

Exhibit A

Findings of Fact

LuLu LLC Comprehensive Plan Map Amendment and Rezone

March 25, 2019

THE CHANGE IS IN CONFORMANCE WITH THE COMPREHENSIVE PLAN AND ALSO THE GOALS AND POLICIES OF THE PLAN

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

1. Notice of the proposed amendment was published in the Hermiston Herald on February 20 and 27, 2019 soliciting comments on the proposed 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 February 20, 2019 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 February 20, 2019 in conformance with 157.229(C) of the Hermiston Code of Ordinances.
4. Comments received as a result of all required publications are incorporated into the record of proceedings.

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

5. The city is required to review its land use designations and supply adequate amounts of all zoning types.
6. Notice of the proposed amendment was provided to Umatilla County, DLCD, ODOT, the Hermiston Irrigation District, the Hermiston School District, and the Confederated Tribes of the Umatilla Indian Reservation on February 20, 2019.

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

7. The change will promote compact urban development to insure efficient utilization of land resources and facilitate economic provision of urban facilities and services because it will add commercial space adjacent to existing commercial development along the NW 11th Street corridor.
8. The current residential inventory is not meaningfully impacted by the removal of one single-family lot out of a total of approximately 1,900 acres of available residential land.
9. The land is within the city limits. Policies 5 and 6 are not applicable.

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

10. The land proposed for amendment is not in cultivation nor has been historically used for agricultural purposes. This policy is not applicable.

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

11. There are no forest lands within the Hermiston UGB. This goal is not applicable.

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

12. This property is not identified on the existing Goal 5 inventories in the Hermiston comprehensive plan as having any Goal 5 resources. The property is also not identified on the draft wetlands inventory as subject to any previously unidentified wetlands. This policy is not applicable.

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

13. 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)

14. The property is not identified as an area subject to natural hazards and development limitations on Figure 12 of the Comprehensive Plan. This policy and goal are not applicable.

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

15. 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)

16. Policy 19 encourages location of small neighborhood commercial development near or adjacent to residential neighborhoods. The proposed amendment extends the existing commercial development along NW 11th Street into the neighborhood.

17. The area under consideration is very small, approximately 6,200 square feet. The scale of commercial development possible on a parcel of this size is small scale and low impact. Thus, it is well suited adjacent to residential areas.

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

18. Changing the subject property from Residential to Commercial/C-2, will have little impact on housing availability and affordability. The removal of 6,200 square feet of R-1 single-family zoned land is not a significant change to the overall 1,900 acres of residential land that are available to develop per the comprehensive plan.

Goal 11 (Public Facilities) 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)

19. Sewer and water and power are already to the subject property or in the adjacent W Poplar Ave.
20. The city has provided a storm drainage easement for this property to allow for drainage from parking improvements to the public drainage swale north of the site.
21. The city encourages all citizens to utilize Sanitary Disposal for solid waste services. The city provides collection points for recycling at two locations in the city.
22. The Hermiston Police Department has reviewed the proposal and is able to provide police services to future development.
23. The Umatilla County Fire District #1 has reviewed the proposal and is able to provide fire protection to future development. All public streets and private development will be required to provide fire hydrants in compliance with fire standards and fire sprinklers if the scale of building warrants sprinkling.

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

24. The subject property will have all its access off W Poplar Ave and W Poplar Pl. Urban level street improvements are being installed in W Poplar Ave as a condition of development for the adjacent property at 140 SW 11th St. Urban level improvements, specifically curb, gutter, sidewalk, and full street paving, are necessary for the proper servicing of commercial development. Once these improvements are complete, no further improvements will be necessary and the street will operate consistent with a local street designation.
25. The proposed change to Commercial/C-2 will not change the functional classification of the affected streets which are W Poplar Ave and W Poplar Pl. The potential building on the subject property will generate trips within the carrying capacity of W Poplar Ave and NW 11th St without any improvements.

Goal 13 (Energy Conservation)

26. Goal 13 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.

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

27. 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.

DESCRIBE THE PUBLIC NEED FOR THE COMPREHENSIVE PLAN AMENDMENT AND WHETHER THAT PUBLIC NEED IS BEST SERVED BY THE CHANGING THE ZONING CLASSIFICATION ON THE PROPERTY UNDER CONSIDERATION

28. The proposed amendment allows for the better utilization of the existing commercial property at 140 SW 11th Street and an existing unused residential lot by combining the two lots into a more usable commercial size. The overall commercial area on the two lots will increase from 12,000 to 18,000 square feet.
29. The city has a surplus of residential land that exceeds what is needed for a 20-year planning horizon. Combining this lot with the adjacent commercial development at 140 SW 11th Street is a higher and better use of the property than its current vacant state.

30. Development will reduce the existing blight on the site, mainly in terms of reducing deferred maintenance and increasing property tax revenues.

EXPLAIN HOW THE PUBLIC NEED IS BEST SERVED BY CHANGING THE CLASSIFICATION OF THE SITE IN QUESTION AS COMPARED WITH OTHER AVAILABLE PROPERTY

31. The subject parcel is a better candidate for amendment than other vacant residential sites as there is a user on the adjacent commercial lot that will absorb and use the parcel. The amendment is not speculative in nature, a user is waiting to develop the parcel.

EXPLAIN HOW THE POTENTIAL IMPACT UPON THE AREA RESULTING FROM THE CHANGE HAS BEEN CONSIDERED

32. The parcel will be developed with a complimentary use with the existing commercial development to the east. The previously undeveloped parcel will then be occupied.
33. The applicant is willing to forego access to W Poplar Pl to reduce commercial traffic on this local residential cul-de-sac.