

Exhibit A
Findings of Fact
Rocky Heights Subdivision
650 W Standard Ave
April 12, 2023
Chapter 154: Subdivisions

Design Standards

§154.15 Relation to Adjoining Street System.

The development is bounded by W Standard Ave, NW 3rd Street, NW 7th Street, W Fulton Ave, NW Stockton St, and W Marie Ave. No new streets are proposed as part of this replatting. This criterion is not applicable to the decision to accept the plat.

§154.16 Street and Alley Width.

No new streets or alleys are proposed as part of the partition. The property is currently serviced by W Standard Ave, NW 3rd Street, NW 7th Street, W Fulton Ave, NW Stockton St, and W Marie Ave. No new streets are proposed as part of this replatting. This criterion is not applicable to the decision to accept the plat.

§154.17 Easements.

There is an existing irrigation easement for the D-G Irrigation Ditch running northwesterly from NW 3rd Street to NW 7th Street. This easement forms the existing south boundary of eleven of the twelve single-family lots. The easement serves a canal which is no longer in place and is dry. The area within the canal easement will be transferred from the Rocky Heights site to the single-family lots.

The preliminary plat also indicates a number of existing easements within the development. The majority of these easements are for existing power lines.

No new easements are proposed as part of this replat.

§154.18 Blocks.

No new streets are proposed or required. This criterion is not applicable to this decision to accept the plat.

§154.19 Lots.

All of the proposed lots exceed the minimum lot size of 5,000 square feet in the R-4 zone and/or 6,500 square feet in the R-2 zone.

Lot 3 (Tax Lot 2003) will have a depth in excess of three times its width. However, this lot already has a depth in excess of three times its width prior to replatting. Staff recommends that the planning commission waive the requirement for this lot as this condition is already in place and adjusting the rear lot line creates a more logical property boundary aligning with two neighboring properties.

Tax Lots 2500 and 100 share a lot line which is not perpendicular to the street line for NW 3rd Street. However, as with the lot depth requirement for Tax Lot 2003 this angle is related to existing patterns of development and staff recommends the planning commission waive the requirement for these two lots.

§154.20 Character of Development.

The entire site is developed residentially and an existing elementary school. No common facilities are provided within the development.

§154.21 Parks, School Sites and the Like.

There is an existing school site within the proposed replat and the site is adjacent to Butte Park. No other public facilities are planned in the city comprehensive plan for this area.

§154.22 Access Management

No new access points are proposed for this development and one existing point of access for Rocky Heights Elementary will be removed. This criterion is not applicable to the decision to accept the plat.

§154.35 Preliminary Plat Requirements

(A) Whenever any person desires to subdivide land into building lots and to dedicate streets, alleys or land for public use, the person shall submit four copies of the preliminary sketch plat conforming to the requirements of 154.15 through 154.21 to the Planning Commission before submission of the final plat. **The applicant has met the plat submission requirement.**

(B) The preliminary plat must be filed with the City Planner at least 30 days prior to the meeting of the Planning Commission. Minor partitions containing three lots or less may be exempted from the provisions of this section. **The applicant has met the plat submission date on March 8, 2023.**

(C) The preliminary plat shall show:

(1) The location of present property lines, section lines and the lines of incorporated areas, streets, buildings, water courses, tree masses and other existing features within the area to be subdivided and similar information regarding existing conditions on land immediately adjacent thereto; **Shown as required.**

(2) The proposed location and width of streets, alleys, lots, building and setback lines and easements; **Shown as required.**

(3) Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract or immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet are to be indicated in a general way upon the plat; **Shown as required.**

(4) The title under which the proposed subdivision is to be recorded and the name of the subdivider platting the tract; **Shown as required.**

(5) The names and adjoining boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels of unsubdivided land; **Shown as required.**

(6) Contours referred to a City Engineer's bench mark with intervals sufficient to determine the character and topography of the land to be subdivided, but in no case shall the intervals be more than one foot; **Contours are not shown on the preliminary plat.**

(7) North point, scale and date; **Shown as required.**

(8) Grades and profiles of streets and plans or written and signed statements regarding the grades of proposed streets; and the width and type of pavement, location, size and type of sanitary sewer or other sewage disposal facilities; water mains and other utilities; facilities for storm water drainage and other proposed improvements such as sidewalks, planting and parks, and any grading of individual lots; **Shown as required.**

(9) All the above information unless waived by the Planning Commission. **Staff recommends the Planning Commission waive (6) above. The development is already in place and no new construction is proposed which would require assessment of contours.**

(D) After the preliminary plat has been submitted to the Planning Commission in accordance with these regulations, a final plat, together with copies of any deed restrictions, shall be prepared and submitted to the City Planner. The plat shall be filed in the office of the City Planner at least 14 days prior to the meeting of the Planning Commission at which approval thereof is asked. This final plat shall be submitted and prepared in accordance with the provisions of 154.45 through 154.46 hereof. **The applicant shall meet this plat requirement.**

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

All of the streets abutting this development are fully improved to city standards with the exception of NW 3rd Street. This portion of NW 3rd Street is planned for paving by the city in 2023 as part of general improvements and maintenance.

§154.62 Water Lines

All parcels are served by existing water service. No water extensions are proposed or required.

§154.63 Sanitary Sewer System.

All parcels are served by existing sewer service. No sewer extensions are proposed or required.

Chapter 157: Zoning

§157.026 Medium Density Residential (R-2)

Uses permitted in the R-2 zone are listed in §157.026 of the Hermiston Code of Ordinances.

Tax Lots 4N 28 10 Tax Lot 100 and 4N 28 10AC Tax Lot 100 are each zoned R-2

The minimum lot size for single-family dwellings in the R-2 zone is 6,500 square feet. All lots exceed the minimum lot size. All lots also exceed the minimum lot width of 60 feet and minimum lot depth of 80 feet in the R-2 zone.

§157.028 Multi-Structure Residential (R-4)

Uses permitted in the R-4 zone are listed in §157.028 of the Hermiston Code of Ordinances.

Tax Lots 2002, 2003, 2103, 2104, 2100, 2101, 2201, 2203, 2220, 2400, and 2500 are zoned R-4.

The minimum lot size for single-family dwellings in the R-4 zone is 5,000 square feet. All lots exceed the minimum lot size. All R-4 lots also exceed the minimum lot width of 60 feet and minimum lot depth of 80 feet in the R-4 zone.

§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.