



PLANNING COMMISSION

City Hall 180 NE 2nd St

Where Life is Sweet

February 14, 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.or.us*

1. CALL TO ORDER - 7:00 PM

2. MINUTES

A. Minutes of the January 10, 2024 regular meeting

3. HEARINGS

A. Annexation & Comprehensive Plan Amendment - Hermiston Home Works, Inc 4N2813
TL 200 & 500- 1295 SE 10th St

B. Conditional Use - Bob Shannon Safety Center 4N2810DD Tax Lots 100, 200, 201 &
202 - 330 S First St

4. PLANNER COMMENTS AND UNSCHEDULED COMMUNICATION

5. 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.



Where Life is Sweet

PLANNING COMMISSION

Regular Meeting Minutes
January 10, 2024

Chairman Fialka called the regular meeting to order at 7:00PM. Present were Commissioners Saylor, Guerrero, Caplinger, Doherty, Hamm, Sargent, and Kirkpatrick. Commissioner Collins was excused. Youth Advisors Sarahi Gutierrez, Manuel Salazar, and Catherine Doherty were present. Staff in attendance included Planning Director Clint Spencer, City Attorney Richard Tovey, and Planning Assistant Heather La Beau.

Chairman Fialka asked Youth Advisor Manuel Salazar to introduce himself as this was his first planning commission meeting. The commissioners briefly introduced themselves and welcomed Youth Advisor Salazar. Chairman Fialka encouraged all three of the Youth Advisors to participate in the discussions.

Minutes

Commissioner Hamm moved, and Commissioner Saylor seconded to approve the minutes of the December 13, 2023, regular meeting. Motion passed.

Annexation & Comprehensive Plan Map Amendment – Hermiston Home Works, Inc 4N2813 Tax Lots 200 & 500 – 1295 SE 10th St

Chairman Fialka announced the hearing was rescheduled to the next meeting, February 14, 2024, 7:00PM at City Hall.

Major Variance & Subdivision Upland Meadows MonteVista Homes 4N2802A TL 500- 811 E Theater Lane

At 7:11PM, Chairman Fialka stated the hearing is continued from the December 13, 2023, meeting and the guidelines read at that meeting remain in effect. Commissioner Kirkpatrick is the manager of the Hermiston Irrigation District and therefore has a conflict of interest and stepped down from the dais.

Planning Director Spencer presented the supplemental staff report that was given to each commissioner and is attached. The applicant submitted a modified phasing plan and requested changes to the conditions of approval. Staff and the fire district support the modified phasing plan. Revised findings were submitted. A development plan has been agreed upon by all parties regarding the NE 10th St access, fire access, and pedestrian path.

Testimony

Luke Pickerill 22123 Nelson Rd Bend OR 97701- Mr. Pickerill thanked the commissioners for their time. The current conditions require the fire access be installed at 60 lots, which is Phase 3. The asphalt pedestrian path that connects the subdivision to the school is required with lots 75 and 76. Proper barricading can be provided until the path is complete. Mr. Pickerill requested the commissioners to reconsider the no parking on NE 9th Place condition. He prefers it not be a condition. No parking may increase speed and result in less safety.

Chairman Fialka closed the hearing at 7:40PM. Commissioners discussed the desire to include the no parking on NE 9th Place recommendation in the record, but not as a condition of approval. Various traffic calming measures were reviewed including speed bumps, stop signs, and valley gutters. Commissioner Guerrero moved, and Commissioner Sargent seconded to make the project file a part of the record. Motion passed unanimously.



Where Life is Sweet

PLANNING COMMISSION

Regular Meeting Minutes
January 10, 2024

Findings of Fact

**IN A MATTER BEFORE THE CITY OF HERMISTON
BURDEN OF PROOF STATEMENT
for the
Upland Meadows Subdivision**

APPLICANT: MonteVista Homes
[389 SW Scalehouse Ct, Ste 110](#)
Bend, OR 97702

OWNER: Hermiston Irrigation District
366 E Hurlburt Ave
Hermiston, OR 97838

ENGINEER: Jarred Corbell, P.E.
MonteVista Homes
389 SW Scalehouse Ct, Ste 110
Bend, OR 97702

LOCATION: The subject property is approximately 52 acres located directly west of Loma Vista Elementary School, on the north side of Theater Lane. The site has not been assigned an address but is identified as Tax Lot 500 on Umatilla County Tax Map 4N2802A0.

REQUEST: Approval of a 261-lot subdivision, in Phases, within the Medium-High Density Residential Zone (R-3).

I. APPLICABLE CRITERIA:
City of Hermiston Development Code

- Title XV-Land Usage

APPLICABLE STANDARDS:

- Chapter 154 Subdivisions
- Chapter 157 Zoning

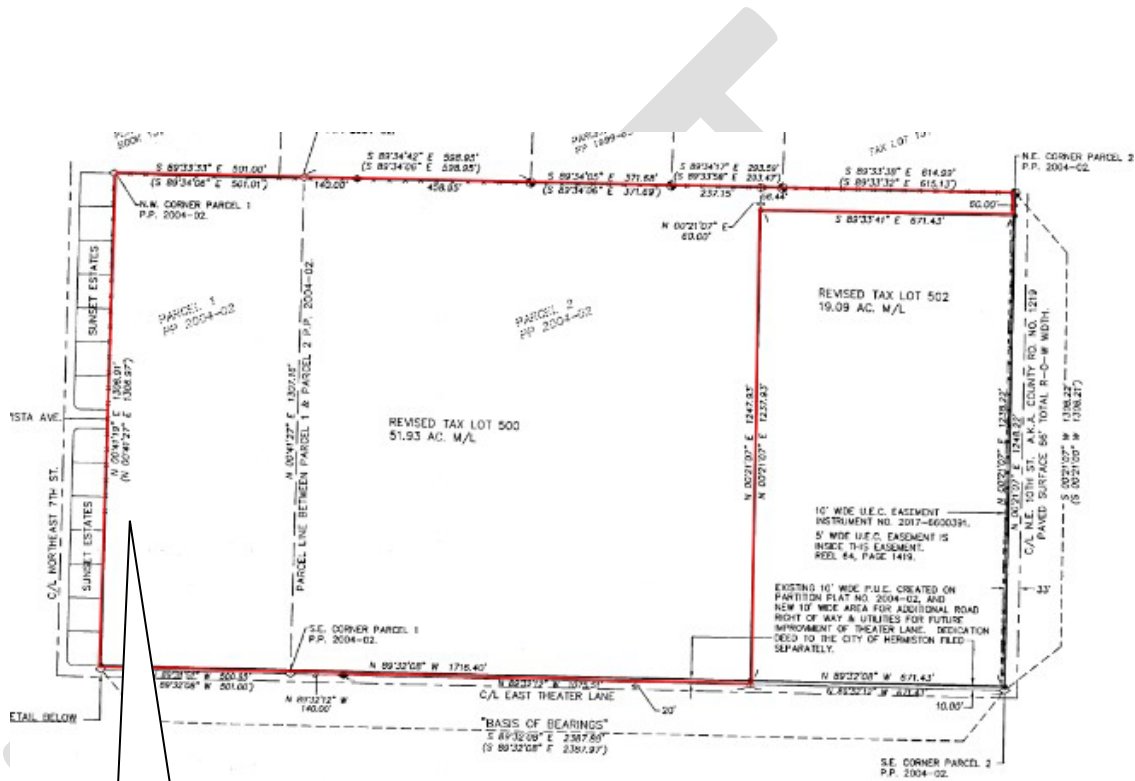
II. GENERAL INFORMATION



PLANNING COMMISSION

Regular Meeting Minutes January 10, 2024

- LOCATION:** The subject property is approximately 52 acres located directly west of Loma Vista Elementary School, on the north side of Theater Lane. The site has not been assigned an address but is identified as Tax Lot 500 on Umatilla County Tax Map 4N2802A0.
- ZONING:** The subject property is within The City Limits of the City of Hermiston in the County of Umatilla and zoned in the City of Hermiston Comprehensive plan as Medium-High Density Residential Zone (R-3). The property is currently annexed into The City of Hermiston.



Source: Umatilla County Tax Map 4N2802A0

**SUBJECT
PROPERTY**



Where Life is Sweet

PLANNING COMMISSION

Regular Meeting Minutes
January 10, 2024



Source: Google Earth



Where Life is Sweet

PLANNING COMMISSION

Regular Meeting Minutes
January 10, 2024

- 3. **SITE DESCRIPTION & SURROUNDING USES:** The subject property contains relatively sloping topography from the north end of the project towards Theater Lane with approximately 30-feet of fall. The site is vacant and covered with native grasses and brush. The parcel lies adjacent to Loma Vista Elementary and north of Theater Lane and has zero developed street access points.

Properties adjacent south and west lie within the City of Hermiston and are developed with single family homes on residential lots. To the north is partially undeveloped land coupled with commercial uses. To the east is Loma Vista Elementary school.

- 4. **PROPOSAL:** Approval of a 261-lot subdivision, in Phases, within the Medium-High Density Residential Zone (R-3).

III. REVIEW CRITERIA:

CONFORMANCE WITH CITY OF HERMISTON DEVELOPMENT CODE:

DESIGN STANDARDS

154.15 RELATION TO ADJOINING STREET SYSTEM.

- (A) The function, location, width, and grade of streets shall be considered in relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of land to be served by the streets.
- (B) The street system shall assure an adequate and safe traffic circulation system with intersection angles, grades, tangents, and curves appropriated for the traffic to be carried, considering the terrain.
- (C) Off-set streets should be avoided.
- (D) The angle of intersection between minor streets and major streets should not vary by more than 10 degrees from a right angle unless special intersection design is provided.
- (E) Streets obviously in alignment with existing streets shall bear the names of the existing streets. All proposed street names should be checked to avoid duplication of other street names.
- (F) If the subdivision abuts a present or proposed major arterial street, marginal interceptor streets running parallel to the arterial street may be required.
- (G) Streets shall be interconnected and provide for continuation or appropriate extension to surrounding properties. Cul-de-sac streets shall be allowed only when one or more of the following conditions exist:
 - (1) Physical or topographic conditions make a street connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands, or other bodies of water where a connection could not reasonably be provided.
 - (2) Buildings or other existing development on adjacent lands physically precludes a connection now or in the future, considering the potential for redevelopment.
 - (3) Where street connections would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of the date of adoption of the TSP which preclude a required street connection.
 - (4) Where cul-de-sacs are planned, multi-use paths connecting the end of the cul-de-sac to other streets or neighborhood activity centers shall be provided if feasible.



PLANNING COMMISSION

Regular Meeting Minutes
January 10, 2024

(5) Cul-de-sac streets shall be as short as possible and should not exceed a length of 400 feet. A cul-de-sac shall terminate with a turn-around.

(Ord. 858, passed 4-14-75; Am. Ord. [2004](#), passed 12-13-99)

RESPONSE: As depicted on the preliminary plat submitted with this application, the proposed street network consists of a grid pattern based upon the foundation of Theater Lane, an existing east-west minor collector street. The grid pattern is extended north and provides for continuation into undeveloped lands to the north. Extension and connectivity is achieved with connection to N E 8th and 9th Place via Theater Lane in the southern end of the project. The proposed street network assures safe and adequate circulation in the transportation system as all intersections are adequately spaced and aligned. Vertical grades in the proposed street locations will be designed to reduce the existing slopes and create a safe and efficient design in compliance within standards and specifications. No dead-end cul-de-sacs are proposed. Proposed street names will be cleared for duplication and submitted for approval prior to filing of the Final Plat.

154.16 STREET AND ALLEY WIDTH.

(A) The width of streets and alleys shall be adequate to fulfill city standards as provided for in the Transportation System Plan (TSP). The standard cross-sections provide some flexibility in the right-of-way and paved width, depending on factors such as whether on-street parking and bike lanes are provided. Standards for streets and alleys are adopted in the TSP and incorporated into this section by reference:

Table 1: Urban Arterial Cross Sections

Table 2: Urban Collector Cross Sections

Table 3: Urban Local Street Cross Sections

Table 4: Rural Arterial/Collector/Local Road Cross Sections

(B) Where alleys are provided in residential blocks, a minimum width of 20 feet shall be required. Alleys are required in the rear of all business lots and shall be at least 25 feet wide. A five-foot cutoff shall be made at all acute angle alley intersections.

(Ord. 858, passed 4-14-75; Am. Ord. [2004](#), passed 12-13-99) Penalty, see § [154.99](#)

RESPONSE: As depicted on the Preliminary Plat submitted with this application, the proposed street sections correspond to the Standards adopted in the TSP and Public Works Standards and Specs of the City of Hermiston. Improvements include the construction of a local street grid network.

154.17 EASEMENTS.

(A) *Width requirements.* Easements of at least six feet in width shall be provided on each side of all rear lot lines and along side lot lines, where necessary, for poles, wires, conduits, storm and sanitary sewers, gas, water or other mains. Easements of greater width may be required along or across lots where necessary for the extension of main sewers or other utilities or where both water and sewer lines are located in the same easement.

(B) *Along streams.* Whenever any stream or important surface drainage course is located in an area which is being subdivided, the subdivider shall provide an adequate easement along each side of the stream for the purpose of widening, deepening, sloping, improving or protecting the stream or for drainage, parkway or recreational use.



Where Life is Sweet

PLANNING COMMISSION

Regular Meeting Minutes

January 10, 2024

(C) *For irrigation.* Whenever any irrigation system is located and/or proposed to be created in an area which is being subdivided, the subdivider shall provide an adequate easement as approved by the Planning Commission and the Hermiston Irrigation District.

(Ord. 858, passed 4-14-75) Penalty, see § [154.99](#)

RESPONSE: As depicted on the Preliminary Plat submitted with this application, easements for public utilities are proposed along the frontage of all lots, as may be necessary for the installation of such. No stream or irrigation easements apply to the subject property.

154.18 BLOCKS.

(A) In residential zones, block lengths shall not exceed 600 feet in length between intersecting through streets, except where topography or existing development creates conditions requiring longer blocks.

(B) Where block lengths exceed 600 feet, the Planning Commission may require a six- to ten-foot-wide paved bicycle/pedestrian access way through the block to enhance bicycle and pedestrian circulation by providing short, direct connections between destinations.

(Ord. 858, passed 4-14-75; Am. Ord. [2004](#), passed 12-13-99) Penalty, see § [154.99](#)

RESPONSE: As depicted on the Preliminary Plat, the proposed block lengths are in not in conformance with this Section. Please refer to Section 154.75 for additional information.

154.19 LOTS.

(A) The lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and the character of surrounding development.

(B) All side lines of lots shall be at right angles to straight street lines and radial to curved street lines, except where a variation to this rule will provide a better street and lot layout. Lots with double frontage shall be avoided.

(C) The minimum width of residential lots shall be 60 feet at the building lines. No lot shall have a depth in excess of three times its width. Minimum sizes of lots shall conform to the standards established by the zoning code of the city for the zone in which the lots are located. Where zero lot line lots are proposed, the minimum lot width shall be a minimum of 60 feet for the aggregate of all attached housing with a minimum of 2,000 square feet for each individual lot.

(D) Where corner lots rear upon lots facing the side street, the corner lots shall have extra width sufficient to permit the establishment of front building lines on both the front and side of the lots adjoining the streets.

(E) Corner lots at street intersections which, in the opinion of the Planning Commission, are likely to be dangerous to traffic movement shall have the corner of the lot cut off either by a chord or circular arc sufficient to allow a minimum of six feet between the curb line and the lot corner when and if the streets are curbed with the curb installed on a radius of 20 feet.

RESPONSE: As depicted on the Preliminary Plat submitted with this application, the proposed arrangement of subdivision lots is similar in form and design to the surrounding residential subdivisions. Side lot lines are proposed perpendicular to the rights of way and double frontage lots are only proposed along the short block fronting Theater Lane in order to prevent direct access to the Collector street. The dimensional properties of the proposed lots are proportional and meet the width to depth ratios in this section. An exception is being requested for the interior lot width. The minimum lot width in this zoning is 60 feet. On the proposed preliminary plat 19 lots would require an exception allowing a width reduction; ranging from 55 to 58.7 feet. Therefore, an exception to lot width is requested under the variance and analysis is included in this application (see section 154.75).



Where Life is Sweet

PLANNING COMMISSION

Regular Meeting Minutes

January 10, 2024

- (F) Where a flag lot is proposed, the following design standards shall apply:
- (1) The access portion shall be at least 25 feet wide.
 - (2) Where two flag lots are proposed, the 25-foot access lane may be shared between the two lots, with each lot having 12.5 feet of access.
 - (a) When two lots share a 25-foot access the city will require access easements to be prepared granting each parcel full access to the entire 25-foot access for ingress and egress.
 - (b) No fencing shall be installed in a shared access which inhibits the right of access for either parcel.
 - (3) The access portion of an access lane shall be paved to a width of at least 20 feet.
 - (4) The access shall include sufficient easements and paved improvements to allow adequate maneuvering space for fire and emergency vehicles.
 - (5) The minimum parcel size, setback and lot coverage requirements of the underlying zone will apply to all flag lots.
 - (a) When determining minimum parcel size, the access lane shall not be included in the calculation of lot size or lot coverage.
 - (b) When determining setback requirements, the front lot line shall be established by projecting an extension of the access lane through the property.
 - (c) The minimum lot width shall be the same as that established in the underlying zone and shall be parallel to the extension of the access lane through the property.
 - (d) The minimum lot depth shall be the same as that established in the underlying zone and shall be perpendicular to the extension of the access lane through the property.
 - (6) No more than two parcels shall be created utilizing a single access flag. When more than two parcels are proposed, a new public street must be created.

(Ord. 858, passed 4-14-75; Am. Ord. [2180](#), passed 7-25-11) Penalty, see § [154.99](#)

RESPONSE: As depicted on the Preliminary Plat submitted with this application, flag style lots are not proposed in this application. Frontages provided are sufficient to construct individual driveway access to each lot.

154.20 CHARACTER OF DEVELOPMENT.

(A) The Planning Commission shall confer with the subdivider regarding the type and character of development that will be permitted in the subdivision and may agree with the subdivider as to certain minimum restrictions to be placed upon the property to prevent the construction of substandard buildings, control the type of structures or the use of the lots which, unless so controlled, would clearly depreciate the character and value of the proposed subdivision and of adjoining property. Deed restrictions or covenants should be included to provide for the proper protection and maintenance of the development in the future; provided, however, that the deed restrictions or covenants shall not contain (reversionary) clauses wherein any lot shall return to the subdivider because of violation thereon of the terms of the restrictions or covenants.

RESPONSE: A draft of protective Covenants will be provided and proposed to be filed for this subdivision at a later date but prior to Final Plat recordation.



PLANNING COMMISSION

Regular Meeting Minutes
January 10, 2024

(B) Where the subdivision contains sewers, sewage treatment plants, water supply systems, park areas, streets, trees or other physical facilities necessary or desirable for the welfare of the area and which are of common use or benefit and are not or cannot be satisfactorily maintained by an existing public agency, provision shall be made by trust agreements made a part of the deed restrictions, acceptable to any agency having jurisdiction over the location and improvement of such facilities, for the proper and continuous maintenance and supervision of the facilities.

(Ord. 858, passed 4-14-75)

RESPONSE: As shown on the preliminary plat, the proposed development does not include open space tracts to be dedicated to the City.

154.21 PARKS, SCHOOL SITES AND THE LIKE.

In subdividing property, consideration shall be given to suitable sites for schools, parks, playgrounds and other common areas for public use so as to conform to any recommendation of the City Comprehensive Plan. Any provision for schools, parks and playgrounds should be indicated on the preliminary plan in order that it may be determined when and in what manner such areas will be provided or acquired by the appropriate taxing agency.

(Ord. 858, passed 4-14-75)

RESPONSE: As shown on the preliminary plat, the proposed development includes a 30-ft wide shared use trail tract through the NE corner of the property to provide access to the adjoining 60-ft wide tract running adjacent to the Loma Vista elementary school. The applicant proposes to transfer of both the 30-ft wide and 60-ft wide tracts to the City of Hermiston but the applicant intends on improving a portion of the tract as a shared pedestrian trail, to be owned and maintained by the City.

154.22 ACCESS MANAGEMENT.

Access spacing policies set forth in the City Transportation System Plan and the Oregon Highway Plan will apply to any proposals for new access or change of existing access.

(Ord. [2004](#), passed 12-13-99)

RESPONSE: The subject property lies adjacent and north to Theater Lane, classified as a minor collector on the Transportation System plan (update 2014). The proposed Preliminary Plat indicates 2 new connections to Theater lane opposite existing connections of N E 8th Place and N E 9th Place. Based on these existing connections and points of connectivity, the existing spacing should be found adequate. Therefore, the spacing of the proposed street intersections is compliant with the TSP and City Standards.

The proposed development includes frontage for 1 driveway approach per lot. Per Table 6-1 of the Public Works Design Standards, each residential lot on a collector or local street is allowed 1 approach of 12-24 feet width (or 28' maximum for three car garages). However, the proposed block layout allows for one row of double frontage lots along Theater Lane. There will be no proposed driveway access points from Theater Lane.

SUBDIVISIONS PRELIMINARY PLAT

154.35 PRELIMINARY PLAT REQUIREMENTS.

(A) Whenever any person desires to subdivide land into building lots and to dedicate streets, alleys or land for public use, the person shall submit four copies of the preliminary sketch plat conforming to the requirements of 154.15 through 154.21 to the Planning Commission before submission of the final plat.



PLANNING COMMISSION

Regular Meeting Minutes
January 10, 2024

(B) The preliminary plat must be filed with the City Planner at least 30 days prior to the meeting of the Planning Commission. Minor partitions containing three lots or less may be exempted from the provisions of this section.

(C) The preliminary plat shall show:

- (1) The location of present property lines, section lines and the lines of incorporated areas, streets, buildings, water courses, tree masses and other existing features within the area to be subdivided and similar information regarding existing conditions on land immediately adjacent thereto;
- (2) The proposed location and width of streets, alleys, lots, building and setback lines and easements;
- (3) Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract or immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet are to be indicated in a general way upon the plat;
- (4) The title under which the proposed subdivision is to be recorded and the name of the subdivider platting the tract;
- (5) The names and adjoining boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels of unsubdivided land;
- (6) Contours referred to a City Engineer's bench mark with intervals sufficient to determine the character and topography of the land to be subdivided, but in no case shall the intervals be more than one foot;
- (7) North point, scale and date;
- (8) Grades and profiles of streets and plans or written and signed statements regarding the grades of proposed streets; and the width and type of pavement, location, size and type of sanitary sewer or other sewage disposal facilities; water mains and other utilities; facilities for storm water drainage and other proposed improvements such as sidewalks, planting and parks, and any grading of individual lots; and
- (9) All the above information unless waived by the Planning Commission.

(D) After the preliminary plat has been submitted to the Planning Commission in accordance with these regulations, a final plat, together with copies of any deed restrictions, shall be prepared and submitted to the City Planner. The plat shall be filed in the office of the City Planner at least 14 days prior to the meeting of the Planning Commission at which approval thereof is asked. This final plat shall be submitted and prepared in accordance with the provisions of 154.45 through 154.46 hereof.

(Ord. 858, passed 4-14-75) Penalty, see § [154.99](#)

RESPONSE: As depicted on the Preliminary Plat Map submitted with this application, the required information is provided, in conjunction with this narrative and materials provided.

REQUIRED MINIMUM IMPROVEMENTS

154.60 PERMANENT MARKERS.

All subdivisions, major partitions and minor partitions are required to be surveyed in accordance with ORS [92.050](#) through [92.080](#).

(Ord. 858, passed 4-14-75; Am. Ord. [1769](#), passed 9-28-92) Penalty, see § [154.99](#)



PLANNING COMMISSION

Regular Meeting Minutes
January 10, 2024

RESPONSE: This section is procedural and the requirement will be met before Umatilla County Surveyor's Office will sign off on the final subdivision plat.

154.61 GENERAL IMPROVEMENTS.

As a condition to the approval of the final plat, the city shall require installation of certain grading, drainage, curb and gutter, sidewalk and street paving and all service utilities. A developer's agreement shall be drafted guaranteeing installation of said improvements to standard city specifications. In lieu of completion of the work, the city may accept a bond, a letter of credit or other securities in an amount and under conditions to be specified. In case of forfeiture of securities, the city will do the work and will be reimbursed in the amount of the securities.

(Ord. 858, passed 4-14-75; Am. Ord. [1041](#), passed 3-14-77) Penalty, see § [154.99](#)

154.62 WATER LINES.

Where the city public water supply is reasonably accessible or procurable, each lot within the subdivided area shall be planned for connection to the water supply. In all other areas a private water supply shall be provided in accordance with regulations and recommendations of the State Department of Environmental Quality and under the supervision of and approval by same. Fire hydrants shall also be installed in all subdivisions within the city.

(Ord. 858, passed 4-14-75) Penalty, see § [154.99](#)

154.63 SANITARY SEWERS.

Within the city limits, and in all areas beyond the city limits, but lying within the potential sewerage limits as shown by the Comprehensive Plan, the preliminary plat shall show the sanitary sewer layout for the area being subdivided. This layout shall comply with regulations of the State Department of Environmental Quality and shall be approved by the City Engineer.

(Ord. 858, passed 4-14-75) Penalty, see § [154.99](#)

154.64 DRAINAGE.

- (A) All necessary facilities shall be installed sufficient to prevent the collection of surface water in any low spot and to maintain any natural water course.
- (B) All major and minor partitions of land shall meet the requirements of the National Flood Insurance Act of 1968 and as amended, as applied to lands within the city.

(Ord. 858, passed 4-14-75) Penalty, see § [154.99](#)

154.65 SIDEWALKS.

- (A) All development for which land use applications are required must include sidewalks adjacent to public streets. This requirement also applies to new single-family homes and duplexes if there is an existing sidewalk within 500 feet on the same side of the street.
- (B) In the case of arterial or collector streets, sidewalks shall be built during their construction and considered during their reconstruction.
- (C) If an interim street standard is being constructed which does not include bike lanes or sidewalks, a paved shoulder at least six feet wide shall be provided as an interim walkway.
- (D) The provisions of sidewalks may be waived where the street serves fewer than 50 trips per day (based on ITE standards) and cannot be continued or extended to other properties.



Where Life is Sweet

PLANNING COMMISSION

Regular Meeting Minutes
January 10, 2024

(E) Standards for the design, width, and location of sidewalks are set forth in the Transportation System Plan and are adopted by reference.

(Ord. [2004](#), passed 12-13-99) Penalty, see § [154.99](#)

154.66 BIKEWAYS.

(A) The city's adopted Bicycle Plan is included in the Transportation System Plan, and adopted as part of the Comprehensive Plan by reference.

(B) In the case of arterial or collector streets, bike lanes shall be built during their construction, and considered during their reconstruction.

(C) Standards for the design, width, and location of bike lanes are set forth in the Transportation System Plan and are adopted by reference.

(Ord. [2004](#), passed 12-13-99) Penalty, see § [154.99](#)

RESPONSE: As shown on the submitted Preliminary Plat, provisions have been made for the installation of public sewer, water, utility, and street improvements in conformance with this section. With approval of this land use action, engineered plans will be submitted for approval, and with such, the applicant can construct the necessary and required infrastructure to serve the development.

ADMINISTRATION AND ENFORCEMENT

154.75 VARIATIONS AND EXCEPTIONS.

Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by development or unusual conditions that the strict application of the requirements contained in these regulations would result in real difficulties or substantial hardship or injustice, the City Council may vary or modify requirements so that the subdivider may develop the property in a reasonable manner but so that, at the same time, the public welfare and interests of the city and surrounding area are protected and the general intent and spirit of these regulations preserved.

(Ord. 858, passed 4-14-75)

RESPONSE: In consideration of the physical and dimensional properties of the subject parcel, and the potential future development pattern of vacant or underdeveloped properties, the applicant requests exceptions to the following sections.

1. 154.18 Block Length – Due to the subdivision's requirements to connect to local streets, we are bound by the 8th Street and 9th Street connectors to the south side of the project. By maintaining the 9th street connection throughout the subdivision, it is forcing the block lengths to be extended beyond the City's 600-ft maximum by 200 feet, which also results in a 50-ft reduction for the blocks lengths to the east of 9th street. Due to topography and transportation considerations, it does not create a benefit to the project to integrate undue horizontal geometry to 9th street within the project limits. It is our opinion that this connection and block length increase does not create a health, welfare and safety concern.

2. 154.19(c) LOTS, 157.027(C)(4) MEDIUM-HIGH DENSITY RESIDENTIAL ZONE (R-3)- Due to the physical dimensions of the properties of the subject parcel, and in consideration of market demands, the applicant requests a variance from the minimum lot width of 60' for 19-interior lots to range from 55-58.97' minimum width. The existing topography on the western and eastern borders of the property will require some form of retaining walls. Due to this, the depth of those lots must be increased to account for appropriate setbacks as well as retainage. This scenario, when combined with the required placement of 9th street and other right of way requirements for connectivity, as well as placing as many 60-ft wide lots as possible, yields 19 interior lots below standard. If the variance were not granted, this would result in 19



Where Life is Sweet

PLANNING COMMISSION

Regular Meeting Minutes
January 10, 2024

lots being lost and the remaining lots would absorb these widths resulting in many lots being well above 60-ft wide. This would cause undue land development costs being spread across less Units. The 19 Lots represent 6.8% of the total lots.

As a developer and builder, the applicant has the experience and capability of providing the product proposed within the project on lots that are overall consistent with Code, yet simply require less frontage per lot, which reduces cost per lot for public improvements, and thereby improves the affordability for the end user. Additional exhibits will be provided and presented at the Commission Hearing.

RESIDENTIAL ZONES

157.025 SINGLE-FAMILY RESIDENTIAL ZONE (R-1).

(A) *Uses permitted outright.* In a R-1 zone, only the following uses and their accessory uses are permitted outright:

- (1) Single-family dwelling;
- (2) Residential care home;
- (3) Home occupations;
- (4) Accessory structures;
- (5) Family day care provider;
- (6) Manufactured dwelling placed on an individual lot outside of a manufactured dwelling park and subject to requirements of § [157.145](#). This requirement shall not be construed as abrogating a recorded restrictive covenant; and
- (7) Utility facilities as defined in § [157.143](#).

157.026 DUPLEX RESIDENTIAL ZONE (R-2).

(A) *Uses permitted outright.* In a R-2 zone, only the following uses and their accessory uses are permitted outright:

- (1) A use permitted in the R-1 zone; and
- (2) Two-family dwelling.

157.027 MULTIPLE-FAMILY RESIDENTIAL ZONE (R-3).

(A) *Uses permitted outright.* In a R-3 zone, only the following uses and their accessory uses are permitted outright:

- (1) A use permitted in the R-2 zone;
- (2) Bed and breakfast, boarding, lodging or rooming house;
- (3) Multiple-family dwelling; and
- (4) Residential care facility.

(C) *Lot size.* In a R-3 zone, the lot size shall be as follows:

- (1) The minimum lot area for single-family dwellings shall be 5,000 square feet for an interior lot and 6,000 square feet for a corner lot;
- (2) The minimum lot area for two-family dwellings shall be 6,500 square feet for an interior lot and 7,200 square feet for a corner lot;



Where Life is Sweet

PLANNING COMMISSION

Regular Meeting Minutes
January 10, 2024

- (3) For multiple-family dwellings, the minimum lot area shall be 7,500 square feet or 2,000 square feet per dwelling unit, whichever is greater;
- (4) The minimum lot width at the front building line shall be 60 feet for an interior lot, 70 feet for a corner lot, and 25 feet for cul-de-sac lots; and
- (5) The minimum lot depth shall be 80 feet.

RESPONSE: The subject property is zoned Multiple Family Residential (R-3). The proposed use is permitted outright. As shown on the tentative plan, lot sizes vary from 5,775 sf up to 11,000 sf. Lots widths vary from 55 feet to 70 feet wide, and the typical lot depth is 105 feet. An exception is requested in section 154.75.

(D) *Setback requirements.* Except as provided in § [157.140](#), in a R-3 zone the yards shall be as follows:

- (1) The front yard shall be a minimum of 15 feet, measured from the foundation. The garage shall be constructed at 20 feet measured from the foundation. When a covered patio or covered porch is constructed in the front yard, the porch or patio may be constructed with a ten-foot setback;
- (2) Each side yard shall be a minimum of five feet, measured from the foundation, except that on corner lots the side yard on the street side shall be a minimum of ten feet measured from the foundation; and
- (3) The back yard shall be a minimum of ten feet, measured from the foundation. However, for any structure exceeding 15 feet in height, the rear yard shall be increased one foot, up to a maximum of 25 feet, for every foot, or fraction thereof, above 15 feet.

(E) *Height of buildings.* In a R-3 zone, no buildings shall exceed a height of 35 feet.

(F) *Lot coverage.* In a R-3 zone, buildings shall not occupy more than 45% of the lot area. Covered decks, porches, patios, and gazebos may occupy an additional five percent of the total lot area.

RESPONSE: The proposed subdivision provides lots of sufficient size and dimension to construct the proposed housing within the parameters of this section. The criteria in this section will be further analyzed with building permit application, where actual structures are proposed, and those particular dimensions can be identified for compliance.

157.150 TRANSPORTATION IMPROVEMENTS, STANDARDS, AND PROCEDURES.

(A) *Purpose.* The purpose of this section is to provide standards and procedures to implement provisions of the State Transportation Planning Rule (OAR 660, Division 12) and local, regional, and state transportation plans.



Where Life is Sweet

PLANNING COMMISSION

Regular Meeting Minutes

January 10, 2024

(B) *Applicability.* The provisions of this section shall apply to all development and subdivisions subject to the Development Standards of 157.160 et seq.

(C) *Notice and coordinated review.* If a proposed development or subdivision is within 200 feet of a state highway, or an arterial or collector street, notice of the proposal shall be provided to the Oregon Department of Transportation (ODOT) and Umatilla County. Notice will help identify agency standards and provide an opportunity for agency input and coordinated review of transportation impacts.

(D) *Zone changes.* In addition to the zone change approval criteria set forth in 157.226(E), all zone changes shall conform to the adopted Transportation System Plan (TSP). Proposed zone changes shall not substantially impact the functional classification or operation of transportation facilities. To ensure proper review and mitigation, a traffic impact study may be required for proposals that may impact transportation facilities.

(E) *Traffic impact study.* The applicant for a zone change, or a development or subdivision subject to the Development Standards of 157.160 et seq., shall submit a traffic impact study when the proposal affects a transportation facility if it:

- (1) Changes the functional classification of an existing or planned transportation facility;
- (2) Changes standards implementing a functional classification system;
- (3) Allows types or levels of land use that would result in levels of traffic or access that are inconsistent with the functional classification of a transportation facility; or
- (4) Would reduce the level of service of the facility below the minimum acceptable level identified in the Transportation System Plan.

RESPONSE: The subject property is adjacent to Theater Lane, a Minor Collector. Per the attached letter from Clemow Associates, taking into consideration the Traffic Impact Analysis of the Loma Vista Elementary School and our proposed trips, the proposed subdivision does not change the functional classification of Theater Lane.

This application proposes 261 single family lots. Analysis of trip generation is as follows:

USE	ITE Rate	Trips/Day	PM Peak
261 Single family detached	9.38/unit	2447	260

The proposed development includes a network of local roadways, and connections to Theater Lane; a Minor Collector. Therefore, the development is not expected to change the functional classification of any facility, or standards of implementation of the system plan. The development is consistent with the planned zoning designation and the functional classification of the transportation network will not reduce the level of service of said facilities to levels below those in the Transportation plan.

(F) *Transportation projects.* The following transportation projects are permitted outright in all zones in the city:

- (1) Normal operation, maintenance, repair, and preservation activities associated with transportation facilities.
- (2) Installation of culverts, pathways, fencing, guardrails, lighting, and similar types of improvements that take place within the public right-of-way.
- (3) Landscaping as part of a transportation facility.



Where Life is Sweet

PLANNING COMMISSION

Regular Meeting Minutes

January 10, 2024

- (4) Acquisition of right-of-way for public roads, highways, and other transportation projects identified in the TSP.
- (5) Transportation projects specifically identified in the TSP.
- (6) Emergency measures as necessary for the safety and protection of property.

RESPONSE: There are no proposed changes to Theater Lane.

(G) *Access management.* The following access management provisions shall apply to all development and subdivisions subject to the Development Standards of § [157.160](#) et seq.:

- (1) Development shall preserve the flow of traffic in terms of safety, capacity, functional classification, and level of services. Access management policies set forth in the city TSP and the Oregon Highway Plan will apply to any proposals for new access or change of existing access.
- (2) Residential driveways shall be located to optimize intersection operation and, where possible, to access off the street with the lowest functional classification. For example, if a house is located on the corner of a local street and a minor collector, the driveway shall access from the local street as long as it can be located a sufficient distance from the intersection.
- (3) Properties that front on collector or arterial streets are encouraged to share an access with neighboring properties.
- (4) Access to state highways is regulated by the Oregon Department of Transportation (ODOT) as described in the Oregon Highway Plan. Umatilla County regulates access to county roads.
- (5) A system of joint use driveways, sidewalks, and cross access easements shall be established for commercial and office developments wherever feasible and shall incorporate the following:
 - (a) A design speed of ten m.p.h. and a maximum width of 20 feet to accommodate two-way travel aisles for automobiles, service vehicles, and loading vehicles.
 - (b) A unified access and circulation plan for coordinated or shared parking areas.
- (6) Pursuant to subsection (5) of this section, property owners shall record the following documents with the Umatilla County Recorder:
 - (a) An easement allowing cross access to and from other properties served by the joint use driveways, sidewalks, and cross access or service drive;
 - (b) A joint maintenance agreement defining maintenance responsibilities of property owners.
- (7) The Planning Director or the Planning Commission may modify or waive the requirements of subsections (5) and (6) of this section where the characteristics or layout of abutting properties would make development of a unified or shared access and circulation system impractical.

RESPONSE: This proposed subdivision creates a local road network with single family residential lots. Residential lots will be served by single driveway aprons accessing the local street network. Those lots double fronting along Theater Lane, a Minor Collector street, will contain access restrictions on the recorded subdivision plat, limiting driveways to the local street frontage.

This application does not propose commercial accesses, or access to a State Highway.

(H) *Street standards.* Standards for streets, sidewalks, bike lanes, planting strips and right-of-way widths are adopted in the TSP and incorporated into this section by reference:

Table 1: Urban Arterial Cross Sections



PLANNING COMMISSION

Regular Meeting Minutes
January 10, 2024

Table 2: Urban Collector Cross Sections

Table 3: Urban Local Street Cross Sections

Table 4: Rural Arterial/Collector/Local Road Cross Sections

(I) *Right-of-way dedication and improvement.* Right-of-way shall be dedicated as part of the development approval process. Improvements shall take place consistent with adopted street standards concurrent with the development or under a development agreement approved by the City Planning Commission or City Council.

(J) *Bike lanes and bikeways.* Bike lanes and bikeways shall be provided in accordance with the adopted TSP. Except as amended or altered by the TSP, bike lanes shall be provided along collector and arterial streets. Bike lanes and bikeways shall be constructed consistent with ODOT bicycle plan standards.

(K) *Sidewalks.* Sidewalks shall be provided along both sides of public streets, consistent with the standards of the TSP. Options are provided for curbside or setback sidewalks.

(L) *Internal connections and bicycle parking.*

(1) Internal pedestrian circulation shall be provided within new commercial, office, institutional and multifamily residential developments through the clustering of buildings, construction of hard surface walkways, landscaping, or similar techniques.

(2) Internal pedestrian systems shall connect with external existing or planned systems. Walkways shall be as direct as possible and shall limit out-of-direction travel. Walkways shall be paved with a hard surface material and shall be no less than five feet in width. The walkways shall be separated from parking areas and internal driveways using curbing, landscaping, or distinctive paving material.

(3) Opportunities for at least one pedestrian walkway should be provided between adjacent commercial, office, and institutional development.

(4) Bicycle parking shall be provided for new commercial, office, institutional, and multifamily developments with more than 15 off-street parking spaces. Bicycle parking spaces must be a minimum of six feet in length, two feet in width, and have an overhead clearance of six feet. Bicycle parking spaces should be located as near as possible to building entrances used by automobile occupants.

(Ord. [2003](#), passed 12-13-99)

RESPONSE: As shown on the Preliminary Plat, the proposed road sections are consistent with the Public Works Standards and TSP. Additional right of way dedications will be shown on the final plat. It is recommended the City will monitor NE 9th Place for traffic issues and consider additional measures including no parking.

CONCLUSION- REQUEST for APPROVAL: Based on the plans and supporting documents submitted with this application, the approval criteria of Chapter 154 Subdivisions and Chapter 157 Zoning of Title XV, City of Hermiston Code being addressed in this narrative, the applicant requests approval of the 261 lot subdivision.

Conditions of Approval



Where Life is Sweet

PLANNING COMMISSION

Regular Meeting Minutes

January 10, 2024

1. Applicant shall work with and receive certification from the Hermiston Irrigation District prior to final plat approval. Applicant should be aware that the City of Hermiston will not sign the final plat until the irrigation district has been satisfied and signs the final plat.
2. Applicant must sign an improvement agreement and shall install grading, storm drainage, curb and gutter, sidewalks, street paving, and all service utilities for this development. All improvements for each phase shall comply with city standards and specifications and shall receive final approval from the city engineer.
3. Streetlights shall be installed at the applicant's cost. Once installed, the City will assume the monthly service charges.
4. Applicant shall comply with all provisions of 92.12 of the Hermiston Code of Ordinances (relating to the control of blowing dust) during all phases of construction.
5. All streets shall be designated in accordance with §94.22 of the Hermiston Code of Ordinances as detailed in the findings of fact for Chapter 94. Specifically, Roads 2, 3, and 4 are streets running east/west and shall all be designated as Avenues. The NE 9th Place extension is properly designated on the preliminary plat and shall retain that designation. Road 1 forms a complete loop around the development and shall be designated as a Drive. A short section of road is in alignment with NE 8th Place and shall be designated as NE 8th Place.
6. Easements of at least 10 feet in width shall be provided along all street frontages.
7. The development abuts NE 10th Street. Although no access to NE 10th Street is proposed, the 60 feet of frontage for NE 10th Street shall be improved to urban major collector status concurrent with the Phase 8 improvements. Should the phasing of the development change from that proposed on the preliminary plat, the improvements shall be installed at the same time as the improvements corresponding to Phase 8 on the preliminary plat.
8. The north line of E Theater Lane along the entire frontage of the development shall be improved to urban minor collector status concurrent with each abutting phase improvements.
9. A connection to NE 10th Street is necessary for pedestrian access and secondary fire access.
 - a) Thirty feet of right of way shall be dedicated to the City between Lots 75 and 76. The right of way between Lots 75 and 76 shall be improved with 20 feet of asphalt paving and drainage improvements necessary to contain storm water within the right of way. The 20-foot asphalt access may taper to 15 feet where it intersects the public street shown as Road 1.
 - b) The sixty-foot-wide access to NE 10th Street shall be dedicated to the City as right of way. The secondary fire access shall be improved with 15 feet of gravel from the east boundary of Lot 75 to NE 10th Street. An additional 8 feet of asphalt shall be installed from the east boundary of Lot 75 to NE 10th Street to provide pedestrian access to Loma Vista Elementary and NE 10th Street. Drainage improvements necessary to contain storm water within the right of way shall be installed at the developer's expense.



PLANNING COMMISSION

Regular Meeting Minutes
January 10, 2024

- c) The development shall be phased according to the approved January 10, 2024 phasing plan. The secondary fire access shall be installed in a temporary format acceptable to the Umatilla County Fire District #1 at such time that the development exceeds sixty lots.
 - d) Final improvements, including the asphalt pedestrian access connecting to NE 10th Street, shall be entirely completed at such time that the phase containing Lots 75 and 76 on the preliminary plat (designated as Phase 8) is constructed.
 - e) Following completion of the secondary fire access and pedestrian trail, the City will assume maintenance responsibility for these improvements.
 - f) The City shall retain the authority to modify the phasing plan in the event that unforeseen circumstances arising during the design and construction process necessitate an amendment to accommodate physical conditions. In no circumstance shall the City delay construction of the secondary fire access beyond sixty lots.
10. Comprehensive Plan Figure 12 identifies this site as an area subject to development hazards due to excessively well drained soils. Therefore, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels.
11. A notation shall be placed on the final plat stating that lots 34 through 56 shall not establish driveways onto E Theater Lane.

Commissioner Saylor moved, and Commissioner Hamm seconded to adopt the findings of fact as Amended. Motion passed unanimously. Commissioner Saylor moved, and Commissioner Caplinger seconded to impose the conditions of approval as amended (delete #12). Motion passed unanimously. Commissioner Hamm moved, and Commissioner Sargent seconded to approve the lot width variance request or nineteen lots. Motion passed unanimously. Commissioner Hamm moved, and Commissioner Guerrero seconded to approve the block length variance request. Motion passed unanimously. Commissioner Hamm moved, and Commissioner Doherty seconded to approve the preliminary plat with the conditions of approval. Motion passed unanimously.

Commissioner Kirkpatrick returned to the dais.

Final Plat – Amazon Data Services Inc 4N2823 Tax Lot 200 – 908 E Penney Ave

Planning Director Spencer presented the staff report. This partition creates three lots, one for the data center site, one for a substation, and one for future development. The city is purchasing the lot designated for future development. Conditions of approval 1 & 2 remain in effect while condition 3 has been satisfied.

Commissioner Hamm declared a potential conflict of interest and stated his role with UEC would not bias his decision. After a brief discussion, Commissioner Hamm moved, and Commissioner Sargent seconded to approve the final plat with the conditions of approval. Motion passed unanimously.

Planner Comments and Unscheduled Communication

Planning Director Spencer asked the commissioners to consider volunteering for a technical advisory committee that will review the Transportation System Plan update and the Safe Streets for All projects. The committee will meet for approximately 9 times in a twenty-four month period.

Commissioners discussed SE 10th St; specifically the GRATE project and Weber’s property.



PLANNING COMMISSION

Regular Meeting Minutes
January 10, 2024

Adjournment

Chairman Fialka adjourned the meeting at 8:07PM.

DRAFT



Where Life is Sweet

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

Title/Subject

Supplemental Memo – Upland Meadows Subdivision - MonteVista Homes 4N2802A Tax Lot 500 - 811 E Theater Ave

Summary and Background

The applicant has submitted a modified phasing plan for the development and requested that the city amend Condition 9 to reflect the revised phasing plan and time secondary access improvements to match the plan.

Staff met with the applicant and representatives of the Umatilla County Fire District on January 3 to discuss the 30-lot requirement and how to best address the grade of the site. As noted in the original reports, fire rules require a second access to be installed at the time development exceeds 30 lots and that the accesses be spaced more than half the diagonal distance of the area being served. By modifying the phasing plan, the applicant is able to decrease the diagonal distance and add a second point of access to E Theater Lane earlier in the development process.

The original phasing plan proposed constructing a new access for NE 9th Place and extending development to the east property line. This phasing put 23 lots in the first phase and created the next street connection at the lowest point in the development, creating grading and slope issues for the secondary access when Phase 2 was constructed to the immediate north.

The revised phasing plan now builds Phases 1 and 2 at the connection points for NE 8th Place and NE 9th Place. Ninth will be constructed with Phase 1 and 8th will be constructed with Phase 2. Moving the phasing westward allows the developer to better concentrate lots and space access points in compliance with the fire spacing standard. After discussing the phasing and spacing with staff, an agreement has been reached that the second access to E Theater Lane provides adequate spacing for up to 60 lots as long as Phases 1 and 2 are built in compliance with the phasing plan. Following this phasing plan also allows the street extensions within the development to be built far enough to the north to cross the steepest portion of the grade, making it more feasible to construct the emergency secondary access without requiring retaining walls or steep cuts which may be unstable in the future.

Staff recommends that the planning commission consider the revised phasing plan which is supported by staff and UCFD#1. Utilizing this phasing plan will allow a minimum of 49 lots to be serviced with two accesses to E Theater Lane and potentially up to 60 lots depending on

timing of improvements. Staff has drafted revisions to Condition #9 which reflect the information.

The developer also requests the planning commission to reconsider the imposition of Condition #12 regarding potential no-parking designation in the future. The applicant notes that NE 8th Street to the west connects E Theater Lane to Punkin Center Road and does not have a similar no-parking status. Staff notes for this report that NE 8th Street has 58 driveways accessing the street and the proposed NE 9th Place has no points of access except for the proposed public streets. As discussed during the December meeting, Condition #12 is advisory only. The planning commission is not a body with regulatory authority to designate no-parking zones but may make recommendations to the city council in this regard. Typically, the city council will only designate no-parking zones in areas with excessive vehicle accidents or a significant volume of citizen complaints.

Tie-In to Council Goals

N/A

Fiscal Information

N/A

Alternatives and Recommendation

Alternatives

The planning commission may choose to:

- Approve or reject the lot width variance
- Approve or reject the block length variance
- Approve the subdivision plat and conditions
- Approve the subdivision plat and modify the conditions
- Modify the subdivision plat
- Reject the subdivision plat

Recommended Action/Motion

Motion to adopt findings of fact.

Motion to impose conditions of approval.

Motion for decision on lot width variance.

Motion for decision on block length variance.

Motion for decision on preliminary plat.

Submitted By:

Clinton Spencer, Planning Director

EXHIBIT C
Conditions of Approval
(Supplemental Revision)
Upland Meadows Subdivision
January 10, 2024

1. Applicant shall work with and receive certification from the Hermiston Irrigation District prior to final plat approval. Applicant should be aware that the City of Hermiston will not sign the final plat until the irrigation district has been satisfied and signs the final plat.
2. Applicant must sign an improvement agreement and shall install grading, storm drainage, curb and gutter, sidewalks, street paving, and all service utilities for this development. All improvements for each phase shall comply with city standards and specifications and shall receive final approval from the city engineer.
3. Streetlights shall be installed at the applicant's cost. Once installed, the City will assume the monthly service charges.
4. Applicant shall comply with all provisions of 92.12 of the Hermiston Code of Ordinances (relating to the control of blowing dust) during all phases of construction.
5. All streets shall be designated in accordance with §94.22 of the Hermiston Code of Ordinances as detailed in the findings of fact for Chapter 94. Specifically, Roads 2, 3, and 4 are streets running east/west and shall all be designated as Avenues. The NE 9th Place extension is properly designated on the preliminary plat and shall retain that designation. Road 1 forms a complete loop around the development and shall be designated as a Drive. A short section of road is in alignment with NE 8th Place and shall be designated as NE 8th Place.
6. Easements of at least 10 feet in width shall be provided along all street frontages.
7. The development abuts NE 10th Street. Although no access to NE 10th Street is proposed, the 60 feet of frontage for NE 10th Street shall be improved to urban major collector status concurrent with the Phase 8 improvements. Should the phasing of the development change from that proposed on the preliminary plat, the improvements shall be installed at the same time as the improvements corresponding to Phase 8 on the preliminary plat.
8. The north line of E Theater Lane along the entire frontage of the development shall be improved to urban minor collector status concurrent with each abutting phase improvements.

9. A connection to NE 10th Street is necessary for pedestrian access and secondary fire access.
 - a) Thirty feet of right of way shall be dedicated to the City between Lots 75 and 76. The right of way between Lots 75 and 76 shall be improved with 20 feet of asphalt paving and drainage improvements necessary to contain storm water within the right of way. The 20-foot asphalt access may taper to 15 feet where it intersects the public street shown as Road 1.
 - b) The sixty-foot-wide access to NE 10th Street shall be dedicated to the City as right of way. The secondary fire access shall be improved with 15 feet of gravel from the east boundary of Lot 75 to NE 10th Street. An additional 8 feet of asphalt shall be installed from the east boundary of Lot 75 to NE 10th Street to provide pedestrian access to Loma Vista Elementary and NE 10th Street. Drainage improvements necessary to contain storm water within the right of way shall be installed at the developer's expense.
 - c) The development shall be phased according to the approved January 10, 2024 phasing plan. The secondary fire access shall be installed in a temporary format acceptable to the Umatilla County Fire District #1 at such time that the development exceeds sixty lots.
 - d) Final improvements, including the asphalt pedestrian access connecting to NE 10th Street, shall be entirely completed at such time that the phase containing Lots 75 and 76 on the preliminary plat (designated as Phase 8) is constructed.
 - e) Following completion of the secondary fire access and pedestrian trail, the City will assume maintenance responsibility for these improvements.
 - f) The City shall retain the authority to modify the phasing plan in the event that unforeseen circumstances arising during the design and construction process necessitate an amendment to accommodate physical conditions. In no circumstance shall the City delay construction of the secondary fire access beyond sixty lots.
10. Comprehensive Plan Figure 12 identifies this site as an area subject to development hazards due to excessively well drained soils. Therefore, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels.
11. A notation shall be placed on the final plat stating that lots 34 through 56 shall not establish driveways onto E Theater Lane.
12. The Planning Commission recommends the City Council designate NE 9th Place as no parking.

SITE DESIGN:

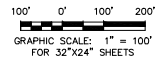
ZONING: R3
 TOTAL ACRES: 51.93 ACRES
 TOTAL # OF LOTS: 261
 OPEN SPACE AREA: 3,237 S.F.

R3 LOT REQUIREMENTS:

MINIMUM INTERIOR LOT SIZE: 5,000 SF
 MINIMUM CORNER LOT SIZE: 6,000 SF
 MINIMUM INTERIOR LOT WIDTH: 60' (VARIANCE REQUESTED ON 18 LOTS TO ALLOW FOR A WIDTH REDUCTION OF 5' OR LESS)
 MINIMUM CORNER LOT WIDTH: 75'
 MINIMUM CUL-DE-SAC LOT WIDTH: 25'
 MINIMUM LOT DEPTH: 80'
 MAXIMUM BUILDING HEIGHT: 35'
 MAXIMUM LOT COVERAGE: 45% (DECKS AND PORCHES CAN COVER AN ADDITIONAL 5%)

SETBACKS:

FRONT: 15'
 GARAGE: 20'
 PORCH/PATIO: 10'
 SIDE: 5'
 CORNER: 10'
 REAR: 10' + 1' FOR EVERY FOOT THE BUILDING HEIGHT EXCEEDS 15'



CEB003709
MonteVista Homes
 www.MonteVistaHomes.com
 Built with You in Mind

DESIGNED BY: EDN
DRAWN BY: EDN
DATE: 9/12/2023

UPLAND MEADOWS
 TENTATIVE PLAT
 OVERVIEW

No.	REVISIONS:	DATE:

SHEET: P.20

EXHIBIT C
Conditions of Approval
Upland Meadows Subdivision
January 10, 2024

1. Applicant shall work with and receive certification from the Hermiston Irrigation District prior to final plat approval. Applicant should be aware that the City of Hermiston will not sign the final plat until the irrigation district has been satisfied and signs the final plat.
2. Applicant must sign an improvement agreement and shall install grading, storm drainage, curb and gutter, sidewalks, street paving, and all service utilities for this development. All improvements for each phase shall comply with city standards and specifications and shall receive final approval from the city engineer.
3. Streetlights shall be installed at the applicant's cost. Once installed, the City will assume the monthly service charges.
4. Applicant shall comply with all provisions of 92.12 of the Hermiston Code of Ordinances (relating to the control of blowing dust) during all phases of construction.
5. All streets shall be designated in accordance with §94.22 of the Hermiston Code of Ordinances as detailed in the findings of fact for Chapter 94. Specifically, Roads 2, 3, and 4 are streets running east/west and shall all be designated as Avenues. The NE 9th Place extension is properly designated on the preliminary plat and shall retain that designation. Road 1 forms a complete loop around the development and shall be designated as a Drive. A short section of road is in alignment with NE 8th Place and shall be designated as NE 8th Place.
6. Easements of at least 10 feet in width shall be provided along all street frontages.
7. The development abuts NE 10th Street. Although no access to NE 10th Street is proposed, the 60 feet of frontage for NE 10th Street shall be improved to urban major collector status concurrent with the Phase 5 improvements. Should the phasing of the development change from that proposed on the preliminary plat, the improvements shall be installed at the same time as the improvements corresponding to Phase 5 on the preliminary plat.
8. The north line of E Theater Lane along the entire frontage of the development shall be improved to urban minor collector status concurrent with each abutting phase improvements.

#7 - Seems like this should go away as it is unknown as to what will eventually occur with this property long range.

9. A connection to NE 10th Street is necessary for pedestrian access and secondary fire access.

a) Thirty feet of right of way shall be dedicated to the City between Lots 75 and 76. The right of way between Lots 75 and 76 shall be improved with 20 feet of asphalt paving and drainage improvements necessary to contain storm water within the right of way. The 20-foot asphalt access may taper to 15 feet where it intersects the public street shown as Road 1.

b) The sixty-foot-wide access to NE 10th Street shall be dedicated to the City as right of way. The secondary fire access shall be improved with 15 feet of gravel from the east boundary of Lot 75 to NE 10th Street. An additional 8 feet of asphalt shall be installed from the east boundary of Lot 75 to NE 10th Street to provide pedestrian access to Loma Vista Elementary and NE 10th Street. Drainage improvements necessary to contain storm water within the right of way shall be installed at the developer's expense.

c) The secondary fire access shall be installed in a temporary format acceptable to the Umatilla County Fire District #1 at such time that the development exceeds thirty lots. Completed improvements, including the asphalt pedestrian access, shall be entirely completed at such time that the phase containing Lots 75 and 76 on the preliminary plat is constructed.

d) Following completion of the secondary fire access, the City will assume maintenance responsibility for this improvement.

9d: And the pedestrian trail

10. Comprehensive Plan Figure 12 identifies this site as an area subject to development hazards due to excessively well drained soils. Therefore, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels.

11. A notation shall be placed on the final plat stating that lots 34 through 56 shall not establish driveways onto E Theater Lane.

12. The Planning Commission recommends the City Council designate NE 9th Place as no parking.

12: This was discussed, however some planning commissioners thought this would increase speed and decrease safety. We don't see this imposed on Ables subdivison directly to the east where there is a Theater to Punkin Connection

9C: Change 30 to 60 but also consider some different language by removing " The secondary access should be installed at such time that the project reaches 60 Units or when Lots 75 and 76 are constructed, whichever comes first."



Where Life is Sweet

Members of the Planning Commission
STAFF REPORT
For the Meeting of February 14, 2024

Title/Subject

Annexation & Comprehensive Plan Amendment - Hermiston Home Works, Inc 4N2813 TL 200 & 500- 1295 SE 10th St

Summary and Background

The planning commission originally scheduled this hearing for January 10, 2024. Due to comments received from the Oregon Department of Transportation, additional evidence was prepared regarding traffic impacts and the hearing was rescheduled for February 14. The rescheduling of the hearing was orally announced to those in attendance for the January 10 hearing.

Hermiston Home Works Inc. has submitted an application to amend the comprehensive plan map designation for approximately 80 acres of land and to annex the amended land to the city for residential and commercial development. The land is located on the east side of SE 10th Street near Blue Mountain Community College and the Eastern Oregon Higher Education Center. The site extends from SE 10th Street northerly and easterly to E Highland Ave and is located north of the Hermiston Municipal Airport.

Hermiston Home Works has purchased the property with the intention of developing the land residentially and commercially. The property sits adjacent to a variety of uses and is large enough to develop compatible uses with all surrounding land uses. The site is adjacent to low-density rural residential housing to the north. The Hermiston Municipal Airport forms the south boundary of the property. The Eastern Oregon Higher Education Center, BMCC, and various other governmental uses are located west of the site. Topographically, the property is generally flat or undulating. The property is bisected by the Union Pacific Railroad mainline. Approximately 55 acres lies north of the mainline and 26 acres lies south of the mainline. The property physically abuts the A-Line Canal along the entire north property line and the Feed Canal along the south property line. Access is provided by SE 10th Street and E Highland Ave.

The property currently sits within the urbanizable portion of the urban growth boundary. The city's comprehensive plan map designates the property as Future Industrial (FI). The county's zoning map designates the property as F2. The existing F2 zoning is classified as a general rural zoning designation intended for farmlands that are otherwise not suited for EFU zoning. Since this land is within the Hermiston UGB, EFU zoning is not appropriate as it needs to be planned for future urban uses. The existing zoning allows for farm uses, single-family dwellings, schools, golf courses, veterinary clinics, and other low density commercial, industrial, and

governmental uses. The minimum parcel size in the F2 zone is 19 acres. There property in its current state can accommodate up to four dwellings or other rural uses. As noted, the City planned this property for future industrial use at the time of comprehensive plan adoption in 1983, based primarily on its proximity to the Hermiston Municipal Airport and Union Pacific railroad.

The applicant proposes to remove the property from the city's Future Industrial inventory. Lands along SE 10th Street (approximately 6 acres) is proposed to be annexed as Outlying Commercial (C-2), and another 25.7 acres between the railroad tracks and Feed Canal are also proposed to be annexed as C-2. The remaining 48.9 acres is proposed to be annexed as Medium High Density Residential (R-3). The changes to the city maps constitute a comprehensive plan map amendment. The city automatically includes changes to the zoning map when changes to the comprehensive plan map are made. In this case the city comprehensive plan map will change from Future Industrial (FI) to Commercial (C) and to Medium Density Residential (M) and the zoning map will be amended to include the property as C-2 and R-3.

The site is adjacent to the Village Port subdivision which was created as a planned commercial/industrial development in the 1980s. The zoning for the Village Port area is a mixed C-2/M-1 zoning. However, all of the development within the area has been commercial and governmental. No industrial development has occurred. The City of Hermiston owns several of the existing vacant lots within the development and has filed restrictive covenants on those properties limiting the uses to commercial and government uses, prohibiting industrial uses. Staff concurs that amending the property from industrial to commercial along SE 10th Street and between the railroad tracks and airport is appropriate. C-2 zoned lands in proximity to the Village Port area provide opportunities for additional complementary commercial uses, either additional public services, or businesses which will provide services for patrons of the existing government office cluster and college uses. An example of complementary commercial services would be a small strip mall development providing dining options for workers and students as well as convenience services like hair and nail services. Professional offices also provide complementary services.

Staff also concurs with the proposed 48.9 acres of R-3 land as proposed for the balance of land north of the railroad tracks. As the 2021 Housing Needs Analysis (HNA) demonstrates, a mix of housing is needed to accommodate Hermiston's 20-year demand. No specific residential development is proposed for this land as part of the application. However, the applicant does intend to build single-family and multi-family units in the future. The intended housing mix will be discussed later in the report.

The area south of the railroad tracks and north of the airport and Feed Canal is proposed for C-2 zoning as well. This portion of the property is exceptionally difficult to properly plan. The railroad tracks and right of way, combined with the Feed Canal, essentially land lock the property on three sides. The only point of access possible for the site is on E Highland Ave. It may be possible in the future to cross the Feed Canal and create a second point of access to Airport Way, but this additional access will require not only consent from the city as the landowner, but also from the FAA as the controlling authority for airport operations. It is therefore prudent for the time being to assume one point of access is all that is feasible for this portion of the site. This 20-acre portion is approximately 250 feet deep (depth varies from 230 to 300 feet) and 4,500 feet wide. It will likely require servicing by a private street and well and septic for most of the area south of the tracks. Water and sewer do cross the site near the western boundary, but the flat topography makes it unlikely this portion will ever be serviced by gravity sewer. Determining the highest and best use for such a geographically constrained and oddly shaped

parcel is difficult. Mini-storage, estate home sites of one to two acres, an RV park, or other intense, but resource light uses are potential uses. The applicant proposes the C-2 zoning as a place holder in order to better plan for the property in the future. Staff concurs with the requested C-2 zoning as it will allow a variety of uses, but also allows for the NCO overlay to be applied at a later date which would open it for multi-family or mini-storage uses.

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, and state law. Specifically, at issue is the statewide Transportation Planning Rule (TPR) in OAR 660-012-0060. In order to comply with the TPR, the applicant commissioned a transportation impact analysis (TIA) from Clemow and Associates, a transportation engineering firm. The TIA looks at potential development from a site and analyzes the impacts of that development within the planning horizon for the local Transportation System Plan. City and ODOT staff each reviewed the submitted TIA and requested additional recommendations and analysis be inserted. The TIA included with this report is the amended report satisfying both the city and ODOT. Additionally, comments from Rich Lani with ODOT are attached to this report. The findings of the analysis demonstrate that the impacted intersections will likely function within an acceptable level of service through the planning horizon (2034) following these changes. However, the analysis also recommends that a trip cap of 642 peak hour trips be implemented. The TIA assumes certain levels of development and mix of housing that may or may not be a part of the ultimate land use application for the property. Therefore, the city will implement a trip cap as a condition of approval and the land use applications which are ultimately associated with the land will be required to provide trip generation data to track the trip generation. Should development at full build-out exceed the 642 peak hour trips, the city shall require a new transportation analysis and/or mitigation measures.

The TIA also considers the A-Line Canal bridge and the disposition of SE 10th Street. This is a narrow, one-lane bridge which has poor visibility and will cause congestion as traffic increases. The TIA acknowledges the bridge's status and notes that although it will structurally function through the life of the development, the level of service will degrade as trip generation increases, leading to delays and congestion waiting to cross the bridge. Replacement of this bridge and widening of SE 10th Street is acknowledged as a need in the city's TSP. SE 10th Street itself is classified as a minor collector. It is not possible to calculate the specific impact of future development on this bridge at this time without specific dwelling unit and commercial unit proposals. However, by the time full build-out of the site is completed, replacement and widening will be necessary to accommodate the traffic generated by the development. Improvements to the bridge will be required, likely requiring replacement of the bridge with a new full-width culvert crossing. Improvements to SE 10th Street and the A Line Canal crossing will be installed by the city prior to or at such time that the peak hour trips generated by the development reach a recommended cap of 642 peak hour trips. A proportional fee shall be added to each building permit issued on the property to help with the financial requirements for any improvement. The city will also use system development charges dedicated for transportation improvements to fund improvements.

Similarly, the intersections for E Highland Ave are capable of handling the development's impacts, but the condition of E Highland Ave should and will be considered during the development review process. Widening and improvement of E Highland Ave will be a requirement for future development. The scope of the widening will be a function of the overall impact of the eventual proposal considered. However, the proposed changes to the map will not change the functional classification of the affected roads. E Highland Ave is classified as a major collector from the site to SE 10th Street and westerly from SE 10th Street the classification

of E Highland is upgraded to a minor arterial. These are among the highest classifications within the city. Only the major arterial of US 395 is more highly classified.

In addition to considering transportation impacts, the city is required to consider the impacts upon the city's land inventories. Since this proposal removes land from employment inventory and adds land to the residential inventory, impacts on both commercial and residential land shall be considered. The city has current inventories for both residential and employment lands. The most recent updates to these inventories were in 2021 and 2017 respectively.

Hermiston has a robust supply of residential land. The 2021 Housing Needs Analysis demonstrates that the city has an oversupply of residential land. Through 2040 the city will need to provide an additional 2,030 housing units. These housing units will comprise a mixture of single-family, attached single-family, multi-family, and manufactured home units. The city's vacant and partially vacant residential land supply contains 2,400 acres of land with a capacity of 18,000 units. These are 2021 numbers. In the intervening time, the city has built just over 200 additional housing units, keeping pace with demand. Approximately 50 acres of the supply has been absorbed as well. Thus, the city still has a need for 1,800 additional housing units and a supply of land capable of supplying that demand. It is important to note that the city's 2,000 acre land supply is not all in readily developable tracts. Looking at the northeast and northwest quadrants of the UGB shows that many of these partially developed tracts are rural homesites of between one and five acres. These sites constitute development capacity but are far less likely to develop in a short time frame than large, flat sites such as the tract under consideration. Forty-five acres of relatively flat land is much more likely to provide meaningful residential development. Additionally, the proposed R-3 zoning provides land use flexibility. Hermiston has historically produced an ample supply of single-family detached housing. R-3 allows for both the historic single-family home and also allows for a variety of multi-family options. The city continues to struggle to produce adequate market rate multi-family housing options. At least 450 multi-family housing units are needed by 2040.

As noted, the proposed amendments also require consideration of the city's employment land supply. Employment land absorption has been spirited in the past few years with significant land being purchased and developed for data centers. This land has been designated as a future industrial area for forty years now and has seen no development pressure in that time. It is likely the land was originally designated for industrial development due to its proximity to the railroad and airport. However, the land's proximity to education, public service, and residential uses makes it generally unsuited for industrial use. Many industries, data centers and others using diesel generators on-site in particular, are prohibited from locating within one half mile of residential clusters due to air quality concerns. This property is thus subject to many of the same industrial prohibitions that led to the rezoning of the industrial tract on Diagonal Blvd in 2017. Land that looked well suited to industrial development in prior years has instead been rendered incompatible by nearby residential development. Removing the land from the industrial inventory quickly spurred residential development on Diagonal Blvd and is also likely to happen with this tract. The city's employment lands inventory is not as current as the residential inventory. This document dates to 2017 rather than 2021. A new update is being prepared for a potential industrial UGB expansion and will be before the planning commission in 2024.

The city's industrial inventory is relatively robust and exceeds projected demand for general industrial development. The city had 605 acres of industrial land in the 2017 study. The 80 acres under consideration is included in that figure so rezoning will immediately reduce the supply to 525 acres. Additionally, the city has seen major industrial development from Amazon Data Services and Meyer Distributing reducing the inventory by another 140 acres to 385 acres.

However, even with these industrial developments, the industrial acreage demand through 2043 is anticipated to be 145 acres. Thus, even with the industrial absorption the city has experienced and removing this land from the industrial inventory, the city still exceeds the 20-year demand by 240 acres.

This narrative does not consider the acquisition of 149 acres by Amazon Data Services in 2023. That there is a tentative development plan for the site is not factored into the inventory until the developer has broken ground on a building. In conversations with DLCD staff, they will not allow the city to remove the land from the industrial inventory until building permits are issued. In order to counter the potential loss of this large site from the industrial inventory, the city is working to expand the UGB in the Feedville Road area as a project for 2024. Data centers require very specific siting requirements which the city cannot accommodate on the site under consideration or on many other industrial sites in the UGB. Eventual development of the 149-acre site still leaves a 91-acre surplus of employment land.

The overall annexation area contains approximately 80 acres owned by Hermiston Home Works. However, the mapped annexation area and legal description contains an additional 35 acres of railroad land and county road right of way. It is necessary to include these adjacent portions of public and semi-public land to maintain contiguous city limits and avoid creating islands of unannexed county land. If the railroad land bisecting the property is not included in the annexation, eventual jurisdictional conflicts will create uncertainty and cause future issues. The city is able to annex railroad property under the authority granted in ORS 222.170. Consent of owners of property not subject to ad valorem taxation is not necessary.

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 December 20, 2023.
2. Notice was published in the Hermiston Herald on December 20 and 27, 2023.

3. A sign displaying a notice of public hearing was placed on the property on December 2023.

Tie-In to Council Goals

Construction of affordable and market rate housing is a council goal each year.

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 is currently in farm deferral for taxing and has an assessed value of \$38,769. Eventual residential and commercial development will remove the property from agricultural deferral and significantly increase the tax base. The property has the potential to add 200+ dwellings and additional multi-family units. Residential development will likely generate approximately \$450,000 annually at full build-out. Commercial development on five acres will likely generate a similar amount.

Alternatives and Recommendation

Alternatives

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

The planning commission may choose to:

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

Recommended Action/Motion

- Motion to make the project file a part of the record
- Motion to adopt the findings of fact
- Motion to impose conditions of approval
- Motion to recommend approval of comprehensive plan map amendment to the city council
- Motion to recommend approval of annexation to the city council

Submitted By:

Clinton Spencer, Planning Director

Exhibit A
Findings of Fact
Hermiston Home Works Inc
Comprehensive Plan Map Amendment and Annexation
1295 SE 10th Street
February 14, 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 December 20 and 27, 2023 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 December 20, 2023, 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 December 20, 2023, in conformance with 157.229(C) of the Hermiston Code of Ordinances.
4. The notices listed in findings 1, 2, and 3 above listed January 10, 2024, as the date of hearing. At the January 10 meeting the planning commission chair verbally announced to those in attendance that the hearing was rescheduled to February 14, 2024.
5. 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)

6. The city is required to review its land use designations and supply adequate amounts of all zoning types.
7. 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.
8. 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 December 20, 2023.
9. The subject property of approximately 80.46 acres of land is within the urban growth boundary and has the “urbanizable” plan designation and the F2 General Rural zoning. The parcel also has a Future Industrial Overlay designation on the comprehensive plan map. The owner has evaluated the market demands as well as analyzed appropriate and compatible uses in the neighborhood surrounding the subject property and proposes a combination of residential and commercial zoning.
10. The proposed zoning includes 54.79 acres between the A Line Canal and the railroad tracks and 25.67 acres located between the railroad tracks and the Feed Canal. The 54.79

acres comprises 48.89 acres to be zoned R-3 residential and 5.9 acres to be zoned C-2 commercial. The 25.67 acres is to be zoned C-2 commercial. Proposed map designations are attached as a map to this report.

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

- 11. The change will promote compact urban development to ensure efficient utilization of land resources and facilitate economic provision of urban facilities and services adding commercial space adjacent to an existing professional commercial node containing higher education and government buildings (SE Columbia Dr). It will also convert land that is not considered high value farmland to medium density (R-3) residential lots.
- 12. Commercial space is needed in this area for future expansion of higher education facilities, businesses which will serve the nearby commercial node, and for businesses that do not rely on heavy traffic volume, but which prefer a presence in the southeast part of Hermiston.
- 13. Residential development is needed in this area and will provide a compatible mix of residential and commercial uses for existing adjacent and nearby properties.
- 14. Future plans for the Gettman Rd extension will add a convenient transportation route to and from the subject property.
- 15. The property is within the urbanizable portion of the UGB and has a county F2 (General Rural) designation. The property is contiguous with the city limits and annexation is consistent with Policy 5. Following amendment of the plan map designation from General Rural to a mix of medium density residential and commercial, the property will become part of the urban portion of the UGB.
- 16. The applicant is proposing amendment of the comprehensive plan map designation of the subject property from its current urbanizable industrial status to an urban commercial and urban residential status, implementing Policy 6 prior to annexation.

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

- 17. The Subject property has been utilized for pasture and hay production for years, however it is located within the city’s acknowledged urban growth boundary and is designated as urbanizable land for non-farm development. 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)

- 18. 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)

- 19. The property is identified on the Hermiston comprehensive plan as having 1.44 acres of wetland. The applicant intends to review options for developing the area identified as wetland. Options include obtaining an updated wetland delineation, following all pertinent regulations to legally develop the area, or leaving the area undisturbed. A map showing the existing city wetland inventory for this site is attached to this report.

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

20. 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)

21. In Figure 12 of the Hermiston Comprehensive Plan (1984) two natural hazards and development limitations on a portion of the subject property are identified. These include excessively well drained soils and restrictive foundation soils.

22. The city will require compliance with §157.101 of the Hermiston Code of Ordinances. This section requires mitigation measures to protect groundwater resources and structural safety.

23. 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.

24. Where restrictive foundation soils are evident, the city shall require a registered engineer's assessment of the design and structural techniques needed to mitigate potential hazards. In the event there are inadequate mitigation measures, the city shall prohibit development.

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

25. The Hermiston comprehensive plan map and parks master plan each identify areas for future park locations and future park upgrades. This property is not included on either inventory. This policy is not applicable.

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

26. Goal 9 requires an adequate supply of employment lands, both commercial and industrial. Although the subject property is zoned F2, General Rural, it also has a future industrial overlay zone. This application considers the impact of removing approximately 60% of this land from the employment land inventory for residential development, and maintaining 40% for commercial development.

27. The proposed change includes a zoning of 31.57 acres of C-2 (commercial).

28. According to the 2017 Economic Opportunities Analysis update by Johnson Economics, LLC there were 605.4 acres of Goal 9 industrial buildable land inventory within the Hermiston UGB. At the time, this equated to 447 years of supply. Since then, Amazon's data centers and other industrial construction has consumed over 100 acres. The proposed change would also remove 80.46 acres of buildable industrial lands leaving 385 acres in the industrial inventory. The 385 industrial acres are adequate to meet the city's industrial land needs through the planning horizon. The projected industrial demand through 2037 requires 145 acres.

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

- 29. Changing the subject property from county F2 General Rural to city R-3 Medium-Density would help 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.
- 30. The forecast from PSU Population Forecast Program (2019) estimates the population will grow at a rate of 1% between 2020 and 2040 resulting in a 2040 population of 26,045. 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 in 2040.,
- 31. To accommodate a total population of 26,045 distributed over 10,081 housing units, an additional 2,030 housing units are required.
- 32. The subject property’s current zoning allows for a density of one housing unit per 19-acre lot.
- 33. The proposed amendment will designate 48.89 acres as R-3 Medium-High Density Residential. 48.89 acres of R-3 land can accommodate up to 300 single or two-family lots as a low-density development, or up to 1,000 multi-family dwelling 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 512 new units within the Medium-Density zoning by 2040 thus the proposed zone change further satisfies this projected need adding the capacity to meet up to half the single and two-family demand through 2040 or satisfying up to 100% of the multi-family demand. It is anticipated that the development will encompass a mixture of low-density detached and multi-family attached dwellings.
- 34. While recent residential development has been focused in 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, educational facilities, and retail services, as well as public transit.
- 35. Applicant has expressed plans to develop lots primarily for single-family detached homes that would range in sales price from low to mid \$300s. Additionally, the applicant has expressed plans to develop a minority portion of the land into duplexes, and/or single-family homes with accessory dwelling units.
- 36. The creation of new 48-acre housing subdivision will have a meaningful impact on housing availability and affordability, in alignment with Policies 21 and 22. Specifically, increasing the available housing supply contributes to maintaining an affordable supply of housing units at a range of prices.

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)

- 37. Water is currently adjacent to the property in SE 10th Street. An 8” and 10” 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.
- 38. Sanitary sewer is currently available near the intersection of E Highland Ave and SE 10th Street and at the intersection of SE 10th Street and the Union Pacific Railroad. A 10” line

crosses under the railroad at the southwest corner of the property and an 8" line is available near E Pine Ave.

39. Applicant is willing to extend both sewer and water to the subject property.
40. SE Columbia Drive is an urban minor collector and fully improved city street that will be extended into the property once it develops.
41. SE 10th Street is an urban minor collector that crosses the A Line Canal and borders the west property line, with a single lane bridge just north of the property border. The section of SE 10th Street between the A Line Canal and E Highland Ave is a county road improved with minimum width paving only. It is not improved to urban minor collector status. The section of SE 10 Street between the A Line Canal and the southwest corner of the development site is unimproved.
42. The A Line Canal crossing is a single-lane, paved bridge. According to the included traffic impact analysis, the crossing is functional but will not accommodate traffic at an acceptable level of service at full buildout. Improvements to the bridge will be required, likely requiring replacement of the bridge with a new full-width culvert crossing.
43. Improvements to SE 10th Street and the A Line Canal crossing will be installed by the city prior to or at such time that the peak hour trips generated by the development reach a recommended cap of 642 peak hour trips. A proportional fee shall be added to each building permit issued on the property to help with the financial requirements for any improvement. The city will also use system development charges dedicated for transportation improvements to fund improvements.
44. The specific transportation impact fee cannot be established as part of the comprehensive plan map amendment under consideration by the city at this time. A full land use application for either subdivision, multi-family development, commercial development, or other permitted uses will be necessary to calculate both the total trip generation and the proportional impact of each dwelling unit or commercial structure constructed.
45. East Highland Ave is an urban major collector that runs along the northeast border of the property. 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.
46. All stormwater will be retained within the boundaries of the future development. There is no city-wide storm water retention and disposal system.
47. Future development will utilize Sanitary Disposal for solid waste services as encouraged by the city.
48. Future development will not provide recycling services as the City of Hermiston has already provided recycling collections points in two locations of the city.
49. 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.
50. 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.
51. 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)

52. Applicant has provided a transportation study and transportation impact analysis. A copy of the study is attached to this report and is also in the project file.
53. The following summary and recommendations have been extracted from the transportation study performed by Clemow Associates LLC.
- 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.
 - All study intersections have adequate storage available on all approach movements to accommodate the 95th percentile vehicle queues.
 - A trip cap of 642 peak hour trips is recommended to mitigate potential impacts to transportation facilities, especially the intersections of SE Columbia Drive/US 395 and Highland Ave/395.
 - As part of the development plan and land use approval process, the developer will be required to provide trip generation assumptions for commercial development and residential dwelling units. These generation assumptions will be tracked by the city for compliance with the trip cap and in the event trip generation exceeds the cap of 642 peak hour trips, amendments to the TIA shall be required by the city and additional mitigation measures may be required.

Goal 13 (Energy Conservation)

54. 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 mid-scale density residential development in close proximity to existing and future 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)

55. 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 owner for approximately 80 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 December 20 and 27, 2023. 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 December 20, 2023.
4. Affected agencies were notified.

5. A public hearing of the planning commission was held on February 14, 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 February 7 and 14, 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 February 26, 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 10th Street. An 8" and 10" 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 near the intersection of Highland Ave and 10th Street and at the intersection of SE 10th Street and the Union Pacific Railroad. A 10" line crosses under the railroad at the southwest corner of the property and an 8" line is available near E Pine Ave.
14. Applicant is willing to extend both sewer and water to the subject property.

Findings of Fact on Zoning Designation

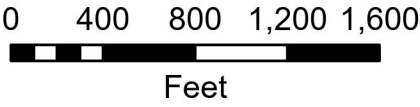
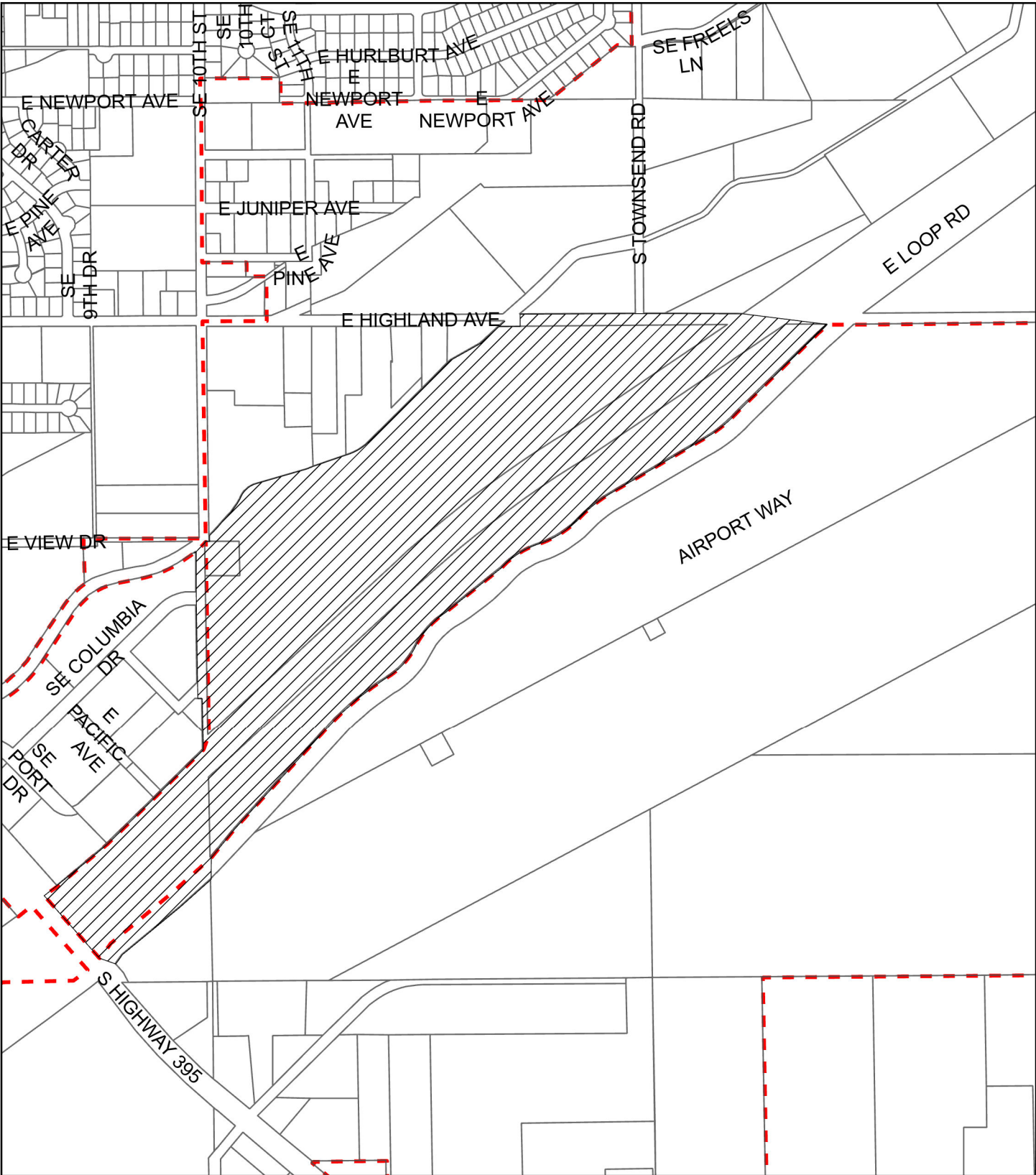
1. Following amendment by the city and adoption by Umatilla County, the comprehensive plan map will designate the area as Medium Density Residential and Commercial. Proposed map designations are attached as a map to this report.
2. The proposed Medium-High Density Residential and Outlying Commercial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





Exhibit A
Conditions of Approval
Hermiston Home Works
Comprehensive Plan Map Amendment and Annexation
1295 SE 10th Street
February 14, 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. Per the recommendations of the January 24, 2024, traffic impact analysis and the Oregon Department of Transportation, a trip cap of 642 peak hour trips is imposed upon the property. Residential trips shall be capped at 325 peak hour trips and the newly designated commercial area south of the railroad tracks shall be capped at 110 peak hour trips. Compliance with the trip cap will require the following actions:
 - a. Each application for development authorization within amended area submitted to the city shall be accompanied by a trip generation letter indicating the average daily and peak hour trips generated for the proposal.
 - b. Each trip generation letter shall indicate available peak hour trips remaining at completion of construction for the proposal.
 - c. At such time that the peak hour trips exceed 642, the city shall no longer issue building permits until a revised traffic impact analysis is prepared. The requirement to prepare a new traffic impact analysis shall run with the land and is not binding upon the applicant unless the applicant retains ownership at the time the trip cap is exceeded.
 - d. The city shall reserve the right to require additional traffic mitigation measures and/or prepare an independent traffic impact analysis at such time the trip cap is exceeded.
 - e. Determination of mitigation measures is contingent upon and proportional to the impacts of the eventual development approved for the amended property. Comprehensive plan map amendment and annexation is not sufficient to require additional mitigation measures.
3. 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.
4. Portions of the property are identified on Figure 12 of the Hermiston Comprehensive Plan as being subject to development hazards due to restrictive foundation soils. Where restrictive foundation soils are evident, the city shall require a registered engineer's

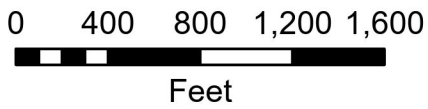
- assessment of the design and structural techniques needed to mitigate potential hazards. In the event there are inadequate mitigation measures, the city shall prohibit development.
5. Portions of the property are identified on the city's Natural Resource Map as having potential wetlands. At such time as development is proposed, the city will notify the Oregon Department of State Lands of the development proposal, soliciting comment on the potential wetland status. Necessary mitigation measures will be determined as part of the review and approval process for development on the amended property.



- Legend**
-  Property Line
 -  City Limits
 -  Urban Growth Boundary
 -  Hermiston Home Works Annexation Area



Aerial Photo

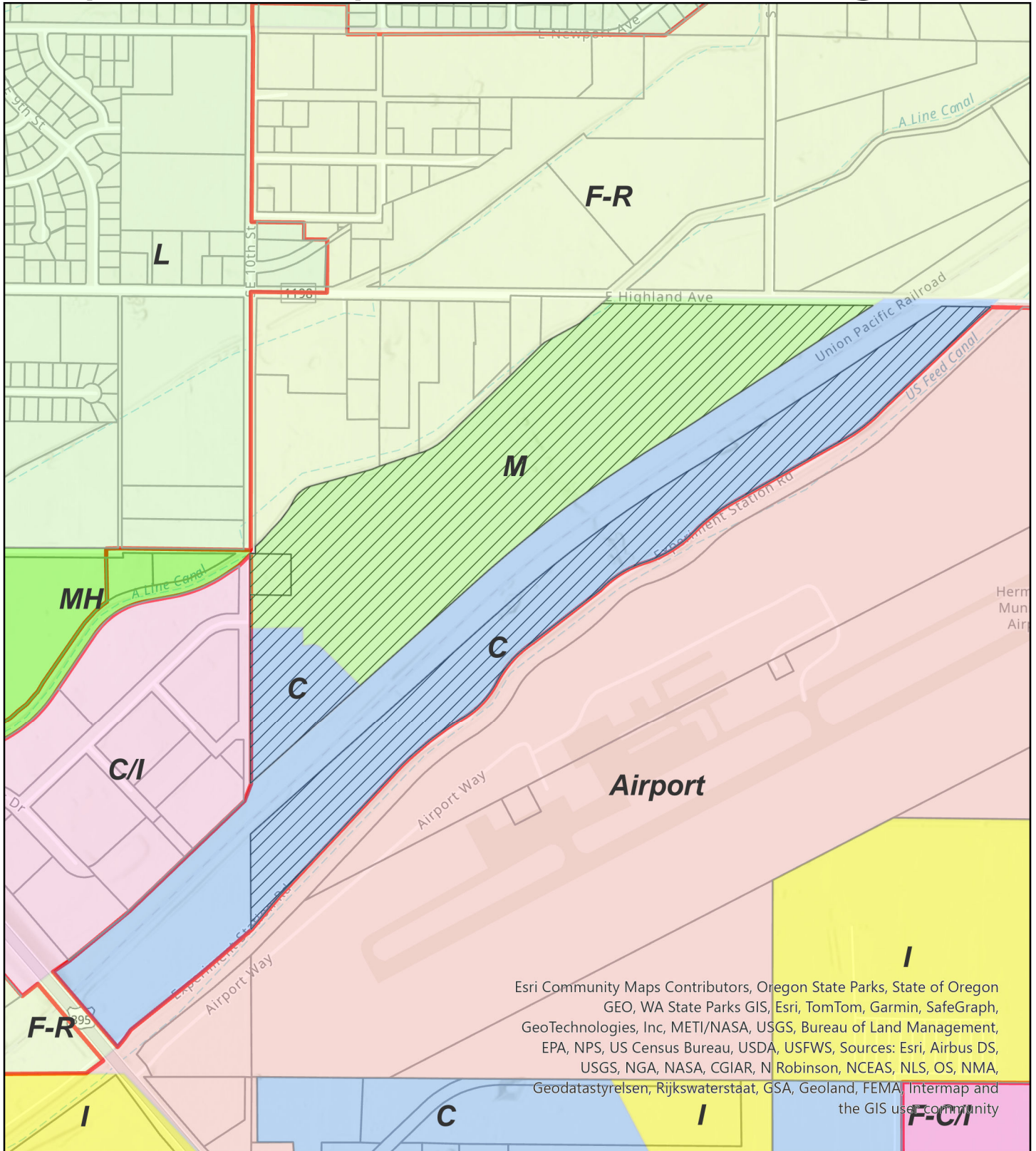


- Legend**
- Property Line
 - City Limits
 - Urban Growth Boundary
 - Hermiston Home Works Annexation Area

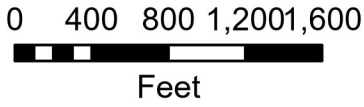
Oregon Statewide Imagery Program (OSIP) - Oregon Imagery Framework Implementation Team



Proposed Comprehensive Plan Designation



Esri Community Maps Contributors, Oregon State Parks, State of Oregon
 GEO, WA State Parks GIS, Esri, TomTom, Garmin, SafeGraph,
 GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management,
 EPA, NPS, US Census Bureau, USDA, USFWS, Sources: Esri, Airbus DS,
 USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA,
 Geodastyrrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and
 the GIS user community



Proposed Comprehensive Plan Designation

Subject Property	F-R
Airport	I
C	L
C/I	M
F-C/I	MH
	City Limits



CITY OF HERMISTON

APPLICATION TO AMEND COMPREHENSIVE PLAN MAP

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

Name of Applicant: Hermiston Home Works, Inc. Phone: 541-720-4533

Mailing Address: P.O. Box 833 Hermiston, OR 97838

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

Mailing Address: _____

Legal Description: Assessor's Map No: 4N 28 13 Tax Lot No: 200

Subdivision: _____

Street Address: _____

Current Comprehensive Plan Designation: Umatilla County F-2 with Future Industrial Overlay

Proposed Comprehensive Plan Designation: 47.3 Acres R-3; 31.57 Acres Dual Zone C-2/M-1

IMPORTANT! The code of ordinances requires a positive recommendation from the Hermiston Planning Commission and approval from the Hermiston City Council 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 the planning commission to make 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 be used by the City to make findings and evaluate the merits of your request. Inasmuch 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
- 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.

Policy 6 relates to conversion and addresses the need for the city to help first develop property adjacent to the city limits, while also having some mechanism for converting "urbanizable" land to an "urban" status as it is needed for future development. The subject abuts the city limits. A zone change increases the likelihood of development, and helps with the conversion of the undeveloped "urbanizable" land to the east.

Please review draft findings for further explanation of how the requested change is in conformance with the comprehensive plan and the goals and policies of the plan.

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 state of Oregon and city of Hermiston alike have housing availability and affordability goals (State Goal 10) and policies (Hermiston policies 21 and 22) which will be advanced through the annexation and residential re-zoning of a majority portion of this property. Residential development in this area would be a natural extension of existing adjacent property uses and would help the city and state reach its planning goals of creating more housing for its residents and relieving the upward price pressure in local housing.

31.57 acres of the property is proposed to become a dual zone C-2/M-1 which will create valuable economic development opportunities. This comprises 5.9 acres abutting existing higher education buildings, and 25.67 acres between the Feed Canal and railroad tracks. By converting the future industrial overlay to a dual zone, the property is more conducive to being developed, creating new jobs and facilitating economic development.

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

Within the city limits and immediately adjacent to city limits, there are relatively few large undeveloped parcels that would naturally accommodate residential development, and even fewer in the southeast quadrant. This property is uniquely fit to provide additional housing availability.

The dual zoning proposed for the 5.9 acres expands the footprint of adjacent commercial zoning, currently occupied by higher education and governmental buildings, which creates the opportunity for future expansion by these entities, in addition to creating potential to attract new businesses to the area, such as professional service offices, medical offices, contracting businesses, supply houses, etc., to name several examples that would fit well on the property.

The 25.67 acres between the Feed Canal and railroad tracks is a particularly long and narrow tract which creates spatial constraints for economically viable development. By creating a dual zoning of C-2/M-1, this portion of the property will have more options to develop and create value than in its current designation of future industrial.

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

Currently, the entire 79.3 acre property is designated as Future Industrial. However, given the current land uses of immediately adjacent properties to the north (rural residential), east (rural residential), and west (dual C-2/M-1), the proposed delineations and designations for new zonings are more appropriate and create an extension of surrounding neighborhood characteristics.

A transportation impact analysis was performed on the property and surrounding area and found that all intersections studied are anticipated to operate within agency mobility standards in the 2043 Current and Proposed Designation Scenarios. As such, no improvements are specifically necessary to mitigate the Proposed Zone Designation transportation impacts.

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 amendment. A metes and bounds description of each parcel is not sufficient.

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


11-1-23

 Signature of Applicant Date

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

NOTE: The planning commission shall conduct a public hearing on the proposed amendment at the earliest regular meeting, after the application is submitted, 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 45 days prior to the date set for final action by the city council except as provided for under ORS 197.601. 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: _____ Received By: _____ Meeting Date: _____

Fee: \$725.00 Date Paid: _____ Receipt No: _____

REAL PROPERTY TAX STATEMENT

JULY 1, 2023 TO JUNE 30, 2024

UMATILLA COUNTY, OREGON

216 SE 4TH ST

PENDLETON, OR 97801

AC Section 3, Item A.
116973

PROPERTY DESCRIPTION

CODE: 0803 **PCL:** 540
MAP: 4N2813-00-00200
ACRES: 79.41
SITUS:

HERMISTON HOME WORKS INC
 PO BOX 833
 HERMISTON OR 97838

SCHOOL DIST #8 HERMISTON	189.49
INTERMOUNTAIN E.S.D.	23.87
BMCC	25.63
EDUCATION TOTAL:	238.99

GENERAL COUNTY	110.44
PORT OF UMATILLA	5.97
UMATILLA COUNTY FIRE DIST 1	67.85
UMATILLA MORROW RADIO & DATA DIS	6.59
CEMETERY DIST 8 HERMISTON	3.58
W. UMATILLA MOSQUITO CONTROL	7.84
UMATILLA SPECIAL LIBRARY DIST	14.27
GENERAL GOVT TOTAL:	216.54

VALUES:	LAST YEAR	THIS YEAR
REAL MARKET (RMV)		
LAND	483,230	488,240
STRUCTURES	<u>0</u>	<u>0</u>
TOTAL RMV	483,230	488,240
TOTAL ASSESSED VALUE	31,767	38,769
EXEMPTIONS		
NET TAXABLE:	<u>31,767</u>	<u>38,769</u>
TOTAL PROPERTY TAX:	492.97	604.47

BOND BMCC	7.22
2022 BOND UMATILLA COUNTY FIRE D	12.94
2009 BOND HERMISTON SD #8	128.78
BONDS - OTHER TOTAL:	148.94

TO PAY WITH CREDIT CARD, DEBIT, OR E-CHECK
 VISIT UMATILLACOUNTY.GOV.

POTENTIAL ADDL TAX LIABILITY

QUESTIONS (541) 278-6219

TOTAL DUE (WITH DISCOUNT) 586.34

DISCOUNT IS LOST AFTER DUE DATE. INTEREST APPLIES AFTER DECEMBER 15TH



2007-5150294 2 of 2

EXHIBIT "A"

All that part of Section 13, Township 4 North, Range 28, East, W.M. lying between the U.S.R.S. Feed Canal and the Canal of the Hermiston Irrigation District, together with hereditaments and appurtenances thereunto belonging or in any way appertaining, excepting and reserving to the Stanfield Irrigation District, its successors and assigns the right of way for any main canal or laterals which are or hereafter may be surveyed, located or established over said land, and reserving the perpetual right of easement over said land, or any part thereof for all canals, laterals, ditches and drains which the Stanfield Irrigation District may deem necessary for the proper management and distribution of the waters of its system, also reserving the for public road 20 feet along the Section line between Section 12 and 13 and 20 feet along the Section line on the west side of said tract between Section 13 & 14, Township 4, N. Range 28, E.W.M.

Furthermore, excepting a strip of land 200 feet wide being 100 feet on each side of the center line of the proposed railroad as staked over and across Section 13, Township 4 North, Range 28 East, W.M., being more particularly described as follows:

An irregular parcel of land located in Section 13 T.4N.-R.28E. of the Willamette Meridian being two hundred (200) feet wide and parallel to the center line of the proposed main track as staked and as to be constructed, measured one hundred (100) feet on either side of and at right angles from the center line; said center line being described as follows, to wit:

Beginning at a point on the west line of Section 13 which point is two thousand seven hundred and three and one tenth (2703.1) feet more or less south of the NW corner of Section 13; thence along a straight line north easterly across Section 13 a distance of one thousand four hundred forty and two tenths (1440.2) feet; thence around a curve to the right having a radius of five thousand seven hundred twenty-nine and sixty-five hundredths (5729.65) feet, a distance of one thousand and fifteen (1015) feet; thence along a straight line a distance of one thousand eight hundred eighty-eight and three tenths (1888.3) feet more or less to a point on the north line of Section 13 which point is three thousand four hundred one and six tenths (3401.6) feet more or less east of the NW corner of Section 13;

Containing an area of 19.94 acres more or less.

State of Oregon)
County of Umatilla)

This instrument was received and recorded on

02-21-07 at 9:05

In the record of instrument code type DE-WD

Instrument Number 2007-5150294
Fee 31.00

Office of County Records

Julius Hemphill
Records Officer

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: Hermiston Home Works, Inc. Phone: 541-720-4533

Mailing Address: P.O. Box 833 Hermiston, OR 97838

Contact Person: Tyler Brandt Phone: 541-720-4533

Mailing Address: 469 SW Cottonwood Dr Hermiston, OR 97838

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

Mailing Address: _____

Legal Description: Assessor's Map No: 4N 28 13 Tax Lot No: 200 & 500

Subdivision (If Applicable): _____

Street Address: _____

Current Comprehensive Plan Designation: F-2/Future Ind Proposed Zoning Designation: R-3; C-2

Land Area (In Acres): 80.46

Existing Use of Property:

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

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

Public Facilities or Other Uses: 0

Population: Owners: 1 Tenants: 0 Voters: 0

Please Include the Names and Ages of All Residents:

N/A

Surrounding Use of Property:

North: Large lot rural residential, unincorporated to the city

South: Irrigation canal, further south is the Hermiston Municipal Airport

East: Rural residential and farming

West: Higher education, governmental buildings

Current Year Taxes: \$604.47/\$322.00 Previous Year Taxes: \$492.97/\$333.1

Total Assessed Valuation: \$488,250/\$83,250

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

Parcels contains no dwellings or other structures other than an irrigation system and pump house. The area between the A line canal and railroad tracks, 54.79 acres, is mostly irrigated hay field and pasture. Between the railroad tracks and Feed canal is irrigated pasture.

Please explain why the annexation has been proposed:

Applicant is requesting annexation in order to develop property with full city services and streets.

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.:

The attached site plan illustrates areas for medium density residential development of approximately 48.89 acres, 5.9 acres of C-2 abutting the existing neighboring C-2/M-1, and approximately 25.67 acres of C-2 between the railroad and Feed canal. Applicant plans to develop the property in phases. The applicant currently forecasts that the residential portion of the property will be developed as lots primarily for single-family detached dwellings, with a minority of the lots being utilized for duplexes and single family with accessory dwelling units. The applicant is less certain about how the C-2 areas will develop, and will take into consideration market interest and any development constraint issues that city planning department foresees.

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:

Nearest water line according the the City of Hermiston Public Map is located at 10th Street running parallel with the northwest edge of the property.

Location and size of the nearest sewer line:

Based on pre-application/pre-development meetings with city staff and engineer, the most feasible sewer connection is in front of Highland Hills Elementary School on 10th Street.

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

A storm drain is located on Columbia Drive; There is a natural gas line near the northwest corner of the property; The A line canal is at the north border of the property, and the Feed canal is at the south border of the property. Both canals run east-west.

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

Applicant expects city services are readily available after development and subdivision is approved.

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

See supplemental attachment for response.

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

See supplemental attachment for response.

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

On the west boundary, 10th Street abuts the parcel running parallel and SE Columbia Dr intersects perpendicular to the parcel. On the northeast boundary, E Highland Ave/Highland Extension abut the parcel running parallel with the property.

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

10th Street is a fully improved city street. Based on conversations with city staff during pre-application/pre-development meetings, improvement to the bridge on 10th Street will be considered.

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

New roads will be created upon development of the property, although none are being proposed at this time. New roads would be proposed at such time as preliminary plats are submitted for approval.

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: Hermiston Fire Dist Irrigation District: Hermiston Irrigation Dist.
School District: Hermiston School Dist. Drainage District: N/A
Library District: N/A Parks and Recreation District: N/A
Special Road District: N/A

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

No water or sewer services are currently being received on the property.

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 Date

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

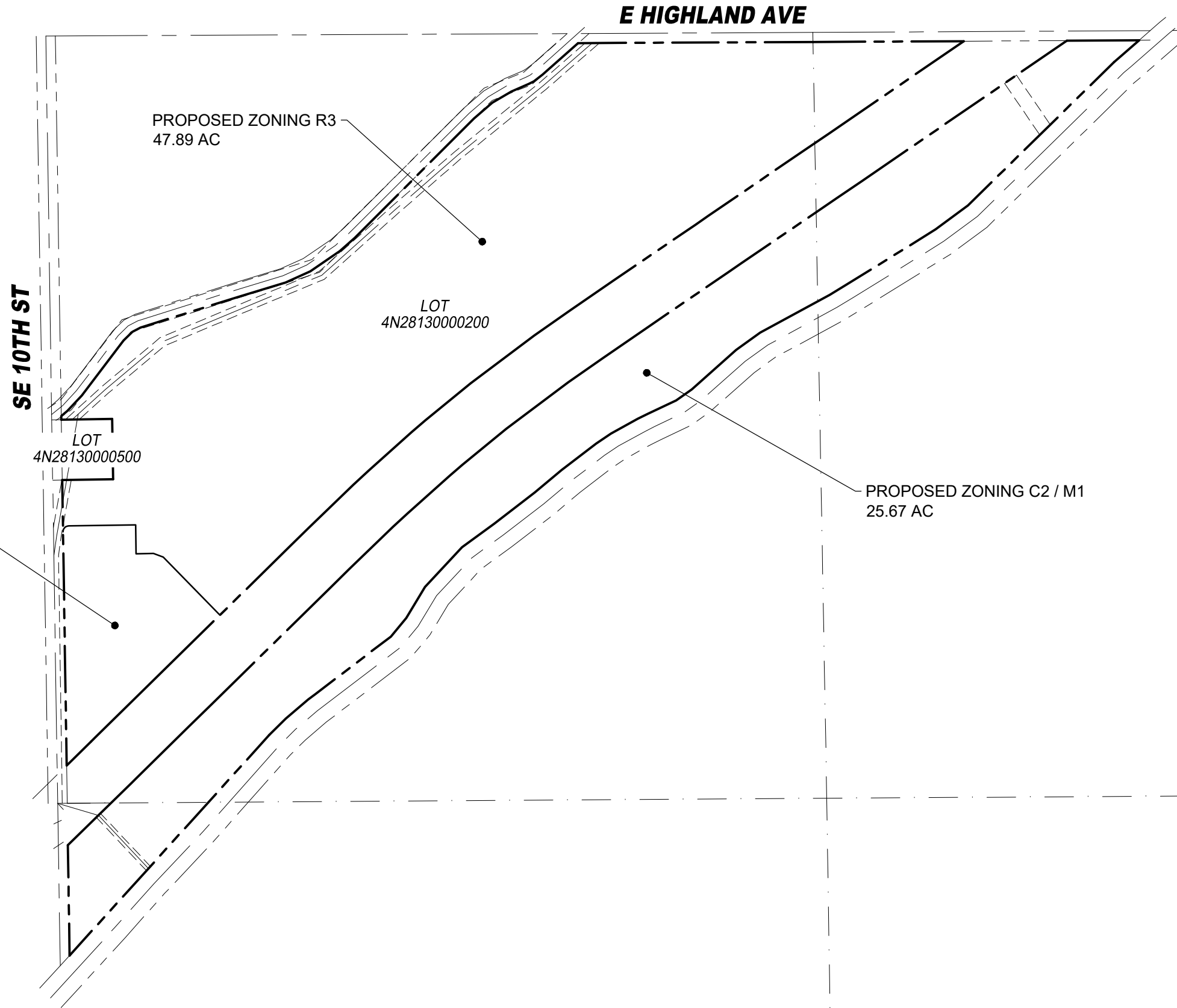
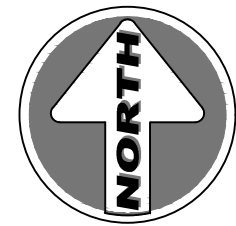
Date Filed: _____ Received By: _____ Meeting Date: _____
Fee: \$700.00 Date Paid: _____ Receipt No: _____

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

Applicant will finance the extension of such facilities. Cost is exceedingly difficult to estimate without engineered drawings for subcontractors to review and provide estimates. The applicant's best estimate of costs range from \$250,000 to \$500,000, however actual costs could vary significantly from this estimate.

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

Applicant has reached out to city staff for resources to research potential availability of state funds to assist in extending city services along E Highland Ave and E Highland Extension to promote future development in that direction. Applicant is also researching opportunities to offset improvement costs for the 10th Street bridge, which may include Umatilla County. At this time, the applicant has not officially sought financial assistance, however does not wish to be precluded from seeking assistance of public funding in the future should a favorable set of circumstances arise.



HARMS
ENGINEERING, INC.

1632 W Sylvester Street, Pasco WA 99301 | 509.547.2679 | HarmsEngineering.com
 Drawn By: C BATAJOLA
 File Name: 23-030 Hermiston Home Works Planning 05
 Plotted: November 1, 2023, 3:05:55 PM
 File Path: P:\2023\22-030.1 Hermiston Home Works Inc.Dwg

Rev	By	Date	Description

**HERMISTON DEVELOPMENT
PROPOSED ZONING**
 TAX LOT ID: 4N28130000200, HERMISTON, OR
HERMISTON HOME WORKS, INC
 TYLER BRANDT 541-720-4533
 P.O. BOX 833, HERMISTON, OR 97838
 COPYRIGHT © 2023 HARMS ENGINEERING, INC. ALL RIGHTS RESERVED

Date: **11-01-2023**
 Project Number: **23-030.1**
 Sheet Number: **EX2**



RENEWS 31 DECEMBER 2025

TRANSPORTATION IMPACT ANALYSIS

To
City of Hermiston

For
Tyler Brandt

Prepared
October 18, 2023

Revised
January 24, 2023

C&A Project Number
20230107.00

TABLE OF CONTENTS

- I. EXECUTIVE SUMMARY 1
- II. INTRODUCTION 2
 - Property Description and Proposed Land Use Actions 2
 - Transportation Analysis Description 2
 - Study Area 3
 - Analysis Scenarios 3
- III. EXISTING CONDITIONS 4
 - Existing Site Conditions 4
 - Roadway Facilities 4
 - Safety Analysis 4
 - Existing Traffic Counts 5
 - Seasonal Adjustment and 30th Highest Hour Volumes 5
- IV. REASONABLE WORST-CASE DEVELOPMENT SCENARIO 6
 - Proposed Hermiston Outlying Commercial (C-2) – South of Railroad 6
 - Proposed Hermiston Outlying Commercial (C-2) – North of Railroad 6
 - Proposed Hermiston Multi-Family Residential (R-3) 6
 - Current Umatilla County General Rural (F-2) 7
 - Development Trip Generation 7
- V. PLAN YEAR CONDITIONS 9
 - Background Growth 9
 - Plan Year Traffic Volumes – Current Zone Designation 9
 - Trip Distribution and Traffic Assignment 9
 - Plan Year Traffic Volumes – Proposed Zone Designations 9
- VI. INTERSECTION ANALYSIS 10
 - Analysis Scope 10
 - Analysis Description 10
 - Intersection Operations Analysis 11
 - Operations Analysis Discussion 11
 - Mitigated Operations Analysis Discussion 12
 - Intersection Queuing Analysis 12
 - Queuing Analysis Discussion 13
- VII. DEVELOPMENT ASSUMPTIONS, TRIP CAP, AND INFRASTRUCTURE IMPROVEMENTS 14
 - Development Assumptions and Trip Cap 14
 - Infrastructure Improvements 14
 - A Line Canal Overcrossing Analysis Discussion 14
- VIII. CONCLUSION 15
- IX. APPENDICES 17
 - A. Figures
 - B. Crash Data
 - C. Traffic Count Summaries
 - D. Operation Analyses

LIST OF TABLES

Table 1 – Existing Roadway Characteristics	4
Table 2 – Intersection Crash Rates	5
Table 3 – Reasonable Worst-Case Development Trip Generation	8
Table 4 – Intersection Operations Analysis	11
Table 5 – Intersection Operations Analysis with Mitigation Consideration	12
Table 6 – Intersection Queuing Analysis	13
Table 7 – Canal Overcrossing Operations and Queuing Analysis	14

LIST OF FIGURES

1. Study Area
2. Intersection Volumes – 2023 30HV PM Peak Hour
3. Trip Distribution and Traffic Assignment (Property South of Railroad) – Proposed C-2 Zone Designation
4. Trip Distribution and Traffic Assignment (Property North of Railroad) – Proposed C-2 Zone Designation
5. Trip Distribution and Traffic Assignment (Property North of Railroad) – Proposed R-3 Zone Designation
6. Intersection Volumes – 2034 30 HV PM Peak Hour – Current and Proposed Zone Designations
7. 10th Street at A Line Canal Evaluation – One-Lane Bridge Operation

I. EXECUTIVE SUMMARY

The following summarizes the analysis and findings contained in this Transportation Impact Analysis (TIA).

1. Proposed land use actions include 1) An annexation from Umatilla County into the city of Hermiston, and 2) A Comprehensive Plan Amendment and corresponding Zone Change from Umatilla County General Rural (F-2) to Outlying Commercial (C-2) and Multi-Family Residential (R-3).
2. Because specific development is unknown, the TIA evaluates impacts resulting from reasonable worst-case development scenarios in the proposed zone designations. The C-2 zone south of the railroad assumes a 200-space RV park that is further assumed to have trip-generating characteristics of an apartment development. The C-2 zone north of the railroad assumes 64,250 square feet of neighborhood-oriented retail space. The R-3 zone assumes 188 single-family residences and 241 apartments. The overall proposed zone designations reasonable worst-case development scenario generates 657 PM peak hour primary (net new) external trips – which is 642 PM peak hour trips more than the current zone designation.
3. All study area intersection crash rates are less than 1.0 crashes/mev and the 90th percentile crash rates of the reference intersections. As such, the intersections are considered relatively safe, and no further evaluation of safety deficiencies is necessary.
4. All study intersections are anticipated to operate within agency mobility targets in the 2034 current and proposed zone designation scenarios except the E Highland Avenue / SE 10th Street intersection. As such, future consideration will need to be given to mitigating improvements such as the installation of all-way stop-control to provide adequate operations.
5. All study intersection approach movements are anticipated to have adequate queue storage in the 2034 current and proposed zone designation scenarios to accommodate the 95th percentile vehicle queues. It is further noted that additional striped storage may need to be considered for the left-turn lanes at the US 395 / E Highland Avenue intersection.
6. The Applicant proposes a trip cap limiting trip generation to that of the assumed reasonable worst-case development scenario.
7. The existing A Line Canal overcrossing on SE 10th Street is currently one-lane wide, and SE 10th Street between the A Line Canal and E Highland Avenue is a two-lane paved roadway of minimum width and is not improved to City standards. While the timing is unknown, it is anticipated this roadway and canal overcrossing will be improved and widened in the future to facilitate unrestricted traffic flow.
8. This TIA assumes the subject development traffic uses SE 10th Avenue as a primary travel route. As such, analysis was performed to determine the need to widen the one-lane canal overcrossing with the finding that widening is not necessary to accommodate development traffic; however, it is recommended to provide unrestricted traffic flow.
9. Overall, these land use actions do not contemplate a specific development application; therefore, additional transportation analyses may be necessary to support specific development applications, consider trip cap limitations, and evaluate the design of site accesses to the public roadway system.

II. INTRODUCTION

Property Description and Proposed Land Use Actions

The subject property is located south of E Highland Drive, north of Experiment Station Road, and east of SE 10th Street in Hermiston, Oregon. The property is also bisected by a Union Pacific rail line. The property is more specifically described as tax lot 200 on Umatilla County Assessors Map 4N-28-13 and is approximately 79.41 acres in size. The property is currently used for agricultural purposes and has access to abutting roadways. The study area is illustrated in the attached Figure 1 in Appendix A.

The property is currently zoned Umatilla County General Rural (F-2) and is in the Hermiston Airport Hazard Overlay Zone. Proposed land use actions include property annexation into the city of Hermiston and a Comprehensive Plan amendment and zone change to support a mix of commercial and residential development.

The property south of the railroad (25.67 acres) is proposed to be zoned Outlying Commercial (C-2) for the express purpose of a 200-space RV Park development. For the property north of the railroad (53.97 acres), 5.9 acres are proposed to be zoned Outlying Commercial (C-2), and 47.89 acres are proposed to be zoned Multi-Family Residential (R-3).

The subject land use actions only contemplate an annexation, Comprehensive Plan amendment, and zone change. Specific development is not contemplated; however, the property south of the railroad will have limited development potential due to property configuration and access limitations. The proposed zone areas are illustrated in the attached Exhibit 2 in Appendix A.

Transportation Analysis Description

In support of these land use actions, a transportation impact analysis (TIA) is necessary to address criteria identified in the following:

- City of Hermiston Municipal Code requirements outlined in Chapter 156.09,
- Oregon Department of Transportation (ODOT) TIS requirements,
- Oregon Department of Transportation (ODOT) criteria contained in the Oregon Highway Plan, and
- Transportation Planning Rule (TPR) criteria outlined in Oregon Administrative Rule (OAR) 660-012-0060.

Study Area

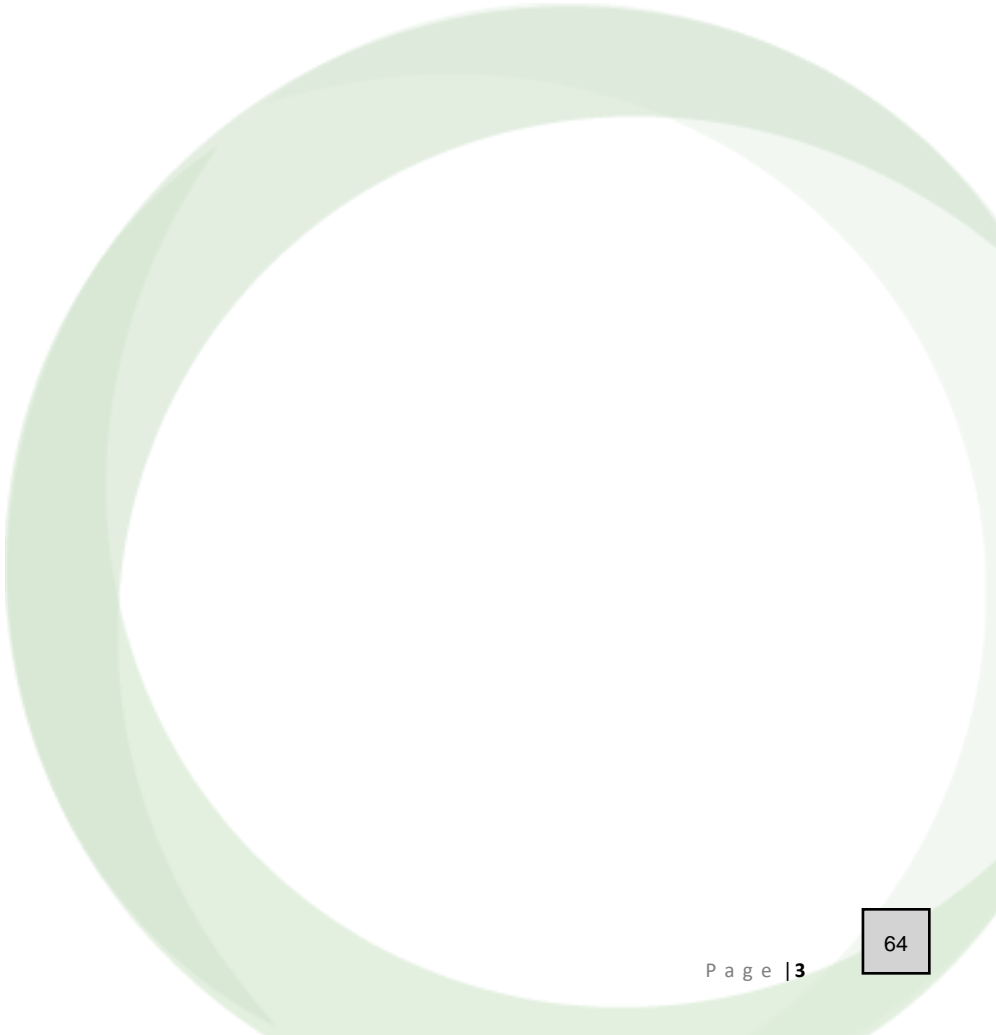
Based on development trip generation and distribution described later in this analysis, the following project area intersections and development accesses are evaluated and are illustrated in the attached Figure 2 in Appendix A.

- US 395 / Port Drive
- SE Columbia Drive / SE 10th Street
- E Highland Avenue / SE 10th Street
- E Highland Avenue / S Townsend Road
- E Highland Avenue / E Loop Road
- US 395 / E Highland Avenue

Analysis Scenarios

The proposed land use actions do not contemplate specific development. Rather, they contemplate an annexation, Comprehensive Plan amendment, and zone change request addressing both TPR and City requirements. As such, weekday PM peak hour conditions are evaluated in 2023 – the existing condition, and in 2034 – the Hermiston Transportation System Plan (TSP) plan year. Analysis scenarios include:

- 2023 Existing Conditions
- 2034 Current Zone Designation
- 2034 Proposed Zone Designations



III. EXISTING CONDITIONS

Existing Site Conditions

The subject property is located south of E Highland Drive, north of Experiment Station Road, and east of SE 10th Street in Hermiston, Oregon. The property is also bisected by a Union Pacific rail line. The property is approximately 79.41 acres in size and is currently used for agricultural purposes. The property is illustrated in the attached Figure 1 in Appendix A.

The property has access to all abutting roadways.

Roadway Facilities

The following table summarizes existing roadway classifications and characteristics in the study area.

TABLE 1 – EXISTING ROADWAY CHARACTERISTICS						
Roadway	Functional Classification	Lanes	Posted Speed (MPH)	Sidewalks	Bicycle Lanes	On-Street Parking
US 395	Urban Major Arterial – Hermiston Statewide Highway - ODOT	5	30 - 45	No, at Port Yes, at Highland	>5' Shoulder	No
E Highland Avenue	Urban Major Collector	2	25	No	No	No
Port Drive	Urban Minor Collector	2	25	No	No	No
SE Columbia Drive	Urban Minor Collector	2	25	Yes	No	No
SE 10 th Street	Urban Minor Collector	2	25	No	No	Yes
S Townsend Road	Local	2	Not Posted	No	No	No
E Loop Road	Rural Collector	2	25	No	No	No
Experiment Station Road	Local	2	Not Posted	No	No	No

The existing A Line Canal overcrossing on SE 10th Street is currently one-lane wide and SE 10th Street between the A Line Canal and E Highland Avenue is a two-lane paved roadway of minimum width and is not improved to City standards. While specific project timing is unknown, it is anticipated this roadway and canal overcrossing will be improved and widened in the future to facilitate unrestricted traffic flow.

Safety Analysis

When evaluating intersection safety, consideration is given to the total number and types of crashes occurring and the number of vehicles entering the intersection. This leads to the concept known as “crash rate,” typically expressed in terms of the number of crashes occurring per one million vehicles entering the intersection (crashes/mev). A critical crash rate analysis is then performed by comparing the subject intersection to the published statewide 90th percentile intersection crash rates at comparable/reference intersections. Crash rates close to or exceeding 1.0 crashes/mev or the 90th percentile rates require further analysis.

Crash data for the study area intersections were obtained from the Oregon Department of Transportation (ODOT) for five years from January 1, 2018 through December 31, 2022. The following table presents the study intersection crash rates and critical crash analysis. All crash data and crash rate calculations are provided in Appendix B.

TABLE 2 – INTERSECTION CRASH RATES										
Intersection	2018	2019	2020	2021	2022	Total	Crash Rate (crashes/mev)	Reference Population		Over or Under Crash Rate?
								Description ¹	90 th Percentile Crash Rate	
US 395 / Port Drive	3	1	1	0	0	5	0.259	Urban 4ST	0.408	Under
SE Columbia Drive / SE 10th Street	0	0	0	0	0	0	0.000	Urban 3ST	0.408	Under
E Highland Avenue / SE 10th Street	0	0	1	1	0	2	0.358	Urban 4ST	0.408	Under
E Highland Avenue / S Townsend Road	0	0	0	0	0	0	0.000	Rural 3ST	0.475	Under
E Highland Avenue / E Loop Road	0	0	0	0	0	0	0.000	Rural 3ST	0.475	Under
US 395 / E Highland Avenue	2	4	1	2	3	12	0.320	Urban 4SG	0.860	Under

¹ 3ST is defined as a three-leg minor stop-control intersection, 4ST is a four-leg minor stop-control intersection, and 4SG is a four-leg signalized intersection.

All study area intersection crash rates are less than 1.0 crashes/mev and the 90th percentile crash rates of the reference intersections. As such, the intersections are considered relatively safe, and no further evaluation of safety deficiencies is necessary.

Existing Traffic Counts

Existing traffic counts were obtained in August 2023 and January 2024 during the PM peak period. Traffic counts are included in Appendix C.

Seasonal Adjustment and 30th Highest Hour Volumes

Seasonal adjustments account for the variation in traffic volumes during the year. As required for intersections under ODOT jurisdiction, the August 2023 and January 2024 traffic counts were adjusted to the 30th highest hour volume (30HV) consistent with procedures identified in the ODOT Analysis Procedures Manual (APM) Version 2, Chapter 5.5.1 – On-Site Automatic Traffic Recorder (ATR) Method. This method is used when an ATR is within or near the project area.

In the study area, ATR 30-019 – Stanfield is located on US395; Umatilla-Stanfield Highway NO. 54; 0.12 miles NW of Feedville Road (NW Stanfield). Using this ATR data, a seasonal adjustment of 1.00 was applied to the August 2023 Base traffic counts to obtain 2023 30HV volumes – noting that August is the peak ATR month. A seasonal adjustment of 1.15 was applied to the January 2024 Base traffic counts to obtain 2023 30HV volumes. Seasonal adjustment assumptions are included in Appendix C.

IV. REASONABLE WORST-CASE DEVELOPMENT SCENARIO

The subject property is currently undeveloped and specific development is unknown; however, the Applicant anticipates the development will include a mix of commercial and residential uses. The property south of the railroad (25.67 acres) is proposed to be zoned C-2 for the express purpose of a 200-space RV Park. For the property north of the railroad (53.97 acres), 5.9 acres are proposed to be zoned C-2, and 47.89 acres are proposed to be zoned R-3.

The following reasonable worst-case development scenarios for the proposed and current zone designations were developed based on permitted uses identified in the Umatilla County and Hermiston Development Codes and are more specifically described as follows:

Proposed Hermiston Outlying Commercial (C-2) – South of Railroad

Description

The C-2 zone allows all uses permitted in the C-1 zone (which includes a wide range of commercial uses), and a limited number of commercial uses that are generally auto-dependent.

Reasonable Worst-Case Development Assumptions

- The gross site area south of the railroad proposed to be zoned C-2 is 25.67 acres.
- The applicant anticipates developing the property as a 200-space RV park due to property configuration and limited access.
- Because RV park occupancy is unknown in terms of vehicle type or duration of stay, ITE *Trip Generation Manual*, 11th Edition data for apartments – Multifamily Housing (Low-Rise) (Land Use Code 220) is assumed to represent the highest development trip generation.

Proposed Hermiston Outlying Commercial (C-2) – North of Railroad

Description

The C-2 zone allows all uses permitted in the C-1 zone (which includes a wide range of commercial uses), and a limited number of commercial uses that are generally auto-dependent.

Reasonable Worst-Case Development Assumptions

- The gross site area north of the railroad proposed to be zoned C-2 is 5.9 acres (257,000 square feet).
- 25% building area coverage (0.25 floor area ratio (FAR)) accounting for parking, site circulation, and landscaping.
- A review of ITE *Trip Generation Manual*, 11th Edition data finds a Shopping Plaza (Land Use Code 821), which contains a large number of commercial land uses, including neighborhood centers, to have the highest trip generation.
- Development is assumed to include a collection of small neighborhood-oriented retail spaces totaling 64,250 square feet.

Proposed Hermiston Multi-Family Residential (R-3)

Description

The R-3 zone allows all uses permitted in the R-1 and R-2 zones; bed and breakfast, boarding, lodging, or rooming houses; multiple-family dwellings; and residential care facilities.

Reasonable Worst-Case Development Assumptions

- The gross site area north of the railroad proposed to be zoned R-3 is 47.89 acres.
- 20% of the site area is used for right-of-way and other infrastructure.
- The net developable area is 38.31 acres.
- Based on projected City development trends, approximately 70% of the site (26.82 acres) will develop as single-family residential at a density of 7 dwelling units per acre and 30% (11.49 acres) will develop as multi-family residential at a density of 21 dwelling units per acre.
- The resulting development includes 188 single-family residences and 241 apartments.
- A review of ITE *Trip Generation Manual*, 11th Edition data finds Multifamily Housing (Low-Rise) (Land Use Code 220) to have the highest trip generation for the apartments.

Current Umatilla County General Rural (F-2)

Description

The F-2 zone designation is intended to apply to farmlands that would not be appropriate for an F-1 Exclusive Farm Use classification. It is designed to maintain the openness and rural nature of the countryside and to provide areas that are appropriate for most kinds of typical rural development.

Allowed uses in an F-2 Zone include agricultural uses, single-family dwellings, planned unit developments, veterinary or animal hospitals, schools, churches, golf courses, and a number of other low-trip generating uses. The minimum lot area for a principal dwelling unit is 19 acres, and for all other uses it is the area determined by the Department of Environmental Quality to be necessary for the protection of public health.

Reasonable Worst-Case Development Assumptions

- Gross site area is 79.41 acres.
- Of the non-residential uses, a review of ITE *Trip Generation Manual*, 11th Edition data finds an Animal Hospital/Veterinary Clinic (Land Use Code 640) to have the highest trip generation. As such, an animal hospital with an average size of 3,000 square feet is assumed.
- Further assuming a 0.25 FAR, the animal hospital encumbers 12,000 square feet (0.28 acres).
- For residential uses, the minimum parcel size is 19 acres, resulting in four single-family residences.

Development Trip Generation

Because specific development is unknown, trip generation is based on the reasonable worst-case development scenarios described in the previous section which includes commercial and residential uses.

The intensity, proximity, and variety of proposed land uses suggest it is likely some trips will travel between proposed uses in the development. This characteristic is referred to as internal (or shared) trip capture which is the portion of trips generated by a mixed-use development having both an origin and destination in the development. The importance of identifying internal trip capture is these trips satisfy a portion of the total development trip generation without using the external roadway system. As a result, a mixed-use development with internal trip capture has less impact on the external road system than does a single-use development generating the same number of total trips.

Internal capture trips were calculated using practices from the ITE *Trip Generation Handbook*, 3rd Edition which is based on the Transportation Research Board’s National Cooperative Highway Research Program (NCHRP) Report 684: *Enhancing Internal Trip Capture Estimation for Mixed-Use Developments*. Detailed internal capture calculations are attached for reference in Appendix C.

For commercial uses, a portion of the trips generated are primary (new trips on the roadway system traveling specifically to/from the proposed development), and a portion are pass-by (existing trips on the roadway system that ‘divert’ to the subject development before continuing on their original trip path to their destination.) As such, a pass-by/diverted-link trip reduction can be assumed; however, because the assumed commercial development is neighborhood-oriented retail, no pass-by reductions are assumed from the adjacent higher-order roadway system.

Trip generation was estimated using the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11th Edition, and practices from the *ITE Trip Generation Handbook*, 3rd Edition for the assumed reasonable worst-case development scenarios. The following table presents development trip generation estimates.

TABLE 3 – REASONABLE WORST-CASE DEVELOPMENT TRIP GENERATION					
Land Use	ITE Code	Size	PM Peak Hour		
			Enter	Exit	Total
Proposed C-2 Zone Designation – South of Railroad					
Total Trips					
Multifamily Housing (Low-Rise) ¹	220	200 DUs	67	40	107
Proposed C-2 Zone Designation – North of Railroad					
Total Trips					
Shopping Plaza (No Supermarket) ²	821	64,250 SF	163	170	333
Internal Capture Trips					
Shopping Center (8% Enter / 24% Exit)			(13)	(41)	(54)
Proposed R-3 Zone Designation – North of Railroad					
Total Trips					
Single-Family Detached Housing ¹	210	188 DUs	126	74	200
Multifamily Housing (Low-Rise) ¹	220	241 DUs	78	46	124
Sub-Total			204	120	324
Internal Capture Trips					
Single-Family Detached Housing (20% Enter / 10% Exit)			(25)	(7)	(32)
Multifamily Housing (20% Enter / 10% Exit)			(16)	(5)	(21)
Sub-Total			(41)	(12)	(53)
Total Primary (Net New) Trips - Proposed Zone Designations			380	277	657
Current F-2 Zone Designation					
Total Trips					
Animal Hospital/Veterinary Clinic ²	640	3,000 SF	4	7	11
Single-Family Detached Housing ²	210	4 DU	2	2	4
Total Primary (Net New) Trips – Current Zone Designation			6	9	15
Change in Primary (Net New) Trip Generation (Proposed – Existing)			374	268	642

¹ Trip generation estimated using the *Fitted Curve* per recommended practice in the *ITE Trip Generation Handbook*, 3rd Edition.
² Trip generation estimated using the *Average Rate* per recommended practice in the *ITE Trip Generation Handbook*, 3rd Edition.
³ Internal Capture trip percentages are based on NCHRP 684 methodologies contained in the attached worksheet in Appendix C.

As identified in the table above, the proposed zone designations reasonable worst-case development scenario generates 657 PM peak hour primary (net new) external trips which is 642 PM peak hour trips more than the current zone designation.

V. PLAN YEAR CONDITIONS

Background Growth

Based on a review of the Hermiston TSP and discussions with City staff, background traffic growth for the planning period duration is assumed to be 1.5% per year on the local and regional roadways.

As a result, the 2023 30HV volumes were adjusted to the 2034 TSP plan year using a 1.5% annual compounded growth rate.

Plan Year Traffic Volumes – Current Zone Designation

2034 30HV current zone designation traffic volumes are the sum of the 2023 30HV traffic volumes and background traffic growth over the planning period and are illustrated in the attached Figure 6 in Appendix A. Detailed background growth rate calculations are included in Appendix C.

Trip Distribution and Traffic Assignment

Based on anticipated property development patterns, the future internal roadway system on the subject property will access the external public roadway in three locations as illustrated in the attached Figures 3, 4, and 5 in Appendix A, including:

- West to SE 10th Street at SE Columbia Drive
- North to E Highland Avenue at S Townsend Road (West of the railroad)
- North to E Highland Avenue at E Loop Road (East of the railroad)

The resulting reasonable worst-case development trip generation identified in the previous section of this TIA was distributed onto the roadway system based on existing intersection volumes, surrounding land uses, discussions with Agency staff, and engineering judgment. The resulting trip distribution and development traffic assignment for the Proposed Zone Designations are illustrated in the attached Figures 3, 4, and 5.

Plan Year Traffic Volumes – Proposed Zone Designations

2034 30HV proposed zone designations traffic volumes are the sum of the 2034 30HV current zone designation traffic volumes and the additional traffic from the reasonable worst-case development scenario in the proposed zone designations (illustrated in Figures 3, 4, and 5) and are illustrated in the attached Figure 6 in Appendix A.

Conservatively, no trip generation reductions are assumed for development in the current zone designation, and all primary (net new) trips from the proposed zone designations are added to the transportation system.

VI. INTERSECTION ANALYSIS

Analysis Scope

The following project area intersections and development accesses are evaluated:

- US 395 / Port Drive
- SE Columbia Drive / SE 10th Street / West Site Access
- E Highland Avenue / SE 10th Street
- E Highland Avenue / S Townsend Road / North Site Access
- E Highland Avenue / E Loop Road / North Site Access
- US 395 / E Highland Avenue

Analysis Description

Plan year intersection peak hour factors (PHFs) are based on the ODOT *Analysis Procedures Manual* Version 2, Section 5.8.3. Specifically, the following plan year intersection PHFs are assumed:

- 0.95 for major arterial-major arterial
- 0.90 for minor arterial-minor arterial
- 0.85 for collector-collector or lower classification

Further, if the existing intersection PHF is higher than the assumed PHFs described above, the existing intersection PHF is used.

Intersection operation characteristics are generally defined by two mobility standards: volume-to-capacity (v/c) ratio and level-of-service (LOS). At signalized intersections, the v/c ratio is a measurement of an intersection’s ability to accommodate critical movements, while LOS is based on the average control delay per vehicle for the entire intersection. At unsignalized intersections, the v/c ratio and LOS are calculated for intersection approach movements yielding right-of-way.

The City of Hermiston mobility standard for signalized and unsignalized intersections is LOS D or better.

Table 6 of Policy 1F in the *Oregon Highway Plan* (OHP), as updated through January 2023, provides ODOT mobility targets for state roadways. In the study area, US 395 is classified as a *Freight Route on a Statewide Highway*, inside the urban growth boundary of a non-metropolitan planning organization (MPO).

At the Port Drive intersection, US 395 has a posted speed of 45 MPH, and the intersection mobility target is a v/c ratio ≤ 0.80 . Further, two-way stop-controlled (TWSC) intersections under ODOT jurisdiction are evaluated using two mobility targets; one for the major roadway (State Highway) approaches and one for the minor roadway approaches. The ODOT mobility target v/c ratio ≤ 0.80 is applied to the major roadway approaches and the target v/c ratio ≤ 0.90 is applied to the minor roadway approaches.

At the E Highland Drive intersection, US 395 has a posted speed of 30 MPH, and the intersection mobility target is a v/c ratio ≤ 0.85 .

Intersection Operations Analysis

Unsignalized intersection operations analyses were performed using the Transportation Research Board’s *Highway Capacity Manual* 6th Edition methodologies using Trafficware’s *Synchro* software (Version 11). Signalized intersection operations analyses were performed per the Transportation Research Board’s *Highway Capacity Manual* 6th Edition, 2000, and 2010 methodologies using Trafficware’s *Synchro* software (Version 11) and practices outlined in the ODOT Analysis Procedures Manual V2 necessary to calculate the intersection v/c ratio.

The proposed land use actions do not contemplate specific development. Rather, they contemplate an annexation, Comprehensive Plan amendment, and zone change request addressing both TPR and City requirements. As such, weekday PM peak hour conditions are evaluated in 2023 – the existing condition, and in 2034 – the TSP plan year. Analysis scenarios include:

- 2023 Existing Conditions
- 2034 Current Zone Designation
- 2034 Proposed Zone Designations

The following table summarizes weekday PM peak hour operations analysis results. Data output sheets from all operations calculations are attached in Appendix D.

TABLE 4 – INTERSECTION OPERATIONS ANALYSIS					
Intersection	Critical Movement Lane Group	Mobility Target	v/c Ratio or LOS		
			2023 Existing	2034 Current Zone Designation	2034 Proposed Zone Designations
US 395 / Port Drive	NB L	v/c ≤ 0.80	—	—	—
	SB L	v/c ≤ 0.80	0.03	0.04	0.11
	EB L/T/R	v/c ≤ 0.90	0.01	0.02	0.02
	WB L/T/R	v/c ≤ 0.90	0.17	0.24	0.59
SE Columbia Drive / SE 10 th Street / West Site Access	SB L/R	LOS D	—	—	B
	EB L/T		—	—	A
	WB T/R		—	—	A
E Highland Avenue / SE 10 th Street	NB L/T/R	LOS D	B	B	F
	SB L/T/R		B	B	D
E Highland Avenue / S Townsend Road / North Site Access	NB L/T/R	LOS D	—	—	B
	SB L/T/R		A	A	B
E Highland Avenue / E Loop Road / North Site Access	NB L/T/R	LOS D	—	—	B
	SB L/T/R		A	A	A
US 395 / E Highland Avenue	Intersection	v/c ≤ 0.85	0.56	0.65	0.78

Operations Analysis Discussion

As identified in the table above, all study intersections are anticipated to operate within agency mobility targets in the 2034 current and proposed zone designations scenarios except the E Highland Avenue / SE 10th Street intersection with the following discussion.

E Highland Avenue/SE 10th Street intersection operations for the north and southbound approaches are anticipated to approach and/or exceed the agency mobility target in the 2034 proposed zone designations scenario. As such, future consideration will need to be given to mitigating improvements such as the installation of all-way stop-control to provide adequate operations.

The following table summarizes operations analysis results for the Highland Avenue/SE 10th Street intersection with all-way stop-control. Data output sheets from all operations calculations are attached in Appendix D.

TABLE 5 – INTERSECTION OPERATIONS ANALYSIS WITH MITIGATION CONSIDERATION				
Intersection	Critical Movement Lane Group	Mobility Target	2034 Proposed Zone Designations	
			Current Two-Way Stop-Control	Mitigated All-Way Stop-Control
E Highland Avenue / SE 10 th Street	NB L/T/R	LOS D	F	B
	SB L/T/R		D	B
	EB L/T/R		—	D
	WB L/T/R		—	B

Mitigated Operations Analysis Discussion

As identified in the table above, the E Highland Avenue / SE 10th Street intersection operates within the agency mobility target in the 2034 proposed zone designation scenario with all-way stop-control mitigation.

Intersection Queuing Analysis

Queuing analysis was performed to evaluate queue storage adequacy. 95th percentile queues were estimated using Trafficware’s *SimTraffic* software (Version 11) and ODOT *Analysis Procedure Manual* methodologies. Available storage is rounded to the nearest five feet, and queue demand is rounded to the nearest 25 feet, the average length of a queued vehicle.

The following table summarizes weekday queuing analysis results and data output sheets from all queuing calculations are contained in Appendix D.

TABLE 6 – INTERSECTION QUEUING ANALYSIS					
Intersection	Critical Movement Lane Group	Queue Storage Available (Feet) ¹	2023 Existing	2034 Current Zone Designation	2034 Proposed Zone Designations
US 395 / Port Drive	NB L	500+	—	—	—
	NB R	175	—	—	25
	SB L	500+	50	25	75
	SB R	75	—	—	—
	EB L/T/R	250+	25	25	25
	WB L/T/R	350	75	75	100
SE Columbia Drive / SE 10 th Street / West Site Access	SB L/T/R	325	—	—	75
	EB L/T/R	500	—	—	75
	WB L/T/R	100+	—	—	75
E Highland Avenue / SE 10 th Street	NB L/T/R	500+	50	50	100 ³
	SB L/T/R	350	50	75	100 ³
	EB L/T/R	500+	25	50	250 ³
	WB L/T/R	500+	25	25	100 ³
E Highland Avenue / S Townsend Road / North Site Access	NB L/T/R	100+	—	—	75
	SB L/T/R	500+	25	50	50
	EB L/T/R	500+	25	25	25
	WB L/T/R	500+	—	—	25
E Highland Avenue / E Loop Road / North Site Access	NB L/T/R	100+	—	—	50
	SB L/T/R	500+	50	50	50
	EB L/T/R	500+	—	25	25
	WB L/T/R	500+	—	—	25
US 395 / E Highland Avenue	NB L	250	125	150	250
	NB T/R	680	200	225	325
	SB L	200	75	75	175
	SB T/R	1,000+	200	225	300
	EB L	200	125	150	175
	EB T	690 [635] ²	150	175	300
	EB R	175	100	100	175
	WB L	200	50	75	150
WB T/R	435	200	200	375	

¹ Available queue storage is measured to the nearest upstream intersection for continuous lanes between intersections and to the end of full-width storage for turn lanes.

² The total distance to the next upstream intersection is 690 feet; however, the distance to the railroad crossing is 245 feet. Assuming queues do not block the railroad crossing, a total of 635 feet is available to the next intersection.

³ Assumes mitigated all-way stop-control operation.

Queuing Analysis Discussion

As identified in the table above, all study intersection approach movements are anticipated to have adequate queue storage in the 2034 current and proposed zone designations scenarios to accommodate the 95th percentile vehicle queues. It is further noted that additional striped storage may need to be considered for the left-turn lanes at the US 395 / E Highland Avenue intersection.

VII. DEVELOPMENT ASSUMPTIONS, TRIP CAP, AND INFRASTRUCTURE IMPROVEMENTS

Development Assumptions and Trip Cap

The subject land use actions only contemplate an annexation, Comprehensive Plan amendment, and zone change. Specific development is not contemplated; however, this TIA assumes reasonable worst-case property development to evaluate impacts in the Hermiston TSP plan year.

As identified in the *Reasonable Worst-Case Development Scenario* section of this TIA, the proposed zone designations development scenario includes a mix of commercial and residential uses generating 657 PM peak hour primary (net new) external trips – which is 642 PM peak hour trips more than the current zone designation. The Applicant believes this is the reasonable worst-case development scenario; however, to address Agency concerns regarding potential impacts, the Applicant further proposes a trip cap limiting trip generation to that of the assumed reasonable worst-case development scenario.

Infrastructure Improvements

The existing A Line Canal overcrossing on SE 10th Street is currently one-lane wide and SE 10th Street between the A Line Canal and E Highland Avenue is a two-lane paved roadway of minimum width and is not improved to City standards. As identified in Hermiston TSP Table 17 – *Unprioritized Street System Improvement List*, Project #15 is the widening of 10th Street from Columbia Street to Elm Avenue with an estimated cost of \$5,820,000 (2014\$). While this project is not on the funded/prioritized list and construction timing is unknown, the City anticipates the need to widen the roadway and canal overcrossing.

This TIA assumes the subject development traffic uses SE 10th Avenue as a primary travel route. As such, operations and queuing analyses were performed to determine the need to widen the overcrossing to accommodate development traffic. As illustrated in Figure 7 in Appendix A, the one-lane roadway section is approximately 100 feet long where opposing traffic must wait for conflicting vehicles to clear the overcrossing. The following table summarizes operations and queuing analysis for this roadway section, and data output sheets are attached in Appendix D.

TABLE 7 –CANAL OVERCROSSING OPERATIONS AND QUEUING ANALYSIS					
Roadway Section	Critical Movement Lane Group	2034 Proposed Zone Designations			
		Mobility Target	Operations	Queue Storage Available	Queue Length
SE 10 th Street / A Line Canal	NB T	LOS D	LOS A	250+ Feet	100 Feet
	SB T	LOS D	LOS A	250+ Feet	100 Feet

A Line Canal Overcrossing Analysis Discussion

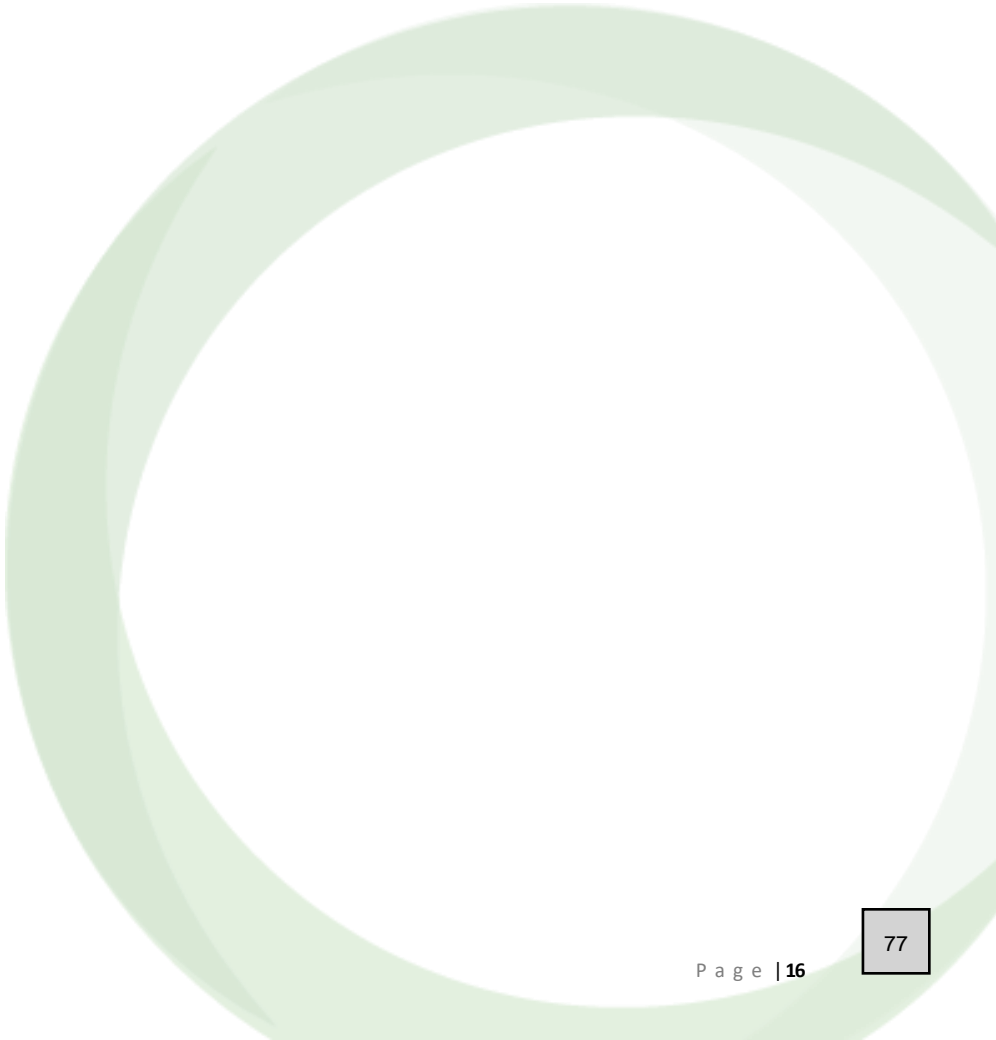
As identified in the table above, the one-lane roadway section (overcrossing) is anticipated to have adequate operations and queue storage in the 2034 proposed zone designations scenarios. As such, overcrossing widening is not necessary to accommodate development traffic; however, it is recommended to provide unrestricted traffic flow.

VIII. CONCLUSION

The following summary and recommendations are based on materials contained in this analysis.

1. The subject property is located south of E Highland Drive, north of Experiment Station Road, and east of SE 10th Street. The property is also bisected by a Union Pacific rail line. The property is more specifically described as tax lot 200 on Umatilla County Assessors Map 4N-28-13 and is approximately 79.41 acres in size. The property is currently used for agricultural purposes and has access to abutting roadways.
2. The property is currently zoned Umatilla County General Rural (F-2). Proposed land use actions include property annexation into the city of Hermiston and a Comprehensive Plan amendment and zone change to support a mix of commercial and residential development.
3. All study area intersection crash rates are less than 1.0 crashes/mev and the 90th percentile crash rates of the reference intersections. As such, the intersections are considered relatively safe, and no further evaluation of safety deficiencies is necessary.
4. The property south of the railroad (25.67 acres) is proposed to be zoned Outlying Commercial (C-2) for the express purpose of a 200-space RV Park. For the property north of the railroad (53.97 acres), 5.9 acres are proposed to be zoned Outlying Commercial (C-2), and 47.89 acres are proposed to be zoned Multi-Family Residential (R-3).
5. Reasonable worst-case development in the proposed C-2 zone south of the railroad is assumed to be a 200-space RV park. Because occupancy is unknown in terms of vehicle type or duration of stay, 200 apartments are assumed to represent the highest development trip generation.
6. Reasonable worst-case development in the proposed C-2 zone north of the railroad is assumed to include a collection of small neighborhood-oriented retail spaces totaling 64,250 square feet.
7. Reasonable worst-case development in the proposed R-3 zone includes 188 single-family residences and 241 apartments.
8. The overall proposed zone designations reasonable worst-case development scenario includes a mix of commercial and residential uses generating 657 PM peak hour primary (net new) external trips – which is 642 PM peak hour trips more than the current zone designation.
9. All study intersections are anticipated to operate within agency mobility targets in the 2034 current and proposed zone designation scenarios except the E Highland Avenue / SE 10th Street intersection. As such, future consideration will need to be given to mitigating improvements such as the installation of all-way stop-control to provide adequate operations.
10. All study intersection approach movements are anticipated to have adequate queue storage in the 2034 current and proposed zone designation scenarios to accommodate the 95th percentile vehicle queues. It is further noted that additional striped storage may need to be considered for the left-turn lanes at the US 395 / E Highland Avenue intersection.
11. The Applicant believes the assumptions presented in this TIA represent the reasonable worst-case development scenario; however, to address Agency concerns regarding potential impacts, the Applicant further proposes a trip cap limiting trip generation to that of the assumed reasonable worst-case development scenario.

- 12. The existing A Line Canal overcrossing on SE 10th Street is currently one-lane wide and SE 10th Street between the A Line Canal and E Highland Avenue is a two-lane paved roadway of minimum width and is not improved to City standards. While the timing is unknown, it is anticipated this roadway and canal overcrossing will be improved and widened in the future to facilitate unrestricted traffic flow.
- 13. This TIA assumes the subject development traffic uses SE 10th Avenue as a primary travel route. As such, analysis was performed to determine the need to widen the one-lane canal overcrossing with the finding that widening is not necessary to accommodate development traffic; however, it is recommended to provide unrestricted traffic flow.
- 14. Overall, these land use actions do not contemplate a specific development application; therefore, additional transportation analyses may be necessary to support specific development applications, consider trip cap limitations, and evaluate the design of site accesses to the public roadway system.





Oregon

Tina Kotek, Governor

Section 3, Item A.

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

January 30, 2024

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

Subject: Proposed Annexation and Amendment Comprehensive Plan Map designation of 80 acres from Future Industrial (F-2) to Medium Density Residential for 49 acres and Commercial/Industrial for 31 acres with corresponding zoning map change from F-2 to Medium-High Density Residential (R-3) and Outlying Commercial/Light Industrial (C-2/M-1).

The Oregon Department of Transportation (ODOT) has reviewed the Revised Traffic Impact Analysis (TIA). ODOT has jurisdiction of US 395, including responsibility for managing access within the corridor. The applicant has addressed most of the previous concerns ODOT identified with the original TIA. The added intersection at US 395/Highland will operate fine with the development.

However, the applicant is proposing an overall Trip Cap to the development of 642 PM Peak Hour trips. ODOT recommends the city for the proposed C-2 zone south of the railroad tracks have a Trip Cap of 110 (rounded up from 107), and the R-3 zone north of the railroad tracks, should have a Trip Cap of 325 to match the applicant's proposed RV Park and mix of Residential and Commercial/Industrial uses.

To meet City standards and minimize public facility impacts, ODOT recommends the city require a Trip Cap that can be used to protect the function of US 395 and the local transportation system and also require the applicant to share responsibility and cost of implementing necessary multi-modal improvements to the transportation system.

ODOT is committed to preserving the function of the state highway system and public infrastructure investments as the area infills and redevelops. Ensuring the transportation system is managed effectively with adequate capacity to serve development and support safe multi-modal choices for the community in accordance with the City's Transportation System Plan are necessary conditions of approval.

Thank you for the opportunity to comment.

Rich Lani, District 12 Manager

CJS

cc: Ken Patterson, ODOT Region 5 Manager
David Boyd, Regional Access Management Engineer
Paul Howland, District 12



Where Life is Sweet

Members of the Planning Commission
STAFF REPORT
For the Meeting of February 14, 2024

Title/Subject

Conditional Use - Bob Shannon Safety Center 4N2810DD Tax Lots 100, 200, 201 & 202 - 330 S First St

Summary and Background

Michael Schlager of Schlager Zimmerman Architects has submitted a request for a conditional use permit for an addition to the Bob Shannon Safety Center located at 330 S First St. The property is described as 4N2810DD Tax Lots 100, 200, 201 and 202. The parcels lie within the Medium Density Residential (R-2) zone. The Bob Shannon Safety Center remodel is funded in part by a Seismic Rehabilitation grant from the State of Oregon.

The safety center remodeling and expansion will cover many facets of building operations. The Hermiston municipal court vacated the building in 2022, moving to the Hermiston city hall at 180 NE 2nd Street. The area previously occupied by the municipal court will be converted to offices for patrol and record staff, as well as storage. This change is an interior remodel only and not part of the conditional use request. A new addition will be constructed on the rear of the building along the west exterior wall. This addition is planned as a two-story addition adding additional office space, holding cells, an elevator, and adding a sally port for transfer of arrestees within a secure, enclosed structure. The exterior addition adds 2,937 square feet to the safety center. With the addition the structure will grow from 18,875 square feet to 21,812 square feet. This is an increase in building area of 15.56%. The building was built in 1972 and expanded in 2004 with additional offices for the fire district.

As noted, the property is zoned Medium-Density Residential (R-2). The Bob Shannon Safety Center is part of a larger municipal complex which combines the offices of Umatilla County Fire District #1, the police annex building, and McKenzie Park. A governmental structure or land use including but not limited to a public park, playground, recreational building, fire station, library, museum, or civic center is a use permitted conditionally in the R-2 zone. In the city’s conditional use standards in §157.210, government structures may be approved subject to a master plan for future development and expansion. Under this section, uses in existence prior to 1994 are not required to have a master plan but it is recommended. Uses that do not increase the overall land use intensity by more than 10% may be approved administratively by city staff. Since this proposal constitutes a 15% increase in gross floor area for the building, staff has interpreted it to be a more than 10% increase in land use intensity. The proposal will be considered as a conditional use rather than a master plan for the entirety of the McKenzie Park.

As a government structure, the building itself is not classified in the zoning ordinance for requirements. However, the primary use of the building is for professional offices and vehicle storage. Vehicle storage areas are not subject to parking requirements, but offices require parking at a ratio of one space per 333 square feet. A 21,812 square foot office building requires 66 spaces and 83 are provided. Since some of the floor area is used for fire engine storage, the overall parking requirement is slightly lower than the 66 theoretical maximum requirement. The site plan proposed in the conditional use complies with the parking standard.

In addition to parking within the existing lots used for the safety complex, the expansion will acquire lease rights to some of the land owned by the Hermiston School District lying between the property line and Weber Field. This lease will add approximately 10,000 square feet to the parking lot, creating an improved circulation plan and allowing for a significant increase in parking over the 52 spaces currently provided.

The property has frontage on one public street, S 1st Street. The S 1st Street improvements are of an older, outdated standard. Cross slopes on the sidewalk and driveway approaches are both not in compliance with current ADA requirements for accessibility. In approving the expansion to the safety center, staff recommends that the planning commission require replacement of the existing curb, gutter, and sidewalk along the frontage of the development site extending from the south property line of Tax Lot 200 northward to the intersection of the existing sidewalk and the McKenzie Park path approach lying north of the existing building.

Public notice requirements for the property have been met as follows:

- Notice of public hearing published in Hermiston Herald on January 31, 2024
- Notice of proposed land use action posted on property on January 31, 2024
- Notice of public hearing provided by direct mail to all property owners within 300 feet on January 31, 2024

§157.208 of the Hermiston Code of Ordinances provides the method and approval criteria necessary for approving or denying a conditional use. The specific findings required by this section are:

1. The proposal is in conformance with the comprehensive plan and zoning code.
2. The property is adequate in size and shape to accommodate the proposed use, together with all other zoning requirements and any additional conditions imposed by the planning commission.
3. Public facilities are of adequate size and quality to serve the proposed use.
4. The proposed use will prove reasonably compatible with surrounding properties.

In granting a conditional use permit, the planning commission may impose, in addition to those standards and requirements expressly specified by the zoning code, any additional conditions they consider necessary to protect the best interests of the surrounding property or the city as a whole. These conditions may include increasing the required lot size or yard dimensions; limiting the height of buildings; controlling the location and number of off-street parking and loading spaces required; limiting the number, size and location of signs; requiring screening and landscaping to protect adjacent property and any other condition deemed necessary by the commission.

Tie-In to Council Goals

Completing the upgrades to the Bob Shannon Safety Center are a council goal for 2024. The upgrades improve the seismic resilience of the building, increase office space, and improve the functionality of the building.

Fiscal Information

The refits and remodeling are being performed utilizing a \$2.5 million grant.

Alternatives and Recommendation

Alternatives

The planning commission may choose to:

- Approve the conditional use permit application as submitted
- Approve the conditional use permit application with amendments
- Deny the conditional use permit application

Recommended Action/Motion

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

Submitted By:

Clinton Spencer, Planning Director

EXHIBIT A

Findings of Fact

Conditional Use Permit

Bob Shannon Safety Center Expansion

330 S First St

February 14, 2024

The proposal is in conformance with the comprehensive plan and zoning ordinance.

1. The property is located within the Medium Density Residential (R-2) zone.
2. The Medium Density Residential zone list of conditional uses include the conditional uses listed in the R-1 zone. A governmental structure or land use is a use subject to a conditional use permit per 157.025(B)(6) of the Hermiston Code of Ordinances.
3. The planning commission held a public hearing on the proposed conditional use on February 14, 2024, as required by 157.205(A) of the Hermiston Code of Ordinances.
4. Comprehensive Plan Policy 27 Police Protection states that the city may expand the safety center as needed to accommodate growth of the police, fire department, and municipal court. The court has vacated the building, but additional growth of the police and fire department continues.
5. Comprehensive Plan Policy 28 Fire Protection states that the city will encourage expansion of fire facilities as necessary to accommodate 20-year growth through appropriate budgeting. This expansion is funded through a seismic refit grant.
6. Comprehensive Plan Policy 29 Promote adequate and efficient provision of local government services and facilities. This expansion is planned for in the police department’s capital improvement plan.

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

7. The property consists of four tax lots and is approximately 2.94 acres in size.
8. The proposed addition will fit within the property boundary as shown on the site plan and meet the zone setback requirements established in 157.026.
9. Total lot coverage, including all other public buildings is 20%. The allowable lot coverage in the R-2 zone is 45%.
10. No additional driveways are proposed for the site.
11. Eighty-three parking spaces are proposed, and 66 spaces are required. The parking requirement is met.

Public facilities are of adequate size and quality to serve the proposed use.

12. The site is serviced by a six-inch public water line in S 1st St.
13. The site is serviced by an eight-inch public sewer line in S 1st St.
14. Municipal services are adequate to accommodate additional bathrooms and incidental sewer and water demand by the expansion.

15. S 1st Street is designated as an urban major collector adjacent to the development site. The road is presently improved to major collector status.
16. Traffic impact from the proposed expansion will be minimal and no significant increase in personnel is anticipated.
17. A non-compliant sidewalk is installed along the S 1st Street frontage of the development site. The city will require replacement of curb, gutter, and sidewalk as a condition of approval for the development.

The proposed use will prove reasonably compatible with the surrounding properties.

18. The area under consideration is an area subject to a cluster of public uses. McKenzie Park, The Arc, the Teen Adventure Park, Bob Shannon Safety Center, Hermiston High School, Hermiston School District maintenance offices, the Hermiston Post Office, and the Hermiston Food Pod are all within 500 feet of the site.
19. There are additional commercial facilities north of Orchard Ave and south at Highland Ave.
20. The area is a neighborhood subject to high traffic demands and high usage. The expansion of the safety center is unlikely to generate additional noise or traffic above that already seen in the neighborhood. As an expansion to the existing use, there is a demonstrated level of compatibility with surrounding uses. The expansion will not denigrate the existing compatibility.
21. The location of fire and emergency services are located in close proximity to public uses and high-volume corridors. The location is intended to be central to the service area to minimize response time and may provide monitoring for additional safety for park users.
22. The proposed addition is architecturally compatible with the overall building design. Architectural renderings are included in the project file.

EXHIBIT B

Conditions of Approval

Conditional Use Permit

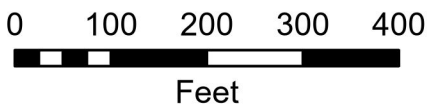
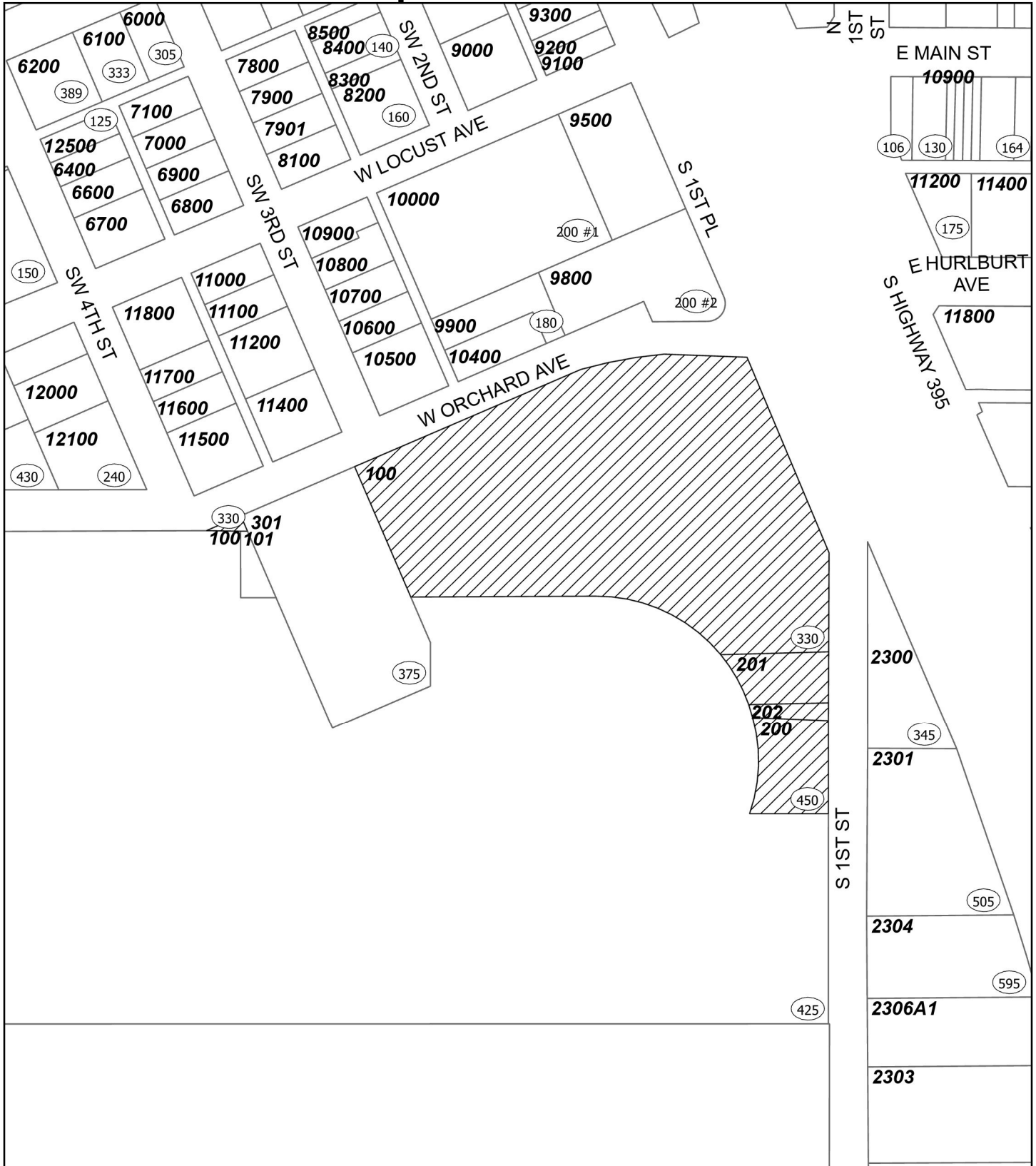
Bob Shannon Safety Center Expansion

330 S 1st Street





February 14, 2024

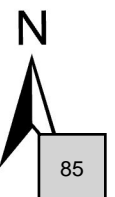
1. The city shall comply with 92.12 of the Hermiston Code of Ordinances which relates to the control of blowing dust, during all phases of construction.
2. All storm water shall be retained on-site.
3. All signage shall comply with Chapter 155 of the Hermiston Code of Ordinances.
4. Bicycle parking shall be installed in accordance with 157.150(L) of the Hermiston Code of Ordinances.
5. The applicant shall replace curb, gutter, and sidewalk along the frontage of the development site extending from the south property line of Tax Lot 200 northward to the intersection of the existing sidewalk and the McKenzie Park path approach lying north of the existing building.

Notice of Proposed Land Use Action



Legend





-  Area of Conditional Use Permit
-  Property Line
-  City Limits
-  Urban Growth Boundary

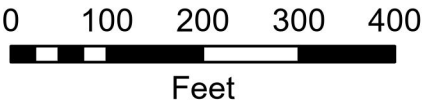




Oregon Statewide Imagery Program (OSIP) - Oregon Imagery Framework Implementation Team

Legend

-  Area of Conditional Use Permit
-  Property Line
-  City Limits
-  Urban Growth Boundary



DATE:	08/20/23
PROJECT #	Section 3, Item B.
DRAWN BY:	
CHECKED BY:	
REVISION:	DATE:

SIGNING WORK ITEMS

- 1 SIGN R7-8
- 2 SIGN R7-8P
- 3 SIGN OR7-9 AND OR7-90

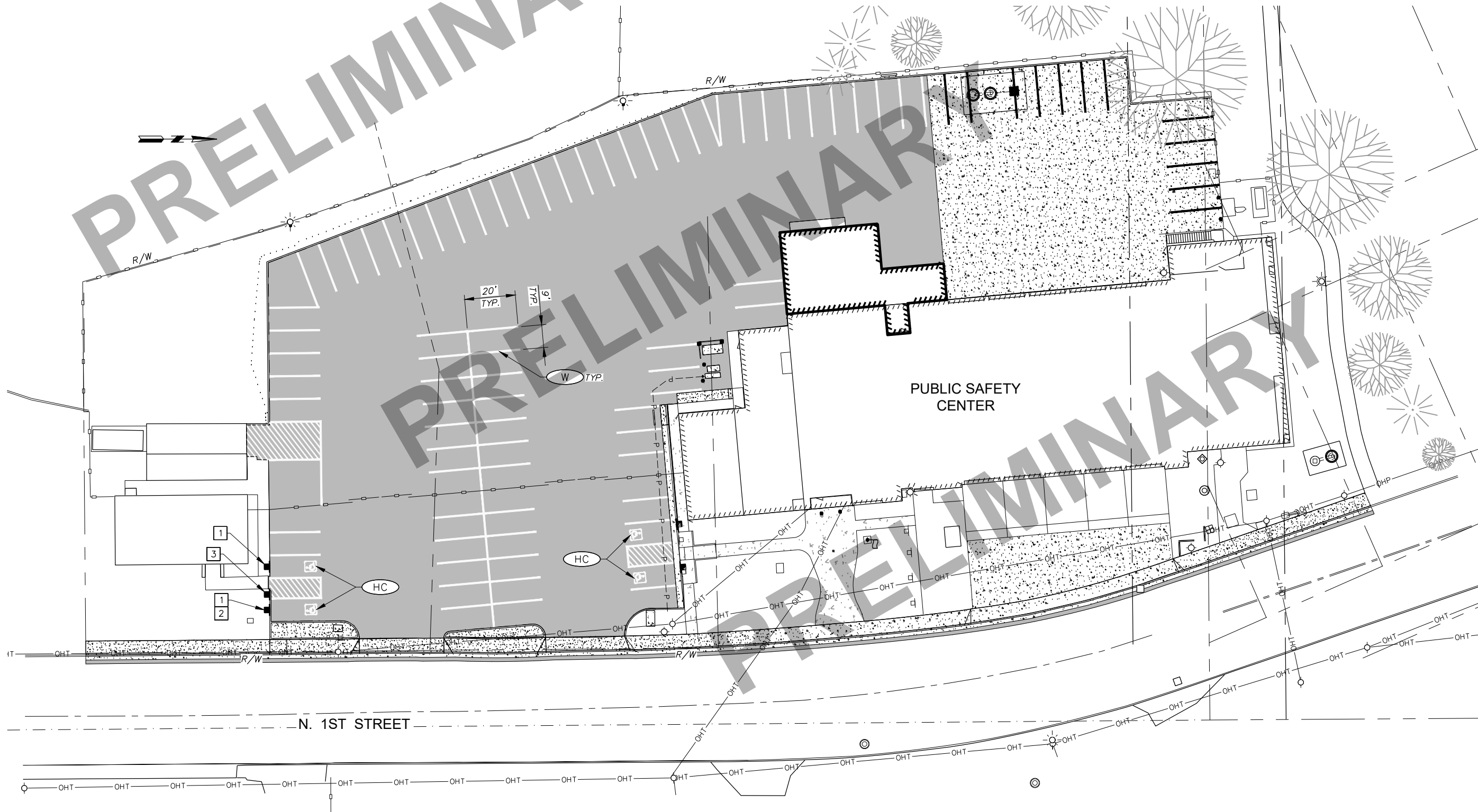
NOTE
FOR SIGN DETAILS, SEE CITY STD. DWG. ST19, AND OREGON TRANSPORTATION COMMISSION STANDARDS FOR ACCESSIBLE PARKING SPACES AUGUST 2018.

STRIPING WORK ITEMS

- W 4" WHITE LINE
- HC DISABLED PARKING (WHITE)
SEE CITY STD. DWG. ST17

NOTE
FOR ADDITIONAL INFORMATION SEE CITY STD. DWG. ST17, AND OREGON TRANSPORTATION COMMISSION STANDARDS FOR ACCESSIBLE PARKING SPACES AUGUST 2018.

PARKING SPACES	
TYPE	AMOUNT
HANDICAP (PUBLIC)	4
STANDARD (PUBLIC)	17
STANDARD (PRIVATE)	67



**SCHLAGER
ZIMMERMAN
ARCHITECTS**

10159 W. Overland Rd., Boise, Idaho
(208) 866-8457 or (208) 739-1928

**anderson
perry**

Engineering Surveying Natural Resources Cultural Resources GIS
1801 N. El Street, La Grange, OR 97160 Ph: (541) 982-5909 Fax: (541) 982-6466
LA GRANDE, OR WALLA WALLA, WA HERMISTON, OR ENTERPRISE, OR
COPYRIGHT 2024 BY ANDERSON PERRY & ASSOCIATES, INC.

**PUBLIC SAFETY CENTER
STATION #21**

**320 S 1ST STREET
HERMISTON, OREGON**

**SIGNING AND
STRIPING PLAN**

X:\Clients\UmatCo\FireDist1199-881 Sta 21 Renovation\CAD\1199-881-C-205.dwg Layout1, 1/30/2024 3:40 PM, pnrhardson

CONDITIONAL USE PERMIT APPLICATION

Pursuant to the provisions of §157.205 of the Hermiston Code of Ordinances, application is hereby made for a conditional use permit for the following described property:

Applicant's Name: Michael Schlager Date: 01.09.2024
Address: 1179 Pleasant View Dr. Weiser, ID 83672 Phone: 208-793-1928
(Daytime)

Property Owner(s) Name (If Different): City of Hermiston
Address: 330 S. 1st St. Hermiston, OR 97838 Phone: 541-567-5519
(Daytime)

Legal Description of Property: Assessor's Map No: 4N2810DD Tax Lot No: 100
Comprehensive Plan Designation: L- Low Density Res. Zoning Designation: R-2
Current Use of Property: Police and Fire Station

Request to Allow:

An addition and remodel to the existing police / fire station. No change in use.

IMPORTANT! Oregon's Land Use Planning Laws and §157.208 of the Hermiston Code of Ordinances require the planning commission to make "findings of fact" with regard to requests for conditional use permits. 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 be used by the City to make findings and evaluate the merits of your request. The chances of a successful application depend upon the adequacy of the arguments you present to justify approval of the application.

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

Comprehensive Plan:
Policy 27. The City of Hermiston will promote adequate and efficient Police Protection.
Policy 28. The city of Hermiston will promote adequate and efficient Fire Protection.

One of the core objectives of this project is to provide seismic reinforcing for the Hermiston Public Safety Center. Also, an addition to facilitate fire and police department needs an addition will be included to provide space for additional and better functioning public safety services.

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

The property is adequate in size to accommodate all additions and improvements while still maintaining well beyond the minimum setbacks as indicated in the zoning code. The current use will be continue on the site where it has effectively functioned for multiple decades. The close proximity to the school district property ensures very responsive emergency service to one of the most densely occupied buildings / campuses in the City of Hermiston.

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

The adjacent roadway, public utilities, private utilities, and available parking are more than adequate to serve the continuation of use for the Hermiston Public Safety Center in it's current location. The impacts of the addition of the building will be minimal, and no significant increase in on site personell, response volume, or use of public facilities is expected as a result of this project.

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

The close proximity to the school district property ensures very responsive emergency service to one of the most densely occupied buildings / campuses in the City of Hermiston. Additionally, the close proximity to major roads allows emergency vehicles to quickly get to other areas where emergency responses may be needed. The Sound buffer of Makenzie Park, as well as the rail road right of way provide a noise buffer from surrounding residences, minimizing the noise impact of residents living near the site. The new adjacent skate park east of the site will be provided with police monitoring, and on site EMTs to help ensure that any individuals using the skate park, especially youth, will be monitored and safe due to the proximity of the police and fire emergency services in their current location.

ADDITIONAL INFORMATION TO BE FURNISHED AND ATTACHED TO APPLICATION:

Section 3, Item B.

APPLICATION FOR CONDITIONAL USE PERMIT - PAGE 3

- 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 or existing building(s), highways, streets and alleys.

The above statements are true to the best of my belief and knowledge. As applicant, I understand that the planning commission requests my attendance, or the attendance of my representative, at the meeting(s) where this request is scheduled for consideration, and may grant or deny this request based upon the testimony provided at the hearing.

I am the ___owner/ X owner(s) authorized representative.
(If authorized representative, attach letter signed by owner.)

Applicant's Signature:  Date: 01.11.24

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

NOTE: The Hermiston Planning Commission meets the second Wednesday of the month. Because of public notice requirements and time constraints, this application must be returned to City Hall no less than four weeks prior to the public hearing date. For further information, please feel free to contact the planning department at the Hermiston City Hall, 180 N.E. 2nd Street, Hermiston, OR 97838, or telephone (541) 567-5521. The City's fax number is (541) 567-5530.

=====

OFFICE USE ONLY

Date Filed: _____ Received By: _____ Meeting Date: _____

Fee: \$475.00 Date Paid: _____ Receipt No: _____



SCHLAGER
ZIMMERMAN
ARCHITECTS

Authorized Representative Form

To: Whom It May Concern

From: Schlager Zimmerman Architects
City of Hermiston Police Department
Umatilla County Fire District #1

Date: 01.09.2024

The City of Hermiston police department and Umatilla County Fire District #1 have retained the services Schlager Zimmerman Architects to provide architectural design and construction administration services on their joint project for Seismic Upgrades, renovations, and building addition on the Hermiston Public Safety Center located at 330 S. 1st St. Hermiston, Oregon 97838.

The City of Hermiston Police Department and Umatilla County Fire District #1 hereby designate Michael Schlager, Project Manager from Schlager Zimmerman Architects as an authorized representative for all matters related to applications for the approval, and permitting of this project. This includes, but is not limited to planning and zoning approvals, building plan review approvals, and building permit approvals through the City of Hermiston, Umatilla County, and the State of Oregon. This authorization shall remain in effect until September 30, 2024.

Signatures

Jason Edmiston 

010924
Date

Jason Edmiston, City of Hermiston Police Chief



1-09-2024
Date

Scott Stanton, Umatilla County Fire District #1 Fire Chief



01.09.2024
Date

Michael Schlager, Schlager Zimmerman Architects Project Manager


DATE:	9/8/2023
PROJECT #:	1199-681
DRAWN BY:	LDW/PAR
CHECKED BY:	
REVISION:	
DATE:	

SCHLAGER
ZIMMERMAN
ARCHITECTS



10159 W. Overland Rd., Boise, Idaho
(208) 866-3457 or (208) 739-1928

Engineering Surveying Natural Resources Cultural Resources GIS
Anderson PERRY



1901 N. Ft. Street - La Grande, OR 97850 Ph: (541) 963-8309 Fax: (541) 963-6456
LA GRANDE, OR WALLA WALLA, WA REDMOND, OR HERMISTON, OR ENTERPRISE, OR
COPYRIGHT 2024 BY ANDERSON PERRY & ASSOCIATES, INC.

FOR REVIEW ONLY

PUBLIC SAFETY CENTER
STATION #21

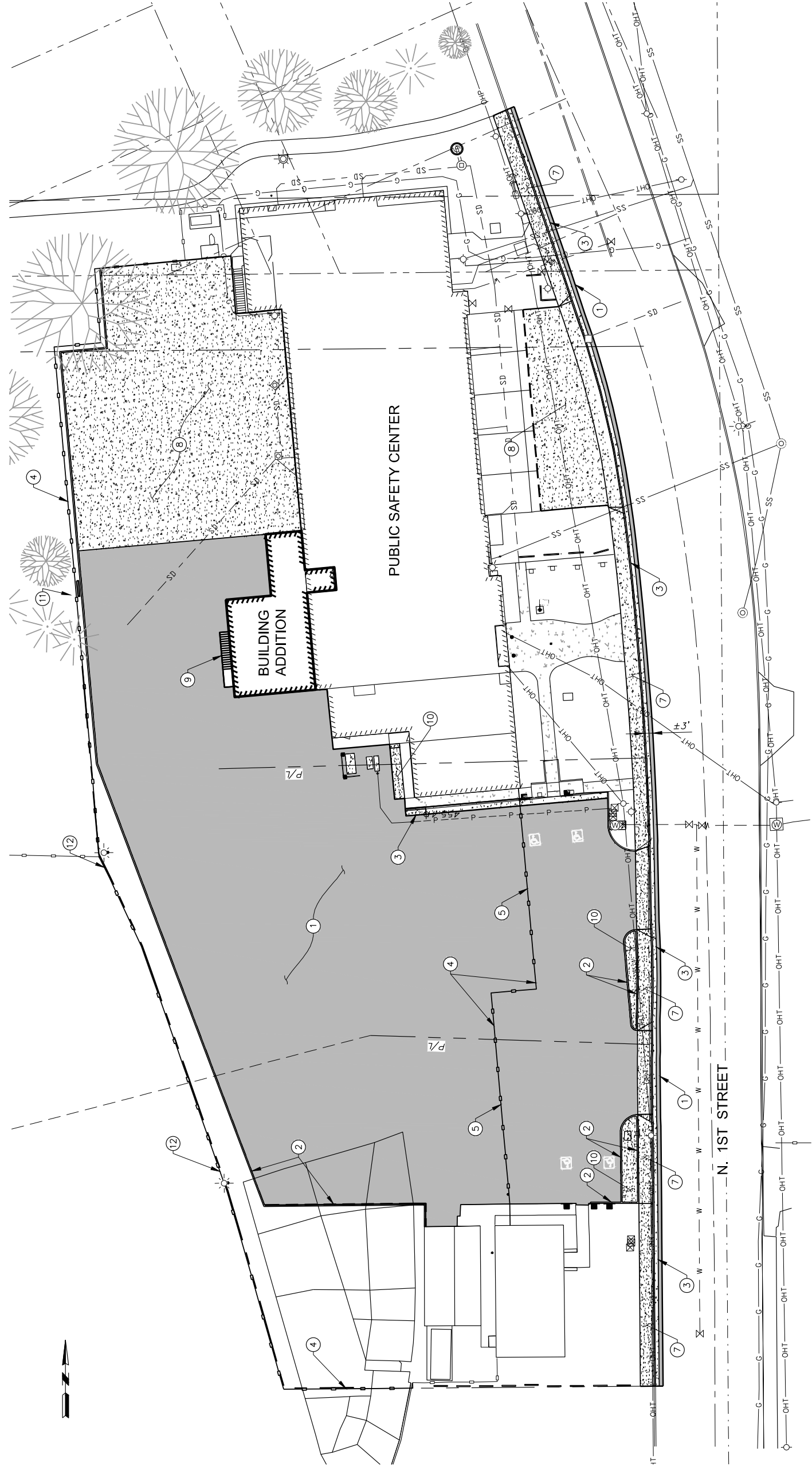
320 S 1ST STREET
HERMISTON, OREGON

SITE PLAN

C-202

WORK ITEMS

- ① CONSTRUCT ASPHALT CONCRETE PAVEMENT
SEE TYPICAL SECTION, SHEET C-301
- ② CONSTRUCT CURB AND GUTTER, MATCH EXISTING
CURB HEIGHT, SEE CITY STD. DWG. S101
- ③ CONSTRUCT CURB AND GUTTER
SEE CITY STD. DWG. S101
- ④ CONSTRUCT CHAINLINK FENCE FENCE
SEE DETAIL, SHEET C-301
- ⑤ CONSTRUCT SLIDING GATE
SEE DETAIL, SHEET C-301
- ⑥ CONSTRUCT DRIVEWAY (OPTION 1)
SEE CITY STD. DWG. S105
- ⑦ CONSTRUCT CONCRETE SIDEWALK
SEE CITY STD. DWG. S104
- ⑧ CONSTRUCT CONCRETE TRUCK APRON
SEE DETAIL, SHEET C-301
- ⑨ STAIRS, SEE ARCHITECTURAL AND STRUCTURAL PLANS
SEE DETAIL, SHEET C-301
- ⑩ CONSTRUCT PLAIN CONCRETE SECTION. 4" OF
CONCRETE OVER 4" OF 3/4" -0
- ⑪ ELECTRICAL PANEL
- ⑫ INSTALL xx' BALL PROTECTION NETTING BETWEEN
PARKING LOT AND BASEBALL FIELD. SEE DETAIL,
SHEET C-301



N. 1ST STREET









