

**Exhibit A**  
**Findings of Fact Nobles Major Partition**

**August 23, 2021**

**1180 NW Sjoren Lane**

Design Standards

§154.15 Relation to Adjoining Street System.

The property is bordered by NW 11<sup>th</sup> Street and NW Sjoren Lane.

§154.16 Street and Alley Width.

The property is served by NW 11<sup>th</sup> Street which is an existing county road with a 66 foot right of way width. NW Sjoren Lane also serves the property in an east/west direction. NW Sjoren Lane is a 60-foot access easement providing access to this parcel and several parcels containing residential dwellings to the west. §157.141 of the Hermiston Code of Ordinances requires all lots to abut a public street, other than an alley for a distance of at least 25 feet. NW Sjoren Lane as an access easement does not meet this standard for access to Parcel 1. Therefore, the city will require dedication of NW Sjoren Lane as a 50-foot public street as a condition of approval for this partition to provide adequate access to Parcel 1.

§154.17 Easements.

No new easements are proposed as part of this partition. Under ORS 92.044, a city cannot require utility easements unless specifically requested by a utility provider. No requests for easements have been received as a result of noticing for this partition.

The partition plat references an existing 10-foot power easement which runs diagonally in a northwest to southeast direction. There is an existing 10-foot utility easement along NW 11<sup>th</sup> Street. An easement for delivery of irrigation water shall be created. As noted in the street findings above, the existing 60-foot Sjoren Lane easement shall be dedicated as a 50-foot public street as part of this partition.

§154.18 Blocks.

Block standards in this section are specific to residential development. The total distance within the partition plat is less than the 600-foot minimum block spacing requirement. Thus, no additional cross streets are required.

§154.19 Lots.

The proposed partition will create two lots. Parcel 1 is a 1.26-acre parcel and has an existing manufactured dwelling and duplex apartment building. Parcel 2 is a 0.42-acre vacant lot.

The preliminary plat provides for the creation of two lots meeting the design standards in 154.19.

§154.20 Character of Development.

The property has a comprehensive plan map designation of Mobile Home Residential (MH). There is no development plan for Parcel 1 at this time beyond the existing use. Parcel 2 is proposed for residential development. Uses permitted in the R-4 zone are listed in 157.028 of the Hermiston Code of Ordinances.

#### §154.21 Parks, School Sites and the Like.

The comprehensive plan and parks master plan do not indicate a need for any parks or schools in the vicinity of the proposed partition.

#### Minimum Improvements Required

##### §154.60 Permanent Markers

Permanent markers shall be set as shown on the final plat in accordance with ORS 92.050 through 92.080.

##### 154.61 General Improvements

The property is bounded by NW 11<sup>th</sup> Street, which is a county road, and NW Sjoren Lane, which exists as a 60' easement along the south side of the property. None of the streets are currently improved to city standards. Parcel 2 shall be required to sign a street improvement agreement for future improvement of NW 11<sup>th</sup> Street. At the time a dwelling is constructed on Parcel 2, NW 11<sup>th</sup> Street will require construction of infill paving, curb, and sidewalk along the street frontage. The owner shall also sign a street improvement agreement for future improvement of the newly dedicated right of way for Parcels 1 and 2.

##### §154.62 Water Lines

Water is available to service Parcel 2 upon annexation of this property. There is no municipal water service available to service Parcel 1 unless and until water is extended in Sjoren Lane. The existing dwellings on Parcel 1 are serviced by an existing domestic well.

##### §154.63 Sanitary Sewer System.

The existing homes on Parcel 1 are serviced by an on-site septic system. A municipal sewer line is in NW 11<sup>th</sup> St and requires additional study by public works staff to determine if it is capable of servicing any dwellings on the west side of NW 11<sup>th</sup> Street. The existing sanitary sewer line is constructed on the east side of the street and is separated from this property by a 42-inch regional water line which creates a physical barrier to connection or extension of sewer. The applicant is working with public works staff and contractors to determine if connection to this line is possible. If no option for connection is found, a septic system is an acceptable option for Parcel 2.

#### Preliminary Plat

Staff has reviewed the preliminary plat and determined the submission of a preliminary plat is not required in accordance with §154.35(B) of the Hermiston Code of Ordinances.

#### Final Plat

Per §154.46 of the Hermiston Code of Ordinances, the final plat shall show:

- (A) The boundary lines of the area being subdivided, with accurate distances and bearings. **Shown as required**

- (B) The lines of all proposed streets and alleys with their width and names. **Shown as required**
- (C) The accurate outline of any portions of the property intended to be dedicated or granted for public use. **Shown as required**
- (D) The line of departure of one street from another. **Shown as required**
- (E) The lines of all adjoining property and the lines of adjoining streets and alleys with their widths and names. **Shown as required**
- (F) All lot lines together with an identification system for all lots and blocks. **Shown as required**
- (G) The location of all building lines and easements provided for public use, services or utilities. **Shown as required**
- (H) All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, lots, streets, alleys, easements, and other areas for public or private use. Linear dimensions are to be given to the nearest 1/10 of a foot. **Shown as required**
- (I) All necessary curve data. **Shown as required**
- (J) The location of all survey monuments and bench marks together with their descriptions. **Shown as required**
- (K) The name of the subdivision, the scale of the plat, points of the compass, and the name of the owners or subdivider. **Shown as required**
- (L) The certificate of the surveyor attesting to the accuracy of the survey and the correct location of all monuments shown. **Shown as required.**
- (M) Private restrictions and trusteeships and their periods of existence. Should these restrictions or trusteeships be of such length as to make their lettering on the plat impracticable and thus necessitate the preparation of a separate instrument, reference to such instrument shall be made on the plat. **No restrictions are proposed or referenced on the plat**
- (N) Acknowledgment of the owner or owners to the plat and restrictions, including dedication to public use of all streets, alleys, parks or other open spaces shown thereon, and the granting of easements required. **Shown as required**
- (O) Certificates of approval for endorsement by the city council and certificate indicating its submission to the planning commission, together with approval for endorsement by other local, county and/or state authority as required by Oregon statutes. **Shown as required**

### **Chapter 157: Zoning**

#### **§157.028 Multiple Structure Residential (R-4)**

The minimum lot size in the R-4 zone is 5000 square feet. Parcel 1 is 54,947 square feet and Parcel 2 is 18,234 square feet. Uses permitted in the R-4 zone are listed in 157.028 of the Hermiston Code of Ordinances.

#### **§157.101 Development Hazard Overlay**

Comprehensive Plan Figure 12 identifies portions of this subdivision as subject to groundwater pollution hazards due to excessively well drained soils. In accord with 157.101 of the Hermiston Code of Ordinances, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels. Any additional requirements or prohibitions necessary to mitigate groundwater pollution problems must be developed in conjunction with the Departments of Environmental Quality and Water Resources. At the discretion of the planning commission, the applicant may obtain an exemption to the above requirements if a registered engineer presents documentation which demonstrates that the proposed development will not contribute to potential groundwater pollution.