



Where Life is Sweet

Members of the Planning Commission

STAFF REPORT

For the Meeting of June 12, 2024

Title/Subject

Annexation & Comprehensive Plan Map Amendment - 3 Rivers Oregon Property LLC/Victory Lighthouse Church/Bankston 4N2801B Tax Lots 1500, 1502, & 1503 - 1940/1990/2180 NE 10th St

Summary and Background

Dennis Gisi has submitted an application to amend the comprehensive plan map designation for approximately 25.9 acres of land located on the northeast corner of E Theater Lane and NE 10th Street. The applicant proposes to annex two non-contiguous tracts into the city for future development purposes. Each tract is contiguous with city limits in NE 10th Street. The land is proposed for annexation as Low Density Residential (R-1). The comprehensive plan map amendment proposes to change the Future Residential designation to Low Density Residential. Maps illustrating the existing and proposed comprehensive plan map designations are attached to this report.

The two tracts are under separate ownership. The owners have mutually agreed to file a single application for comprehensive plan amendment and annexation in order to efficiently use time and resources. It is more efficient, especially in terms of traffic analysis, to combine as many parcels as possible into one application. Three Rivers-Oregon LLC owns 12.91 acres of land described as 4N 28 01B Tax Lot 1500. The property is currently vacant, and the owner intends to develop the property residentially following annexation. Victory Lighthouse Church and Larry and Florence Bankston own the property described as 4N 28 01B Tax Lots 1503 and 1502 respectively. Victory Lighthouse Church sits on a portion of Tax Lot 1503 and approximately 9.2 acres of the lot are vacant. A single-family dwelling occupies Tax Lot 1502. Victory Lighthouse intends to expand existing church operations on the western portion of Tax Lot 1503 and develop the eastern portion residentially.

The properties sit within a generally rural, but urbanizing portion of the urban growth boundary. To the west sits the newly constructed Loma Vista Elementary School and several single-family subdivisions which are either under construction or are approved by the city and scheduled for construction. To the north and east sit rural single-family estates and undeveloped land. To the south sits the Country Squire Mobile Home Park, the Vista Mobile Home Park, and rural single-family development. Topographically, the site generally slopes downhill from the north to the south. Access to the site is provided by NE 10th Street and E Theater Lane.

The properties sit within the urbanizable portion of the urban growth boundary. The city's comprehensive plan map designates each parcel as Future Residential (FR). The county's

zoning map designates the property as FU-10. The FU-10 is a residential urbanizable zone intended to preserve large lots within the UGB to facilitate future urban level development. Since this land is within the UGB and designated as Future Residential, amending the comprehensive plan designation to Low Density Residential is an implementation of the existing comprehensive plan designation and assigns an urban density level to land that is already accounted for within the city's housing needs analysis and residential land inventory. Thus, there is no change to the city's housing capacity as a result of the amendment. The change is a fulfillment of the residential plan.

The housing needs analysis demonstrates that the city has adequate acreage within the residential inventory to accommodate 18,000 housing units over a twenty-year planning horizon. The housing needs analysis assumes a portion of the future residential land will develop with Low Density Residential designation, providing approximately 1,220 single-family homes or 16% of capacity. The proposed R-1 designation provides capacity of approximately 71 of those 1,220 units. Additionally, all lots may also be developed with two-family dwellings, thereby doubling the capacity to 142 units.

The applicants propose to annex the property with Low Density Residential (R-1) zoning. This designation allows single and two-family dwellings on lots with a minimum lot size of 8,000 square feet. The existing Victory Lighthouse Church is also a use permitted conditionally in the R-1 zone. No additional permitting is required to annex the property with an R-1 zoning designation. Future expansion or modification of the site will require modification of a conditional use permit subject to the requirements of §157.205 through §157.210 of the Hermiston Code of Ordinances. Other uses permitted in the R-1 zone are listed in §157.025 of the Hermiston Code of Ordinances.

When considering an amendment to the comprehensive plan map, the city must apply the criteria contained in the Hermiston Code of Ordinances, the comprehensive plan itself, the Hermiston Planning Area Joint Management Agreement, and state law. The City must consider the state's Transportation Planning Rule (TPR) in OAR 660-012-0060. In order to comply with the TPR, the applicants commissioned a transportation impact analysis (TIA) from PBS Engineering. The TIA considers potential development on the site and analyzes the impacts of that development within the planning horizon for the city's Transportation System Plan. City and ODOT staff reviewed the PBS TIA and determined the development will not have a significant effect on the studied intersections. A copy of ODOT's findings is attached to this report.

E Theater Lane is an urban minor collector from Highway 395 to NE 10th Street in the city's TSP. At NE 10th Street, it is downgraded to a rural collector. This rural designation reflects the urbanizable nature of the urban growth boundary, thereby retaining the collector status for future east/west connectivity but should develop as an urban collector as urban level development occurs along the frontage east of NE 10th Street. As the city grows eastward, the road development will necessarily reflect urban standards. E Theater Lane previously narrowed to 40 feet in right of way width at NE 10th Street. However, when Tax Lots 1502 and 1503 were partitioned in 2005, an additional 10 feet of right way was dedicated to E Theater Lane, bringing the right of way into compliance with collector standards. No additional right of way dedication is necessary for E Theater Lane. However, development will trigger street improvement to E Theater Lane in compliance with urban minor collector standards in the city's public works details.

§150.05 of the Hermiston Code of Ordinances provides the requirements for annexations. The requirements for annexation are as follows:

1. The proposal is in conformance with all applicable state annexation requirements.
2. The property is contained within the urban portion of the urban growth boundary as identified on the comprehensive plan.
3. The proposed zoning is consistent with the underlying comprehensive plan designation.
4. Findings of fact are developed in support or denial of the annexation.
5. All city services can be readily extended, and the property owner is willing to bear costs associated with sewer, water, and roads.

Chapter 156 of the Hermiston Code of Ordinances provides the procedures for amendments to the comprehensive plan. Specific criteria are not detailed within the code, but all amendments to the comprehensive plan and implementing ordinances are required to demonstrate compliance with the statewide planning goals and the Hermiston Comprehensive Plan policies. Findings of fact demonstrating compliance are attached as Exhibit A.

Public notice requirements have been satisfied through the following actions:

1. Notice was provided by direct mail to all property owners within 300 feet on May 22, 2024.
2. Notice was published in the Hermiston Herald on May 22 and 29, 2024.
3. A sign displaying a notice of public hearing was placed on the property on May 22, 2024.

Tie-In to Council Goals

Goal 1.6 Attract market-rate rental housing developments to increase middle housing inventory.

Fiscal Information

There is no fiscal impact resulting from amendments to the comprehensive plan. However, annexation will add the land to the city's property tax base. The properties have an assessed value of \$448,860. The property has the potential to add 71 or more dwellings. Residential development will likely generate approximately \$151,000 annually at full build-out.

Alternatives and Recommendation

Alternatives

The planning commission has several items to consider with the applications before the board.

The planning commission may choose to:

- Recommend approval of the comprehensive plan map amendments to the city council
- Recommend denial of the comprehensive plan map amendments to the city council
- Recommend an amendment of the map changes to different zoning to the city council
- Recommend approval of the annexation to the city council
- Recommend denial of the annexation to the city council
- Continue the hearing to allow additional evidence and testimony

Recommended Action/Motion

- Motion to make the project file a part of the record
- Motion to adopt the findings of fact
- Motion to impose conditions of approval

- Motion to recommend approval of comprehensive plan map amendment to the city council
- Motion to recommend approval of annexation to the city council

Submitted By:

C.F. Spencer, Planning Director