

Exhibit A

Findings of Fact

Eastern Oregon Development Comprehensive Plan Map Amendment, Rezone, and Annexation

January 11, 2020

Comprehensive Plan Map Amendment and Rezone

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 November 18, 2020 and December 16, 2020 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 November 18, 2020 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 November 18, 2020 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. The proposed map amendments are citizen initiated to fulfill perceived market demand rather than city initiated. The city applies all applicable comprehensive plan policies and statewide planning goals to determine the appropriateness of proposed amendments to the land supply.
7. 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 November 18, 2020.
8. The Hermiston Planning Commission held a public hearing on December 9, 2020. Following the conclusion of the hearing, the commission made a unanimous recommendation to adopt the proposed map amendments.
9. The Hermiston City Council held a public hearing on January 11, 2021. Following the conclusion of the hearing, the city council voted to adopt the proposed map amendments.

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

10. The change will promote compact urban development to ensure efficient utilization of land resources and facilitate economic provision of urban facilities and services because it will add commercial space along an existing minor arterial street (E Elm Ave) and within walking distance of commercial development at the intersection of E Elm Ave and N First Street. This commercial area is within walking distance of existing single-family development to the west, north, and south.

11. Commercial space in close proximity to Highway 395 is needed in this area. The portion of Highway 395 between Theater Lane and Elm Avenue has the highest traffic volume in the city and is the most attractive for commercial development. This site is well situated to attract and divert commercial traffic from Highway 395 and expand the Highway 207 commercial corridor.
12. The property is within the urban portion of the urban growth boundary and has a Medium Density Residential designation. The property is contiguous with the city limits and annexation is consistent with Policy 5. Following amendment of the plan map designation from Medium Density Residential to Commercial, the property will continue to be within the urban portion of the UGB and continue to be eligible for annexation.
13. The land is within the urban portion of the urban growth boundary. Policy 6 is not applicable.

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

14. The land proposed for amendment has been used as pasture land for livestock. However, this property is not considered high value farmland and is not designated as Exclusive Farm Use on any city or county map. This policy is not applicable.

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

15. 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)

16. 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)

17. 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)

18. The property is identified as an area with a high-water table on Figure 12 of the Hermiston Comprehensive Plan. As a condition of any development approvals for the property, the city will prohibit the outdoor storage of hazardous chemicals and the underground storage of gasoline and diesel fuel.

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

19. 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.

20. The property abuts the Hermiston Drain. The Hermiston Parks Master Plan identifies this canal as an area for a potential future walking trail. At the time the property develops, the city will review the potential for trail development.

Goal 9 (Economic Development) and Policies 18 (General Industrial Development), 19 (Commercial Development), and 20 (General Economic Development)

21. The proposed change facilitates the provision of additional retail land and expands the commercial base.
22. The provision of additional commercial land along an existing commercial corridor and close to established residential and commercial neighborhoods promotes compact urban development.
23. The large size of the area under consideration at 11 acres is likely to attract large scale, auto-oriented businesses and is well situated to take advantage of vehicle traffic along a minor arterial.
24. Changing the designation of the proposed area will add to the city's employment base and promote further economic development.

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

25. Changing the subject property from Residential to Commercial, will have little impact on housing availability and affordability. The city's housing needs analysis indicates that Hermiston has an existing housing supply of 6,649 units per the 2010 housing needs analysis. The projected need within the city's housing needs analysis will require 10,531 housing units in 2030. This results in a net need for dwelling units of 3,882 additional housing units over the 20-year horizon.
26. Hermiston has a net buildable residential acreage of 1,993 acres per the 2010 buildable land inventory. The net buildable acreage in the inventory has a projected capacity of 11,893 housing units. Per the BLI, 3,882 units are needed. This creates a surplus of approximately 8,012 residential units.
27. Removal of 11 acres from the residential land supply will not have a meaningful impact on the ability to provide needed housing and will result in a decrease of approximately 60 housing units from the 8,012-unit surplus.

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)

28. Sewer and water are available at the intersection of NE 4th Street and E Elm Ave and must be extended in order to service the property.
29. E Elm Ave is improved with paving and will require curb, gutter, sidewalk and storm water improvements.
30. All storm water will be retained within the boundaries of the tract during development. There is no city-wide storm water retention and disposal system.
31. 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.
32. The Hermiston Police Department has reviewed the proposal and is able to provide police services to future development.
33. 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)

- 34. The site will have access to E Elm Ave, a state highway and a minor arterial street.
- 35. A transportation impact analysis compliant with OAR 660-012 was prepared by Clemow Associates LLC. The analysis determined that peak hour trips under the current residential zoning will be 83 trips and will increase to 85 peak hour trips under the proposed commercial zoning. Therefore, there is no meaningful difference in trip generation under the proposed amendments.
- 36. The proposed change to Commercial/NCO will not change the functional classification of E Elm Ave. Any commercial development on the subject property will generate trips within the carrying capacity of E Elm Ave with standard urban improvements (curb, gutter, sidewalk, and infill paving).

Goal 13 (Energy Conservation)

- 37. 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. This change will promote small scale commercial development in close proximity to residential development and existing commercial neighborhoods, thereby minimizing travel needs.

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

- 38. 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

- 39. 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.
- 40. 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.
- 41. 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.

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

42. The property is located adjacent to an existing commercial node and expands the footprint of an existing commercial area without the need to create a new commercial area which is disjointed from commercial development.
43. Changing the zoning on this property helps expand and develop a new commercial district along E Elm Ave.
44. Traffic generated by commercial development on this property is funneled onto an existing minor arterial which is able to handle additional traffic. Creating new commercial property in other areas may not have the same sufficiently developed street capacity and will require costly upgrades.
45. A zone change would encourage commercial development along East Elm Ave, 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.
46. 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.
47. 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.

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

48. A zone change would encourage commercial development along East Elm Ave, 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.
49. 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.

Annexation

Draft Findings on Annexation

1. The City has received consent to annexation from the property owner for approximately 11.5 acres of land.
2. Notice of public hearing was published in the local newspaper for two consecutive weeks prior to the planning commission hearing on November 18 and 25, 2020. Notices were also posted in four public places in the city for a like period. Comments or remonstrances received have been incorporated into the record.
3. Notice of public hearing was physically posted on the property on November 18, 2020.

4. Notice of public hearing was published in the local newspaper for two consecutive weeks prior to the city council hearing on December 23 and 30, 2020. Notices were also posted in four public places in the city for a like period. Comments or remonstrances received have been incorporated into the record.
5. Affected agencies were notified.
6. A public hearing of the planning commission was held on December 9, 2020. Comments received at the hearing are incorporated into the planning commission record.
7. A public hearing of the city council was held on January 11, 2020. Comments received at the hearing are incorporated into the city council record.
8. The proposal is consistent with all applicable state annexation requirements in ORS 222.
9. The city has received consent from the property owners within the affected area
10. An election has been deemed not necessary since consent from more than half the owners has been received
11. The property is contiguous with the existing city limits
12. All statutorily required notices have been published and posted
13. 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 ensure efficient utilization of land resources and facilitates economic provision of urban facilities and services.
14. The annexation is consistent with the requirements of Comprehensive Plan Policy 5 relating to annexation.
15. The property is located within the urban portion of the urban growth boundary (UGB) as identified on the comprehensive plan map.
16. Sewer is available to service this property at the intersection of NE 4th Street and E Elm Ave. At the time of connection, the applicant is responsible for all connection fees.
17. Water is available to service this property in at the intersection of NE 4th Street and E Elm Ave. At the time of connection, the applicant is responsible for all connection fees.

Draft Findings on Zoning Designation

1. The property lies within the urban portion of the urban growth boundary and has a comprehensive plan map designation of Commercial (C).
2. The proposed Neighborhood Commercial Overlay (NCO) zoning designation corresponds with the underlying comprehensive plan map designation.