

HERMISTON PLANNING COMMISSION

Regular Meeting

July 13, 2016

Chairman Saylor called the meeting to order at 7:00 PM. Commissioners Doherty, Flaiz, Caplinger, Fialka, Hamm and Rebman were present. Commissioners Medelez and Erz were absent.

Minutes

Minutes of the June 8, 2016 regular Planning Commission meeting were approved.

Hearing- Major Variance

The planning commission is holding a hearing to consider a request for a major variance. The request must be approved by the planning commission subject to the criteria established in §157.225 of the Hermiston Code of Ordinances. The applicant wishes to obtain a variance from §157.025 (D) 3 of the Hermiston Code of Ordinances which establishes rear yard setback requirements in a (R-1) Single Family Residential zone. The applicant, Dave Otnes, proposes to construct a shop that will be three feet into the ten foot setback. The property is described as 4N 28 15AB Tax Lot 10500 and is located at 1035 W Judith Pl.

Chairman Saylor asked if any commissioners had a conflict of interest. Hearing none, the hearing was opened at 7:01 and the following guidelines were read:

- a. The applicable substantive criteria relied upon by the City in rendering the decision to grant the variance are contained in §157.225 of the Hermiston Code of Ordinances.
- b. Testimony and evidence must be directed toward the criteria described above or other criteria in the comprehensive plan or land use regulations which the person believes apply to the decision.
- c. Failure to raise an issue by the close of the record at or following the hearing, in person or by letter, precludes appeal to the Land Use Board of Appeals (LUBA) or the city council based on that issue.
- d. Failure to raise an issue with sufficient specificity to afford the decision maker and the parties an opportunity to respond to that issue precludes appeal to LUBA or the city council based on that issue.
- e. Failure to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government or its designee to respond to the issue precludes an action for damages in circuit court.
- f. Prior to the conclusion of the evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application. The planning commission shall grant such a request by continuing the public hearing pursuant to ORS 197.763(6)(B) or leaving the record open for additional written evidence, arguments or testimony pursuant to ORS 197.763(6)(C).

For this hearing, the process begins with the staff report, followed by testimony from the applicants and any other supporters of the application. This will be followed by opponents to the application. Finally, a rebuttal by the applicant will be allowed. The public hearing portion of the procedure will then be closed, and the planning commission will consider the information and testimony received and may render a decision.

The staff report was presented by City Planner Clinton Spencer.

Testimony

Dave Otnes, 1035 W Judith Pl. Mr. Otnes stated he needs a shop. The proposed plan puts only a small corner of the shop in the setback.

The hearing was closed at 7:13.

Findings of Fact

Exceptional or extraordinary conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, shape, topography or other circumstances over which the applicant has no control.

1. The property is an unusual configuration with few right-angle lot line intersections and no straight front lot line. This configuration creates few buildable areas which can meet setbacks and not interfere with existing buildings.
2. The property contains a 25 foot irrigation easement for a buried irrigation pipe. This irrigation easement renders a large portion of the rear yard unbuildable.
3. Areas not constrained by existing buildings, irrigation easements, or odd lot line angles are limited.
4. Construction of the shop at the standard 10 foot setback line will require moving an existing patio or constructing a smaller shop.

The variance is necessary for the preservation of a property right of the applicant that is substantially the same as is possessed by owners of other property in the same zone or vicinity.

5. The variance is necessary to build the structure and make full use of the property.
6. The majority of the shop will be located outside of the setback area with only a portion of the northeast corner of the building encroaching.

The authorization of the variance shall not be materially detrimental to the purposes of the zoning ordinance, be injurious to property in the zone or vicinity in which the property is located, or be otherwise detrimental to the objectives of any development pattern or policy.

7. The variance will allow only a small portion (roughly 24 square feet) to encroach into the setback area and not allow an entire wall of the structure to encroach.
8. Any variance approved is vetted by the planning commission through the public hearing process and duly noticed to neighboring property owners and the public at large. This process guarantees an opportunity that all public concerns will be voiced to the planning commission.

It is impractical to maintain the zoning ordinance requirements and at the same time build, erect or use the structure.

9. The variance is necessary for the construction of a 12' x 28' shop.
10. The applicant considers the 12' x 28' size to be optimal for workshop purposes. A smaller size which fits within the zoning requirements is not practical for some shop related uses.

The variance requested is the minimum variance from the provisions and standards of the zoning ordinance which will alleviate the hardship.

11. As stated in Finding #10, the applicant considers the 12' x 28' size to be optimal for workshop purposes. A smaller size which fits within the zoning requirements is not practical for some shop related uses.

Commissioner Caplinger moved and Commissioner Fialka seconded to approve the findings as written. Motion passed unanimously. Commissioner Caplinger moved and Commissioner Fialka seconded to approve the variance as proposed. Motion passed unanimously.

Hearing- Major Variance

The planning commission is holding a hearing to consider a request for a major variance. The request must be approved by the planning commission subject to the criteria established in §157.225 of the Hermiston Code of Ordinances. The applicant wishes to obtain a variance from §157.025 (D) 2 of the Hermiston Code of Ordinances which establishes a seven foot side yard setback requirement in a (R-1) Single Family Residential zone. The applicants, Bruce & Susan Jones, propose to construct a garage five and a half feet from the property line. The property is described as 4N 28 02BD Tax Lot 1800 and is located at 40 NE Alora Drive.

No commissioners had a conflict of interest. The hearing was opened at 7:15pm. The reading of the hearing guidelines was waived without any objections.

City Planner Clinton Spencer presented the staff report.

Testimony

Bruce Jones, 40 NE Alora Drive. Mr. Jones stated he has lived in the home for about 20 years and is not interested in moving. He would like to build the additional garage to enclose his toy.

The hearing was closed at 7:25PM.

Findings of Fact

Exceptional or extraordinary conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, shape, topography or other circumstances over which the applicant has no control.

1. The house is constructed approximately 15 feet from the side lot line. It is not possible to add a 10 foot wide garage bay to the existing garage without encroaching into the 7 foot side yard setback.

The variance is necessary for the preservation of a property right of the applicant that is substantially the same as is possessed by owners of other property in the same zone or vicinity.

2. The variance is necessary to build the structure and make full use of the property.
3. A 10' x 20' garage is the smallest size a single car garage can be constructed at. A minimum of 8 feet is needed just to accommodate the garage door.

The authorization of the variance shall not be materially detrimental to the purposes of the zoning ordinance, be injurious to property in the zone or vicinity in which the property is located, or be otherwise detrimental to the objectives of any development pattern or policy.

4. The variance will still provide a 5.5 foot side yard which is adequate to allow access to the rear yard and maintain spacing from neighboring properties.
5. Any variance approved is vetted by the planning commission through the public hearing process and duly noticed to neighboring property owners and the public at large. This process guarantees an opportunity that all public concerns will be voiced to the planning commission.

It is impractical to maintain the zoning ordinance requirements and at the same time build, erect or use the structure.

6. The variance is necessary for the construction of a 10' x 20' garage bay.
7. A variance of 1.5 feet is needed to allow the construction of a 10 foot wide garage bay. A width of less than 10 feet is impossible to open a car door and exit a vehicle in the garage.

The variance requested is the minimum variance from the provisions and standards of the zoning ordinance which will alleviate the hardship.

8. As stated in Finding #3 and #7, the 1.5 foot variance is the minimum variance that will allow a third garage bay to be added to existing garage and still be functional as a garage with a standard 8 foot door.

Commissioner Rebman moved and Commissioner Hamm seconded to approve the findings as written. Motion passed unanimously. Commissioner Hamm moved and Commissioner Flaiz seconded to approve the variance request. Motion passed unanimously.

Hearing-Major Variance

The planning commission is holding a hearing to consider a request for a major variance. The request must be approved by the planning commission subject to the criteria established in §157.225 of the Hermiston Code of Ordinances. The applicant wishes to obtain a variance from §157.057 (D) 3 of the Hermiston Code of Ordinances which establishes parking requirements in the Fairgrounds Overlay zone. The applicant, Rob

Dreier, of Frew Development, is requesting that the City grant a variance thereby allowing the number of occupants on the property equal to the number of allowed persons per parking space. The property is described as 4N 28 13 Tax Lots 800 and 1400 and is located at 1705 E Airport Rd.

There were no conflicts of interest and the hearing was opened at 7:26PM. The following guidelines were read:

- a. The applicable substantive criteria relied upon by the City in rendering the decision to grant the variance are contained in §157.225 of the Hermiston Code of Ordinances.
- b. Testimony and evidence must be directed toward the criteria described above or other criteria in the comprehensive plan or land use regulations which the person believes apply to the decision.
- c. Failure to raise an issue by the close of the record at or following the hearing, in person or by letter, precludes appeal to the Land Use Board of Appeals (LUBA) or the city council based on that issue.
- d. Failure to raise an issue with sufficient specificity to afford the decision maker and the parties an opportunity to respond to that issue precludes appeal to LUBA or the city council based on that issue.
- e. Failure to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government or its designee to respond to the issue precludes an action for damages in circuit court.
- f. Prior to the conclusion of the evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application. The planning commission shall grant such a request by continuing the public hearing pursuant to ORS 197.763(6)(B) or leaving the record open for additional written evidence, arguments or testimony pursuant to ORS 197.763(6)(C).

For this hearing, the process begins with the staff report, followed by testimony from the applicants and any other supporters of the application. This will be followed by opponents to the application. Finally, a rebuttal by the applicant will be allowed. The public hearing portion of the procedure will then be closed, and the planning commission will consider the information and testimony received and may render a decision.

City Planner Spencer presented the staff report.

Testimony

Rob Dreier, Frew Development, LLC, on behalf of EOTEC. Mr. Dreier stated that occupancy is based on area within the building and parking is based on occupancy. Rodeo occupancy is based on amount of available seats. The code is interpreted as one parking space per four seats. This requires substantial parking spaces. The vast majority of events at the rodeo will be less than the maximum. They would like to be allowed to have events at both the rodeo and the event center simultaneously as long as total occupancy of the site is less than or equal to the number of parking spaces times four.

Ken May, 1410 NE D & M Lane. Mr. May referenced City code that requires all parking be on a hard surface. Overflow parking should be paved. The number of available parking spots is insufficient for cumulative occupancy at the site. Mr. May suggesting looking at the state building codes. He is concerned that senior citizens may get injured parking on an unpaved surface.

Nancy Able, Ms. Able owns property abutting the overflow parking area. She inquired how many acres the overflow parking encompassed. Ms. Able feels that the approximately 18 to 20 acres is a lot of property. She has no objection to overflow parking.

Dave Otnes, 1035 W Judith Place. Mr. Otnes asked if there would be a fee for parking.

Rob Dreier, Frew Development. Mr. Dreier responded that charging a parking fee would be a governance issue for EOTEC and he did not represent them in that manner. The non-large events held there so far have not had fee parking. The overflow parking could hold about 3000 vehicles depending on how they are parked. The overflow parking is for large events. The large events are required to go through a pre-planning process that will address lighting, parking lane layout, emergency vehicle access, etc. This may vary from year to year.

There was discussion about the current parking standards for the Fairgrounds Overlay zone. The overflow parking area is required to be graveled or grass with dust control provided prior to use. This is specific to the zone. EOTEC is requesting a variance from the parking standard. The Commissioners questioned the proper procedure to address the request. They discussed if an exceptional circumstance existed to grant a variance for a parking standard created specifically for this place. Consideration was given to amending the overlay zone. Mr. Dreier responded that he is not trying to change the current ordinance. The rodeo will eventually have seating capacity of 10,000 and based on the overlay, parking would need to be about 2,500 spaces. That number of spaces would only be used one week a year. On a regular basis, less than 2,700 people would be using the facility. As it was administratively approved, the rodeo and the event center are not allowed to have events simultaneously regardless of the number of occupants at those events. If the request is granted, multiple small events could be held at the facility. Mr. Dreier reiterated that adequate parking is defined by the occupancy of the facility. The requested variance defines it in a way that the number of occupants be limited by the number of parking spaces regardless of the venue.

The Commissioners have concerns that there is not an adequate number of parking spaces to meet the zone requirements for this facility. The Commissioners discussed what else they would like presented so they can reach a decision. The Commissioners would like to see what other cities with event centers with similar usage do, an EOTEC board member present at the continued hearing, and a timeline from EOTEC for completion of phased parking.

Commissioner Caplinger moved and Commissioner Fialka seconded to continue the hearing at the September 14, 2016 regular Planning Commission meeting. Motion passed unanimously.

Planner Comments and Unscheduled Communications

Meeting adjourned at 9:24PM.



Where Life is Sweet

Planning Department

*180 NE 2nd Street
Hermiston, OR 97838
Phone: (541)567-5521
Fax: (541)567-5530
planning@hermiston.or.us*

To: Planning Commission
From: Clinton Spencer, City Planner
Subject: EOTEC Variance Request - Continuance
Date: September 1, 2016

The planning commission is holding a continued hearing regarding a request for a variance for the EOTEC facility located at 1705 E Airport Road. The request by EOTEC is to limit the occupancy of the development to the maximum capacity allowed by their existing parking capacity. The property is described as 4N 28 13 Tax Lots 800 and 1400. The city has placed a zoning designation of Fairgrounds Overlay on the property. The requested variance is from the overall parking requirement for the development.

Background

The city administratively approved the site plan for the convention center, fairgrounds, and rodeo grounds in September of 2014. For reference, a copy of the city's approval is attached to this report as Appendix B. The approval condition specifically at issue in the variance request is:

5. There are 2,000 seats proposed for the rodeo arena, requiring 500 parking spaces and 34,650 square feet of event center floor area, requiring 346 parking spaces. Six hundred ninety six spaces are provided. Per 157.057 of the Hermiston Code of Ordinances, parking must be sufficient for all public buildings. The required parking is 846 spaces or 150 spaces more than are provided. Therefore, as a condition of approval the city will require the event center and rodeo arena not be used simultaneously for events. For example, a typical weekend could not see a rock and gem show in the event center and simultaneously hold a rodeo. However, if the event hours do not overlap, then events could be held on the same day. In order to accommodate exceptionally large events like the county fair or open air festivals, overflow parking may be utilized in accordance with the standards of 157.057 of the Hermiston code of ordinances.

The EOTEC authority hopes to reinterpret this condition to cap the occupancy of the facility at a set number rather than build an extensive parking lot which would potentially be relatively unused for the majority of events. An occupancy cap would be similar to the notion in the city's parking standard that one parking space is needed for every four seats in a theater, auditorium, church, etc. Using this standard, the 675 parking spaces installed at EOTEC would cap occupancy at the rodeo

grounds or convention center at 2,700 attendees. Larger events like the county fair would still be allowed to use the overflow parking standard in the FO zone.

At the time of the site plan approval in 2014, the rodeo arena was still under design. The number of seats evidenced in the site plan was stated as 2,000. The original number of parking spaces proposed was 696. Subsequent construction and design revisions reduced the total number of parking spaces to 675. Further design revisions changed the potential full capacity of the rodeo arena. Using temporary seating and other seating amenities designed only for the Farm City Rodeo the maximum capacity of the rodeo arena increases to 9,500 seats. EOTEC contends that this potential maximum capacity is intended only for the Farm City Pro Rodeo and similar large rodeo events and not for other day to day use.

The fairgrounds overlay parking standard requires that parking be established sufficient for all public buildings on the property. For the purposes of developing the site, the event center and rodeo grounds were considered as public buildings but smaller buildings such as livestock barns were not considered as public buildings due to the unlikelihood of their use at an event not in conjunction with either the event center or rodeo grounds. Budget constraints on the EOTEC authority made it difficult to provide a full complement of parking for the rodeo and event center at 846 parking spaces. Due to this limitation, the city established that either the event center or rodeo grounds could be used for an event, but not both at the same time, except during the county fair. The EOTEC authority's variance request is to reinterpret the parking standard to allow both facilities to be used at the same time, but that the combined occupancy of both buildings be limited to a maximum of 2,700 attendees.

July Planning Commission Hearing

The planning commission held a public hearing on July 13, 2016 to consider the variance request. The planning commission determined there was not adequate evidence presented by EOTEC to justify the variance request but continued the hearing to allow the applicant additional time to research potential mitigations in the event a variance is granted. The planning commission also directed staff to research several issues before reporting back to the planning commission.

Staff research

Similar fairgrounds and event centers in Oregon and Washington.

Appendix A to this report lists seven fairgrounds and regional event centers and their ratio of paved to unpaved parking. Facilities which are purely fairgrounds such as the Polk and Benton County Fairgrounds rarely have paved parking sufficient to accommodate all of the public facilities on the grounds. Facilities which are more developed event centers such as the Lane County Fairgrounds and Event Center and the TRAC in Pasco, do have paved parking adequate to accommodate their public buildings or at least have a very large amount of paved parking.

Deschutes County Fairgrounds

The Deschutes County Fairgrounds is conceptually a very similar facility to EOTEC. Additionally, the development process for the DC fairgrounds followed a similar development process. Like EOTEC there is a large amount of paved parking and a large amount of overflow

parking. Like EOTEC, the city of Redmond wrote a new zone to accommodate the fairgrounds. In both cases the fairgrounds eventually requested a parking variance as part of the development process. The city of Redmond eventually approved a parking variance but the variance was appealed to LUBA and remanded to the city for further refinement.

When processing the application for the Deschutes County Fairgrounds, the City of Redmond looked at the total parking requirements for all buildings on the property and determined 3,700 parking spaces were necessary. The city's approval of a variance allowed for 1,000 paved spaces and 3,200 grass spaces for a total of 4,200 spaces. The grass parking areas would also be made available to the community for recreational sports fields when not in use for fairgrounds uses. It is important to note that the city of Redmond considered all structures on the property as requiring parking, from ticket booths to maintenance buildings, as well as animal barns and event spaces.

In approving the variance, the city of Redmond used the following rationale in their adopted findings of fact (*paraphrased and excerpted*):

1. The new fairgrounds provide significantly more parking than currently is available at the downtown fairgrounds.
2. The fair can see as many as 60,000 visitors per day but it is highly unlikely that 60,000 visitors would ever attend at the same time.
3. The benefit to the community of additional grass fields for recreation and sports outweighs the public benefit of 3,700 paved parking spaces.

EOTEC varies significantly in that the overflow parking areas are not proposed to be set aside for recreational uses, and in fact the entire property is fenced, limiting public access during non-event times. If the same criteria used by the city of Redmond were applied to EOTEC the parking requirement would increase over the current requirement that only the event center and rodeo grounds necessitate paved parking. The total fairgrounds development includes 88,200 square feet of animal barns and a 4-H building. These would require one space per 1,000 square feet, similar to warehouses, and require an additional 88 parking spaces. Thus, the total parking requirement for the entire facility, including an increased capacity rodeo arena at 9,500 seats, would be as high as 2,808. The existing paved parking provides 675, and the 20 acre over flow parking parcel can easily accommodate an additional 2,200 parking spaces with adequate grading, sodding, or graveling.

Event Management Plan

When the city originally considered the approval of EOTEC and the creation of the Fairgrounds Overlay zone, traffic analysis and event planning was performed. Lancaster Engineering worked with the city and EOTEC to consider the potential impacts building EOTEC in a rural setting would have on the transportation infrastructure. The technical memorandum from Lancaster Engineering is attached as Exhibit G. The timing of most improvements is contingent upon event attendance at EOTEC events. For example, a signal cannot be installed until trip generation increases to the point that the state's signal warrants are met. However, the event management plan is in effect from day one of operations.

The event management plan is a document detailing the steps that are required to adequately manage large volumes of traffic for high attendance events such as the rodeo or concerts. EOTEC

is required to implement and follow the plan whenever an event will generate 1,000 trips per hour or more. Compliance with the plan is an approval condition imposed by the city on the development approval. The event management plan is attached to this report as Exhibit F.

The city requires implementation of the event management plan for any event generating more than 1,000 trips per hour. Based upon the planning commission's discussion of the potential impacts of large attendance events, staff recommends the planning commission require a permit be obtained for any event that EOTEC anticipates will have 1,000 or more attendees. An event of 1,000 attendees has the potential to generate 2,000 trips considering in and out trips over one to two hours. Any event that has more than 1,000 attendees should also be included in the annual report of events submitted to the planning commission for review.

Permit and Report Forms

Attached to this report are draft forms for city approval of large events at EOTEC and "after action" reports to report on the impacts of large events. It is recommended that the planning commission consider the appropriate level of attendance which would generate the use of an event permit. Staff recommends that this level be set at 1,000 estimated attendees. One thousand attendees traveling in and then out from the event center would equal 2,000 trips or more. Staff also recommends that the planning commission review the forms themselves for content and recommend any additional information to be generated by EOTEC or the city staff. The proposed forms are attached to this report as Exhibits D and E.

Alternative Options and Amended Recommendation for Potential Variance

The planning commission recommended that EOTEC consider alternatives for future growth. To date, EOTEC has not responded to these requests in writing. There have been discussions about shuttles. The shuttle option where EOTEC would obtain an agreement to provide overflow parking at a downtown location such as the high school or conference center and shuttle patrons from the parking lot to EOTEC is an option being considered and the planning commission may wish to require it. Establishing a minimum parking requirement and putting the remaining parking in overflow would be similar to the Deschutes County variance. If this option is pursued, the planning commission should establish a hard standard for how the overflow lot should be treated, either as irrigated lawn, or gravel. Staff recommends the planning commission strongly consider the irrigated lawn option.

The establishment of an appropriate level of paved parking is essentially a policy decision where the planning commission must establish a nexus between the likely attendance at a standard event and the appropriate level of service the parking lot will provide. There is adequate paved parking on-site to accommodate any event in the event center and barns. The rodeo grounds can be serviced with sufficient paved parking for 2,500 patrons which is equivalent to the permanent seating capacity installed in the arena. The day to day uses anticipated for EOTEC can be accommodated with the paved parking installed.

In consideration of the variance request, staff considers the variance concept sound, but the logistics of limiting occupancy on the site to be confusing and ultimately impractical. Rather than considering a variance to limit the occupancy of the site to 2,700 people, staff recommends that the planning commission consider the ratio of paved to overflow parking and consider if the 675

paved parking spaces and 2,200 unpaved parking spaces will provide a workable parking configuration which will protect the public interest.

In light of the parking plans submitted in Appendix A, 675 parking spaces is similar to large event centers in Oregon and much more than what is provided for single-use fairgrounds. Although not an approval criteria, the planning commission should weigh the fact that there is no parking available for the fairgrounds at its current downtown location. Creating 675 paved parking spaces and 20 acres of overflow parking is a vast improvement over what is available to the public now. Based upon the evidence submitted in this report, the planning commission should consider whether the parking plan proposed is acceptable and whether a variance from §157.179(A) requiring all parking spaces to be hard surfaced may be granted.

Criteria

The specific criteria relied upon by the planning commission are contained in §157.225(A)(1) of the Hermiston Code of Ordinances. In granting a variance, the applicant must demonstrate that all of the following criteria have been met:

1. Exceptional or extraordinary conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, shape, topography or other circumstances over which the applicant has no control.
2. The variance is necessary for the preservation of a property right of the applicant substantially the same as possessed by owners of other property in the same zone or vicinity.
3. The authorization of the variance shall not be materially detrimental to the purposes of the zoning ordinance, be injurious to property in the zone or vicinity in which the property is located, or be otherwise detrimental to the objectives of any development patterns or policy.
4. It is impractical to maintain the zoning ordinance and at the same time, build, erect or use the structure.
5. The variance requested is the minimum variance from the provisions and standards of the zoning ordinance which will alleviate the hardship.

It is not necessary to restate other ordinances and statutory requirements of the variance as part of the proceedings. The granting or denial of the variance will not affect the requirements of the City of Hermiston to comply with building, plumbing and electrical codes, other ordinances, statutory or regulatory compliance issues.

Draft Findings

Findings are appended to the report. The original findings as prepared by EOTEC are attached as Exhibit A. Additional findings as supplemented by staff are attached as Exhibit B.

Draft Conditions

Staff has prepared revised conditions to demonstrate how best to mitigate potential impacts of combining paved and unpaved overflow parking. The planning commission should review the draft conditions and determine if additional conditions are necessary to fully address the impacts resulting from the variance.

1. Approval of the variance is effective only for the site plan attached to this report as Exhibit C. The site plan consists of 675 paved parking spaces, the event center as constructed and occupied in May of 2016, three proposed animal barns, two restroom buildings, and one rodeo arena. Any additional public buildings, except for additional free-standing restrooms or similar non-display or event space, shall require a new variance application.
2. The planning commission will review the operations of EOTEC at the regular meeting each January for the first five years of operations beginning in January of 2018. The public will be invited to provide testimony. The planning commission will reserve the right to extend the five-year review period as deemed appropriate by the planning commission. At the annual review session, the planning commission shall review an annual report to be prepared by EOTEC which shall contain the following information:
 - a. A comprehensive list of all events at ETOEC during the previous calendar year.
 - b. A supplemental report of each event with an attendance of 1,000 or more. Reporting of events with an attendance of 1,000 or more shall be made on the report form attached to this report as Exhibit D.
3. All events which have an anticipated attendance of 1,000 or more shall submit a permit application on the form attached as Exhibit E and event management plan to be reviewed by the city. The permit application must be submitted at least three weeks in advance of the proposed event. Each application shall include:
 - a. A parking plan approved by the fire marshal detailing the overflow parking layout, location of fire lanes, and other items required by the fire district for fire and life safety access.
 - b. A traffic control plan in accordance with the event management plan developed by Lancaster Engineering and reviewed by the police department.
 - c. A site plan for each event which shows location of temporary structures, temporary restrooms, and ADA facilities. The site plan shall be reviewed and approved by the building official.
 - d. Evidence of notice to neighboring property owners in advance of large events.
4. ETOEC shall provide off-site parking and shuttle service for the 2017 county fair. An estimate of ridership shall be submitted to the planning commission for review at the January 2018 review session. The planning commission and EOTEC shall collaboratively determine if it is necessary to provide an off-site shuttle for future events.
5. The overflow parking lot shall be improved to provide enhanced pedestrian facilities through the installation of 8-foot wide gravel foot paths along the west fence line of the overflow lot and along the west side of the access drive.
6. When events utilizing the overflow parking are anticipated to extend more than 30 minutes after dusk, temporary lighting shall be provided for the overflow lot. A lighting plan for the spacing of the mobile light towers shall be included as part of the large event permit and the use of mobile lighting shall be documented in the event report.
7. The overflow parking lot shall be grassed and irrigated and mowed no more than five days before each event utilizing the overflow lot. EOTEC shall submit a plan and timeline for

the installation of irrigation facilities for approval by the planning commission at the January 2018 review session.

Planning Commission Action

The planning commission may choose to approve or deny the variance request subject to the conditions as may be amended by the planning commission. Staff has prepared a set of draft conditions to give the city certainty the level of operations will protect the public. Approval of the variance will change the city's original approval of the EOTEC site plan and allow both the event center and rodeo grounds to be used simultaneously. However, EOTEC will be required to follow the event approval process outlined above and the planning commission will annually review the impacts of the operations.

Staff recommends the variance be approved subject to the draft conditions as may be amended by the planning commission. It is important to note that the staff recommendation is to grant a variance from §157.179(A) which requires all parking to be hard surfaced, allowing EOTEC to distribute parking between paved (675 spaces) and grass overflow (2,200). This is a different recommendation than originally requested by EOTEC to cap the occupancy of the site at a limit to be served by the paved parking only. Should the planning commission approve this variance, the planning commission will also be committing to annually review the operations of EOTEC and specifically the parking performance for at least five years.

Exhibit A

Findings from July 13, 2016 Meeting

Exceptional or extraordinary conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, shape, topography or other circumstances over which the applicant has no control.

1. The requirement to provide sufficient parking is based upon the occupancy of each venue, each having large occupant capacity to support the Umatilla Country Fair and Pro City Rodeo. Section 157.057.D addresses the method parking for large events but does not adequately address parking requirements for small events with venues of large occupancy. The current code would require vast parking that will seldom be used, that will increase the impervious surface area, reduce the natural vegetation, and create more maintenance.

The variance is necessary for the preservation of a property right of the applicant that is substantially the same as is possessed by owners of other property in the same zone or vicinity.

2. The EOTEC site is a unique facility within the City of Hermiston with unique uses. This variance will allow the EOTEC site to provide multiple services to the community limited to the number of parking spaces.

The authorization of the variance shall not be materially detrimental to the purposes of the zoning ordinance, be injurious to property in the zone or vicinity in which the property is located, or be otherwise detrimental to the objectives of any development pattern or policy.

3. The authorization of the variance will have no negative effects on the objectives of any development pattern or policy and would not be detrimental to the purposes of zoning ordinance but will allow the development of parking on the EOTEC site that will closely match the expected normal use of the property and will limit the visual blight of a large seldom used parking lot. For these reasons the variance would enhance the area with more natural use of the land and therefore would not be detrimental or injurious to property in the zone or vicinity in which EOTEC is located.

It is impractical to maintain the zoning ordinance requirements and at the same time build, erect or use the structure.

4. The current implementation of the zoning ordinance limits the use of the site to one venue at a time regardless of the number of occupants utilizing the venue. The application of the variance will allow for the effective use of the EOTEC site by limiting the number of occupants to the site versus limiting the number of occupants per venue.

The variance requested is the minimum variance from the provisions and standards of the zoning ordinance which will alleviate the hardship.

5. The implementation of this variance limits the number of occupants to the site. It is the most minimal variance to accomplish the desired outcome. And it does not change the intent of the zoning but changes how the zoning is implemented.

Exhibit B

Draft Findings Prepared for September 14, 2016

Exceptional or extraordinary conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, shape, topography or other circumstances over which the applicant has no control.

1. EOTEC is a unique facility within the city and county and one of a limited number statewide. The facility is designed to accommodate both small events and large regional events.
2. The economics of developing a community event center and a regional trade and event center or fairgrounds are not equivalent. A community event center will generally have a daily use that is smaller and locally focused on small scale events. Regional trade shows or county fairs are rarer events which shall be specifically planned on a case by case basis depending upon the size and type of crowd anticipated.
3. The impact of developing paved parking sufficient to accommodate 2,808 paved parking spaces is fiscally prohibitive and environmentally unsound due to the need for large stormwater storage and treatment facilities for nearly 20 acres of paved surface.
4. The public benefit of 2,808 paved parking spaces is not proportional to the construction cost and ongoing maintenance costs associated with creating 20+ acres of paving when only a small fraction is used in conjunction with most events.
5. Alternative design scenarios proposed by the city such as gravel access paths, irrigated grass parking for overflow, and the potential use of the grass area for recreation purposes provide a better public benefit by lowering construction cost while simultaneously providing an opportunity for community use during otherwise passive times.

The variance is necessary for the preservation of a property right of the applicant that is substantially the same as is possessed by owners of other property in the same zone or vicinity.

6. The Hermiston Conference Center is a 21,000 square foot building which was constructed with 152 parking spaces on-site. This is a similar facility to the event center as both the event center and the existing conference center require a one space per 100 square feet parking ratio. The existing conference center also makes use of overflow parking for very large events.
7. The two developments are not entirely equivalent due to the existing conference center's geographically constrained setting and repurposing of an existing building during development rather than greenfield development in EOTEC's case. However, the basic property right at issue is the same in both cases where a smaller economically feasible parking lot is used for daily operations and overflow is used for much larger events.

The authorization of the variance shall not be materially detrimental to the purposes of the zoning ordinance, be injurious to property in the zone or vicinity in which the property is located, or be otherwise detrimental to the objectives of any development pattern or policy.

8. The city establishes parking requirements in §157.176 of the Hermiston Code of Ordinances. These parking standards are designed to provide a reasonable number of parking spaces to accommodate what is considered the likely typical heavy use scenario.

The space requirement is not intended to accommodate a “worst-case” scenario. A worst-case scenario cannot be adequately planned for and accommodated unless excessive land is developed and significant financial investment in infrastructure is made. The return on investment for a worst-case parking lot development results in rarely used parking which must be lit, maintained, drained, sealed, and periodically resurfaced, even though it might see no more than seven days of use per year.

9. The planning commission finds that the 675 spaces installed are sufficient for most typical uses of EOTEC, even in heavy use scenarios when the event center and rodeo grounds are both in use. The additional overflow area will provide sufficient worst-case scenario parking during the Umatilla County Fair or other regionally significant events provided the permitting requirements are applied to each event with attendance in excess of 500 and the overflow parking is designed in compliance with the conditions of approval.
10. The planning commission finds that the issuance of a variance has been publicly vetted through public hearings on July 13 and September 14, 2016. Furthermore, the planning commission finds that each issuance of a variance is considered on a case by case basis and no precedent is established through the issuance of a variance and the variance does not materially harm the purpose of the zoning ordinance.
11. The planning commission finds that the conditions of approval as adopted will prevent injury to properties in the vicinity of EOTEC.

It is impractical to maintain the zoning ordinance requirements and at the same time build, erect or use the structure.

12. Construction of the site with 2,808 paved parking spaces presents an impractical barrier to the use of the facility. Creation of 2,808 paved parking spaces is not financially feasible for EOTEC while simultaneously constructing a useable fairgrounds facility and rodeo arena.
13. The planning commission finds that the 675 proposed paved parking spaces are sufficient to accommodate the majority of uses on the site. The 675 spaces are sufficient to meet the occupancy requirement of the event center (346 spaces) and the rodeo grounds (329 spaces) during most activities. As noted in Finding #9, the event permit process and construction of overflow parking will mitigate parking issues associated with exceptionally large events.

The variance requested is the minimum variance from the provisions and standards of the zoning ordinance which will alleviate the hardship.

14. There is sufficient paved parking on the site to accommodate any event in the event center. There is sufficient paved parking on the site to accommodate typical uses in the rodeo arena. There is sufficient paved parking to accommodate any use in the barns and 4-H center. The planning commission finds that it is acceptable to provide 675 paved parking spaces and 2,200 overflow parking spaces to accommodate typical EOTEC operations. Constructing additional paved parking is not merited at this time.
15. The planning commission will require EOTEC to submit event reports for an annual review by the planning commission each January beginning in January 2018. If as a result of the annual review, the planning commission determines that additional paved parking is warranted, EOTEC will be responsible for constructing additional paved parking in the overflow area as directed by the planning commission prior to the next Umatilla County Fair.



EXHIBIT D

POST EVENT REPORT

This report must be submitted for any event with over 1000 attendees.

Contact Information

Name: _____ Phone: _____

Company Name: _____

Address: _____

E-mail: _____

Event Information

This was a *public/private* (please circle one) event.

Type of Event: _____

Event Name: _____ Number of Attendees: _____

Event Date(s): _____ Event Hours: _____

Date Event Management Plan approved: _____

Buildings/Facilities used: _____

Parking areas/spaces used: _____

Please discuss all elements of the Event Management Plan that were implemented.

EXHIBIT E



Where Life is Sweet

City of Hermiston
180 NE 2nd Street
Hermiston, OR 97838
Phone: 541-567-5521
Fax: 541-567-5530
www.hermiston.or.us

Event Management Plan Application

Date: ____/____/____

Applicant Information:

Name: _____
(Last) *(First)* *(M. I.)*

Address: _____ City: _____

State: _____ Zip Code: _____

Company Name: _____

Event Information:

Event Type: _____ Estimated Attendance: _____

Event Date(s): _____ Event Times: _____

Facilities Requested: _____

Parking Areas/Spaces Needed: _____

The goals of the Event Management Plan are to facilitate safe and quick travel to and from the event site for attendees, optimize efficiency of parking operations and internal circulation and to maximize safety for drivers, pedestrians, and site traffic control personnel.

By signing below, I acknowledge I have received a copy of the Event Management Plan guidelines and will comply with the Plan guidelines. I understand failure to comply may result in loss of use of the EOTEC facility and/or being barred from the facility.

Applicant's Signature: _____

OFFICE USE ONLY

Reviewed and approved by:

Signature: _____
City Planner

Date: _____

Signature: _____
Street Superintendent

Date: _____

Signature: _____
Chief of Police

Date: _____



EXHIBIT F

Where Life is Sweet

EVENT MANAGEMENT PLAN

The goals of the Event Management Plan are to facilitate safe and quick travel to and from the event site for attendees, optimize efficiency of parking operations and internal circulation and to maximize safety for drivers, pedestrians, and site traffic control personnel.

The Event Management Plan application must be submitted and approved prior to any event that will generate equal to or greater than 1000 vehicle trips per hour.

Traffic Flow Plan

All traffic traveling to the site will arrive via US-395 to access Airport Road. Access to Ott Road north of the site property line will therefore be restricted during peak events in order to route the large volumes of traffic along improved roadway facilities with traffic signal control. Visitors during nonpeak, low traffic volume events may be permitted to utilize Ott Road to travel north of the property line at the site manager's discretion.

Upon turning onto Airport Road, visitors during peak events will be directed along different routes to the site according to their vehicle category. Flaggers stationed at points along Airport and Ott Roads will assist with directing drivers to the appropriate route.

- General site traffic arriving by car/light vehicles will be directed to turn north onto the Main Access Road to reach the main parking lot.
- When the main lots fill, flaggers will guide drivers into the Lawn Event Area for overflow parking. One main access point will be established along the Main Access Road for entry into the overflow lot.
- RVs and oversized vehicles will be directed to proceed along Airport Road to Ott Road. These drivers will turn north onto Ott Road and then west onto the north site access road that runs along the northern boundary of the site until they reach the RV/oversize parking lot on the western side of the site.
- Event contestants with livestock/equipment trailers will also proceed to Ott Road and then travel west along the north site access road, but will turn off in the parking area located immediately west of the North Lawn Area.

Staff Plan

During peak arrival and departure times for large events, arrange to have at least seven traffic control personnel on site to assist with directing traffic and filling parking lots in an orderly and efficient manner. Three additional traffic control personnel will be available during the transition period between the filling of the main parking lot and the subsequent shift to filling the overflow lot so that staff can be present in both the main lot and the overflow lot when cars are filling. These three staff members are expected to be needed for only a short time; as soon as the main lot is filled to capacity, the three traffic

control personnel assigned to the main lot may move down to the overflow lot and relieve the transitional staff.

It is recommended that event managers hire traffic control personnel who hold current Flagger Certification in the State of Oregon. However, staff or volunteers may be used provided that they are trained to perform the duties of their job safely, including, but not limited to:

- Using paddles, gestures, and vocal commands to direct traffic;
- Interacting with members of the public;
- Using appropriate personal protective equipment (PPE) for their jobs;
- Setting up signage, barriers, and other temporary traffic control devices;
- Using radios and other means of communication to interact with other workers
- Identifying and mitigating hazards in their workplace environment.

Traffic control staff should be equipped with PPE and equipment to safely perform the duties of their job. Personnel assisting with traffic control and parking lot management will be supplied the following:

- High-visibility safety vests that meet the Performance Class 2 or 3 requirements of the ANSI/SEA 107-2004 performance standard. Performance Class 3 vests are recommended for work conducted during non-daylight hours;
- Standard STOP/SLOW traffic control paddles for guiding traffic;
- Radio communication devices with sufficient range to cover the entire site to maintain communication between traffic control personnel and event management staff.

Lot Filling Protocol

Traffic control staff working in the main and overflow parking lots should be prepared to manage parking in a tightly controlled manner to ensure efficient filling of the lots and reduce the potential for driver conflicts. Lots should be filled systematically, space by (adjacent) space and aisle by aisle. Drivers should not be allowed to select their own parking spaces during peak events

- Aisles of the main visitor lot should be filled from north to south, beginning at either the east or west side of the lot and working progressively towards the other side. A team of three traffic control personnel is recommended to manage filling this lot.
- Aisles of the RV/oversized vehicle lot should be filled from east to west, beginning at the southernmost aisle and moving towards the northernmost aisle. One traffic control personnel is recommended to assist with filling this lot.
- The Contestant parking area should be filled according to the specific needs of the event and the types of vehicles and trailers that will be present. This parking arrangement should be determined on a case-by-case basis. One traffic control personnel is recommended to assist with filling this lot.
- Aisles of the overflow lot should be filled from west to east, beginning at the northern side of the lot and working towards the south. A team of three traffic control personnel is recommended to manage filling this lot.

Overflow Lot Parking

The overflow lot consists of the grass-covered Lawn Event Area south of the main parking lot. Because the lawn does not feature parking space delineations, traffic control personnel should review a parking plan prior to the event and set up traffic control markings in advance of site visitor arrivals. Event staff may select a parking aisle layout that best fits the observed needs of the event but it is recommended that the following considerations be addressed in this plan.

Pedestrian Pathway

A direct, continuous pedestrian walkway through the overflow lot should be provided to ensure safe passage between the lot and the main site. This route should be kept clear of vehicles and be situated so as to avoid traffic flow as much as possible. The route should also be marked on either side of the aisle by some sort of barrier that will be visible after dark. A-frame barricades, oversized traffic cones, or even trash cans may be fitted with amber barricade lights or beacons to serve this function.

Public Safety and Convenience

Providing basic amenities such as trash cans and portable restrooms at select locations throughout the overflow lot will decrease nuisance behavior. For evening events, it is recommended that temporary, generator-powered overhead lighting be procured and arranged throughout the lot to ensure visibility and promote security in the overflow lots. Event managers may consider arranging hired security personnel to patrol the lot and/or provide signage to remind visitors to remove valuables from their vehicles.

Traveler Information

Communicating parking options and traffic plans to the public in advance of a large event is essential to promoting smooth traffic flow and reducing visitor confusion. It is recommended that event managers utilize media and event information platforms to share event transportation information with the public as well as notifying the Hermiston community of potential traffic delays along key routes serving EOTEC. Some suggestions are listed below.

- Create a Transportation Information page on the event or EOTEC website. Include a map showing the different parking lots and entry routes for general vehicles, RV and oversize vehicles, and contestant vehicles with animals/livestock.
- Use social media to share the link to this Transportation Information website page and promote awareness of event traffic routes.
- Mention travel routes during any event radio or television press or advertisements.
- Include a small traffic flow map in print advertisement for large events.
- Use a local radio frequency to communicate road conditions, traffic updates, and instructions to drivers via recorded message. Include station information on the road sign near the turnoff from US-395.

EXHIBIT G

TECHNICAL MEMORANDUM



LANCASTER ENGINEERING

321 SW 4th Ave., Suite 400
Portland, OR 97204
phone: 503.248.0313
fax: 503.248.9251
lancasterengineering.com

TO: Clinton Spencer
FROM: Todd E. Mobley, PE, PTOE
Rebecca Hamilton, MURP
DATE: July 15, 2014
SUBJECT: Event Traffic Management Plan – Eastern Oregon Trade and
Event Center

This memo is written to explain the intent and operation of the Event Management Plan (EMP) for the planned Eastern Oregon Trade and Event Center (EOTEC) located north of Airport Road and west of Ott Road in Hermiston, Oregon.

Background

The City of Hermiston has undertaken an effort to relocate the Umatilla County Fairgrounds and EOTEC from its existing location in the downtown core to a more suitable site located southeast of the City. As part of this effort, the City of Hermiston Planning Commission and City Council has adopted a new fairgrounds overlay zone intended to be applied to the proposed site, currently zoned as Light Industrial and Open Space. The overlay would rezone the site intended for the EOTEC to accommodate public recreational uses and establish a set of minimum development standards for these uses.

The site is a vacant 75.65-acre parcel of land that is located east of US 395, north of Airport Road, west of Ott Road, and south of the Hermiston Municipal Airport. The proposed site development plan includes areas for public buildings and amenities, recreational facilities, and a rodeo arena in addition to paved parking and unpaved overflow parking. A site plan is include in the Attachments section of this memo.

With the exception of the week during the Umatilla County Fair, it is considered very unlikely that all buildings will be in use at the same time. However, the Fair and other occasional large events held at the EOTEC may generate high traffic volumes relative to what the existing transportation system currently accommodates. In recognition of this, staff have required an EMP for activities that are expected to generate above 1,000 peak hour vehicle trips. The EMP is required to address Airport Road and the US 395/Airport Road intersection.

The City of Hermiston can minimize congestion and other negative traffic-related impacts on the community during peak events at the EOTEC as well as enhance its image by providing safe, efficient, and convenient transportation for residents and out-of-town guests. This EMP is intended to provide guidance on how to manage traffic, parking, and other operations for these locations and

12

Clinton Spencer
August 4, 2014
Page 2 of 8

includes specific instruction pertaining to site access and parking; pedestrian access; traffic flow and traffic control devices; and traveler information.

The goals of the EMP are to:

- Facilitate safe and quick travel to and from the event site for attendees;
- Optimize efficiency of parking operations and internal circulation;
- Maximize safety for drivers, pedestrians, and site traffic control personnel.

Transportation Facilities

The site will be served by the following transportation facilities:

US-395

US-395 is under the jurisdiction of ODOT and is classified as a Statewide Freight Route. The facility has a posted speed of 45 mph and a five-lane cross section with two travel lanes for each direction and a center left turn lane. No parking facilities, sidewalks or marked bicycle lanes are present. This highway extends northwest-southwest in the site vicinity. It provides access to Hermiston to the northwest and to OR-30 to the southwest, and connects to the lesser facilities such as Airport Road that provide direct access to the site.

Airport Road

Airport Road has a two-lane cross section and no posted speed. It is classified as an Urban Major Collector and extends east-west in the site vicinity. It has no sidewalks, bicycle facilities, or off-street parking and shoulders are narrow or non-existent.

According to the current site development plan, the south side of the Lawn Event Area would abut Airport Road for approximately 600 ft. At the eastern edge of the Lawn Event Area, visitors in cars or light vehicles parking would turn north to access the main site parking lot and/or overflow parking area via a new street connection that will be constructed as part of site development. Visitors arriving in RVs or oversize vehicles, or EOTEC event contestants arriving with equipment and/or livestock trailers, would continue east on Airport Road to Ott Road and turn north to access special parking areas for those vehicles.

At present, the intersection of Airport Road at US-395 is a four-way intersection, with Airport Road comprising the east leg of the intersection and SE Campbell Drive comprising the west leg. The intersection is free-flowing from the northbound and southbound approaches and is STOP-controlled from the eastbound and westbound approaches. As a condition of approval for site development, this intersection must be upgraded with a traffic signal with separate left-through and right-turn lanes on the westbound approach of Airport Road.

Ott Road

Ott Road is currently a non-delineated gravel facility without shoulders, parking facilities, bicycle facilities, or sidewalks. It extends north to south in the site vicinity and abuts approximately 1,300 ft

Clinton Spencer
August 4, 2014
Page 3 of 8

of the eastern side of the site. As part of the site development, this facility will be upgraded to a 44-ft paved facility (per County standards) from Airport Road to the north property line of the site. North of the property line, the facility will remain an unpaved gravel road. Access to Ott Road north of the site property line will therefore be restricted during peak events in order to route the large volumes of traffic along improved roadway facilities with traffic signal control. Visitors during non-peak, low traffic volume events may be permitted to utilize Ott Road to travel north of the property line at the site manager's discretion.

Main Access Road

As a condition of approval for the site development, a new street connection ("Main Access Road") will be constructed that will extend north from Airport Road alongside the eastern side of the Lawn Event Area and connect to the main parking lot area. It will feature a roadway design consistent with the City's design standards for an Urban Major Collector and will provide general visitor access to the main parking lot as well as the Lawn Event Area for overflow parking.

Parking Lots

The current site development plan features several parking areas for the various types of vehicles expected at EOTEC events:

Main Parking

The main visitor parking area contains a total of 696 total delineated spaces separated by a drive aisle. This area lies directly to the north of the Lawn Event Area near the western edge of the site and would be accessible to visitors via the new street connection extending north from Airport Road.

RV Parking

A lot located in the northwest corner of the site provides parking spaces for 100 RV or oversized vehicles. Visitors would access this lot via the access road that runs along the northern edge of the site property from Ott Road. RV owners may also access the lot by driving north from the main parking lot area, although due to space constraints it may not be as easily accessible as the Ott Road route.

Contestant Parking

A parking lot located north of the Rodeo Arena provides an area for contestants to park, load, and unload animal trailers and equipment for shows. There is a central paved area without marked spaces as well as a row of delineated diagonal parking for additional contestant and overflow parking. The number of parking spaces will depend on the size and number of trailers, etc. Contestants will access this area from the north access drive via Ott Road.

Overflow Parking

The Lawn Event Area located in the southwestern portion of the site will be used for overflow parking during peak events. Vehicles may access the lot directly from any point along the planned new street connection that will extend north from Airport Road, although traffic control measures



Clinton Spencer
August 4, 2014
Page 4 of 8

during these events will restrict access and egress to several controlled points. The overflow lot has capacity for approximately 700 spaces.

Traffic Flow Plan

All traffic traveling to the site will arrive via US-395 to access Airport Road. Trips along US-395 are expected to be evenly distributed between southbound trips from Hermiston or cities to the north/northwest and northbound trips from destinations along the I-84 highway. Trips will include general car/light vehicle visitor traffic, RV/oversized vehicles, and EOTEC event contestant vehicles with livestock/equipment trailers. Little to no traffic is expected to arrive from east or north of the site along minor connecting facilities such as Airport Road or Ott Road.

According to an earlier Transportation Impact Analysis performed in 2012, the installation of a new traffic signal will be necessary to mitigate future traffic conditions associated with the proposed site development. It is recommended that the City implement special event timing and operations for this signal. Separate left-through and right-turn lanes on the westbound approach of Airport Road must also be established to accommodate future traffic that would be exiting the site and returning to at this intersection.

Upon turning onto Airport Road, visitors during peak events will be directed along different routes to the site according to their vehicle category, as shown in Fig. 1. Flaggers stationed at points along Airport and Ott Roads will assist with directing drivers to the appropriate route, as shown in Fig. 2.

- General site traffic arriving by car/light vehicles will be directed to turn north onto the Main Access Road to reach the main parking lot.
- When the main lots fill, flaggers will guide drivers into the Lawn Event Area for overflow parking. One main access point will be established along the Main Access Road for entry into the overflow lot.
- RVs and oversized vehicles will be directed to proceed along Airport Road to Ott Road. These drivers will turn north onto Ott Road and then west onto the north site access road that runs along the northern boundary of the site until they reach the RV/oversize parking lot on the western side of the site.
- Event contestants with livestock/equipment trailers will also proceed to Ott Road and then travel west along the north site access road, but will turn off in the parking area located immediately west of the North Lawn Area.



Clinton Spencer
August 4, 2014
Page 5 of 8

Peak Event Staff Plan

During peak arrival and departure times for large events, it is recommended that EOTEC arrange to have at least seven traffic control personnel on site to assist with directing traffic and filling parking lots in an orderly and efficient manner (see Fig 2). It is also recommended that three additional traffic control personnel be available during the transition period between the filling of the main parking lot and the subsequent shift to filling the overflow lot so that staff can be present in both the main lot and the overflow lot when cars are filling. These three staff members are expected to be needed for only a short time; as soon as the main lot is filled to capacity, the three traffic control personnel assigned to the main lot may move down to the overflow lot and relieve the transitional staff.

It is recommended that EOTEC event managers consider hiring traffic control personnel who hold current Flagger Certification in the State of Oregon. However, staff or volunteers may be used provided that they are trained to perform the duties of their job safely, including but not limited to:

- Using paddles, gestures, and vocal commands to direct traffic;
- Interacting with members of the public;
- Using appropriate personal protective equipment (PPE) for their jobs;
- Setting up signage, barriers, and other temporary traffic control devices;
- Using radios and other means of communication to interact with other workers
- Identifying and mitigating hazards in their workplace environment.

Traffic control staff should be equipped with personal protective equipment (PPE) and equipment to safely perform the duties of their job. It is recommended that any personnel who will be assisting with traffic control and parking lot management be supplied with the following:

- High-visibility safety vests that meet the Performance Class 2 or 3 requirements of the ANSI/ISEA 107-2004 performance standard. Note that Performance Class 3 vests are recommended for work conducted during non-daylight hours;
- Standard STOP/SLOW traffic control paddles for guiding traffic;
- Radio communication devices with sufficient range to cover the entire site to maintain communication between traffic control personnel and event management staff.



Clinton Spencer
August 4, 2014
Page 6 of 8

Lot Filling Protocol

Traffic control staff working in the main and overflow parking lots should be prepared to manage parking in a tightly controlled manner to ensure efficient filling of the lots and reduce the potential for driver conflicts. Lots should be filled systematically, space by (adjacent) space and aisle by aisle. Drivers should not be allowed to select their own parking spaces during peak events.

- Aisles of the main visitor lot should be filled from north to south, beginning at either the east or west side of the lot and working progressively towards the other side. A team of three traffic control personnel is recommended to manage filling this lot.
- Aisles of the RV/oversized vehicle lot should be filled from east to west, beginning at the southernmost aisle and moving towards the northernmost aisle. One traffic control personnel is recommended to assist with filling this lot.
- The Contestant parking area should be filled according to the specific needs of the event and the types of vehicles and trailers that will be present. This parking arrangement should be determined on a case-by-case basis. One traffic control personnel is recommended to assist with filling this lot.
- Aisles of the overflow lot should be filled from west to east, beginning at the northern side of the lot and working towards the south. A team of three traffic control personnel is recommended to manage filling this lot.

Overflow Lot Parking

The overflow lot consists of the grass-covered Lawn Event Area south of the main parking lot. Because the lawn does not feature parking space delineations, traffic control personnel should review a parking plan prior to the event and set up traffic control markings in advance of site visitor arrivals. Event staff may select a parking aisle layout that best fits the observed needs of the event but it is recommended that the following considerations be addressed in this plan.

Pedestrian Pathway

A direct, continuous pedestrian walkway through the overflow lot should be provided to ensure safe passage between the lot and the main site. This route should be kept clear of vehicles and be situated so as to avoid traffic flow as much as possible. The route should also be marked on either side of the aisle by some sort of barrier that will be visible after dark. A-frame barricades, oversized traffic cones, or even trash cans may be fitted with amber barricade lights or beacons to serve this function.

Public Safety and Convenience

Providing basic amenities such as trash cans and portable restrooms at select locations throughout the overflow lot will decrease nuisance behavior. For evening events, it is recommended that temporary, generator-powered overhead lighting be procured and arranged throughout the lot to ensure visibility and promote security in the overflow lots. Event managers may consider arranging

1e

Clinton Spencer
August 4, 2014
Page 7 of 8

hired security personnel to patrol the lot and/or provide signage to remind visitors to remove valuables from their vehicles.

Traveler Information

Communicating parking options and traffic plans to the public in advance of a large event is essential to promoting smooth traffic flow and reducing visitor confusion. It is recommended that event managers utilize media and event information platforms to share event transportation information with the public as well as notifying the Hermiston community of potential traffic delays along key routes serving EOTEC. Some suggestions are listed below.

- Create a Transportation Information page on the event or EOTEC website. Include a map on the showing the different parking lots and entry routes for general vehicles, RV and oversize vehicles, and contestant vehicles with animals/livestock.
- Use social media to share the link to this Transportation Information website page and promote awareness of event traffic routes.
- Mention travel routes during any event radio or television press or advertisements.
- Include a small traffic flow map in print advertisements for large events.
- Use a local radio frequency to communicate road conditions, traffic updates, and instructions to drivers via recorded message. Include station information on the road sign near the turnoff from US-395.

Thank you for the opportunity to provide you with this Please do not hesitate to contact us with any questions or comments.

Best Regards,



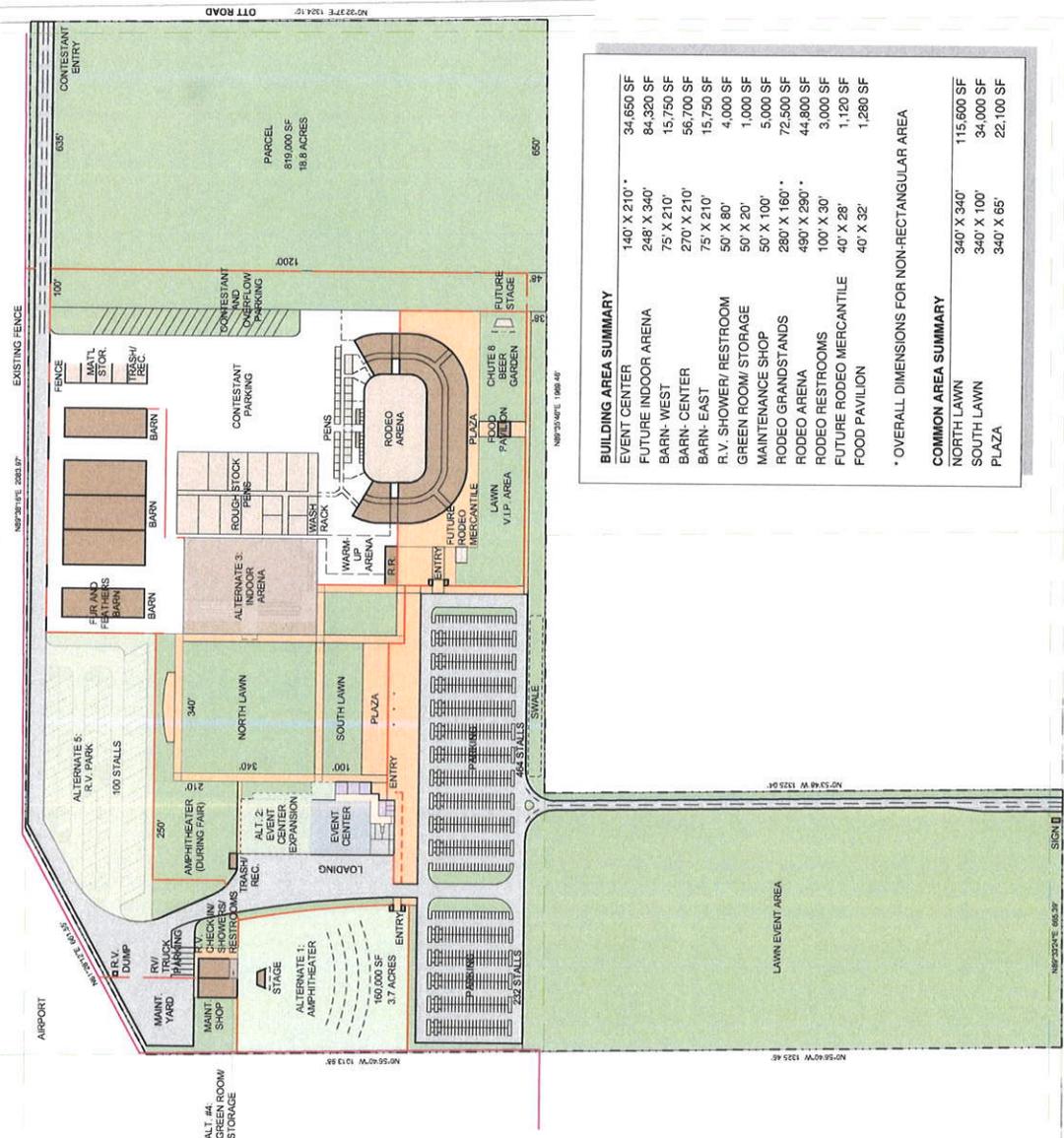
Rebecca Hamilton, MURP
Senior Transportation Planner



Clinton Spencer
August 4, 2014
Page 8 of 8

ATTACHMENTS

DRAFT



ALTERNATE SUMMARY

ALTERNATE 1	AMPHITHEATER
ALTERNATE 2	EVENT CENTER EXPANSION
ALTERNATE 3	INDOOR ARENA
ALTERNATE 4	GREEN ROOM
ALTERNATE 5	R.V. PARK

BUILDING AREA SUMMARY

EVENT CENTER	140' X 210' *	34,650 SF
FUTURE INDOOR ARENA	248' X 340'	84,320 SF
BARN - WEST	75' X 210'	15,750 SF
BARN - CENTER	270' X 210'	56,700 SF
BARN - EAST	75' X 210'	15,750 SF
R.V. SHOWER/RESTROOM	50' X 80'	4,000 SF
GREEN ROOM/STORAGE	50' X 20'	1,000 SF
MAINTENANCE SHOP	50' X 100'	5,000 SF
RODEO GRANDSTANDS	280' X 160' *	72,500 SF
RODEO ARENA	490' X 290' *	44,800 SF
RODEO RESTROOMS	100' X 30'	3,000 SF
FUTURE RODEO MERCANTILE	40' X 28'	1,120 SF
FOOD PAVILION	40' X 32'	1,280 SF

* OVERALL DIMENSIONS FOR NON-RECTANGULAR AREA

COMMON AREA SUMMARY

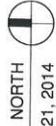
NORTH LAWN	340' X 340'	115,600 SF
SOUTH LAWN	340' X 100'	34,000 SF
PLAZA	340' X 65'	22,100 SF

CONCEPT SITE PLAN N

SCALE: 1" = 300'

EASTERN OREGON TRADE AND EVENT CENTER

LRS PROJECT NO. 214001



NORTH
© APRIL 21, 2014



1 flagger - Direct RVs and oversize vehicles into stalls.

1 flagger - Direct traffic to RV/Contestant parking and restrict access to Ott Road north of the site.

3 flaggers - One flagger at main entrance; one flagger at south end of active aisle; one flagger in the active aisle to usher vehicles into parking spaces. Note that these staff may move to Overflow Lot when Main Lot is filled.

3 flaggers - One flagger at access point to lot; one flagger at east end of active aisle; one flagger in the active aisle to usher vehicles into parking spaces. Note that these staff are not required until Overflow Lot is activated.

1 flagger - Direct vehicle traffic north to Main and Overflow lots and RV/Overflow/Contestant vehicles to Ott Road access.

1 flagger - Direct traffic to RV/Contestant parking to north access road. This position is recommended but not required.



Figure 2 - DRAFT
Staffing Plan for Peak Events



Appendix A
Sampling of County Fairgrounds/Event Centers



Figure 1 Deschutes County Fairgrounds - Note mix of paving and grassed overflow areas – Approximately 800 paved spaces



Figure 2 Benton County Fairgrounds - minimal paving approximately 100 paved spaces, mostly gravel overflow parking

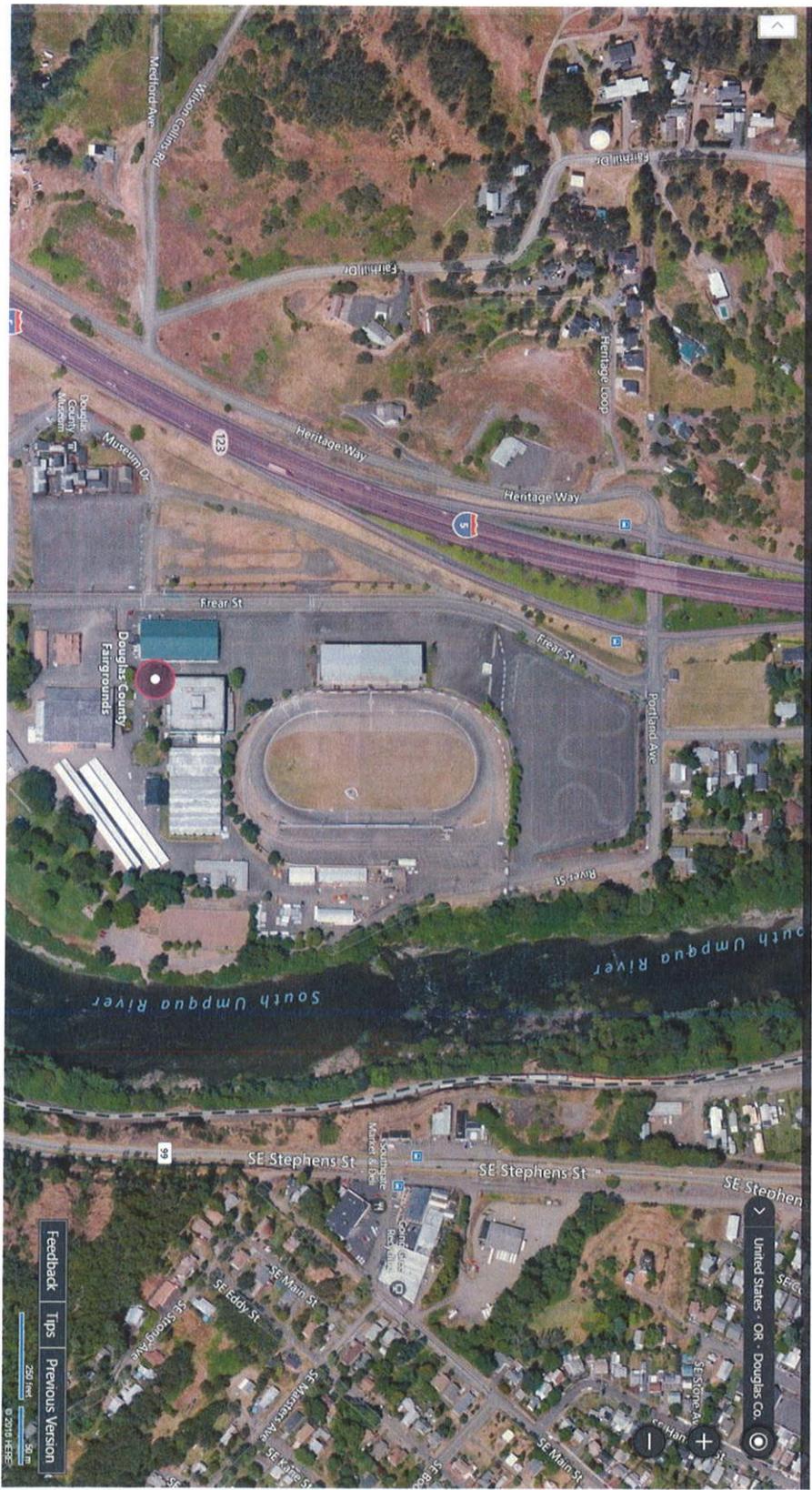


Figure 3 Douglas County Fairgrounds - Mostly paved parking, very limited overflow area 1,000+ paved spaces



Figure 4 Lane County Fairgrounds/Event Center - Mostly paved parking, no overflow area 700+ paved spaces



Figure 5 Polk County Fairgrounds - Very limited paving, mostly gravel overflow approximately 50 paved spaces



Figure 6 Washington County Fairgrounds - Very limited paving, mostly gravel or grass overflow approximately 50 paved spaces

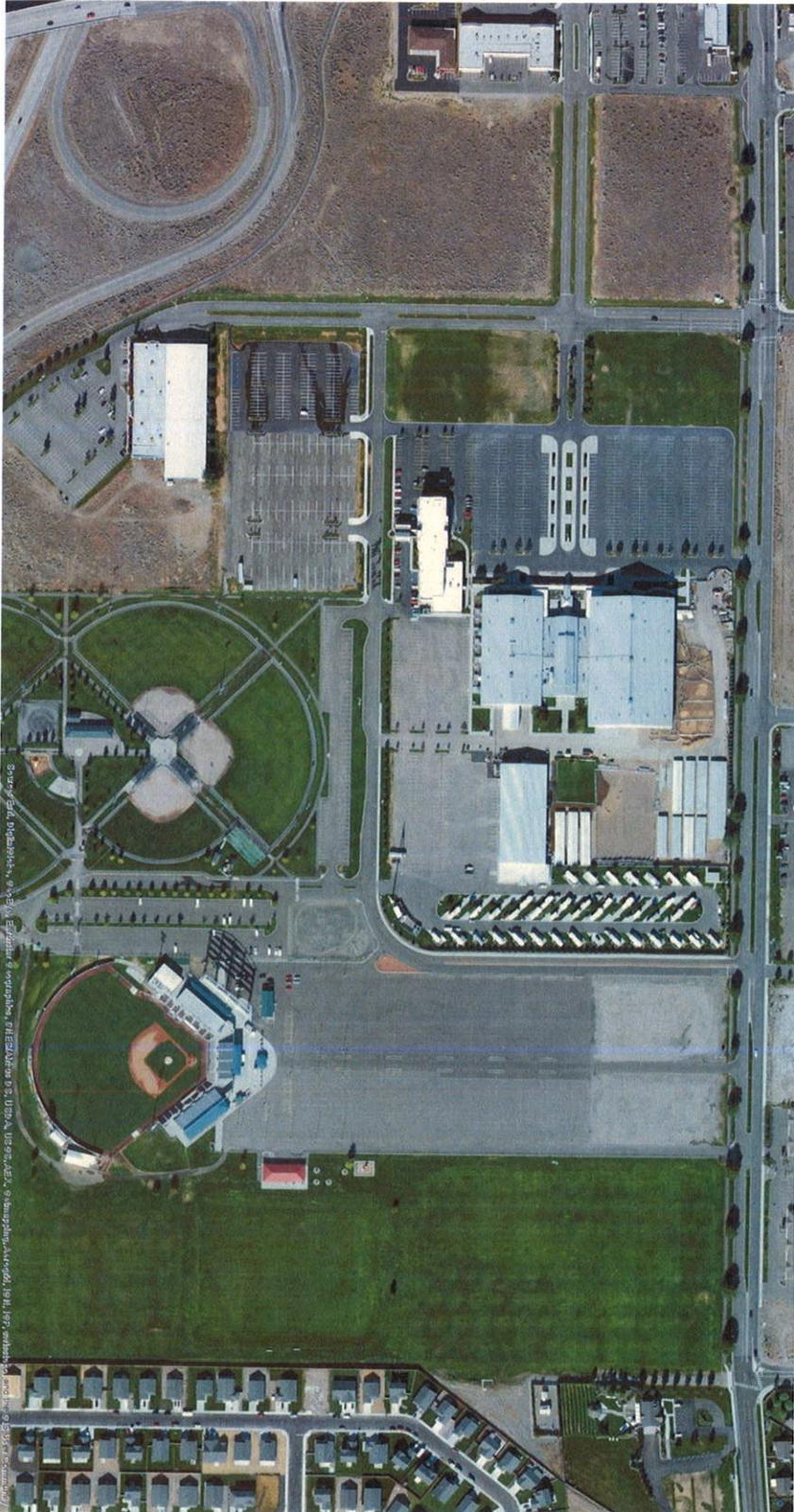


Figure 7 TRAC and GESA Stadium (Pasco, WA) GESA Stadium has 1,000+ paved spaces equaling 1 space per 3.5 seats. TRAC has an indoor arena and event center. There are approximately 900 paved spaces and a large grass overflow parking lot.

APPENDIX B

Planning Department

180 NE 2nd Street

Hermiston, OR 97838

Phone: (541)567-5521

Fax: (541)567-5530

planning@hermiston.or.us

September 30, 2014

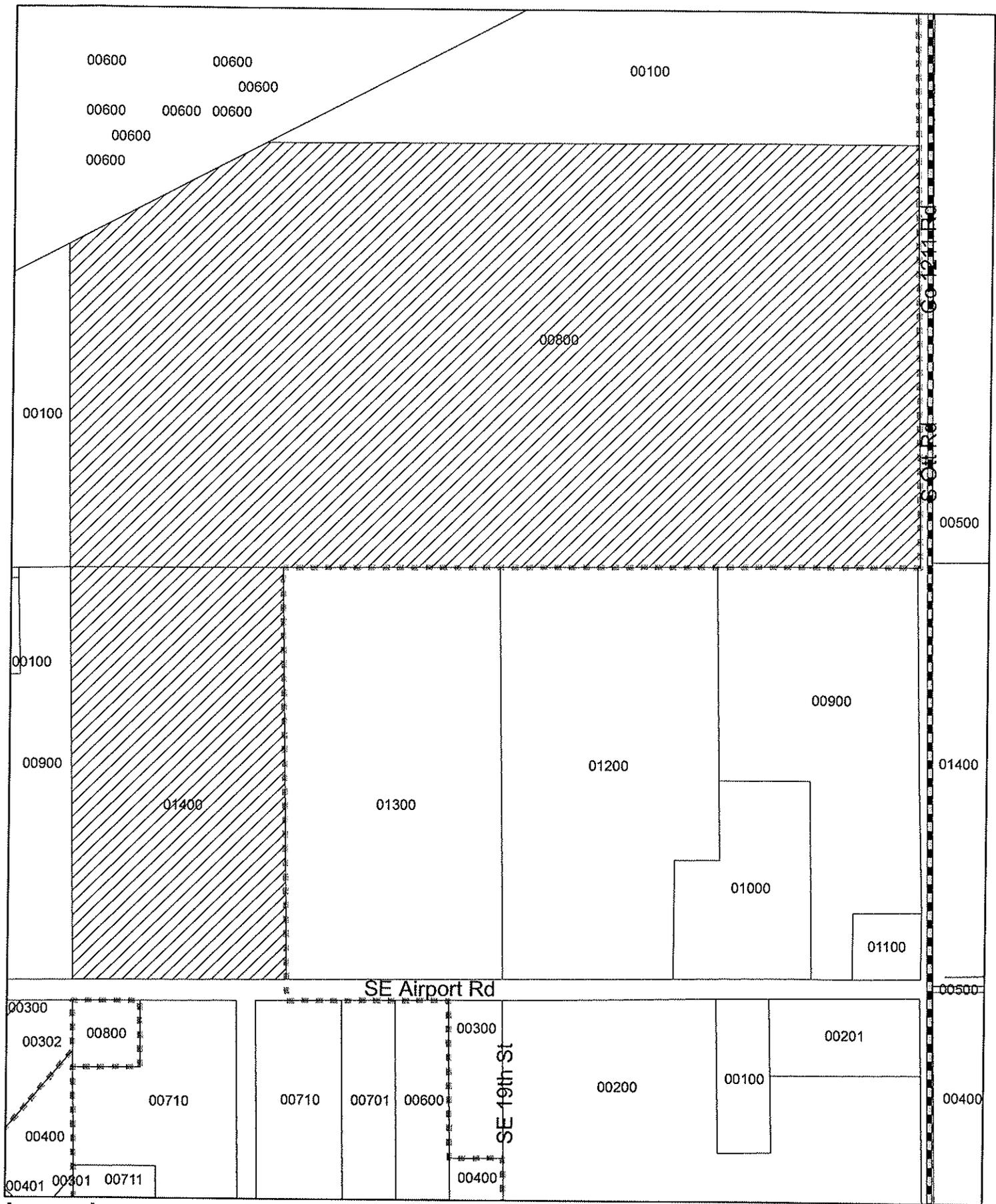
Gary Winsand
Frew Development Group
917 SE Columbia Drive
PO Box 912
Hermiston, OR 97838

Re: Site Plan Approval – Eastern Oregon Trade and Event Center 1705 E Airport Road

Dear Mr. Winsand:

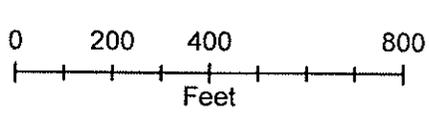
This is your official notification that the city has reviewed and approved the site plan for the EOTEC facility on E Airport Road. In approving the site plan, the city has placed the following conditions on the project:

1. In approving the Fairgrounds Overlay zoning for the property in 2013, the city conditioned that the Ott Road access would be used for fire and emergency access only. The site plan submitted proposes to use this access for contestant access as well as emergency access. The event management plan prepared by Lancaster Engineering and paving plan for Ott Road justify amending this access to allow for contestant use. However, this access may be used contestants only when the paving improvements to Ott Road are installed adjacent to the site and extending southward to E Airport Road.
2. Driveway access to E Airport Road and Ott Road shall require access permits from the Umatilla County road department prior to construction. Driveways shall be constructed in accordance with county approach standards.
3. Testimony submitted on the proposed site plan requested that the intersection of E Airport Road and Ott Road be changed to a 4-way stop and a speed study be done. Following improvement of Ott Road, the city and EOTEC will contact Umatilla County to review the functionality of the intersection and determine if a stop sign will improve the intersection.
4. In accordance with 157.057(D) of the Hermiston Code of Ordinances, the perimeter of the site will be fenced with a six-foot chain link fence.
5. There are 2,000 seats proposed for the rodeo arena, requiring 500 parking spaces and 34,650 square feet of event center floor area, requiring 346 parking spaces. Six hundred ninety six spaces are provided. Per 157.057 of the Hermiston Code of Ordinances, parking must be sufficient for all public buildings. The required parking is 846 spaces or 150 spaces more than are provided. Therefore, as a condition of approval the city will



Legend

-  Property Line
-  Area of Proposed Variance
-  City Limits



CITY OF HERMISTON

APPLICATION FOR MAJOR VARIANCE

Pursuant to the provisions of §157.225 of the Hermiston Code of Ordinances, application is hereby made for a variance for the following described property:

Name of Applicant: Frew Development LLC, Att: Robert Dreier Phone: 503-805-1236

Mailing Address: P.O. Box 912, Hermiston, OR 97838

Name of Owner (If Different): Eastern Oregon Trade and Event Center Phone: 541-289-9800

Mailing Address: P.O. Box 912, Hermiston, OR 97838

Legal Description: Assessor's Map No: 4N281300 Tax Lot No: 800 & 1400

Subdivision (If Applicable): _____

Please Attach a Metes and Bounds Legal Description

Street Address: 1705 East Airport Road, Hermiston, OR 97838

Current Zoning Designation: FO

Variance Requested:

Please see attached.

IMPORTANT! Oregon's Land Use Planning Laws and §157.225 of the Hermiston Code of Ordinances require the planning commission to make "findings of fact" with regard to variance requests. The findings provide justification to either approve or deny the application. Read the questions that follow and answer them as completely as you can; use additional sheets if necessary. Your responses will be used by the City to make findings and evaluate the merits of your request. The chances of a successful application depend upon the adequacy of the arguments you present to justify approval of the application.

1. Explain what exceptional or extraordinary conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, topography or other circumstances over which the applicant has no control. (Note: These exceptional circumstances should relate to the land rather than persons.)

Please see attached.

2. Why is the variance necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same zone or vicinity?

Please see attached.

3. Explain why the authorization of the variance would not be materially detrimental to the purposes of the zoning ordinance, be injurious to property in the zone or vicinity in which the property is located, or be otherwise detrimental to the objectives of any development pattern or policy.

Please see attached.

4. Explain why it is impossible to maintain the zoning ordinance requirements and, at the same time, build, erect or use the structure.

Please see attached.

5. Explain why the variance requested is the minimum variance from the provisions and standards of the zoning ordinance which will alleviate the hardship.

Please see attached.

ADDITIONAL INFORMATION TO BE FURNISHED & ATTACHED TO APPLICATION:

1. Evidence that applicant is owner or purchaser of the property or has written permission of such owner to make an application for the variance.
2. Two copies (one digital copy) of a site plan (11"x17") drawn to scale, showing the location of the property concerned with all proposed or existing building(s), and the location of all highways, streets and alleys.

The above statements are true to the best of my belief and knowledge. As applicant, I understand that the planning commission requests my attendance, or the attendance of my authorized representative.

I am the _____ owner/ owner's authorized representative.
(If authorized representative, please attach letter signed by owner.)

Signature of Applicant: _____

Date: June 7, 2016

OUT-OF-POCKET EXPENSES FOR MAILING & PUBLICATION COST WILL BE BILLED LATER

NOTE: The Hermiston Planning Commission meets the second Wednesday of each month. Because of public notice requirements and time constraints, this application must be returned to City Hall no less than **four weeks** prior to the hearing date. If you have any questions about completing the application or the procedure, please feel free to contact the planning department at the Hermiston City Hall, 180 N.E. 2nd Street, Hermiston, Oregon 97838, or telephone (541) 567-5521. The City's fax number is (541) 567-5530.

Office Use Only

Date Filed: 7/13/16 Received By: [Signature] Meeting Date: 7.13.16
Fee: \$420.00 Date Paid: N/A Receipt No: —

Variance Requested:

The applicant is requesting a variance to section 157.057.D of the Hermiston Code of Ordinances. Specifically the applicant is requesting to change the requirement from "...to provide parking sufficient for all public assembly buildings on the property." to the applicant is limited to the number of occupants on the property equal to the number of allowed persons per parking space.

Question #1

The requirement to provide sufficient parking is based upon the occupancy of each venue, each having large occupant capacity to support the Umatilla Country Fair and Pro City Rodeo. Section 157.057.D addresses the method parking for large events but does not adequately address parking requirements for small events with venues of large occupancy. The current code would require vast parking that will seldom be used, that will increase the impervious surface area, reduce the natural vegetation, and create more maintenance.

Question #2

The EOTEC site is a unique facility within the City of Hermiston with unique uses. This variance will allow the EOTEC site to provide multiple services to the community limited to the number of parking spaces.

Question #3

The authorization of the variance will have no negative effects on the objectives of any development pattern or policy and would not be detrimental to the purposes of zoning ordinance but will allow the development of parking on the EOTEC site that will closely match the expected normal use of the property and will limit the visual blight of a large seldom used parking lot. For these reasons the variance would enhance the area with more natural use of the land and therefore would not be detrimental or injurious to property in the zone or vicinity in which EOTEC is located.

Question #4

The current implementation of the zoning ordinance limits the use of the site to one venue at a time regardless of the number of occupants utilizing the venue. The application of the variance will allow for the effective use of the EOTEC site by limiting the number of occupants to the site versus limiting the number of occupants per venue.

Question #5

The implementation of this variance limits the number of occupants to the site. It is the most minimal variance to accomplish the desired outcome. And it does not change the intent of the zoning but changes how the zoning is implemented.

FREW DEVELOPMENT GROUP, LLC

June 28, 2016

Clint Spencer
City Planner
City of Hermiston
180 NE 2nd Street
Hermiston, Oregon 97838

Dear Mr. Spencer:

The Site Plan for the Eastern Oregon Trade and Event Center ("EOTEC") was approved via a letter from you to Gary Winsand of Frew Development Group, LLC ("FDG"), date September 30, 2014. The Site Plan was approved subject to certain conditions as detailed in that letter. This letter provides support for EOTEC's pending request for variance to Condition #5 as it relates to Section 157.057.D(3) of the Hermiston Code of Ordinances.

EOTEC is a unique site within the city limits of Hermiston. When completed, it will have the capacity to accommodate large occupant loads in excess of 9,500 people during special events such as the annual Umatilla County Fair and Pro City Rodeo, but it also has facilities design to accommodate smaller occupant loads of 2000 or less throughout the year.

Section 157.057.D(3) reads as follows:

"Paved parking shall be provided in accordance with the provisions of § 157.175 through 157.179 and shall be adequate to provide parking sufficient for all public assembly buildings on the property. Additional overflow parking for use during the Umatilla County Fair or other large festival may be grass or gravel; provided, that dust control is provided during the event."

The rodeo facility is designed to accommodate a large crowd on a limited number of times during the year, most notably during the annual August Farm City Pro Rodeo. Ordinance 157.057.D(3) requires "parking sufficient for all public assembly buildings on the property." The rodeo's maximum capacity of 9,500 people would require 2,375 parking spaces for this event one week of the year. This very large parking lot would create burdens to the community. First the initial cost to construct the parking lot would be in excess of \$1.5 million and would require regular maintenance. Second this large parking lot would increase pervious area increasing the environmental impact. The remaining events scheduled for the rodeo have a much smaller attendance and would not need a large parking lot.

As the code allows for overflow parking on unpaved areas with conditions specifically for the fair and other large festival events the applicant is requesting that the planning commission grant a variance to 157.057.D(3) allowing for the development of venues on the EOTEC site but limiting the occupancy of the site for small events. Small events would be defined as the number of occupants based on the number of valid parking spaces multiplied by four. For example, if there are 500 parking spaces the number of occupants allowed on the site would be 2000.

If the planning commission grants the variance requested, the applicant is requesting that Condition #5 be removed from the Site Plan Approval. The Applicant would suggest the following to make the use of the site as compatible as possible and to mitigate possible concerns.

- 1) Require EOTEC to provide an annual report to the planning commission showing the schedule of events from the previous year, including the number of occupants for each event. This requirement would allow the planning commission to review the operations of EOTEC as it evolves and would allow the public to provide perspective.
- 2) Require EOTEC to submit an application for approval to the planning department to hold large events including the fair and rodeo with the following conditions:
 - a) Provide a detailed plan approved by the fire department showing the location of parking, the fire lanes, and any other requirement of the fire department for a safe event.
 - b) Provide a detailed traffic control plan approved by the police department.
 - c) Provide a detailed plan approved by the building official showing the location of the proposed event on site, the expected number of occupants, the number and location of temporary restroom facilities, and accommodations for ADA.
 - d) Provide evidence of a notice to neighbors of large events.
 - e) Obtain permission from Umatilla County Commission to use Ott road if unpaved.

Sincerely



FDG

Robert Dreier
VP – Pacific Northwest Division
Cell 503.805.1236



Planning Department

180 NE 2nd Street

Hermiston, OR 97838

Phone: (541)567-5521

Fax: (541)567-5530

planning@hermiston.or.us

To: Planning Commission
From: Clinton Spencer, City Planner
Subject: Replat – NW Housing Alternatives
Date: September 2, 2016

The City of Hermiston has received an application for a replat of property located on SE Fifth Street approximately 190 feet north of E Highland Ave. The property is approximately 1.58 acres and is presently vacant. The proposal will replat 5 existing lots into one new lot. The replatted lot will be approximately 1.58 acres. NW Housing Alternatives has purchased the property and is applying for the replat. The property is zoned Multi-Family Residential (R-3) and is described as a 4N 28 11CD Tax Lots 1800, 25100, 25200, 25300, and 25400.

The replat is proposed to simplify future redevelopment of the parcel through the elimination of existing lot lines. As of the date of this staff report, NW Housing Alternatives has not submitted a plan for building on the reconfigured lot. It is staff's understanding that NW Housing Alternatives plans to develop multi-family housing on the parcel in the future. Future development and building is a separate review process for the city.

Public notice was provided for the proposed replat. Notice of the proposed land use action was mailed by direct mail to all property owners within 100 feet on August 30, 2016. A sign informing the public of the proposal was placed on the property on August 31, 2016. Staff received several inquiries as a result of the noticing. Although no objections were specifically filed, there is concern over the potential for additional multi-family housing in the neighborhood. Bob Middleton, 29270 Bloom Road, testified that the irrigation ditch on the property may overflow in the future. Irrigation district review of the plat and subsequent development is a city requirement.

The criteria that are applicable to the decision to accept the proposed replat are contained in §154.15 through §154.46, §154.60 through §154.66, §157.027 and §157.101 of the Hermiston Code of Ordinances.

Chapter 154: Subdivisions

Design Standards

§154.15 Relation to Adjoining Street System.

The property is bordered by SE 5th Street. No new street connections are proposed.

§154.16 Street and Alley Width.

No new streets are proposed as part of this subdivision. The existing right-of-way for SE 5th Street is 50 feet in accordance with city standards.

§154.17 Easements.

A fifteen-foot drainage and utility easement shall be dedicated on the final plat along the entire frontage of the parcel. It is not clear from the proposed plat if the existing irrigation ditch is protected by an easement. It is typical for facilities of the Hermiston Irrigation District to be protected by an easement. The survey shall clarify if an easement exists prior to the city signing the plat and it shall be shown on the plat. Any development on the property will be required to respect and preserve the easement.

§154.18 Blocks.

The proposed subdivision sits at a mid-block point. There is an existing alley along the north boundary of the replat. The city requires new street connections when blocks exceed 600 feet. The property is approximately 360 feet in width. No cross street is required and the block design standards are satisfied.

§154.19 Lots.

The minimum lot size in the R-3 zone is 6,000 square feet. There is no maximum size in the R-3 zone. Multi-family lots require at least 2,000 square feet of lot area for each dwelling unit. The lot will be approximately 1.58 acres or 68,824 square feet. The parcel abuts a public street for at least 25 feet.

§154.20 Character of Development.

The property is presently vacant. It may be developed with single-family, duplex, or multi-family dwellings in the future.

§154.21 Parks, School Sites and the Like.

The comprehensive plan and parks master plan do not indicate a need for any parks or schools in the vicinity of the proposed development.

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

The site is adjacent to SE 5th Street. SE 5th Street is currently improved with a chip seal surface and no other street improvements. As a condition of approval the property owner will be required to sign a street improvement agreement for SE 5th Street. The street improvement agreement will bind the property to participate in or install half street paving, curbing, drainage, and sidewalk improvements along the property frontage. In addition, should the property develop in the intervening time, installation of these improvements will automatically be required under the provisions of §157.164 of the Hermiston Code of Ordinances.

§154.62 Water Lines.

All lots are served or can be served in the future by an existing municipal water line in SE 5th Street. Depending on the scope of potential future development, the water department will assess the capacity of the water line at the time a development application is made.

§154.63 Sanitary Sewer System.

All lots are served or can be served in the future by an existing municipal sanitary sewer line in SE 5th Street.

Preliminary Plat

Staff has reviewed the preliminary plat and determined the plat is prepared in accordance with §154.35(B) of the Hermiston Code of Ordinances.

Chapter 157: Zoning

§157.027 Multi-Family Residential Zone (R-3)

The minimum lot size in the R-3 zone is 6,000 square feet. There is no maximum size in the R-3 zone. Multi-family lots require at least 2,000 square feet of lot area for each dwelling unit. The lot will be approximately 1.58 acres or 68,824 square feet. The parcel abuts a public street for at least 25 feet.

§157.101 Development Hazard Overlay Zone (DH)

Comprehensive Plan Figure 12 shows the northern portion of this property as an area subject to development hazards due to a high water table. In accordance with §157.101 of the Hermiston Code of Ordinances, the city will prohibit the outdoor storage of hazardous chemicals or the underground storage of gasoline and diesel fuels unless an evaluation by a registered engineer is presented stating that the development will not contribute to groundwater pollution.

Staff Recommendation

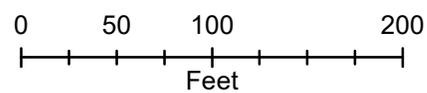
Staff has reviewed the proposed partition plat and found that it is prepared in accordance with all requirements of the Code of Ordinances. Staff recommends the planning commission approve the replat subject to the following conditions:

1. The applicant shall work with and receive certification from the Hermiston Irrigation District. The city will not sign the final plat until the irrigation district is satisfied and signs the final plat.
2. The applicant shall sign a street improvement agreement for future improvements to SE 5th Street adjacent to the property. The street improvement agreement shall commit the property to participate in the future improvement of SE 5th Street, including half street paving, curbing, drainage, and sidewalks.
3. In accordance with §157.101 of the Hermiston Code of Ordinances, the property shall not be used for the outdoor storage of hazardous chemicals or the underground storage of gasoline and diesel fuel.
4. An easement of 15 feet in width shall be added to the west property line of the property. This easement shall be for drainage, sidewalk, and utilities.
5. The existing drainage canal on the property shall be amended to reflect any existing easements on the property unless the irrigation district and surveyor present evidence that no easement protects the canal.



Legend

-  Area of Proposed Replat
-  Property Line
-  City Limits



OWNERS DECLARATION

NW AFFORDABLE HOUSING, OWNER OF LOTS 1-4, FIVE PINES SUBDIVISION AND LOT 16, BLOCK 14, NEWPORT ADDITION TO THE TOWN, NOW CITY OF HERMISTON, DOES HEREBY ESTABLISH AND ACKNOWLEDGE THIS REPLAT AS THE OFFICIAL MAP AND PLAT OF "5th STREET REPLAT". A REPLAT OF SAID LOTS 1-4, FIVE PINES ADDITION SUBDIVISIONS AND LOT 16, BLOCK 14, NEWPORT ADDITION TO THE TOWN, NOW CITY OF HERMISTON, UMATILLA COUNTY, OREGON. PREPARED IN ACCORDANCE WITH THE PROVISIONS OF ORS CHAPTER 92 AND THE CITY OF HERMISTON AND UMATILLA COUNTY ORDINANCES.

AUTHORIZED AGENT _____ TITLE _____

ACKNOWLEDGMENT

STATE OF OREGON }
COUNTY OF _____ } SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE

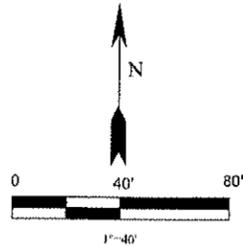
ME THIS _____ DAY OF _____, 2016.

BY: _____

NOTARY PUBLIC FOR THE STATE OF OREGON

COMMISSION NUMBER: _____

COMMISSION EXPIRES: _____



LEGEND

- FOUND MONUMENT AS NOTED
- FENCE

BASIS OF BEARINGS

THE SOUTH LINE OF THE SE 1/4 OF THE SW 1/4, SEC. 11, R2.

REFERENCES

- R1) NEWPORT ADDITION TO HERMISTON, RECORDED MARCH 21, 1908.
- R2) SURVEY 81-24-A, RECORDED MARCH, 1981.
- R3) SURVEY 98-86-A, RECORDED MAY, 1998.
- R4) PARTITION PLAT 2002-18, RECORDED APRIL 29, 2002.
- R5) FIVE PINES SUBDIVISION, BOOK 14, PAGE 75, RECORDED JUNE 10, 2004.

SURVEYOR'S CERTIFICATE AND NARRATIVE

I, STUART A. CHISHOLM, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON HEREBY CERTIFIES THAT THE REPLAT AS SHOWN HEREON CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION IN CONFORMANCE WITH ORS CHAPTER 92. NO MONUMENTS WERE SET FOR THIS SURVEY AS ALL CONTROLLING CORNERS WERE FOUND. THE PURPOSE OF THIS SURVEY IS TO COMBINE THE FOUR LOTS IN FIVE PINES SUBDIVISION AND LOT 16, BLOCK 14, NEWPORT ADDITION TO THE TOWN, NOW CITY OF HERMISTON, INTO ONE LOT. THE CORNERS OF THE FIVE ORIGINAL LOTS WERE ALL FOUND FOR THIS SURVEY. CORNER POSITIONS WERE CALCULATED BASED ON FIVE PINES SUBDIVISION. THE CALCULATED POINTS WERE ROTATED TO FIT THE FOUND POINTS HOLDING THE INITIAL POINT OF FIVE PINES SUBDIVISION, BEING THE SW CORNER OF LOT 4, AS THE ROTATION POINT AND THREE OF THE WESTERLY REBAR CORNERS OF THE LOTS FOR BEARING. DIFFERENCES BETWEEN THE OTHER FOUND CORNERS AND CALCULATED CORNERS ARE SHOWN ON THIS MAP. THIS SURVEY WAS PERFORMED WITH A TRIMBLE R6 BASE AND RB ROVER IN CONJUNCTION WITH A TRIMBLE S6 TOTAL STATION.

FOUND 5/8" ROD IN MONUMENT AT INTERSECTION OF EAST HIGHLAND AVENUE AND SE 4TH STREET.

N 89°21'12" W
475.05' (475'-R1)

CENTERLINE OF EAST HIGHLAND AVENUE
1325.38' (1325.61'-R2)

N 89°21'12" W
850.33' (850.1'-R1)

FOUND 2.5" BRASS CAP AT INTERSECTION OF EAST HIGHLAND AVENUE AND SE 7TH STREET.

SE FIFTH STREET
S 00°08'28" W
191.51' (191.50'-R1)

FOUND, HELD, 5/8" REBAR, NO CAP, R3, 1.6' NORTH, 1.0' WEST OF END OF FENCE.

FOUND 5/8" CAPPED REBAR, R5, N31°41'W 0.09' FROM CALCULATED POINT.

15' UTILITY/STORM DRAINAGE EASEMENT TO BE VACATED BY THIS REPLAT.

N 00°08'28" E 183.98'

N 00°08'28" E 183.98'

S 89°18'45" E 187.13'

FOUND 5/8" CAPPED REBAR, R3, SOUTH 0.89' FROM CALCULATED POINT, HELD FOR LINE.

FOUND 5/8" REBAR, NO CAP, R3, S0°57'E 0.68' FROM CALCULATED POINT, 0.6' EAST OF FENCE.

CENTERLINE OF DRAINAGE DITCH/SWALE. WATER ENTERS AND LEAVES PROPERTY THROUGH 24" CMP'S ON EAST AND WEST ENDS OF DITCH.

LOT 1
1.58 ACRES

LOT 16,
BLOCK 14,
NEWPORT
ADDITION

FOUND, HELD, 5/8" CAPPED REBAR, R5.

FOUND 5/8" REBAR, NO CAP, R6.

6' UTILITY EASEMENT TO BE VACATED BY THIS REPLAT.

FOUND 5/8" CAPPED REBAR, R5, N62°42'W 0.24' FROM CALCULATED POINT, 0.8' EAST OF FENCE.

FOUND, HELD, 5/8" REBAR, NO CAP, R5.

FOUND 5/8" CAPPED REBAR, R5.

ACCESS EASEMENT TO BE VACATED BY THIS REPLAT.

FOUND 5/8" CAPPED REBAR, R5, N30°20'W 0.16' FROM CALCULATED POINT, 1.4' EAST OF FENCE.

FOUND 5/8" CAPPED REBAR, R5, N25°51'W 0.21' FROM CALCULATED POINT.

FOUND 5/8" REBAR, NO CAP, R5.

FOUND 5/8" CAPPED REBAR, R5, N45°05'E 0.30' FROM CALCULATED POINT, 3.0' NORTH OF FENCE.

FOUND 1/2" REBAR, NO CAP, R3, N25°09'E 0.51' FROM CALCULATED POINT, 2.1' EAST, 4.2' NORTH OF FENCE CORNER.

LEGAL DESCRIPTION
LOTS 1-4, FIVE PINES SUBDIVISION AND LOT 16, BLOCK 14, NEWPORT ADDITION TO THE TOWN, NOW CITY OF HERMISTON, IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, T4N, R28E, W.M., UMATILLA COUNTY, OREGON

5TH STREET REPLAT

REPLAT OF LOTS 1-4, FIVE PINES SUBDIVISION AND LOT 16, BLOCK 14, NEWPORT ADDITION TO THE TOWN, NOW CITY OF HERMISTON, IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, T4N, R28E, W.M., UMATILLA COUNTY, OREGON

CITY OF HERMISTON PLANNING COMMISSION

THE ACCOMPANYING PLAT IS HEREBY APPROVED AND ADOPTED ON

THIS _____ DAY OF _____, 2016.

CHAIR _____

HERMISTON CITY COUNCIL

THE ACCOMPANYING PLAT IS HEREBY APPROVED AND ADOPTED ON

THIS _____ DAY OF _____, 2016.

MAYOR _____

HERMISTON IRRIGATION DISTRICT

THE ACCOMPANYING PLAT IS HEREBY APPROVED

THIS _____ DAY OF _____, 2016.

BY: _____ TITLE _____

UMATILLA COUNTY SURVEYOR

I CERTIFY I HAVE EXAMINED THE ACCOMPANYING PLAT. THAT IT COMPLIES WITH THE LAWS OF THE STATE OF OREGON WITH REFERENCE TO THE FILING AND RECORDING OF SUCH PLATS, AND I THEREFORE APPROVE SAID PLAT FOR THE SIGNATURE BY THE COUNTY COMMISSIONERS OF UMATILLA COUNTY, OREGON.

DATED THIS _____ DAY OF _____, 2016.

UMATILLA COUNTY SURVEYOR _____

UMATILLA COUNTY COMMISSIONERS

THE ACCOMPANYING PLAT IS HEREBY APPROVED FOR FILING AND RECORDING IN THE RECORD OF PLATS OF UMATILLA COUNTY, OREGON, BY THE UNDERSIGNED, BY IT'S ORDER.

DATED THIS _____ DAY OF _____, 2016.

CHAIRMAN _____ COMMISSIONER _____

COMMISSIONER _____

ASSESSOR AND TAX COLLECTOR

WE, ASSESSOR AND THE TAX COLLECTOR OF UMATILLA COUNTY, OREGON, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TAX RECORDS RELATIVE TO THE LAND CONTAINED IN THE ACCOMPANYING PLAT AND THAT ALL AD VALOREM AND SPECIAL ASSESSMENTS DUE PURSUANT TO LAW HAVE BEEN ASSESSED AND COLLECTED.

DATED THIS _____ DAY OF _____, 2016.

ASSESSOR _____ TAX COLLECTOR _____



320 N. 20TH AVENUE
PASCO, WA 99301
PHONE 509.547.0100
FAX 509.547.8292

5th STREET REPLAT
REPLAT OF LOTS 1-4, FIVE PINES SUBDIVISION AND LOT 16, BLOCK 14, NEWPORT ADDITION TO THE TOWN, NOW CITY OF HERMISTON.
SCALE: 1"=40'
JOB: 115-044-02
V: N/A CADD/DWG: HERM-5TH-RP.DWG

SURVEY BY: MMR/CGS DRAWN BY: CDP/DCP/SAC CHECKED BY: SAC DATE: AUG. 10, 2016