

**EXHIBIT A**

**Findings of Fact**

**Legacy Annexation**

**February 24, 2020**

**IN A MATTER BEFORE THE CITY OF HERMISTON  
BURDEN OF PROOF STATEMENT  
for the  
E Punkin Center Annexation**

**APPLICANT:** MonteVista Homes  
62958 NE Layton Ave  
Bend, OR 97701

**OWNER:** Thomas Templeton  
18102 SE 11th St.  
Vancouver, WA 98682

**ENGINEER:** Tim Weishaupt, P.E.  
Sun Country Engineering & Surveying  
920 SE Armour Road  
Bend, OR 97702

**LOCATION:** The subject property is approximately 20 acres located on the south side of E Punkin Center Road, just east of NE 4th street, within the Urban Growth Boundary. The site has not been assigned an address, but is identified as Tax Lot 400 on Umatilla County Tax Map 4N2802BA.

**REQUEST:** Approval of an Annexation into the City of Hermiston as Multiple - family Residential (R-3).

**I. APPLICABLE CRITERIA:**

City of Hermiston Development Code

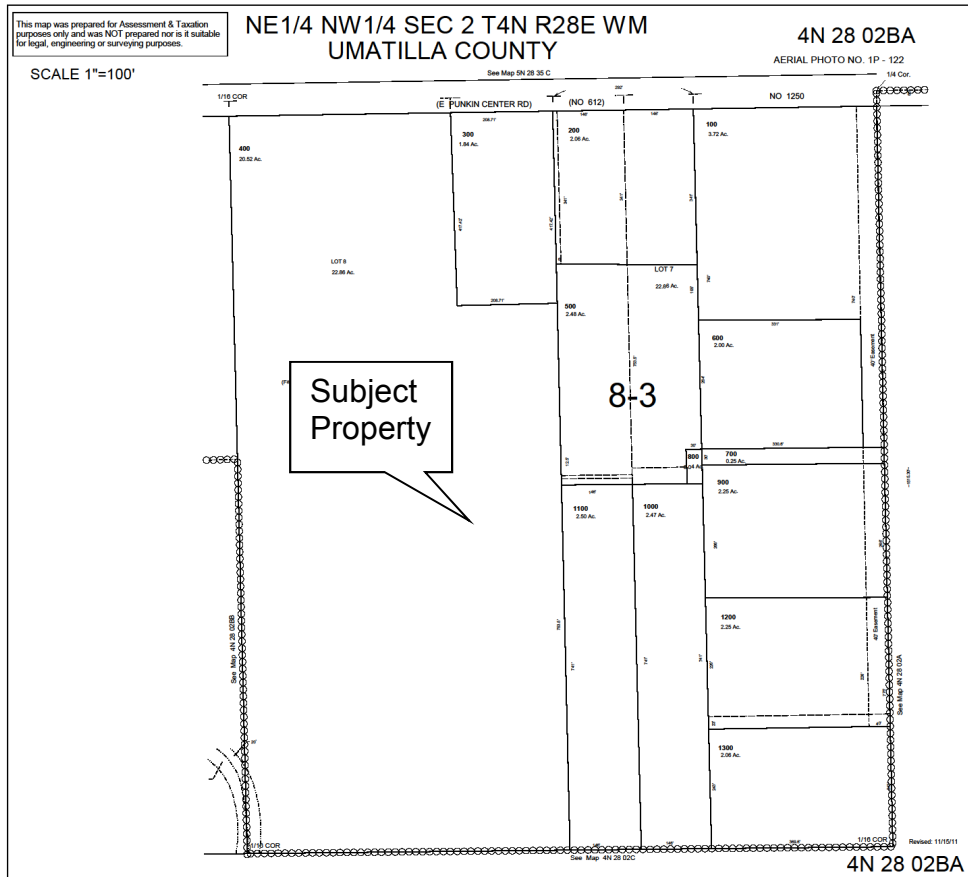
- Title XV-Land Usage

## **APPLICABLE STANDARDS:**

- Chapter 150 Annexation Procedures

## **II. GENERAL INFORMATION**

- 1. LOCATION:** The subject property is approximately 20 acres located on the south side of E Punkin Center Road, just east of NE 4th street, within the Urban Growth Boundary. The site has not been assigned an address, but is identified as Tax Lot 400 on Umatilla County Tax Map 4N2802BA
- 2. ZONING:** The subject property is within the urban Growth Area of the City of Hermiston in the County of Umatilla, and zoned in the City of Hermiston Comprehensive plan as Multiple-family Residential (R-3).



Source: Umatilla County Tax Map 4N2803BA



Source: Google Earth image 2019

- 2. SITE DESCRIPTION & SURROUNDING USES:** The subject property is a relatively flat along Punkin Center Road, gently rolling and falling off in the southwest corner to 4th street. The site is vacant and covered with native grasses and brush. The parcel lies adjacent and south of Punkin Center Road, and has two developed streets stubbed to it from adjacent developments. Bella Lane connects the property to NE 4th street to the southwest, and NE 6th Street terminates in the southeast corner of the property.
- Properties adjacent south and southwest lie within the City of Hermiston, and are developed with single family homes on residential lots within the Bella Vista Addition and Quail Ridge subdivisions. Lands to the east and west are larger undeveloped parcels within the Urban Growth boundary, also designated R3 on the Comprehensive Plan. Lands north across Punkin Center Road are outside of the Urban Growth Boundary, zoned RR-2 within Umatilla County.
- 3. PROPOSAL:** Approval of an Annexation into the City of Hermiston as Multiple-family Residential (R-3) zone.

### **III. REVIEW CRITERIA:**

#### **CONFORMANCE WITH CITY OF HERMISTON DEVELOPMENT CODE:**

##### **150.01 APPLICATION PROCEDURE.**

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A property owner or the owner's authorized agent may initiate a request by filing an application with the City Planner using forms prescribed for this purpose. The application shall include a legal description of the property, a plot plan showing any existing improvements thereon and a narrative statement by the owner describing the proposed land use and future development for the property. The owner shall pay a fee as established by the City Council at the time the application is filed.

(Ord. [1477](#), passed 8-15-83; Am. Ord. [1987](#), passed 3-22-99)

**RESPONSE:** The applicant has filed a City issued application, including a legal description and tentative map of the proposed end use of the subject property. This narrative, along with the attached submitted materials and commensurate fee, satisfy the criteria of the section.

##### **150.02 LAND USE MATTERS.**

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Before the City Council may act on an application for annexation, the application shall be reviewed by the Planning Commission for a recommendation as to land use matters consistent with the City Comprehensive Plan.

(Ord. [1477](#), passed 8-15-83; Am. Ord. [1987](#), passed 3-22-99)

##### **150.03 PUBLIC HEARINGS ON ANNEXATIONS.**

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After the City Council has received the Planning Commission's recommendation as to land use matters consistent with the City Comprehensive Plan and the City Council elects to dispense with submitting the question of the proposed annexation to the electors of the city, the City Council shall fix a day for the public hearing so the electors of the city may appear and be heard on the question of annexation.

(Ord. [1477](#), passed 8-15-83; Am. Ord. [1987](#), passed 3-22-99)

##### **150.04 PUBLIC NOTICE.**

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In addition to any other public notice required by law, notice of the public hearing shall be published in a newspaper of general circulation once each week for two successive weeks prior to the hearing date and notices of the hearing shall be posted in four public places in the city for a like period.

**RESPONSE:** The above sections are procedural, and thus will be satisfied with processing of the application.

#### **150.05 CRITERIA.**

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**After its public hearing and receipt of the recommendation from the Planning Commission, the City Council shall ensure the application meets the following criteria:**

**(A) The proposal is consistent with all applicable state annexation law requirements.**

**RESPONSE:** The proposed annexation of the subject property is aligned with the City of Hermiston Comprehensive Plan, acknowledged as compliant by the State of Oregon, and codified in Code Section 156.02 of Title XV.

Notice of public hearing for the planning commission hearing was published in the Hermiston Herald on January 22 and 29, 2020. Notices were also posted in four public places in the city for a like period.

A notice of proposed land use action was physically posted on the property on January 22, 2020.

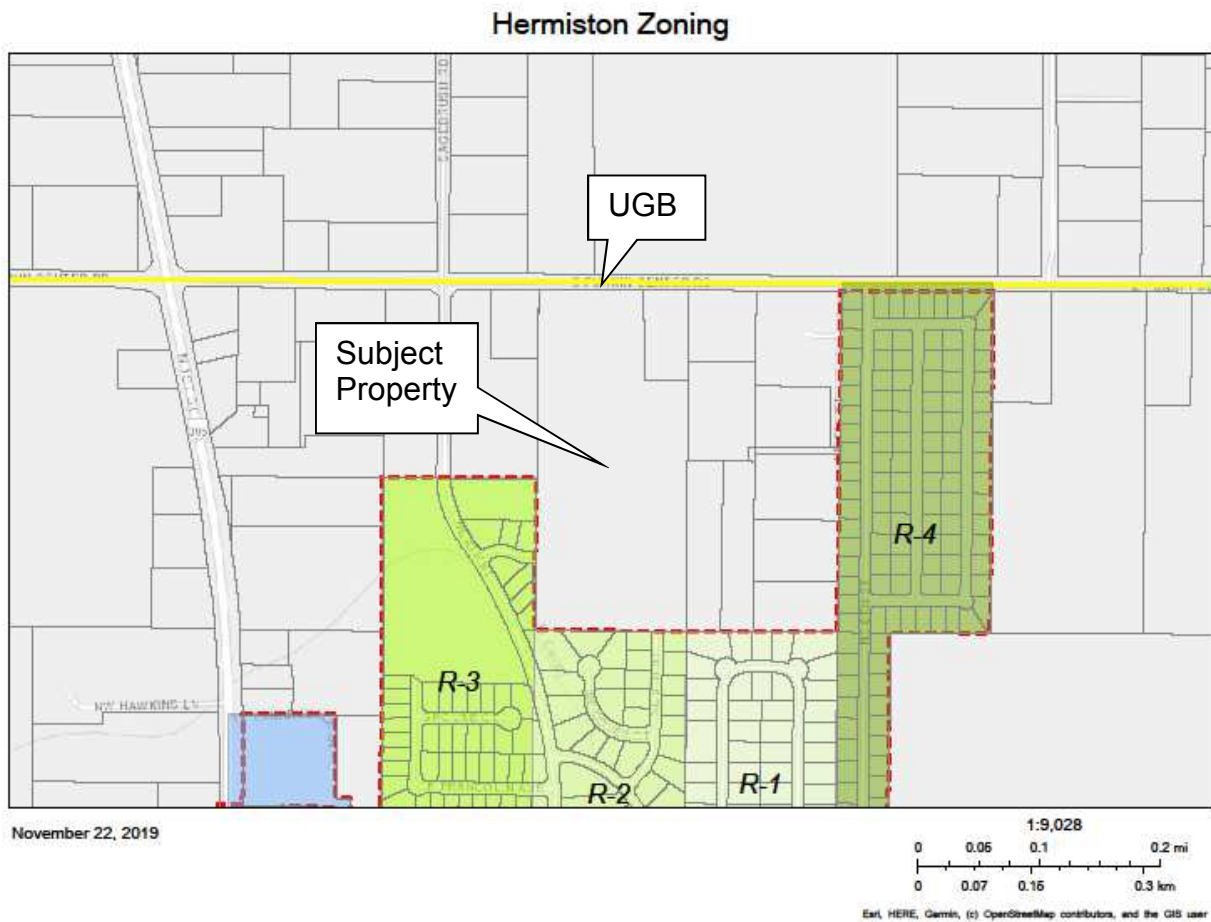
Notice of public hearing for the city council hearing was published in the Hermiston Herald on January 29 and February 5, 2020. Notices were also posted in four public places in the city for a like period.

The planning commission held a public hearing on the annexation proposal on February 12, 2020.

The city council held a public hearing on the annexation proposal on February 24, 2020.

**(B) The property is contained within the urban portion of the Urban Growth Boundary (UGB) as identified in the Comprehensive Plan.**

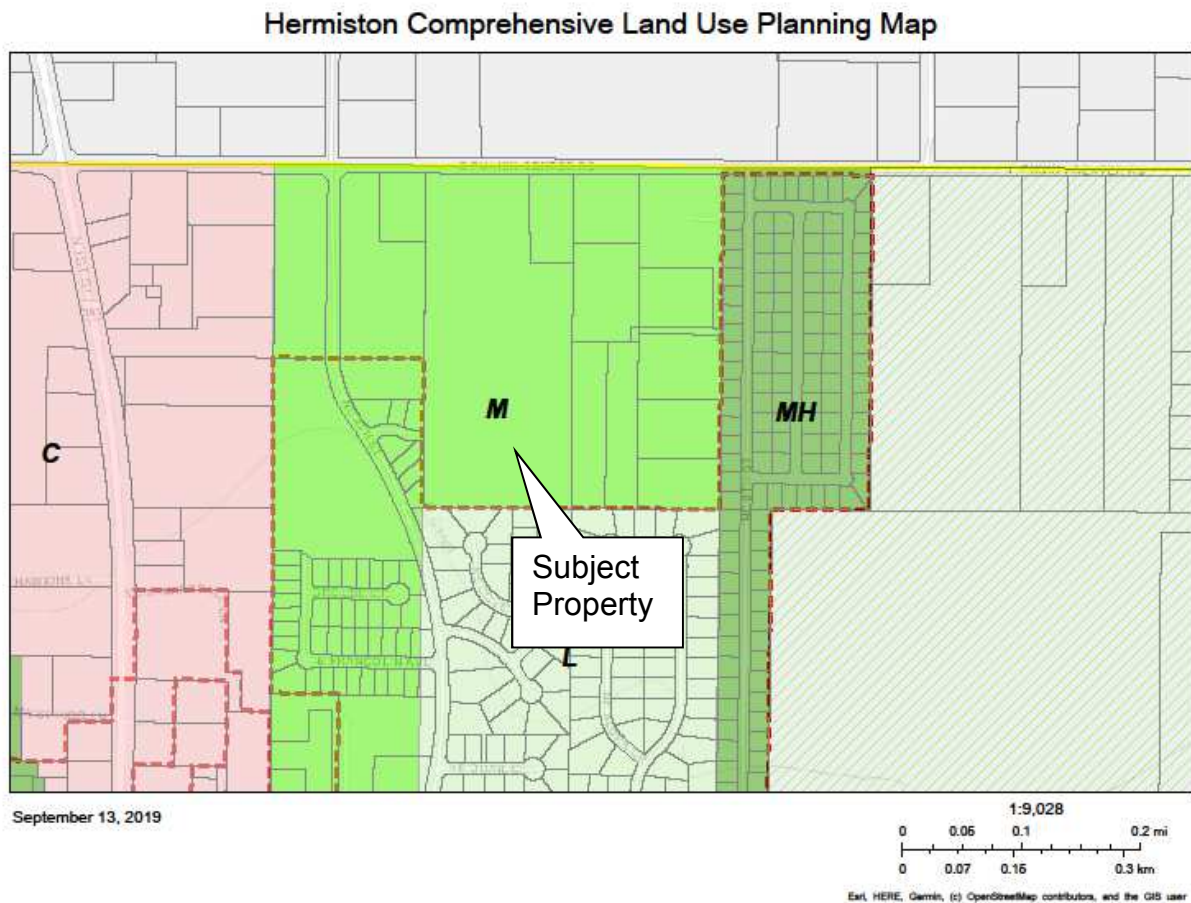
**RESPONSE:** The subject property is identified on the Comprehensive Plan map as in the Urban Growth Boundary.



**Source:** *City of Hermiston GIS 2019*

**(C) The proposed zoning is consistent with the underlying Comprehensive Plan land use designations.**

**RESPONSE:** This application proposes that the subject property is annexed into the City Limits as Multiple -family Residential (R-3) zoning, consistent with that indicated on the Hermiston Comprehensive Plan Map



**Source:** *City of Hermiston GIS 2019*

**(D) Finding of fact is developed in support or denial of the application.**

**RESPONSE:** Proposed findings in support of annexation of the subject property to the City of Hermiston will be further established in process, including, but not limited to:

1. Policy 4- The proposed annexation area is within the "urban" status area of the Comprehensive Plan, contiguous to the existing City Limits and annexation contributes to Orderly Urban Growth in a compact and efficient manner.
2. Policy 5- The proposed annexation facilitates the goal for compact growth by adding these 20.6 acres of developable lands for medium density housing in the immediate vicinity of existing City infrastructure and services. The applicant has submitted a Tentative Plan Map depicting the proposed resultant lots and infrastructure extensions to serve such, and is willing to bear costs of such extensions in order to develop the subject property consistent with the Zone.

3. The proposed development and annexation are compatible and harmonious with existing zoning in the vicinity.

4. City of Hermiston Sewer and Water service lines already exist in the roadways adjacent to the subject property.

5. The subject property is bordered on the north line by a major collector class roadway, which will be improved to City standards with development, thereby contributing to the Transportation System Plan.

**(E) All city services can be extended readily and the property owner(s) is willing to bear costs associated with extensions of sewer, water and roads except for major facilities - sewer pump station or major water main - necessary to facilitate later growth.**

**RESPONSE:** Based on the submitted Tentative Plan Map of the subject property, the applicant is willing and able to fund the necessary infrastructure to support the project, which will include provisions for extension of utilities, sewer and water main lines, and roadway improvements both within and immediately surrounding the proposed development. No major facilities have been identified as necessary or required for the development of the site, or to facilitate future growth, over and above those proposed.

#### **CONCLUSION- REQUEST for APPROVAL:**

Based on the plans and supporting documents submitted with this application, the approval criteria of Chapter 150 Annexation Procedures of Title XV, City of Hermiston Code being addressed in this narrative, the applicant requests annexation of the subject property into the City of Hermiston.