

Exhibit A
Findings of Fact
Sunny View Terrace Replat
June 11, 2025

Chapter 154: Subdivisions

Design Standards

§154.15 Relation to Adjoining Street System.

The property is serviced by NE Hill View Drive, NE Sunny View Lane, and E Holt Ave. Each street is entirely unimproved within the boundary of the replat. All street rights of way are already platted and no changes are proposed. E Holt Ave provides connectivity to future residential development to the east.

§154.16 Street and Alley Width.

All existing rights of way are 50 feet in width and in compliance with the city standards for local residential streets.

§154.17 Easements.

There are existing 6-foot utility easements along all lot lines that are not shown on the preliminary plat. During the act of replatting, easements may be vacated and as there are no utilities in the undeveloped subdivision, staff recommends eliminating all side and rear lot line easements and requiring only the statutorily permitted 10-foot front lot line utility easement on the front lot line on the final plat. ORS 92.044 only permits cities to require easements abutting a street.

§154.18 Blocks.

Block length is not applicable to this replat. All existing streets are platted per the recorded plat for Sunset Estates.

§154.19 Lots.

The lots range in size from 1,800 to 5,200 square feet. The majority of the lots are between 1,800 and 2,300 square feet. All lots are currently vacant. The lot sizes are below those permitted for single- and two-family housing in the R-4 zone. However,

the lots are designed in compliance with the common wall housing requirements of 157.152. Under 157.152 the minimum lot area is calculated using the density standard for the underlying zoning. Two-unit lots require a combined minimum lot area of 5,000 square feet spread between two lots. Three-unit lots require a combined minimum lot area of 7,500 square feet. Four-unit lots require a combined minimum lot area of 8,000 square feet.

The two- and four-unit lots are designed in compliance with the minimum lot area requirements. Where there are three-unit lots, there exists a lot area deficiency. For example, Lots 129, 128, and 127 have a combined lot area of 6,851 square feet. Lots 130, 132, and 134 have a combined lot area of 6,803 square feet. Lots 214, 216, and 218 have a combined lot area of 6,815 square feet. All of the combined three-unit lots will require additional square footage to be added for the final plat. Staff recommends that the planning commission grant approval to the preliminary plat as submitted, but to require revised lot calculations and lot areas demonstrating compliance with 157.152 as part of the final plat submittal. Increasing lot area to comply with 157.152 may result in the loss of lots in each block. Alternately, the applicant may submit a revised preliminary plat prior to consideration by the planning commission.

§154.20 Character of Development.

The development is currently vacant. Uses permitted in the R-4 zone are listed in 157.028 of the Hermiston Code of Ordinances. The intent of the development is to construct attached, common wall single-family housing. The density of the development is increased over the existing platted lots from 65 to 219. However, under the R-4 zoning all lots are able to accommodate at least a tri-plex dwelling and the potential density is at least 195 dwellings.

§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

All streets are unpaved with no improvements. The civil improvements for this

development are currently in review. All general improvements shall be completed prior to a certificate of occupancy issuance for any dwelling.

§154.62 Water Lines

Water is available in NE Hill View Drive and E Holt Ave. 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 development will be serviced by the existing water improvements in Sunset Estates and extended eastward in NE Hill View Drive and E Holt Ave.

§154.63 Sanitary Sewer System.

Sewer is available in NE Hill View Drive and E Holt Ave. Each lot is planned for connection to the sanitary sewer system. The sewer layout must be approved by the city sewer superintendent and the city engineer. The development will be serviced by the existing sewer improvements in NE 8th St and extended eastward in NE Hill View Drive and E Holt Ave.

Chapter 157: Zoning

§157.028 Multi-Structure Residential (R-4)

The lots range in size from 1,800 to 5,200 square feet. The majority of the lots are between 1,800 and 2,300 square feet. All lots are currently vacant. The lot sizes are below those permitted for single- and two-family housing in the R-4 zone. However, the lots are designed in compliance with the common wall housing requirements of 157.152. Uses permitted in the R-4 zone are listed in 157.028 of the Hermiston Code of Ordinances.

Under the existing zoning and lot layout, all lots are 7,500 square feet or greater. Each existing lot is able to accommodate a tri-plex dwelling and has a potential density of 195 units.

§157.152 Common Wall Housing

Under 157.152 the minimum lot area is calculated using the density standard for the underlying zoning. Two-unit lots require a combined minimum lot area of 5,000 square feet spread between two lots. Three-unit lots require a combined minimum lot area of 7,500 square feet. Four-unit lots require a combined minimum lot area of 8,000 square feet.

The two- and four-unit lots are designed in compliance with the minimum lot area requirements. Where there are three-unit lots, there exists a lot area deficiency. For example, Lots 129, 128, and 127 have a combined lot area of 6,851 square feet. Lots 130, 132, and 134 have a combined lot area of 6,803 square feet. Lots 214, 216, and 218 have a combined lot area of 6,815 square feet. All of the combined three-unit lots

will require additional square footage to be added for the final plat. Staff recommends that the planning commission grant approval to the preliminary plat as submitted, but to require revised lot calculations and lot areas demonstrating compliance with 157.152 as part of the final plat submittal. Increasing lot area to comply with 157.152 may result in the loss of lots in each block. Alternately, the applicant may submit a revised preliminary plat prior to consideration by the planning commission.

§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.