

EXHIBIT E

FINDINGS OF FACT

Piercy/UEC Conversion and Annexation

NE 10th Street/Diagonal Road

November 25, 2019

FINDINGS OF FACT – STATEWIDE PLANNING GOALS

ORS 197.175(2)(a) requires, among other things, that cities ensure that comprehensive plan amendments are in compliance with the Statewide Planning Goals.

1. Goal 1: Citizen Involvement

Goal 1 requires cities to develop a citizen involvement process that ensures the opportunity for citizens to be involved in all phases of the planning process. By following the city's adopted land use regulations for public notice and by providing the public an opportunity to participate in the review of these land use applications, this proposal is consistent with Goal 1.

2. Goal 2: Land Use Planning

Goal 2 requires the city to have and to follow a comprehensive land use plan and implementing regulations. By following the adopted regulations' procedures and approval criteria in its decision-making, the city ensures the proposal complies with Goal 2.

3. Goal 3: Agricultural Lands

Goal 3 requires counties to identify and to protect agricultural lands. Because the subject property is located within the city's urban growth boundary and is considered urbanizable land, and the annexation will bring the property within the city limits, Goal 3 is no longer applicable to the property. The proposal is consistent with Goal 3.

4. Goal 4: Forest Lands

Goal 4 requires counties to identify and to protect forest land. Because the subject property is located within the city's urban growth boundary and is considered urbanizable land, and the annexation will bring the property within the city limits. Goal 4 is no longer applicable to the property. The proposal is consistent with Goal 4.

5. Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

Goal 5 and its implementing rule requires the city to identify significant Goal 5 resources, classify them and to adopt regulations to protect those resources accordingly. There are no identified Goal 5 resources located on the property and development of the property will not

have any impact on any of the city's identified Goal 5 resources. Consequently, the proposal is consistent with Goal 5.

6. Goal 6: Air, Water and Land Resources Quality

Goal 6 mandates that local governments consider the protection of air, water and land resources when developing comprehensive plans. Comprehensive Plan Policy 8 focuses on surface and groundwater resources, Policy 11 on air quality, Policy 12 on noise, and Policy 13 on water quality. In general, the city requires development to comply with state and federal pollution control standards, and the comprehensive plan specifically focuses on the concern for potential groundwater pollution. The proposal is consistent with Goal 6 because the proposed annexation and plan designations will facilitate development of the property consistent with all city, state and federal environmental standards and will connect to public facilities and services that will minimize the possibility for groundwater contamination or land, water or air pollution.

7. Goal 7: Areas Subject to Natural Hazards

Goal 7 requires local comprehensive plans to address natural hazards. The only natural hazard identified by the City of Hermiston is the potential for flooding. No portion of the subject property is within the 100-year floodplain. Consequently, the proposal is consistent with Goal 7

8. Goal 8: Recreational Needs

Goal 8 requires local governments to plan for the recreational needs of their residents. The Comprehensive Plan explains that the city currently has 60 acres of parkland and an additional 60 acres of recreational facilities available for community use at local schools and has a need to acquire additional land for recreational needs. The Plan does not identify any potential sites for acquisition.

The Comprehensive Plan expresses the intent to explore the feasibility of constructing pedestrian and bicycle facilities along irrigation canals and other locations in the city. The applicant has expressed the intention of developing a pedestrian facility along the western boundary of the property, along NE 10th Street, which is consistent with this identified recreational need.

Furthermore, there is no need to acquire this property for recreational needs given that the Field of Dreams baseball complex and Sandstone Middle School are located to the immediate south, across Diagonal Boulevard, from the subject property. These facilities, as well as recreational opportunities provided on site through development of this large property ensure that this proposal is consistent with Goal 8.

9. Goal 9: Economic Development

The purpose of Goal 9 planning is to make sure cities and counties have sufficient land available to realize economic growth and development opportunities. Goal 9 ensures that the city has adequate land inventories to accommodate both commercial and industrial needs for the planning period. The applicant hired Johnson Economics to do a study that examined the Goal 9 employment land and Goal 10 housing land impacts of the proposal.

The city's current Goal 9 analysis, completed and adopted in 2011, found an excess supply of all employment land types within the city's UGB. Johnson Economics updated that analysis and determined that the evidence shows an increased need for commercial and industrial space due to higher employment projections in key employment areas. However, even with that higher projection, the city will have an estimated surplus of commercial zoned lands of 193.8 acres, which translates to an estimated 58.8-year land supply for commercial land. Furthermore, even with the proposal to plan designate a portion of the property for residential use, the Johnson Economics analysis demonstrates the city will continue to have an excess supply of commercial land at the end of the planning period. The proposal is consistent with Goal 9.

10. Goal 10: Housing

Goal 10 requires cities to conduct a housing needs analysis and to provide a sufficient inventory of lands that is suitable and available for residential use. The Johnson Economics Goal 10 analysis demonstrates that the city has an adequate supply of residential land for the planning period. This proposal only adds to that supply. Furthermore, the proposal seeks to help address the housing needs for independent elderly (over 55 age group) with accessible housing amenities, a residential need not generally available in the city. Because the proposal contributes to addressing the city's housing needs and would not result in a deficiency in the city's residential lands supply, the proposal is consistent with Goal 10.

A joint letter submitted by Housing Land Advocates (HLA) and the Fair Housing Council of Oregon (FHCO) dated November 11, 2019 requested the Planning Commission defer approval of the proposed conversion and annexation until adequate Goal 10 findings can be made. These findings are adequate Goal 10 findings.

HLA and FHCO argue that the decision requires findings of compliance with the Statewide Planning Goals. In this document, the applicant has submitted proposed findings of compliance with the Goals.

HLA and FHCO argue that the City's decision must refer to its Housing Needs Analysis (NHA) and Buildable Land Inventories (BLI) in order to show that an adequate number of needed housing types will be supported by the residential land supply after enactment of the proposed change. They argue that the addition of residential land to the existing land supply does not result in automatic compliance with Goal 10. They argue that the City must demonstrate that the changes do not leave the City with less than adequate residential land supplies in the types, locations, and affordability ranges, and requests that further analysis be conducted by the applicant so the housing advocates and planners can understand whether the City is achieving its goals through this conversion and annexation.

The flaw in HLA and FHCO's reasoning is that the City has already demonstrated compliance with Goal 10 with its existing residential buildable lands inventory, which has been acknowledged to provide an adequate number of all needed housing types. The application does not reduce or change the existing BLI which has been deemed adequate. The application converts land that had been planned for commercial uses and allows it to be developed with

residential uses, thereby further adding to the City's supply of residential land. HLA and FHCO has not identified any rationale how adding to the residential land inventory without removing any other land from the BLI or changing the designation of any residential lands would cause the City to not be able to meet its residential land needs that are met by that existing BLI or to otherwise violate Goal 10. If there were any potential issue, it would be a Goal 9 issue because land is being taken from the employment land inventory. However, as the Johnson Economics Report explains, there is nothing exceptional about the subject property in terms of meeting the City's economic lands needs and even following the conversion of part of the property from commercial to residential land uses, the City still will maintain a vast surplus of commercially zoned land within the City limits and the UGB.

The Planning Commission also observes that HLA's and FHCO's request that the Planning Commission delay review of the application and require the applicant to prepare additional analysis about the details of the City's housing needs, despite the fact that the proposal is adding residential land to the inventory and not changing the acknowledged residential BLI in any way, on its face appears to violate ORS 197.307(4)(b)'s mandate not to apply procedures that "have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay." HLA and FHCO should consider the effects of their requests, in light of their stated mission, before making demands that applications should be delayed or that further studies should be commissioned, particularly when residential land is being added to an inventory.

11. Goal 11: Public Facilities and Services

Goal 11 requires the city to plan and develop a timely, orderly and efficient arrangement of public facilities and services. The record establishes that all necessary public services are readily accessible for the property and that the city has the capacity to accommodate the levels of development consistent with the proposal. The proposal is consistent with Goal 11.

12. Goal 12: Transportation

Goal 12 requires the city to provide and encourage a safe, convenient and economic transportation system. The Goal 12 rule requires that comprehensive plan amendments do not allow development that will significantly affect a transportation facility by resulting in types or levels of traffic that are inconsistent with the functional classification of existing or planned transportation facilities or will degrade the performance of those facilities such that they do not meet the performance standards identified in the State or local TSP or comprehensive plan.

To demonstrate compliance with Goal 12, the applicants commissioned Clemow Associates, LLC to conduct a traffic impact analysis (TIA). The Clemow Associates TIA concludes that, using reasonable worst-case levels of development allowed under the proposal, all study intersections are anticipated to operate within the respective mobility standards and that all intersection crash rates will be within the requisite safety standards. Consequently, the proposal is consistent with Goal 12.

13. Goal 13: Energy Conservation

Goal 13 directs land to be developed and managed so as to maximize the conservation of all forms of energy based on sound economic principles. This proposal is consistent with Goal 13 in a number of ways. The proposal will allow the coordinated development of residential, neighborhood commercial and commercial uses in a manner that will promote pedestrian access to the neighborhood commercial uses by the adjacent residential uses. That reduces vehicle trips, which the Clemow Associates TIA recognizes, and the consumption of fuel. Furthermore, the property's location near downtown will facilitate shorter vehicle trips than from other locations presently in the UGB. The property's close proximity to the recreational areas immediately to the south will also encourage walking to those areas instead of driving to them. Finally, the applicant's expressed intention to facilitate the development of a pedestrian trail along the western boundary of the site will promote transportation and recreational opportunities that do not require vehicular transportation to access from the surrounding community. The proposed comprehensive plan map change is consistent with Goal 13.

14. Goal 14: Urbanization

The purpose of Goal 14 is to provide for an orderly and efficient transition from rural to urban land use. This is accomplished by establishing urban growth boundaries based on land needs and then annexing land into the city (urban land areas) as appropriate. Goal 14, under the heading "Urbanizable Land" states, "Land within urban growth boundaries shall be available for urban development consistent with plans for the provision of urban facilities and services." The subject property is urbanizable land inside the city's UGB and is adjacent to the city limits and to the city's public facilities and services. It is the type of land Goal 14 envisions should be urbanized before rural lands. The proposal is consistent with Goal 14.

15. Goals 15 through 19

Goal 15: Willamette River Greenway, Goal 16: Estuarine Resources, Goal 17: Coastal Shorelands, Goal 18: Beaches and Dunes, and Goal 19: Ocean Resources are generally not applicable to land use actions in the City of Hermiston and none are implicated by this application. Consequently, the proposal is consistent with these goals.

Conclusion

Based upon the above findings and the evidence submitted in the record, the proposed comprehensive plan map amendment is consistent with the Statewide Planning Goals.

FINDINGS OF FACT ON CONVERSION

Explain how the requested change is in conformance with the comprehensive plan and, also the goals and policies:

16. **Policy 1: Citizen Involvement.** A major objective of the planning process is to balance successfully the rights of individual property owners with the health, safety and economic

well-being of the whole community.

This requested zone classification change and annexation will allow establishment of much needed safe, quiet over 55 area of homes as well as non-age restricted single- family dwellings in the moderate to median income levels, in proximity to a small commercial area making the possibility of walking to needed services and/or goods a reality. The goal of the City is to help provide the type of housing needed as well as commercial opportunities near residential. By providing a multi-use development we are fulfilling the needed medium price of housing and an age restricted independent living area as well as retaining some commercial designation to service the area.

17. **Policy 2: Planning Process.** This request will allow for an orderly urban growth. Requesting an NC/R3/C zoning change will allow for neighborhood commercial, residential and commercial to maintain the goals of the urban growth by allowing close proximity to services, walking paths and designated homes for Hermiston citizens who are over 55 years of age as well as for younger citizens and their families, who wish to settle in Hermiston.
18. **Policy 3: Intergovernmental Coordination.** This property is located inside the Urban Growth Boundary and is Outside the City limits. It is currently zoned FU-10. We will work with Umatilla County, the City of Hermiston, Pacific Power, Umatilla Electric, Hermiston Irrigation and any other governing offices and public services to coordinate the changes for development and annexation. We understand that the requested change to the comprehensive plan map will need to be co-adopted by the County of Umatilla subsequent to the City of Hermiston's approval.
19. **Policy 4: Orderly Urban Growth.** This property is adjacent to City limits, after zoning and annexation this will intensify land use within the Urban Growth Boundary. All required utilities are adjacent to this land and can be readily extended.
20. **Policy 5: Annexation.** The plan for annexation, will facilitate Urban growth. The requested NC/R3/C zoning is a medium density designation that will provide the housing for the anticipated growth of seniors and younger families of the Hermiston community. We are also requesting a commercial zone in the triangle that is East of Diagonal Road for commercial convenience services. This too, facilitates orderly urban growth because it provides commercial services proximate to housing, increasing the livability and walkability of the community.
21. **Policy 6: Conversion.** The NCO/R3/C zoning change request and annexation into the City will result in a larger portion of the parcel being residential and approximately 3 acres surrounding the UEC Substation as NC, while retaining approximately 2 acres for C in the NE triangle on the east side of Diagonal Road. This will provide opportunity for convenience store services to the surrounding residential communities as well as the sports complex. The residential growth will symbiotically promote appropriate economic growth in commercial sectors.
22. **Policy 7: Natural Resources.** This proposed change does not affect the 100-year floodplain or the OSU Experimental Station. This parcel is not in the 100-year floodplain.
23. **Policy 8: Surface and Groundwater Resources.** The development will protect groundwater resources and will appropriately manage surface water run-off. The development plan will include connections to public sewer and water systems as well as stormwater drainage.
24. **Policy 9: Mineral and Aggregate Resources.** This property is not adjacent to or nearby existing mineral or aggregate resources or heavy industrial sites.
25. **Policy 10: Historic Resources.** This property does not contain historical or cultural resources.
26. **Policy 11: Air Quality.** The plan for this property does not adversely affect air quality. There will be walking paths designed to encourage walking to reduce traffic and there are commercial

designations on surrounding properties to service residents within walking distance. The development promotes compact urban development as required by Policy 4 and mixing commercial and residential uses reduces the need for off-site trips.

27. **Policy 12: Noise.** The Development will comply with all City of Hermiston and State of Oregon standards as well as any specific portions of the zoning code requiring setbacks and screening requirements. The plan for the area along Elm St., include noise buffers such as trees or other vegetation to quiet the traffic noise. The C zone request of 2 acres across Diagonal will alleviate noise to the residential section by reducing commercial traffic in and out of the development along Elm Street due to a planned access from Hooker Road.
28. **Policy 13: Water Quality.** It is intended to request annexation upon Zone change approval. The Development will utilize the City's water system and the City's utility systems have adequate capacity to cover proposed improvements.
29. **Policy 14: Natural Hazards and Development Limitations.** The parcel is not at risk from natural disaster that does not apply area wide. This site is identified as having excessively well-drained soils on the city's natural hazard map.
30. **Policy 15: Energy Conservation.** Changing approximately 31 acres of the large portion of the parcel to R3 zoning will reduce energy use of the high demand for lighting of commercial spaces, it will also reduce the amount of commercial traffic in and out of the designated residential area resulting in less energy use not only for the development but community wide.
31. **Policy 16: Parks, Recreation and Open Space.** The large portion of the property would allow room for green space in the corner at Elm Street and Diagonal Road and the inclusion of a walking path along NE 10th on the east side of the Hermiston Ditch with resting benches. This path will tie to the existing paths along Elm. We plan to beautify the Hermiston Irrigation ditch and possibly have a park in the South area of the parcel.
32. **Policy 17: Agriculturally Related Development.** Changing the 2 acres in the small triangle at the NE end to C zoning will attract convenience store type services to supply goods and services to the area. While the NC request for approximately 3 acres surrounding the interior lines of the UEC Substation can also provide neighborhood services.
33. **Policy 18: General and Industrial Development.** This property does not affect industrial development.
34. **Policy 19: Commercial Development.** As noted in the attached Analysis conducted June 6, 2019, by Johnson Economics, this parcel is well suited for commercial services as it is located at the confluence of a highway and major collector, which provides the area with strong visibility and access, priming it for neighborhood commercial.

There are large commercial areas along Highway 395 and the commercial land to the SW, which could draw away demand from any commercial areas within this parcel. Keeping the commercial to a minimum on this parcel due to the commercial property SW of it will promote development that is most in demand.

35. **Policy 20: General Economic Development.** While the City is promoting growth in Hermiston and providing good economic resources, we have considered the housing availability of their parents or aging family members who are not ready for assisted living facilities. Hermiston does not have enough housing that services the independent over 55 age group with accessible housing amenities.

Having an age restricted portion of the parcel in the R-3 zone in a quiet area of Hermiston that

is not saturated with commercial traffic will be attractive to some people who are considering moving to Hermiston or may retain current citizens considering moving from Hermiston (to Tri-Cities), to accommodate the elderly. This will keep working citizens in Hermiston while providing independent living for their over 55 family members to maintain family continuity. This property has ample space to provide an over 55 area, single family homes in the moderate to median income level as well as commercial services.

As noted in the Johnson Economic study dated June 6, 2019, changing the zoning on this parcel will increase the area's housing capacity and create commercial opportunities, which could lead to an increase in the city's housing supply and foster new businesses. This could potentially lower the cost of housing and provide a land mix more consistent with the needs of expected economic growth.

36. Policy 21: Housing Availability and Affordability. This plan fits well with Ordinance 2179 which updated the City of Hermiston's Comprehensive Plan for Housing Availability and Affordability, Policy 21, as well as the Periodic Review Work Program adopted in 2011, Goal #10.

The City of Hermiston encourages the home building industry to "Provide a variety of housing opportunities in sufficient quantities at affordable prices to meet the housing needs of its residents". This plan supports paragraph A of Policy 21 as a top priority to provide moderate income homes and paragraph B as a high priority to supply housing for middle income households as well as Paragraph E to provide housing for senior citizens.

In the study provided by Johnson Economics dated June 6, 2019 (See attached), Hermiston has an ample supply of land for all three land uses; Residential, Commercial and Industrial. Changing the Zone from FU-10 to a mix of R-3, NC and C zoning would increase the years of residential and commercial land supply relative to the industrial land supply, moving the city to a more balanced overall supply of land.

The Study by Johnson Economics also states; "Given the relative need for additional residential units and commercial land compared to the need for industrial land, the proposed zone change would provide new opportunities for housing and economic growth from a community and land-use policy perspective for the study area, as well as providing a significant opportunity to add housing near the downtown core".

This parcel is large enough to place a variety of homes on. Most buildable lands inside the City limits are small and not desirable to build on for developers, it will require people to utilize single lot purchases and builds which are not as cost effective, or possibly located in an area that is not as desirable to live in. This parcel is desirable for development, however, not for the high-end homes as discussed in the 2004 Buildable Lands study. We will be focusing on the moderate to medium income level housing and independent retirement homes, which the City has a need for.

37. Policy 22: Neighborhood Quality. This property is surrounded by established neighborhoods that share the same general location and access characteristics.

This zoning request will provide a quieter development and reduce high traffic noise to

neighborhood streets. This property connects with highway 207 and having it zoned for NC/R3/C would allow us the capacity to limit access to the development to only one entrance from highway 207 which is highly acceptable to DOT.

This parcel has good access to commercial services within a walking, biking, or driving distance to the city center and, future commercial uses are planned on the property adjacent to the southwest corner.

38. **Policy 23: Provision of Public Services.** All necessary urban services are readily available to the property. There is a 12-inch city water line at the intersection of NE 10th Street and Diagonal and an 18-inch sewer line in the NE 10th Street.
39. **Policy 24: Water, Sewer, Storm Drainage.** There is City water and sewer readily accessible. The Developer is willing to bear the cost to extend water and sanitary sewer to the property per the Subdivision guidelines following annexation. Storm run-off will be addressed in the design.
40. **Policy 25: Solid Waste.** Solid waste disposal is available to the property.
41. **Policy 26: Schools.** The property is not designated as a potential school site. An NC/R3/C designation will create medium density housing within walking distance to Sandstone Middle School and Highland Hills Elementary as well as any future planned schools across Elm St.
42. **Policy 27: Police.** Once annexed, the property will fall under the jurisdiction of the Hermiston Police Department resulting in efficient response time.
43. **Policy 28: Fire Protection.** The design of the development will be laid out to comply with the ordinance and fire response.
44. **Policy 29: Local Government Services.** Not Relevant.
45. **Policy 30: Private Utilities.** Not Relevant.
46. **Policy 31: Integrated Traffic System.** This plan will continue a balanced and efficient urban transportation system that will not affect the movement of people and goods.

Obtaining an NC/R3 zoning for the large portion of this parcel will result in just one entrance/exit to and from highway 207, allowing safe access to the property while facilitating the movement of commodities. ODOT has verbally approved one entrance to the property pending location verification. We would also plan for an entrance/exit from Diagonal Rd. There is no plan to access 10th Street. The 2 acres of C zone will be accessed from Hooker Road.

47. **Policy 32: Rail and Air Transportation.** Not Relevant.
48. **Policy 33: Alternative Transportation.** This site will include walking paths and sidewalks.
49. **Policy 34: Transportation System Plan.** The property will comply with all ODOT access management and will not change the function of any roadway connecting the property per the Transportation Impact Analysis prepared by Chris Clemow of Clemow Associates, LLC.

Highway 207, a regional highway is a Minor Arterial for Hermiston and is a designated truck route. It is intended to carry large volumes of traffic at steady speeds with minimum interruptions to traffic flow.

Diagonal Road and 10th Street are Major Collectors which forms the boundaries of major blocks of land and is intended primarily for inter-neighborhood traffic and can function as a road to service areas from the arterial systems.

The attached Transportation Impact Analysis by Clemow Associates, LLC conducted in July, 2019, was approached as a worst-case development scenario and a mixed-use development where internal trip capture has less impact on the external roadway system than does a single-use development generating the same number of total trips. This worst-case scenario for a development will generate an additional 295 PM peak hour trips over the current FU-10 zone designation.

The worst-case scenario analysis has a significantly larger number of Single-family homes, and a significantly larger number of multi-family residents in the study, than what is planned for the development. We do not anticipate the trip count to be this high, although the study indicates that the worst-case scenario will not generate any improvements necessary to mitigate transportation impacts and will operate within agency mobility.

As stated in the study, the area intersection crash rates are less than the 90th percentile crash rates of the reference intersections. As such, the intersections are considered relatively safe and no further evaluation of safety deficiencies are necessary.

Describe the public need for the rezoning and whether that public need is best served by changing the zoning classification on the property under consideration:

50. This property is surrounded by established neighborhoods that share the same general location and access characteristics and has good access to commercial services within a walking, biking, or driving distance in the city center and future commercial uses are planned adjacent to the southwest corner.
51. According to the 2004 study by Hobson Ferrarini Associates, the Senior Population Growth over the next two decades since 2003 was projected to grow two-and-a-half times faster than the general population, resulting in an exceptionally strong demand for senior housing. Hermiston has assisted living facilities but does not have an age restricted independent living community. Talking with realtors in the Hermiston area, we are seeing the result of this growth now. A housing neighborhood for Seniors is becoming a desired purchase with not much accessible housing available. It will also provide seniors with quiet enjoyment as well as access to a sporting complex like the Field of Dreams and neighborhood commercial access. This area is also compatible for Seniors because of the network of walking paths.

Policy 21 of the Comprehensive Plan states Moderate and Median housing are priorities and Senior housing is supported.

This type of development will suit the needs of the community for residents to maintain family continuity. NC/R3/C zoning will provide single-family housing along with an age restricted area within walking distance of Sandstone Middle School, Highland Hills Elementary as well as any new schools anticipated in the future at 10th Street and Theatre Lane, the neighborhood commercial and the downtown area. It will also allow Hermiston citizens to work and remain in Hermiston with their aging parents rather than moving to an area such as Tri-Cities where age restricted housing is readily available. It will also provide the opportunity for neighborhood commercial services as well as a commercial service provider.

52. Once this property is annexed it will provide a more appealing entrance from the NE into the

City rather than the planned Future Commercial. We envision a green space at the corner of Elm Street and Diagonal Road which could hold a City of Hermiston monument that would promote pride and a welcoming entrance to the City. With the ball fields being across the street we see many visitors in that area, and it will make a community statement. Changing the zoning to NC on a portion of the property along Elm St and the zoning to C in the triangle NE of Diagonal Road will allow for neighborhood services that will service the sports complex and nearby residential communities.

53. As noted in the Johnson Economic study dated June 6, 2019, changing the zoning on this parcel will increase the area's housing capacity and create commercial opportunities, which could lead to an increase in the city's housing supply and foster new businesses. This could potentially lower the cost of housing and provide a land mix more consistent with the needs of expected economic growth.

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

54. Parcels of this size currently located in the City limits are virtually non-existent. This parcel is in the UGB and the 36 acres are well suited for the requested zone change compared with other UGB parcels in the NE area of the UGB. There are other parcels located in the UGB on the NE side of the city that are comparable in size, if not larger than this parcel. One parcel is on the west side of NE 10th Street and the other parcel is on the East side of NE 10th Street and 2 others that are near Punkin Center Road. This parcel of land is better suited for the requested zone change compared to the others on the NE side of the UGB as a mix of residential and commercial due to its location between State Highway 207 and major collector streets. This will ensure it has a strong visibility and access for commercial and provide residents good commuting routes via Highway 207 to the north, or through the downtown area via Diagonal Road.
55. This parcel is more centrally located than the other parcels and close to downtown, where housing and commercial uses are more appropriate. It is also near established, high density residential neighborhoods where multi-family residential and commercial developments would be more compatible with the neighborhood character. There are also over 4,000ft of total frontage on either road, providing the area with strong viability and access, priming it for neighborhood commercial development.
56. As stated in the June 6, 2019 analysis by Johnson Economics, the proposed zone change would provide new opportunities for housing and economic growth from a community and land-use policy perspective for this parcel, as well as providing a significant opportunity to add housing near the downtown core.

Also noted in the attached Analysis conducted June 6, 2019, by Johnson Economics, this parcel is well suited for commercial services as it is located at the confluence of a highway and major collector, which provides the area with strong visibility and access, priming it for neighborhood commercial. However, there are large commercial areas along Highway 395 and the commercial land to the SW, which could draw away demand from any commercial areas within this parcel. Keeping the commercial to a minimum on this parcel due to the commercial property SW of it will promote development that is most in demand.

57. This parcel is a gateway to the east entrance of the city due to Highway 207 and is seen by

many visitors each year. Greenery, neighborhood commercial, homes, and a city entrance sign will provide an appealing entrance to the City, more so than any other comparable parcels in the UGB on the NE side of the city.

Explain how the potential impact resulting from the change has been considered:

58. We have considered the Comprehensive plan for Hermiston and have looked at the types of land, the type of housing currently not available in Hermiston, as well as urban growth, the effects on natural resources such as those stated in the Comprehensive plan including groundwater, open space, and energy conservation. We have also considered air quality, noise, neighborhood economic and commercial growth, public facilities and transportation impacts, and have determined that there will be no adverse impact to the community concerning the above.

Not only will it be more appealing to enter Hermiston, the out of town guests will see a side of town that has long been undeveloped. Hermiston will be seen more as a thriving green community versus an undeveloped area when approaching from the NE.

59. Providing an age restricted area for the over 55 generation will provide an opportunity for elderly parents to stay and live in Hermiston near their families, and their families will be satisfied that there is a place for them nearby which will keep the working citizens in Hermiston as well. By changing to mostly an R3 designation we would be able to provide our elderly citizens with a more peaceful, and safe lifestyle. And having land designated to Neighborhood Commercial and the small 2-acre triangle on the east side of Diagonal as Commercial, businesses will have the opportunity to service the immediate area.

60. This parcel is not conducive to high-end homes. The high-end homes that are stated in the comprehensive plan would require much more acreage to provide the amenities high-end buyers are looking for. This parcel is well suited for modest to moderate income type homes,

61. The comprehensive plan would like to see neighborhood commercial incorporated into Developments to enable services within walking distance of the community. The City's comprehensive plan map is showing future commercial for this property. A zone change, to NC/R-3/C will reduce traffic to this area as residential has a lower volume of use. If we retain the Future Commercial and are annexed, a commercial zone classification will have a higher volume of autos to service the commercial and it is not compatible with this type of pedestrian traffic. Access to those commercial designations from Oregon Highway 207 will cause traffic issues and has the potential to disrupt a residential area and commodity flow. Having schools close-by linked with walking paths, provides public safety. the public is better served to change to NC/R3/C to lower the impact of traffic that mostly commercial would bring. Any future schools planned at 10th St. and Theatre lane will be well served by this residential development as well.

FINDINGS OF FACT ON ANNEXATION

62. The City has received consent to annexation from the property owners for approximately 36 acres of land.

63. Notice of public hearing regarding annexation and conversion was published in the local newspaper for two consecutive weeks prior to the planning commission hearing on October 23

and 30, 2019. Notices were also posted in four public places in the city for a like period. A notice of proposed land use action was posted on the property on October 23, 2019.

64. Affected agencies were notified.
65. A public hearing of the planning commission was held on November 13, 2019. Comments received at the hearing are incorporated into the planning commission record.
66. Notice of public hearing was published in the local newspaper for two consecutive weeks prior to the city council hearing on November 6 and 13, 2019. Notices were also posted in four public places in the city for a like period.
67. A public hearing of the city council was held on November 25, 2019. Comments received at the hearing are incorporated into the city council record.
68. The proposal is consistent with all applicable state annexation requirements.
69. 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 insure efficient utilization of land resources and facilitates economic provision of urban facilities and services.
70. The annexation is consistent with the requirements of Comprehensive Plan Policy 5 relating to annexation.
71. Following co-adoption of the conversion from urbanizable to urban status by Umatilla County, the property is located within the urban portion of the urban growth boundary (UGB) as identified on the comprehensive plan map.
72. Sewer is available to service this property at the intersection of NE 10th Street and Diagonal Road. The applicant is responsible for all connection fees and service extensions.
73. Water is available to service this property at the intersection of NE 10th Street and Diagonal Road. At the time of development, the applicant is responsible for all connection fees and service extensions.
74. The property is adjacent to E Elm Ave, Diagonal Road, Hooker Road, and NE 10th Street. None of the affected streets are improved to full city standards with full width paving, curb, gutter, sidewalk, and drainage improvements as of the date of annexation. At the time the property develops, the remaining street improvements, including additional paving, curb, gutter, sidewalk, and drainage improvements, will be required by the City.

FINDINGS OF FACT ON ZONING DESIGNATION

75. Following co-adoption of the conversion from urbanizable to urban status by Umatilla County, the property lies within the urban portion of the urban growth boundary and has comprehensive plan map designations of Medium Density Residential and Commercial.
76. The proposed Multi-Family Residential, Outlying Commercial, and Neighborhood Commercial Overlay zoning designation corresponds with the underlying comprehensive plan map designation.