

Exhibit A

Findings of Fact for Casteel Minor Partition

September 14, 2022

535 E Jennie Ave

Design Standards

§154.15 Relation to Adjoining Street System.

The property is bordered by E Jennie Ave to the south and E Elm Ave to the north. Lots 1 and 2 abut E Elm Ave and Lot 3 abuts E Jennie Ave. No new streets are proposed as part of the partition.

§154.16 Street and Alley Width.

No new streets or alleys are proposed as part of the partition. The property is currently serviced by E Elm Ave on the north boundary. E Elm Ave is a state highway and 66 feet in width. E Jennie Ave also serves the south boundary and is a city street of 60 feet in width.

§154.17 Easements.

No easements are required as part of the platting process.

§154.18 Blocks.

Block standards in this section are specific to residential subdivision development. No block spacing standard is required for this partition as this partition will create three parcels intended for further development and/or public use.

§154.19 Lots.

The proposed partition will create three lots. Lot 1 is a vacant 1.45-acre lot. Lot 1 is zoned Outlying Commercial and has 300 feet of frontage on E Elm Ave. Lot 2 is a vacant 3.6-acre lot. Lot 2 is also zoned Outlying Commercial and has 30 feet of frontage on E Elm Ave. Lot 3 contains a single-family dwelling and several outbuildings and is 7.81 acres. Lot 3 is zoned Multi-Structure Residential and has 228 feet of frontage on E Jennie Ave.

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

§154.20 Character of Development.

The property is split zoned. The north portion containing Lots 1 and 2 is zoned Outlying Commercial. The south portion containing Lot 3 is zoned Multi-Structure Residential. Lot 1 is planned for marketing as a commercial site with highway frontage. Lot 2 is intended for transfer to the city for future expansion of the city public works site at 555 E Elm Ave and potentially a parking area and entrance for a future park serving Baker's Pond. The flag has been set at 30 feet rather than the regular 25 feet in order to provide better access for future park patrons. Lot 3 is zoned Multi-Structure Residential and is planned for residential development. The owner is considering several potential development opportunities.

§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

E Jennie Ave is improved with paving and curb along the entire frontage of Lot 3. Sidewalks will be required at the time Lot 3 develops. E Elm Ave is a partially improved state highway with paving only adjacent to Lots 1 and 2. A street improvement agreement will be required for participation in a future improvement district in the event a LID is formed for street improvements along E Elm Ave for Lots 1 and 2. Should Lot 2 develop prior to formation of a LID, the developer will be required to complete the street improvements. No LID is planned at this time.

§154.62 Water Lines

Water is available to service Lot 3 in E Jennie Ave. Water is under construction in E Elm Ave as of the date of this report and will be available to service Lots 1 and 2 in the future.

§154.63 Sanitary Sewer System.

Sewer is available to service Lot 3 in E Jennie Ave. There is no sewer service available in E Elm Ave and discussions with ODOT surrounding the Eastern Oregon Mini Storage development have indicated that there is little chance of sewer being constructed in E Elm Ave. Therefore, septic systems will be permitted for Lot 1 and Lot 2 if needed.

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. **No easements are proposed or referenced on the plat**
- (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

§157.041 Outlying Commercial Zone (C-2)

Lots 1 and 2 are zoned Outlying Commercial.

Uses permitted in the C-2 zone are listed in §157.041 of the Hermiston Code of Ordinances.

There is no minimum lot size, lot width, or lot depth for C-2 zoned lots.

§157.028 Multi-Structure Residential (R-4)

Lot 3 is zoned Multi-Structure Residential.

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

The minimum lot size for single-family dwellings in the R-4 zone is 5,000 square feet. Lot 3 exceeds the minimum lot size. Lot 3 also exceeds 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 a high water table and 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.