

**Exhibit A**  
**Findings of Fact**  
**Bankston/3 Rivers Oregon Property LLC/Victory Lighthouse Church**  
**Comprehensive Plan Map Amendment and Annexation**  
**1940/1990/2180 NE 10<sup>th</sup> Street**  
**June 12, 2024**

*Findings of Fact on Comprehensive Plan Map Amendment*

**Goal 1 (Citizen Involvement) and Policy 1 (Citizen Involvement)**

1. Notice of the proposed annexation and amendment was published in the local newspaper on May 22 and 29, 2024 soliciting comments on the proposed annexation and amendment in conformance with 157.229(A) of the Hermiston Code of Ordinances.
2. Notice of the proposed land use action was physically posted on the property on May 22, 2024, in conformance with 157.229(B) of the Hermiston Code of Ordinances.
3. Notice of the proposed land use action was provided by direct mail to all property owners within 300 feet on May 22, 2024, in conformance with 157.229(C) of the Hermiston Code of Ordinances.
4. Comments received as a result of all required publications are incorporated into the record of proceedings.

**Goal 2 (Land Use Planning) and Policies 2 (Planning Process) and 3 (Intergovernmental Coordination)**

5. The city is required to review its land use designations and supply adequate amounts of all zoning types.
6. The proposed map amendments are citizen initiated to fulfill perceived market demand rather than city initiated. The city applies all applicable comprehensive plan policies and statewide planning goals to determine the appropriateness of the proposed amendments to land supply.
7. Notice of the proposed amendment was provided to Umatilla County, DLCD, ODOT, the Hermiston Irrigation District, and the Confederated Tribes of the Umatilla Indian Reservation on May 22, 2024.
8. The subject properties of approximately a combined 25.85 acres of land is within the urban growth area and has the "urbanizable" plan designation and a FR (Future Residential) comprehensive plan designation and FU-10 zoning designation. The owners have evaluated the market demands and analyzed appropriate and compatible uses in the neighborhood surrounding the subject property. Both owners are each proposing single family housing, which will be compatible to the neighborhood.
9. The proposed R-1 zoning includes a combined 25.85 acres between the three parcels (TL 1500, 1502, and 1503).

**Policies 4 (Orderly Urban Growth), 5 (Annexation), and 6 (Conversion)**

10. As all three parcels adjoin existing roadways, utilities, and the existing Hermiston city limits, the change will promote compact urban development and ensure efficient

utilization of land resources. It will facilitate economic provision of urban facilities and services because it will add much needed housing stock for the local residents. It will also convert land that is not considered high value farmland to low density (R-1) residential lots.

11. The existing church is considered a preexisting conditional use within the proposed R-1 zone under its previous approval from Umatilla County. Future expansion, or change in use on the site will require new conditional use approval subject to 157.205 through 157.210 of the Hermiston Code of Ordinances.
12. Residential development is needed in this area and is a good fit with existing adjacent property uses.
13. The property is within the urbanizable portion of the UGB and has a county FR (Future Residential) comprehensive plan and an FU-10 zoning designation. The property is adjacent to the city limits and the proposed annexation is consistent with Policy 5. Following amendment of the plan map designation to a mix of low density residential, the property will become part of the urban portion of the UGB.
14. The applicant is proposing annexation and incorporation to the city and therefore Policy 6 is not applicable.

### **Goal 3 (Agricultural Lands) and Policy 17 (Agriculture and Agriculture Related Economy)**

15. The Subject properties are vacant or used as a residence and a church. It is located within the city's acknowledged urban growth boundary and is designated as urbanizable land. The land is not considered high value farmland and is not protected as Goal 3 farmland and therefore an exception to Statewide Planning Goal 3 is not required.

### **Goal 4 (Forest Lands) and Policy 7 (Natural Resources)**

16. There are no forest lands identified within the Hermiston UGB. Goal 4 is not applicable.

### **Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) and Policies 8 (Surface and Groundwater Resources), 9 (Mineral and Aggregate Resources), and 10 (Historic Resources)**

17. The properties do not have any identified natural resources, scenic and historic areas, open spaces, surface water, mineral or historic resources, therefore an exception to the Statewide Planning Goals 5, 8, 9 and 10 is not required.

### **Goal 6 (Air, Water and Land Resources Quality and Policies 11 (Air Quality), 12 (Noise), and 13 (Water Quality)**

18. The city is required to comply with state and federal regulations regarding air and water quality in all development permitting per 157.004 of the Hermiston Code of Ordinances. Development is required to preserve natural resource quality as part of the development review and construction process.

### **Goal 7 (Areas Subject to Natural Hazards) and Policy 14 (Natural Hazards and Development Limitations)**

19. Figure 12 of the Hermiston Comprehensive Plan indicates this property is subject to potential natural hazards due to excessively well drained soils.

20. The city will require compliance with §157.101 of the Hermiston Code of Ordinances. This section requires mitigation measures to protect groundwater resources.
21. In the case of an existing or potential groundwater pollution threat, the city shall prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels.

**Goal 8 (Recreational Needs) and Policy 16 (Parks, Recreation and Open Space)**

22. The Hermiston comprehensive plan map and parks master plan each identify areas for future park locations and future park upgrades. This portion of the urban growth boundary is not identified in either document as a potential park site. Additionally, the city has developed Cimmaron Park within 1,500 feet of this site.

**Goal 9 (Economic Development) and Policies 18 (General Industrial Development), 19 (Commercial Development), and 20 (General Economic Development)**

23. Goal 9 requires an adequate supply of employment lands, both commercial and industrial. This land is listed on the Comprehensive Plan as F-R and not meant for economic development. Employment lands are not affected by this amendment to the comprehensive plan. Therefore, Goal 9 and the implementing policies are not applicable.

**Goal 10 (Housing) and Policies 21 (Housing Availability and Affordability) and 22 (Neighborhood Quality)**

24. Changing the subject property from county F-R to city R-1 Low-Density helps satisfy the city's projected housing need. The 2021 City of Hermiston Housing Capacity Analysis shows the existing housing supply of 8,051 housing units. The forecast from PSU Population Forecast Program (2019) estimates the population will grow at a rate of 1% between 2020 and 2040. To accommodate the growth in population, the city's projected need within the city's housing needs analysis will require a total of 10,081 housing units, resulting in a need for 2,030 new housing units by 2040.
25. The subject property is currently zoned county FU-10, which allows for one housing unit per 10-acre lot. The proposed change includes 25.85 acres zoned R-1 Low-Density Residential which the applicant believes will yield 65-70 housing units. Figure 6.2 *Summary of Forecasted Future Unit Need (2040)* on the City of Hermiston Housing Capacity Analysis identified 1,164 new single family detached units are needed by 2040. There is an identified demand of 1,220 new units within the Low-Density zoning by 2040 thus the proposed zone change would go further to satisfy this projected need than the current zoning.
26. This residential development is close to public services, schools, and retail services, as well as public transit.
27. Applicant plans to develop lots primarily for single-family detached homes that would range in sales price from low \$300s to mid-\$400s.
28. The creation of approximately 70 new houses will have a meaningful impact on housing availability and affordability, in alignment with Policies 21 and 22.

**Goal 11 (Public Facilities and Services) and Policies 23 (Provision of Public Services and Facilities), 24 (Water, Sewer, and Storm Drainage), 25 (Solid Waste), 26 (Schools), 27**

**(Police Protection), 28 (Fire Protection), 29 (Local Government Services and Facilities), and 30 (Private Utilities)**

29. Water and sewer are currently adjacent to the property on 10<sup>th</sup> Street.
30. NE 10<sup>th</sup> Street is an urban major collector that borders all three of the properties. East Theatre Lane is classified as a minor collector that runs along the south border of the southern property (Tax Lot 1503). All streets abutting the property will be improved to comply with the city's transportation plan at such time as development of abutting phases occurs.
31. All storm water will be retained within the boundaries of the future development. There is no city-wide storm water retention and disposal system.
32. Future development will utilize Sanitary Disposal for solid waste services as encouraged by the city.
33. Future development will not provide recycling services as the City of Hermiston has already provided recycling collections points in two locations of the city.
34. The Hermiston Police Department provides public safety services to the area under consideration. The police department has adequate capacity to patrol and protect the area with no additional actions required by the developer.
35. Umatilla County Fire District #1 provides fire and life safety services to the area under consideration. The UCFD#1 has adequate capacity to service the area with no additional actions required by the developer.
36. Concurrent with development, applicant will extend power and telecommunications services to the property after adoption of annexation and zone changes.

**Goal 12 (Transportation) and Policies 31 (Integrated Transportation System), 32 (Rail/Air Transportation), 33 (Alternative Transportation), and 34 (Transportation System Plan)**

37. Applicant has provided a transportation study and transportation impact analysis.
38. The Oregon Department of Transportation has accepted the submitted analysis.
39. The following summary and recommendations have been extracted from the transportation study performed by PBS Engineering and Environmental, Inc.
  - All study intersections are anticipated to operate within agency mobility standards in the 2025 Current and Proposed Zone Designation scenarios. As such, no improvements are specifically necessary to mitigate the Proposed Zone Designation transportation impacts.
  - All study intersections have adequate storage available on all approach movements to accommodate the 95th percentile vehicle queues.

**Goal 13 (Energy Conservation)**

40. This goal requires land to be developed in a manner that maximizes energy conservation based upon sound economic principles through efficient use of density and mixing of uses. The proposed zoning of the subject property will promote low-scale density residential development in close proximity to schools, parks, and existing commercial neighborhoods thereby minimizing travel needs.

**Goal 15 (Willamette River Greenway), Goal 16 (Estuarine Resources), Goal 17 (Coastal Shorelands), Goal 18 (Beaches and Dunes), and Goal 19 (Ocean Resources)**

41. Goals 15, 16, 17, 18, and 19 are geographically based statewide planning goals intended to protect specific, identified natural resources. None of the resources under these goals are within the Hermiston planning area. Goals 15, 16, 17, 18, and 19 are not applicable.

*Findings of Fact on Annexation*

1. The City has received consent to annexation from the property owners for approximately 25.8 acres of land.
2. Notice of public hearing was published in the local newspaper for two consecutive weeks prior to the planning commission hearing on May 22 and 29, 2024. 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.
3. Notice of public hearing was physically posted on the property on May 22, 2024.
4. Affected agencies were notified.
5. A public hearing of the planning commission was held on June 12, 2024. Comments received at the hearing are incorporated into the planning commission record.
6. 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 May 29 and June 5, 2024. 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.
7. A public hearing of the city council was held on June 24, 2024. Comments received at the hearing are incorporated into the record.
8. 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.
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. The annexation is consistent with the requirements of Comprehensive Plan Policy 5 relating to annexation.
11. Following adoption of conversion from urbanizable to urban status by the City of Hermiston and Umatilla County, the property will be located within the urban portion of the urban growth boundary (UGB) as identified on the comprehensive plan map.
12. Water is currently adjacent to the property in NE 10<sup>th</sup> Street. A 12" water main is available to service the property and may be extended into the development site. Water sizing will be determined at the time of development.
13. Sanitary sewer is currently available adjacent to the property in NE 10<sup>th</sup> Street. A 12" line is available to service the property and may be extended into the development site. Sewer sizing will be determined at the time of development.
14. Applicant is willing to extend both sewer and water to the subject property.

*Findings of Fact on Zoning Designation*

1. Following amendment by the city and adoption by Umatilla County, the comprehensive plan map will designate the area as Low Density Residential. Proposed map designations are attached as a map to this report.
2. The proposed Low Density Residential zoning designation appropriately implements the Low Density Residential comprehensive plan map designations adopted for the property.