

Board of Commissioners

216 S. E. 4th Street Pendleton, OR 97801 541-278-6204 **Daniel N. Dorran** 541-278-6201

John M. Shafer 541-278-6203 Celinda A. Timmons 541-278-6202

BOARD OF COMMISSIONERS MEETING

Wednesday, May 1, 2024, 9:00am Umatilla County Courthouse, Room 130

- A. Call to Order
- B. Chair's Introductory Comments & Opening Statement
- C. New Business

CO-ADOPTION OF CITY OF HERMISTON COMPREHENSIVE PLAN MAP AMENDMENT #P-136-24: HERMISTON HOME WORKS INC,

APPLICANT / OWNER. The applicant requests the County co-adopt City Ordinance 2356 amending the comprehensive plan map from urbanizable to urban status for an 80-acre tract located on the south side of East Highland Ave. The City Council also adopted Ordinance 2357 annexing said property effective upon co-adoption of Ordinance 2356. The criteria of approval are found in Umatilla County Development Code 152.750 - 152.754 and the Joint Management Agreement between the City and County.

D. Adjournment

[&]quot;The mission of Umatilla County is to serve the citizens of Umatilla County efficiently and effectively."



PLANNING DIVISION

216 SE 4th ST, Pendleton, OR 97801, (541) 278-6252 Email: planning@umatillacounty.gov

Community Development

COMMUNITY & BUSINESS DEVELOPMENT

MEMO

TO:

FROM:

LAND USE PLANNING, ZONING AND PERMITTING

Umatilla County Board of County Commissioners
Megan Davchevski, Planning Division Manager

DATE: April 24, 2024

CODE ENFORCEMENT

MANAGEMENT

RE: May 1, 2024 Board of County Commissioners Hearing

SOLID WASTE COMMITTEE City of Hermiston Plan Map Amendment Co-adoption

Plan Map Amendment, #P-136-24

Hermiston Home Works, Inc – Applicant & Owner

GIS AND MAPPING

SMOKE

Background Information

RURAL ADDRESSING On March 11, 2024, Hermiston City Council adopted Ordinance 2356, amending the Comprehensive Plan Map from "Urbanizable" to "Urban" for an 80-acre tract located on the south side of East Highland Ave. The City Council also adopted Ordinance 2357 annexing said property effective upon co-adoption of Ordinance 2356.

LIAISON, NATURAL RESOURCES & ENVIRONMENT

PUBLIC TRANSIT

Co-Adoption

The City of Hermiston Joint Management Agreement (JMA) Section E (10) requires Comprehensive Plan Amendments applicable in the Urban Growth Area to be processed by the City. The JMA requires amendments to be adopted by ordinance, first by the City, then to the County for co-adoption review.

Hearings

The Hermiston City Council held a public hearing on March 11, 2024 and approved the plan map amendment and subsequently adopted Ordinances 2356 and 2357.

The Umatilla County Planning Commission held the County's first evidentiary hearing for co-adoption on April 11, 2024 at the Justice Center Media Room, 4700 NW Pioneer Place, Pendleton, OR. The Planning Commission recommended approval of the Hermiston Home Works Comprehensive Plan Map Amendment Co-Adoption with a vote of 7-0.

Conclusion

The Umatilla County Board of Commissioners decision is final unless appealed to the Land Use Board of Appeals (LUBA). Following co-adoption of the City of Hermiston ordinances the Hermiston Home Works property will be annexed into the city.

Attachments

- Public Notice Map
- City of Hermiston Ordinance 2356
- City of Hermiston Adoption Findings

APPLICANT/OWNER: HERMISTON HOME WORKS INC

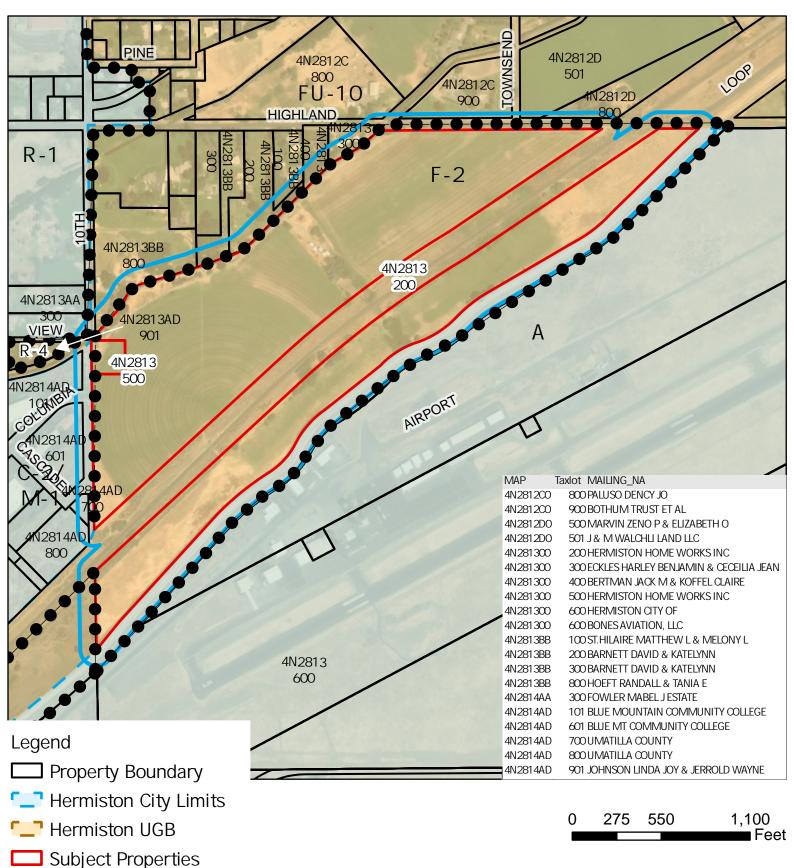
MAP: 4N2813 TAX LOTS: 200 & 500

100 ft Notice Boundary

P-136-24



Notified property owners within 100 feet of subject parcel



ORDINANCE NO. 2356

AN ORDINANCE AMENDING THE CITY OF HERMISTON COMPREHENSIVE PLAN MAP TO CONVERT CERTAIN LANDS FROM URBANIZABLE STATUS TO URBAN STATUS LOCATED WITHIN THE URBAN GROWTH BOUNDARY OF THE CITY OF HERMISTON IN ACCORD WITH THE PROVISIONS OF POLICY 6 IN THE CITY'S COMPREHENSIVE PLAN.

THE CITY OF HERMISTON DOES ORDAIN AS FOLLOWS:

SECTION 1. The property described on Exhibit A to this ordinance shall be changed on the city comprehensive plan map from Future Industrial (FI) to Commercial (C), Low Density Residential (L), and Medium Density Residential (M) and on the city zoning map from Future Industrial (FI) to Outlying Commercial (C-2), Medium Density Residential (R-2), and Medium-High Density Residential (R-3). The disposition of C-2, R-2, and R-3 designations is described on Exhibits A & B to this ordinance.

SECTION 2. The findings of fact as adopted by the City Council on March 11, 2024, are incorporated herein by reference.

SECTION 3. The effective date of this ordinance shall be the thirty days after co-adoption by the Umatilla County Board of Commissioners.

PASSED by the City Council this 11th day of March 2024.

SIGNED by the Mayor this 11th day of March 2024

Doug Primmer, COUNCIL PRESIDENT

ATTEST:

Lilly Alarcon Strong, CMC, CITY RECORDER

Exhibit A to Ordinance No. 2356

Future Industrial Amended to C-2

Tracts of Land to be Zoned C-2 located in the Northwest Half of Section 13, Township 4 North, Range 28 East of the Willamette Meridian, City of Hermiston, Umatilla County, Oregon, being more particularly described as follows:

Tract 1:

All that area between the Southern Right-of-Way for the Oregon-Washington Railroad and Navigation Company and the Northern Right-of-Way for the U.S.R.S. Feed Canal, bounded by the Easterly Right-of-Way for Southeast Tenth Street and the Westerly Right-of-Way for East Highland Avenue.

Said Tract containing 25.67 acres, more or less.

Also including lands owned by Union Pacific Railroad Co to the south and west of said tract and Union Pacific Railroad Co Right-of-Way forming the north boundary of said tract.

All being in the Northwesterly Half of Section 13, Township 4 North, Range 28 East of the Willamette Meridian, City of Hermiston, Umatilla County, Oregon.

Tract 2:

Beginning at a point on the Southerly Right-of-Way of the Oregon-Washington Railroad and Navigation Company being North 145.34 feet, more or less, and Easterly 33.00 feet from the West line of Section 13, Township 4 North, Range 28 East, City of Hermiston, Umatilla County, Oregon, being the True Point of Beginning for this Description; thence Northeasterly along said Southerly Right-of-Way the following calls: North 45°35′58" East a distance of 138.60 feet, more or less; thence North 45°24′33" East a distance of 19.66 feet, more or less; thence North 45°24'49" East a distance of 254.91 feet, more or less; thence North 45°37'38" East a distance of 109.93 feet, more or less; thence North 45°32'22" East a distance of 239.76 feet, more or less, to a point on the said Southerly Right-of-Way; thence leaving said Right-of-Way North 44°27'38" West a distance of 314.67 feet; thence along a tangential curve left with a Radius = 25.00 feet, a Long Chord = 4.35 feet, Bearing = North 50°08'17" West, Delta = 11°21'17", and an Arc Length of 4.36 feet; thence North 55°48'55" West a distance of 159.05 feet; thence along a non-tangential curve right with Radius = 203.00 feet, Long Chord = 59.74 feet, Bearing = South 80°39'11" West, Delta = 16°55'18", and a Arc Length = 59.95 feet; thence South 89°06′50" West a distance of 108.71 feet to a tangential curve left; thence along said curve left Radius = 20.00 feet, Long Chord = 28.28 feet, Bearing South 44°06′50" West, Delta = 90°00′00", and Arc Length = 31.42 feet to a point on the Easterly Right-of-Way of SE 10th Street; thence along said Easterly Right-of-Way South 0°53′10" East a distance of 805.96 feet, more or less, to the Point of Beginning.

Said Tract containing 5.93 acres, more or less.

All being in the Northwest Quarter of Section 13, Township 4 North, Range 28 East of the Willamette Meridian, City of Hermiston, Umatilla County, Oregon.

Future Industrial Amended to R-2

A Tract of Land to be Zoned R-2 located in the North Half of Section 13, Township 4 North, Range 28 East of the Willamette Meridian, City of Hermiston, Umatilla County, Oregon, more particularly described as:

Beginning at a point on the Southerly Right-of-Way of East Highland Avenue and the Easterly Right-of-Way of "A Line" Canal for the Hermiston Irrigation District, said point being North 89°43'56" East a distance of 1840.22 feet along said Northerly Section Line from the Northwest Corner of said Section, and Southerly 33.00 feet perpendicular to said Northerly Section Line, being the True Point of Beginning for this description; thence continuing Easterly along said Southerly Right-of-Way and parallel to said Section line North 89°43′56" East a distance of 812.48 feet to a point Southerly and perpendicular to the North Quarter Corner of Said Section 13; thence continuing North 89°41'15" East a distance of 521.87 feet parallel with the North Line of said Section 13 to a point on the Westerly Right-of-Way of the Oregon-Washington Railroad and Navigation Company; then along said Westerly Right-of-Way of the Oregon-Washington Railroad and Navigation Company the following calls: thence South 55°34'43" West a distance of 563.15 feet, more or less; thence South 55°41'11" West a distance of 104.39 feet, more or less; thence South 55°41'18" West a distance of 401.73 feet, more or less; thence South 55°41'35" West a distance of 342.62 feet, more or less; thence South 55°21'53" West a distance of 182.09 feet, more or less; thence South 55°06'07" West a distance of 151.94 feet, more or less; thence South 53°06'02" West, a distance of 275.37 feet, more or less; thence South 50°38'46" West a distance of 203.02 feet, more or less; thence South 49°25'09" West a distance of 62.78 feet, more or less; thence South 48°06'21" West a distance of 124.48 feet, more or less; then leaving the Westerly Right-of-Way of the Oregon-Washington Railroad and Navigation Company North 41°53′39" West a distance of 198.94 feet; thence North 29°24'49" West a distance of 306.98 feet; thence North 22°37'12" West a distance of 28.00 feet; thence South 67°22'48" West a distance of 349.39 feet to a tangential curve left; thence along said tangential curve left Radius = 500.00 feet, Long Chord = 59.25 feet, Bearing South 63°58′59" West, Delta = 6°47′37", Arc Length = 59.28 feet; thence South 60°35'11" West a distance of 92.82 feet; thence South 58°06'54" West a distance of 10.78 feet; thence North 34°21'22" West a distance of 28.00 feet; thence North 29°24'49" West a distance of 201.37 feet, more or less, to a point on the Southerly Right-of-Way of the said "A Line" Canal; thence along the Southerly Right-of-Way of the said "A Line" Canal the following calls: North 45°39'11" East a distance of 3.35 feet, more or less; thence North 62°33'47" East a distance of 31.74 feet, more or less; thence North 72°29'45" East a distance of 358.03 feet, more or less; thence North 73°07'32" East a distance of 167.22 feet, more or less; thence North 65°49'32" East a distance of 94.01 feet, more or less; thence North 55°32'12" East a distance of 123.34 feet, more or less; thence North 48°16'31" East a distance of 68.84 feet, more or less; thence North 44°58'08" East a distance of 584.00 feet, more or less; thence North 49°21'08" East a distance of 83.56 feet, more or less; thence North 59°12'49" East a distance of 76.38 feet, more or less; thence North 66°34'09" East a distance of 66.19 feet, more or less; thence North 62°45'32" East a distance of 19.55 feet, more or less; thence North 52°16'11" a distance of 37.84 feet, more or less; thence North 48°20'20" East a distance of 164.16 feet, more or less, to the Point of Beginning.

Said Tract contains 33.64 acres, more or less.

Also including the section of E Highland Ave directly north of said tract.

All being in the North Half of Section 13, Township 4 North, Range 28 East of the Willamette Meridian, City of Hermiston, Umatilla County, Oregon.

Future Industrial to R-3

A Tract of Land to be Zoned R-3 located in the Northwest Quarter of Section 13, Township 4 North, Range 28 East of the Willamette Meridian, City of Hermiston, Umatilla County, Oregon, Being more particularly described as follows:

Beginning at a point on the Southerly Right-of-Way of "A Line" Canal of Hermiston Irrigation District and the Easterly Right-of-Way Line of Southeast 10th Street, said point being 1315.41 feet, more or less, South along, and 33.00 feet perpendicular to the West line of Section 13 from the Northwest Corner of Section 13, Township 4 North, Range 28 East of the Willamette Meridian, City of Hermiston, Umatilla County, Oregon being the True Point of Beginning for this description; thence along the Southerly Right-of-Way of said "A Line" Canal the following calls: North 50°45′56″ East a distance of 28.03 feet, more or less; thence North 42°59′16″ East a distance of 72.93 feet, more or less; thence North 37°09'04" East a distance of 238.55 feet, more or less; thence North 45°39'11" East a distance of 39.47 feet, more or less, to a point; thence leaving the Southerly Right-of-Way line of said "A Line" Canal South 29°24'49" East a distance of 201.37 feet; thence South 34°21'22" East a distance of 28.00 feet; thence North 58°06'54" East a distance of 10.78 feet; thence North 60°35'11" East a distance of 92.82 feet; thence along a tangential curve to the right Radius = 500.00 feet, Chord Length = 59.25 feet, Bearing North 63°58'59" East, Delta = 6°47'37", and Arc Length = 59.28 feet; thence North 67°22'48" East a distance of 349.39 feet; thence South 22°37'12" East a distance of 28.00 feet; thence South 29°24'49" East a distance of 306.98 feet; thence South 41°53'39" East a distance of 198.94 feet, more or less, to a point on the Northerly Right-of-Way of the Oregon-Washington Railroad and Navigation Company; thence along said Northerly Right-of-Way the following calls: South 48°06'21" West a distance of 74.48 feet, more or less; thence South 47°15'46" West a distance of 71.63 feet, more or less; thence South 46°03'39" West a distance of 215.65 feet, more or less; thence South 45°13'21" West a distance of 91.46 feet, more or less; thence South 45°32'22" West a distance of 338.25 feet; thence leaving the said Northerly Right-of-Way North 44°27'38" West a distance of 314.67 feet to a point on a tangential curve left; thence along said curve left Radius = 25.00 feet, Long Chord = 4.35 feet, Bearing = N50°08'17" West, Delta = 11°21'17", and Arc Length = 4.36 feet; thence North 55°48′55" West a distance of 159.05 feet to a non-tangential curve right; thence along said curve right Radius = 203.00 feet, Long Chord = 59.74 feet, Bearing = South 80°39'11" West, Delta = 16°55′18", Arc Length = 59.95 feet; thence South 89°06′50" West a distance of 108.71 feet to a tangential curve left; thence along said tangential curve left Radius = 20.00 feet, Long Chord = 28.28 feet, Bearing = South 44°06'50" West, Delta = 90°00'00", Arc Length = 31.42 feet to a point on the Easterly Right-of-Way of Southeast 10th Street; thence along said Easterly Right-of-Way of Southeast 10th Street North 0°53'10" West a distance of 390.89 feet to the Point of Beginning.

Said Tract contains 15.06 acres, more or less.

All being in the Northwest Quarter of Section 13, Township 4 North, Range 28 East of the Willamette Meridian, City of Hermiston, Umatilla County, Oregon.

Proposed Comprehensive Plan Designation

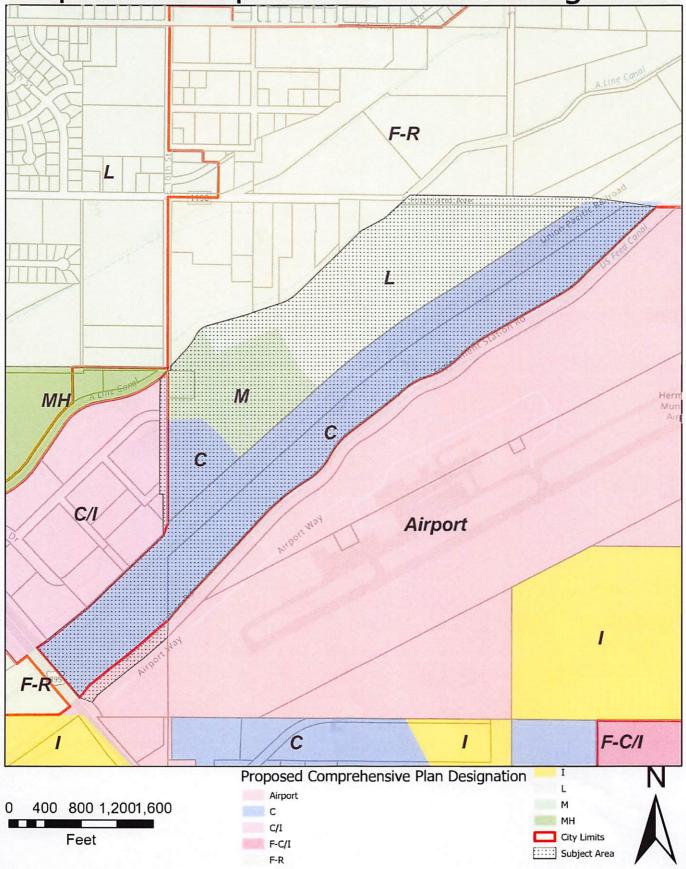




Exhibit A

Findings of Fact

MAR 1 5 2024 UMATILLA COUNTY COMMUNITY DEVELOPMENT

Hermiston Home Works Inc

Comprehensive Plan Map Amendment and Annexation

1295 SE 10th Street

March 11, 2024

Findings of Fact on Comprehensive Plan Map Amendment

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

- 1. Notice of hearing on the proposed annexation and amendment before the planning commission 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. Notice of hearing on the proposed annexation and amendment before the city council was published in the local newspaper on February 7 and 14, 2024, soliciting comments on the proposed annexation and amendment in conformance with 157.229(A) of the Hermiston Code of Ordinances.
- 5. 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.
- 6. The notice listed in finding 4 above listed February 26, 2024, as the date of hearing. At the February 26 meeting the mayor verbally announced to those in attendance that the hearing was rescheduled to March 11, 2024.
- 7. 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)

- 8. The city is required to review its land use designations and supply adequate amounts of all zoning types.
- 9. 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.
- 10. 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.

- 11. 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.
- 12. 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 48.7 acres to be zoned R-2 and 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)

- 13. 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 residential development.
- 14. 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.
- 15. Residential development is needed in this area and will provide a mix of a variety of residential and commercial uses which are compatible with existing adjacent and neighboring properties.
- 16. Future plans for the Gettman Rd extension will add a convenient transportation route to and from the subject property.
- 17. 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.
- 18. 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)

19. 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)

20. 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)

21. 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)

22. 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)

- 23. 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.
- 24. 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.
- 25. 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.
- 26. 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)

27. 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)

- 28. 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 while maintaining 40% for commercial development.
- 29. The proposed change includes a zoning of 31.57 acres of C-2 (commercial).

30. 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)

- 31. Changing a portion of the subject property from county F2 General Rural to city R-2 and R-3 Medium-Density helps satisfy the city's projected housing need.
 - a. The 2021 City of Hermiston Housing Capacity Analysis shows the existing housing supply of 8,051 housing units.
 - b. 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.,
 - c. To accommodate a total population of 26,045 distributed over 10,081 housing units, an additional 2,030 housing units are required.
 - d. The subject property's current zoning allows for a density of one housing unit per 19-acre lot.
 - e. The proposed amendment will designate 15.06 acres as R-3 Medium-High Density Residential. Fifteen acres of R-3 land can accommodate up to 86 single or two-family lots as a low-density development, or up to 300 multi-family dwelling units. Thirty-three acres of R-2 Low Density Residential can accommodate up to 145 single or two-family lots.
- 32. 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 multi-family demand through 2040 and satisfying up to 12% of the single and two-family demand. It is anticipated that the development will encompass a mixture of low-density detached and multi-family attached dwellings.
- 33. 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.
- 34. 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.
- 35. The creation of new 48-acre mixed zoning housing development 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)

- 36. 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.
- 37. 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.
- 38. Applicant is willing to extend both sewer and water to the subject property.
- 39. SE Columbia Drive is an urban minor collector and fully improved city street that will be extended into the property once it develops.
- 40. 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.
- 41. 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.
- 42. 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 657 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.
- 43. 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.
- 44. 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.
- 45. All stormwater will be retained within the boundaries of the future development. There is no city-wide storm water retention and disposal system.
- 46. Future development will utilize Sanitary Disposal for solid waste services as encouraged by the city.

- 47. Future development will not provide recycling services as the City of Hermiston has already provided recycling collections points in two locations of the city.
- 48. The Hermiston Police Department will provide 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.
- 49. 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.
- 50. 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)

- 51. 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.
- 52. 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 657 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.
 - A residential trip cap is established at 325 peak hour trips.
 - A commercial trip cap is established at 110 peak hour trips for the commercial land south of the railroad tracks.
 - The remaining 222 peak hour trips are reserved for the commercial area abutting SE 10th Street.
 - 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 657 peak hour trips, amendments to the TIA shall be required by the city and additional mitigation measures may be required.

Goal 13 (Energy Conservation)

53. 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)

54. 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 March 11, 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 Low Density Residential, Medium Density Residential and Commercial. Proposed map designations are attached as a map to this report.
- 2. The proposed Medium Density Residential, Medium-High Density Residential and Outlying Commercial zoning designations appropriately implement the Low Density Residential, Medium Density Residential and Commercial comprehensive plan map designations adopted for the property.

Oregon Department of Land Conservation and Development PAPA Online Submittal Megan Davchevski -<u>Home</u> (/PAPA_Online/) Reports (https://db.lcd.state.or.us/papa_online_reports) Report A Problem (mailto:plan.amendments@dlcd.oregon.gov? subject=PAPA_PR Report a Problem)

	Status: Adoption Notice Issued Ret	vision Type:	Department Review
			Local File #:
Hermiston Home Wo	rks/SE 10th St		
		Grant #	(if applicable):
		Date	of 1st Hearing:
01/10/2024			
			0
41	Days difference		
		Date of	Final Hearing
01/22/2024			
			•
53	Days difference		
Comprehensive P Land Use Regular UGB using Simpli UGB amendment UGB amendment UGB amendment UGB amendment UGB amendment Urban Reserve de Urban Reserve ar	fied Method (div 38) by city with population less than 2,500 within UGB (div24) of 50 acres or less by a city with population 2,500 or more within UGB (div 24) adding more than 50 acres by city with population 2,500 or more within UGB (div 24) that adds more than 100 acres by Metro (div 24) esignation by Metro or a city with population 2,500 or more within UGB mendment to add over 50 acres by a city with population 2,500 or more within UGB esignation or amendment by a city with population less than 2,500 within UGB		
Urban Reserve ar Urban Reserve O Annexation Other	-		
Urban Reserve O Annexation Other	ther		
Urban Reserve O Annexation	ther		Topic:

Amend the Comprehensive Plan Map designation of ~80 acres of land located in southeast Hermiston from Future Industrial to Medium Density Residential for ~49 acres and Commercial for ~31 acres with a corresponding change to the zoning map from F-2 to Medium-High Density Residential (R-3) and Outlying Commercial (C-2). Annexation of the property is proposed. An exception to a statewide planning goal is proposed: Amended Text: The approximately 49 acres of residential land was changed to approximately 15.06 acres zoned Medium Density Residential (M) and approximately 33.6 acres zoned Low Density Residential (L) with a corresponding zoning map change to (R-3) and (R-2). Total Acres: 116.00 Locations (If there's a large number of tax lots associated with this amendment, please contact DLCD for assistance. plan.amendments@dlcd.oregon.gov $\underline{(mail to:plan.amendments@dlcd.oregon.gov?subject=PAPA\%20on-line\%20location\%20entry\%20assistance))}$ Type Tax Lot From Tο Acres Comprehensive Plan Map & Zoning Map Change Plan Map: Rural Industrial Zone: Rural Industrial Plan Map: Urban Residential Zone: Urban Residential 48.00 Comprehensive Plan Map & Zoning Map Change 00500 Plan Map: Rural Industrial Zone: Urban Residential Plan Map: Urban Residential Zone: Urban Residential 1.00 Contacts Contacts Clint Spencer Planning Director (Local) **Documents** Upload supporting documentation. Administrative rule requires that you include all of the following materials that may apply: • The text of the amendment (e.g., plan or code text changes, exception findings, justification for change) · Any staff report on the proposed change or information that describes when the staff report will be available and how a copy may be obtained · A map of the affected area showing existing and proposed plan and zone designations · A copy of the notice or a draft of the notice regarding a quasi-judicial land use hearing, if applicable • Any other information necessary to advise DLCD of the effect of the proposal Uploaded Name User 11/30/2023 Revision_Existing Comprehensive Plan Designation_2023-11-30_10-49-51.pdf (/PAPA_Online/Document/Get?documentID=261215) 11/30/2023 Revision_Proposed Comprehensive Plan Designation_2023-11-30_10-50-01.pdf (/PAPA_Online/Document/Get?documentID=261216) 11/30/2023 Revision_Notice of Proposed Land Use Action Map_2023-11-30_10-50-51.pdf (/PAPA_Online/Document/Get?documentID=261217) 11/30/2023 Revision_CC Staff Report initiate 11-27-23_2023-11-30_11-02-21.pdf (/PAPA_Online/Document/Get?documentID=261218)

11/30/2023

 $Revision_annexation\ application_2023-11-30_11-02-27.pdf\ (\textit{PAPA_Online/Document/Get?} document ID=261219)$

11/30/2023

Revision_Comp plan amendment application_2023-11-30_11-02-40.pdf (/PAPA_Online/Document/Get?documentID=261220)

11/30/2023

 $Revision_Transportation\ Impact\ Analysis\ -\ Hermiston\ Home\ Works_2023-11-30_11-03-26.pdf\ (/PAPA_Online/Document/Get?documentID=261221)$

2/2/2024

Revision_Notice of Public Hearing CC_2024-02-02_08-30-19.doc (/PAPA_Online/Document/Get?documentID=261812)

2/2/2024

Revision_TIA Brandt PA-ZC - Revised 01.24.2024 - final w attachments - signed_2024-02-02_08-31-46.pdf (/PAPA_Online/Document/Get? documentID=261813)

2/7/2024

Revision_PC Staff Report 02-14-2024_2024-02-07_03-32-50.pdf (/PAPA_Online/Document/Get?documentID=261867)

3/12/2024

Adopted_CC 03-11-2024 Staff Report_2024-03-12_10-36-23.pdf (/PAPA_Online/Document/Get?documentID=262221)

3/12/2024

 $Adopted_ORDINANCE\ NO.\ 2356\ signed_2024-03-12_10-36-35.pdf\ (PAPA_Online/Document/Get?documentID=262222)$

DRAFT MINUTES UMATILLA COUNTY PLANNING COMMISSION Meeting of Thursday, April 11, 2024, 6:30pm

COMMISSIONERS

PRESENT: Suni Danforth, Chair, Sam Tucker, Emery Gentry, Ann Minton, Tami Green,

Malcolm Millar, and Andrew Morris

COMMISSIONER

PRESENT VIA ZOOM: None

COMMISSIONERS

ABSENT: John Standley, and Kim Gillet

PLANNING STAFF: Megan Davchevski, Planning Manager, Tierney Cimmiyotti, Planner, Charlet

Hotchkiss, Planner, and Shawnna Van Sickle, Administrative Assistant

NOTE: THE FOLLOWING IS A SUMMARY OF THE MEETING. RECORDING IS AVAILABLE AT THE PLANNING OFFICE.

CALL TO ORDER

Chair Danforth called the meeting to order at 6:31PM and read the Opening Statement.

MINUTES

Chair Danforth called for any corrections or additions to the minutes from the October 26, 2023 meeting. There were none. Commissioner Tucker moved to approve the minutes as presented. Commissioner Minton seconded the motion. Motion carried by consensus.

Chair Danforth called for any corrections or additions to the minutes from the November 9, 2023 meeting. There were none. Commissioner Gentry moved to approve the minutes as presented. Commissioner Minton seconded the motion. Motion carried by consensus.

NEW HEARING

CO-ADOPTION OF CITY OF HERMISTON COMPREHENSIVE PLAN MAP AMENDMENT #P-136-24. HERMISTON HOME WORKS INC, APPLICANT/OWNER

Chair Danforth called for any abstentions, bias, conflicts of interest, declarations of ex parte contact or objections to jurisdiction. No reports were made.

Chair Danforth called for the Staff Report.

STAFF REPORT

Megan Davchevski, Planning Manager, presented the Staff Report. Mrs. Davchevski started by introducing the Co-Adoption of the city of Hermiston plan map amendment to change the subject

property from urbanizable status to urban. On March 11, 2024, Hermiston City Council adopted Ordinance 2356, amending the Comprehensive Plan Map from "Urbanizable" to "Urban" for an 80-acre tract located on the south side of East Highland Ave. The City Council also adopted Ordinance 2357 annexing said property effective upon co-adoption of Ordinance 2356 by the County. She stated the City of Hermiston Joint Management Agreement (JMA) Section E (10) requires Comprehensive Plan Amendments applicable in the Urban Growth Area to be processed by the City. The JMA requires amendments to be adopted by ordinance, first by the City, then to the County for co-adoption review. She added the Hermiston City Council held a public hearing on March 11, 2024 and approved the plan map amendment and subsequently adopted Ordinance 2356 and 2357.

Mrs. Davchevski explained this hearing before the Umatilla County Planning Commission is the County's first evidentiary hearing for co-adoption. A subsequent Public Hearing before the Umatilla County Board of Commissioners is scheduled for Wednesday, May 1, 2024, at 9:00 AM in Room 130 of the Umatilla County Courthouse, 216 SE 4th Street, Pendleton, OR 97801. She concluded by stating the Umatilla County Planning Commission has an obligation to make a recommendation to the Board of Commissioners for co-adoption of the Comprehensive Plan Map Amendment, changing the designation of the property from "Urbanizable" to "Urban".

Chair Danforth asked if any commissioners had questions for Staff. Chair Danforth stated she had questions regarding the map attached with the designation of zoning. She explained she had to guess designations due to missing information. She stated she believed designations "L" as low-density, "M" as medium density, and two "C's" were commercial. Mrs. Davchevski confirmed and stated the map represented is a city map. Chair Danforth agreed with Mrs. Davchevski and explained further how she'd like some clarification from the applicant regarding those specific designations.

Chair Danforth asked about the description on page 6. She mentioned the application is depicting an area of over 80 acres. The description lists 33.64 acres and nothing else. She asked if there was a missing page, as it also mentions a section included from East Highland, directly north of said tract and no acreage was noted. Mrs. Davchevski stated this was a legal description of the property as it was adopted in the City of Hermiston ordinance. She confirmed she would check with City of Hermiston to ensure the legal descriptions are complete before the application goes before the Board of County Commissioners.

Chair Danforth referenced Exhibit A – Findings of Fact under policies 4, on page 9 sub-item thirteen explaining the property is not high-value farmland and it has predominantly in hay. She further explained the picture on page 3 shows the property has been irrigated and has a half crop circle. Mrs. Davchevski stated the property is located within the city's Urban Growth Boundary (UGB) and has RF2 designation, which is a farm designation from the 1972 Development Code. She explained the property may qualify for farm deferral on their taxes, but it's not considered Goal 3 agricultural lands because it is within the UGB.

Commissioner Morris stated he had a question regarding traffic mitigation from page 9, under Policies 4 (Orderly Urban Growth), 5 (Annexation) and 6 (Conversion) noting number fifteen and sixteen. He asked about Goal 10 on page 11, number thirty-one for population growth, speaking about the future population growth and future housing units. How traffic would impact Highway 395 with present heavy traffic. Chair Danforth stated this was not a matter before the Planning Commission that evening. Mrs. Davchevski answered his questions regarding page 13, under Goal 12 – Transportation. The city found the applicant did a traffic impact analysis and they were compliant with the traffic impact requirements. Commissioner Morris stated he did see that. Mrs. Davchevski stated the applicant may be able to address traffic more but typically comprehensive plan amendments don't deal with that. She explained development comes much later and usually goes before city planning, not the county planning commission.

Chair Danforth asked if there were any further questions for staff. No further questions were stated. Chair Danforth called for the Proponent testimony.

Applicant Testimony: Mr. Tyler Brandt, 469 SW Cottonwood Dr, Hermiston, OR 97838; Mr. Brandt stated he owns the company Hermiston Homeworks INC. He started by answering some questions regarding the legal description. He mentioned 33 acres was likely regarding the R2 portion only. He stated they were required to do a separate legal description for each zone they were applying for. Chair Danforth confirmed stating the packet reflected the 33-acre zone as currently future industrial amended to R2 designation.

Mr. Brandt explained of the roughly 80-acre parcel, approximately 31 acres would be split into approximately 31 acres of commercial or C2, and then 33 acres of R2 and the remaining acreage would be R3. He stated he thinks 30-31% of the acreage would be R3. Chair Danforth agreed and mentioned page 9, subsection twelve states the breakdown in the packet. She expressed concern regarding the missing information for the other legal descriptions. Mr. Brandt agreed it was curious that only one description was listed when there should be several in the application. Mrs. Davchevski stated this could have been missing from the copy sent to the Planning Departments' office, but ensured she would confirm the full packet would be sent to the Board of Commissioners for further co-adoption consideration.

Chair Danforth and Commissioner Millar conversed about the total acreage. Chair Danforth stated 5.9 acres and 29.67 acres totals the commercial acreage listed as 33.64 acres. Mr. Brandt stated he believes this project fits Hermiston's housing needs well and conforms to all the different codes and laws. He expressed he has worked diligently with engineers, surveyors, city and county staff to get the right information gathered to do this correctly. He stated the build out will be a slower process. The first phase, designed with his engineer, would put 28 loots built over a two-year period. The site plan shows approximately 209 lots, he believes this project will span at least 10-years.

Mr. Brandt added they don't have plans for the commercial lots yet. He stated he spoke with city staff, before indicating interest in purchasing this property, about what they thought could be

seen in this area including south of the train tracks and the airport. He expressed if years later the demand for commercial need is not there, then it would be possible to convert this section to more R1 designation. The same would be said for the 5.9-acre piece that down in the main part of the property. He expressed he believes city staff envision it as a natural extension of the government and educational building to the west, but no plans are official at this time for the area.

Mr. Brandt stated a traffic impact analysis was completed to assume the worst-case scenario for C2 so their options were open in case interest was shown for the area. He expressed plans for the residential properties would be single-family housing and some duplexes. He added the cost is rising in the Hermiston housing market and believes this annexation would help address some of these issues. He concluded that changing the land use designation to something more appropriate now, then it was forty to fifty years ago from industrial is necessary.

Chair Danforth asked if Commissioners had any additional questions. Commissioner Millar asked if he would be the only contractor developing on the property. Mr. Brandt stated he owns the property and would likely build most homes on the property but would be open to selling lots to other builders that want to build there. He reiterated that his plan is to build ten homes next year and see how things progress in the future.

Neutral: None

Opponents: None

Public Agencies: None

Chair Danforth asked if Mr. Brandt wanted to return for any rebuttal. Mr. Brandt declined.

Applicant Rebuttal: None

Chair Danforth closed the hearing for deliberation.

DELIBERATION & DECISION

Chair Danforth stated there were no new exhibits. She stated she thought this was pretty straightforward. Commissioner Tucker asked if any specific language was needed for the motion. Mrs. Davchevski stated they would need to state they would recommend approval or denial with the application.

Commissioner Tucker made a new motion to recommend approval of the Co-Adoption of the City of Hermiston Comprehensive Plan Map Amendment #P-136-24 to the Board of Commissioners.

Commissioner Green seconded the motion. Motion carried with a vote of 7:0 recommending approval to the Board of County Commissioners.

ADJOURNMENT

Chair Danforth adjourned the meeting at 8:13PM.

Respectfully submitted,

Shawnna Van Sickle,

Administrative Assistant