

( ) Discussion only

( X ) Action

FROM (DEPT/ DIVISION): Planning Division

**SUBJECT:** Planning Fee Waiver Request

<p>Background: The City of Hermiston will be submitting an application for the expansion of their Urban Growth Boundary (UGB). The proposed expansion will include properties south of Feedville Road and total approximately 810 acres. The County's land use applications consist of a Comprehensive Plan Map Amendment and a Zoning Map Amendment. The applicant has requested a waiver from the \$4,000 Amendment application fee.</p>	<p>Requested Action: Discuss and consider the City of Hermiston's request for a fee waiver.</p>
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**ATTACHMENTS:**

1. County Development Code Section 152.768 Filing Fees; Waiver
2. Proposed UGB Expansion aerial map

Date: ( 08/21/25 )      Submitted By: Megan Davchevski, Planning Division Manager

\*\*\*\*\*For Internal Use Only\*\*\*\*\*

## Checkoffs:

( ) Dept. Head (copy)  
( ) Human Resources (copy)  
( ) Fiscal  
( ) Legal (copy)  
  
( ) (Other - List:)

To be notified of Meeting:  
Megan Davchevski

Needed at Meeting:  
Robert Waldher, Clint Spencer

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Scheduled for meeting on September 3, 2025

Action taken:

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Follow-up:

(3) If an appeal is filed, the County Board of Commissioners shall receive the written findings of the Hearings Officer decision, and a copy of the minutes of the hearing, and shall hold a public hearing on the appeal.

(4) The Board of Commissioners may amend, rescind, affirm or remand the action of the Hearings Officer.

(D) All appeals shall be made in writing, accompanied by the appropriate fee, and shall state the reasons for the appeal and the alleged errors made on the part of the Planning Director or authorized agent, the Planning Commission, or the Hearings Officer. If the decision being appealed utilized criteria for review established elsewhere in this chapter, the reasons for the appeal shall be stated pursuant to these criteria.

(E) All appeals shall be on a de novo basis. The body hearing the appeal shall be able to receive any additional testimony presented by the applicant or proponent.

(F) Appeals of a Board of Commissioners decision shall be made to the Land Use Board of Appeals within 21 days of the date of the decision. Such appeals shall not be based on issues that are not raised at the local hearings with “sufficient specificity” as to afford the decision-makers and parties involved an opportunity to respond to the issue.

(Ord. [83-4](#), passed 5-9-83;)

## **§ 152.767 FORM OF PETITIONS, APPLICATIONS AND APPEALS.**

(A) Petitions, applications, and appeals provided for in this chapter shall be made on forms prescribed by the county.

(B) Applications for the development of a lot or parcel must be signed by all legal property owners of that lot or parcel, or by a legally authorized representative.

(C) Applications shall be accompanied by plans and specifications, drawn to scale, showing the following:

(1) Actual shape and dimensions of the site;

(2) The size and location of all existing and proposed structures;

(3) Existing land forms and land uses in the surrounding area;

(4) Relative size and location of major arterial and local roads, and private or public access easements;

(5) Access points adjoining streets and areas designated for off-street parking and loading;

(6) Proposed road and lot layout;

(7) Location of wells, septic tanks or extensions of necessary community facilities;

(8) Location of irrigation ditches and diversion points;

(9) Such other information as needed in order to determine conformance with this chapter.

(Ord. [83-4](#), passed 5-9-83; Ord. [2012-02](#), passed 1-26-12;)

## **§ 152.768 FILING FEES; WAIVER.**

(A) An application required by this chapter shall be accompanied by a filing fee

in an amount as established by order of the County Board of Commissioners.

(B) A filing fee under this chapter may be waived as follows:

(1) By the Planning Director where the strict application of this chapter would result in the payment of a double fee for a single event, or where an application has resulted from an apparent staff error;

(2) By the Board of County Commissioners or the Planning Commission for good cause at the request of an applicant.  
(Ord. [83-4](#), passed 5-9-83;)

#### **§ 152.769 ADMINISTRATIVE REVIEW.**

(A) The administrative review procedure is designed to provide a less time-consuming alternative to the public hearing process for land use requests which require discretion in the decision-making process (i.e., quasi-judicial decisions).

(B) The administrative review procedure is as follows:

(1) Within 20 business days of filing a completed application, the Planning Department shall determine whether the application and accompanying material conforms with the applicable requirements of this chapter and render a tentative decision. When the application is within an Interchange Management Area Plan (IAMP) Management Area or within a ¼ mile of an ODOT facility, the Planning Department shall provide written notification to ODOT when the application is deemed complete.

(2) All documents or evidence relied upon by the applicant shall be submitted to the Planning Department and shall be made

available to the public prior to issuance of the tentative decision.

(3) A tentative decision by the Planning Department to approve, modify or deny a land use request shall include written modifications and conditions, if any, and findings and conclusions which shall specifically address the relationship between the proposal and the applicable criteria for approval listed elsewhere in this chapter.

(4) If the Planning Department determines that there are minor inconsistencies between the application and the criteria, the applicant shall be so advised in writing and afforded an opportunity to make corrections within 10 business days of written notification;

(5) If the applicant makes the necessary corrections as specified by the Planning Director, the Director shall then grant tentative approval of the partition, as provided in this section.

(6) Within two business days from a tentative decision by the Planning Director, a notice of the tentative decision shall be mailed to the applicant and all registered owners of property and affected agencies pursuant to [§ 152.770](#). The notice shall inform the applicant and the surrounding property owners that the Planning Director will issue a final decision, with or without modifications and/or conditions, or denial of the land use request 21 calendar days from the date of the notice; unless a public hearing is requested.

(7) The purpose of the notice is to provide affected property owners and agencies the opportunity to review the request and the tentative findings and conclusions of the Department, and to either offer comments or requested conditions, or request a public hearing be held to deliberate on issues they



# Notice of Proposed Land Use Action



## Legend

- Proposed UGB Expansion Area (Territory)
- Property Line
- City Limits
- Urban Growth Boundary

0 0.5 1 1.5  
Miles

