

FINDINGS OF FACT
ZONING ORDINANCE AMENDMENT – JUNKYARDS

July 27, 2020

Statewide Planning Goals and Comprehensive Plan Policies.

Goal 1 and Policy 1. Citizen Involvement. The City will insure that citizens have an adequate opportunity to be involved in all phases of the planning process.

1. Notice of public hearings were published in the Hermiston Herald at least 20 days prior to the planning commission hearing on January 22, 2020 and at least 20 days prior to the city council hearing on January 29, 2020 in accordance with §157.226 of the Hermiston Code of Ordinances.
2. The Planning Commission held public hearings on February 12, 2020 and March 11, 2020 in accordance with §157.226(F).
3. The City Council held a public hearing on July 27, 2020 in accordance with §157.226(F)

Goal 1 and Policy 2. Planning Process. The City of Hermiston will monitor and update periodically its comprehensive plan and implementing ordinances to respond to changing conditions.

4. Policy 2 requires the City to annually review development activity and its impacts.
5. The city council has commissioned a full review of city ordinances after adoption of a new city charter.
6. The review process determined that the junkyard code is more appropriately located in the zoning code and should not be a separate chapter in the municipal code.

Goal 2 and Policy 3. Intergovernmental Coordination. The City of Hermiston will facilitate intergovernmental coordination so that decisions affecting local, state, and federal planning and development actions in the Hermiston area are rendered in an efficient and consistent manner.

7. The notice of proposed amendment was sent to the Department of Land Conservation and Development on January 6, 2020, more than 35 days prior to the first evidentiary hearing in accord with Oregon Administrative Rules, Chapter 660, Division 18.

Goal 3 Agricultural Lands.

8. There are no agriculturally zoned land within the City of Hermiston. Farming practices and available arable land will not be impacted by moving the junkyard standards to the zoning ordinance.

Goal 4 Forest Lands, Goal 15 Willamette River Greenway, Goal 16 Estuarine Resources, Goal 17 Coastal Shorelands, Goal 18 Beaches and Dunes, Goal 19 Ocean Resources.

9. There are no tracts of lands subject to Goals 4, 15, 16, 17, 18, or 19 anywhere within the city limits or UGB. These goals are not applicable.

Goal 5 Natural Resources, Scenic and Historic Areas, and Open Space, Goal 6 Air, Water and Land Resource Quality, Goal 7 Areas Subject to Natural Hazards, Goal 8 Recreation Needs, Goal 9 Economic Development, Goal 11 Public Facilities and Services, Goal 13 Energy Conservation, Goal 14 Urbanization.

10. The City's acknowledged comprehensive plan has policies established for compliance with Goals 5, 6, 7, 8, 9, 11, 13, and 14. No new uses are being permitted through the amendments. No additional findings must be made demonstrating compliance with these Goals.

Goal 10 Housing

11. The proposed amendment creates two additional conditional uses in the city's industrial zones. No residentially zoned or designated properties will permit junkyards as potential uses. Goal 10 is not applicable and no additional findings must be made demonstrating compliance with this Goal.

Goal 12 Transportation and OAR 660, Division 012

12. The proposed amendment establishes a classification and development standards for a currently permitted use. Therefore no new trips will be created and no transportation facility will be significantly affected as a result of the amendment.

Hermiston Zoning Ordinance §157.226

13. The proposed amendment amends the text of the zoning ordinance, has a widespread impact on the city as a whole, and does not involve an amendment to the zoning map. Therefore, the proposed amendment is a legislative amendment as defined by §157.226(B)(1) and §157.226(C)(1) and (2).
14. Based upon Finding #13, the proposed amendment is not a quasi-judicial action and the approval criteria in §157.226(E)(1) are not applicable.

15. Notice of the proposed amendment was provided to the Oregon Department of Land Conservation and Development on January 6, 2020, more than 35 days in advance of the first evidentiary hearing as required by §157.226(F) and modified by ORS 197.610.
16. A notice of public hearing for the planning commission hearing was published on January 22, 2020 and the city council notice was published on January 29, 2020. Each notice was published in the Hermiston Herald at least 20 days in advance of the hearing as required by §157.229(D).
17. Based upon Finding #13, the proposed amendment is legislative and mailed notice to property owners is not required per §157.229(D).