

Exhibit A

Findings of Fact for Jaber Investment, LLC Annexation

August 11, 2025

2455 NE 7th St

The city council shall make a decision upon determination that the annexation complies with the applicable criteria in §150.05 of the Hermiston Code of Ordinances relating to annexation.

- A.** §150.05(1) *The proposal is in conformance with all applicable state annexation requirements.*

Response:

1. The proposed annexation of the subject property is aligned with the City of Hermiston Comprehensive Plan, acknowledged as compliant by the State of Oregon, and codified in Code Section 156.02 of Title XV.
2. The City has received consent to annexation from the property owner for approximately 3.7 acres of land and an election was deemed not necessary by the city council on June 9, 2025 (*ORS 222.120(1)*)
3. Notice of public hearing was published in the local newspaper for two consecutive weeks prior to the planning commission hearing on June 18 and 25, 2025. Notices were also posted in four public places in the city for a like period. Comments or remonstrances received have been incorporated into the record. (*ORS 222.120(3)*)
4. Notice of public hearing was physically posted on the property on June 18, 2025. (*HZO §157.229(B)*)
5. Affected agencies were notified. (*ORS 222.005*)
6. A public hearing of the planning commission was held on July 9, 2025. Comments received at the hearing are incorporated into the planning commission record. (*ORS 222.120(2)*)
7. Notice of public hearing of the city council was published in the local newspaper for two consecutive weeks prior to the city council hearing on July 16 and 23, 2025. Notices were also posted in four public places in the city for a like period. Comments or remonstrances received have been incorporated into the record. (*ORS 222.120(3)*)
8. A public hearing of the city council was held on August 11, 2025. Comments received at the hearing are incorporated into the record. (*ORS 222.120(2)*)

The city council finds the proposal is consistent with all applicable state annexation requirements in ORS 222:

- a. The city has received consent from the property owners within the affected area
- b. An election has been deemed not necessary since consent from more than half the owners has been received
- c. The property is contiguous with the existing city limits
- d. All statutorily required notices have been published and posted

B. §150.05(2) *The property is contained within the urban portion of the urban growth boundary as identified on the comprehensive plan.*

Response:

- 9. Since the property is contiguous to the existing city limits, the annexation is in accord with Comprehensive Plan Policy 4 which promotes compact urban development within and adjacent to existing urban areas to ensure efficient utilization of land resources and facilitates economic provision of urban facilities and services.
- 10. Annexation is consistent with Policy 5 which requires the city to establish a program for annexation and efficient and orderly provision of public services.
 - a. Property is contained within the urban portion of the UGB (See Finding 11 below)
 - b. Proposed development is consistent with applicable comprehensive plan policies and map designations (See Finding 11 below)
 - c. All city services can be extended readily (See Findings 15-18 below)
 - d. Property owner(s) is willing to bear costs associated with extension of sewer, water and roads except for major facilities -- e.g. sewer pump station or major water main -- necessary to facilitate later growth. (See Findings 15-18 below)
 - e. Proposal is consistent with all applicable state requirements including ORS Chapter 222 governing annexations and Chapter 225 governing utility extensions. (See Findings 1-8 above)
- 11. The property is located within the urban portion of the urban growth boundary (UGB) as identified on the comprehensive plan map. The property is designated as "M" on the comprehensive plan. The M designation is a medium density residential comprehensive planning designation corresponding to the R-3 zoning designation on the city zoning map.

The city council finds that the property is contained within the urban portion of the urban growth boundary.

C. §150.05(3) *The proposed zoning is consistent with the underlying comprehensive plan designation*

Response:

12. The applicant has submitted an application to annex the property with an R-3 zoning designation.
13. The proposed Medium-High Density Residential (R-3) zoning designation is an implementing zoning designation for the M comprehensive plan map designation.

The city council finds that the proposed zoning is consistent with the underlying comprehensive plan map designation.

D. §150.05(4) *Findings of fact are developed in support or denial of the annexation.*

Response:

14. This document, consisting of three pages of findings adopted by the city council on August 11, 2025 serves as findings of fact in support of annexation.

E. §150.05(5) *All city services can be readily extended, and the property owner is willing to bear costs associated with sewer, water, and roads.*

Response:

15. Sewer is available to service this property at NE 8th St and E Punkin Center Road. At the time of connection, the applicant is responsible for all connection fees, and extension of the sewer line to the western most property line.
16. A 16" water main extends along the entire E Punkin Center Road frontage of the site, extending from the municipal water tower to the east to NE 4th Street to the west. Sufficient capacity exists in this water line to serve any potential development on this parcel.
17. A traffic impact analysis has been prepared considering the traffic impacts generated by a medium-high residential development at the potential maximum density for the parcel size. All intersections studied continue to operate at mobility targets following development. No additional off-site mitigation measures are necessary as a result of development of the parcel.
18. Half-street improvement to E Punkin Center Road along the entire frontage of the subject parcel is necessary as a condition of subsequent development. E Punkin Center Road is classified as a major collector street and major collector improvements, including rebuilding of the road to centerline, curb, gutter, sidewalk, and drainage improvements will be required as a condition of development.

The city council finds that all city services can be readily extended and the property owner is will to bear costs associated with sewer, water, and roads.