

## CITY OF HERMISTON

### APPLICATION TO AMEND COMPREHENSIVE PLAN MAP

Pursuant to the provisions of ' 157.226 of the Hermiston Code of Ordinances, application is hereby made to amend the text or the comprehensive plan map for the following described property:

Name of Applicant: Eastern Oregon Development, LLC Phone: 541-969-6634

Mailing Address: 42980 Haney Lane, Pendleton, OR 97801

Name of Owner (If Different): Raquel Medelez Phone: 541-720-8235

Mailing Address: 1186 Punkin Center Rd., Hermiston, OR 97838

Legal Description: Assessor's Map No: 4N2802CD Tax Lot No: 500

Subdivision: N/A

Street Address: 455 E. Elm Street, Hermiston, Oregon

Current Comprehensive Plan Designation: Multi-family residential (M)

Proposed Comprehensive Plan Designation: NCO (C)

**IMPORTANT!** The code of ordinances requires a positive recommendation from the Hermiston Planning Commission and approval from the Hermiston City Council before a change can be made in the comprehensive plan designation of any property. This approval must be determined after separate public hearings before these bodies. Oregon's Land Use Planning Laws require the planning commission to make findings of fact with regard to requests for comprehensive plan amendments. The findings provide justification to either approve or deny the application. Read the questions that follow and answer them as completely as you can; use additional sheets if necessary. Your responses will be used by the City to make findings and evaluate the merits of your request. Inasmuch as THE BURDEN OF PROOF IS ON THE PROPONENT, the chances of a successful application depend upon the adequacy of the arguments you present to justify approval of the application.

#### APPROVAL CRITERIA

- The burden in all land use proceedings is upon the applicant
- The requested change must be justified by proof of the following:

1. Explain how the requested change is in conformance with the comprehensive plan and also the goals and policies of the plan.

Refer to attachment

2. Describe the public need for the comprehensive plan amendment and whether that public need is best served by changing the zoning classification on the property under consideration.

Refer to attachment

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

Refer to attachment


4. Explain how the potential impact upon the area resulting from the change has been considered.

Refer to attachment

ADDITIONAL INFORMATION TO BE FURNISHED AND ATTACHED TO APPLICATION:

1. Evidence that applicant is owner or purchaser of the property or has written permission of such owner to make an application for the proposed use.
2. Two copies (one digital copy) of a site plan (11" x 17") drawn to scale, showing the location of the property concerned, the location of all proposed building(s), highways, streets and alleys.
3. A metes and bounds legal description of the entire property proposed for amendment. A metes and bounds description of each parcel is not sufficient.

The above statements are true to the best of my beliefs and knowledge. As applicant, I understand that the planning commission requests the attendance of me, or my representative, at the meeting(s) where this request is scheduled for consideration and that the planning commission retains the right to approve or deny this request and impose those conditions as may be necessary to lessen probable adverse impacts based upon the testimony provided at the hearing.

  
Signature of Applicant \_\_\_\_\_ Date 10-31-20

**OUT OF POCKET EXPENSES FOR MAILING AND PUBLICATION COSTS WILL BE BILLED LATER**

**NOTE:** The planning commission shall conduct a public hearing on the proposed amendment at the earliest regular meeting, after the application is submitted, in accordance with the public hearing procedures under '157.226 of the Hermiston Code of Ordinances. Both text and map amendments shall also be submitted to the Department of Land Conservation and Development 45 days prior to the date set for final action by the city council except as provided for under ORS 197.601. For further information, please feel free to contact the planning department at the Hermiston City Hall, 180 N.E. 2nd Street, Hermiston, Oregon 97838, or telephone (541) 567-5521. The City's fax number is (541) 567-5530.

**Office Use Only**

Date Filed: 11-2-2020 Received By: Wapl Meeting Date: 12-9-2020  
Fee: \$725.00 Date Paid: 10-30-2020 Receipt No: 1-148934



## APPLICATION TO AMEND COMPREHENSIVE PLAN MAP – 455 E. Elm Street

**Q1: Explain how the requested change is in conformance with the comprehensive plan and also the goals and policies of the plan:**

1. Per the City of Hermiston Comprehensive Plan (C.P.), the first objective of the plan is to “allow property owners within the Urban Growth Boundary (UGB) to exercise their rights of development in a manner which is consistent with the statewide goals and applicable comprehensive plan policies and implementing regulations.” The subject property is within the UGB. A zone change would increase the likelihood of development as a result of the expanded potential uses in the Neighborhood Commercial Overlay Zone (NCO). The current zoning allows for multi-family structures. The NCO Zone allows for multi-family, as well as a multitude of commercial uses.
2. Another overall objective of the comprehensive plan is to conserve energy. Commercial development and development in general off the 395-corridor have the potential to reduce traffic and cross-town commutes, thereby conserving energy and reducing pollution.
3. Policy 4 of the C.P. relates to orderly urban growth and allowing for a full complement of urban services within the UGB. Development along Elm Street will result in an extension of city services and improved street access to the east, both of which increase the likelihood of future development of other vacant land within the UGB.

Another goal of Policy 4 is to encourage growth within the UGB in a compact, efficient and timely manner. As a result of being immediately adjacent to the city limits, the subject property falls within the “urban” classification of the UGB where annexation is most likely to occur. A zone change helps with compact, efficient and timely growth because of the proximity of the site to the city limits, the subsequent extension of city services, and the potential for additional development of vacant land to the east.

4. Policy 5 pertains to annexation. Specifically, it states “the City of Hermiston will undertake an annexation program to facilitate compact urban growth and the orderly and efficient provision of facilities and services.” A zone change and corresponding development facilitates growth and enhances the existing city services, including the city water and sewer lines. Each of these lines can be extended readily. Furthermore, the buyer is willing to bear the costs associated with the line extensions.
5. Policy 6 relates to conversion and addresses the need for the city to first encourage development of the property adjacent to the city limits, while also having some mechanism for converting “urbanizable” land less proximate to the city limits to an “urban” status, as it is needed for future development. A zone change will increase the likelihood of development, and help with the conversion of the undeveloped “urbanizable” land to the east.
6. Energy Conservation is targeted in Policy 15. Commercial development and development in general off the 395-corridor have the potential to reduce traffic and cross-town commutes, thereby conserving energy and reducing pollution.

7. Policy 19 relates to commercial development. A zone change from multi-family residential to commercial fits nicely in this policy, as it improves access to commercial services for the elderly and the disabled residing along the east side of Hermiston. This policy specifically identifies developing portions of the UGB to better serve the neighborhood.

This policy also refers to the need for the city to continue to provide for adequate commercial uses on outlying highways to accommodate auto-oriented uses. Elm Street is a state highway.

8. Policy 31 and 33 relate to transportation and establishing land uses to reduce the need to travel. The zone change allows for potential commercial development along the east side of Hermiston and off the 395-corridor, where little currently exists. This would help pedestrians and facilitate local access on foot and by bicycle.

**Q2: Describe the public need for the comprehensive plan amendment and whether that public need is best served by changing the zoning classification on the property under consideration:**

1. Policy 6 relates to conversion and addresses the need for the city to help first develop property adjacent to the city limits, while also having some mechanism for converting "urbanizable" land to an "urban" status as it is needed for future development. The subject abuts the city limits. A zone change increases the likelihood of development, and helps with the conversion of the undeveloped "urbanizable" land to the east.
2. Conserving energy is an overall goal of the comprehensive plan and is specifically addressed in Policy 15. It is in the public's best interest to conserve energy. Commercial development and development in general off the 395-corridor have the potential to reduce traffic and cross-town commutes, thereby conserving energy and reducing pollution. The zoning amendment would allow for commercial development on this site.
3. The needs of the elderly, disabled, pedestrians and bicyclists are addressed in Policies 19, 31 and 33. By encouraging commercial development off the 395-corridor, each of these groups residing along the east side of Hermiston are more likely to be served.

**Q3: Explain how the public need is best served by changing the classification of the site in question as compared with other available property:**

1. A zone change would encourage commercial development along East Elm Street, potentially serving as a buffer between the high traffic along this highway and the residential neighborhood to the north. The zone change would also help with the transition from the industrial zoned land to the east and the predominant commercial and residential uses within the city limits.
2. Policy 6 relates to conversion and addresses the need for the city to help first develop property adjacent to the city limits, while also having some mechanism for converting "urbanizable" land to an "urban" status as it is needed for future development. The subject abuts the city limits. A zone change increases the likelihood of development, and helps with the conversion of the undeveloped "urbanizable" land to the east.

3. Because of its frontage along a state highway with consistent traffic flow and good visibility, this particular site is well suited for commercial development. A zone change would increase the likelihood of commercial development and the possibility of easing some of the congestion along the 395-corridor.

**Q4: Explain how the potential impact upon the area resulting from the change has been considered:**

1. A zone change would encourage commercial development along East Elm Street, potentially serving as a buffer between the high traffic along this highway and the residential neighborhood to the north. It could also help with the transition from the industrial zoned land to the east and the more predominant commercial and residential uses in the city limits.
2. The needs of the elderly, disabled, pedestrians and bicyclists are addressed in Policies 19, 31 and 33. By encouraging commercial development off the 395-corridor, each of these groups residing along the east side of Hermiston are more likely to be served.