultural lands:

13) The subject property has not been used for any farm land use, it has been an empty land for over 10 years, however it is located within the city's acknowledged urban growth boundary and is designated as organizable land for non-farm development. The land is not considered high value farmland and is not protected as farmland.

Forest land:

14) There are no forest lands identified within the Hermiston UGB. This is not applicable.

Water and land Resources

15) The city is required to comply with state and federal regulation regarding and water quality in all development permitting per 157.004 of the Hermiston code of ordinances. Development is required to preserve natural resources quality as part of the development review and construction process.

Recreation needs

16) The Hermiston comprehensive plan map and parks master plan each identify area for future park location and future park upgrades. This property is not included on either inventory. This policy is not applicable.

Economic Development and General Industrial Development and Commercial development and General economic development

17) Requires and adequate supply of employment lands, both commercial and industrial. Although the subject property is zoned R-3 general rural, it doesn't apply for future industrial overlay zone. This application considers the impact of developing all the land at 100% to fit residential development needs

18) The proposed change includes zoning of 2.01 acres to R-3 for UGB.

Housing and policies (housing availability)

19) Changing the subject property from single family home to R-3 medium -density would help satisfy the city's projected housing needs. It is estimated that 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.

20) The subject property is currently zoned as single-family home, which allows for one housing unit to be build. The proposed change includes 4 plex apartments about 6 complexes give our take depending on city limitation.

21) While recent residential development has been focused on the northeast quadrant of the city, there remains a demand and need for housing in the southeast quadrant of the city which is close to public services like elementary school and middle school.

23) Applicant has expressed plans to develop lots primarily for single-family detached homes that would range in rental pricing depending on the rooms available.

24) Water is currently adjacent to the property on 10th street while sewer is currently available near the intersection of Highland and E-Tamarack.

25) All stormwater will be retained within the boundaries of the future development. There is no child-wide storm water retention and disposal system.

26) Future development will utilize sanitary disposal for solid waste services as encouraged by the city

27) Future development will not provide recycling services as the city of Hermiston has already provided recycling collections points in two located of the city.

28) Summarize Hermiston police department's review of proposal

29) summarize fire department's review of proposal

30) applicant will extend power and telecommunications services to the property after adoption of annexation and zone changes

Transportation (Integrated Transportation system) Rail/air Transportation)(Alternative Transportation)

31) Applicant has provided a transportation study and transportation impact analysis.

32) The following summary and recommendation have been extracted from the transportation study performed by **Pierce-Jon McKelvey, PE, PTOE**

33) All study intersections are anticipated to operate within agency mobility standards in the 2043 current and proposed zone designation scenarios.

34) All study intersections have adequate storage available on all approach movements to accommodate the vehicle queues.

Energy Conservation:

35) The 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 mid-scale density residential development in close proximity to existing and future commercial neighborhoods thereby minimizing travel needs



April 15, 2024

Mayra Reyes
Quality Heating & Cooling LLC
1055 W Linda Avenue
Hermiston, Oregon 97838

Via email: qualityhc7@gmail.com

Regarding: Trip Generation Letter
Annexation and Conversion of Tax Lot 4N2812C000308
Hermiston, Oregon 97838
PBS Project 78342.000



RENEWES: DECEMBER 31, 2024

Dear Ms. Reyes:

This trip generation letter supports the proposed annexation and conversion of tax lot 4N2812C000308 (Project) in Umatilla County, Oregon.

PROJECT DESCRIPTION

The Project intends to annex the existing tax lot into the City of Hermiston (City) and convert the tax lot into a zoning designation of R-3 (Medium-High Density Residential Zone). The tax lot currently resides in Umatilla County but is inside the City's designated urban growth boundary and is not currently zoned by Umatilla County. The tax lot is currently undeveloped and approximately 2.01 acres in size.

TRIP GENERATION

The trip generation is based on the proposed zoning code and the maximum number of dwelling units that can produce the greatest number of trips. The number of trips generated for the Project is based on the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11th edition (September 2021), land use code 220 (Multifamily [Low-Rise]). The trip generation results are summarized in Table 1 and the calculation details are attached. The site trips are presented for the average weekday, the AM peak hour between 7:00 am and 9:00 am and the PM peak hour between 4:00 pm and 6:00 pm. The maximum number of units for this parcel was based on Chapter 157 of Hermiston Municipal Code 157.027(C)(2) and 157.027(F).

Table 1. ITE Trip Generation – Annexation and Conversion of Tax Lot 4N2812C000308

Land Use (ITE Code)	Multifamily (Low-Rise) (220)	
Independent Variable	Dwelling Units	
Size	24	
Average Daily Trips (ADT)	162	
Peak Hour Trips	AM Peak Hour	PM Peak Hour
In	2	8
Out	8	4
Total Trips	10	12

Mayra Reyes
Trip Generation Letter for Annexation and Conversion of Tax Lot 4N2812C000308
April 15, 2024
Page 2 of 2

The Project is anticipated to generate 162 vehicle trips during a typical weekday, 10 during the AM peak hour, and 12 during the PM peak hour.

TRIP DISTRIBUTION

The trip distribution is not estimated for this project. Trip distribution analysis will take place during future residential development that occurs on this property.

PRE-DEVELOPMENT REQUIREMENTS

A condition of annexation and zone conversion for this lot will be for pre-development to abide by Chapter 154 of the Hermiston Municipal Code (HMC). This would include ensuring streets surrounding the Project are connector and continuous through the perimeter of the Project and that relevant utilities are extended and prepared for development relevant to the zone conversion desired (R-3).

Oregon Administrative Rules (OAR) 660-012-0060 stating that the amendment will not change the functional classification of the affected nearby roads. Streets surrounding, implied to be surrounding, or will be surrounding the property once built out per Chapter 154 of the HMC includes SE 10th Street, E Tamarack Avenue, SE 11th Street, and E Newport Avenue. SE 10th Street is classified as an urban major collector by the City, while the other roads are classified as local residential streets.

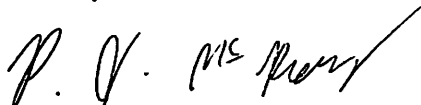
Per the City's *Public Works Standards, Technical Specifications, and Standard Drawings* (Jan. 2023) Section 5.T.2.b, streets classified as a collector will "generally have a traffic volume rate of 1,000 to 4,000 vehicles per day" while streets classified as local streets don't have a stated accepted traffic volume carrying capacity. It is assumed that local streets will generally have a carrying capacity of less than 1,000 vehicles per day.

Given the relatively low addition of 162 ADT from the possible development on the Project, it stands to reason that the possible development of the lot would not cause a change in functional classification of any of the surrounding roads, including SE 10th Street.

CLOSING

Please feel free to contact me at 360.213.0418 or pj.mckelvey@pbsusa.com with any questions or comments.

Sincerely,



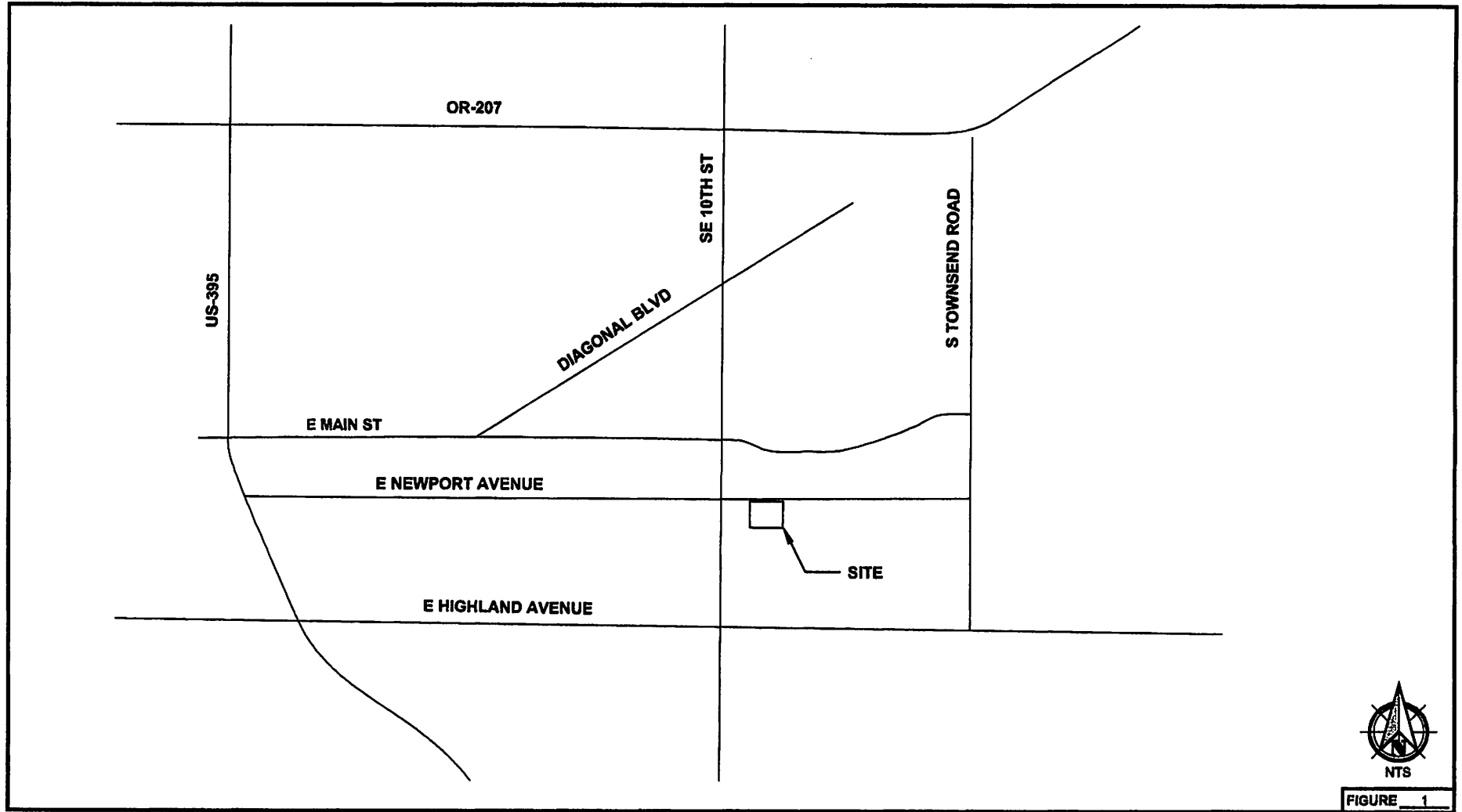
Pierce-Jon McKelvey, PE, PTOE
Project Traffic Engineer

Attachments: Figure 1. Vicinity Map
 Trip Generation Calculations

ES:PJM:rg

Trip Generation Letter
Quality Heating & Cooling LLC

Tax Lot 4N2B12C000308
Hermiston, Oregon



Vicinity Map
10TH ST AND NEWPORT DEVELOPMENT

Query

Filter

DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

220



LAND USE GROUP:

(200-299) Residential

LAND USE:

220 - Multifamily Housing (Low-Rise)

LAND USE SUBCATEGORY:

Not Close to Rail Transit

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

Dwelling Units

TIME PERIOD:

Weekday

TRIP TYPE:

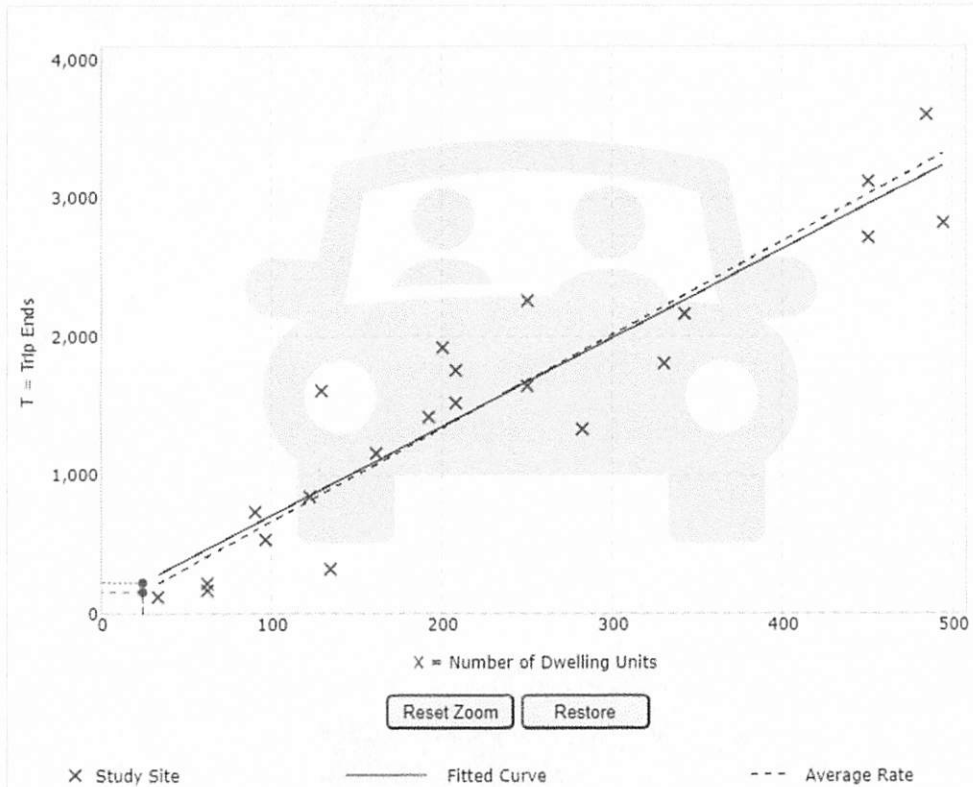
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

24

Calculate

Data Plot and Equation



DATA STATISTICS

Land Use:

Multifamily Housing (Low-Rise) - Not Close to Rail Transit (220) [Click for Description and Data Plots](#)

Independent Variable:

Dwelling Units

Time Period:

Weekday

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

22

Avg. Num. of Dwelling Units:

229

Average Rate:

6.74

Range of Rates:

2.46 - 12.50

Standard Deviation:

1.79

Fitted Curve Equation:

 $T = 6.41(X) + 75.31$ R^2 :

0.86

Directional Distribution:

50% entering, 50% exiting

Calculated Trip Ends:

Average Rate: 162 (Total), 81 (Entry), 81 (Exit)

Fitted Curve: 229 (Total), 115 (Entry), 114 (Exit)

Query

Filter

DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

220



LAND USE GROUP:

(200-299) Residential

LAND USE:

220 - Multifamily Housing (Low-Rise)

LAND USE SUBCATEGORY:

Not Close to Rail Transit

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

Dwelling Units

TIME PERIOD:

Weekday, Peak Hour of Adjacent Street Traffic

TRIP TYPE:

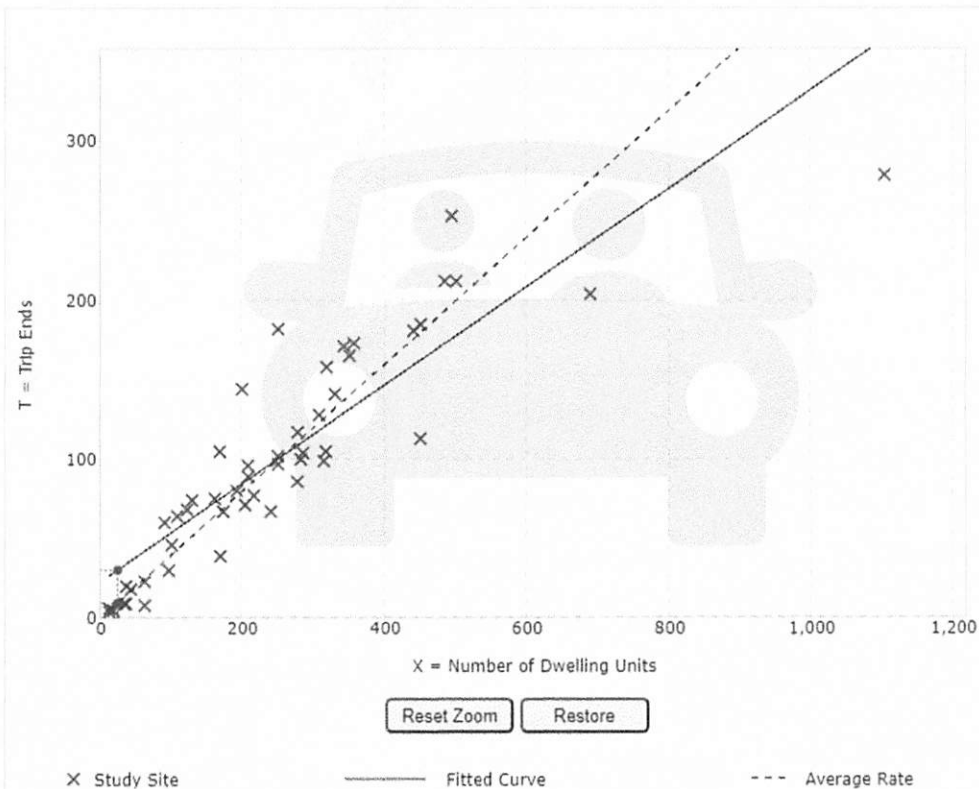
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

24

Calculate

Data Plot and Equation



DATA STATISTICS

Land Use:

Multifamily Housing (Low-Rise) - Not Close to Rail Transit (220) [Click for Description and Data Plots](#)

Independent Variable:

Dwelling Units

Time Period:

Weekday

Peak Hour of Adjacent Street Traffic

One Hour Between 7 and 9 a.m.

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

49

Avg. Num. of Dwelling Units:

249

Average Rate:

0.40

Range of Rates:

0.13 - 0.73

Standard Deviation:

0.12

Fitted Curve Equation:

 $T = 0.31(X) + 22.85$ R^2 :

0.79

Directional Distribution:

24% entering, 76% exiting

Calculated Trip Ends:

Average Rate: 10 (Total), 2 (Entry), 8 (Exit)

Fitted Curve: 30 (Total), 7 (Entry), 23 (Exit)

Query Filter

DATA SOURCE:

Trip Generation Manual, 11th Ed

SEARCH BY LAND USE CODE:

220



LAND USE GROUP:

(200-299) Residential

LAND USE:

220 - Multifamily Housing (Low-Rise)

LAND USE SUBCATEGORY:

Not Close to Rail Transit

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

Dwelling Units

TIME PERIOD:

Weekday, Peak Hour of Adjacent Street Traffic

TRIP TYPE:

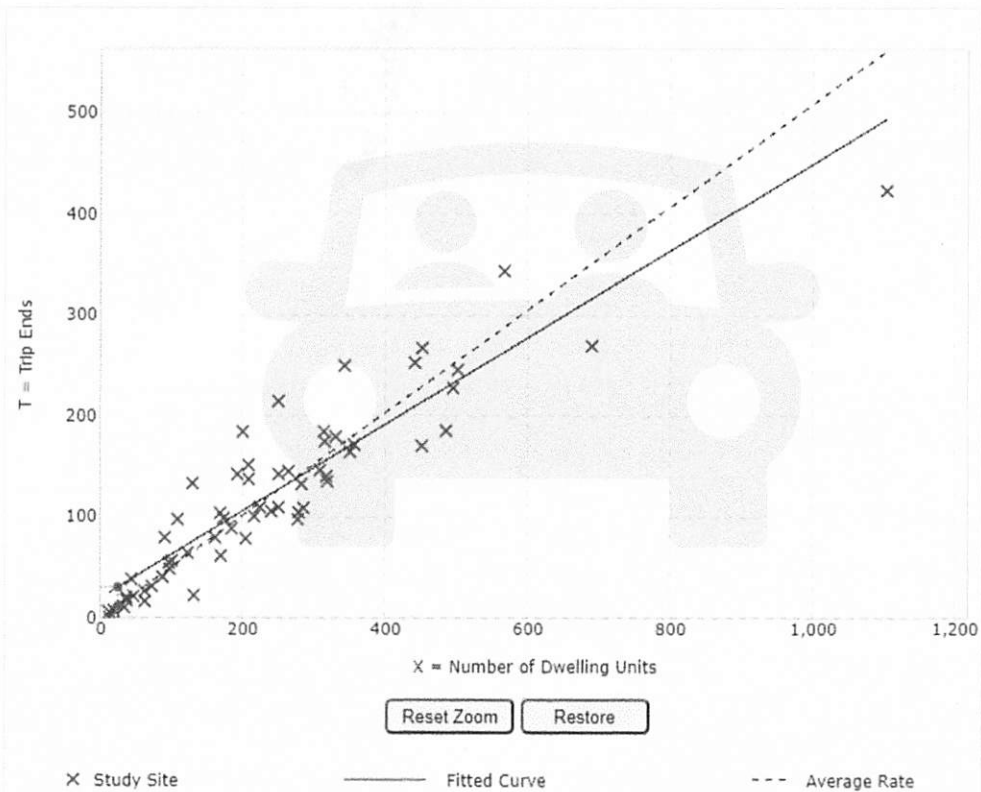
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

24

Calculate

Data Plot and Equation



DATA STATISTICS

Land Use:

Multifamily Housing (Low-Rise) - Not Close to Rail Transit (220) [Click for Description and Data Plots](#)

Independent Variable:

Dwelling Units

Time Period:

Weekday

Peak Hour of Adjacent Street Traffic

One Hour Between 4 and 6 p.m.

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

59

Avg. Num. of Dwelling Units:

241

Average Rate:

0.51

Range of Rates:

0.08 - 1.04

Standard Deviation:

0.15

Fitted Curve Equation:

 $T = 0.43(X) + 20.55$ R^2 :

0.84

Directional Distribution:

63% entering, 37% exiting

Calculated Trip Ends:




Average Rate: 12 (Total), 8 (Entry), 4 (Exit)

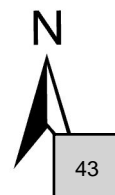
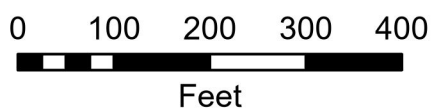
Fitted Curve: 31 (Total), 19 (Entry), 12 (Exit)



1096 Oregon Statewide Imagery Program (OSIP) - Oregon Imagery Framework Implementation Team

Legend

-  Property Line
 Urban Growth Boundary
 City Limits





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

June 27, 2024

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

**Re: Mayra & Felipe Reyes
Rezoning and Annexation of Property - 4N2812C 308**

Mr. Spencer,

I have reviewed the information regarding the request for rezoning and annexation submitted by Mr. & Mrs. Reyes for the map and tax lots listed above. My research has shown that this property is within the District boundary, however, there are no water rights on this property.

There are no federal rights-of-way or easements on this property.

HID has no objection to the rezoning or annexation. 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 July 10, 2024

Title/Subject

Minor Partition Zamudio 4N2802BC Tax Lot 1500 - 309 E Theater Lane

Summary and Background

The City of Hermiston has received an application for a minor partition from Melinda Chavez Zamudio for property located at 309 E Theater Lane. The proposal partitions an approximately 1.57-acre parcel into three lots. The size of the three lots are 0.51-acre, 0.52-acre, and 0.53 acre.

The property is currently vacant. The partition is proposed to allow residential development of the property. Annexation to the city is required prior to development and no development plans have been submitted.

The property is owned by Melinda Chavez Zamudio and is described as 4N2802BC Tax Lot 1500. The property has a comprehensive plan map designation of Medium Density Residential (M). The property is not located within the city limits of Hermiston but is located within the urban area of the Urban Growth Boundary. The Planning Commission has jurisdiction to review and take action on the final plat under the Hermiston Planning Area Joint Management Agreement with Umatilla County.

Public notice was provided for the proposed partition. Notice of land use action was mailed to property owners within 100 feet on June 26, 2024. A sign informing the public of the proposal was placed on the property on June 26, 2024.

The criteria that are applicable to the decision to accept the proposed partition are contained in 154.15 through 154.66 and 157.027 of the Hermiston Code of Ordinances.

The findings of fact are attached to this report as Exhibit A. The conditions of approval are attached as Exhibit B. The map showing the property boundary and adjacent streets and parcels is attached as Exhibit C. The preliminary plat as prepared by the surveyor is attached as Exhibit D. An aerial photo for the planning commission's reference is attached as Exhibit E.

Tie-In to Council Goals

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

Fiscal Information

There is no financial impact to the city because of this partition.

Alternatives and Recommendation

Alternatives

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

Recommended Action/Motion

Staff has reviewed the proposed plat and found that it is prepared in accordance with all requirements of 154.35(B) and 154.46 of the Hermiston Code of Ordinances. Staff recommends the planning commission approve the plat subject to the conditions of approval.

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

Submitted By:

Clinton Spencer, Planning Director

Exhibit A
Findings of Fact for Zamudio Minor Partition
July 10, 2024
309 E Theater Lane

Design Standards

§154.15 Relation to Adjoining Street System.

The property is bordered by E Theater Lane. The three proposed parcels all have E Theater Lane frontage.

§154.16 Street and Alley Width.

No new streets or alleys are proposed as part of the partition. The property is currently serviced by E Theater Lane which is a city street with varying widths. Per the partition plat, E Theater Lane has a width of 30 feet along property frontage.

The three proposed lots border E Theater Lane. Parcel 1 has 98.93 feet of frontage. Parcels 2 and 3 will utilize a shared flag frontage with the width of each parcel’s flag being 12.5 feet.

§154.17 Easements.

A shared access, utility, and emergency turn around easement shall be required and is shown for the two proposed flag lots. The easement will provide access from E Theater Lane to be shared between the two lots.

Cascade Natural Gas has an existing easement 30 feet in width along the west side of Parcel 2.

§154.18 Blocks.

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

§154.19 Lots.

The proposed partition will create three lots. Parcel 1 is vacant, contains 16,977 square feet, and will have 98.93 feet of E Theater Lane frontage. Parcel 2 is 22,098 square feet of vacant land with 12.5 feet of E Theater Lane frontage. Lot 3 is 23,167 square feet of vacant land with 12.5 feet of frontage on E Theater Lane.

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

§154.20 Character of Development.

The property has a comprehensive plan map designation of Medium Density Residential which corresponds to a Medium-High Density Residential (R-3) zoning designation. Uses permitted in the R-3 zone are listed in 157.027 of the Hermiston Code of Ordinances. The applicant proposes the partition for residential development.

§154.21 Parks, School Sites and the Like.

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

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 Theater Lane is partially paved with no additional improvements. 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 of E Theater Lane. Street improvements shall be consistent with public works standard ST-10 for minor collector streets.

§154.62 Water Lines

Municipal water is available to service the lots through an 8-inch water line in E Theater Lane.

§154.63 Sanitary Sewer System.

Municipal sewer is available to service the lots through a 12-inch sewer line in E Theater Lane.

Preliminary Plat

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

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 or referenced on the plat**
- (N) Acknowledgment of the owner or owners to the plat and restrictions, including dedication to public use of all streets, alleys, parks or other open spaces shown thereon, and the granting of easements required. **Shown as required.**
- (O) Certificates of approval for endorsement by the city council and certificate indicating its submission to the planning commission, together with approval for endorsement by other local, county and/or state authority as required by Oregon statutes. **Shown as required.**

Chapter 157: Zoning

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

The proposed lots exceed the minimum lot size of 6,500 square feet. Uses permitted in the R-3 zone are listed in §157.027 of the Hermiston Code of Ordinances.

§157.101 Development Hazard Overlay

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

Exhibit B

Conditions of Approval for Zamudio Minor Partition

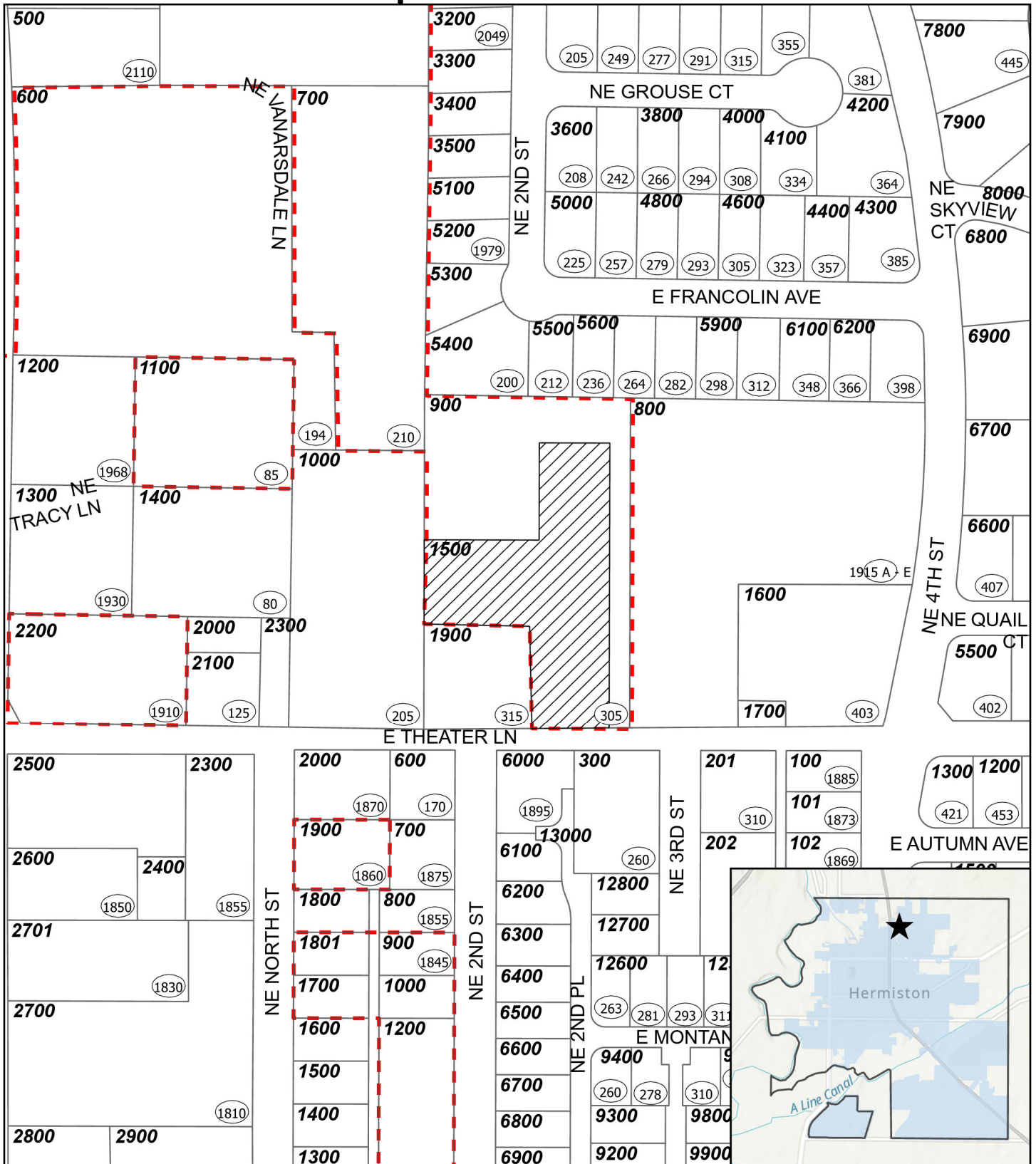
July 10, 2024

309 E Theater Lane

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

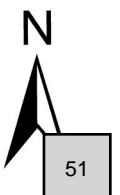
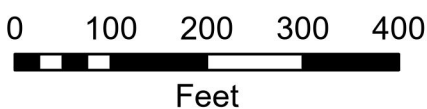
1. The property lies within an area subject to potential groundwater pollution hazards due to excessively well-drained soils. Therefore, the outdoor storage of hazardous chemicals and the underground storage of gasoline and diesel fuels are prohibited per §157.101(B) of the Hermiston Code of Ordinances. Per §157.101(D) of the Hermiston Code of Ordinances, a developer may receive an exemption from this requirement upon submission of evidence from a registered engineer that the storage will not contribute to groundwater pollution.
2. At such time that construction occurs on a 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 Theater Lane. Street improvements shall be consistent with minor collector improvements in ST-10 of the public works standards.
3. The applicant shall work with and receive certification from the Hermiston Irrigation District prior to obtaining city signature on the final plat.
4. Annexation will be required prior to construction of dwellings on any parcel. All parcels are within 300 feet of an existing municipal sewer line and are not eligible for private septic service. The city will not allow connection to municipal sewer or water service for properties in the urban growth boundary without annexation.

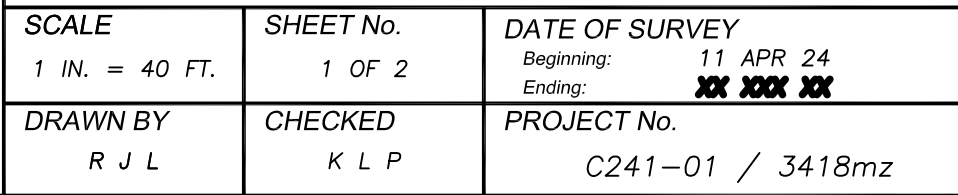
Notice of Proposed Land Use Action

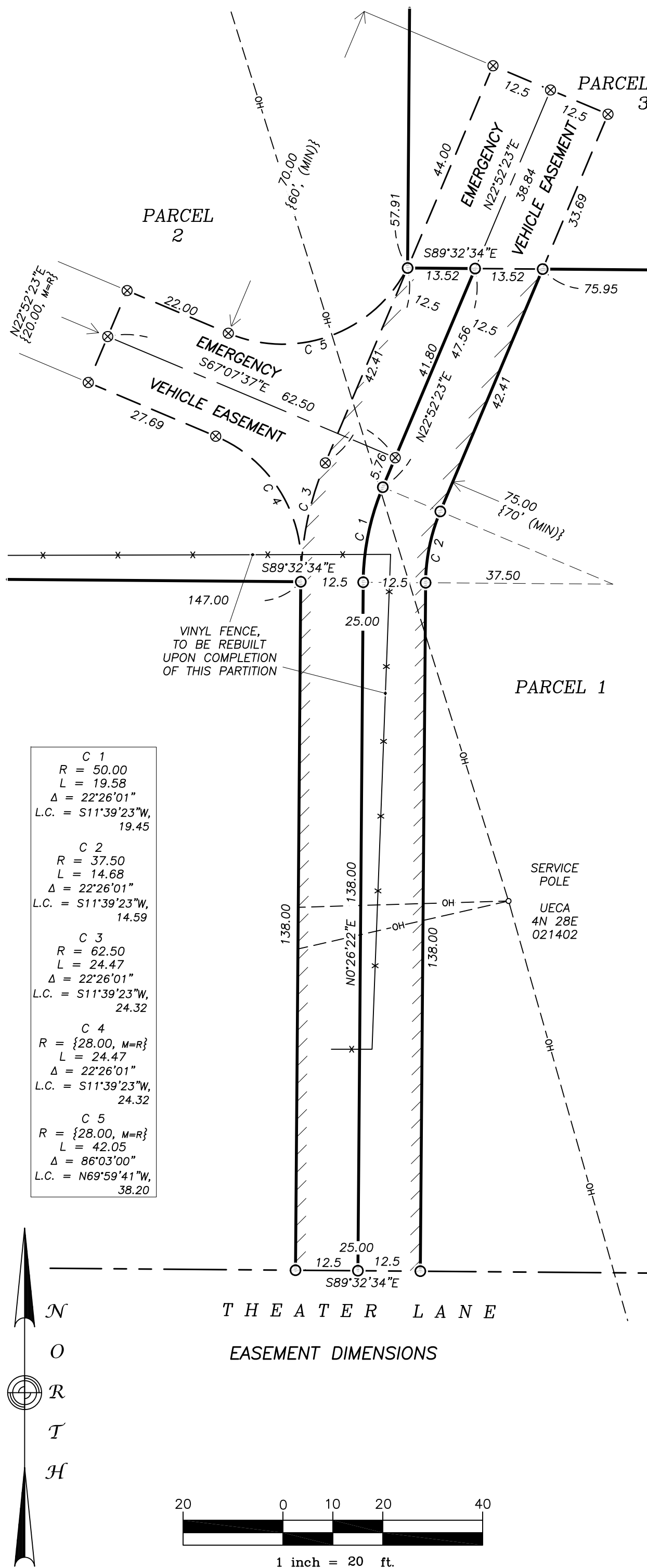


Legend

- Area of Proposed Minor Partition
- Property Line
- City Limits
- Urban Growth Boundary







L E G E N D

- SET, A 5/8 X 30 INCH IRON ROD WITH LT. BLUE PLASTIC CAP MKD: "WALLOWA ASSOCIATES."
- ⊗ CALCULATED POSITION, MONUMENT NEITHER FOUND NOR SET
- PROPERTY AND PARCEL LINES
- - - RIGHT-OF-WAY LINE, THEATER LANE
- /// NEW, 25-FOOT WIDE EASEMENT FOR ACCESS AND UTILITIES, SEE DEDICATION
- - - NEW, TWO (2) EASEMENTS FOR EMERGENCY VEHICLES. SEE DEDICATION
- × × × × × FENCES, VINYL, TO BE REBUILT AT PROPERTY LINES UPON RECORDING OF THIS PARTITION
- - - OH - - - OVERHEAD POWER OR COMMUNICATIONS
- 12.5 12.50 FEET; DIMENSION PER HERMISTON DEVELOPMENT CODE 154.19 (F)(2)
- {XXX} DIMENSION PER OREGON FIRE CODE
- {XXX, M=R} MEASURED EQUALS RECORD, PER OREGON FIRE CODE

REFERENCES

- DEEDS
- 2022-7440108 2013-6100841
2019-6910301
- SURVEYS
- 98-08-B 85-75-B
S-156-C (1980) 19-080-C
- CODE OF HERMISTON, TITLE XV
LAND USAGE
- CHAPTER 154
- OREGON FIRE CODE
- APPENDIX D, FIRE APPARATUS ACCESS
ROADS

OWNERSHIP AND ENCUMBRANCE REPORT

- PIONEER TITLE COMPANY
- ORDER NO: 106645
MARCH 6, 2024
- EASEMENTS AND ENCUMBRANCES AS LISTED PER
SAID REPORT
2. THE PREMISES HEREIN DESCRIBED ARE WITHIN THE BOUNDARIES OF THE HERMISTON IRRIGATION DISTRICT AND THIS PROPERTY IS THEREFORE SUBJECT TO ALL EASEMENTS, CANALS, DITCHES, LEVIES AND ASSESSMENTS THEREOF.
3. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF.
GRANTEE: EASTERN OREGON NATURAL GAS COMPANY
RECORDED: MAY 17, 1959; BOOK 254 PAGE 234.
- A BLANKET EASEMENT, NOT-LOCATABLE
4. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF.
GRANTEE: CASCADE NATURAL GAS CORPORATION
RECORDED: SEPTEMBER 6, 1972;
BOOK 323 PAGE 256.
- SHOWN, SHEET 1.
5. RESERVATION OF WATER RIGHTS, INCLUDING THE TERMS AND PROVISIONS THEREOF CONTAINED UNDER CONTRACT AND DEED.
GRANTORS: ARLEN CLARK AND VIRGIL CLARK
GRANTEES: DONALD L. TONNING, BARBARA L. TONNING
RECORDED: OCTOBER 19, 1982;
MICROFILM REEL 96 PAGES 413 - 415.

NOTE: THERE ARE VISIBLE UTILITIES WHICH ARE NOT INCLUDED WITHIN A RECORDED EASEMENT, PER THE ABOVE-CITED REPORT. A UMATILLA ELECTRIC COOPERATIVE SERVICE POLE EXISTS (SHOWN, LEFT), TOGETHER WITH OVERHEAD POWER AND COMMUNICATIONS LINES, WHICH SERVE THE PROPERTIES WHICH ARE DEEDS 2013-6100841 AND 2019-6910301.

PARTITION PLAT

UMATILLA COUNTY DEED 2022-7440108

W1/2 SE1/4 SW1/4 OF NW1/4, SECTION 2,

TWN. 4 N., RA. 28 E., W.M.

CITY OF HERMISTON, UMATILLA COUNTY, OREGON

APPROVALS

CITY OF HERMISTON PLANNING COMMISSION
AND CITY COUNCIL

THIS PLAT HAS BEEN EXAMINED AND APPROVED BY
THE PLANNING COMMISSION AND THE CITY COUNCIL
OF HERMISTON, OREGON;

ON THIS DAY OF , 2024

CHAIRMAN, HERMISTON PLANNING COMMISSION

HERMISTON IRRIGATION DISTRICT

THIS PLAT HAS BEEN EXAMINED AND IS HEREBY
APPROVED,

ON THIS DAY OF , 2024

HERMISTON IRRIGATION DISTRICT

UMATILLA COUNTY SURVEYOR

THIS PLAT HAS BEEN EXAMINED AND IS HEREBY
APPROVED,

ON THIS DAY OF , 2024

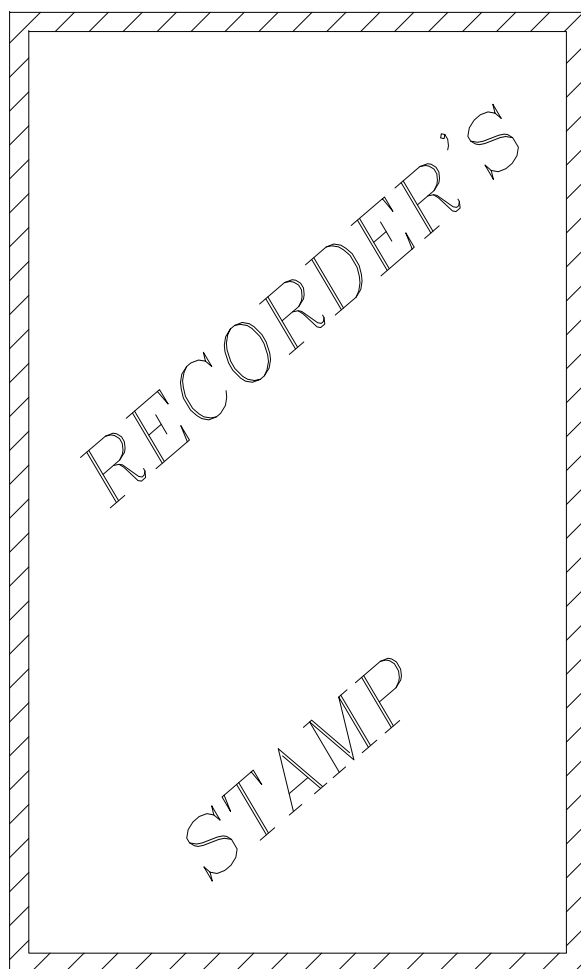
UMATILLA COUNTY SURVEYOR

UMATILLA COUNTY TAX COLLECTOR

WE CERTIFY THAT THE TAXES HAVE BEEN PAID AND
THERE ARE NO LIENS UPON THIS TRACT OF LAND.
THIS PLAT HAS BEEN EXAMINED AND APPROVED,

ON THIS DAY OF , 2024





TAX COLLECTOR

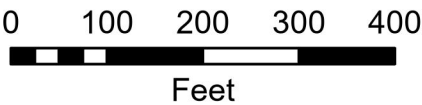


PARTITION PLAT FOR: MELINDA CHAVEZ ZAMUDIO		
LOCATED WITHIN SOUTHWEST QUARTER NORTHWEST QUARTER, SECTION 2 TOWNSHIP 4 NORTH, RANGE 28 EAST, W.M. UMATILLA COUNTY, OREGON		
Wallowa Associates 303 S.E. Alamo Street Enterprise, Oregon 97828 (541) 426-9049		
SCALE 1 IN. = 20 FT.	SHEET No. 2 OF 2	DATE OF SURVEY Beginning: 11 APR 24 XX XX XX
DRAWN BY R J L	CHECKED K L P	PROJECT No. C241-01 / 3418mz



Legend

-  Area of Proposed Minor Partition
 Property Line
 City Limits
 Urban Growth Boundary





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

July 1, 2024

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

**Re: Melinda Zamudio
Minor Land Partition - 4N2802BC 1500**

Director Spencer,

I have reviewed the information regarding the application for a minor land partition submitted by Melinda Zamudio for the property located at 309 E Theater Ln, Hermiston, OR and referenced above. My research has shown that this property is within our District boundary, however, there are no water rights located on the property. There are no HID or federal easements on this property.

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

Respectfully,

Karra

Karra Van Fossen
Water Right Specialist