

EXHIBIT A
Findings of Fact
Soler & Anides Subdivision
945 E Newport Ave
October 8, 2025

Chapter 94: Streets and Sidewalks

One street extension is proposed on the preliminary plat. The applicant proposes to extend E Hurlburt Avenue approximately 221 feet west from its current terminus. Both streets are properly labeled on the preliminary plat. No changes other than installation of improvements is proposed for E Newport Ave. Sidewalk installation is required at the time of development of dwellings on each lot.

Chapter 154: Subdivisions

Design Standards

154.15 Relation to Adjoining Street System.

The preliminary plat has lots serviced by E Newport Ave and E Hurlburt Ave. Each street is classified as a local residential street in the Hermiston Transportation System Plan. The scope of the development will not change the functional classification of either street. Development will require each street frontage to be improved to local residential standards with infill paving where appropriate, curb, gutter, sidewalk, and storm drainage.

The development extends the existing E Hurlburt Ave cul-de-sac providing a portion of the extension necessary for the eventual connection of E Hurlburt Ave to SE 9th Street. No modification to the existing cul-de-sac bulb is required for this street extension.

No offset streets are proposed, no street intersection angle varies by more than 10% from a right angle, and streets obviously in alignment with existing streets (E Hurlburt Ave) will bear the name of the existing street.

154.16 Street and Alley Width.

All streets have a width of at least 50 feet which meets the minimum requirement for local residential streets. The preliminary plat dedicates an additional 30 feet to E Hurlburt Ave. Combining the thirty foot dedication to the existing 20 foot alley creates the required 50 foot street width. The street design standards are satisfied.

154.17 Easements.

Easements of 10 feet in width are provided on all street frontages. ORS 92.044 only permits cities to require utility easements abutting a street. However, there is also an

existing drainage ditch along the north property line of all lots which is not protected with an existing easement. Additional easements are required for the protection of this drain. Width requirements for the easement are further described in the conditions of approval.

154.18 Blocks.

There are no blocks proposed as part of the subdivision proposal.

154.19 Lots.

The lots are numbered sequentially from the Bratton Replat. The preliminary plat is located on Lot 3 of the replat. Since this subdivision is a new plat proposed within Lot 3, the lots shall be renumbered starting with Lot 1 and not Lot 3.

All the proposed lots will make desirable building sites properly related to topography as required by §154.19(A) of the Hermiston Code of Ordinances. All side lot lines are at right angles to straight street lines and there are not double frontage lots as required by §154.19(B). All lots are at least 60 feet wide as required by §154.19(C). Lot 6 on the preliminary plat has a lot depth in excess of three times the lot width (208 feet of depth vs 63 feet of width). After reviewing the topographic information provided, the city finds that there is 14 feet of fall in the south 50 feet of the lot. This area is not suitable for home building and allowing an exception to the lot depth is justified. All the proposed lots exceed the minimum lot size of 8,000 square feet in the R-1 zone.

There are no corner lots in the development. The provisions of §154.19(D) and (E) are not applicable.

There are no flag lots in the development. The provisions of §154.19(F) are not applicable.

154.20 Character of Development.

Staff understands that the applicant intends to market the subdivision as a single-family development. The lot sizes proposed for the development exceed the minimum size required in the R-1 zone for single- and two-family dwellings. Uses permitted in the R-1 zone are listed in §157.025 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 development. There are two existing schools (Highland Hills Elementary and Sandstone Middle School) in the neighborhood.

Preliminary Plat

The preliminary plat was filed on August 4, 2025, more than 30 days prior to the October 8 planning commission meeting in accordance with §154.35(A)

The preliminary plat contains most of the information required by 154.35 of the Hermiston Code of Ordinances.

The following items are not included with the preliminary plat:

- 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;
- 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;

The above information must be included unless waived by the planning commission. Profiles for the streets and utility information are required as part of the civil drawing review process and final plat process. Staff recommends that the planning commission waive the required information for the preliminary plat but require it for civil drawing submission.

Required Minimum Improvements

154.60 Permanent Markers.

All subdivisions shall be surveyed in accordance with ORS 92.050 through 92.080. The preliminary plat has been surveyed.

154.61 General Improvements.

As a condition of approval for the final plat, the city will require the installation of grading, storm drainage, curb and gutter, sidewalks, street paving and all service utilities. All improvements must comply with the Public Works Department standard plans and specifications manual. As a condition of approval, the planning commission shall require the applicant to sign an improvement agreement with the city agreeing to specific development conditions. In lieu of completion of such work, the City may accept a Letter of Credit in an amount and conditions to be specified.

E Newport Ave is partially improved with curb and gutter for the entire development site frontage. E Newport Ave shall have improvements in the form of sidewalk, curb, gutter, drainage improvements, and infill paving for the entire development frontage. E Hurlburt Ave is entirely unimproved along the development site frontage. The remaining 30 feet of E Hurlburt Ave frontage shall be dedicated from the current terminus to the west edge of the development site and shall be improved with sidewalk, curb, gutter, drainage, and a half street plus 10 feet of paving along the north development site frontage.

Final design approval of all improvements must be obtained from the city engineer. Streetlights must also be installed at the applicant's cost. Once installed, the City will assume the monthly service charges.

154.62 Water Lines.

Each lot is planned for connection to the municipal water supply. Water system extensions and fire hydrant locations must be approved by the city engineer. The south portion of the development will be serviced by the existing water improvements in E Newport Ave. Water improvements are required in E Hurlburt Ave in the form of an 8 in water main to be installed from the current terminus in E Hurlburt Ave to the west edge of the development, a distance of approximately 240 feet.

154.63 Sanitary Sewer System.

Each lot is planned for connection to the sanitary sewer system. The sewer layout must be approved by DEQ, the city sewer superintendent and the city engineer. The south portion of the development will be serviced by the existing sewer improvements in E Newport Ave. Sewer improvements are required in E Hurlburt Ave in the form of an 8 in sewer main to be installed from the current terminus in E Hurlburt Ave to the west edge of the development, a distance of approximately 240 feet.

154.64 Drainage.

All necessary facilities shall be installed sufficient to prevent the collection of surface water in any low spot and to maintain any natural water course. A portion of the Hermiston Drain extends along the north boundary of Lots 3, 4, 5, 6, and 14. The city will require the dedication of a 10 foot easement for the protection of and access to the drain in this area.

154.65 Sidewalks.

The applicant shall install sidewalks along all street frontages of all lots as required by the improvement agreement.

154.66 Bikeways.

The City of Hermiston Transportation System Plan does not call for any bikeways in this area.

Chapter 157: Zoning

157.025 Low Density Residential Zone (R-1)

All the proposed lots are created in conformance with the requirements of the R-1 zone. All the proposed lots exceed the minimum lot size of 8,000 square feet. All proposed lots are at least 60 feet wide and 80 feet deep. The lot sizes proposed for the development exceed the minimum size required in the R-1 zone for single- and two-family dwellings. Uses permitted in the R-1 zone are listed in §157.025 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 a high water table. 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.