

**Exhibit A**  
**Findings of Fact**  
**Four Brothers LLC Preliminary Replat**  
**678 and 692 E Elm Ave**  
**September 10, 2025**

Chapter 154: Subdivisions

Design Standards

§154.15 Relation to Adjoining Street System.

The property is serviced by E Elm Ave (OR 207). E Elm Ave is partially improved adjacent to Parcels 1, 2, and 3. All street rights of way are already platted and no changes are proposed.

§154.16 Street and Alley Width.

All existing rights of way are 66 feet in width and in compliance with the city standards for minor arterial streets.

§154.17 Easements.

A new 36 foot wide and 60 foot deep shared access easement is created on Parcel 3 for the benefit of Parcels 1, 2, and 3. Maintenance responsibilities for this area shall be spelled out in a separate instrument. ORS 92.044 only permits cities to require easements abutting a street.

§154.18 Blocks.

Block length is not applicable to this plat.

§154.19 Lots.

Parcel 1 is 35,169 square feet or 0.81 acres. Parcel 2 is 26,906 square feet or 0.62 acres. Parcel 3 is 156,966 square feet or 3.6 acres. All parcels are currently vacant. There is an approved development to construct a tire shop on Parcel 1. Parcel 3 is owned by the City of Hermiston and is intended for future public use, either for additional public works storage or for future park use.

#### §154.20 Character of Development.

The development is currently vacant. All parcels are zoned for commercial use and a tire shop has received site plan approval from the city for Parcel 1. Uses permitted in the C-2 zone are listed in 157.041 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 additional 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 Elm Ave is partially improved with paving but no curb, gutter, or sidewalk. As a condition of approval for the tire shop on Parcel 1, the city is requiring completion of the street with curb, gutter, sidewalk, and paving adjacent to the property frontage. As each additional parcel develops, the same improvements will be required.

##### §154.62 Water Lines

Each parcel is adjacent to municipal water service along the entire parcel frontage. A 12 inch municipal water line is installed in E Elm Ave. The applicant and city have agreed to jointly bore under E Elm Ave to connect to this water line with one point of connection..

##### §154.63 Sanitary Sewer System.

There are no sewer services available in E Elm Ave and the site is more than 300 feet from the nearest sewer service. Each parcel may utilize a private septic system for sanitary service.

#### Preliminary Plat

Per §154.35(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; **The 12 inch water line in E Elm Ave is not shown on the plat. However, the location of this line shall be provided with civil drawings for the development**
4. The title under which the proposed subdivision is to be recorded and the name of the subdivider platting the tract; **A proper name for the replat shall be provided on the final plat**
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**
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; and **This information is required with civil improvement drawings and not recommended for this replat.**
9. All the above information unless waived by the Planning Commission.

Staff recommends that the planning commission waive the requirements in 3, 6 and 8 above, but to require a proper name for the replat to be submitted with the final plat.

Chapter 157: Zoning

§157.041 Outlying Commercial (C-2)

Parcel 1 is 35,169 square feet or 0.81 acres. Parcel 2 is 26,906 square feet or 0.62 acres. Parcel 3 is 156,966 square feet or 3.6 acres. All parcels are currently vacant. There is an approved development to construct a tire shop on Parcel 1. There is no minimum lot size, width, or depth requirement in the C-2 zone. Uses permitted in the C-2 zone are listed in §157.041(A) and (B) of the Hermiston Code of Ordinances. A tire shop as proposed for Parcel 1 is a permitted use per §157.041(A)(12).

§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.