



## Board of Commissioners

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216 S. E. 4<sup>th</sup> Street  
Pendleton, OR 97801  
541-278-6204

**Daniel N. Dorran**  
541-278-6201

**John M. Shafer**  
541-278-6203

**Celinda A. Timmons**  
541-278-6202

### **BOARD OF COMMISSIONERS MEETING**

Tuesday, April 14, 2026, 9:00am  
Umatilla County Courthouse, Room 130

- A. Call to Order
- B. Chair's Introductory Comments & Opening Statement
- C. New Business

**TEXT AMENDMENT REQUEST #T-102-25, AMENDMENT OF THE 1972 UMATILLA COUNTY ZONING ORDINANCE IN THE F-1, EXCLUSIVE FARM USE ZONE (19-ACRE MINIMUM PARCEL SIZE), SECTION 3.03 CONDITIONAL USES TO ADD "CEMETERY" TO THE LIST OF CONDITIONAL USES PERMITTED. CONDITIONAL USE PERMIT REQUEST #C-1405-25, TO ALLOW A CEMETERY USE ON THE F-1 ZONED SUBJECT PROPERTIES. LAND DIVISION TYPE I, #S-065-25, TO CREATE SUBDIVISION PLOTS.** The Hermiston Cemetery District is proposing an amendment to the 1972 Umatilla County Zoning Ordinance, Section 3.03 Conditional Uses, to add "cemetery" to the list of conditional uses permitted in the following zone: F-1, (EFU, 19-acre minimum).

The Hermiston Cemetery District is also requesting a conditional use permit request to allow a cemetery use on Map #4N2814CD, Tax Lot #100, to surrounding properties under shared ownership, Map #4N2114CD, Tax Lot #200 and Map #4N2814D, Tax Lot #400 and Map #4N2814DB, Tax Lots #200 and #201.

The Hermiston Cemetery District is also requesting a Land Division, Type I, request to subdivide Map #4N2814D; Tax Lot #400, into a total of 2,258 graves, platting the new cemetery, proposed under #C-1405-25.

A proposed amendment to the 1972 Umatilla County Zoning Ordinance in the F-1, EFU Zone, is subject to policies in the Umatilla County Comprehensive Plan, Transportation System Plan and

"The mission of Umatilla County is to serve the citizens of Umatilla County efficiently and effectively."



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the applicable Oregon Statewide Planning Goals. The subject properties, zoned F-1 (EFU) are within the City of Hermiston's Urban Growth Boundary (UGB) and are therefore subject to the policies of the City of Hermiston and Umatilla County Joint Management Agreement (JMA), as well as the City of Hermiston's Comprehensive Plan and Transportation System Plan. The proposed amendment is also subject to Umatilla County Development Code, Sections 152.750 through 152.755.

The proposed conditional use request is subject to the 1972 UC Zoning Ordinance, Sections 7.010 through 7.040, and upon the issuance of a Zoning Permit. The proposed Land Division, Type I, request is subject to the UCDC Sections 152.665 through 152.669.

### D. New Business

**CO-ADOPTION OF CITY OF HERMISTON COMPREHENSIVE PLAN MAP AMENDMENT #P-141-26: CITY OF HERMISTON, APPLICANT / UMATILLA COUNTY, OWNERS.** The applicant requests the County co-adopt City Ordinance 2378 amending the comprehensive plan map from urbanizable to urban status for approximately 19.5 acres located on 1835 Airport Road, directly south of the Umatilla County Fairgrounds. The City Council also adopted Ordinance 2379 annexing said property effective upon co-adoption of Ordinance 2378. The criteria of approval are found in Umatilla County Development Code 152.750 - 152.754 and the Joint Management Agreement between the City and County.

### E. Adjournment



# PLANNING DIVISION

216 SE 4<sup>th</sup> ST, Pendleton, OR 97801, (541) 278-6252

Email: [planning@umatillacounty.gov](mailto:planning@umatillacounty.gov)

COMMUNITY &  
BUSINESS  
DEVELOPMENT

## MEMO

LAND USE  
PLANNING,  
ZONING AND  
PERMITTING

**TO:** Umatilla County Board of County Commissioners

**FROM:** Charlet Hotchkiss, Planner I

**DATE:** April 2, 2026

CODE  
ENFORCEMENT

**RE: April 14, 2026 Board of County Commissioners Hearing  
Hermiston Cemetery District Text Amendment, #T-102-25,  
Conditional Use Permit, #C-1405-25 and Type I Land Division, #S-065-25  
Hermiston Cemetery District, Owners**

SOLID WASTE  
COMMITTEE

SMOKE  
MANAGEMENT

GIS AND  
MAPPING

### ***Background Information***

RURAL  
ADDRESSING

The existing Hermiston Cemetery, located on Map #4N2814CD; Tax Lot 100, is a pre-existing non-conforming use. Developed in 1973 when the Hermiston Cemetery District was originally formed and incorporated on June 8, 1973. The cemetery has been operating in this location and serving the communities of Hermiston and the surrounding areas for 53 years. The Hermiston Cemetery District already owns the surrounding properties involved in this request.

LIAISON,  
NATURAL  
RESOURCES &  
ENVIRONMENT

PUBLIC TRANSIT

The Hermiston Cemetery District land use request consists of the following three land use requests:

1. A text amendment to the County's 1972 Zoning Code, Section 3.03 Conditional Uses to add "cemetery" to the list of conditional uses permitted in the F-1, Exclusive Farm Use Zone (19-acre minimum parcel size).
2. A Conditional Use Permit request to allow a cemetery use on the F-1 zoned properties in order to expand the existing cemetery. The Conditional Use Permit would apply to properties identified as Map #4N2814CD, Tax Lot #100, Map #4N2114CD, Tax Lot #200, Map #4N2814D, Tax Lot #400 and Map #4N2814DB, Tax Lots #200 and #201.
3. A Type I Land Division, Subdivision request to subdivide Map #4N2814D; Tax Lot #400, into a total of 2,549 graves (subdivision plots), for the cemetery expansion.

A proposed amendment to the 1972 Umatilla County Zoning Ordinance in the F-1 Zone, is subject to policies in the Umatilla County Comprehensive Plan, City of Hermiston Comprehensive Plan, City of Hermiston Transportation System Plan, Umatilla County Transportation System Plan and the applicable Oregon Statewide Planning Goals.

The proposed amendment would add “cemetery” to the list of conditional uses permitted in the 1972 F-1, Zone. This conditional use would be subject to Section 7.010 through 7.040 in the 1972 Umatilla County Zoning Ordinance, and permitted upon the issuance of a Zoning Permit to finalize the conditional use request.

Approval of the text amendment and conditional use permit would also allow the Hermiston Cemetery District to subdivide Tax Lot #400, Map #4N2814D, into cemetery plots with a total of 2,549 graves.

The other tax lots involved in the Conditional Use Request are not being subdivided at this time and will remain as un-platted open space until a Land Division application is submitted.

### ***Table of Contents***

The included Table of Contents includes the Applicant’s application attachments that were submitted with text amendment, conditional use permit and subdivision application.

### ***Notice***

Notice of the applicant’s request was mailed on February 20, 2026 to nearby property owners and necessary agencies. Notice of the March 12, 2026 Planning Commission hearing and the April 14, 2026 Board of County Commissioners hearing was published in the East Oregonian on February 25, 2026.

### ***Criteria of Approval***

A proposed amendment to the 1972 Umatilla County Zoning Ordinance in the F-1, EFU Zone, is subject to policies in the Umatilla County Comprehensive Plan, Transportation System Plan and the applicable Oregon Statewide Planning Goals. The subject properties, zoned F-1 are within the City of Hermiston’s Urban Growth Boundary (UGB) and are therefore subject to the policies of the City of Hermiston and Umatilla County Joint Management Agreement (JMA), as well as the City of Hermiston’s Comprehensive Plan and Transportation System Plan. The proposed amendment is also subject to Umatilla County Development Code, Sections 152.750 through 152.755.

### ***Hearings***

A Public Hearing before the Umatilla County Planning Commission was held March 12, 2026. The Planning Commission voted (6:0) to approve both the Conditional Use Request and the Subdivision Request and recommend approval of the Hermiston Cemetery Text Amendment, number T-102-25, to the Board of Commissioners based on the foregoing Findings of Fact and Conclusions of Law. Adoption of the proposed text amendment is a precedent condition of approval for both the Conditional Use Request and Subdivision Request approved by the Umatilla County Planning Commission at the March 12, 2026 Public Hearing.

***Conclusion***

The Board of County Commissioners must decide whether or not to adopt the proposed text amendment to allow cemeteries in the F-1 zone. The Board of County Commissioners may agree with the Planning Commission's recommendation or make new findings based on evidence in the record. Sample decision motions have been provided below.



**UMATILLA COUNTY  
BOARD OF COUNTY COMMISSIONERS HEARING – APRIL 14, 2026  
HERMISTON CEMETERY DISTRICT TEXT AMENDMENT, #T-102-25,  
CONDITIONAL USE PERMIT, #C-1405-25 & SUBDIVISION REQUEST, #S-065-25  
HERMISTON CEMETERY DISTRICT, APPLICANT & OWNERS  
PROPOSED HERMISTON CEMETERY EXPANSION  
PACKET CONTENT LIST**

1.	Staff Memo to Board of Commissioners	Pages 1-3
2.	Table of Contents	Page 5
3.	Public Notice Map	Pages 7
4.	Tentative Plat – First Addition to the Hermiston Cemetery	Page 9-11
5.	Preliminary Findings	Pages 13-43
6.	Proposed Text Amendment	Page 45-46
7.	<b>Exhibit A</b> – Copy of initial email exchange between Ms. McLane & County Planning Staff	Page 48-57
8.	<b>Exhibit B</b> – Letter from Karra Van Fossen, HID	Page 59
9.	<b>Exhibit C</b> – Email from Richard Lani, ODOT District 12	Page 61
10.	<b>Exhibit 1</b> –Applications with Attachments	Pages 63-146
	a. Land Use Request Application	Pages 63-72
	b. Amendment Application	Pages 74-76
	c. Hermiston Cemetery Expansion Umatilla County Code Text Change Narrative Packet	Page 78-95
	i. Attachment A. Exhibit Existing	Pages 97
	ii. Attachment B. Exhibit Proposed	Pages 99
	iii. Attachment C. Proposed Text Amendment Language	Pages 101-102
	iv. Attachment D. Trip Generation Letter	Pages 104-122
	v. Attachment E. Record Survey	Pages 124-125
	vi. Attachment F. Tentative Plat	Pages 127-129
	vii. Attachment G. Exhibit Map	Pages 131
	viii. Attachment H. Water Rights for well	Pages 133
	ix. Attachment J. Water Rights for expansion	Pages 135-138
	x. Attachment K. Hermiston Well & Septic Location	Pages 140-142
	xi. Attachment L. Deed	Pages 144-146



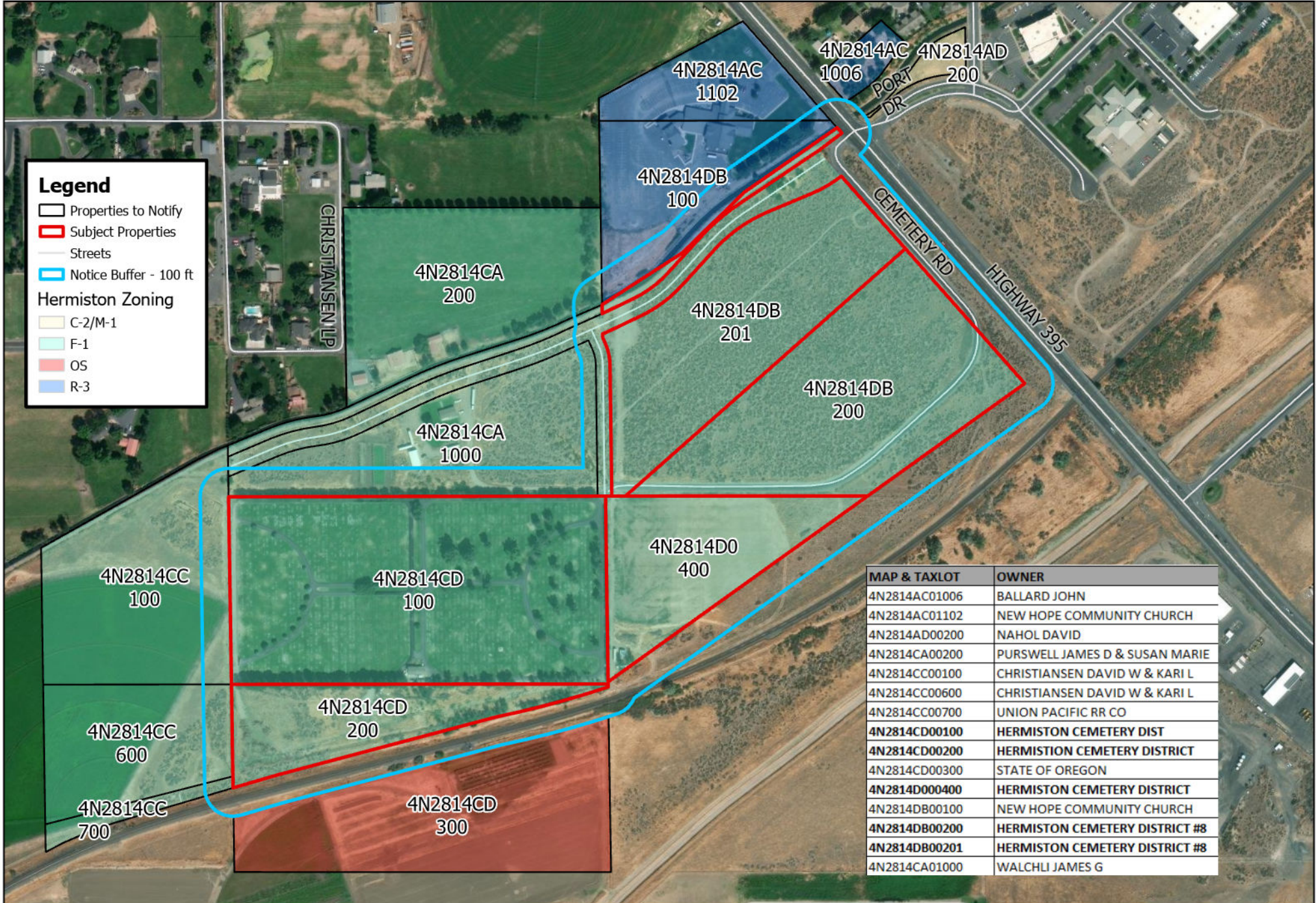
**APPLICANT: HERMISTON CEMETERY DISTRICT**  
**OWNER: HERMISTON CEMETERY DISTRICT**  
**#C-1405-25 #T-102-25 #S-065-25**

Notified Property Owners within 100 feet of subject properties.

MAP: 4N 28 14 CD; 100, 200  
 MAP: 4N 28 14 D; 400  
 MAP 4N 28 14 DB; 200, 201



Map Disclaimer: No warranty is made by Umatilla County as to the accuracy, reliability or completeness of the data. Parcel data should be used for reference purposes only. Created by B. Fairchild, Umatilla County Planning Department Date: 12/16/2025



**Legend**

- Properties to Notify
- Subject Properties
- Streets
- Notice Buffer - 100 ft

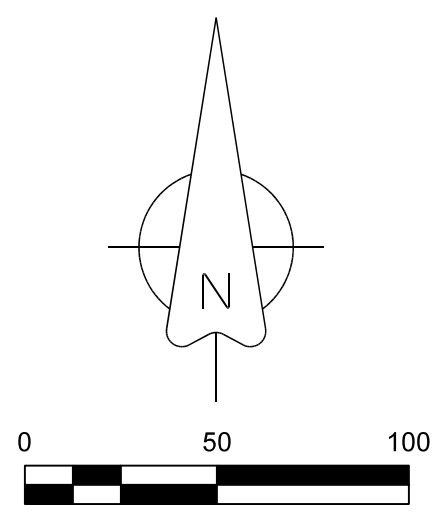
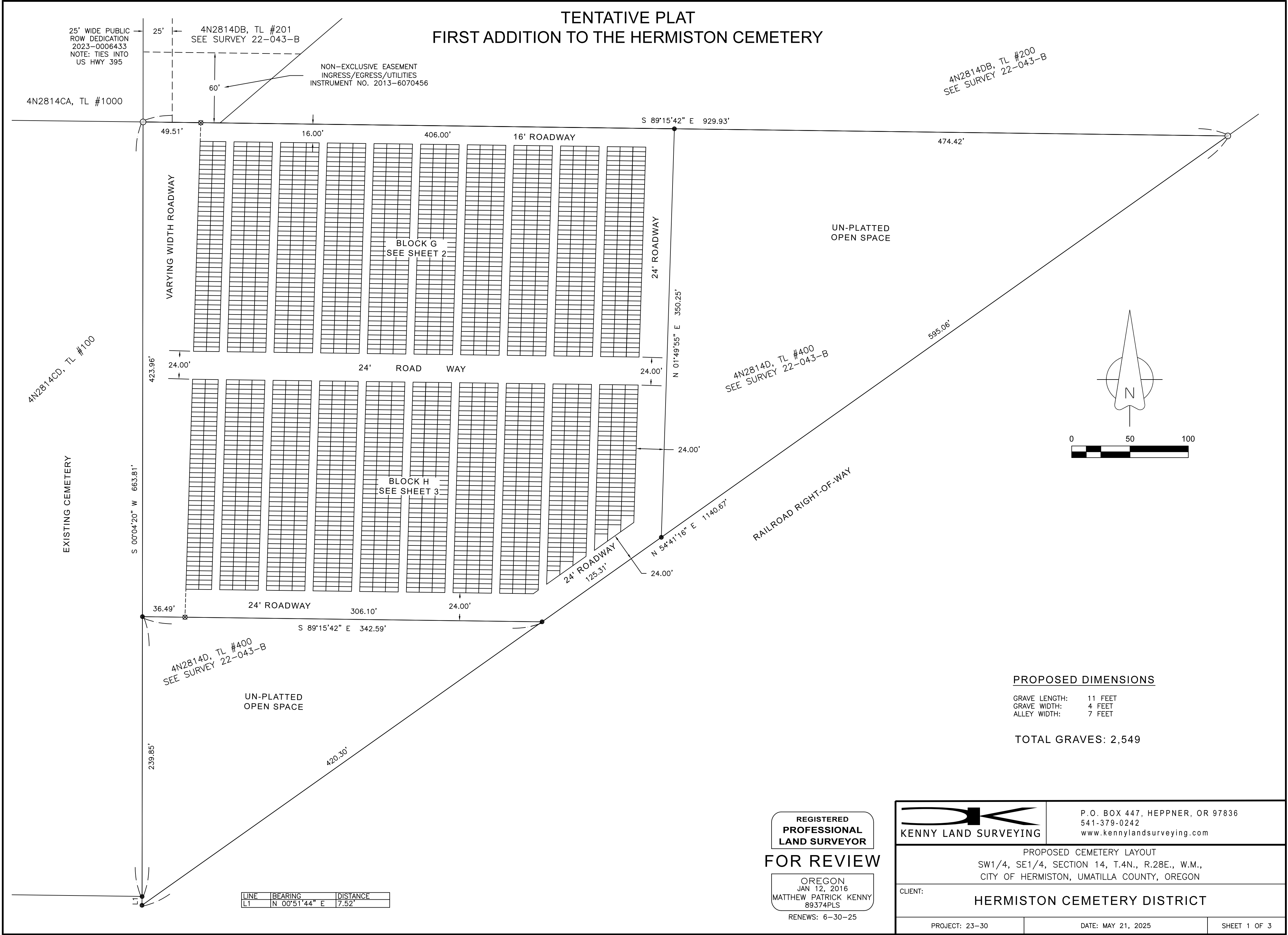
**Hermiston Zoning**

- C-2/M-1
- F-1
- OS
- R-3

MAP & TAXLOT	OWNER
4N2814AC01006	BALLARD JOHN
4N2814AC01102	NEW HOPE COMMUNITY CHURCH
4N2814AD00200	NAHOL DAVID
4N2814CA00200	PURSWELL JAMES D & SUSAN MARIE
4N2814CC00100	CHRISTIANSEN DAVID W & KARI L
4N2814CC00600	CHRISTIANSEN DAVID W & KARI L
4N2814CC00700	UNION PACIFIC RR CO
4N2814CD00100	HERMISTON CEMETERY DIST
4N2814CD00200	HERMISTON CEMETERY DISTRICT
4N2814CD00300	STATE OF OREGON
4N2814D000400	HERMISTON CEMETERY DISTRICT
4N2814DB00100	NEW HOPE COMMUNITY CHURCH
4N2814DB00200	HERMISTON CEMETERY DISTRICT #8
4N2814DB00201	HERMISTON CEMETERY DISTRICT #8
4N2814CA01000	WALCHLI JAMES G



# TENTATIVE PLAT FIRST ADDITION TO THE HERMISTON CEMETERY



**PROPOSED DIMENSIONS**

GRAVE LENGTH: 11 FEET  
 GRAVE WIDTH: 4 FEET  
 ALLEY WIDTH: 7 FEET


**TOTAL GRAVES: 2,549**

LINE	BEARING	DISTANCE
L1	N 00°51'44" E	7.52'

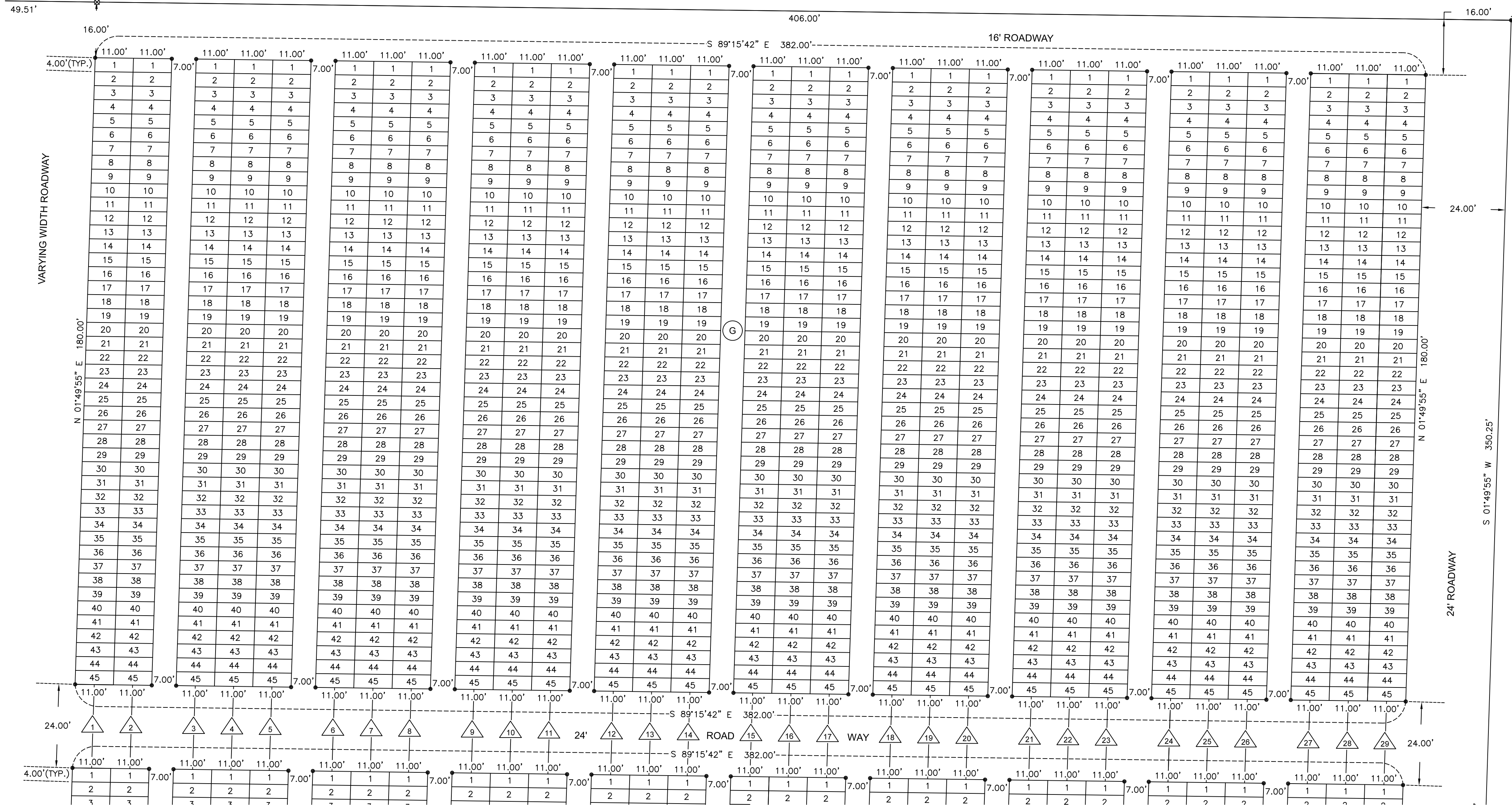
**REGISTERED  
PROFESSIONAL  
LAND SURVEYOR**

**FOR REVIEW**

OREGON  
JAN 12, 2016  
MATTHEW PATRICK KENNY  
89374PLS  
RENEWS: 6-30-25

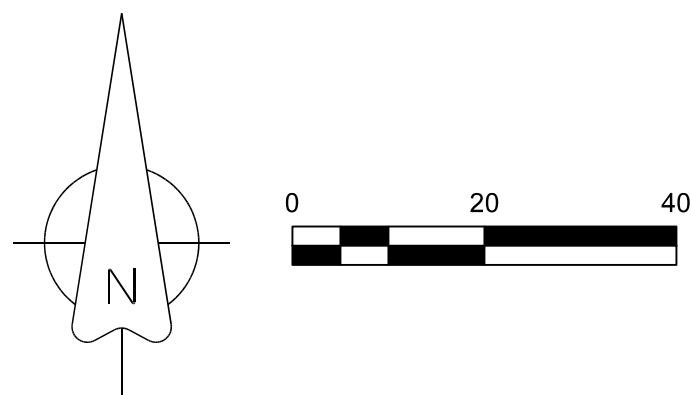
 <b>KENNY LAND SURVEYING</b>	P.O. BOX 447, HEPPNER, OR 97836 541-379-0242 www.kennylandsurveying.com	
	PROPOSED CEMETERY LAYOUT SW1/4, SE1/4, SECTION 14, T.4N., R.28E., W.M., CITY OF HERMISTON, UMATILLA COUNTY, OREGON	
CLIENT:	<b>HERMISTON CEMETERY DISTRICT</b>	
PROJECT: 23-30	DATE: MAY 21, 2025	SHEET 1 OF 3

# TENTATIVE PLAT FIRST ADDITION TO THE HERMISTON CEMETERY BLOCK G, ROWS 1-29



**PROPOSED DIMENSIONS**

GRAVE LENGTH: 11 FEET  
 GRAVE WIDTH: 4 FEET  
 ALLEY WIDTH: 7 FEET



**REGISTERED  
PROFESSIONAL  
LAND SURVEYOR**

**FOR REVIEW**

OREGON  
 JAN 12, 2016  
 MATTHEW PATRICK KENNY  
 89374PLS  
 RENEWS: 6-30-25

**KENNY LAND SURVEYING**

P.O. BOX 447, HEPNER, OR 97836  
 541-379-0242  
 www.kennylandsurveying.com

PROPOSED CEMETERY LAYOUT  
 SW1/4, SE1/4, SECTION 14, T.4N., R.28E., W.M.,  
 CITY OF HERMISTON, UMATILLA COUNTY, OREGON

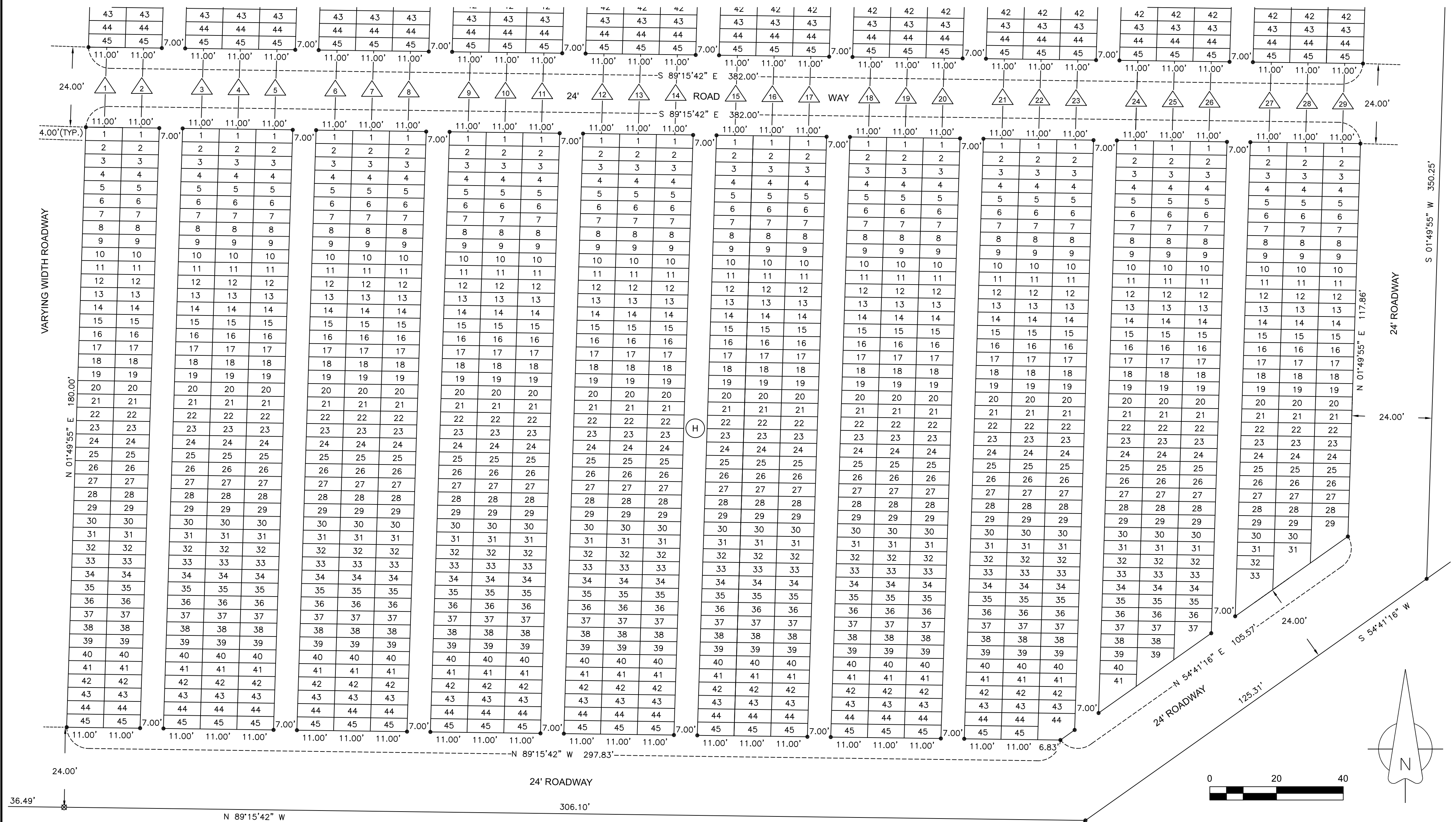
CLIENT: **HERMISTON CEMETERY DISTRICT**

PROJECT: 23-30      DATE: MAY 21, 2025      SHEET 2 OF 3

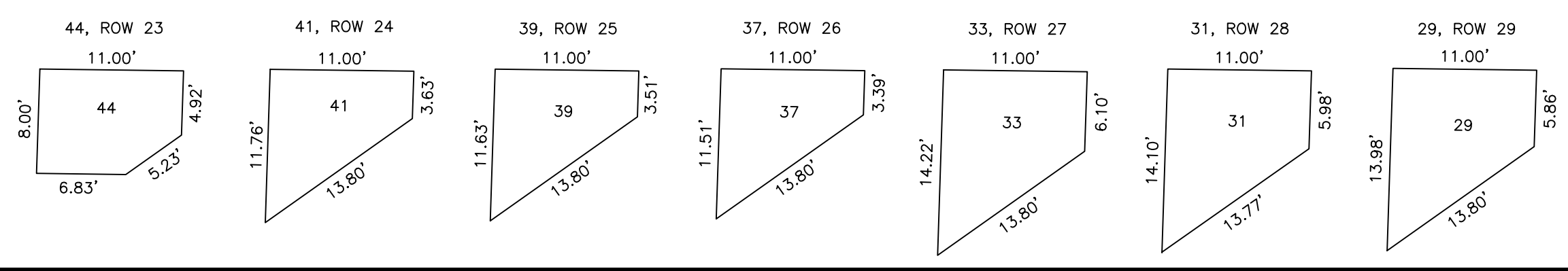
PROPOSED DIMENSIONS

GRAVE LENGTH: 11 FEET  
 GRAVE WIDTH: 4 FEET  
 ALLEY WIDTH: 7 FEET

TENTATIVE PLAT  
 FIRST ADDITION TO THE HERMISTON CEMETERY  
 BLOCK H, ROWS 1-29



DETAILS - BLOCK 'H' IRREGULAR LOTS - SCALE 1"=10'



REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR  
**FOR REVIEW**  
 OREGON  
 JAN 12, 2016  
 MATTHEW PATRICK KENNY  
 89374PLS  
 RENEWS: 6-30-25

**KENNY LAND SURVEYING**  
 P.O. BOX 447, HEPNER, OR 97836  
 541-379-0242  
 www.kennylandsurveying.com

PROPOSED CEMETERY LAYOUT  
 SW1/4, SE1/4, SECTION 14, T.4N., R.28E., W.M.,  
 CITY OF HERMISTON, UMATILLA COUNTY, OREGON

CLIENT: **HERMISTON CEMETERY DISTRICT**

PROJECT: 23-30      DATE: MAY 21, 2025      SHEET 3 OF 3



**UMATILLA COUNTY BOARD OF COMMISSIONERS  
AND PLANNING COMMISSION  
FINAL FINDINGS AND CONCLUSIONS  
HERMISTON CEMETERY DISTRICT TEXT AMENDMENT REQUEST, #T-102-25,  
AND CONDITIONAL USE REQUEST, #C-1405-25,  
AND, LAND DIVISION TYPE I, #S-065-25  
ASSESSOR'S MAP #4N 28 14CD, TAX LOTS #100 & #200, MAP #4N 28 14D, TAX LOT  
#400, MAP #4N 28 14DB, TAX LOTS #200 & #201  
ACCOUNTS; #135630, #135634, #117241, #116997, #142665**

1. **APPLICANT:** Hermiston Cemetery District, PO BOX 265, Hermiston, OR 97838. The applicant hired Rebecca Wahlstrom, Land Use Planner, with Apex Companies, LLC, as a consultant for the application process.
2. **PROPERTY OWNER:** Same as above.
3. **PROPERTY LOCATION:** The Hermiston Cemetery District property is less than a half-mile south of Hermiston City Limits on the west side of Highway 395. When traveling south down Highway 395 you make a right-hand turn opposite of Port Drive onto the Hermiston Cemetery Access Road. The applicants' properties and the surrounding properties are located within the City of Hermiston Urban Growth Boundary (UGB).
4. **REQUEST/PROCESS:** The existing cemetery located on Map #4N2814CD; Tax Lot 100, is a pre-existing non-conforming use. Developed in 1973 when the Hermiston Cemetery District was originally formed and incorporated on June 8, 1973. The cemetery has been operating in this location and serving the communities of Hermiston and the surrounding areas for 53 years. This request is the first request the Hermiston Cemetery District has made for expansion in the more than 50 years that they've been operating. The applicant shares the cemetery district now has a need for more land to accommodate the population. The applicant states that the proposed platting will allow for further expansion in the future, should it be necessary. The Hermiston Cemetery District already owns the surrounding properties involved in this request.

The Hermiston Cemetery District land use request consists of the following three land use requests:

1. A text amendment to the County's 1972 Zoning Code, Section 3.03 Conditional Uses to add "cemetery" to the list of conditional uses permitted in the F-1, Exclusive Farm Use (EFU) Zone (19-acre minimum parcel size).
2. A Conditional Use Permit request to adopt a cemetery use on the F-1 zoned properties in order to expand the existing cemetery. The Conditional Use Permit would apply to properties identified as Map #4N2814CD, Tax Lot #100, Map #4N2114CD, Tax Lot #200, Map #4N2814D, Tax Lot #400 and Map #4N2814DB, Tax Lots #200 and #201.

3. A Type I Land Division, Subdivision request to subdivide Map #4N2814D; Tax Lot #400, into a total of 2,549 graves [subdivision plots], for the cemetery expansion.

A proposed amendment to the 1972 Umatilla County Zoning Ordinance in the F-1 Zone, is subject to policies in the Umatilla County Comprehensive Plan, City of Hermiston Comprehensive Plan, City of Hermiston Transportation System Plan, Umatilla County Transportation System Plan and the applicable Oregon Statewide Planning Goals.

Much of the zoning applied to the City of Hermiston's UGB lands are from the 1972 Umatilla County Zoning Ordinance. Urban lands are zoned a city zone, and urbanizable lands are either FU-10 (Umatilla County Development Code) or F-1/F-2 (UC 1972 Zoning Ordinance). The JMA provides the procedures for processing amendments to comprehensive plans, zoning maps and land use regulations. In addition to the JMA, the amendment is also subject to policies in the City of Hermiston's Comprehensive Plan, Transportation System Plan and the applicable Oregon Statewide Planning Goals.

Per the JMA, amendments to zoning ordinances within urbanizable areas are processed by application to the County with notification to the City. The County Planning Commission provides a recommendation to the Board of County Commissioners based on the facts provided in the record and the testimony provided at the public hearing. The Board of County Commissioners also conducts a hearing and makes the final decision on whether the text amendment request complies with applicable standards. If someone testifying does not agree with the Board's Final decision, the decision may be appealed to the State Land Use Board of Appeals (LUBA).

The proposed amendment would add "cemetery" to the list of conditional uses permitted in the 1972 F-1, Zone. This conditional use would be subject to Section 7.010 through 7.040 in the 1972 Umatilla County Zoning Ordinance, and permitted upon the issuance of a Zoning Permit to finalize the conditional use request.

The text amendment would also allow the applicant to subdivide Tax Lot #400, Map #4N2814D, into cemetery plots with a total of 2,549 graves.

The other tax lots involved in the Conditional Use Request are not being subdivided at this time and will remain as un-platted open space until a Land Division application is submitted. The applicant is requesting approval of a Type I Land Division to subdivide one parcel. The land use decision on the Hermiston Cemetery District Land Division is made by the Planning Commission, unless timely appealed to the Board of County Commissioners

**Background Information:** In February 2025 Carla McLane of Carla McLane

Consulting, LLC, contacted County Planning Staff to begin a conversation about the Hermiston Cemetery District expansion and the desire to accomplish a rezone. Ms. McLane shared the desire for a rezone was due to the property's current zoning designation being F-1, which does not currently allow for cemeteries. <sup>1</sup>

County Planning Staff reached out to City of Hermiston Planning Staff and discussed Ms. McLane's request due the subject property being within the City of Hermiston's Urban Growth Boundary (UGB). Clint Spencer, Planning Director at the City of Hermiston, shared that the city's preferred approach would be to change the zoning to a city urban zone and then for the city to also annex the property. However, the property is not currently adjacent to city limits so immediate annexation is not an option without developing a plan for including land other than the current cemetery and their expansion area. Clint Spencer went on to say what he sees as the cleanest best long-term solution, but prefaced by stating it would be the longest, costliest path forward. He shared the process through the city to achieve the cemetery's goal would be as follows;

- 1a. Prepare text amendment to OS zone to add cemetery as a permitted use.*
- 1b. Prepare map amendment for cemetery changing from urbanizable to urban OS (including TPR analysis).*
- 1c. Prepare annexation application to annex all cemetery land to city.*
  
- 2a. City holds hearing in front of planning commission on text amendment.*
- 2b. City holds simultaneous planning commission hearing on comp plan amendment and annexation.*
  
- 3a. City holds hearing in front of city council on text amendment.*
- 3b. City holds simultaneous city council hearing on comp plan amendment and annexation.*
  
- 4. City forwards comp plan amendment to county for co-adoption.*
  
- 5. Following county coadoption, property is annexed.*
  
- 6. Cemetery moves forward with cemetery subdivision process.*

Carol Johnson, Senior Planner for Umatilla County, shared that the simplest path forward through the County would be as follows;

- 1. Submit a Text Amendment application to the County to add "cemetery" as a use allowed in the current F-1 Zoning.*

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<sup>1</sup> See Exhibit A: Copy of initial email exchange between Ms. McLane and County Planning Staff

- 2. *A 35-day notice to DLCD with proposed language and hearing dates before the County Planning Commission and the Board of Commissioners for approval.*
- 3. *Submit a Conditional Use Permit application to establish the cemetery with approval dependent on the text amendment.*
- 4. *If a Subdivision is desired that would need to be applied for as well through a Land Division application.*

Clinton Spencer stated that the text amendment path through the county zone will be a far simpler and quicker process, recognizing it accomplishes what the cemetery wants to achieve on a faster time frame. Mr. Spencer also noted that he did not think this path is the best long-term solution, but stated he is sensitive to the need for a quicker and cheaper process.

- 5. **PARCEL SIZE:**
  - Map 4N2814CD, Tax Lot 100 = 20 acres
  - Map 4N2814CD, Tax Lot 200 = 6 acres
  - Map 4N2814D, Tax Lot 400 = 7.27 acres
  - Map 4N2814DB, Tax Lot 200 = 13.55 acres
  - Map 4N2814DB, Tax Lot 201 = 14.19 acres
  
- 6. **PROPOSED LOTS:** 2,549 graves [subdivision plots], broken into two blocks, Block G and Block H.
  - Block G = 29 rows total.
  - Row 1 through Row 29 will contain 45 grave plots per row.
  - Block G = 1,305 total grave plots
  - Block H = 29 rows total.
  - Row 1 through Row 22 will contain 45 grave plots per row.
  - Row 23, Block H = 44 grave plots.
  - Row 24, Block H = 41 grave plots.
  - Row 25, Block H = 39 grave plots.
  - Row 26, Block H = 37 grave plots.
  - Row 27, Block H = 33 grave plots.
  - Row 28, Block H = 31 grave plots.
  - Row 29, Block H = 29 grave plots.
  - Bloch H = 1,244 total grave plots.
  
- 7. **COMPREHENSIVE PLAN:** The City of Hermiston Comprehensive Plan Designation is Open Space; no change to the comprehensive plan designation is proposed or necessary for approval of the proposed Hermiston Cemetery Text Amendment to the F-1 Zone in the 1972 Umatilla County Development Code. The properties will remain in open space designation.

8. **CURRENT ZONING:** Umatilla County 1972 Zoning Ordinance, F-1 (Exclusive Farm Use Zone - 19 acre minimum parcel size).
9. **ACCESS:** Map 4N2814CD, Tax Lot 100 has an established access off of Cemetery Road from Highway 395.
10. **ROAD TYPE:** The existing 60-foot access easement is a public easement serving more than three parcels. It is a paved road and named Cemetery Road.
11. **EASEMENTS:** The subject property contains existing access and utility easements.
12. **STRUCTURES & LAND USE:** Map 4N2814CD, Tax Lot 100 is developed as an existing cemetery with a pump house, a 24-foot-by-60-foot maintenance building approved through a Zoning Permit in 1978 (ZP-78-443), a 24-foot-by-30-foot memorial building approved through a Zoning Permit in 2001 (ZP-01-029) as an accessory to a pre-existing non-conforming use, along with many individual grave sites.

Map 4N2814CD, Tax Lot 200, just south of Tax Lot 100 described above, is bare ground and sagebrush that has never been developed, with no improved road access.

Map 4N2814D, Tax Lot 400, has a small 208 square feet shed in the southwest corner of the subject property but is mostly undeveloped bare ground with sagebrush.

Map 4N2814D, Tax Lot 200, is undeveloped sagebrush with Cemetery Road cutting through the property.

Map 4N2814D, Tax Lot 201, is undeveloped with sagebrush and no improved road access.

13. **ADJACENT LAND USE:** Properties to the southwest of the subject properties are zoned Exclusive Farm Use and are located outside of Hermiston Urban Growth Boundary (UGB). Surrounding properties to the immediate East and North are within Hermiston's UGB. Properties to the west within Hermiston's UGB are similarly zoned F-1, while properties to the north are zoned FU-10, Future Urban 10-acre minimum. Properties to the immediate east and south are within Hermiston's City Limits and have Hermiston's city zoning applied. Properties within Hermiston City Limits immediately to the south of the subject properties are zoned Open Space (OS), mixed Outlying Commercial Zone and Heavy Industrial Zone (C-2/M-2). Properties to the east of the subject properties within Hermiston's City Limits are zoned Outlying Commercial Zone (C-2), Airport Zone, mixed Outlying Commercial Zone and Light Industrial Zone (C-2/M-1). Northeast of the subject properties within Hermiston's City Limit properties are zoned Medium-High

Density Residential Zone (R-3) and Multi-Structure Residential Zone (R-4), with properties just beyond those being zoned Medium Density Residential Zone (R-2) and Low Density Residential Zone (R-1).

- 14. **LANDFORM:** Columbia Basin Plateau
- 15. **UTILITIES:** Umatilla Electric Cooperative is the area electrical provider.
- 16. **WATER/SEPTIC:** The applicant provides that Map 4N2814CD, Tax Lot #100 contains a domestic well and septic system.
- 17. **IRRIGATION:** According to the applicant, Map 4N2814CD, Tax Lot #100, contains ground water rights from Hermiston Irrigation District (HID), certificate #G-6439. A copy of the certificate was included with the application materials. The applicant also provides that Map 4N2914D, Tax Lot #400 has irrigation water rights, certificate #S-55327, purchased in 2021 from HID, a copy of the sale agreement was included with the application materials.
- 18. **NOTIFIED AGENCIES:** Department of Land Conservation and Development, Oregon Department of Transportation, Oregon Department of Water Resources, Oregon Department of Environmental Quality, City of Hermiston, Umatilla County Fire District #1, Umatilla County Public Works, Umatilla County Assessor, Hermiston Irrigation District, Umatilla Electric Cooperative, Umatilla County Counsel, Umatilla County Environmental Health, Umatilla County GIS and Umatilla County Surveyor
- 19. **COMMENTS RECEIVED:** Planning Staff have received two comments from public agencies notified.

On February 23, 2026, Karra Van Fossen, Water Right Specialist for Hermiston Irrigation District, provided a letter to Planning Staff stating the District has reviewed the property (Map 4N2814D, Tax Lot #400). The letter states this parcel is located within the Hermiston Irrigation District boundary and has water rights, however, there are no federal easements, Rights-of-Way, or District facilities on these properties.

On March 2, 2026, Planning Staff received an email from Rich Lani, ODOT District 12 Manager, stating there are no comments from ODOT for this request.

- 20. **TEXT AMENDMENT REVIEW PROCESS:** The following criteria apply from the Joint Management Agreement (County Resolution September 20, 1983 and City of Hermiston Ordinance #1481, last updated in 2017) between the County and City of Hermiston for lands within the Urban Growth Area (UGA), as well as the criteria from the Umatilla County Development Code, Section 152.750-152.755, Amendments. Applicable criteria are underlined, while responses are provided in standard text.

E.4. All applications for land use actions within the Urbanizable Area shall be made

through the County's Planning Department. Land use actions within Urbanizable areas shall be reviewed according to the procedures described in sections E-5 through E-8. The County shall be responsible for planning and zoning code enforcement in the Urbanizable Areas.

It is the applicant's request to amend the 1972 F-1, Exclusive Farm Use Zone (19-acre minimum parcel size), Section 3.03 Conditional Uses to add "cemetery" to the list of conditional uses permitted. Lands within the City's UGB are zoned a city zone if urban and a county zone if urbanizable. The applicant's properties are zoned F-1 (urbanizable) and the applicant's request is to amend the 1972 Umatilla County Zoning Ordinance to add "cemetery" to the list of conditional uses permitted in the F-1 Zone. Approval of the applicant's request to amend the 1972 Umatilla County Zoning Ordinance, F-1, Zone (19-acre minimum) to add "cemetery" to the list of conditional uses permitted, would maintain consistency with the City's Comprehensive Plan Map designation of Future Residential and Open Space. The amendment would allow the existing Hermiston Cemetery to expand to the neighboring tax lots under the same ownership, providing continuity with those adjoining lands.

E.5. The County Planning Department will refer to the City Planning Department for review and comment all land use requests within the Urbanizable area for which a public hearing is required. Such notice shall be sent at least ten (10) days prior to the date of the first public hearing on each request. The County shall send the City the staff reports on such requests at least one week prior to the first public hearing. The County received an amendment application to amend the 1972 F-1, Exclusive Farm Use (EFU) Zone (19-acre minimum parcel size), Section 3.03 Conditional Uses to add "cemetery" to the list of conditional uses permitted, on land located within the Hermiston's UGB from the applicant and property owner, Hermiston Cemetery District. Adequate notice will be provided to the City of Hermiston as required. In addition, a copy of the Preliminary Amendment Findings will be sent to the City for review and comment.

E.6. If adequate time is available, the City Planning Department will review and comment on each such UGB land use action notice; otherwise the City Manager, or designee, will review and comment on the behalf of the City Planning Commission, and will so notify them at the next City Planning Commission meeting. The City will relay to the County comments on each such request by the date of the first public hearing or at said public hearing, even if the City's response is "no comment."

Notification to the City of Hermiston of the proposed amendment request and Planning Commission public hearing date will be followed as prescribed above. Comments from the City of Hermiston on the proposed amendment will be taken into consideration.

E.7. The County Planning Department will refer back to the City prior to final action any such land use action request in the Urbanizable area for which amendments by the applicant or County were made subsequent to the first or additional public hearings together with relevant new staff comments. The same ten-day notice period will apply. The City will be notified of the Planning Commission's recommendation and have an opportunity to comment before a final decision is made by the Board of County

Commissioners.

E.8. The County Planning Department will notify the City Planning Department in writing of all actions on such requests as well as all staff permit approvals within the UGB, within seven days of such action or approval.

The City will be notified of the final decision made by the Board of County Commissioners.

E.12. Decisions of the County Board of Commissioners regarding appeals of land use actions within Urbanizable Areas and amendments to the Comprehensive Plan, and land use regulations for the UGA may be appealed to the appropriate tribunal. The applicant for a land use action or Comprehensive Plan amendment bears the burden of proof regarding the request or amendment and the responsibility of defending an appeal. The applicant affected by an appeal shall be required to notify the County in writing within seven days of receiving notice whether he desires to undertake his own defense or will withdraw the requested land use action or amendment. In the absence of such written communication, the County may either:

- a) Tender the defense to the applicant, or
- b) Elect to defend its decision at County expense, should the issue be determined to be of county-wide significance.

The County Board of Commissioners and/or the City may elect to participate jointly or singly in all or a portion of the cost of defending such appeal, if the issues are determined to be of county-wide or city-wide significance.

The City of Hermiston will be notified of the Final Decision by the County Board of Commissioners and have opportunity for an appeal, according to the requirements of state statutes and administrative rules.

G.1. The County zoning designations in the Urbanizable areas shall be applied in accordance with the City Comprehensive Plan.

Approval of the applicant's text amendment would not amend the future residential or open space designation of City of Hermiston Comprehensive Plan Map. Approval of the applicant's request would result in no required change with the City's Comprehensive Plan Designation.

G.2. The City will not annex land in the Urbanizable area, without first converting it to Urban status.

If, in the future the properties desire to be annexed, they will first have to be converted from urbanizable to urban. This process is initiated by the applicant with an application to the City of Hermiston.

**County Finding:** Umatilla County has evaluated the Joint Management Agreement (JMA) with the City of Hermiston and has evaluated all applicable criteria. Umatilla County finds the criteria that are applicable have been satisfied, or will be satisfied throughout this public process.

## **§ 152.750 AUTHORIZATION TO INITIATE AMENDMENTS**

- (A) An amendment to the text of this chapter or to a zoning map may be initiated by the County Board of Commissioners, the County Planning Commission, or by the application of a property owner. The request by a property owner for an amendment shall be accomplished by filing an application with the Planning Director, using forms prescribed pursuant to §152.767.
- (B) The Planning Director is hereby assigned the duties of continuing the codification process of Chapters 150-153 of this Development Code. The Planning Director shall endeavor to maintain the Development Code as current as reasonably possible. After consultation with County Counsel, the Planning Director may also strike figures or words that are repetitious or unnecessary, may change capitalization, punctuation and style for the purpose of uniformity, and may correct clerical and typographical errors. But, the Planning Director, in making such changes may not alter the sense, meaning, effect or substance of any ordinance or chapter of this Code.

**Applicant Response:** The application was submitted by the owner of the subject property, the Hermiston Cemetery District. This narrative is supplemented with the application forms required by the Umatilla County Planning Division and map exhibits. The preliminary text amendment is also provided in this package.

**County Finding:** Umatilla County finds that the property owner, Hermiston Cemetery District, submitted an application to the County Planning Division in which they provided a narrative, required supporting documents and map exhibits.

#### **§152.751 COMPLIANCE WITH COMPREHENSIVE PLAN**

An amendment to the text of this chapter or to a zoning map shall comply with provisions of the County Comprehensive Plan Text and Comprehensive Land Use Map. Proposed amendments shall also comply with the applicable provisions of the Oregon Transportation Planning Rule (OAR 660, Division 12 and the Umatilla County Transportation Plan, and are subject to the requirements of §152.019, Traffic Impact Analysis. Any deviation from this section shall be preceded by an amendment to the Comprehensive Plan Text or to the Comprehensive Land Use Map. However, if the existing use of the property is allowed outright in the requested zone, compliance with the Comprehensive Plan is not necessary.

**Applicant Response:** This request is to add “cemetery” as a conditional use to the list of the conditional uses in the F-1 Exclusive Farm Use zone defined in the Umatilla County 1972 Amended Zoning Ordinance. The following comes from the Umatilla County Comprehensive Plan, page 489, concerned with comprehensive plan designations within urban growth areas.

*URBANIZABLE: Urbanizable lands are distinguished from other land categories*

*in that they are within each city's Urban Growth Boundary and outside its incorporated limits. The boundaries have been established and may be altered by joint adoption of the various cities and county.*

*These lands are slated for urban services as each city expands into its urban growth area. Land use classifications inside the urbanizing area are defined in each city's comprehensive plan and are adopted by the county as county Comprehensive Plan Amendments. Within Umatilla County, each city's plan for lands between city limits and Urban Growth Boundary are, by reference, part of this plan. Coordination between the county and cities is a feature of the joint adoption process. Specific features of the plan for each city's urban growth area vary slightly and will be found in that city's Comprehensive Plan and in the implementing Joint Management Agreement.*

**Applicant Response Continued:** It should be noted that the City of Hermiston Comprehensive Plan appears to not address this subject, and the Joint Management Agreement does not provide any clear guidance beyond the map included as Exhibit A, which clearly identifies the subject property as Urbanizable but not Urban. It is not the intent of the applicant to request that the subject property be converted or be considered as Urban at this time. As the land is considered Urbanizable, the submission was made to the Umatilla Planning Department for review, following the Joint Management Agreement, E, 4; *All applications for land use within the Urbanizable Area shall be made through the County's Planning Department ... The County shall be responsible for planning and zoning code enforcement in the Urbanizable Areas.* The City and the County will work together to provide a response to the proposal.

**County Finding:** The applicant's proposal is evaluated for compliance with the City of Hermiston's Comprehensive Plan objectives below. Per the JMA, amendments to zoning ordinances, within urbanizable areas are processed by application to the County with notification to the City. Umatilla County will provide public notice to the City of Hermiston and the City will have an opportunity to provide comment.

#### **§152.752 PUBLIC HEARINGS ON AMENDMENTS**

The Planning Commission shall conduct a public hearing on the proposed amendment according to the procedures of §152.771 of this chapter at its earliest practicable meeting after it is proposed. The decision of the Planning Commission shall be final unless appealed, except in the case where the amendment is to the text of this chapter, then the Planning Commission shall forward its recommendation to the Board of Commissioners for final action. The Board shall hold a public hearing in accordance with §152.771 of this chapter within 60 days from receipt of the Planning Commission's recommendation. Appeal shall be to the County Board of Commissioners who shall hold a public hearing on any appeal, pursuant to §152.771. Appeal shall be heard on a de novo basis. (Ord. 83-4, passed 5-9-83.)

**Applicant Response:** The applicant acknowledges that at least two public hearings will be held, one before the Umatilla County Planning Commission and another before the Board of Commissioners. Any appeal of the final decision concerning the text amendment request would be heard by the County Board of Commissioners.

**County Finding:** A Public Hearing before the Umatilla County Planning Commission is scheduled for Thursday, March 12, 2026, at 6:30 PM. A subsequent Public Hearing before the Board of County Commissioners is scheduled for Tuesday, April 14, 2026 at 9 AM.

### **§152.753 CONDITIONS TO AMENDMENTS**

(A) The Planning Commission may adopt or reject an amendment, or any portion thereof, as set forth in the request, or may impose conditions to the amendment or portions thereof.

**Applicant Response:** Condition to amendment shall be completed within the time limitations set fort by the County or if no such time limitation is set, within a reasonable time.

**County Findings:** Umatilla County finds that the final decision to adopt, reject or impose conditions to the amendment or portion thereof lies with the Board of County Commissioners and will be decided at the public hearing on April 14, 2026.

(B) (1) Conditions to amendments shall be completed within the time limitations set forth by the county, or if no such time limit is set, within a reasonable time.

(2) Such conditions shall directly benefit the property described in the amendment and shall be imposed only if the county finds them necessary to prevent circumstances which may be adverse to public health, safety and welfare.

**Applicant Response:** Cemeteries in the State of Oregon are governed by ORS Chapter 97, which relates to the “Rights and Duties Relating to Cemeteries, Human Bodies, and Anatomical Gifts” and provides guidance to how cemeteries shall operate to protect public health, safety, and welfare. No further Conditions of Approval should be required.

**County Finding:** As stated above, Umatilla County finds that the final decision to adopt, reject or impose conditions to the amendment or portion thereof lies with the Board of County Commissioners and will be decided at the public hearing on April 14.

(3) Such conditions shall be reasonably conceived to fulfill public needs

emanating from the proposed land use.

**Applicant Response:** Cemeteries, as stated above, are governed by ORS 97 with oversight from the Oregon Mortuary and Cemetery Board, No additional regulations or oversight is necessary.

**County Finding:** As stated above, Umatilla County finds that the final decision to impose conditions to the amendment or portion thereof lies with the Board of County Commissioners and will be decided at the public hearing on April 14, 2026. The Board of County Commissioners may only impose such conditions shall they be reasonably conceived to fulfill public needs emanating from the proposed land use.

(4) Changes or alterations of conditions shall be proposed in the manner set forth in 152.750 through 152.777 of this for amendments.

**Applicant Response:** The applicant asserts that no Conditions of Approval are necessary and therefore would not need to be amended now or in the future.

**County Finding:** As stated above, Umatilla County finds that the final decision to impose conditions to the amendment or portion thereof lies with the Board of County Commissioners and will be decided at the public hearing on April 14, 2026. If conditions of approval shall be set forth in a contract between the county and the property owner and the applicant/property owner desires changes or alterations to those conditions they must request an amendment in the manner set forth in UCDC 152.750 through 152.777.

(5) Such conditions shall be set forth in a contract executed between the county acting by and through the Board of County Commissioners, and the property owner and any contract purchaser. No amendments with conditions shall be effective until such properly executed contract is filed with County Records, and proof of filing be submitted to the Planning Office. Such contract shall be properly signed and executed within 45 days after the Commission actions on the amendment with conditions; provided, however, that the Commission, may grant reasonable extensions in cases of practical difficulty. Such extensions shall not restrict the power of the county to rezone with or without conditions. In return for the granting of the petition for amendment, the property owner, contract purchasers and their heirs, successors and assigns shall perform those conditions set forth therein for the benefit of the public health, safety and welfare. Said contract shall be enforceable against signing parties, their heirs, successors and assigns by the county by appropriate action in law or suit in equity.

**Applicant Response:** The applicant asserts that no Conditions of Approval are necessary and therefore would not need to be amended now or in the future.

**County Finding:** As stated above, Umatilla County finds that the final decision to impose conditions to the amendment or portion thereof lies with the Board of County Commissioners and will be decided at the public hearing on April 14, 2026. If conditions of approval shall be set forth in a contract between the county and the property owner and the applicant/property owner desires changes or alterations to those conditions they must request an amendment in the manner set forth in UCDC 152.750 through 152.777.

(6) Failure to fulfill any conditions to amendments within the time limitations may be grounds for amendments to the zoning map (changes in zone) upon initiation by the proper parties pursuant to the procedure set forth in §152.750 through 152.777 of this chapter.

**Applicant Response:** This request is for a text amendment not an amendment to the zoning map. The applicant finds this criterion to be not applicable.

**County Finding:** Umatilla County finds this request does not include an amendment to the zoning map, this criterion does not apply.

(7) The county may require a bond in a form acceptable to the country or a cash deposit from the property owner or contract purchaser in such an amount as will assure compliance with the conditions imposed pursuant to this section. Such bond shall be posted at the same time the contract containing the conditions to the amendment is filed with County Records.

**Applicant Response:** The applicant asserts that no Conditions of Approval are necessary as any concerns related to public health, safety, and welfare would be addressed through the oversight of the applicant in the operation of the Hermiston Cemetery, as it has been for more than 50 years.

**County Finding:** Umatilla County finds that The Board of County Commissioners may require a bond.

(8) Improvements to the adjacent roads. The county may require improvements to county or public roads, or recorded easements, abutting any parcel of land as a condition of granting an amendment to the zoning map for that parcel (change in zone), where such improvements are necessary for public safety, pursuant to requirements of this chapter. (Ord. 83-4, passed 5-9-83:).

**Applicant Response:** The applicant is requesting this text amendment to the F-1, Exclusive Farm Use Conditional Use section in the 1972 Amended Zoning Ordinance to enable the applicant to expand the existing cemetery to meet demand. By also requesting a Conditional Use Permit and a Cemetery Subdivision at the same time, any appropriate Conditions of approval are requested to be done within these permits. Please see submitted plans and exhibits

that show the proposed cemetery expansion.

**County Finding:** Road improvements for purposes of the text amendment are not necessary. The applicant is also pursuing conditional use and subdivision approval for expanding the cemetery.

## 21. STATEWIDE PLANNING GOALS:

1. Citizen Involvement (Goal 1): To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

**Applicant Response:** Umatilla County's Comprehensive Plan and development codes outline the County's citizen involvement program that includes the activities of the Planning Commission and provides for the public hearing process with its required notice provisions. These notices provisions provide for adjoining and affected property owner notice; notice to interested local, state, and federal agencies; and allows for public comment to the process. More specifically, this request will be public noticed and discussed at a public hearing and will be subject to input from citizens.

**County Finding:** The applicant's text amendment proposal is processed through a public hearing and notice procedure. This process allows for citizen involvement and provides a forum for citizen testimony and input on the applicant's proposal. Goal 1 is satisfied.

2. Land Use Planning (Goal 2): To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

**Applicant Response:** Goal 2 establishes the underlining process that a county or a city needs to utilize when considering changes to their comprehensive plans and development codes. This application meets those requirements for this request.

**County Finding:** City and County actions on land use requests must be consistent with acknowledged local comprehensive plans. The Hermiston Cemetery District proposal to amend the 1972 F-1, Exclusive Farm Use Zone (19-acre minimum parcel size), Section 3.03 Conditional Uses to add "cemetery" to the list of conditional uses permitted, is consistent with the City of Hermiston's Comprehensive Plan Open Space Designation. Goal 2 is satisfied.

3. Agricultural Lands (Goal 3): To preserve and maintain agricultural lands.

**Applicant Response:** Goal 3 is not relevant to this application as the proposal is

within the Urban Growth Boundary.

**County Finding:** Statewide Planning Goal 3 is not applicable to lands within the Urban Growth Boundary. Although zoned F-1, the properties are not Goal 3 protected lands. The subject properties are designated for open space use by the City of Hermiston Comprehensive Plan. Goal 3 is not applicable.

4. Forest Lands (Goal 4): To conserve forest lands with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

**Applicant Response:** There are no forest land impacted by this request. The Umatilla National Forest is significantly south of the subject property.

**County Finding:** Statewide Planning Goal 4 is for protection of designated forest lands and is not applicable to this request.

5. Open Spaces Scenic and Historic Areas and Natural Resources Goal (Goal 5): To protect natural resources and conserve scenic and historic areas and open spaces.

**Applicant Response:** The Hermiston Cemetery has been in operation for over 50 years, the expansion is a natural conclusion to provide more space for the future. The subject property does not have any overlays or other known cultural or historical sites. No floodplain has been mapped on the subject property.

**County Finding:** The subject properties are located within the Stage Gulch Critical Groundwater Area. This Critical Groundwater designation applies to the basalt aquifer. Goal 5 directs that local governments shall adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. Among the specific resources to be protected are groundwater resources. The purpose and intent as defined in the Administrative Rules establishes procedures and criteria for inventorying and evaluating Goal 5 resources and for developing land use programs to conserve and protect significant Goal 5 resources.

Groundwater Resource: “Protect significant groundwater resources” means to adopt land use “programs” to help ensure that reliable groundwater is available to areas planned for development and to provide a reasonable level of certainty of the carrying capacity of groundwater resources will not be exceeded. (OAR 660-023-0140(1) (c). Critical groundwater areas (CGWA’s) are considered to be a significant Goal 5 resource. The OAR implies that local governments shall develop programs to protect the significant Goal 5 groundwater resource. Further the programs developed by local government are to be adopted as part of the

Comprehensive Plan. Local plans require that such areas that are significant groundwater resources shall develop “programs” to protect the significant groundwater resource.

Goal 5 Implementation Process: Goal 5 requires the inventorying of Goal 5 resources. The regime as set forth in OAR 660-023, after the inventory process, includes provisions for the local government to follow the ESEE Decision Process. The steps and the standard ESEE process are as follows:

1. Identify Conflicting Uses;
2. Determine the Impact Areas;
3. Analyze the ESEE Consequences; and
4. Develop a Program to Achieve Goal 5.

It is important to note that “Goal 5 and the implementing rule are not satisfied by a case-by-case implementation approach, but require a jurisdiction-wide planning, program selection, and regulatory process.” *Ramsey v. City of Portland*, 23OrLUBA 291, aff’d, 115 Or App 20, 23, (1992).

Programs to Achieve Goal 5: When a local government has decided to protect a Goal 5 resource such programs shall contain “clear and objective” standards. The program shall also require the necessary notice and landowner involvement prior to adoption of the program.

Stage Gulch Critical Groundwater Area: The Stage Gulch Critical Groundwater Area (CGWA) is by definition in the OAR a Goal 5 resource. As a result, the county is expected to adopt a program to help ensure that reliable groundwater is available to areas planned for development and to provide a reasonable level of certainty that the carrying capacity of groundwater resources will not be exceeded.

The Stage Gulch Critical Groundwater Area is already subject to Umatilla River Basin Rules. OAR 690-507-0770 through OAR 690-507-0840 apply specifically to the Stage Gulch CGWA. The protection of the Goal 5 resource pertaining to groundwater is unique because, in effect, the Basin Rules referred to above have already set forth a “program.” Although the program set forth in the Umatilla Basin Rules has not been formally adopted as part of the County Comprehensive Plan it has the same regulatory effect as a land use regulation.

County Program: Umatilla County presently has not adopted as specified in the Administrative Rule guidelines a land use program for the Stage Gulch Critical Groundwater Area. The County had begun implementation of one Goal 5 program by considering a “partial moratorium on rural residential development”. That proposed program and ordinance was turned down by the Planning

Commission. The Umatilla County Board of Commissioners appointed a task force to study the groundwater situation and develop a 2050 Plan for a sustainable water supply.

Oregon Water Resource Department (OWRD) Regulations: OWRD has adopted, by Administrative Regulation, OAR 690-507-0770, et seq, describing methods for determining and distributing the sustainable annual yield of the basalt groundwater reservoir by subarea for the Stage Gulch Critical Groundwater Area. That regulation is in force and effect since August 18, 1986. One of the important restrictions is that OWRD will not accept new applications for appropriation of water from the basalt groundwater reservoir within the Stage Gulch Critical Groundwater Area.

County Finding: There is no indication that the Hermiston Cemetery amendment application has not complied with Goal 5 provisions and the applicant is not proposing a use that will add any new water uses. Two of the subject properties involved in this amendment request have existing irrigation water rights, and Map 4N2814CD, Tax Lot 100, is developed with an exempt domestic well, septic tank and drain field. Umatilla County finds this application is compliance with Goal 5. Further, because the Basin Rules are adopted and implemented by the OWRD, and exempt wells are expressly provided for in the rules, the County finds that there is a Goal 5 Program to protect the groundwater resource and the Hermiston Cemetery Text Amendment application complies with the Goal 5 Program. Goal 5 is satisfied.

7. Air, Water and Land Resources Quality (Goal 6): To maintain and improve the quality of the air, water and land resources of the state.

**Applicant Response:** Goal 6 addresses the quality of air, water, and land resources. In the context of Comprehensive Plan amendments, a local government complies with Goal 6 by explaining why it is reasonable to expect that the proposed uses authorized by the plan amendment will be able to satisfy applicable federal and state environmental standards, including air and water quality standards. The Hermiston Cemetery has been operating in its current location for over 50 years without any known issues. The proposed expansion will follow local and state regulations in the construction and operation of the cemetery, thereby ensuring the safety of the public and the environment.

**County Finding:** The subject properties and surrounding area is within the Oregon Department of Environmental Quality (DEQ) designated Lower Umatilla Basin Groundwater Management Area (LUBGWMA) due to high nitrate levels in groundwater. Some wells within this management area are monitored and have, in the past, tested higher than the Federal Drinking Water Standard for nitrates. However, this designation has not resulted in limitations on development or farming and

continues to be managed through the LUBGWMA Action Plan. DEQ is the lead state agency overseeing implementation of the Action Plan and has jurisdiction in permitting on-site septic systems. Because DEQ oversees management of the LUBGWMA Action Plan, and limitations on development and farming are not implemented, the County finds the Hermiston Cemetery District text amendment application complies with Goal 6.

8. Areas Subject to Natural Disaster and Hazards (Goal 7): To protect people and property from natural hazards.

**Applicant Response:** Goal 7 works to address natural hazards and disasters and through a comprehensive plan amendment process would seek to determine if there are known natural hazards on the subject property.

**County Finding:** The subject properties do not contain any mapped FEMA's designated Special Flood Hazard Areas (SFHA) or any other designated hazards. Goal 7 is not applicable to the Hermiston Cemetery District's text amendment application request.

9. Recreational Needs (Goal 8): To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

**Applicant Response:** No recreation components are included in this application or affected by it.

**County Finding:** Goal 8 applies to recreational facilities. No recreation components are proposed nor included in this request.

10. Economic Development (Goal 9): To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

**Applicant Response:** Goal 9 requires local governments to adopt comprehensive plans and policies that contribute to a stable and healthy economy. The County has a comprehensive plan and technical report that has been acknowledged to comply with Goal 9. While the approval of a cemetery expansion does not, in and of itself, provide significant economic benefit, the cemetery expansion will provide a necessary benefit to the region in the most efficient way possible.

**County Finding:** Goal 9 requires local governments to adopt comprehensive plans and policies that contribute to a stable and healthy economy and is not directly applicable to this request.

11. Housing (Goal 10): To provide for the housing needs of citizens of the state.

**Applicant Response:** The land directly adjacent to the existing cemetery is not

valuable housing property. The railroad, the highway and the irrigation canal constrict easy movement into the area.

**County Finding:** Housing is not a consideration of this request. Goal 10 is not applicable to this request.

12. Public Facilities and Services (Goal 11): To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

**Applicant Response:** Goal 11 requires local governments to plan and develop a timely, orderly, and efficient arrangement of public facilities and services. The goal provides that urban and rural development be guided and supported by types and levels of services appropriate for, but limited to, the needs and requirements of the area to be served. The approval of this request would support the local future needs or residents.

**County Finding:** Urban and rural development is not a part of this request, the request is to amend the 1972 F-1, Exclusive Farm Use Zone (19-acre minimum parcel size), Section 3.03 Conditional Uses to add “cemetery” to the list of conditional uses permitted. The proposal would not require an extension of city services to the area. Umatilla County finds the proposal complies with Goal 11.

13. Goal 12 Transportation: To provide and encourage a safe, convenient and economic transportation system.

**Applicant Response:** Goal 12 requires local governments to provide and encourage a safe, convenient, and economic transportation system, implemented through the Transportation Planning Rule. This site has not been identified as having any specific transportation-related concerns. The cemetery use generates occasional traffic, most of the time being very low traffic. A trip generation letter is submitted as part of the application package.

**County Finding:** The City of Hermiston has an adopted Transportation System Plan (TSP) which has been co-adopted by the County for application within the City's UGB.

The applicant provides the site has not been identified as having any specific transportation-related concerns and provided a Trip Generation Letter from PJ McKelvey, PE Project Traffic Engineer. The letter states the proposed cemetery land use is anticipated to generate 44 vehicle trips during a typical weekday, including 9 trips during the AM peak hour and 9 trips during PM peak hour. The letter finds that the nearby transportation facilities are expected to continue functioning as intended with the additional from the cemetery expansion.

Umatilla County finds the existing private access easement has been serving four parcels for years, including the existing Hermiston Cemetery, without causing significant transportation issues.

Umatilla County finds, by amending the 1972 F-1, Exclusive Farm Use Zone (19-acre minimum parcel size), Section 3.03 Conditional Uses to add “cemetery” to the list of conditional uses permitted would not cause significant impact to access and transportation facilities. The proposal complies with Goal 12.

14. Energy Conservation (Goal 13): To conserve energy.

**Applicant Response:** Goal 13 directs local jurisdictions to manage and control land uses developed on the land to maximize the conservation of all forms of energy based on sound economic principles. Approval of this request opportunities for energy efficiency and convenience for residents. The existing cemetery would be able to expand current operations without having to build a new cemetery system elsewhere in the county.

**County Finding:** Goal 13 directs local jurisdictions to manage and control land and uses developed on the land to maximize the conservation of all forms of energy, based on sound economic principles. Goal 13 is not directly applicable to this request.

15. Urbanization (Goal 14): To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

**Applicant Response:** Goal 14 is not specifically applicable to this application; the cemetery use has been located here and in use for over 50 years, and this is the natural expansion over time. It is an efficient use of land, as the cemetery operation system and framework are already in place. To start another cemetery elsewhere would be a less-efficient endeavor that would need to build everything from scratch. All communities need a place to respectfully bury their dead, this location is easily accessible, and efficient use of funds, and not in a prime housing location.

**County Finding:** The subject properties are located within the City of Hermiston’s Urban Growth Boundary (UGB). The area is designated open space by the City Comprehensive Plan. This request does not propose a transition from rural to urban lands. The proposal only requests a text amendment in order to be able to expand the current Hermiston Cemetery to the neighboring properties in the future. Goal 14 requires orderly development and the subject properties within the UGB are already satisfied.

**County Finding:** Umatilla County has evaluated Statewide Planning Goals 1-14. The other five goals, 15-19, are not applicable to this application request, nor Umatilla County. Umatilla County finds the goals that are applicable have been satisfied.

**22. CITY OF HERMISTON COMPREHENSIVE PLAN POLICIES:**

The City's Comprehensive Plan sets forth the goals and policies that guide the City's land use actions which closely follow the Statewide Planning Goals reviewed above. The most significantly applicable policy that was adopted by the City and co-adopted by the County includes the following policies:

*Open Space (OS): Areas containing natural resources and/or natural hazards which must be protected from urban development. Corresponds to OS in the zoning code.*

Since the properties are designated Open Space, these sections of the City's Comprehensive Plan apply to the subject properties.

*Allow property owners within the urban growth boundary to exercise their rights of development in a manner which is consistent with the statewide goals and applicable comprehensive plan policies and implementing regulations.*

**Applicant Response:** The applicant owns the expansion property and proposed to develop it in a manner that is consistent with statewide goals.

*Meet the intent of statewide planning goals and county and city plans and policies which require rational urbanization, the provision of needed housing, and the efficient and orderly provision of public services and facilities.*

**Applicant Response:** The applicant proposes to develop the expansion property in a manner that is consistent with statewide planning goals.

*Retain and improve the city's livability and economic stability.*

**Applicant Response:** The applicant's proposal retains and improves the city's livability and economic stability by ensuring there is sufficient room for residents to lay their loved ones to rest locally.

*Maintain the city's historic character and community identity.*

**Applicant Response:** The applicant's proposal maintains the city's historic character and identity by expanding the existing cemetery. Providing a new burial location in another area of town would be much more disruptive to the city's historic character and social

fabric.

*Preserve and protect the city's natural resources from undesirable effects of growth to the maximum degree practical.*

**Applicant Response:** While the applicant's proposal does address expansion, it proposes the most necessary expansion in the most efficient way possible. Existing roads, utilities, and other site features particular to a cemetery are already in place, making the expansion more practical than building afresh elsewhere.

*Conserve energy and use renewable energy resources.*

**Applicant Response:** While the applicant's proposal does address expansion, it proposes the most necessary expansion in the most efficient way possible. The existing cemetery support functions are already in place and can easily be expanded. Providing burial services in another area of town would entail more resources to build and maintain the necessary system.

**County Finding:** Umatilla County finds the proposed text amendment, conditional use and land division request are in compliance and supports the City of Hermiston's Comprehensive Plan.

23. **THE UMATILLA COUNTY DEVELOPMENT CODE STANDARDS FOR CONDITIONAL USES. Approval criteria, found in Section 152.612 through 152.615.** The following standards of approval are underlined followed by Findings in standard text.

**§ 152.612 PROCEDURE FOR TAKING ACTION ON A CONDITIONAL USE OR LAND USE DECISION**

The procedure for taking action on a conditional use or land use decision application shall be as follows:

- (A) A property owner or the Planning Commission may initiate a request for a conditional use or land use decision by filing an application using forms prescribed pursuant to §152.767

The applicant and property owner, Hermiston Cemetery District, filed a conditional use permit application with the Umatilla County Planning Division requesting to expand the cemetery on to properties; Map #4N2114CD, Tax Lot #200, Map #4N2814D, Tax Lot #400 and Map #4N2814DB, Tax Lots #200 and #201. This criterion is satisfied.

- (B) A conditional use permit or land use decision shall be processed via administrative review per §152.769

The conditional use permit application is being reviewed by the Planning Commission. This is because the Planning Commission must recommend the Board of County Commissioners to adopt “cemetery” as an allowed use in the F-1 zone before the CUP may be approved.

(C) A conditional use permit or land use decision will not be approved unless the proposed use of the land will be in conformance with County Comprehensive Plan; Umatilla County Planning Commission finds the proposed conditional use request in conformance with the County and City Comprehensive Plan. This criterion is met.

(D) An applicant granted a conditional use permit or land use decision must obtain a County Zoning Permit for each tax lot before establishing the approved use and/or commencing construction.

A condition of approval is imposed to obtain a County Zoning Permit for each subject property to finalize the approval of the conditional use to permit the cemetery expansion. The condition satisfies the criterion.

(E) Conditional use permits and land use decisions may have annual reviews conducted by County Planning to ensure compliance with the conditions of approval. Annual review fees may be assessed.

The applicant provides in their application that once the cemetery text is added to the code as a conditional use in the F-1 Zone, the cemetery can be reviewed by the County’s regular review methods.

(F) A conditional use or land use decision may be referred to the Planning Commission if the Planning Director deems circumstances warrant such additional review and consideration.

The conditional use decision will be referred to the Planning Commission at the Public Hearing on March 12, 2026. This is because the applicant is simultaneously pursuing a text amendment to allow cemeteries in the F-1 zone.

**§ 152.615 ADDITIONAL CONDITIONAL USE PERMIT RESTRICTIONS.**

In addition to the requirements and criteria listed in this subchapter, the Hearings Officer, Planning Director or the appropriate planning authority may impose the following conditions upon a finding that circumstances warrant such additional restrictions:

(A) Limiting the manner in which the use is conducted, including restricting hours of operation and restraints to minimize such environmental effects as noise, vibration, air pollution, water pollution, glare or odor;

Umatilla County Planning Commission finds the applicant’s proposal is to adopt a “cemetery” use on properties; Map #4N2114CD, Tax Lot #200, Map #4N2814D, Tax Lot #400 and Map #4N2814DB, Tax Lots #200 and #201, to expand the

existing Hermiston Cemetery located on Map 4N2814CD, Tax Lot 100. The use will be conducted in the same manner the existing Hermiston Cemetery is conducted. Umatilla County Planning Commission finds that adding additional limitations to the manner in which the use is conducted is not necessary. This criterion is not applicable.

- (B) Establishing a special yard, other open space or lot area or dimension:  
Umatilla County Planning Commission finds the proposed use of cemetery does not require a special yard or open space to be established. A Land Division application that is a part of this request will provide the division of graves and other cemetery features. This criterion is not applicable.
- (C) Limiting the height, size or location of a building or other structure:  
Umatilla County Planning Commission finds the proposed conditional use does not include a request for construction at this time. This criterion is not applicable.
- (D) Designating the size, number, location and nature of vehicle access points:  
The applicant shows vehicle access on the Tentative Plat submitted with the application. A 24-foot-wide road way is proposed between and around both proposed Block H and Block G on the Tentative Plat. The Planning Commission finds a 24-foot roadway to be sufficient. This criterion is met.
- (E) Increasing the required street dedication, roadway width or improvements within the street right of way:  
Planning Commission finds the proposed 24-foot roadways within the proposed cemetery plat to be sufficient. This criterion is met.
- (F) Designating the size, location, screening, drainage, surfacing or other improvement of a parking or loading area:  
Planning Commission finds there is no proposed parking or loading area. This criterion is not applicable.
- (G) Limiting or otherwise designating the number, size, location, height and lighting of signs:  
Planning Commission finds signs are not a part of this proposal. This criterion is not applicable.
- (H) Limiting the location and intensity of outdoor lighting and requiring its shielding:  
Planning Commission finds outdoor lighting is not being proposed at this time. This criterion is not applicable.
- (I) Requiring diking, screening, landscaping or other methods to protect adjacent or nearby property and designating standards for installation and maintenance.

The adjacent neighboring properties are also owned by the Hermiston Cemetery District and will serve for future expansions of the Hermiston Cemetery. No additional diking, screening, landscaping or other methods to protect adjacent or nearby property is required. Planning Commission finds this criterion is met.

- (J) Designating the size, height, location and materials for a fence;  
Fencing is not a part of this proposal. This criterion is not applicable.
  
- (K) Protecting and preserving existing trees, vegetation, water resources, air resources, wildlife habitat, or other natural resources;  
Planning Commission finds the subject property does not have any existing trees, vegetation, natural resources or wildlife habitat to protect or preserve. This criterion is not applicable.
  
- (L) Parking area requirements as listed in §§ 152.560 through 152.562 of this chapter.  
Parking in the existing Hermiston Cemetery for visitors to the cemetery is done parallel along the side of the existing paved roadways. Parking will be done in the same manner on Map #4N2814CD, Tax Lot #400. Visitors will park parallel along the proposed roadways when visiting the cemetery during funeral services or other times. Planning Commission finds individual parking spaces are not proposed and that parallel parking along the roadway is standard in cemeteries. This criterion is not applicable.

**24. THE UMATILLA COUNTY DEVELOPMENT CODE STANDARDS FOR LAND DIVISIONS. Type II approval criteria, found in UCDC Section 152.684 are reviewed below.** The following standards of approval are underlined followed by Findings in standard text.

25. CRITERIA FOR APPROVAL, TYPE I LAND DIVISION "SUBDIVISION", contained in Section 152.666(6) of the Development Code.

Following are a list of the standards of approval applied to a subdivision. Included is information gathered from the tentative plan and the review of the proposed access, road improvements and traffic potential. The standards are provided in underlined text and response are provided in standard text.

- (a) Complies with applicable elements of the Comprehensive Plan, including, but not limited to, policies listed in the public facilities and services and transportation elements of the Comprehensive Plan.

Domestic Water: The Hermiston Cemetery District has an existing domestic well on Map 4N2814CD, Tax Lot #100. The owner and applicant (The Hermiston Cemetery District) indicates that all water will be drawn from the existing domestic well. There will be no shared

well agreement as it is the same use and same owner.

Sewage: The applicant indicates the sewage disposal will remain on the same schedule as the existing septic system on Map 4N2814CD, Tax Lot #100. Construction of buildings that would require a septic system is not a part of this request.

Irrigation Water: The property is within the Hermiston Irrigation District. According to the applicant, Map 4N2814CD, Tax Lot #100, contains ground water rights from Hermiston Irrigation District (HID), certificate #G-6439. A copy of the certificate was included with the application materials. The applicant also provides that Map 4N2914D, Tax Lot #400 has irrigation water rights, certificate #S-55327, purchased in 2021 from HID, a copy of the sale agreement was included with the application materials.

Fire Protection: The subject property is within Umatilla County Fire District #1. The district provides fire protection services to the area and received notification of the applicant's proposal and upcoming public hearing dates.

Access and Road Improvements:

The existing 60-foot public right-of-way from Highway 395 South is a public easement serving more than three parcels including the subject property. It is a paved road, named Cemetery Road. County Public Works Access Approach Permits are not required as the cemetery has an existing access point to cemetery road.

The applicant states the proposed roads on Map 4N2814D, Tax Lot 400, are access roads to reach the cemetery graves and maintenance the property. All proposed roads will have a width of 24-feet. Hermiston Cemetery District states the proposed roads will continue the existing paved roads on the adjacent existing cemetery. All roads shown on the tentative plat are looped to provide adequate turning for emergency vehicles and do not dead end, therefore no turnarounds for emergency vehicles are required. Planning Commission finds requiring additional road improvement not necessary.

Road Signs and Addresses:

No road signs are proposed by the applicant. As stated above the roads will be extensions of the existing paved roads on the adjacent existing cemetery.

Planning Commission finds this is a proposal to expand the existing Hermiston Cemetery and no buildings of any kind are proposed, thus an address assignment is not needed.

Road Improvement Agreements:

Over time additional road impacts occur and future upgrading and realignment of roads become necessary. An Irrevocable Consent Agreement (ICA) is required when there are new parcels or lots added along county roads, public roads and private lanes. The ICA is for participation in future road upgrading. The Irrevocable Consent Agreement runs with the property and is binding on the

heirs, assigns and all other successors in interest to the owner of the property, according to the interest of the property, and does not operate as a personal contract of the owner. The proposal is to subdivide Map 4N2814D, Tax Lot 400, into a total of a total of 2,549 graves. This proposal is not adding additional parcels or lots that will generate significant traffic increase.

An Irrevocable Consent Agreement is required for the subdivision approval. An agreement for future participation in improvements to Cemetery Road is required as Cemetery Road will serve the newly subdivided 2,549 individual grave plots on Map 4N2914D, Tax Lot #400.

The Planning Commission finds the property owner signing and recording the ICA agreement fulfills the road improvement agreement requirement.

A precedent condition of approval is imposed that the property owner sign and record an Irrevocable Consent Agreement for future participation in road improvements to the 60-foot, public access easement, Cemetery Road, serving the newly subdivided 2,549 individual grave plots on Map 4N2914D, Tax Lot #400.

(b) Complies with the Statewide Planning Goals adopted by the Land Conservation and Development Commission (LCDC), until the comprehensive Plan is “acknowledged.” The Umatilla County Comprehensive Plan was acknowledged October 24, 1985, by the State Land Conservation & Development Commission (LCDC). The Statewide Planning Goal and Comprehensive Plan are addressed above. Planning Commission finds the proposed cemetery development complies with the Statewide Planning Goals and Comprehensive Plan.

(c) Complies with provision of 152.019, Traffic Impact Analysis, as applicable. A Traffic Impact Analysis (TIA) is required to be submitted with a land use application when the proposal is projected to cause an increase in traffic volume by 250 or more Average Daily Trips (ADT).

The applicant provided a Trip Generation Letter completed by PJ McKelvey, Project Traffic Engineer, Apex Companies, in support of the text amendment. The letter compares the largest trip generation conditional use for the F-1 Zone designation against the trip generation of the proposed expansion of the Hermiston Cemetery District. The letter states the proposed cemetery land use is anticipated to generate 44 vehicle trips during a typical weekday, including 9 trips during the AM peak hour and 9 trips during the PM peak hour. The findings of the letter conclude that the nearby transportation facilities are expected to continue functioning as intended with the additional trips from the cemetery expansion.

Planning Commission finds that the applicant’s proposal will add 44 ADT, much less than 250 ADT. Therefore, the Transit Impact Analysis is not required for the subdivision request.

(d) Complies with applicable provisions listed in the zoning regulations of this chapter; The subject property is zoned F-1, Exclusive Farm Use Zone. As part of this request the applicant has requested to amend the F-1 Zone to allow cemeteries as a conditional use.

Lot Size: The applicant is requesting subdivision approval to create the grave lots. The proposed 2,549 individual grave plots will meet the size requirements as determined by the Department of Environmental Quality to be necessary for the protection of public health. Map 4N2814D, Tax Lot 400, will remain 7.27 acres.

Setbacks: The proposed subdivision and conditional use request does not contain the construction of any buildings. The proposed use to subdivide the parcel into 2,549 individual graves with looping access roads throughout, setbacks do not apply to application.

Flood Hazard Areas: The subject parcel is not located within a Special Flood Hazard Area.

(e) Complies with the applicable provisions, including the intent and purpose of the Type I regulations listed in this chapter

Subdivision Name: The applicant has selected “First Addition To The Hermiston Cemetery” as the subdivision name. The County Surveyor or the County GIS Manager must approve new subdivision names to avoid duplicate names. This is required as a precedent condition of approval.

(f) The Tentative Plan conforms and fits into the existing development scheme in the area, including the logical extension of existing streets [roads] and public facilities through the tentative plan; The subject property and surrounding properties are also zoned F-1, EFU. The proposed text amendment adds “cemetery” to the list of allowed conditional uses within the F-1 Zone, allowing the existing Hermiston Cemetery District to expand the pre-existing non-conforming cemetery to the surrounding lots. This use fits in with the existing development scheme. The proposed road ways will be extensions of the existing roadways within the existing Hermiston Cemetery on Map 4N2814CD, Tax Lot 100.

(g) Complies with other specific requirements listed in Section 152.667 for approval of subdivisions within multiple use areas. Planning Commission finds the subdivision is not proposed within an adopted Comprehensive Plan multiple use designated area. Therefore, specific requirements in Section 152.667 are not applied.

**TEXT AMENDMENT TENTATIVE DECISION: PENDING.**  
**TO AMEND THE COUNTY’S 1972 ZONING ORDINANCE TO ALLOW CEMETERIES AS A USE IN THE F-1 ZONE WITH A CONDITIONAL USE PERMIT. PLANNING COMMISSION TEXT AMENDMENT REQUEST RECOMMENDATION OPTIONS**

**TEXT AMENDMENT DECISION: BASED ON THE ABOVE STATED FINDINGS OF FACT AND CONCLUSIONS OF LAW, THE UMATILLA COUNTY BOARD OF COMMISSIONERS HEREBY APPROVES THE HERMISTON CEMETERY TEXT AMENDMENT, T-102-25.**

DATED this \_\_\_\_ day of \_\_\_\_\_, 2026

*UMATILLA COUNTY BOARD OF COMMISSIONERS*

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Jon M. Shafer, *Commissioner*

---

Cindy Timmons, *Commissioner*

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Daniel L. Dorran, *Commissioner*

**CONDITIONAL USE PERMIT DECISION: APPROVED.**

**CONDITIONAL USE DECISION: BASED UPON THE ABOVE FINDINGS THE HERMISTON CEMETERY CONDITIONAL USE REQUEST, # C-1405-25, TO EXPAND THE HERMISTON CEMETERY IS APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

**Precedent Conditions:** The following precedent condition must be fulfilled to finalize approval of this request.

1. Pay notice costs as invoiced by the County Planning Division.
2. Receive approval of #T-121-25.
3. Obtain a Zoning Permit from the Umatilla County Planning Division to authorize the cemetery use on the property with an approved site plan.

**Subsequent Conditions:** The following subsequent conditions must be fulfilled following final approval of this request:

1. The Hermiston Cemetery will abide by ORS Chapter 97, which relates to the “Rights and Duties Relating to Cemeteries, Human Bodies, and Anatomical Gifts” and provides guidance to how cemeteries shall operate to protect public health, safety, and welfare.
2. The Hermiston Cemetery will abide by all regulations mandated by the Department of Environmental Quality for public cemeteries.

**LAND DIVISION DECISION: APPROVED.**

**BASED UPON THE ABOVE FINDINGS THE HERMISTON CEMETERY TYPE I LAND DIVISION REQUEST, #LD-1405-25, IS APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

**Precedent Conditions:** The following precedent conditions must be fulfilled prior to final approval of this request, signified by the recording of the Final Subdivision Plat:

1. Receive text amendment approval to add “cemeteries” to the list of allowed conditional uses in the F-1, EFU Zone.
2. Sign and record an Irrevocable Consent Agreement for future participation in road improvements to the 60-foot public access easement, Cemetery Road, serving the newly subdivided 2,549 individual grave plots on Map 4N2914D, Tax Lot #400.

3. Finalize #C-1405-25 by obtaining zoning permit approval.
4. Receive subdivision name approval from County GIS.
5. Comply with HID's irrigation easement and irrigation water right requirements. Satisfaction of HID's requirements may be satisfied with a signature on the Final Partition Plat.
6. Submit a Preliminary Subdivision Plat to County Planning, GIS and Surveyor for review and comment. The plant shall include the proposed subdivision name.
7. Pay and pre-pay all taxes prior to recording the Final Partition Plat.

Subsequent Condition: The following subsequent condition must be fulfilled following satisfaction of all precedent conditions and approval of the Preliminary Partition Plat.

1. Record the Final Subdivision Plat, prior to signing deeds.

Dated this 13<sup>th</sup> day of March, 2026.

UMATILLA COUNTY PLANNING COMMISSION

  
\_\_\_\_\_  
Samuel Tucker, Planning Commission Chair



### Section 3.013 CONDITIONAL USES

In an F-1 Zone, the following uses and their accessory uses are permitted subject to the requirements of Section 7.010 through 7.040 inclusive, and upon the issuance of a zoning permit:

- (1) Commercial activities that are in conjunction with farm use.
- (2) Operations conducted for the exploration, mining and processing of geothermal resources, aggregate and other mineral resources or other subsurface resources.
- (3) Private parks, playgrounds, hunting and fishing preserves and campgrounds.
- (4) Parks, playgrounds or community centers owned and operated by a governmental agency or a nonprofit community organization (outside of Hermiston Urban Growth Area only).
- (5) Golf Courses.
- (6) Commercial utility facilities for the purpose of generating power for public use by sale.
- (7) Single-family residential dwellings provided that each such proposed dwelling:
  - (a) Is compatible with farm uses; and
  - (b) Does not interfere seriously with accepted farming practices on adjacent lands devoted to farm use; and
  - (c) Does not materially alter the stability of the overall land use pattern of the area; and
  - (d) Is situated upon generally unsuitable land for the production of farm crops and livestock, considering the terrain, adverse soil or land conditions, drainage and

flooding, vegetation, location and size of the tract; and

- (e) Complies with such other conditions as the Planning Commission considers necessary.
- (8) Personal-use airports for airplanes and helicopter pads, including associated hanger, maintenance and service facilities. A personal-use airport as used in this section means an airstrip restricted, except for aircraft emergencies, to use by the owner, and, on an infrequent and occasional basis, by his invited guest, and by commercial aviation activities in connection with agricultural operations. No aircraft may be based on a personal-use airport other than those owned or controlled by the owner of the airstrip. Exceptions to the activities permitted under this definition may be granted through waiver action by the Aeronautics Division in specific instances. A personal-use airport lawfully existing as of September 13, 1975, shall continue to be permitted subject to any applicable regulations of the Aeronautics Division.
- (9) Home occupations carried on by the resident as an accessory use within their dwelling or other buildings customarily provided in conjunction with farm use, referred to in paragraph (a) of subsection (2) of ORS 215.203.
- (10) A facility for the primary processing of forest products, provided that such facility is found to not seriously interfere with accepted farming practices and is compatible with farm uses described in subsection (2) of ORS 215.203. Such a facility may be approved for a one year period which is renewable. These facilities are intended to be only portable or temporary in nature. The primary processing

of a forest product, as used in this section, means the use of a portable chipper or stud mill or other similar methods of initial treatment of a forest product in order to enable its shipment to market. Forest products, as used in this section, means timber grown upon a parcel of land or contiguous land where the primary processing facility is located. (Ord. 2012-14 passed 9-05-12)

**(11) A cemetery including, but not limited to, a burial area, columbarium, and associated outbuildings operated by a cemetery district.**





## Hermiston Cemetery District - Zone Change Request

12 messages

mclane via Planning <planning@umatillacounty.gov>

Sun, Feb 23, 2025 at 10:00 PM

Reply-To: mclane@eoni.com

To: Megan Davchevski <megan.davchevski@umatillacounty.net>, Carol Johnson <carol.johnson@umatillacounty.net>

Cc: Robert Waldher <robert.waldher@umatillacounty.net>, planning@umatillacounty.gov

Megan and Carol,  
Good morning.

I am writing to begin a conversation about the Hermiston Cemetery District and their need to accomplish a change in zoning. Matt Kenny informed me that Carol had been his contact but to be sure that I have covered my bases I am sending to a couple of you there in the Planning Department.

As I understand it the current zoning is F1 as applied in Urban Growth Boundaries, a designation that doesn't allow cemeteries. My assumption is that the current activities pre-date even the 1972 zoning ordinance that is applicable. Based on that same zoning ordinance it appears that either an F2 or R2 designation would work with the preference most likely the F2.

Would appreciate any background information you can provide, clarity on my assumptions, and some direction on the next steps for the District to take in getting through the zone change process. If a call or meeting would be a better venue please let me know.

Looking forward to hearing from one or more of you.  
Cordially,  
Carla

Carla McLane Consulting, LLC  
541-314-3139

Robert Waldher <robert.waldher@umatillacounty.gov>

Tue, Feb 25, 2025 at 4:10 PM

To: mclane@eoni.com

Cc: Megan Davchevski <megan.davchevski@umatillacounty.net>, Carol Johnson <carol.johnson@umatillacounty.net>, Robert Waldher <robert.waldher@umatillacounty.net>,

planning@umatillacounty.gov, Clinton Spencer <cspencer@hermiston.gov>

Hi Carla,

I believe Carol responded yesterday, but I wanted to follow up and share that I spoke with Clint Spencer after the City Council meeting last night. Clint agreed that the preferred approach would be to amend the comprehensive plan designation from "urbanizable" to "urban," apply city zoning, and then proceed with annexing the property.

This approach makes more sense for several reasons, including the proposed future expansion of Gettman Road and the ability for the City of Hermiston Police to patrol the area. I was informed that the agency receives frequent law enforcement calls near the cemetery, making it appealing to have jurisdiction with the city.

Please let me know if you have any questions or need further details.

Bob

[Quoted text hidden]

Robert Waldher, RLA

Director

Umatilla County Community Development Department

Tel: 541-278-6251 | Fax: 541-278-5480

216 SE 4th Street | Pendleton, OR 97801

<http://www.umatillacounty.gov/planning>



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Clinton Spencer <cspencer@hermiston.gov>

Tue, Feb 25, 2025 at 4:22 PM

To: Robert Waldher <robert.waldher@umatillacounty.gov>, "mclane@eoni.com" <mclane@eoni.com>

Cc: Megan Davchevski <megan.davchevski@umatillacounty.net>, Carol Johnson <carol.johnson@umatillacounty.net>, Robert Waldher <robert.waldher@umatillacounty.net>, "planning@umatillacounty.gov" <planning@umatillacounty.gov>

Carla,

Just to clarify a couple of Bob's points, I agree that changing the zoning from the old F1 zoning which does not permit cemetery uses to a city urban zone is the preferred method. My preference is also to annex the property because our City PD does a lot of response out there and coordinates the traffic response for funeral processions. However, the property is not currently adjacent to city limits so immediate annexation is not an option without developing a plan for including land other than the current cemetery and their expansion area. They most likely would need to include all of the land between the existing cemetery and Highway 395. The cemetery owns these lots so it's possible.

I recommend that the cemetery do a text amendment to the Open Space zone to add cemetery as a permitted outright use. Conversely, they can ask the planning commission for an interpretation of the permitted uses in the OS zone. Right now it permits public park and public recreation facility as outright uses. It's hard to say a cemetery is for park or recreational use, but it is an open land use.

The main reason I'm recommending using the Open Space zoning and doing the text amendment is that the permitted uses in the OS zone are extremely minimal. I think demonstrating compliance with the trip generations in the F1 zone could be accomplished with a simple opinion from a traffic engineer rather than a full blown TIA. The argument could be made in my opinion that the Open Space zoning would generate less traffic than any permitted F1 use.

Clinton Spencer  
Planning Director  
(541) 667-5025  
[cspencer@hermiston.gov](mailto:cspencer@hermiston.gov)



**From:** Robert Waldher <[robert.waldher@umatillacounty.gov](mailto:robert.waldher@umatillacounty.gov)>  
**Sent:** Tuesday, February 25, 2025 4:11 PM  
**To:** [mclane@eoni.com](mailto:mclane@eoni.com)  
**Cc:** Megan Davchevski <[megan.davchevski@umatillacounty.net](mailto:megan.davchevski@umatillacounty.net)>; Carol Johnson <[carol.johnson@umatillacounty.net](mailto:carol.johnson@umatillacounty.net)>; Robert Waldher <[robert.waldher@umatillacounty.net](mailto:robert.waldher@umatillacounty.net)>; [planning@umatillacounty.gov](mailto:planning@umatillacounty.gov); Clinton Spencer <[cspencer@hermiston.gov](mailto:cspencer@hermiston.gov)>  
**Subject:** Re: Hermiston Cemetery District - Zone Change Request

*[EXTERNAL EMAIL] - STOP and VERIFY - This message came from outside of the City of Hermiston*

[Quoted text hidden]

**Robert Waldher, RLA**  
Director

[Quoted text hidden]



[Quoted text hidden]

**Carol Johnson** <[carol.johnson@umatillacounty.gov](mailto:carol.johnson@umatillacounty.gov)> Tue, Feb 25, 2025 at 4:35 PM  
To: Clinton Spencer <[cspencer@hermiston.gov](mailto:cspencer@hermiston.gov)>  
Cc: Robert Waldher <[robert.waldher@umatillacounty.gov](mailto:robert.waldher@umatillacounty.gov)>, "[mclane@eoni.com](mailto:mclane@eoni.com)" <[mclane@eoni.com](mailto:mclane@eoni.com)>, Megan Davchevski <[megan.davchevski@umatillacounty.net](mailto:megan.davchevski@umatillacounty.net)>, Carol Johnson <[carol.johnson@umatillacounty.net](mailto:carol.johnson@umatillacounty.net)>, Robert Waldher <[robert.waldher@umatillacounty.net](mailto:robert.waldher@umatillacounty.net)>, "[planning@umatillacounty.gov](mailto:planning@umatillacounty.gov)" <[planning@umatillacounty.gov](mailto:planning@umatillacounty.gov)>

Hi Clint,

Perhaps our maps are not correct; however, the "tract of land" owned by the Hermiston Cemetery District, including the areas for expansion as well as the parcel currently developed with burial sites shows the city limits line adjacent along the west side of Highway 395, as well as, to the north along the centerline of the canal. Do your maps show something different?

Thanks,  
Carol  
[Quoted text hidden]



**Carol Johnson**  
Senior Planner

**Umatilla County Community  
Development - Planning Division**

Tel: 541-278-6301 | Fax: 541-278-5480

216 SE 4th Street | Pendleton, OR 97801

<http://www.umatillacounty.gov/planning>

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Clinton Spencer <cspencer@hermiston.gov>

Tue, Feb 25, 2025 at 4:43 PM

To: Carol Johnson <carol.johnson@umatillacounty.gov>

Cc: Robert Waldher <robert.waldher@umatillacounty.gov>, "mclane@eoni.com" <mclane@eoni.com>, Megan Davchevski <megan.davchevski@umatillacounty.net>, Carol Johnson <carol.johnson@umatillacounty.net>, Robert Waldher <robert.waldher@umatillacounty.net>, "planning@umatillacounty.gov" <planning@umatillacounty.gov>

Thanks Carol. The cemetery owns the land up to 395 but it's not developed and is not proposed for expansion now. They have the ability to annex it, but it's not part of the development plan. I could have worded that better.



Clinton Spencer  
Planning Director  
(541) 667-5025  
[cspencer@hermiston.gov](mailto:cspencer@hermiston.gov)



Where Life is Sweet

[Quoted text hidden]  
[Quoted text hidden]



**Carol Johnson**

Senior Planner

**Umatilla County Community  
Development - Planning Division**

Tel: 541-278-6301 | Fax: 541-278-5480

216 SE 4th Street | Pendleton, OR 97801

<http://www.umatillacounty.gov/planning>

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---

**Carol Johnson** <carol.johnson@umatillacounty.gov>

Tue, Feb 25, 2025 at 4:44 PM

To: Clinton Spencer <cspencer@hermiston.gov>

Cc: Robert Waldher <robert.waldher@umatillacounty.gov>, "mclane@eoni.com" <mclane@eoni.com>, Megan Davchevski <megan.davchevski@umatillacounty.net>, Carol Johnson <carol.johnson@umatillacounty.net>, Robert Waldher <robert.waldher@umatillacounty.net>, "planning@umatillacounty.gov" <planning@umatillacounty.gov>

Thank you for clarifying!

[Quoted text hidden]



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Wed, Feb 26, 2025 at 1:54 PM

mclane via Planning <planning@umatillacounty.gov>

Reply-To: mclane@eoni.com

To: Carol Johnson <carol.johnson@umatillacounty.gov>, Clinton Spencer <cspencer@hermiston.gov>, Robert Waldher <robert.waldher@umatillacounty.gov>, Megan Davchevski <megan.davchevski@umatillacounty.net>

Cc: planning@umatillacounty.gov

Thanks all. Appreciate the dialogue. But I am still a bit confused...

My understanding was the preferred path was a County zone change. Maybe that thinking has changed? I know timing was a concern.

The Cemetery Board probably needs to pick the path they are most comfortable with. To best inform them what are the options? And from either perspective - city or county - what would the requirement be for a traffic impact analysis or other input? If a zone change at the county what is the preferred use zone? If an annexation what would be the preferred use zone? I am thinking to outline this somewhat as a flow chart - annexation requires these steps or county zone change requires the following.

Hope this makes sense. Maybe Carol could provide the county path and Clint could provide the city path? For both paths could you include the ability to apply for all of the necessary approvals at the same time including the cemetery subdivision process. It is much appreciated.

Thanks to you all for the input.  
Carla

----- Original Message -----

Subject: Re: Hermiston Cemetery District - Zone Change Request

Date: 2025-02-25 4:44 pm

From: Carol Johnson <carol.johnson@umatillacounty.gov>

To: Clinton Spencer <cspencer@hermiston.gov>

Thank you for clarifying!

On Tue, Feb 25, 2025 at 4:43 PM Clinton Spencer <cspencer@hermiston.gov> wrote:

Thanks Carol. The cemetery owns the land up to 395 but it's not developed and is not proposed for expansion now. They have the ability to annex it, but it's not part of the development plan. I could have worded that better.

Clinton Spencer

Planning Director

(541) 667-5025

[cspencer@hermiston.gov](mailto:cspencer@hermiston.gov)

From: Carol Johnson <carol.johnson@umatillacounty.gov>

Sent: Tuesday, February 25, 2025 4:36 PM

To: Clinton Spencer <cspencer@hermiston.gov>

Cc: Robert Waldher <robert.waldher@umatillacounty.gov>;

mclane@eoni.com; Megan Davchevski

<megan.davchevski@umatillacounty.net>; Carol Johnson

<carol.johnson@umatillacounty.net>; Robert Waldher

<robert.waldher@umatillacounty.net>; planning@umatillacounty.gov

Subject: Re: Hermiston Cemetery District - Zone Change Request

\_[EXTERNAL EMAIL] - STOP AND VERIFY - THIS MESSAGE CAME FROM OUTSIDE OF THE CITY OF HERMISTON \_

[Quoted text hidden]

From: Robert Waldher <robert.waldher@umatillacounty.gov>

Sent: Tuesday, February 25, 2025 4:11 PM

To: mclane@eoni.com

Cc: Megan Davchevski <megan.davchevski@umatillacounty.net>; Carol

Johnson <carol.johnson@umatillacounty.net>; Robert Waldher

<robert.waldher@umatillacounty.net>; planning@umatillacounty.gov;

Clinton Spencer <cspencer@hermiston.gov>

Subject: Re: Hermiston Cemetery District - Zone Change Request

\_[EXTERNAL EMAIL] - STOP AND VERIFY - THIS MESSAGE CAME FROM OUTSIDE OF THE CITY OF HERMISTON \_

[Quoted text hidden]

Director

Umatilla County Community Development Department

Tel: 541-278-6251 | Fax: 541-278-5480

216 SE 4th Street | Pendleton, OR 97801

<http://www.umatillacounty.gov/planning> [1]

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Carol Johnson

Senior Planner

Umatilla County Community Development - Planning Division

Tel: 541-278-6301 | Fax: 541-278-5480

216 SE 4th Street | Pendleton, OR 97801

<http://www.umatillacounty.gov/planning> [1]

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Senior Planner

Umatilla County Community Development - Planning Division

Tel: 541-278-6301 | Fax: 541-278-5480

216 SE 4th Street | Pendleton, OR 97801

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Links:

[1] <http://www.umatillacounty.net/planning>

Carol Johnson <carol.johnson@umatillacounty.gov>

To: mclane@eoni.com

Cc: Clinton Spencer <cspencer@hermiston.gov>, Robert Waldher <robert.waldher@umatillacounty.gov>, Megan Davchevski <megan.davchevski@umatillacounty.net>, planning@umatillacounty.gov

Wed, Feb 26, 2025 at 3:03 PM

Hi Carla,

Yes, of course. Again, the simplest path through the County would be a text amendment to add "cemetery" as a use allowed in the current zoning. You likely remember this process from your past experiences. A 35-day notice to DLCD with proposed language and hearing dates before the County Planning Commission and the Board of Commissioners for approval. In conjunction, a conditional use permit may be submitted to establish the cemetery with approval dependent on the text amendment. If a subdivision is desired that may happen as well. A zone change may take longer since it typically takes more staff time; however, it would follow a similar process as provided above.

If the zoning "must be changed" it should be changed to a city zone and annexed. I will let Clint weigh in on how this would occur, to streamline this process it potentially could include a combined city/county hearing, if agreed upon.

Thank you,

Carol

[Quoted text hidden]



Carol Johnson

Senior Planner

Umatilla County Community

**Development - Planning Division**

Tel: 541-278-6301 | Fax: 541-278-5480

216 SE 4th Street | Pendleton, OR 97801

<http://www.umatillacounty.gov/planning>

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Clinton Spencer <cspencer@hermiston.gov>

Wed, Feb 26, 2025 at 3:50 PM

To: Carol Johnson <carol.johnson@umatillacounty.gov>, "mclane@eoni.com" <mclane@eoni.com>

Cc: Robert Waldher <robert.waldher@umatillacounty.gov>, Megan Davchevski <megan.davchevski@umatillacounty.net>, "planning@umatillacounty.gov" <planning@umatillacounty.gov>

Carla,

I try to police my language and answer the questions people ask rather than editorializing too much. Since I have a close relationship with the cemetery board, I am probably letting my opinions outweigh my advice.

As a city official, there's what I think is the cleanest, best long-term solution. In a perfect world, the cemetery would urbanize and annex to the city, we would then be able to provide better police protection when they have incidents out there, and they would sell off about 20 acres of their land abutting 395 for commercial development when Gettman extends and a signal goes in there. I met with the cemetery board and laid out that plan as their optimal path forward.

Unfortunately, it's also the longest and costliest path forward.

Flowcharting out that process:

- 1a. Prepare text amendment to OS zone to add cemetery as a permitted use
- 1b. Prepare map amendment for cemetery changing from urbanizable to urban OS (including TPR analysis)
- 1c. Prepare annexation application to annex all cemetery land to city
  
- 2a. City holds hearing in front of planning commission on text amendment
- 2b. City holds simultaneous planning commission hearing on comp plan amendment and annexation
  
- 3a. City holds hearing in front of city council on text amendment
- 3b. City holds simultaneous city council hearing on comp plan amendment and annexation
  
4. City forwards comp plan amendment to county for co-adoption
  
5. Following county coadoption, property is annexed
  
6. Cemetery moves forward with cemetery subdivision process

That's the basic outline of a process. In the interest of coordination we can combine city council and planning commission process potentially or even hold joint meeting with the county. It's not common but is possible.

By far as Carol mentions, doing a text amendment to the county zone will be a far simpler and quicker process. It accomplishes what the cemetery wants to accomplish in 2025 on a faster time frame. It's not the best long-term solution, but I'm sensitive to the need for a quicker and cheaper process.

Clinton Spencer

Planning Director

(541) 667-5025

[cspencer@hermiston.gov](mailto:cspencer@hermiston.gov)



From: Carol Johnson <carol.johnson@umatillacounty.gov>  
Sent: Wednesday, February 26, 2025 3:03 PM  
To: mclane@eoni.com  
Cc: Clinton Spencer <cspencer@hermiston.gov>; Robert Waldher <robert.waldher@umatillacounty.gov>; Megan Davchevski <megan.davchevski@umatillacounty.net>; planning@umatillacounty.gov  
Subject: Re: Hermiston Cemetery District - Zone Change Request

[EXTERNAL EMAIL] - STOP and VERIFY - This message came from outside of the City of Hermiston

Hi Carla,

[Quoted text hidden]  
[Quoted text hidden]

[Redacted signature area]

**Carol Johnson**  
Senior Planner

**Umatilla County Community  
Development - Planning Division**  
Tel: 541-278-6301 | Fax: 541-278-5480  
216 SE 4th Street | Pendleton, OR 97801  
<http://www.umatillacounty.gov/planning>

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**Carol Johnson** <carol.johnson@umatillacounty.gov> Wed, Feb 26, 2025 at 4:00 PM  
To: Clinton Spencer <cspencer@hermiston.gov>  
Cc: "mclane@eoni.com" <mclane@eoni.com>, Robert Waldher <robert.waldher@umatillacounty.gov>, Megan Davchevski <megan.davchevski@umatillacounty.net>, "planning@umatillacounty.gov" <planning@umatillacounty.gov>

Hi Clint,

Nicely done!

I must add, if it is the desire of the Cemetery Board to subdivide burial plots that would be doable under the current zone. If the Cemetery Board wishes to subdivide smaller parcels for future commercial use that would not fit with the current zoning and parcel acreage. Just something else the Cemetery Board may wish to consider.

Thank you,  
Carol

[Quoted text hidden]  
--



**Carol Johnson**

Senior Planner

**Umatilla County Community  
Development - Planning Division**

Tel: 541-278-6301 | Fax: 541-278-5480

216 SE 4th Street | Pendleton, OR 97801

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---

**mclane via Planning** <planning@umatillacounty.gov>

Mon, Mar 17, 2025 at 7:58 PM

Reply-To: mclane@eoni.com

To: Carol Johnson <carol.johnson@umatillacounty.gov>

Cc: Clinton Spencer <cspencer@hermiston.gov>, Robert Waldher <robert.waldher@umatillacounty.gov>, Megan Davchevski <megan.davchevski@umatillacounty.net>, planning@umatillacounty.gov

Carol,  
Good evening.

Would you expand on your comment about how the cemetery subdivision would be allowable under the current code?

Just curious...

[Quoted text hidden]

[Quoted text hidden]

From: Carol Johnson <carol.johnson@umatillacounty.gov>

Sent: Wednesday, February 26, 2025 3:03 PM

To: mclane@eoni.com

Cc: Clinton Spencer <cspencer@hermiston.gov>; Robert Waldher

<robert.waldher@umatillacounty.gov>; Megan Davchevski

<megan.davchevski@umatillacounty.net>; planning@umatillacounty.gov

Subject: Re: Hermiston Cemetery District - Zone Change Request

[Quoted text hidden]

[Quoted text hidden]

---

**Carol Johnson** <carol.johnson@umatillacounty.gov>

Wed, Mar 19, 2025 at 9:19 AM

To: mclane@eoni.com

Cc: Clinton Spencer <cspencer@hermiston.gov>, Robert Waldher <robert.waldher@umatillacounty.gov>, Megan Davchevski <megan.davchevski@umatillacounty.net>, planning@umatillacounty.gov

Hi Carla,

If text is added to the F-1 zoning to allow "cemeteries" as a CUP use, it is expected the same could be identified in the F-1 Addenda (Explanation of the F-1 Zone) as a "non-farm" use. Non-farm uses are allowed to be partitioned out of the parent parcel and subdivided; or the board could pursue a property line adjustment to include the needed adjoining property into the original cemetery property and either subdivide or replat to current cemetery to include additional Blocks and Lots.

Thanks,

Carol

[Quoted text hidden]

--



**Carol Johnson**

Senior Planner

**Umatilla County Community  
Development - Planning Division**

Tel: 541-278-6301 | Fax: 541-278-5480

216 SE 4th Street | Pendleton, OR 97801

<http://www.umatillicounty.gov/planning>

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# ***HERMISTON IRRIGATION DISTRICT***



---

366 East Hurlburt Avenue  
Hermiston, OR 97838-2445  
Office: 541-567-3024  
Mobile: 541-571-7698  
E-mail: [Office@HermistonID.org](mailto:Office@HermistonID.org)

February 23, 2026

Charlet Hotchkiss  
Umatilla County Community Development Department  
216 SE 4<sup>th</sup> St  
Pendleton, OR 97801

**RE: Land Division Type I #C-1405-25  
4N2814D 400**

Planner Hotchkiss,

The District has reviewed the property listed above. This parcel is located within the Hermiston Irrigation District boundary and has water rights, however, there are no federal easements, Rights-of-Way, or District facilities on these properties.

HID has no objection to the land division. Thank you for the opportunity to comment on this request.

Respectfully,

*Karra*

Karra Van Fossen  
Water Right Specialist





**Text Amendment Request #T-102-25**

3 messages

**LANI Richard** <Richard.LANI@odot.oregon.gov> Tue, Mar 3, 2026 at 7:29 AM  
To: "charly.hotchkiss@umatilla.gov" <charly.hotchkiss@umatilla.gov>, "planning@umatillacounty.gov" <planning@umatillacounty.gov>  
Cc: HOWLAND Paul L <Paul.L.HOWLAND@odot.oregon.gov>, MARTIN Kelli N <Kelli.N.MARTIN@odot.oregon.gov>, LAPP Thomas <Thomas.Lapp@odot.oregon.gov>, OTTOSEN Jordan <Jordan.OTTOSEN@odot.oregon.gov>, PENNINGER Teresa B <Teresa.B.PENNINGER@odot.oregon.gov>, ODOT Property Management <ODOTPropertyManagement@odot.oregon.gov>


No comments from ODOT.

Thanks!

*Rich*

Rich Lani  
ODOT D12 Manager  
1327 SE 3<sup>rd</sup> St  
Pendleton, OR 97801  
(541) 561-5246 cell  
(541) 278-6021 D12 office  
[Richard.LANI@odot.oregon.gov](mailto:Richard.LANI@odot.oregon.gov)

---

 **20260224144918671.pdf**  
309K

---

**Charlet Hotchkiss** <charlet.hotchkiss@umatillacounty.gov> Tue, Mar 3, 2026 at 8:02 AM  
To: LANI Richard <Richard.LANI@odot.oregon.gov>  
Cc: "charly.hotchkiss@umatilla.gov" <charly.hotchkiss@umatilla.gov>, "planning@umatillacounty.gov" <planning@umatillacounty.gov>, HOWLAND Paul L <Paul.L.HOWLAND@odot.oregon.gov>, MARTIN Kelli N <Kelli.N.MARTIN@odot.oregon.gov>, LAPP Thomas <Thomas.Lapp@odot.oregon.gov>, OTTOSEN Jordan <Jordan.OTTOSEN@odot.oregon.gov>, PENNINGER Teresa B <Teresa.B.PENNINGER@odot.oregon.gov>, ODOT Property Management <ODOTPropertyManagement@odot.oregon.gov>

Wonderful. Thank you!  
[Quoted text hidden]  
--

*Charlet Hotchkiss (Charly)*

(She/Her)

Planner I

Umatilla County Land Use Department





## LAND USE REQUEST APPLICATION REVIEW PROCESS

### Umatilla County Department of Community Development Planning Division

---

## LAND USE REQUEST APPLICATION

Return Application  
Materials to:

Department of Community  
Development – Planning Division  
216 SE 4<sup>th</sup> ST, Room 104  
Pendleton, OR 97801  
Planning@umatillacounty.gov

Voice: (541) 278-6252  
Fax: (541) 278-5480  
[www.umatillacounty.gov](http://www.umatillacounty.gov)

*Revision Date:* November 6, 2023  
Please obtain the most current version of  
this application and other supplemental  
applications before submitting.

#### 1. Pre-Application Meeting:

The applicant(s) will meet with the Planning Department staff to review the proposed development/request. Applicable information will be discussed in relation to the proposal. The applicant(s) will then submit all applicable materials to the Planning Department at their convenience.

#### 2. Determination of Completeness

The Planning Department staff will review applicable regulations in regards to the type of application. Once the application is determined to be complete the 120 or 150-day clock will begin, which is the maximum amount of time the County has, by law, to process the application.

#### 3. Administrative Review

Planning staff reviews applications that fall within the administrative review process. A public notice is sent to the surrounding property owners and affected public agencies. The public notice includes a description of the request and the analysis (preliminary findings) of how the request conforms to the standards set forth in the Umatilla County Development Code. The Planning Director approves administrative decisions. Applications processed through administrative review may be directed to a public hearing at the discretion of the Planning Director, or by the request of a notified property owner or public agency. Decisions made at a public hearing are made by the Planning Commission.

#### 4. Consideration by Planning Commission

Public notices are sent to the adjacent property owners for comments of an application that will be heard before the County Planning Commission. The application will then go before the Umatilla County Planning Commission in an Open Record Public Hearing. Public comment is received and a decision is rendered on the application or a recommendation is made to the Board of Commissioners depending upon the type of application being processed.

#### 5. Consideration by the Board of Commissioners

The Board of Commissioners hears legislative type of applications (amendments) or appeals. Public hearings are held with testimony being taken for the application or appeal. The Board of Commissioners makes a final decision.

#### 6. Provision for Appeals

An appeal is provided for if the applicant/person with standing desires to challenge a decision of the decision-making body (Planning Director, Planning Commission or Board of Commissioners). After a decision is made by any of the decision-making bodies the appeal must be filed within 15 days of the decision. Failure to appeal the decision during that timeframe specified precludes any further appeal on the matter.

# Contact Information for Agencies and Offices

## ***State Offices***

---

**Department of Environmental Quality, DEQ**  
Pendleton Office, On-Site Program, 541-276-4063

**Department of Fish and Wildlife, ODFW**  
Pendleton Office, 541-276-2344

**Department of Forestry, ODF**  
Pendleton Office, 541-276-3491

**Department of Geology and Mineral Industries, DOGAMI**, Albany office, 541-967-2039

**Division of State Lands, DSL**  
Bend Office, 541-388-6112

**Office of Energy**  
Salem Office, 503-373-1034

**Oregon Department of Transportation, ODOT**  
Pendleton Office, 541-276-1241  
La Grande Office, 541-963-1574

**Oregon Water Resource Department, OWRD (Watermaster)** Pendleton office, 541-278-5456

**State Building Codes**  
Pendleton Office, 541-276-7814

**State Historic Preservation Office, SHPO**  
Salem Office, 503-378-4068

## ***County Offices***

---

**County Assessor**, 541-278-6219

**County Surveyor**, 541-278-5460

**County Public Works**, 541-278-5424

**County Records**, 541-278-6236

**County Tax Office**, 541-278-6213

**County Environmental Health**, 541-278-5432

**County GIS**, 541-278-6232

## ***Fire Districts/Departments***

---

**East Umatilla County Fire District**  
541-566-2311

**Echo Fire District**  
Merle Gehrke, 541-376-8118 or 541-376-8550

**Meacham Volunteer Fire Department**  
Rollin Reynolds, 541-983-2588

**Milton-Freewater Rural Fire Department**  
Rick Saager, 541-938-7146 or 541-938-7222

**Pendleton Fire District; Lower McKay, McKay Creek, Rieth & Riverside**, 541-276-1442

**Pilot Rock Fire District**  
Brian Hemphill, 541-443-5121

**Umatilla County Fire District #1**  
(Formerly Hermiston Rural Fire District, and Stanfield Rural Fire District)  
541-567-8822

**Umatilla Rural Fire District**  
541-922-3718

## ***Irrigation Districts***

---

**Hermiston Irrigation District**  
541-567-3024

**Hudson Bay Improvement District (also serving the Walla Walla River)**  
Jon Brough, 541-520-2856

**Stanfield Irrigation District**  
Ray Kopacz, 541-449-3272

**West Extension Irrigation**  
Bev Bridgewater, 541-922-3814

**Westland Irrigation District**  
Mike Wick, 541-667-2030

# Umatilla County Department of Community Development

## Land Use Request Application

This application must be submitted to the Umatilla County Department of Community Development, 216 SE 4<sup>th</sup> ST, Pendleton, OR 97801, (541) 278-6252, and must be accompanied by a non-refundable application fee. Acceptance of the application and fee does not guarantee approval or a Determination of Completeness.

**PLEASE COMPLETE THIS APPLICATION PRINTING CLEARLY WITH A BLACK INK PEN**

---

### Section 1: Type of Application(s) to Submit

Complete the applicable Supplemental Application that corresponds with the application you are submitting.

**Amendment:**  Comprehensive Plan Text/Map,  Zoning Text/Map

**Conditional Use**  (*briefly describe*) \_\_\_\_\_

**Land Division**  Type I,  Type II,  Type III,  Type IV

**Land Use Decision**  Farm Dwelling,  Non-Farm Dwelling,  Lot of Record Dwelling

(*OTHER LUD, briefly describe*) \_\_\_\_\_

**Pre-Application**  Dwellings on resource land (*specify*) \_\_\_\_\_

**Variance**  Lot Size,  Setbacks,  Other (*specify*) \_\_\_\_\_

---

### Section 2: Contact Information

**Name of Applicant:** \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone Number & Email

Address: \_\_\_\_\_

The APPLICANT is the ...

Legal Owner,  Contract Purchaser,  Agent,  Realtor

**Name of Current Property Owner(s):**

If Property Owner is not the applicant. \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

---

## Section 3: Property Information

Complete for all land use request applications.

---

1. Location of Property (Provide directions you would give someone to get to the property):

---

2. Account Number(s) of Property:

Account # \_\_\_\_\_

Account # \_\_\_\_\_

---

3. Map Number(s) of Property:

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Tax Lot \_\_\_\_\_

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ Tax Lot \_\_\_\_\_

Use separate sheet of paper for ENTIRE Legal Description and mark it "Exhibit A".

---

4. Has the Property or dwelling received a Rural Address? If so, what is it?

Yes \_\_\_\_\_

No \_\_\_\_\_

---

5. Current size of the Property:

Note: A "TRACT OF LAND" is contiguous property within the same ownership. A Tract is viewed differently at times in terms of land use.

Acres \_\_\_\_\_

Acres \_\_\_\_\_

---

6. Current Zoning Designation:

There are some 22 zoning designations in Umatilla County.

EFU

GF

Other Zone \_\_\_\_\_

---

7. Comprehensive Plan Designation:

A Comprehensive Plan Designation is different than a Zoning Designation in that it distinguishes land that should be developed for various uses, where zoning actually specifies the uses. There can be multiple zoning designations within a Comprehensive Plan Designation.

Agri-business

Commercial

Grazing/Forest

Industrial

Multi-Use

N/A

North/South Agriculture

Orchard District

Rural Residential

Special Agriculture

West County Irrigation District

---

8. Buildings on the Property:

---

9. Current Use of the Property. If the use is farming, explain the types of crops grown.

---

10. Surrounding Uses of the Property. If the use is farming, explain the type of crops grown.

11. Does the Property reside in a Floodplain?  
 If so, a Floodplain Development Permit will need to be completed prior to construction.

No, the Property is not in a floodplain.  
 Yes, the Property is in a floodplain:

Zone \_\_\_\_\_

Community Number \_\_\_\_\_

Panel Number \_\_\_\_\_

12. If the Property is in a Floodplain, then is it also located in a wetland as listed on the National Wetlands Inventory maps?

Yes, provide documentation.  
 No, the Property is not in a wetlands

13. How is ACCESS provided to the Property? (i.e. provide name of road that directly serves the Property.) What type of surface does the roadway have?

*Name of Road or Lane*  
 \_\_\_\_\_

Paved,  Gravel,  Dirt

14. Will the Property need an Access Permit onto a County Road or State Highway? If so contact the County Public Works Department, 541-278-5424, or ODOT, 541-276-1241.

Yes, if so please contact the proper authority and provide that documentation  
 No, one already exists (provide a copy)

15. EASEMENTS: Are there any easements on the Property that provide the MAIN ACCESS for the Property OR adjacent properties? Are there any other easements on the property? Attach easement documentation.

*Attach easement documentation:*

Access easements exist  
 Utility line easements exist  
 Irrigation easements exist  
 Other easements exist: \_\_\_\_\_  
 No, other easements exist.

16. Which Rural Fire District/Department covers your Property with fire protection?

<p><i>Fire Services:</i></p> <input type="checkbox"/> East Umatilla <input type="checkbox"/> Echo Rural <input type="checkbox"/> Pendleton FD <input type="checkbox"/> Pilot Rock FD <input type="checkbox"/> Umatilla Rural <input type="checkbox"/> Umatilla Dist. #1	<p><i>Private Companies:</i></p> <input type="checkbox"/> Meacham <input type="checkbox"/> Milton-Freewater (subscriber) <input type="checkbox"/> Tribal <input type="checkbox"/> Not in a RFD <input type="checkbox"/> Other, _____
--	--

17. Is the Property within an Irrigation District? If the property is served by an Irrigation District, a confirmation letter from that office discussing any concerns of the proposed development must be submitted with this application.

<p><i>Irrigation District:</i></p> <input type="checkbox"/> Hermiston <span style="color: red;">new only</span> <input type="checkbox"/> Stanfield <input type="checkbox"/> West Extension <input type="checkbox"/> Westland	<input type="checkbox"/> Hudson Bay or Walla Walla River Irrigation <input type="checkbox"/> Not in an ID <input type="checkbox"/> Other, _____
---	---

18. Describe the soils on the Property by listing the map name and land capability. Visit <http://websoilsurvey.nrcs.usda.gov> or contact NRCS at (541) 278-8049.

Map Unit	Description	Class

19. What type of water use(s) exist on the Property? If there are none currently, will there be water uses developed in the future?

- No current water uses exist
- Water Uses to be developed: \_\_\_\_\_
- Yes, there are water uses
  - Domestic Well
  - Irrigation Well
  - Stock Well
  - Other: \_\_\_\_\_ **existing irrigation, shop sinks, and bathrooms**

20. Are there Water Rights on the Property? If there are Water Rights, the water permit, certificate and/or other documentation from the Oregon Water Resources Department shall be included with this application.

- No current water rights exist
- Will apply for Water Rights
- Yes, there are water rights, please provide documentation (permit #, etc.)
  - Surface Water Right(s), # \_\_\_\_\_
  - Ground Water Right(s), # \_\_\_\_\_

21. Will the water rights require a change of use? Explain.

- No, the proposed use does not require a change with OWRD
- Yes, the proposed use does require a change with OWRD \_\_\_\_\_

22. What are the water needs of the proposed development? Provide an explanation that shows how the determination was obtained that shows daily usage of water for the development. **new irrigation will be from Hermiston Irrigation District, water rights purchased in 2021**

- Expected Water Usage:*
- Exempt Domestic Well (<15,000 gal daily)
  - Exempt Commercial Well (<5,000 gal daily)
  - Water Right required, estimated number of gallons to be used daily: \_\_\_\_\_ gallons
  - No water is necessary for the development

23. What is the source of your water supply for the proposed development? Please explain your response on a separate sheet of paper. **existing well. new irrigation will be from Hermiston Irrigation District**

- Water Source:*
- Surface Water, explanation attached
  - Alluvial Groundwater, explanation attached
  - Basalt Groundwater, explanation attached
  - No water is necessary for the development

---

24. Who is the provider of the utilities for the Property?

Water  well, or \_\_\_\_\_

Sewer  septic, or \_\_\_\_\_

Telephone \_\_\_\_\_

Electrical \_\_\_\_\_

Garbage Disposal \_\_\_\_\_

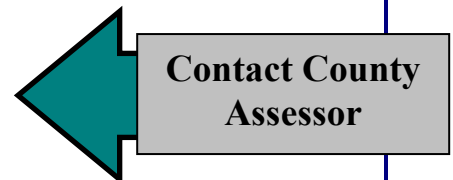
---

25. Provide a description of your proposal (*attach a description if necessary*):

## Section 4: Required Application Materials

26. These materials are to be submitted with the application: The proceeding page is to be used as a base for the site plan. This drawing DOES NOT take the place of any maps required to be submitted by a Licensed Surveyor. This site plan will show what is or will be on the property. Additional material may be requested.

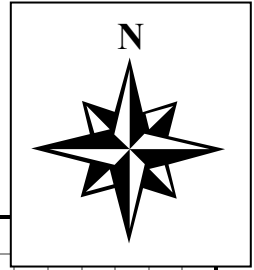
<input checked="" type="checkbox"/>	<b>Materials to be submitted for ALL types of Applications:</b>
<input type="checkbox"/>	a) Completed Application form.
<input type="checkbox"/>	b) Applicable Application fees.
<input type="checkbox"/>	c) Site Plan Marked Exhibit B (see next page) to include:
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Scale of drawing</li> </ul>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Site area showing <u>property boundaries</u> and dimensions</li> </ul>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Proposed and existing <u>structures</u> with dimensions to nearest Property lines</li> </ul>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Location of existing <u>wells</u> <b>shown on exhibit</b></li> </ul>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Location of existing <u>septic systems</u> (i.e. tanks, drain fields) <b>shown on exhibit</b></li> </ul>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Widths and names of <u>roads</u> adjacent to the site as well as existing roads, which provide direct access to the property.</li> </ul>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Existing <u>access points</u> (driveways, lanes, etc.)</li> </ul>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• <u>Easements</u> and rights-of-ways</li> </ul>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Existing <u>utility lines</u> (above and below ground)</li> </ul>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Approximate location of any unusual <u>topographical</u> features.</li> </ul>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Major <u>geographic</u> features</li> </ul>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Location of all creeks, streams, ponds, springs and other drainage ways</li> </ul>
<input type="checkbox"/>	d) <u>VICINITY MAP</u> – Assessor’s map of the Property.
<input type="checkbox"/>	e) <u>Property ASSESSOR’S REPORT</u> showing property details.
<input type="checkbox"/>	f) <b>The <u>DEED(S)</u> of the Property in question.</b>
<input type="checkbox"/>	g) <b>OVERLAY MAP</b> showing potential re-division of the parcels (if the parcels are large enough to be re-divided). Within the Hermiston Urban Growth Boundary, a formal “Shadow Plat” may be required.
<input type="checkbox"/>	h) <b>SUPPLEMENTAL APPLICATION</b> for the land use request will also be required to be submitted with this basic application form. <u>Submit a Supplemental Application if applying for any of the following:</u>
	<ul style="list-style-type: none"> <li>- Amendment to Comprehensive Plan/Map or Zoning Text/Map</li> <li>- Conditional Use</li> <li>- Land Division</li> <li>- Land Use Decision</li> <li>- Variance</li> </ul>



**SUBMITTED  
SEPERATELY**

## **Exhibit B, "Site Plan"**

Please include the details listed under item (c)  
found in Section 4 (on preceding page)



A large grid area for drawing the site plan, consisting of a 30x30 grid of small squares.

**Section 5: Certification**

(Please provide legible signatures.)

**APPLICANT:** I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge.

X Kay Edwards 10-14-25  
Signature of Applicant Date  
Kay Edwards  
Printed Name of Applicant

**PROPERTY OWNER(S):** ALL property owners to this land use request are to sign, date and print their names verifying that the applicant is authorized to submit the specified land use request. If there are multiple parcels that are part of this land use request, please indicate which parcel you own. This page can be copied if there are more property owners than this space allows. Attach additional page if necessary.

Legal Owner(s) Hermiston Cemetery District  
Mailing Address P.O. BX 265 City, State, Zip Hermiston OR 97835  
Parcel Map # 4028140, TL#400  
X Kay Edwards X  
Signature of Legal Owner Signature of Legal Owner  
10-14-25  
Date Date

\* \* \* \* \*

Legal Owner(s) \_\_\_\_\_  
Mailing Address \_\_\_\_\_ City, State, Zip \_\_\_\_\_  
Parcel Map # \_\_\_\_\_  
X \_\_\_\_\_ X  
Signature of Legal Owner Signature of Legal Owner  
\_\_\_\_\_  
Date Date

**ADDITIONAL PERSON(S) TO SEND NOTICE**

Is there anyone else besides the property owner and adjacent property owners who would like to receive notice of this application during its' review period and notice of decision? (Realtor, Prospective Buyer, Attorney, etc.) Provide name and mailing address:

Name: \_\_\_\_\_ Address: \_\_\_\_\_



# Amendments

## Comprehensive Plan Map/Text, Zoning Map/Text Supplemental Application & Information Packet



216 SE 4<sup>th</sup> ST, Pendleton, OR 97801, (541) 278-6252  
Email: [planning@umatillacounty.gov](mailto:planning@umatillacounty.gov)

*Note: Please complete the Land Use Request Application as well.*

## PROCESSING THE APPLICATION

The typical application process is approximately 3 to 6 months long.

Applications for map amendments are processed as quasi-judicial land use decisions. Planning staff have 30 days to review the application for completeness. Once the application is deemed complete, planning staff will provide the required 35-day notice to the Oregon Department of Land Conservation and Development (DLCD). The proposed amendment is then placed on the next available County Planning Commission agenda for a public hearing.

As applicable, applicant(s), owners(s), surrounding property owners, affected government agencies, and utility companies are given 10-day notice in which to make written comments or prepare to attend the public hearing.

## PUBLIC HEARING

The amendment process involves two public hearings. At the first hearing, the County Planning Commission hears public testimony and makes a recommendation to the Board of County Commissioners who makes a final decision at the second hearing.

## ADDITIONAL ITEMS

1. Copy of Umatilla County Comprehensive Plan Map or Zoning Map with changes indicated.
2. A description addressing how the proposed amendment complies with the Umatilla County Development Code and Comprehensive Plan, Oregon Administrative Rules, Statewide Planning Goals and Oregon Revised Statutes.
3. Other items deemed necessary by planning staff.

## FEES

**Comprehensive Plan Map, Comprehensive Plan Text, Development Code Text and Zone Map Amendment** - \$2,000 each type of application (cumulative)

Cost of the notices will be invoiced afterwards and must be paid prior to final approval.

It is the responsibility of the applicant to submit a complete application with all necessary attachments. Planning staff can refuse an incomplete application.

Version: August 19, 2024  
H:\shared\Forms\_Master\Application Forms & Supplemental Packets\Supplemental Packet\_Amendments\_AUG 2024.doc

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## Amendments to Map and/or Text

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1. Which document is being proposed to be added to, deleted from, or otherwise modified?
- Comprehensive Plan Map Amendment  
 Comprehensive Plan Text Amendment (includes amendment to the Mineral and Aggregate Significant Site Inventory)  
 Development Code Text Amendment  
 Zoning Map Amendment

- 
2. If amendments to the Comprehensive Plan Map are being proposed, what is the current designation and what is being proposed?
- Current Designation: \_\_\_\_\_  
Proposed Designation: \_\_\_\_\_

- 
3. If amendments to the Zoning Map are being proposed, what is the current zoning and what is being proposed?
- Current Zoning: \_\_\_\_\_  
Proposed Zoning: \_\_\_\_\_

- 
4. If modifying the Development Code text, please provide a copy of the proposed language as an attachment.
- Yes, the proposed development code text is attached.  
 No, the new development code text has not yet been drafted.

- 
5. What is the current use of the property?

- 
6. Will a Goal Exception be necessary in order to accomplish the desired land use?
- Yes, an Exception is part of this application (see OAR 660, Division 4).  
 No, an Exception is not necessary.

---

7. Describe the desired land use(s):

---

8. Explain how the Amendment will comply with the Comprehensive Plan text and map.

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9. **Transportation** - Explain how the Amendment will comply with the Oregon Transportation Planning Rule (TPR) - OAR 660, Division 12, the County TSP and UCDC §152.019, Traffic Impact Analysis (TIA).



# **Hermiston Cemetery Expansion Umatilla County Code Text Change**

1400 South Highway 395  
Hermiston, Oregon 97838

Prepared for:  
Hermiston Cemetery District  
PO Box 265  
Hermiston, Oregon 97838

Project Contact:  
Apex Companies, LLC  
Rebecca Wahlstrom  
1325 SE Tech Center Drive, Suite 140  
Vancouver, Washington 98683

October 2025 (Updated November 2025)  
Apex Project 25011919



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VANCOUVER, WA 98683  
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APEXCOS.COM

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Table 1. Surrounding Uses and Zones

### FIGURES

Figure 1. Existing Conditions

Figure 2. Proposed Conditions

Figure 3. Assessor’s Map 3N29

Figure 4. 2024 Real Property Assessment Report

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## 1 PROJECT SUMMARY

### 1.1 Introduction

This narrative accompanies the Umatilla County Code Text Change application for Hermiston Cemetery District (applicant), which is seeking approval for a Code Text Change, a Conditional Use Permit, and a subdivision review. The application package was submitted to Umatilla County (County) in accordance with the provisions of the Umatilla County Development Code (1983), Amendments Section 152.750 regarding Umatilla County Development Code, Use Zone, F-1, Exclusive Farm Use Zone. This narrative was primarily researched and written by Carla McLane Consulting LLC, which began this submittal process. Apex Companies, LLC (Apex) has formatted and completed the work for submittal.

### 1.2 Site Information

The request, composed of three separate components, is to allow the expansion of the Hermiston Cemetery, which is owned and managed by the applicant. To accomplish this:

1. The first request is to add "Cemetery" as a conditional use to the text of the Umatilla County 1972 Amended Zoning Ordinance under the existing F1 Exclusive Farm Use zone. The text change procedure would be reviewed in accordance with the Umatilla County Development Code (1983).
2. The second request is to then approve a Conditional Use Request under those new provisions (1983).
3. The third request is to approve a subdivision (using 1983 code) to create the necessary blocks, lots, and plots for the cemetery to execute their needed expansion.

### 1.3 Location and Current Use of the Property

The subject property is currently defined as the following:

- Tax Lots 100 (current cemetery) and 200 of Assessor's Map 4N 28 14CD
- Tax Lot 400 (proposed initial expansion area) of Assessor's Map 4N 28 14D
- Tax Lots 200 and 201 of Assessor's Map 4N 28 14DB

The cemetery and the expansion area are within the Hermiston urban growth boundary. The site is in the SW ¼ and SE ¼ of Section 14, Township 4N, of the Willamette Meridian, Umatilla County, Oregon.

The current cemetery occupies about 20 acres, or a third of the applicant's land. The balance of the land is bare except for the access road that serves the cemetery. The applicant proposes to expand the available cemetery area by approximately 7.15 acres, meaning approximately 2,500 people could be laid to rest in this expanded area over the next decades.

### 1.4 Surrounding Uses and Zones

The uses and zones surrounding the site are noted as follows.

**Table 1. Surrounding Uses and Zones**

Direction	Uses	Jurisdiction	Zone
North	Cemetery Access Road	Umatilla County	FU-10, Future Urban
South	Union Pacific Railroad Main Line	Railroad ROW	Railroad
East	Vacant Land	Umatilla County	FU-10, Future Urban
West	Existing Hermiston Cemetery	Umatilla County	F-1, Exclusive Farm Use

ROW: right-of-way

## 1.5 Project Description

This narrative addresses all three applications, starting with the request for the text amendment, followed by the Conditional Use Request, and concluding with the subdivision application. For the text amendment, the applicable criteria are found at 152.750 Amendments in the Umatilla County 1983 Development Code. The Conditional Use Request applicable criteria are found under 152.610 Conditional Uses, also of the Umatilla County 1983 Development Code. The subdivision applicable criteria, based on the reference in the Umatilla County 1972 Amended Zoning Ordinance, are found in the Umatilla County Development Code 1983, Amended.

## CODE COMPLIANCE

### 2 TEXT AMENDMENT

#### 2.1.1 Section 152.750 Authorization to Initiate Amendments

*(A) An amendment to the text of this ordinance or to a zoning map may be initiated by the County Board of Commissioners, the County Planning Commission, or by application of a property owner. The request by a property owner for an amendment shall be accomplished by filing an application with the secretary of the Planning Commission, using forms prescribed pursuant to 152.767.*

*(B) The Planning Director is hereby assigned the duties of continuing the codification process of Chapters 150-153 of this Development Code. The Planning Director shall endeavor to maintain the Development Code as current as reasonably possible. After consultation with the County Counsel, the Planning Director may also strike figures or words that are repetitious or unnecessary, may change capitalization, punctuation and style for the purpose of uniformity, and may correct clerical and typographical errors. But, the Planning Director, in making such changes may not alter the sense, meaning, effect or substance of any ordinance or chapter of this Code.*

**Response:** The application was submitted by the owner of the subject property, the Hermiston Cemetery District. This narrative is supplemented with the application forms required by the Umatilla County Planning Division and map exhibits. The preliminary text amendment text is also provided in this package.

#### 2.1.2 Section 152.751 Compliance with Comprehensive Plan

*An amendment to the text of this chapter or to a zoning map shall comply with the provisions of the County Comprehensive Plan text and Comprehensive Land Use Map. Proposed amendments shall also comply with the applicable provisions of the Oregon Transportation Planning Rule, Oregon Administrative Rule (OAR) 600, Division 12 and the Umatilla County Transportation Plan and are subject to the requirements of 152.019, Traffic Impact Analysis. Any deviation from this section shall be preceded by an amendment to the Comprehensive Plan Text or to the Comprehensive Land Use Map. However, if the existing use of the property is allowed outright in the requested zone, compliance with the Comprehensive Plan is not necessary.*

**Response:** This request is to add "cemetery" as a conditional use to the list of conditional uses in the F1 Exclusive Farm Use zone defined in the Umatilla County 1972 Amended Zoning Ordinance. The following comes from the Umatilla County Comprehensive Plan, page 489, concerned with comprehensive plan designations within urban growth areas.

*URBANIZABLE: Urbanizable lands are distinguished from other land categories in that they are within each cities' Urban Growth Boundary and outside its incorporated limits. The boundaries have been established and may be altered by joint adoption of the various cities and the county.*

*These lands are slated for urban services as each city expands into its urban growth area. Land use classifications inside the urbanizing area are defined in each city's comprehensive plan and are adopted by the county as county Comprehensive Plan Amendments. Within Umatilla County, each city's plan for lands between city limits*

*and Urban Growth Boundary are, by reference, part of this plan. Coordination between the county and cities is a feature of the joint adoption process. Specific features of the plan for each city's urban growth area vary slightly and will be found in that city's Comprehensive Plan and in the implementing Joint Management Agreement.*

**Response:** It should be noted that the City of Hermiston Comprehensive Plan appears to not address this subject, and the Joint Management Agreement does not provide any clear guidance beyond the map included as Exhibit A, which clearly identifies the subject property as Urbanizable but not Urban. It is not the intent of the applicant to request that the subject property be converted or be considered as Urban at this time. As the land is considered Urbanizable, the submission was made to the Umatilla Planning Department for review, following the Joint Management Agreement, E, 4; *All applications for land use within the Urbanizable Area shall be made through the County's Planning Department. ...The County shall be responsible for planning and zoning code enforcement in the Urbanizable Areas.* The City and the County will work together to provide a response to the proposal.

The City of Hermiston's Comprehensive Plan overall objectives are met as follows:

- *Allow property owners within the urban growth boundary to exercise their rights of development in a manner which is consistent with the statewide goals and applicable comprehensive plan policies and implementing regulations.*

**Response:** The applicant owns the expansion property and proposes to develop it in a manner that is consistent with statewide goals (as is explored more fully later in this document).

- *Meet the intent of statewide planning goals and county and city plans and policies which require rational urbanization, the provision of needed housing, and the efficient and orderly provision of public services and facilities.*

**Response:** The applicant proposes to develop the expansion property in a manner that is consistent with statewide goals (as is explored more fully later in this document).

- *Retain and improve the city's livability and economic stability.*

**Response:** The applicant's proposal retains and improves the city's livability and economic stability by ensuring there is sufficient room for residents to lay their loved ones to rest locally.

- *Maintain the city's historic character and community identity.*

**Response:** The applicant's proposal maintains the city's historic character and identity by expanding the existing cemetery. Providing a new burial location in another area of town would be much more disruptive to the city's historic character and social fabric.

- *Preserve and protect the city's natural resources from undesirable effects of growth to the maximum degree practical.*

**Response:** While the applicant's proposal does address expansion, it provides the most necessary expansion in the most efficient way possible. Existing roads, utilities, and other site features particular to a cemetery are already in place.

- *Conserve energy and use renewable energy resources.*

**Response:** While the applicant's proposal does address expansion, it provides the most necessary expansion in the most efficient way possible. The existing cemetery support functions are already in place and can easily be expanded. Providing burial services in another area of town would entail more resources to build and maintain the necessary system.

### **2.1.3 Section 152.752 Public Hearings on Amendments**

*The Planning Commission shall conduct a public hearing on the proposed amendment according to the procedures of 152.771 of this chapter at its earliest practicable meeting after it is proposed.*

*The decision of the Planning Commission shall be final unless appealed, except in the case where the amendment is to the text of this chapter, then the Planning Commission shall forward its recommendation to the Board of Commissioners for final action. The Board shall hold a public hearing in accordance with Section 152.771 of this chapter within 60 days from receipt of the Planning Commission's recommendation. Appeal shall be to the County Board of Commissioners who shall hold a public hearing on any appeal, pursuant to Section 152.771. Appeal shall be heard on a de novo basis.*

**Response:** The applicant acknowledges that at least two public hearings will be held, one before the Umatilla County Planning Commission and another before the Board of Commissioners. Any appeal of the final decision concerning the text amendment request would be heard by the County Board of Commissioners.

### **2.2 Section 152.753 Conditions to Amendments**

*(A) The Planning Commission may adopt or reject an amendment, or any portion thereof, as set forth in the request, or may impose conditions to the amendment or portions thereof.*

**Response:** Conditions to amendments shall be completed within the time limitations set forth by the County, or if no such time limitation is set, within a reasonable time.

*(B)(1) Conditions to amendments shall be completed within the time limitations set forth by the county, or if no such time limit is set, within a reasonable time.*

*(2) Such conditions shall directly benefit the property described in the amendment and shall be imposed only if the county finds them necessary to prevent circumstances which may be adverse to public health, safety and welfare.*

**Response:** Cemeteries in the State of Oregon are governed by ORS Chapter 97, which relates to the "Rights and Duties Relating to Cemeteries, Human Bodies, and Anatomical Gifts" and provides guidance to how cemeteries shall operate to protect public health, safety, and welfare. No further Conditions of Approval should be required.

*(3) Fulfillment of the need for public service demands created by the proposed use.*

**Response:** Cemeteries, as stated just above, are governed by ORS 97 with oversight from the Oregon Mortuary and Cemetery Board. No additional regulation or oversight is necessary.

*(4) Changes or alterations of conditions shall be proposed in the manner set forth in 152.750 through 152.777 of this chapter, for amendments.*

**Response:** The applicant asserts that no Conditions of Approval are necessary and therefore would not need to be amended now or in the future.

*(5) Such conditions shall be set forth in a contract executed between the county acting by and through the Board of County Commissioners, and the property owner and any contract purchaser. No amendments with conditions shall be effective until such properly executed contract is filed with County Records, and proof of filing be submitted to the Planning Office...*

**Response:** The applicant asserts that no Conditions of Approval are necessary and therefore would not need to be amended now or in the future.

*(6) Failure to fulfill any conditions to amendments within the time limitations may be grounds for amendments to the zoning map (changes in zone) upon initiation by the proper parties pursuant to the procedure set forth in Section 152.750 through 152.777 of this chapter.*

**Response:** This request is for a text amendment, not an amendment to the zoning map. The applicant finds this criterion to be not applicable.

*(7) The County may require a bond in a form acceptable to the county or a cash deposit from the property owner or contract purchaser in such an amount as will assure compliance with the conditions imposed pursuant to this section. Such bond shall be posted at the same time the contract containing the conditions to the amendment is filed with County Records.*

**Response:** The applicant asserts that no Conditions of Approval are necessary as any concerns related to public health, safety, and welfare would be addressed through the oversight of the applicant in the operation of the Hermiston Cemetery, as it has been for more than 50 years.

*(8) Improvement to adjacent roads. The county may require improvements to county or public roads, or recorded easements, abutting any parcel of land as a condition of granting an amendment to the zoning map for that parcel (change in zone) where such improvements are necessary for public safety, pursuant to requirements of this chapter.*

**Response:** The applicant is requesting this text amendment to the F-1, Exclusive Farm Use Conditional Use section in the 1972 Amended Zoning Ordinance to enable the applicant to expand the existing cemetery to meet demand. By also requesting a Conditional Use Permit and a Cemetery Subdivision at the same time, any appropriate Conditions of Approval are requested to be done within these permits. Please see submitted plans and exhibits that show the proposed cemetery expansion.

### **2.3 Section 152.754 Record of Amendments**

*The Office of County Records shall maintain records of amendments to the text and zoning map of this chapter.*

**Response:** The applicant acknowledges the Office of County Records will maintain records of amendments.

### **2.4 Section 152.755 Limitation on Reapplication**

*No application of a property owner for an amendment to the text of this chapter or to the zoning map shall be considered by the Planning Commission within the one-year period immediately following a previous denial of such request, except that the Planning Commission may permit a new application if, in the opinion of the Planning Commission, new evidence or a change of circumstances warrant it.*

**Response:** The applicant acknowledges County's limitations on reapplication.

### **2.5 Text Amendment Conclusion**

The applicant for this text amendment respectfully submits that the request to add "Cemetery" to the list of conditional uses in the F-1 Exclusive Farm Use zone is an appropriate request providing a necessary community service to the greater Hermiston area. The Hermiston Cemetery District was formed in 1973 and has operated in this location since at least that time and is governed by the Oregon Mortuary and Cemetery Board. This request marks their first request in over 50 years for an expansion.

### **3 Conditional Use Permit Request**

#### **3.1 Section 152.611 New or Altered Conditional Uses and Land Use Decisions; Conformance with Requirements; Performance Bonds**

- (A) Conditional uses and land use decisions listed in this chapter may be permitted, enlarged, or altered contingent upon appropriate authorization with the Standards and Procedures set forth in this subchapter.*
- (B) In permitting a new conditional use or the alteration of an existing conditional use or land use decision, the designated planning authority may impose conditions which are considered necessary to protect the best interests of the surrounding area or the county as a whole.*
- (C) In the case of a use existing prior to the effective date of this chapter and classified in this chapter as a conditional use, any change in use or in lot area or an alteration of structure shall conform with the requirements for a conditional use or land use decision.*
- (D) The county may require an applicant to furnish the County with a performance bond or such other form of assurance that the County deems necessary to guarantee development in accordance with the standards established and conditions attached in granting a conditional use or land use decision.*

**Response (A-D):** Once the F-1 Zone text is amended in the Umatilla County Code, the applicant requests a Conditional Use Permit for a Cemetery use in the F1 Zone in Umatilla County. The Hermiston Cemetery District was incorporated June 8, 1973. Over 50 years later, the cemetery now has a need for more land to accommodate the population, but the surrounding zoning uses do not include Cemetery as a use. The conditional use shall also include a columbarium and supporting infrastructure.

#### **3.2 Section 152.612 Procedure for Taking Action on a Conditional Use or Land Use Application**

*The procedure for taking action on a conditional use or land use decision application shall be as follows.*

- (A) Conditional uses and land use decisions listed in this chapter may be permitted, enlarged or altered contingent pursuant to 152.767.*
- (B) A conditional use or land use decision application shall be processed via administrative review per 152.769.*
- (C) A conditional use permit or land use decision will not be approved unless the proposed use of the land will be in conformance with the County Comprehensive Plan.*
- (D) An applicant granted a conditional use permit or land use decision must obtain a County Zoning Permit for each tax lot before establishing the approved use and or commencing construction.*
- (E) Conditional use permits and land use decisions may have annual reviews conducted by County Planning to ensure compliance with the conditions of approval. Annual review fees may be assessed.*
- (F) Conditional use or land use decision may be referred to the Planning Commission if the Planning Director deems circumstances warrant such additional review and consideration.*

**Response:** Once the cemetery text is added to the code as a conditional use in the F-1 zone, the cemetery can be approved and reviewed by the County's regular review methods, as seen above A-F. Evidence of the suitability of the cemetery use is clear; the existing cemetery has operated successfully in this location for over 50 years. Access to the site for mourners is within easy access of the city but not conflicting with current uses. The cemetery is a good neighbor to the railroad directly to the south and to the Hermiston Airport to the east. The proposed cemetery expansion is not directly adjacent to residential zones and is constricted by the aforementioned railroad, highway, irrigation canal, and existing cemetery. The platting will also allow for further expansion in the future. The applicant will obtain the necessary permits for each tax lot before commencing construction.

### **3.3 Section 152.613 Time Limit on a Conditional Use Permit and Land Use Decision**

**Response:** The applicant understands there are time limits on decisions and permits.

### **3.4 Section 152.614 Limit One Application**

**Response:** The applicant understands there are limits on the timing of applications, should one be denied.

### **3.5 Section 152.615 Additional Conditional Use Permit Restrictions**

**Response:** The applicant understands there are certain restrictions that the Hearings Officer, Planning Director, or the appropriate planning authority may impose on the project.

### **3.6 Conditional Use Conclusion**

The applicant requests approval of the cemetery as a conditional use in Umatilla County F-1 zone. The evidence shows that the Cemetery use is suitable for the area, as the cemetery has operated at the location for over 50 years. There is a Union Pacific right-of-way to the south, Highway 395 and the Hermiston Airport to the east, and an irrigation canal to the north. The railroad, highway, airport, and existing cemetery all confine the location such that it is not a prime housing location but it is best-suited to provide a final resting place for the residents of the area.

## **4 SUBDIVISION REQUEST**

### **4.1 Section 152.643 Classification of Lands; Land Division Types**

*Land division proposals within city urban growth boundaries , shall comply with requirements and procedures in the joint management agreements co-adopted by both the county and appropriate city. Land division proposals , within rural Umatilla County shall comply with the County Comprehensive Plan and zoning requirements.*

**Response:** The proposed cemetery expansion is within the City of Hermiston urban growth boundary and will comply with the joint management agreement co-adopted by both parties.

### **4.2 Section 152.646 Proposals Designated to Land Division Types.**

*(B) Type III Land Division, 1) Review and approval procedures for Type III Land Division are set forth in 152.695 through 152.698 of this chapter.*

**Response:** The cemetery expansion will be subdivided as shown in the preliminary plat, submitted in this application. Please review plan for more details and information.

## **PART 4, TYPE III LAND DIVISION**

### **4.3 Section 152.695 Review and Approval Procedure**

*A Type III Land Division is used to replat a recorded subdivision or addition plat. The replat may be used to achieve a reconfiguration, of an existing subdivision or addition, or used to increase or decrease the number of lots within an existing recorded subdivision or addition. A replat may be used to reconfigure or realign a recorded access easement within a plat. A replat includes a change in an exterior boundary of a subdivision or partition plat. This subchapter is intended to implement the requirements of ORS 92.180 through 92.190. Review and approval of a Type III Land Division shall be as follows in 152.696 through 152.698.*

**Response:** The proposed subdivision application is an extension of the cemetery (conditional) use to a new parcel. This parcel is adjacent to the existing cemetery use.

### **4.4 Section 152.696 Pre-Filing Conference**

*A pre-filing conference shall be required and held prior to the filing of a replat for a Type III Land Division.*

**Response:** The applicant assumes a pre-filing conference will not be required with this subdivision request.

#### 4.5 Section 152.697 Tentative Replat Plan

- (A) *Filing.* A tentative replat plan shall be filed with the Planning Director, who shall schedule it be reviewed via the public hearing process before the Planning Commission, pursuant to 152.770, 152.771 and 152.772.
- (B) *Contents of a tentative replat plan.* A copy of the subdivision plat shall be obtained and the following information presented on it or an enlarged, to scale, copy of said plat.
1. Location of existing structures and buildings, including distances to existing lot lines.
  2. Location of natural features, including streams, bluffs, rock out-crops, ponds, and wetlands.
  3. Use of the land within the proposed replat.
  4. Location and identification of all existing utility lines and irrigation ditches.
  5. Location of existing driveways.
  6. Location and identification of existing roads and access easements.
  7. Other restrictive features specific to the site and not identified above.
  8. The location of the proposed new lot lines, roads, and easements, and distances with respect to the existing lot lines, existing structures, utility lines, and the like, as needed to determine compliance of the proposal with the standards of this chapter.
- (C) *Criteria for approval of a Type III Land Division.* In granting approval of a tentative replat plan, the Planning Commission shall find that the tentative plan:
1. Complies with applicable elements of the Comprehensive Plan;
  2. Complies with applicable provisions listed in the zoning regulations of this chapter;
  3. Conforms and fits into the existing development scheme in the area, including logical extension of existing roads and public facilities within and adjoining the site;
  4. Complies with the standards and criteria of 152.667, if applicable, due to the size, scope, and/or location of the request.
- (D) *Decision on a tentative replat plan.*  
...Approval by the Planning Commission shall be final upon signing of the findings, and stands as the county's official action unless appealed.

**Response:** The applicant assumes a pre-filing conference will not be required with this subdivision request.

#### 4.6 Section 152.698 Final Replat.

*Within two years from the date of approval of a tentative plan, the applicant shall file with the Planning Department a final replat. This replat is intended to be recorded in the Town Plat Records of Umatilla County and will be referenced on the original subdivision plat, and shall conform to the standards for a final subdivision plat, all as set forth in 152.669 of this chapter.*

**Response:** The applicant will apply for final replat within the allotted two-year time regulation.

### 5 CITY OF HERMISTON/UMATILLA COUNTY JOINT MANAGEMENT AGREEMENT

#### 6 STATEWIDE PLANNING GOALS

*Goal 1 Citizen Involvement: To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.*

**Response:** Umatilla County's Comprehensive Plan and development codes outline the County's citizen involvement program that includes the activities of the Planning Commission and provides for the public hearing process with its required notice provisions. These notice provisions provide for adjoining and affected property owner notice; notice to interested local, state, and federal agencies; and allows for public comment

to the process. More specifically, this request will be publicly noticed and discussed at a public hearing and will be subject to input from citizens.

*Goal 2 Planning: To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

**Response:** Goal 2 establishes the underlining process that a county or a city needs to utilize when considering changes to their comprehensive plans and development codes. This application meets those requirements for this request.

*Goal 3 Agricultural Lands: To preserve and maintain agricultural lands.*

**Response:** Goal 3 is not relevant to this application as the proposal is within the Urban Growth Boundary.

*Goal 4 Forest Lands: To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

**Response:** There are no forest lands impacted by this request. The Umatilla National Forest is significantly south of the subject property.

*Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources: To protect natural resources and conserve scenic and historic areas and open spaces.*

**Response:** The Hermiston Cemetery has been in operation for over 50 years, the expansion is a natural conclusion to provide more space for the future. The subject property does not have any overlays or other known cultural or historical sites. No floodplain has been mapped on the subject property.

*Goal 6 Air, Water and Land Resources Quality: To maintain and improve the quality of the air, water and land resources of the state.*

**Response:** Goal 6 addresses the quality of air, water, and land resources. In the context of Comprehensive Plan amendments, a local government complies with Goal 6 by explaining why it is reasonable to expect that the proposed uses authorized by the plan amendment will be able to satisfy applicable federal and state environmental standards, including air and water quality standards. The Hermiston Cemetery has been operating in its current location for over 50 years without any known issues. The proposed expansion will follow local and state regulations in the construction and operation of the cemetery, thereby ensuring the safety of the public and the environment.

*Goal 7 Areas Subject to Natural Hazards and Disasters: To protect people and property from natural hazards.*

**Response:** Goal 7 works to address natural hazards and disasters and through a comprehensive plan amendment process would seek to determine if there are known natural hazards and seek to mitigate any concerns. There are no known natural hazards on the subject property.

*Goal 8 Recreation Needs: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

**Response:** No recreation components are included in this application or affected by it.

*Goal 9 Economy: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

**Response:** Goal 9 requires local governments to adopt comprehensive plans and policies that contribute to a stable and healthy economy. The County has a comprehensive plan and technical report that has been acknowledged to comply with Goal 9. While the approval of a cemetery expansion does not, in and of itself, provide significant economic benefit, the cemetery expansion will provide a necessary benefit to the region in the most efficient way possible.

*Goal 10 Housing: To provide for the housing needs of citizens of the state.*

**Response:** The land directly adjacent to the existing cemetery is not valuable housing property. The railroad, the highway and the irrigation canal constrict easy movement into the area.

*Goal 11 Public Services: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

**Response:** Goal 11 requires local governments to plan and develop a timely, orderly, and efficient arrangement of public facilities and services. The goal provides that urban and rural development be guided and supported by types and levels of services appropriate for, but limited to, the needs and requirements of the area to be served. The approval of this request would support the local future needs of residents.

*Goal 12 Transportation: To provide and encourage a safe, convenient and economic transportation system.*

**Response:** Goal 12 requires local governments to provide and encourage a safe, convenient, and economic transportation system, implemented through the Transportation Planning Rule. This site has not been identified as having any specific transportation-related concerns. The cemetery use generates occasional traffic, most of the time being very low traffic. A trip generation letter is submitted as part of the application package.

*Goal 13 Energy: To conserve energy.*

**Response:** Goal 13 directs local jurisdictions to manage and control land and uses developed on the land to maximize the conservation of all forms of energy based on sound economic principles. Approval of this request provides opportunities for energy efficiency and convenience for residents. The existing cemetery would be able to expand current operations without having to build a new cemetery system elsewhere in the county.

*Goal 14 Urbanization: To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

**Response:** Goal 14 is not specifically applicable to this application; the cemetery use has been located here and in use for over 50 years, and this is the natural expansion over time. It is an efficient use of land, as the cemetery operation system and framework are already in place. To start another cemetery elsewhere would be a less-efficient endeavor that would need to build everything from scratch. All communities need a place to respectfully bury their dead, this location is easily accessible, and efficient use of funds, and not in a prime housing location.

## **7 CONCLUSION**

The applicant has provided within this narrative, and with other information included in the application package, evidence and testimony in support of adding the use of Cemetery to the F-1 zone. Further, this narrative supports the approval of the conditional use and subdivision request that will allow the existing cemetery to expand as necessary to accommodate more plots in the future. The surrounding uses of the railroad and the highway, and the fact that there has been a cemetery at that location for over 50 years, it is a foregone conclusion that the cemetery would expand on the operation systems already in place to accommodate new clients.

## **8 REFERENCES**

Umatilla County Development Code, 1983 (UCDC)

1972 Umatilla County Zoning Code

# Figure 1

## Existing Conditions

Exhibit Map

# Figure 2

## Proposed Conditions

Exhibit Map

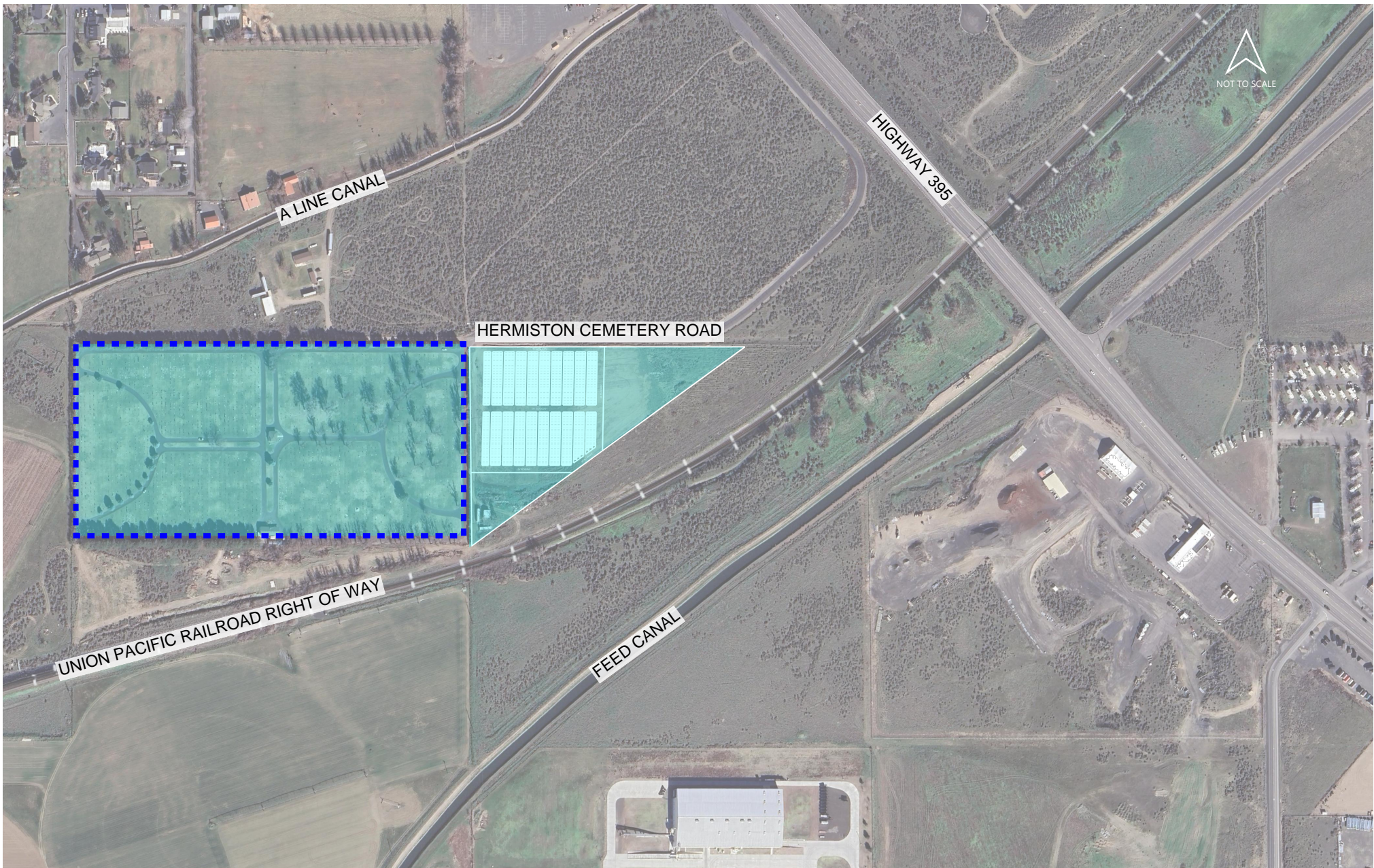
# **Figure 3**

**Assessor's Maps**

# Figure 4

## 2024 Real Property Assessment Report





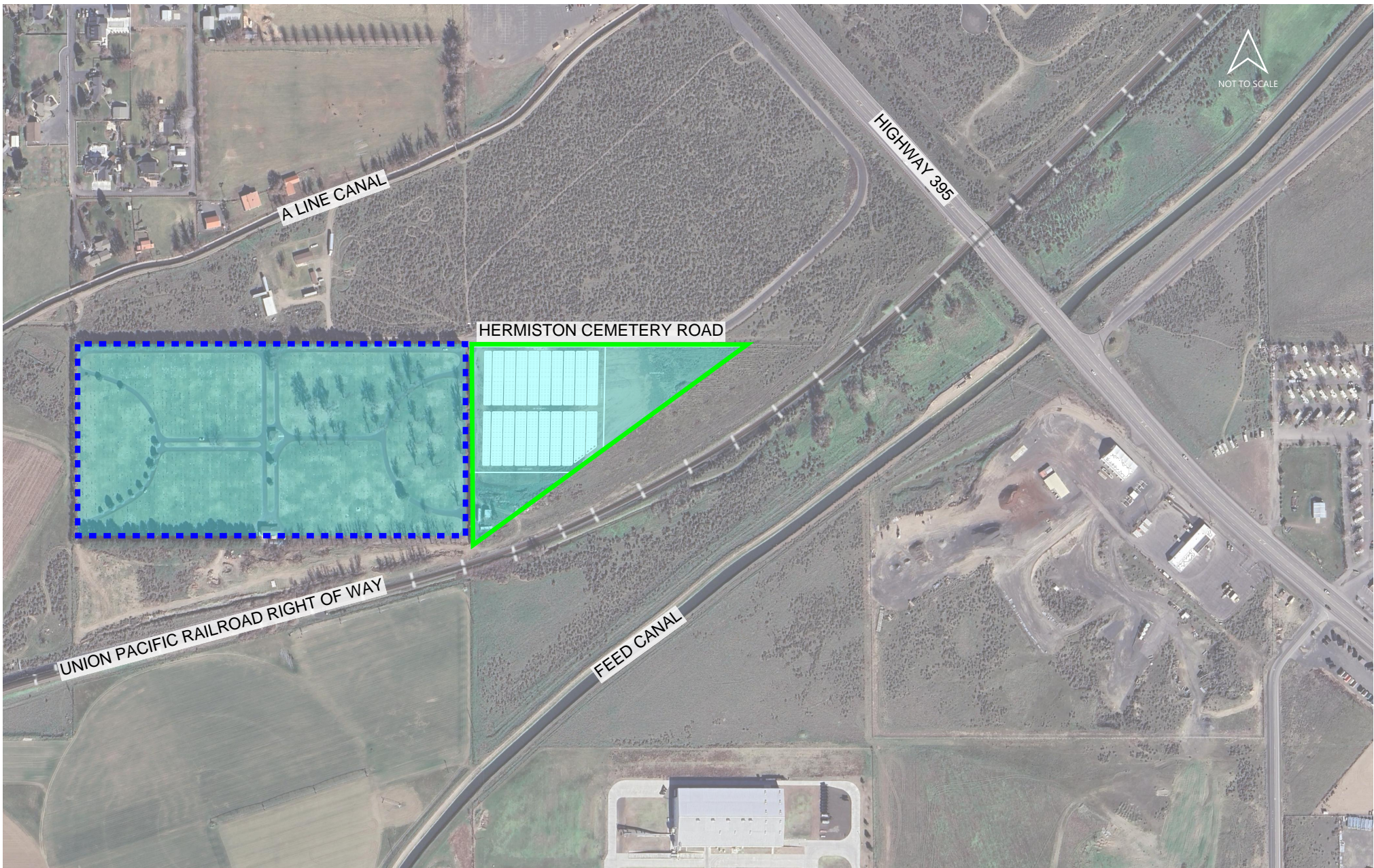
## LEGEND

- EXISTING HERMISTON CEMETERY
- F-1 ZONING

## HERMISTON CEMETERY EXPANSION - EXISTING







## LEGEND

- EXISTING HERMISTON CEMETERY
- PROPOSED CEMETERY EXPANSION
- F-1 ZONING

## HERMISTON CEMETERY EXPANSION - PROPOSED





### **Section 3.010 DESCRIPTION AND PURPOSE**

The F-1 Exclusive Farm Zone is designed to maintain the agricultural economy of the county by reserving farmland for exclusive agricultural use. It is directly related to certain tax provisions in Oregon Statutes and has been taken from ORS 215.203 and 215.213. Please see Addenda for further explanation.

### **Section 3.012 USES PERMITTED OUTRIGHT**

In an F-1 Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit:

- (1) Farm Use, as defined in ORS 215.203;
- (2) Public or private school;
- (3) Church;
- (4) The propagation or harvesting of a forest product;
- (5) Utility facilities necessary for public service except commercial facilities for the purpose of generating power for public use by sale.
- (6) The dwelling and other buildings customarily provided in conjunction with farm use.
- (7) Parks, playgrounds, community centers or recreational vehicle parks owned and operated by a governmental agency or a non-profit community organization (in the Hermiston Urban Growth Area only).
- (8) Public road and public parking (in the Hermiston Urban Growth Area only). (Ord. 2012-14 passed 9-05-12)

### **Section 3.013 CONDITIONAL USES**

In an F-1 Zone, the following uses and their accessory uses are permitted subject to the requirements of Section 7.010 through 7.040 inclusive, and upon the issuance of a zoning permit:

- (1) Commercial activities that are in conjunction with farm use.
- (2) Operations conducted for the exploration, mining and processing of geothermal resources, aggregate and other mineral resources or other subsurface resources.
- (3) Private parks, playgrounds, hunting and fishing preserves and campgrounds.
- (4) Parks, playgrounds or community centers owned and operated by a governmental agency or a nonprofit community organization (outside of Hermiston Urban Growth Area only).
- (5) Golf Courses.
- (6) Commercial utility facilities for the purpose of generating power for public use by sale.
- (7) Single-family residential dwellings provided that each such proposed dwelling:
  - (a) Is compatible with farm uses; and
  - (b) Does not interfere seriously with accepted farming practices on adjacent lands devoted to farm use; and
  - (c) Does not materially alter the stability of the overall land use pattern of the area; and
  - (d) Is situated upon generally unsuitable land for the production of farm crops and livestock, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the tract; and
  - (e) Complies with such other conditions as the Planning Commission considers necessary.

- (8) Personal-use airports for airplanes and helicopter pads, including associated hanger, maintenance and service facilities. A personal-use airport as used in this section means an airstrip restricted, except for aircraft emergencies, to use by the owner, and, on an infrequent and occasional basis, by his invited guest, and by commercial aviation activities in connection with agricultural operations. No aircraft may be based on a personal-use airport other than those owned or controlled by the owner of the airstrip. Exceptions to the activities permitted under this definition may be granted through waiver action by the Aeronautics Division in specific instances. A personal-use airport lawfully existing as of September 13, 1975, shall continue to be permitted subject to any applicable regulations of the Aeronautics Division.
- (9) Home occupations carried on by the resident as an accessory use within their dwelling or other buildings customarily provided in conjunction with farm use, referred to in paragraph (a) of subsection (2) of ORS 215.203.
- (10) A facility for the primary processing of forest products, provided that such facility is found to not seriously interfere with accepted farming practices and is compatible with farm uses described in subsection (2) of ORS 215.203. Such a facility may be approved for a one year period which is renewable. These facilities are intended to be only portable or temporary in nature. The primary processing of a forest product, as used in this section, means the use of a portable chipper or stud mill or other similar methods of initial treatment of a forest product in order to enable its shipment to market. Forest products, as used in this section, means timber grown upon a parcel of land or contiguous land where the primary processing facility is located. (Ord. 2012-14 passed 9-05-12)
- (11) A cemetery including, but not limited to, a burial area, columbarium, and associated outbuildings operated by a cemetery special district.

### **Section 3.014 DIMENSIONAL STANDARDS**

In an F-1 Zone, the following dimensional standards shall apply:

- (1) Minimum Lot Area.: 19 acres for a principal dwelling unit.
- (2) Setback: No building shall be located closer than 20 ft. from a property line abutting a street or road.
- (3) Minimum Lot Area for Nonfarm Uses: As determined by the Department of Environmental Quality to be necessary for the protection of public health.

Note: See Addendum for an explanation of the F-1 Zone.

### **Section 3.016 SIGNS**

In an F-1 Zone, the following signs are permitted upon the issuance of a zoning permit: type 2, 3, 4, 5, and 6.





October 24, 2025

Lori Spencer  
Hermiston Cemetery District  
PO Box 265  
Hermiston, Oregon 97838

Via email: clspencer95@gmail.com



RENEWS: DECEMBER 31, 2024

Regarding: Trip Generation Letter  
Hermiston Cemetery Zone Text Amendment  
Umatilla County Tax Lots 100 & 200 of Assessor’s Map 4N 28 14CD, 400 of Assessor’s Map 4N 28 14D, and 200 & 201 of Assessor’s Map 4N 28 14DB  
Apex Project 25011919

Dear Mrs. Spencer:

This trip generation letter compares the largest trip generation conditional use for the F-1 zone designation against the trip generation of the proposed expansion of the Hermiston Cemetery in Hermiston, Oregon.

**PROJECT DESCRIPTION**

Hermiston Cemetery District (Client) proposes to expand the existing Hermiston Cemetery to an adjacent approximately 7.27-acre site located in Hermiston, Oregon. The site is currently undeveloped land.

The Client proposes a zone text amendment to the current F-1 zone designation of *Umatilla County Zoning Ordinance*<sup>1</sup> (Rev. January 29, 2013) to add cemetery use as a conditional use of the designation.

Currently, the Hermiston Cemetery is in operation on Umatilla County (County) Tax Lot 100 of Assessor’s Map 4N 28 14CD. The Client plans to expand operations to Tax Lot 400 of Assessor’s Map 4N 28 14D (attached for reference) and will file the proposed zone text amendment to allow for the expansion. These lots currently reside in the County but are included in the City of Hermiston’s (City) urban growth boundary.

**TRIP GENERATION**

The number of trips generated for the proposed expansion is based on the Institute of Transportation Engineers (ITE) *Trip Generation Manual*,<sup>2</sup> 12th Edition (August 2025) land use code 566 (Cemetery). Land use code 495 (Recreational Community Center), and land use code 520 (Elementary School) were determined to be example highest use cases for the F-1 zone designation and are included as high use case examples. The cemetery trip generation results are summarized in Table 1, and the calculation details are attached. The site trips are presented for the average weekday and the AM and PM peak hours.

Per Section 3.012, *Uses Permitted Outright*, of the Umatilla County Zoning Ordinance for the F-1 Exclusive Farm Use Zone, the land uses expected to generate the highest number of vehicle trips are public or private schools and community centers. The trip generation estimates for these land uses are summarized in Table 2 and Table 3,

<sup>1</sup> Umatilla County. (Revised January 29, 2013) *Zoning Ordinance*.  
<sup>2</sup> ITE (Institute of Transportation Engineers). (2025, August). *Trip Generation Manual*, 12th Edition.

and the trip generation calculations are attached. It should be noted that this methodology and resulting calculations are intended to provide high use examples, and are not probable trip generations of the proposed cemetery expansion.

The trip generation for the recreational community center land use was estimated based on the building square footage of the nearby Hermiston Community Center. The lot area of the Hermiston Community Center was measured using Google Earth and a ratio of lot size to building area was determined. This ratio was then applied to the Hermiston Cemetery lot to estimate an approximate building square footage for trip generation purposes, resulting in a building size of approximately 70,000 square feet.

The estimated number of students for the elementary school land use was derived using enrollment data from the nearby West Park Elementary School. The West Park Elementary School site area and building square footage were measured using Google Earth. Based on this information, a ratio of enrolled students to both site area and building size was established to estimate the anticipated enrollment possible for the proposed cemetery site.

**Table 1. ITE Trip Generation—Cemetery**

<b>Land Use (ITE Code)</b>	Cemetery (566)	
<b>Independent Variable</b>	Acres	
<b>Size</b>	7.27	
<b>Average Daily Trips (ADT)</b>	44	
<b>Peak Hour Trips</b>	<b>AM Peak Hour</b>	<b>PM Peak Hour</b>
<b>In</b>	6	4
<b>Out</b>	3	5
<b>Total Trips</b>	9	9

**Table 2. ITE Trip Generation—Recreational Community Center**

<b>Land Use (ITE Code)</b>	Recreational Community Center (495)	
<b>Independent Variable</b>	1,000 sf GFA	
<b>Size</b>	70	
<b>Average Daily Trips (ADT)</b>	2,017	
<b>Peak Hour Trips</b>	<b>AM Peak Hour</b>	<b>PM Peak Hour</b>
<b>In</b>	93	97
<b>Out</b>	48	105
<b>Total Trips</b>	141	202

sf: square feet; GFA: gross floor area

**Table 3. ITE Trip Generation—Elementary School**

<b>Land Use (ITE Code)</b>	Elementary School (520)	
<b>Independent Variable</b>	Students	
<b>Size</b>	250	
<b>Average Daily Trips (ADT)</b>	568	
<b>Peak Hour Trips</b>	<b>AM Peak Hour</b>	<b>PM Peak Hour</b>
<b>In</b>	99	51
<b>Out</b>	84	59
<b>Total Trips</b>	183	110

The proposed cemetery land use is anticipated to generate 44 vehicle trips during a typical weekday, including 9 trips during the AM peak hour and 9 trips during the PM peak hour.

The recreational community center land use is anticipated to generate 2,017 vehicle trips during a typical weekday, including 141 trips during the AM peak hour and 202 trips during the PM peak hour.

The elementary school land use is anticipated to generate 568 vehicle trips during a typical weekday, including 183 trips during the AM peak hour and 110 vehicle trips during the PM peak hour.

The findings of this letter indicate that the nearby transportation facilities are expected to continue functioning as intended with the additional trips from the cemetery expansion.

**TRIP DISTRIBUTION**

The proposed trip distribution of primary trips for all proposed land uses is based on a review of existing land uses within the study area, the density of land uses, access to nearby highways, and on engineering judgment. The proposed primary trip distribution pattern is as follows:

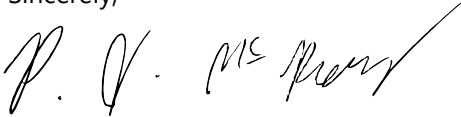
- 90% to and from the northwest of the US-395 / Hermiston Cemetery Road intersection
- 10% to and from the southeast of the US-395 / Hermiston Cemetery Road intersection

The distribution pattern above represents an external distribution of the primary trips entering and exiting the study area. The proposed trip distribution of the project’s new trips is shown in the attached figures.

**CLOSING**

Please feel free to contact me at 360.213.0418 or [pj.mckelvey@apexcos.com](mailto:pj.mckelvey@apexcos.com) with any questions or comments.

Sincerely,

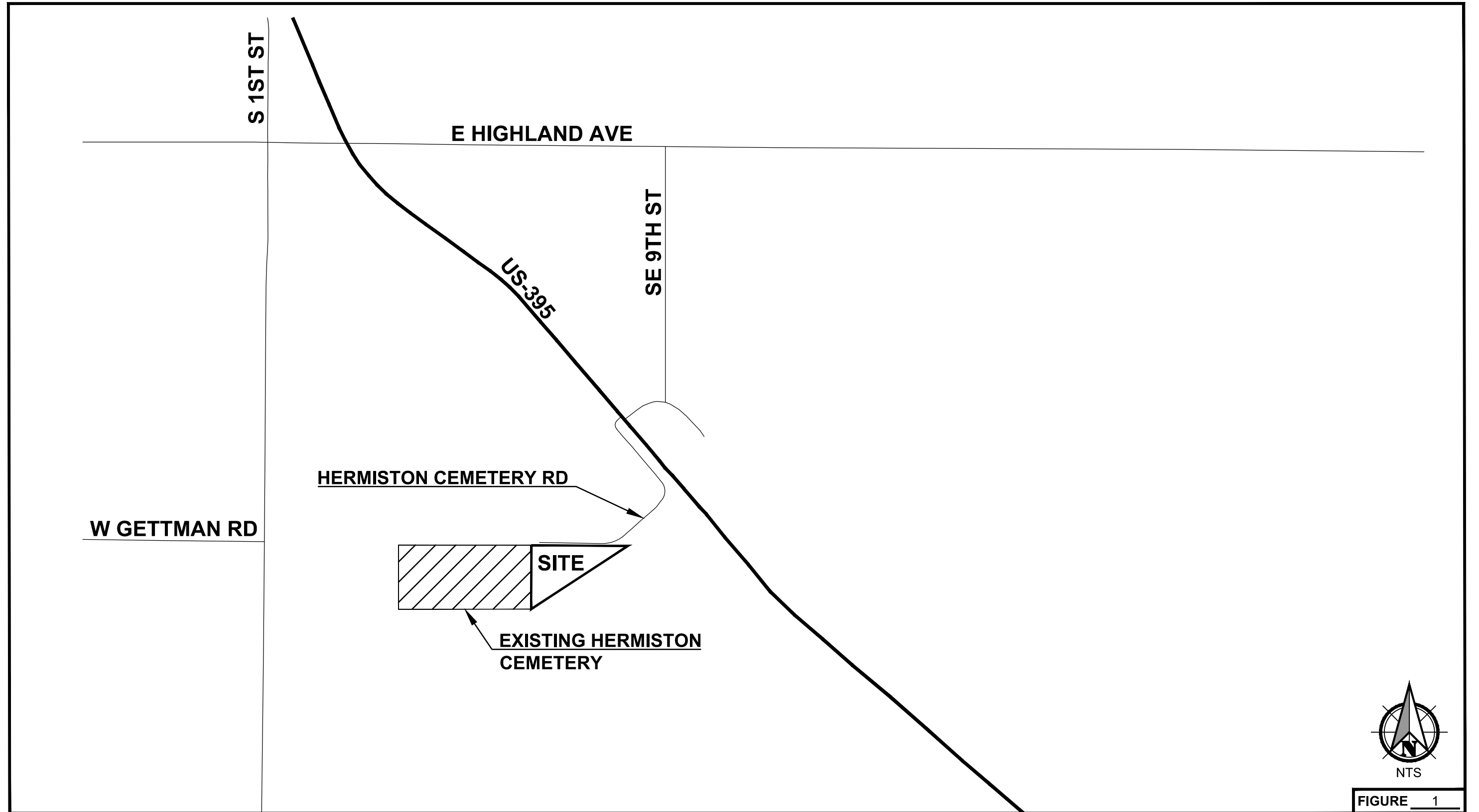


PJ McKelvey, PE  
Project Traffic Engineer

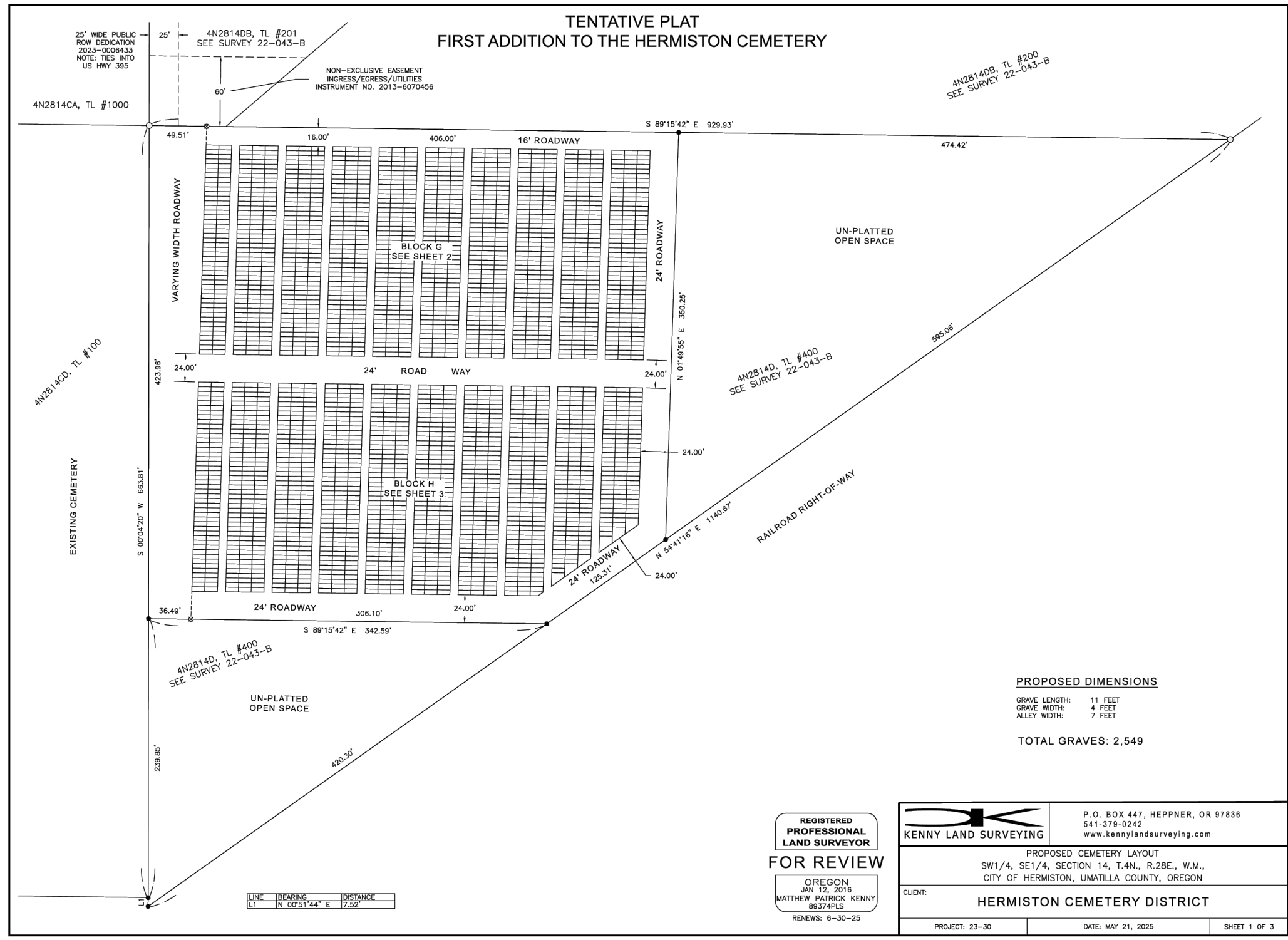
cc: John Manix, Emmelie Schultheis, Rebecca Wahlstrom (Apex)

Attachments: Figure 1. Vicinity Map  
Figure 2. Site Plan  
Figure 3. Trip Distribution and Assignment – Cemetery  
Figure 4. Trip Distribution and Assignment – Community Center (High Use Example)  
Figure 5. Trip Distribution and Assignment – Elementary School (High Use Example)  
Trip Generation Calculations  
4N 28 14D Map

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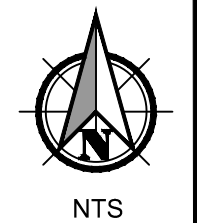


**Vicinity Map**  
**Hermiston Cemetery Zone Text Amendment**



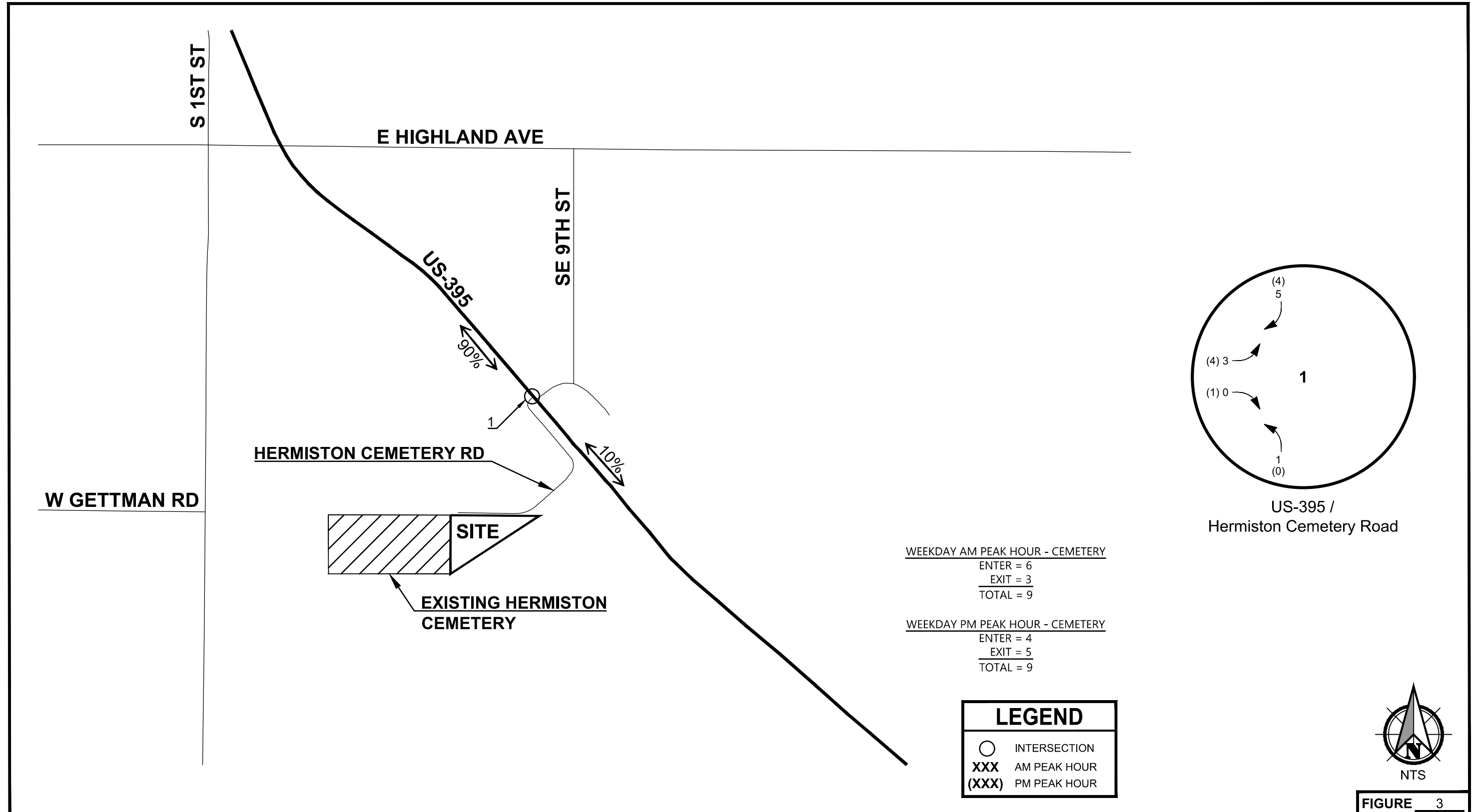
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
**FOR REVIEW**  
OREGON  
JAN 12, 2016  
MATTHEW PATRICK KENNY  
89374PLS  
RENEWS: 6-30-25

<p><b>KENNY LAND SURVEYING</b></p>	P.O. BOX 447, HEPPNER, OR 97836 541-379-0242 www.kennylandsurveying.com
	PROPOSED CEMETERY LAYOUT SW1/4, SE1/4, SECTION 14, T.4N., R.28E., W.M., CITY OF HERMISTON, UMATILLA COUNTY, OREGON
CLIENT: <b>HERMISTON CEMETERY DISTRICT</b>	PROJECT: 23-30      DATE: MAY 21, 2025      SHEET 1 OF 3

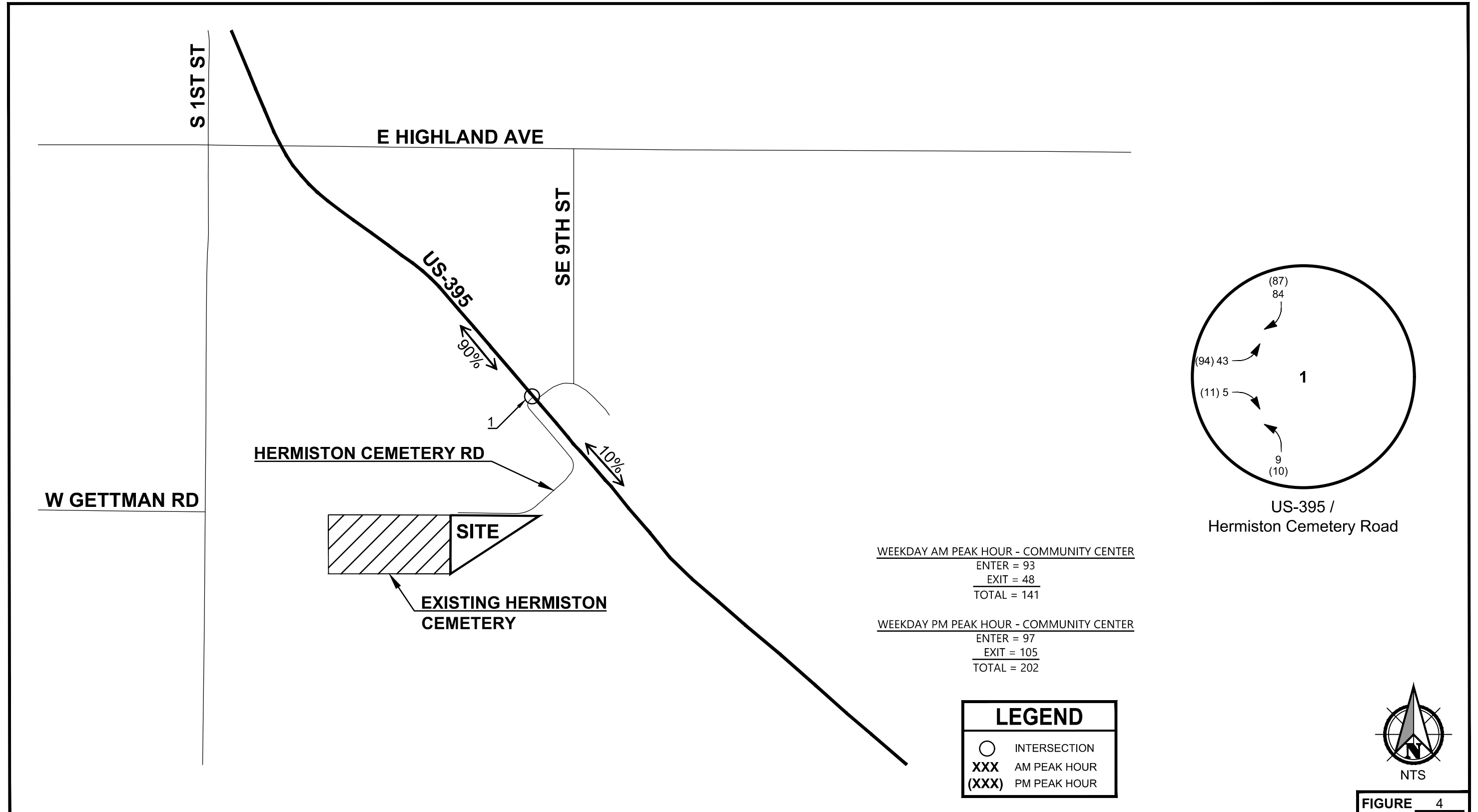


**FIGURE 2**

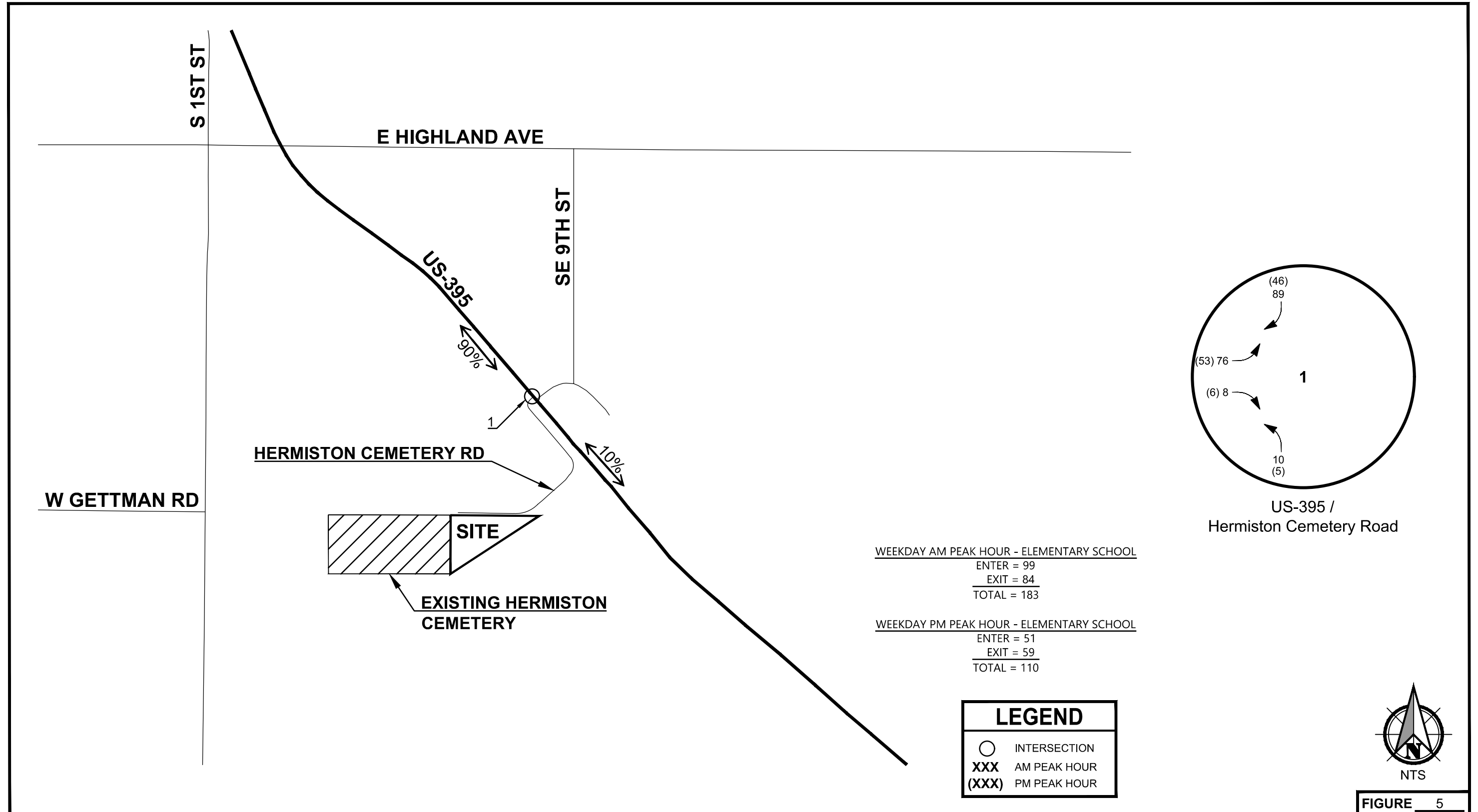
**Site Plan  
Hermiston Cemetery Zone Text Amendment**



### Trip Distribution and Assignment - Cemetery Hermiston Cemetery Zone Text Amendment



**Trip Distribution and Assignment - Community Center (High Use Example)**  
**Hermiston Cemetery Zone Text Amendment**



**Trip Distribution and Assignment - Elementary School (High Use Example)**  
**Hermiston Cemetery Zone Text Amendment**

Query

Filter

## DATA SOURCE:

Trip Generation Manual, 12th Ed

## SEARCH BY LAND USE CODE:

566



## LAND USE GROUP:

(500-599) Institutional

## LAND USE :

566 - Cemetery

## LAND USE SUBCATEGORY:

All Sites

## SETTING/LOCATION:

General Urban/Suburban

## INDEPENDENT VARIABLE (IV):

Acres

## TIME PERIOD:

Weekday

## TRIP TYPE:

Vehicle

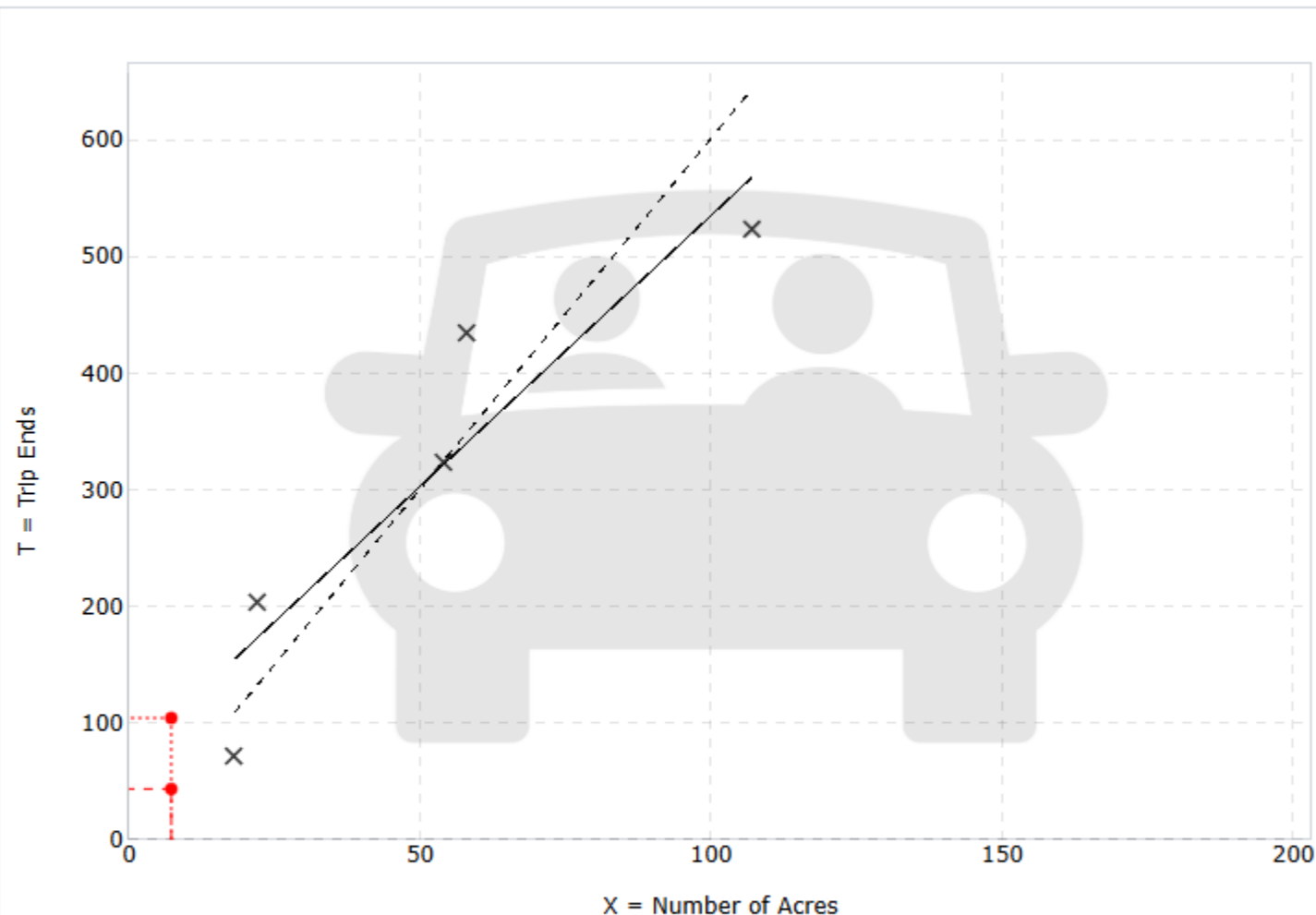
## ENTER IV VALUE TO CALCULATE TRIPS:

7.27

Calculate

## Data Plot and Equation

Caution – Small Sample Size



Reset Zoom

Restore

X Study Site

— Fitted Curve

- - - Average Rate

113

## DATA STATISTICS

## Land Use:

Cemetery (566) [Click for Description and Data Plots](#)

## Independent Variable:

Acres

## Time Period:

Weekday

## Setting/Location:

General Urban/Suburban

## Trip Type:

Vehicle

## Number of Studies:

5

## Avg. Num. of Acres:

52

## Average Rate:

6.02

## Range of Rates:

4.00 - 9.27

## Standard Deviation:

1.66

## Fitted Curve Equation:

 $T = 4.65(X) + 70.83$  $R^2$ :

0.86

## Directional Distribution:

50% entering, 50% exiting

## Calculated Trip Ends:

Average Rate: 44 (Total), 22 (Entry), 22 (Exit)

Fitted Curve: 105 (Total), 52 (Entry), 53 (Exit)

Query

Filter

## DATA SOURCE:

Trip Generation Manual, 12th Ed

## SEARCH BY LAND USE CODE:

566



## LAND USE GROUP:

(500-599) Institutional

## LAND USE :

566 - Cemetery

## LAND USE SUBCATEGORY:

All Sites

## SETTING/LOCATION:

General Urban/Suburban

## INDEPENDENT VARIABLE (IV):

Acres

## TIME PERIOD:

Weekday, AM Peak Hour of Generator

## TRIP TYPE:

Vehicle

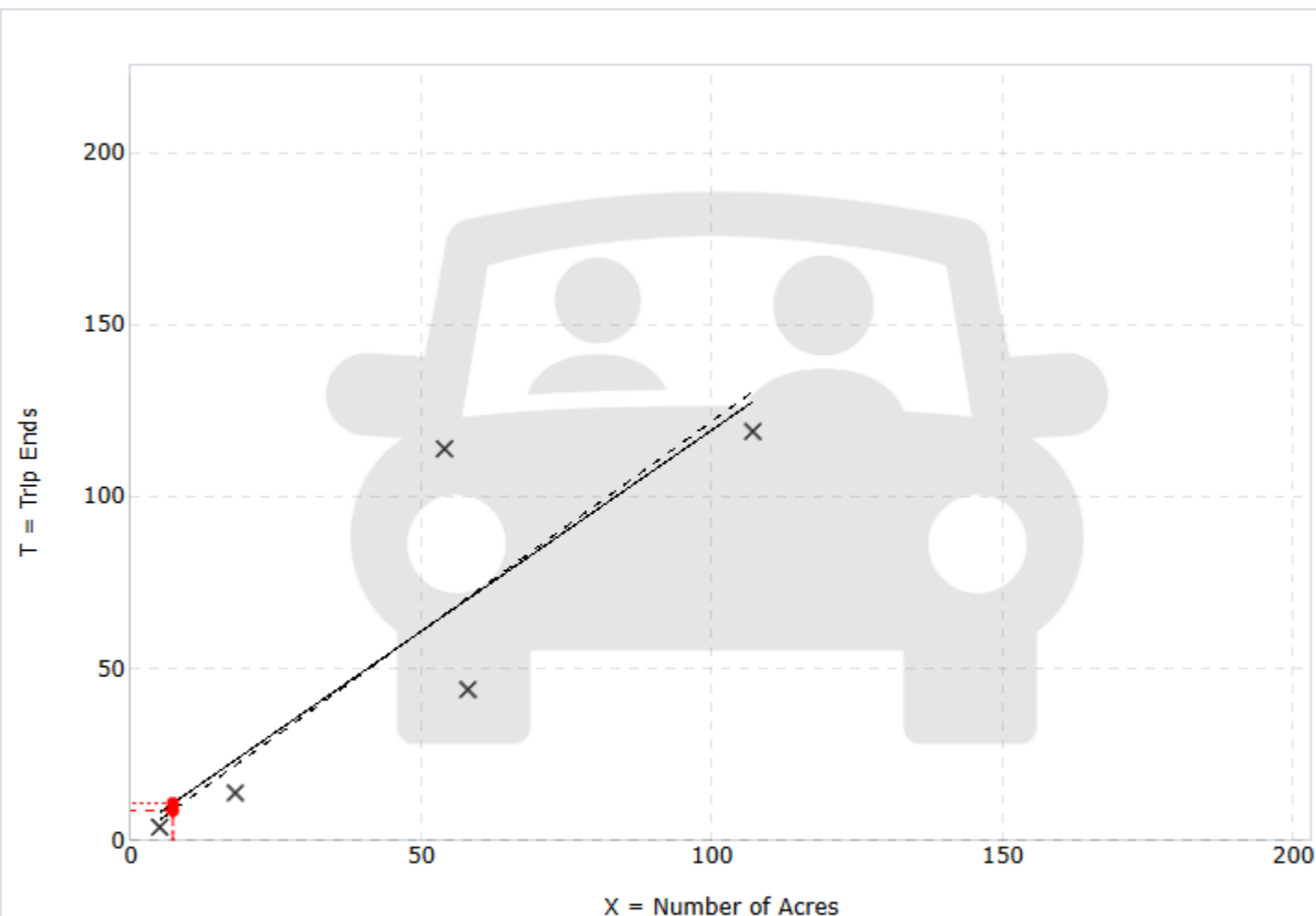
## ENTER IV VALUE TO CALCULATE TRIPS:

7.27

Calculate

## Data Plot and Equation

Caution – Small Sample Size



Reset Zoom

Restore

X Study Site

— Fitted Curve

- - - Average Rate

114

## DATA STATISTICS

## Land Use:

Cemetery (566) [Click for Description and Data Plots](#)

## Independent Variable:

Acres

## Time Period:

Weekday

AM Peak Hour of Generator

## Setting/Location:

General Urban/Suburban

## Trip Type:

Vehicle

## Number of Studies:

5

## Avg. Num. of Acres:

48

## Average Rate:

1.22

## Range of Rates:

0.76 - 2.11

## Standard Deviation:

0.56

## Fitted Curve Equation:

 $T = 1.17(X) + 2.47$  $R^2$ :

0.73

## Directional Distribution:

63% entering, 37% exiting

## Calculated Trip Ends:

Average Rate: 9 (Total), 6 (Entry), 3 (Exit)

Fitted Curve: 11 (Total), 7 (Entry), 4 (Exit)

Query

Filter

## Data Plot and Equation

Caution – Small Sample Size

## DATA SOURCE:

Trip Generation Manual, 12th Ed

## SEARCH BY LAND USE CODE:

566



## LAND USE GROUP:

(500-599) Institutional

## LAND USE :

566 - Cemetery

## LAND USE SUBCATEGORY:

All Sites

## SETTING/LOCATION:

General Urban/Suburban

## INDEPENDENT VARIABLE (IV):

Acres

## TIME PERIOD:

Weekday, PM Peak Hour of Generato

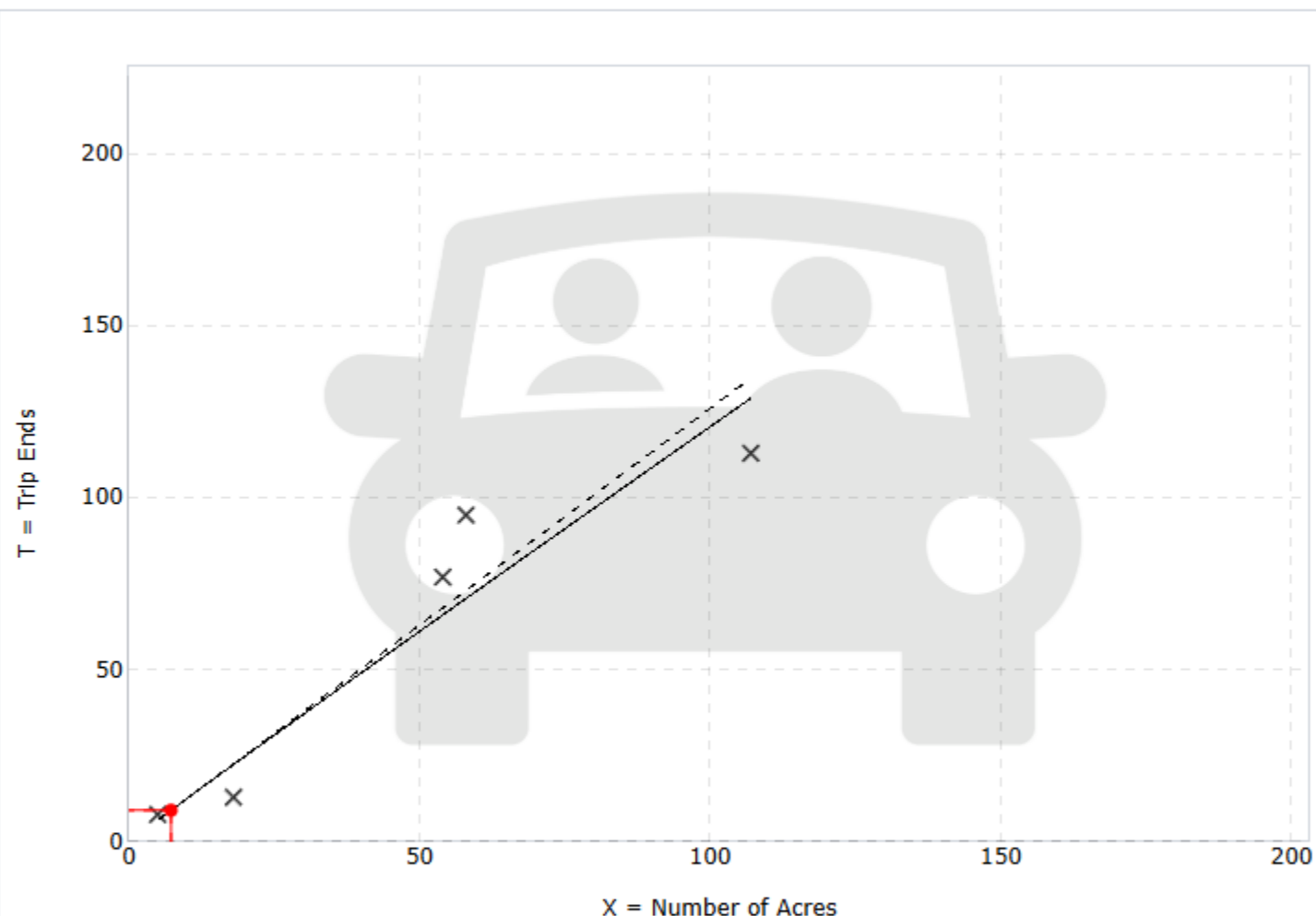
## TRIP TYPE:

Vehicle

## ENTER IV VALUE TO CALCULATE TRIPS:

7.27

Calculate



X Study Site

— Fitted Curve

- - - Average Rate

115

## DATA STATISTICS

## Land Use:

Cemetery (566) [Click for Description and Data Plots](#)

## Independent Variable:

Acres

## Time Period:

Weekday

PM Peak Hour of Generator

## Setting/Location:

General Urban/Suburban

## Trip Type:

Vehicle

## Number of Studies:

5

## Avg. Num. of Acres:

48

## Average Rate:

1.26

## Range of Rates:

0.72 - 1.64

## Standard Deviation:

0.32

## Fitted Curve Equation:

 $\ln(T) = 0.98 \ln(X) + 0.28$ R<sup>2</sup>:

0.92

## Directional Distribution:

49% entering, 51% exiting

## Calculated Trip Ends:

Average Rate: 9 (Total), 4 (Entry), 5 (Exit)

Fitted Curve: 9 (Total), 5 (Entry), 4 (Exit)

Query

Filter

## Data Plot and Equation

Caution – Small Sample Size

## DATA SOURCE:

Trip Generation Manual, 12th Ed

## SEARCH BY LAND USE CODE:

495



## LAND USE GROUP:

(400-499) Recreational

## LAND USE :

495 - Recreational Community Center

## LAND USE SUBCATEGORY:

All Sites

## SETTING/LOCATION:

General Urban/Suburban

## INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GFA

## TIME PERIOD:

Weekday

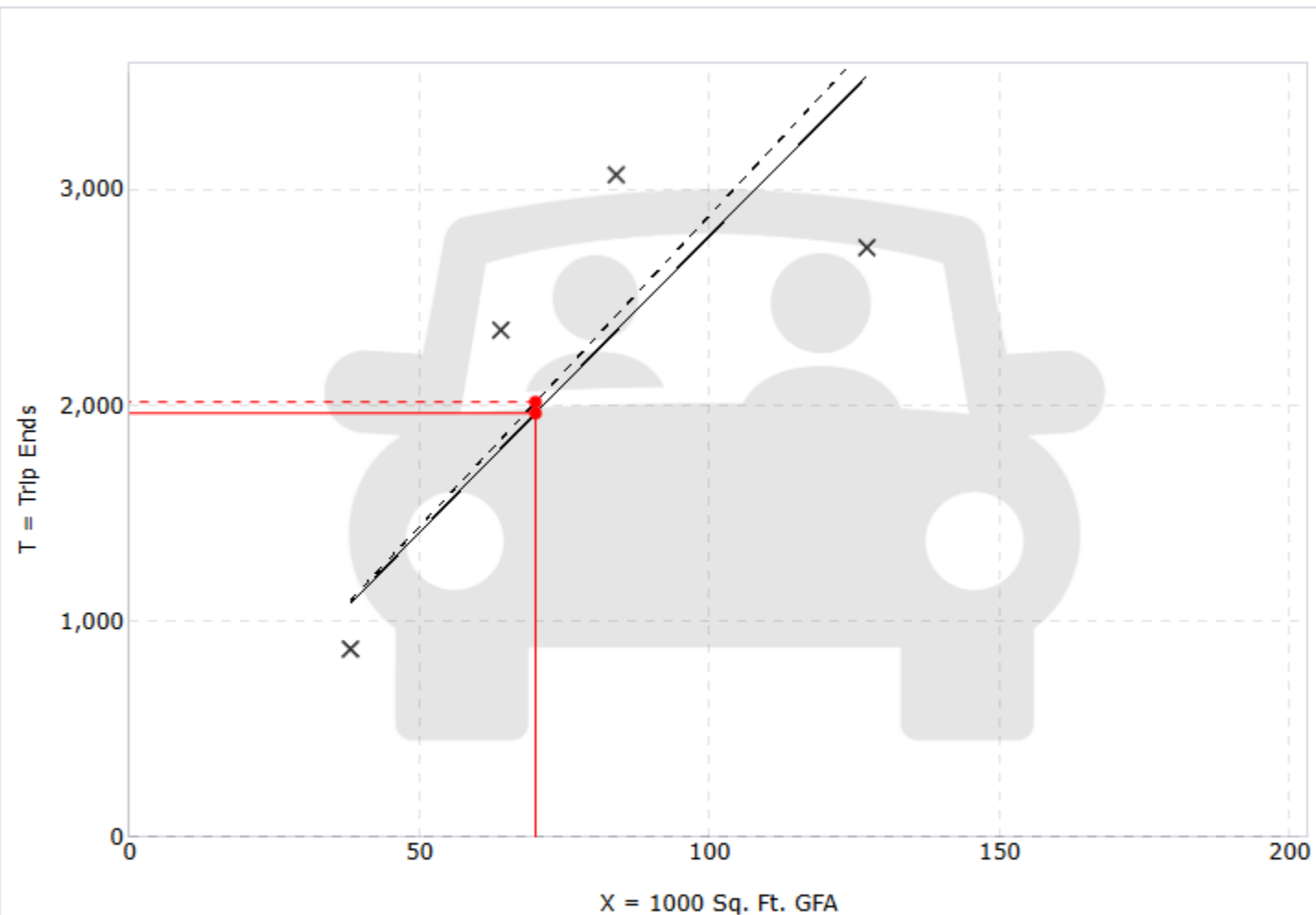
## TRIP TYPE:

Vehicle

## ENTER IV VALUE TO CALCULATE TRIPS:

70

Calculate



Reset Zoom

Restore

x Study Site

— Fitted Curve

- - - Average Rate

## DATA STATISTICS

## Land Use:

Recreational Community Center (495) [Click for Description and Data Plots](#)

## Independent Variable:

1000 Sq. Ft. GFA

## Time Period:

Weekday

## Setting/Location:

General Urban/Suburban

## Trip Type:

Vehicle

## Number of Studies:

4

## Avg. 1000 Sq. Ft. GFA:

78

## Average Rate:

28.82

## Range of Rates:

21.49 - 36.71

## Standard Deviation:

8.56

## Fitted Curve Equation:

 $\ln(T) = 0.98 \ln(X) + 3.42$  $R^2$ :

0.74

## Directional Distribution:

50% entering, 50% exiting

## Calculated Trip Ends:

Average Rate: 2017 (Total), 1009 (Entry), 1008 (Exit)

Fitted Curve: 1966 (Total), 983 (Entry), 983 (Exit)

Query

Filter

## DATA SOURCE:

Trip Generation Manual, 12th Ed

## SEARCH BY LAND USE CODE:

495



## LAND USE GROUP:

(400-499) Recreational

## LAND USE :

495 - Recreational Community Center

## LAND USE SUBCATEGORY:

All Sites

## SETTING/LOCATION:

General Urban/Suburban

## INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GFA

## TIME PERIOD:

Weekday, Peak Hour of Adjacent Stre

## TRIP TYPE:

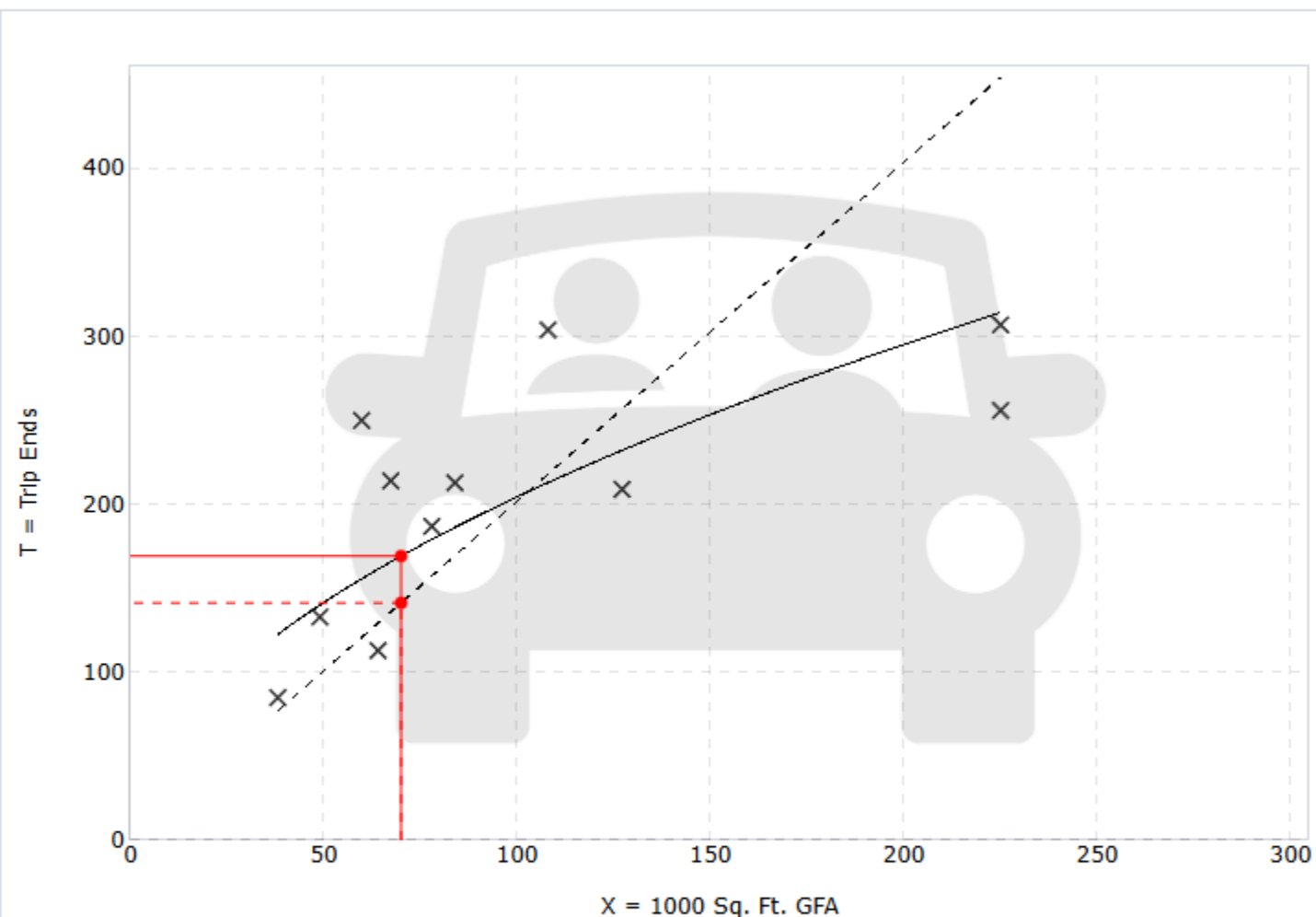
Vehicle

## ENTER IV VALUE TO CALCULATE TRIPS:

70

Calculate

## Data Plot and Equation



Reset Zoom

Restore

X Study Site

— Fitted Curve

- - - Average Rate

117

## DATA STATISTICS

## Land Use:

Recreational Community Center (495) [Click for Description and Data Plots](#)

## Independent Variable:

1000 Sq. Ft. GFA

## Time Period:

Weekday

Peak Hour of Adjacent Street Traffic

One Hour Between 7 and 9 a.m.

## Setting/Location:

General Urban/Suburban

## Trip Type:

Vehicle

## Number of Studies:

11

## Avg. 1000 Sq. Ft. GFA:

102

## Average Rate:

2.02

## Range of Rates:

1.14 - 4.18

## Standard Deviation:

0.88

## Fitted Curve Equation:

 $\ln(T) = 0.53 \ln(X) + 2.88$ R<sup>2</sup>:

0.56

## Directional Distribution:

66% entering, 34% exiting

## Calculated Trip Ends:

Average Rate: 141 (Total), 93 (Entry), 48 (Exit)

Fitted Curve: 169 (Total), 112 (Entry), 57 (Exit)

Query

Filter

## DATA SOURCE:

Trip Generation Manual, 12th Ed

## SEARCH BY LAND USE CODE:

495



## LAND USE GROUP:

(400-499) Recreational

## LAND USE:

495 - Recreational Community Center

## LAND USE SUBCATEGORY:

All Sites

## SETTING/LOCATION:

General Urban/Suburban

## INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GFA

## TIME PERIOD:

Weekday, Peak Hour of Adjacent Stre

## TRIP TYPE:

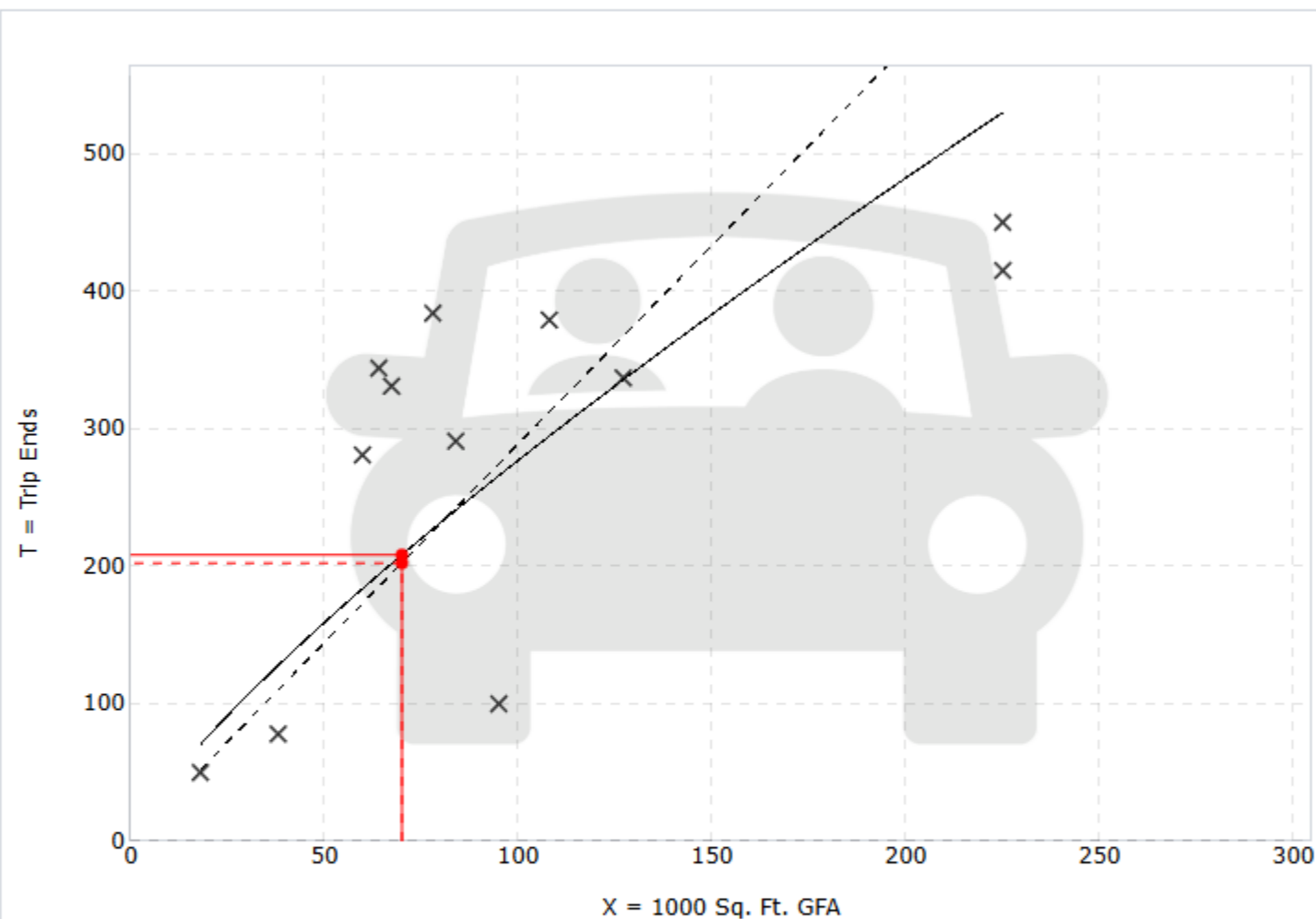
Vehicle

## ENTER IV VALUE TO CALCULATE TRIPS:

70

Calculate

## Data Plot and Equation



Reset Zoom

Restore

X Study Site

— Fitted Curve

- - - Average Rate

## DATA STATISTICS

## Land Use:

Recreational Community Center (495) [Click for Description and Data Plots](#)

## Independent Variable:

1000 Sq. Ft. GFA

## Time Period:

Weekday

Peak Hour of Adjacent Street Traffic

One Hour Between 4 and 6 p.m.

## Setting/Location:

General Urban/Suburban

## Trip Type:

Vehicle

## Number of Studies:

12

## Avg. 1000 Sq. Ft. GFA:

99

## Average Rate:

2.89

## Range of Rates:

1.05 - 5.37

## Standard Deviation:

1.37

## Fitted Curve Equation:

 $\ln(T) = 0.80 \ln(X) + 1.94$ R<sup>2</sup>:

0.58

## Directional Distribution:

48% entering, 52% exiting

## Calculated Trip Ends:

Average Rate: 202 (Total), 97 (Entry), 105 (Exit)

Fitted Curve: 208 (Total), 100 (Entry), 108 (Exit)

Query

Filter

## DATA SOURCE:

Trip Generation Manual, 12th Ed

## SEARCH BY LAND USE CODE:

520



## LAND USE GROUP:

(500-599) Institutional

## LAND USE :

520 - Elementary School

## LAND USE SUBCATEGORY:

All Sites

## SETTING/LOCATION:

General Urban/Suburban

## INDEPENDENT VARIABLE (IV):

Students

## TIME PERIOD:

Weekday

## TRIP TYPE:

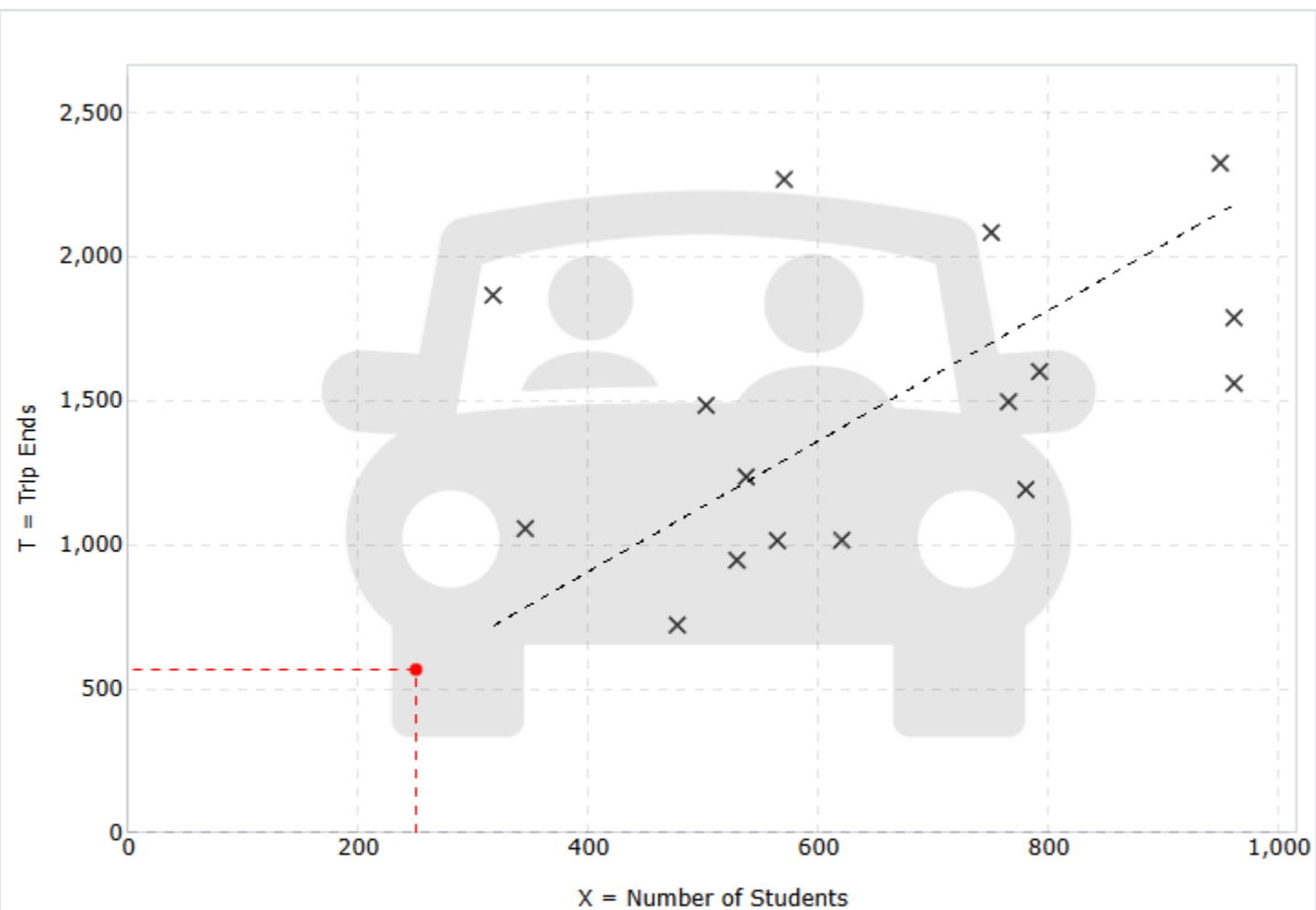
Vehicle

## ENTER IV VALUE TO CALCULATE TRIPS:

250

Calculate

## Data Plot and Equation



Reset Zoom

Restore

X Study Site

- - - Average Rate

## DATA STATISTICS

## Land Use:

Elementary School (520) [Click for Description and Data Plots](#)

## Independent Variable:

Students

## Time Period:

Weekday

## Setting/Location:

General Urban/Suburban

## Trip Type:

Vehicle

## Number of Studies:

16

## Avg. Num. of Students:

651

## Average Rate:

2.27

## Range of Rates:

1.51 - 5.89

## Standard Deviation:

0.93

## Fitted Curve Equation:

Not Given

R<sup>2</sup>:

\*\*\*\*

## Directional Distribution:

50% entering, 50% exiting

## Calculated Trip Ends:

Average Rate: 568 (Total), 284 (Entry), 284 (Exit)

Query

Filter

## DATA SOURCE:

Trip Generation Manual, 12th Ed

## SEARCH BY LAND USE CODE:

520



## LAND USE GROUP:

(500-599) Institutional

## LAND USE :

520 - Elementary School

## LAND USE SUBCATEGORY:

All Sites

## SETTING/LOCATION:

General Urban/Suburban

## INDEPENDENT VARIABLE (IV):

Students

## TIME PERIOD:

Weekday, Peak Hour of Adjacent Stre

## TRIP TYPE:

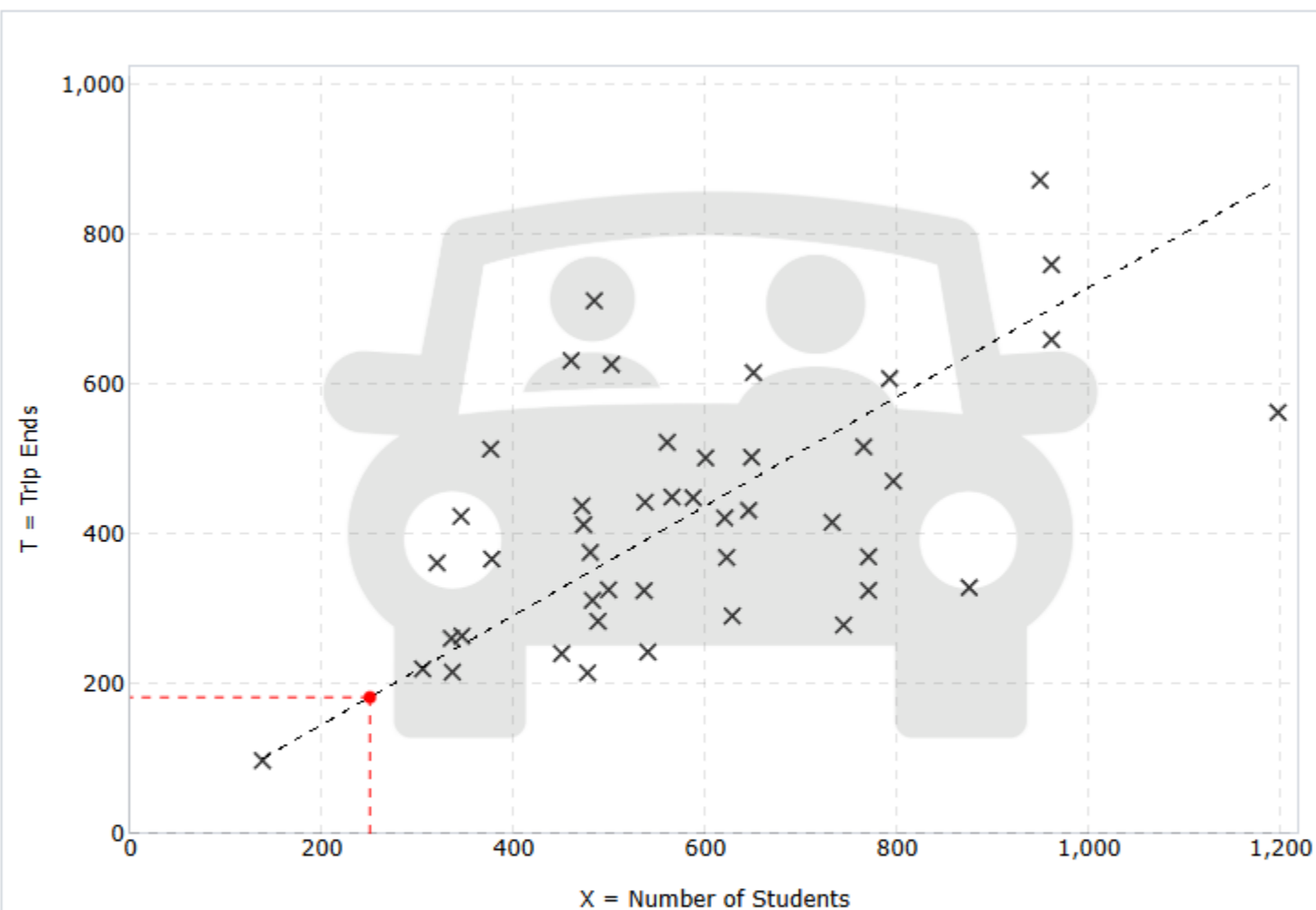
Vehicle

## ENTER IV VALUE TO CALCULATE TRIPS:

250

Calculate

## Data Plot and Equation



X Study Site

- - - Average Rate

120

## DATA STATISTICS

## Land Use:

Elementary School (520) [Click for Description and Data Plots](#)

## Independent Variable:

Students

## Time Period:

Weekday

Peak Hour of Adjacent Street Traffic

One Hour Between 7 and 9 a.m.

## Setting/Location:

General Urban/Suburban

## Trip Type:

Vehicle

## Number of Studies:

45

## Avg. Num. of Students:

582

## Average Rate:

0.73

## Range of Rates:

0.38 - 1.47

## Standard Deviation:

0.26

## Fitted Curve Equation:

Not Given

R<sup>2</sup>:

\*\*\*\*

## Directional Distribution:

54% entering, 46% exiting

## Calculated Trip Ends:

Average Rate: 183 (Total), 99 (Entry), 84 (Exit)

Query

Filter

## DATA SOURCE:

Trip Generation Manual, 12th Ed

## SEARCH BY LAND USE CODE:

520



## LAND USE GROUP:

(500-599) Institutional

## LAND USE :

520 - Elementary School

## LAND USE SUBCATEGORY:

All Sites

## SETTING/LOCATION:

General Urban/Suburban

## INDEPENDENT VARIABLE (IV):

Students

## TIME PERIOD:

Weekday, PM Peak Hour of Generato

## TRIP TYPE:

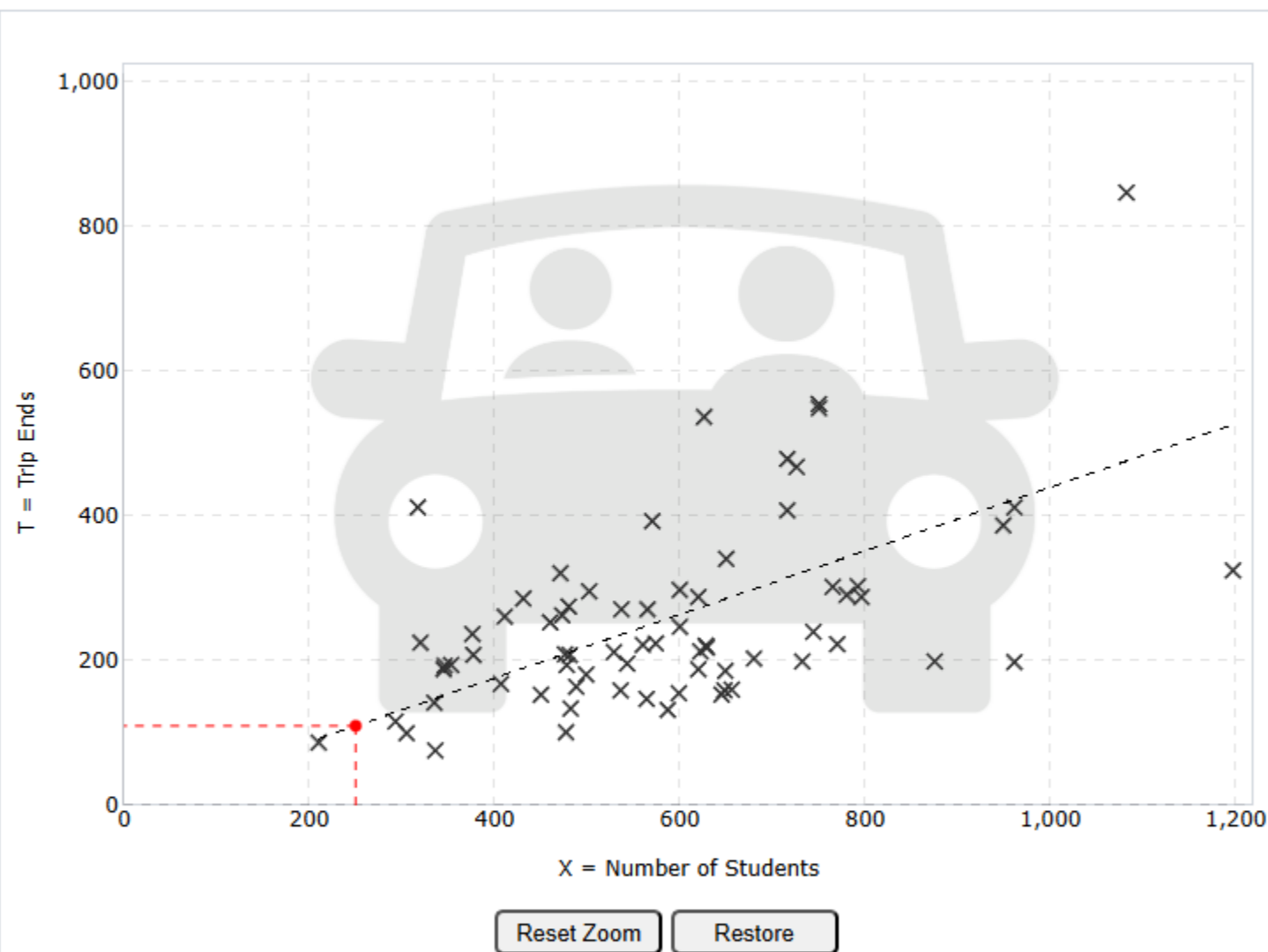
Vehicle

## ENTER IV VALUE TO CALCULATE TRIPS:

250

Calculate

## Data Plot and Equation



x Study Site

- - - Average Rate

121

## DATA STATISTICS

## Land Use:

Elementary School (520) [Click for Description and Data Plots](#)

## Independent Variable:

Students

## Time Period:

Weekday

PM Peak Hour of Generator

## Setting/Location:

General Urban/Suburban

## Trip Type:

Vehicle

## Number of Studies:

71

## Avg. Num. of Students:

584

## Average Rate:

0.44

## Range of Rates:

0.21 - 1.30

## Standard Deviation:

0.18

## Fitted Curve Equation:

Not Given

R<sup>2</sup>:

\*\*\*\*

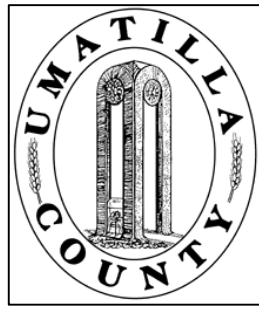
## Directional Distribution:

46% entering, 54% exiting

## Calculated Trip Ends:

Average Rate: 110 (Total), 51 (Entry), 59 (Exit)

This map was prepared for Assessment purposes only.



# SE 1/4 SEC 14 T4N R28E WM UMATILLA COUNTY, OR

SCALE: 1" = 200'

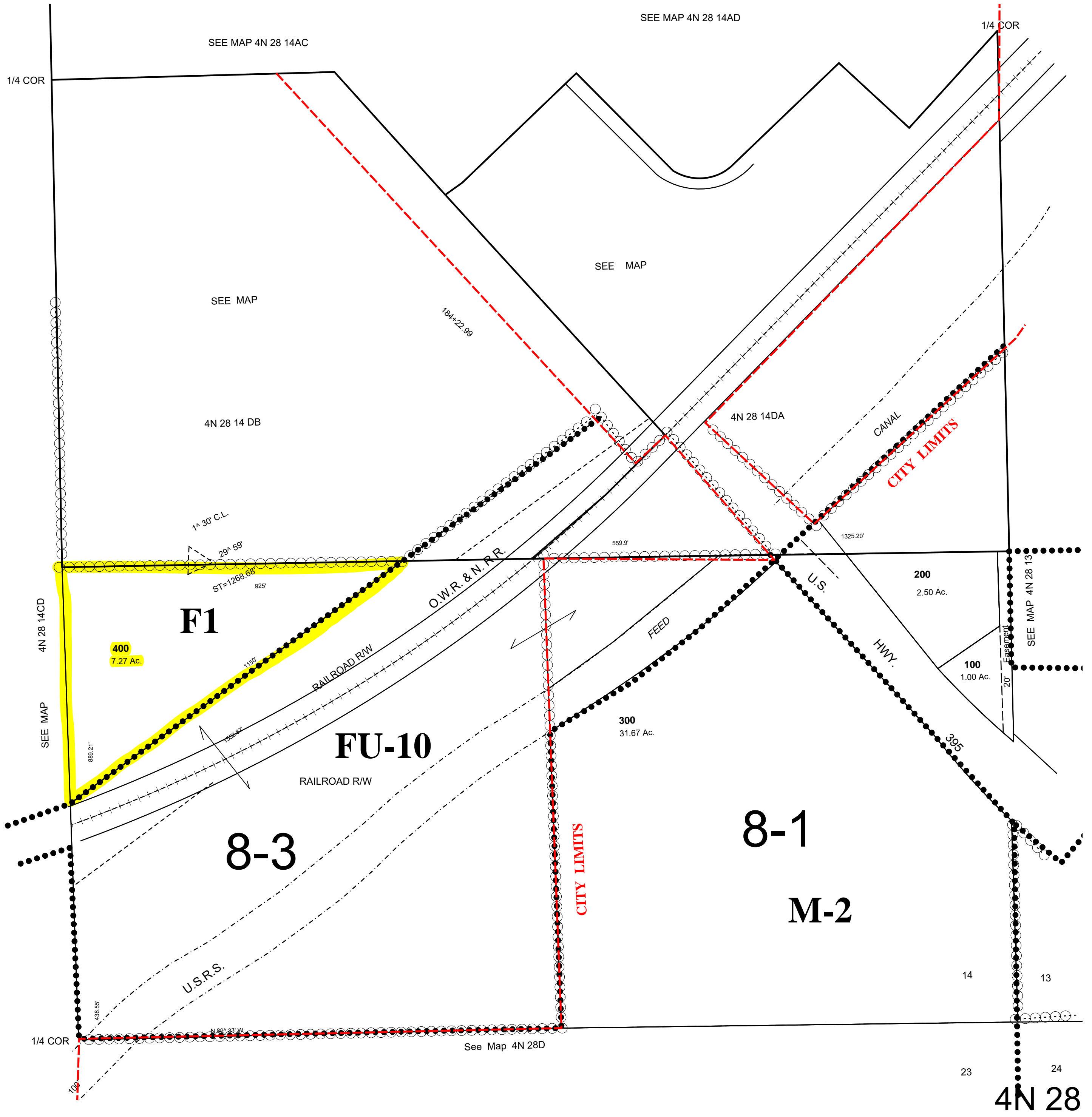
8/10/04

## 4N 28 14D

AERIAL PHOTO NO. NZ-2P 21-24  
1P 121-123

### Hermiston City & UGA

All in Airport Hazard Overlay Zone  
All in Stage Gulch Critical Ground Water Area





# RECORD OF SURVEY HERMISTON CEMETERY DISTRICT

LOCATED IN A PORTION OF THE SW 1/4  
AND THE SE 1/4 OF SECTION 14, TWP. 4 N.,  
RNG. 28 E.W.M. UMATILLA COUNTY, OREGON

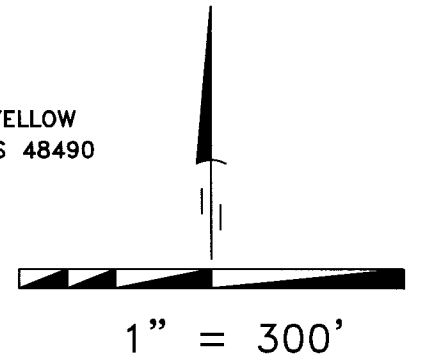
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*K.P.P.*  
OREGON  
JULY 12, 2005  
KEITH P. PRIMM  
48490  
EXPIRATION DATE: 12/31/22

## SURVEYOR'S CERTIFICATION

I, KEITH P. PRIMM, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON HEREBY CERTIFY THAT I HAVE SURVEYED THE LANDS AS DESCRIBED IN LEGAL OF RECORD RECORDED AS BOOK 334 PAGE 403, INSTRUMENT NUMBER 2013-6070456 AND INSTRUMENT NUMBER 2015-6340470 UMATILLA COUNTY DEED RECORDS AND THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION IN MARCH 2022, AND HAVE SET THE PROPER MONUMENTS AS ESTABLISHED BY O.R.S. 209.

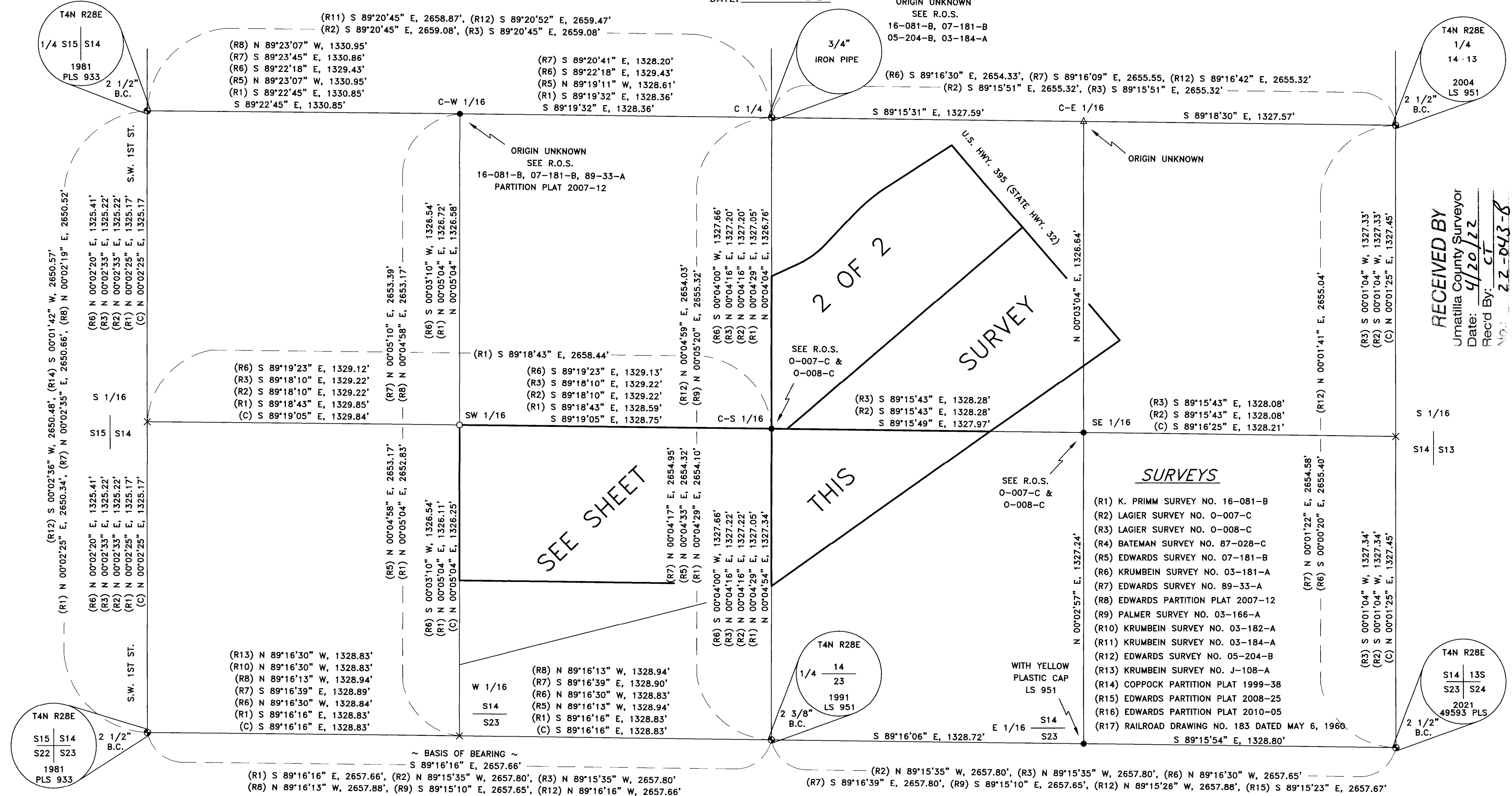
## LEGEND

- FND: MONUMENT AS NOTED
- SET: 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "PLS LS 48490"
- ▲ FND: 5/8" IRON ROD
- FND: 1/2" IRON ROD
- × COMPUTED POINT (NOT SET)
- (C) CALCULATED
- (D) DEED
- TRACT BOUNDARIES



DATE: 05 APR 22

ORIGIN UNKNOWN  
SEE R.O.S.  
16-081-B, 07-181-B  
05-204-B, 03-184-A



RECEIVED BY  
Umatilla County Surveyor  
Date: 4/20/22  
Rec'd By: CT  
No.: 22-043-B

## SURVEYOR'S NARRATIVE

THIS SURVEY WAS UNDERTAKEN IN MARCH OF 2022 AT THE REQUEST OF KEN HUBER WITH BURNS MORTUARY. THE PURPOSE OF THIS SURVEY IS TO MONUMENT THE BOUNDARIES OF THE HERMISTON CEMETERY LANDS DESCRIBED AND RECORDED AS BOOK 334 PAGE 403, INSTRUMENT NUMBER 2013-6070456 AND INSTRUMENT NUMBER 2015-6340470 UMATILLA COUNTY DEED RECORDS. IN 1978 LS 1242 MONUMENTED THE EXTERIOR BOUNDARY OF THE SHEETS TRACT, SEE SURVEY NUMBER O-007-C AND O-008-C. THESE MONUMENTS WERE FOUND AND RECOVERED WITH THE EXCEPTION OF THE SW 1/6 CORNER OF SECTION 14. THE S 1/16 CORNER OF SECTIONS 14 AND 15 WAS COMPUTED AT THE MIDPOINT OF A LINE BETWEEN THE FOUND AND RECOVERED 1/4 CORNER OF SECTIONS 14 AND 15 AND THE FOUND AND RECOVERED SOUTHWEST CORNER OF SECTION 14. THE W 1/16 CORNER OF SECTIONS 14 AND 23 WAS COMPUTED AT THE MIDPOINT OF A LINE BETWEEN THE FOUND AND RECOVERED SOUTHWEST CORNER OF SECTION 14 AND THE FOUND AND RECOVERED 1/4 CORNER OF SECTIONS 14 AND 23. THE SW 1/16 CORNER OF SECTION 14 WAS COMPUTED AT THE INTERSECTION POINT OF A LINE BETWEEN THE COMPUTED S 1/16 CORNER OF SECTIONS 14 AND 15 AND THE FOUND AND RECOVERED C-S 1/16 CORNER OF SECTION 14 AND A LINE BETWEEN THE COMPUTED W 1/16 CORNER OF SECTIONS 14 AND 23 AND THE FOUND AND RECOVERED C-W 1/16 CORNER OF SECTION 14. IN 1987 LS 1068 MONUMENTED THE WESTERLY RIGHT-OF-WAY OF U.S. HWY. 395 WHICH IS ALSO THE EASTERLY BOUNDARY OF THE SHEET TRACT STATED ABOVE, SEE SURVEY NUMBER 87-028-C. THESE MONUMENTS WERE FOUND AND RECOVERED. IN 2016 PLS 48490 MONUMENTED THE UNITED STATES OF AMERICA TRACT (NOW THE OSU TRACT DESCRIBED AND RECORDED AS INSTRUMENT NUMBER 2017-6530217) THAT FALLS BETWEEN THE HERMISTON CEMETERY DISTRICT LANDS DESCRIBED AND RECORDED AS BOOK 334 PAGE 403 AND THE OREGON-WASHINGTON RAILROAD AND NAVIGATION COMPANY RAILROAD. SEE SURVEY NUMBER 16-081-B. THESE MONUMENTS WERE FOUND AND RECOVERED. A 2-1/2 INCH BRASS CAP IN A MONUMENT BOX, MARKING THE SOUTHWEST CORNER OF SECTION 14 AND LOCATED IN THE CENTERLINE OF SW 1ST STREET (HINKLE ROAD) AND A 2-3/8 INCH BRASS CAP MARKING THE SOUTH ONE-QUARTER CORNER OF SECTION 14 WERE BOTH RECOVERED. THIS SURVEY WAS ACCOMPLISHED UTILIZING 2 TRIMBLE R-10 RECEIVERS. AN AUTONOMOUS POSITION WAS GENERATED ON THE BASE RECEIVER AND THE TWO PREVIOUSLY MENTIONED FOUND RECTANGULAR CORNERS WERE SUBSEQUENTLY USED FOR A SITE CALIBRATION, EACH CORNER WAS THEN LOCATED OR SET ON A 1 SECOND EPOCH WITH A FIXED SOLUTION.

**PRIMM LAND SURVEYING, INC.**

P.O. BOX 1322, 1340 N.E. 4TH  
HERMISTON, OR 97838  
BUI (541) 564-7887  
FAX (541) 567-8020  
keith@primmland-surveying.com  
brit@primmlandsurveying.com

CLIENT: HERMISTON CEMETERY DISTRICT

SW 1/4 AND SE 1/4 SEC 14, TWP. 4 N. RNG. 28 E. WM

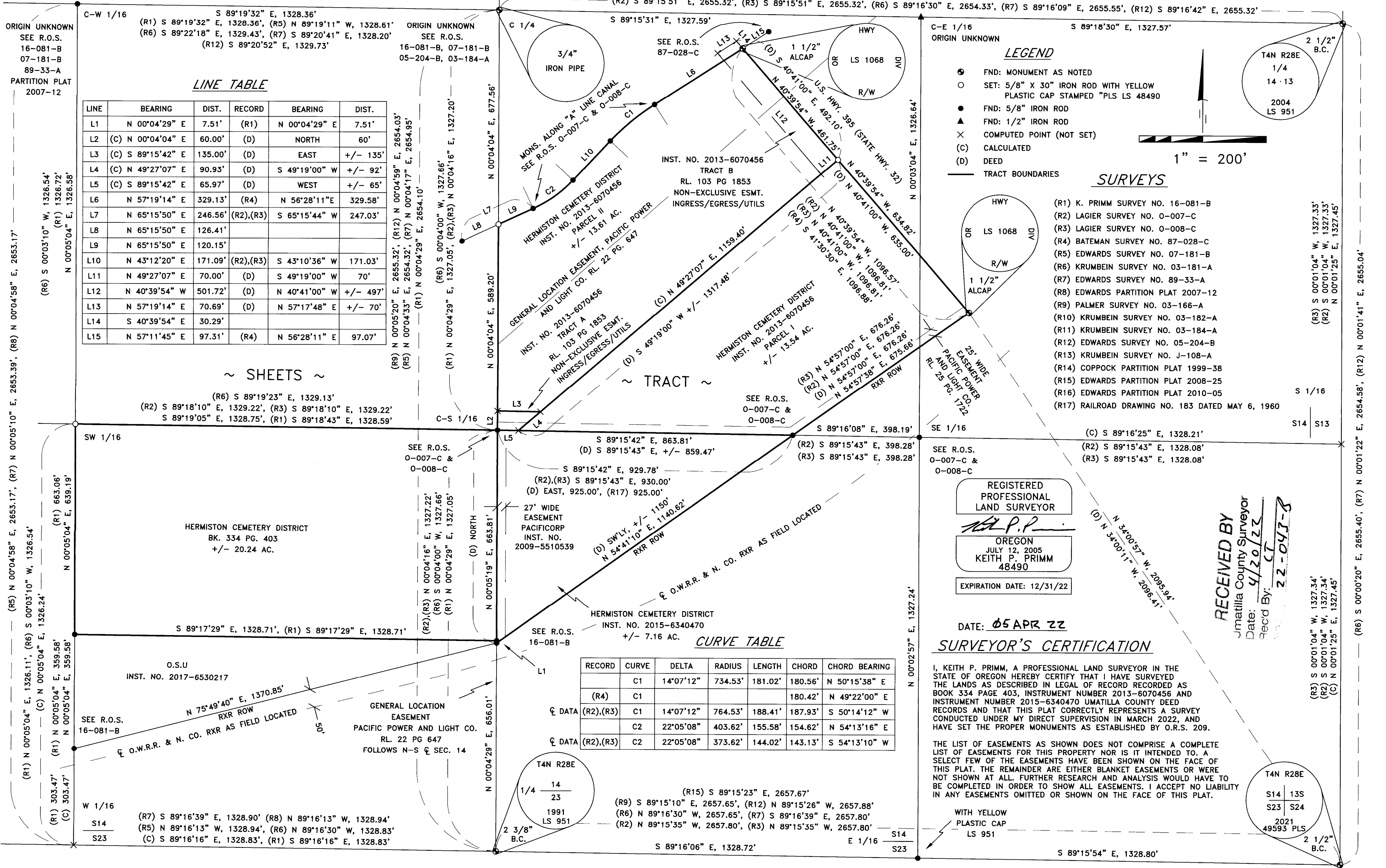
PROJECT:

BOUNDARY SURVEY OF HERMISTON CEMETERY DISTRICT LANDS DESCRIBED AND RECORDED AS BOOK 334 PAGE 403 AND INSTRUMENT NUMBER 2013-6070456 AND 2015-6340470.

JOB #: 2202002  
DATE: 09MAR22  
FB/Pg: 46/36-37  
SHEET: 1 OF 2  
DRAWN: KPP  
APPROVED: KPP

# RECORD OF SURVEY HERMISTON CEMETERY DISTRICT

LOCATED IN A PORTION OF THE SW 1/4 AND THE SE 1/4 OF SECTION 14, TWP. 4 N., RNG 28 E.W.M. UMATILLA COUNTY, OREGON



LINE TABLE

LINE	BEARING	DIST.	RECORD	BEARING	DIST.
L1	N 00°04'29" E	7.51'	(R1)	N 00°04'29" E	7.51'
L2	(C) N 00°04'04" E	60.00'	(D)	NORTH	60'
L3	(C) S 89°15'42" E	135.00'	(D)	EAST	+/- 135'
L4	(C) N 49°27'07" E	90.93'	(D)	S 49°19'00" W	+/- 92'
L5	(C) S 89°15'42" E	65.97'	(D)	WEST	+/- 65'
L6	N 57°19'14" E	329.13'	(R4)	N 56°28'11" E	329.58'
L7	N 65°15'50" E	246.56'	(R2),(R3)	S 65°15'44" W	247.03'
L8	N 65°15'50" E	126.41'			
L9	N 65°15'50" E	120.15'			
L10	N 43°12'20" E	171.09'	(R2),(R3)	S 43°10'36" W	171.03'
L11	N 49°27'07" E	70.00'	(D)	S 49°19'00" W	70'
L12	N 40°39'54" W	501.72'	(D)	N 40°41'00" W	+/- 497'
L13	N 57°19'14" E	70.69'	(D)	N 57°17'48" E	+/- 70'
L14	S 40°39'54" E	30.29'			
L15	N 57°11'45" E	97.31'	(R4)	N 56°28'11" E	97.07'

~ SHEETS ~

~ TRACT ~

CURVE TABLE

RECORD	CURVE	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
	C1	14°07'12"	734.53'	181.02'	180.56'	N 50°15'38" E
(R4)	C1				180.42'	N 49°22'00" E
DATA (R2),(R3)	C1	14°07'12"	764.53'	188.41'	187.93'	S 50°14'12" W
	C2	22°05'08"	403.62'	155.58'	154.62'	N 54°13'16" E
DATA (R2),(R3)	C2	22°05'08"	373.62'	144.02'	143.13'	S 54°13'10" W

LEGEND

- FND: MONUMENT AS NOTED
- SET: 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "PLS LS 48490"
- FND: 5/8" IRON ROD
- ▲ FND: 1/2" IRON ROD
- × COMPUTED POINT (NOT SET)
- (C) CALCULATED
- (D) DEED
- TRACT BOUNDARIES

SURVEYS

- (R1) K. PRIMM SURVEY NO. 16-081-B
- (R2) LAGIER SURVEY NO. 0-007-C
- (R3) LAGIER SURVEY NO. 0-008-C
- (R4) BATEMAN SURVEY NO. 87-028-C
- (R5) EDWARDS SURVEY NO. 07-181-B
- (R6) KRUMBEIN SURVEY NO. 03-181-A
- (R7) EDWARDS SURVEY NO. 89-33-A
- (R8) EDWARDS PARTITION PLAT 2007-12
- (R9) PALMER SURVEY NO. 03-166-A
- (R10) KRUMBEIN SURVEY NO. 03-182-A
- (R11) KRUMBEIN SURVEY NO. 03-184-A
- (R12) EDWARDS SURVEY NO. 05-204-B
- (R13) KRUMBEIN SURVEY NO. J-108-A
- (R14) COPPOCK PARTITION PLAT 1999-38
- (R15) EDWARDS PARTITION PLAT 2008-25
- (R16) EDWARDS PARTITION PLAT 2010-05
- (R17) RAILROAD DRAWING NO. 183 DATED MAY 6, 1960

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON  
JULY 12, 2005  
KEITH P. PRIMM  
48490

EXPIRATION DATE: 12/31/22

DATE: 05 APR 22

SURVEYOR'S CERTIFICATION

I, KEITH P. PRIMM, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON HEREBY CERTIFY THAT I HAVE SURVEYED THE LANDS AS DESCRIBED IN LEGAL RECORD RECORDED AS BOOK 334 PAGE 403, INSTRUMENT NUMBER 2013-6070456 AND INSTRUMENT NUMBER 2015-6340470 UMATILLA COUNTY DEED RECORDS AND THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION IN MARCH 2022, AND HAVE SET THE PROPER MONUMENTS AS ESTABLISHED BY O.R.S. 209.

THE LIST OF EASEMENTS AS SHOWN DOES NOT COMPRISE A COMPLETE LIST OF EASEMENTS FOR THIS PROPERTY NOR IS IT INTENDED TO. A SELECT FEW OF THE EASEMENTS HAVE BEEN SHOWN ON THE FACE OF THIS PLAT. THE REMAINDER ARE EITHER BLANKET EASEMENTS OR WERE NOT SHOWN AT ALL. FURTHER RESEARCH AND ANALYSIS WOULD HAVE TO BE COMPLETED IN ORDER TO SHOW ALL EASEMENTS. I ACCEPT NO LIABILITY IN ANY EASEMENTS OMITTED OR SHOWN ON THE FACE OF THIS PLAT.

WITH YELLOW PLASTIC CAP LS 951

EASEMENTS

- BK. 188 PG. 122, PERPETUAL EASEMENT, PACIFIC TELEPHONE AND TELEGRAPH CO. NOT SHOWN ON PLAT.
- BK. 189 PG. 340, EASEMENT, COLUMBIA BASIN ELECTRIC COOPERATIVE INC. NOT SHOWN ON PLAT.
- BK. 189 PG. 338, EASEMENT, COLUMBIA BASIN ELECTRIC COOPERATIVE, INC. NOT SHOWN ON PLAT.
- BK. 188 PG. 310, EASEMENT, PACIFIC TELEPHONE AND TELEGRAPH CO. NOT SHOWN ON PLAT.
- RL. 21 PG. 384, EASEMENT, UMATILLA ELECTRIC COOPERATIVE CORP. NOT SHOWN ON PLAT.
- RL. 106 PG. 1632, EASEMENT, OREGON DEPT. OF TRANSPORTATION, NOT SHOWN ON PLAT.
- RL. 106 PG. 538, EASEMENT, OREGON DEPT. OF TRANSPORTATION, NOT SHOWN ON PLAT.

- RL. 136 PG. 959, EASEMENT, OREGON DEPT. OF TRANSPORTATION, NOT SHOWN ON PLAT.
- RL. 22 PG. 647, EASEMENT, PACIFIC POWER AND LIGHT COMPANY. SHOWN ON PLAT.
- RL. 25 PG. 1722, EASEMENT, PACIFIC POWER AND LIGHT CO. SHOWN ON PLAT.
- RL. 103 PG. 1853, EASEMENT, INGRESS, EGRESS, UTILITIES. SHOWN ON PLAT.
- INST. NO. 2009-5510539, EASEMENT, PACIFICORP. SHOWN ON PLAT.
- RL. 229 PG. 41, EASEMENT, B.C. LEASING, NOT SHOWN ON PLAT.

PRIMM LAND SURVEYING, INC.

P.O. BOX 1322, 1340 N.E. 4TH  
HERMISTON, OR 97838  
BUI (541) 564-7887  
FAX (541) 567-8020  
keith@primmlandsurveying.com  
brit@primmlandsurveying.com

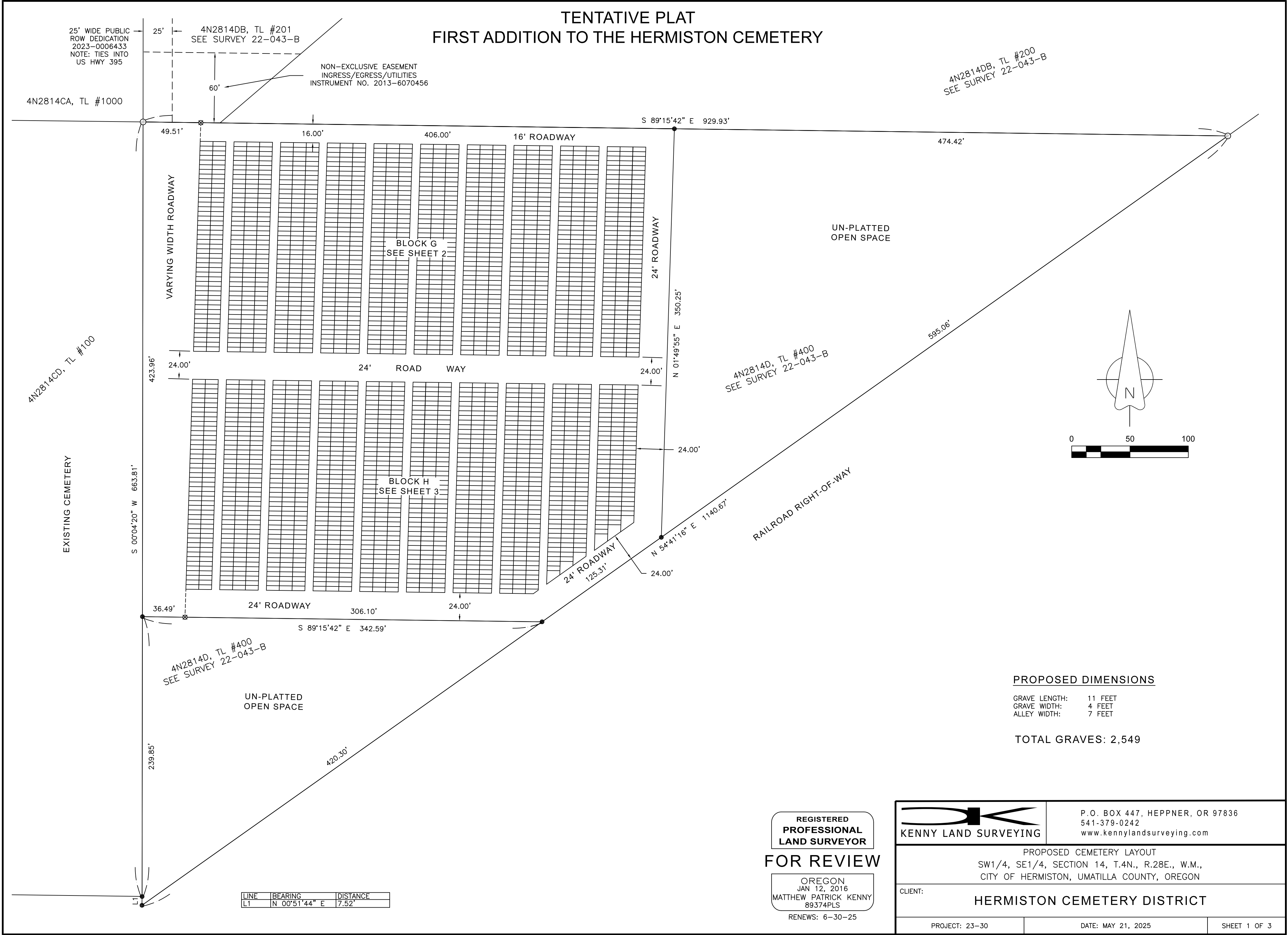
CLIENT: HERMISTON CEMETERY DISTRICT

SW 1/4 AND SE 1/4 SEC 14, TWP. 4 N. RNG. 28 E.W.M.

PROJECT:	BOUNDARY SURVEY OF HERMISTON CEMETERY DISTRICT LANDS DESCRIBED AND RECORDED AS BOOK 334 PAGE 403 AND INSTRUMENT NUMBER 2013-6070456 AND 2015-6340470.	JOB #:	2202002
		DATE:	09MAR22
		FB/PG:	46/36-37
		SHEET:	2 OF 2
		DRAWN:	KPP
		APPROVED:	KPP



# TENTATIVE PLAT FIRST ADDITION TO THE HERMISTON CEMETERY



**PROPOSED DIMENSIONS**

GRAVE LENGTH: 11 FEET  
 GRAVE WIDTH: 4 FEET  
 ALLEY WIDTH: 7 FEET

**TOTAL GRAVES: 2,549**


LINE	BEARING	DISTANCE
L1	N 00°51'44" E	7.52'

**REGISTERED  
PROFESSIONAL  
LAND SURVEYOR**

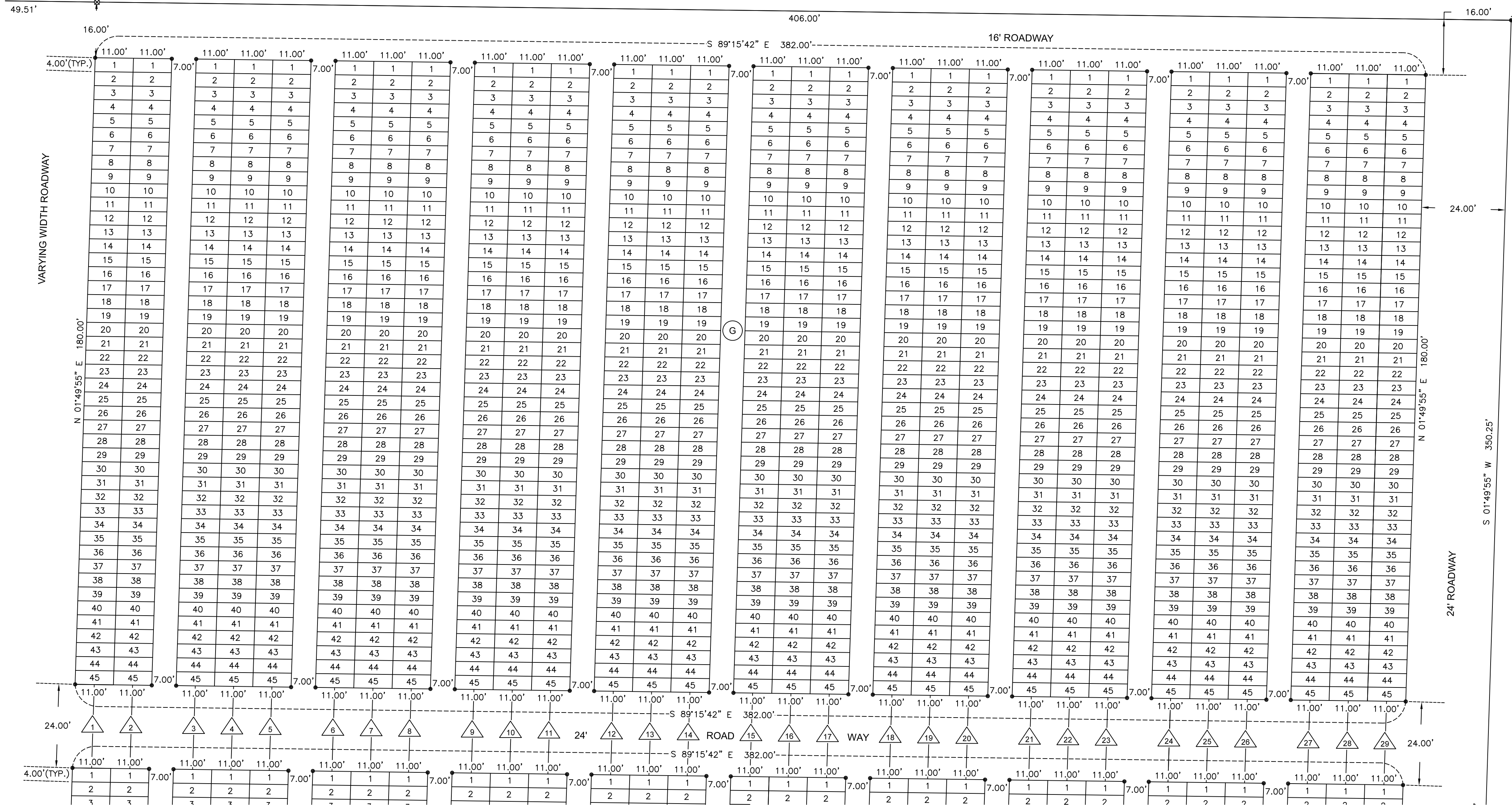
**FOR REVIEW**

OREGON  
JAN 12, 2016  
MATTHEW PATRICK KENNY  
89374PLS

RENEWS: 6-30-25

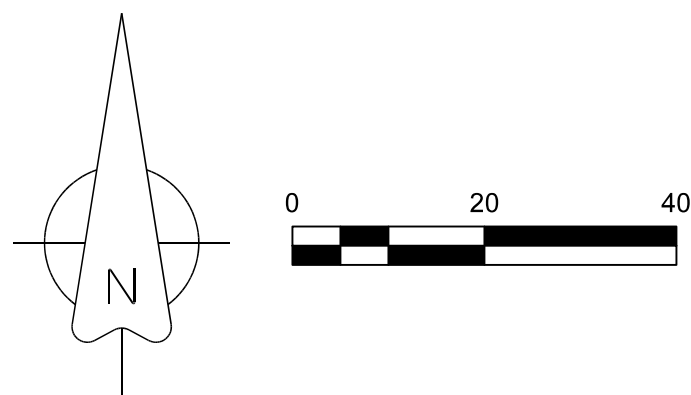
 <b>KENNY LAND SURVEYING</b>	P.O. BOX 447, HEPPNER, OR 97836 541-379-0242 www.kennylandsurveying.com	
PROPOSED CEMETERY LAYOUT SW1/4, SE1/4, SECTION 14, T.4N., R.28E., W.M., CITY OF HERMISTON, UMATILLA COUNTY, OREGON		
CLIENT: <b>HERMISTON CEMETERY DISTRICT</b>		
PROJECT: 23-30	DATE: MAY 21, 2025	SHEET 1 OF 3

# TENTATIVE PLAT FIRST ADDITION TO THE HERMISTON CEMETERY BLOCK G, ROWS 1-29



**PROPOSED DIMENSIONS**

GRAVE LENGTH: 11 FEET  
 GRAVE WIDTH: 4 FEET  
 ALLEY WIDTH: 7 FEET



**REGISTERED  
PROFESSIONAL  
LAND SURVEYOR**

**FOR REVIEW**

OREGON  
 JAN 12, 2016  
 MATTHEW PATRICK KENNY  
 89374PLS  
 RENEWS: 6-30-25

**KENNY LAND SURVEYING**

P.O. BOX 447, HEPNER, OR 97836  
 541-379-0242  
 www.kennylandsurveying.com

PROPOSED CEMETERY LAYOUT  
 SW1/4, SE1/4, SECTION 14, T.4N., R.28E., W.M.,  
 CITY OF HERMISTON, UMATILLA COUNTY, OREGON

CLIENT: **HERMISTON CEMETERY DISTRICT**

PROJECT: 23-30

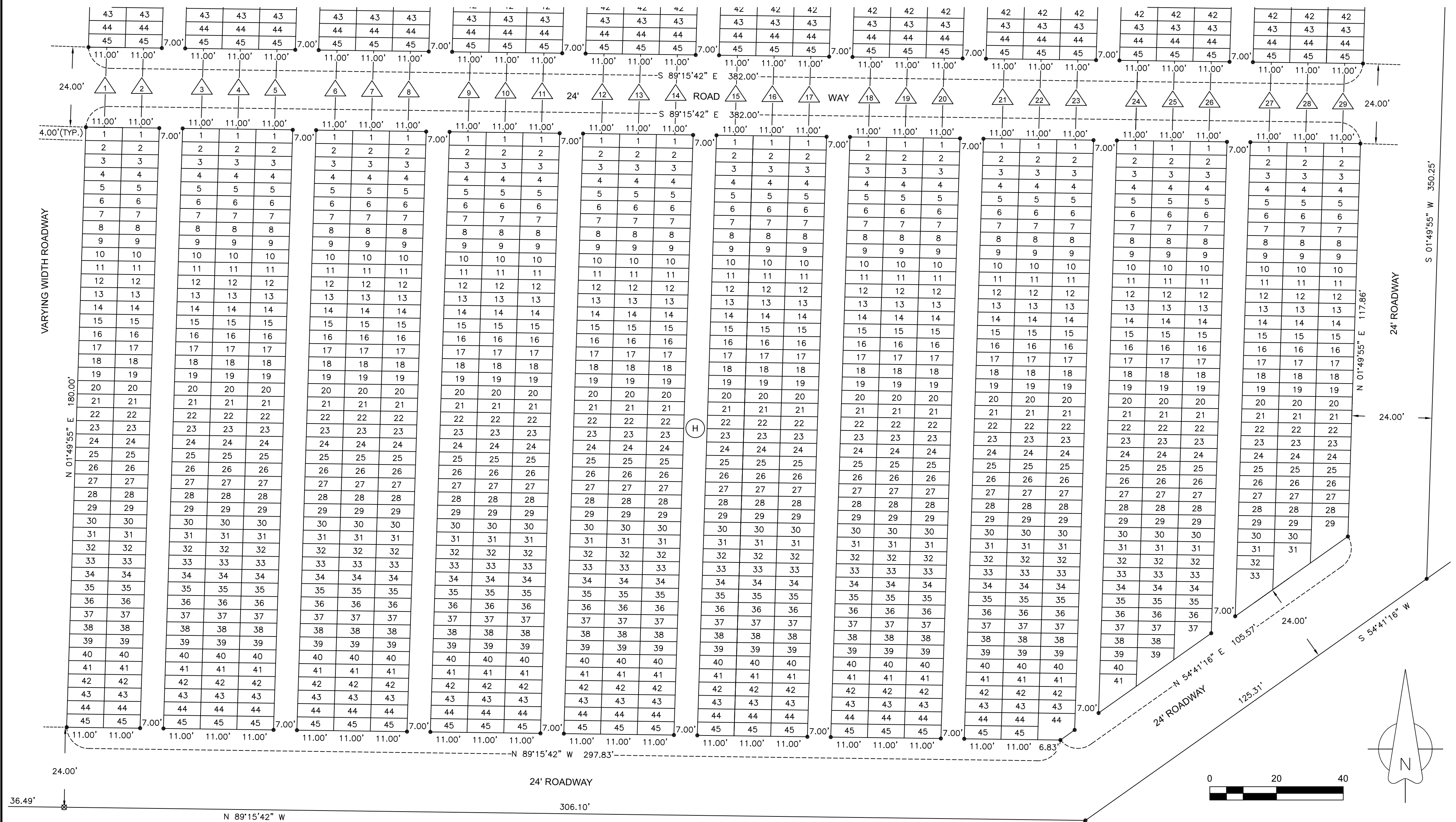
DATE: MAY 21, 2025

SHEET 2 OF 3

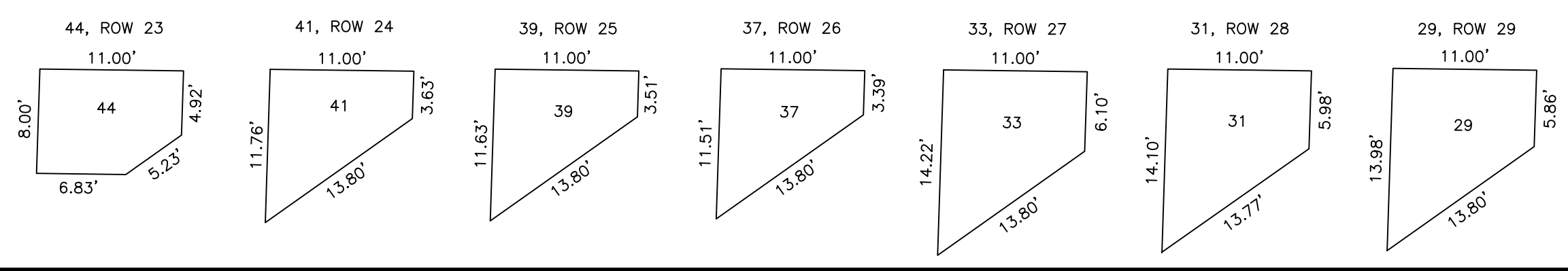
PROPOSED DIMENSIONS

GRAVE LENGTH: 11 FEET  
 GRAVE WIDTH: 4 FEET  
 ALLEY WIDTH: 7 FEET

TENTATIVE PLAT  
 FIRST ADDITION TO THE HERMISTON CEMETERY  
 BLOCK H, ROWS 1-29



DETAILS - BLOCK 'H' IRREGULAR LOTS - SCALE 1"=10'



REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR  
**FOR REVIEW**  
 OREGON  
 JAN 12, 2016  
 MATTHEW PATRICK KENNY  
 89374PLS  
 RENEWS: 6-30-25

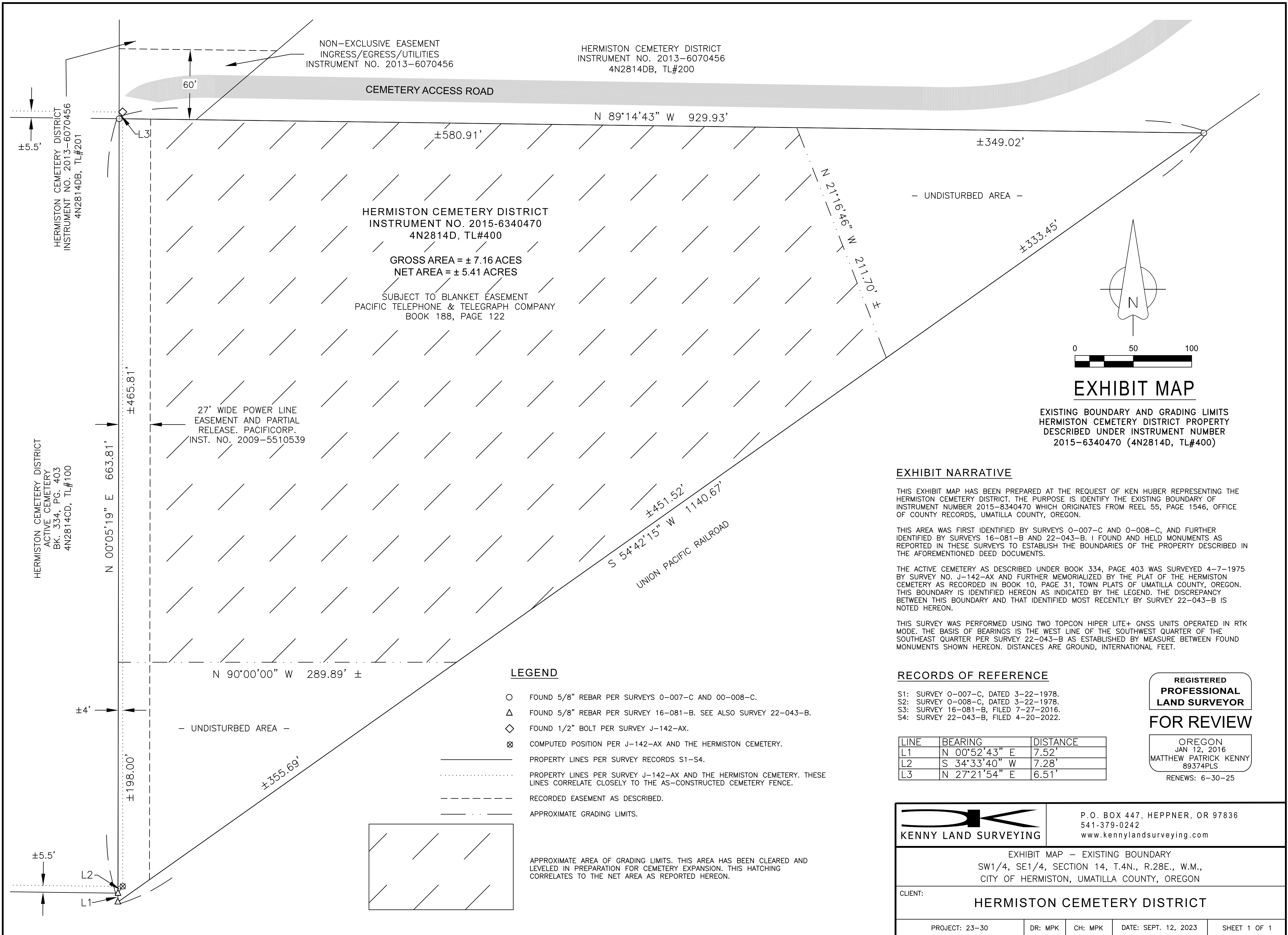
**KENNY LAND SURVEYING**  
 P.O. BOX 447, HEPNER, OR 97836  
 541-379-0242  
 www.kennylandsurveying.com

PROPOSED CEMETERY LAYOUT  
 SW1/4, SE1/4, SECTION 14, T.4N., R.28E., W.M.,  
 CITY OF HERMISTON, UMATILLA COUNTY, OREGON

CLIENT: **HERMISTON CEMETERY DISTRICT**

PROJECT: 23-30      DATE: MAY 21, 2025      SHEET 3 OF 3





NON-EXCLUSIVE EASEMENT  
INGRESS/EGRESS/UTILITIES  
INSTRUMENT NO. 2013-6070456

HERMISTON CEMETERY DISTRICT  
INSTRUMENT NO. 2013-6070456  
4N2814DB, TL#200

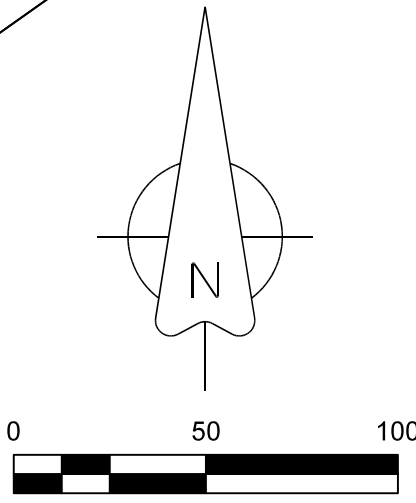
HERMISTON CEMETERY DISTRICT  
INSTRUMENT NO. 2015-6340470  
4N2814D, TL#400

GROSS AREA = ± 7.16 ACES  
NET AREA = ± 5.41 ACRES

SUBJECT TO BLANKET EASEMENT  
PACIFIC TELEPHONE & TELEGRAPH COMPANY  
BOOK 188, PAGE 122

27' WIDE POWER LINE  
EASEMENT AND PARTIAL  
RELEASE. PACIFICORP.  
INST. NO. 2009-5510539

HERMISTON CEMETERY DISTRICT  
ACTIVE CEMETERY  
BK. 334, PG. 403  
4N2814CD, TL#100



**EXHIBIT MAP**

EXISTING BOUNDARY AND GRADING LIMITS  
HERMISTON CEMETERY DISTRICT PROPERTY  
DESCRIBED UNDER INSTRUMENT NUMBER  
2015-6340470 (4N2814D, TL#400)

**EXHIBIT NARRATIVE**

THIS EXHIBIT MAP HAS BEEN PREPARED AT THE REQUEST OF KEN HUBER REPRESENTING THE HERMISTON CEMETERY DISTRICT. THE PURPOSE IS IDENTIFY THE EXISTING BOUNDARY OF INSTRUMENT NUMBER 2015-8340470 WHICH ORIGINATES FROM REEL 55, PAGE 1546, OFFICE OF COUNTY RECORDS, UMATILLA COUNTY, OREGON.

THIS AREA WAS FIRST IDENTIFIED BY SURVEYS O-007-C AND O-008-C, AND FURTHER IDENTIFIED BY SURVEYS 16-081-B AND 22-043-B. I FOUND AND HELD MONUMENTS AS REPORTED IN THESE SURVEYS TO ESTABLISH THE BOUNDARIES OF THE PROPERTY DESCRIBED IN THE AFOREMENTIONED DEED DOCUMENTS.

THE ACTIVE CEMETERY AS DESCRIBED UNDER BOOK 334, PAGE 403 WAS SURVEYED 4-7-1975 BY SURVEY NO. J-142-AX AND FURTHER MEMORIALIZED BY THE PLAT OF THE HERMISTON CEMETERY AS RECORDED IN BOOK 10, PAGE 31, TOWN PLATS OF UMATILLA COUNTY, OREGON. THIS BOUNDARY IS IDENTIFIED HEREON AS INDICATED BY THE LEGEND. THE DISCREPANCY BETWEEN THIS BOUNDARY AND THAT IDENTIFIED MOST RECENTLY BY SURVEY 22-043-B IS NOTED HEREON.

THIS SURVEY WAS PERFORMED USING TWO TOPCON HIPER LITE+ GNSS UNITS OPERATED IN RTK MODE. THE BASIS OF BEARINGS IS THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER PER SURVEY 22-043-B AS ESTABLISHED BY MEASURE BETWEEN FOUND MONUMENTS SHOWN HEREON. DISTANCES ARE GROUND, INTERNATIONAL FEET.

**RECORDS OF REFERENCE**

- S1: SURVEY O-007-C, DATED 3-22-1978.
- S2: SURVEY O-008-C, DATED 3-22-1978.
- S3: SURVEY 16-081-B, FILED 7-27-2016.
- S4: SURVEY 22-043-B, FILED 4-20-2022.

LINE	BEARING	DISTANCE
L1	N 00°52'43" E	7.52'
L2	S 34°33'40" W	7.28'
L3	N 27°21'54" E	6.51'

**REGISTERED  
PROFESSIONAL  
LAND SURVEYOR**


**FOR REVIEW**

OREGON  
JAN 12, 2016  
MATTHEW PATRICK KENNY  
89374PLS  
RENEWS: 6-30-25

**LEGEND**

- FOUND 5/8" REBAR PER SURVEYS O-007-C AND O-008-C.
- △ FOUND 5/8" REBAR PER SURVEY 16-081-B. SEE ALSO SURVEY 22-043-B.
- ◇ FOUND 1/2" BOLT PER SURVEY J-142-AX.
- ⊗ COMPUTED POSITION PER J-142-AX AND THE HERMISTON CEMETERY.
- PROPERTY LINES PER SURVEY RECORDS S1-S4.
- ..... PROPERTY LINES PER SURVEY J-142-AX AND THE HERMISTON CEMETERY. THESE LINES CORRELATE CLOSELY TO THE AS-CONSTRUCTED CEMETERY FENCE.
- - - RECORDED EASEMENT AS DESCRIBED.
- · - · - APPROXIMATE GRADING LIMITS.

APPROXIMATE AREA OF GRADING LIMITS. THIS AREA HAS BEEN CLEARED AND LEVELED IN PREPARATION FOR CEMETERY EXPANSION. THIS HATCHING CORRELATES TO THE NET AREA AS REPORTED HEREON.



**KENNY LAND SURVEYING**

P.O. BOX 447, HEPPNER, OR 97836  
541-379-0242  
www.kennylandsurveying.com

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EXHIBIT MAP - EXISTING BOUNDARY  
SW1/4, SE1/4, SECTION 14, T.4N., R.28E., W.M.,  
CITY OF HERMISTON, UMATILLA COUNTY, OREGON

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CLIENT: **HERMISTON CEMETERY DISTRICT**

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PROJECT: 23-30	DR: MPK	CH: MPK	DATE: SEPT. 12, 2023	SHEET 1 OF 1
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STATE OF OREGON

COUNTY OF

UMATILLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

HERMISTON CEMETERY DISTRICT NO. 8

of P. O. Box 1, Hermiston, State of Oregon, 97838, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Hermiston Cemetery District Well 1

a tributary of Umatilla River for the purpose of irrigation of 20.23 acres

under Permit No. G-6439 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from April 29, 1975 that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.18 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE 1/4 SW 1/4, Section 14, T. 4 N., R. 28 E., W. M., 660 feet North and 660 feet West from S 1/4 Corner, Section 14

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

20.23 acres SE 1/4 SW 1/4  
Section 14  
T. 4 N., R. 28 E., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date, September 29, 1978

*James E. Seaman*  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 39, page 46626



**HERMISTON IRRIGATION DISTRICT  
AGREEMENT FOR SALE & PURCHASE OF  
WATER RIGHTS**

THIS AGREEMENT is made this 6<sup>th</sup> day of April, 2021, by and between the HERMISTON IRRIGATION DISTRICT, an irrigation district organized under the laws of the State of Oregon (“the District”), hereinafter called “Seller” or “District” and Hermiston Cemetery District, hereinafter called “Buyer.”

**RECITALS**

A. District has recently received Certification from the Oregon Water Resources Department (OWRD) confirming the District’s Decree of record in Salem. The Decree of Record in Volume 3, Page 127 in the Order Record of the Water Resources Director.

B. Buyer owns certain property within the boundaries of the District and would like to acquire 5 acres of water rights from the District for beneficial use application on Buyer’s property commonly referred to as Map No. 4N2814D, Tax Lot 400.

C. The parties are aware that consent and approval to the application of water to Buyer’s property referred to above is subject to final approval by the OWRD.

D. Buyer is willing to pay District for the acquisition of such water right under the terms and conditions as set forth below.

**AGREEMENTS**

In consideration and mutual promises and agreements to the parties, Buyer and Seller hereby agree as follows:

1. Agreement to Buy and Sell: Seller agrees to sell to Buyer and Buyer agrees to buy from Seller 5 acres of Seller’s water rights for application to Buyer’s property described above.
2. Purchase Price: Buyer shall pay Seller the sum of \$1,500.00 per acre.
3. Payment of Purchase Price: Buyer shall pay said \$8812.93 upon execution of this Agreement to the Hermiston Irrigation District.
4. Cooperation: The parties agree to jointly cooperate with each other and OWRD to the extent necessary to complete the Application for New Water Rights. Use of the water rights will be undertaken utilizing the procedures established by the OWRD for transferring new water rights. Documents to facilitate this transfer shall be executed by the parties or their successors-in-interest as necessary to fulfill this Agreement. The parties are aware that the District will be preparing and filing the Application for Water Rights with OWRD on or before April 15, 2021.

5. Fees and Costs: Upon execution of this Agreement, Buyer shall pay to the District the following fees and costs:
- |  |            |
|--|------------|
| A. Minimum \$1,500.00 per acre           | \$7,500.00 |
| B. District Water Right Transfer Fee     | \$250.00   |
| C. New Account Administrative Fee        | \$50.00    |
| D. OWRD State Application Fees           | \$43.33    |
| E. OWRD AC/FT Fee                        | \$140.85   |
| F. OWRD Permit Recording Fee             | \$43.33    |
| G. OWRD Claim of Beneficial Use Fee      | \$16.67    |
| H. County Land Use Form Fee              | \$18.75    |
| I. I. Point of Delivery Installation Fee | \$750.00   |

*\$2,812.93 Cap. Imp. Acct ck# 1068*

6. Payment of Water Rights Assessments: Buyer shall begin paying the annual water assessments to the Hermiston Irrigation District upon issuance of the Final Order Approving the Use of Stored Water. This annual assessment will not be prorated effective on the Notice of Transfer issuance date. The initial assessment shall be paid to the District within sixty (60) days from the issuance of the Final Order Approving the Use of Stored Water and thereafter according to the District's scheduled payment terms.
7. Denial of OWRD Transfer/Denial of Partial Water Rights: In the event OWRD does not issue the Permit as applied for, District shall refund to Buyer, within sixty (60) days from the denial, the per acre price, and the new account administrative fee referred to above. The OWRD Application Fee and District Water Right Transfer Fee will not be refunded.
8. Application of Water Rights: Following issuance of the water right Permit by OWRD, the District will allow water users twenty-four (24) months, including at least one full irrigation season, to develop and perfect the water rights for beneficial use. If for any reason a water user cannot beneficially use the new water right within the full irrigation season following issuance of the water right transfer, the water user must petition the Board for an extension prior to the end of the full irrigation season. Extensions or refunds may be granted at the sole discretion of the Board. Buyer agrees that water rights not perfected within the full irrigation season following issuance of the water right transfer will be canceled, and use of the water will be terminated, with the subject water made available to other water users wanting new water rights and there shall be no refunds of any kind to Buyer.
9. Water Quantity: The Application for Water Rights will request, and it is anticipated the OWRD will issue, the new water right transfer at a rate of 8½ gallons per minute per acre and a duty of 3 acre feet per acre. Water users will be required to develop and perfect water use at this rate and duty. No flood or furrow irrigation will be

allowed. Once all water under the water right transfer has been developed and put to beneficial use, the District, in conjunction with Reclamation, will prepare and submit the claim for beneficial use to OWRD.

- 10. Inclusion Within District: Water rights within the District are subject to the Rules and Regulations of Hermiston Irrigation District, as they have been and will be adopted by the Board from time to time under the authority of Oregon Water Laws, and contractual obligations to the United States Department of Interior, Bureau of Reclamation. By execution of this Agreement, Buyer agrees to be bound by all District, OWRD, and Bureau of Reclamation Rules and Regulations. This Agreement is also made pursuant to the District's Policy for the Distribution of and Application for Water Rights adopted by the Board of Directors on January 9, 2014, a copy of which is attached hereto.
- 11. Binding Effect: This Agreement, and its terms and conditions, are binding on the parties and their respective successors and assigns.
- 12. Review and Approval: Buyer has had the opportunity to review and approve this Agreement including the right to obtain professional advice with respect to the terms and conditions of this Agreement and acknowledges receiving a duplicate original copy upon execution.

AGREED TO on the day and year first written above.

SELLER:

HERMISTON IRRIGATION DISTRICT

By: Annette Kirkpatrick  
Annette Kirkpatrick, District Manager

Address:  
366 E. Hurlburt Avenue  
Hermiston, OR 97838  
Telephone: 541-567-3024

BUYER:

Kay Edwards  
Print Name: Kay Edwards

Print Name: \_\_\_\_\_  
Address:  
440 E Tamarack Ct  
Hermiston OR 97838  
Telephone: 541-314-3759

State of OREGON  
County of Umatilla

This record was acknowledged before me on April 6, 2021 by Annette Kirkpatrick as District Manager for the Hermiston Irrigation District.

Sonia Marissa Nash  
Notary Public – State of Oregon



State of OREGON  
County of Umatilla

This record was acknowledged before me on April 6, 2021 by  
Kay Edwards

Sonia Nash  
Notary Public – State of Oregon



State of OREGON  
County of Umatilla

This record was acknowledged before me on \_\_\_\_\_, 2021 by  
\_\_\_\_\_

\_\_\_\_\_  
Notary Public – State of Oregon



## Rebecca Wahlstrom

---

**From:** Clint Lori Spencer <clspencer95@gmail.com>  
**Sent:** Monday, October 6, 2025 12:23 PM  
**To:** Rebecca Wahlstrom  
**Cc:** kenmhuber@aol.com; Kay Edwards  
**Subject:** Re: [EXT] Re: Hermiston Cemetery Expansion: Draft exhibits

### CAUTION

Rebecca,

Attached is a photo showing the septic tank as a red circle by the building, with the drain field just north. The yellow circle to the south of the building is the well. There is also a diagram showing the entire existing cemetery for reference.

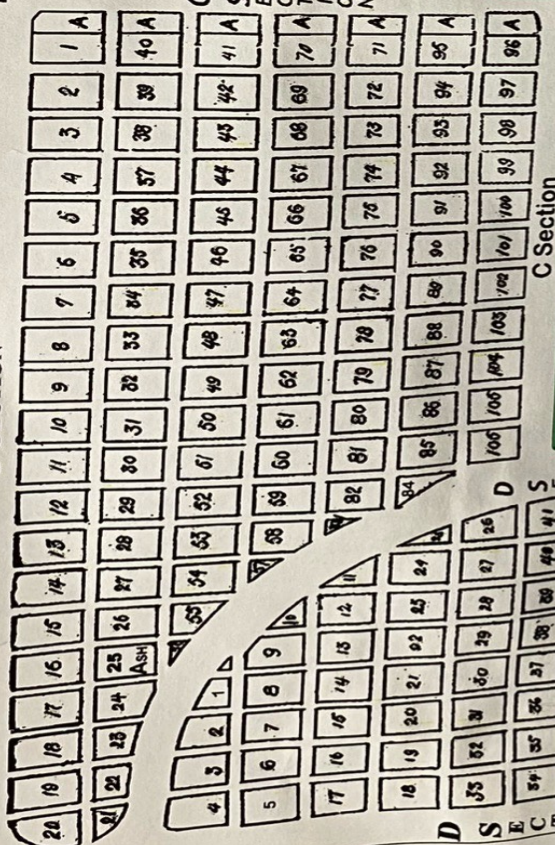
Lori



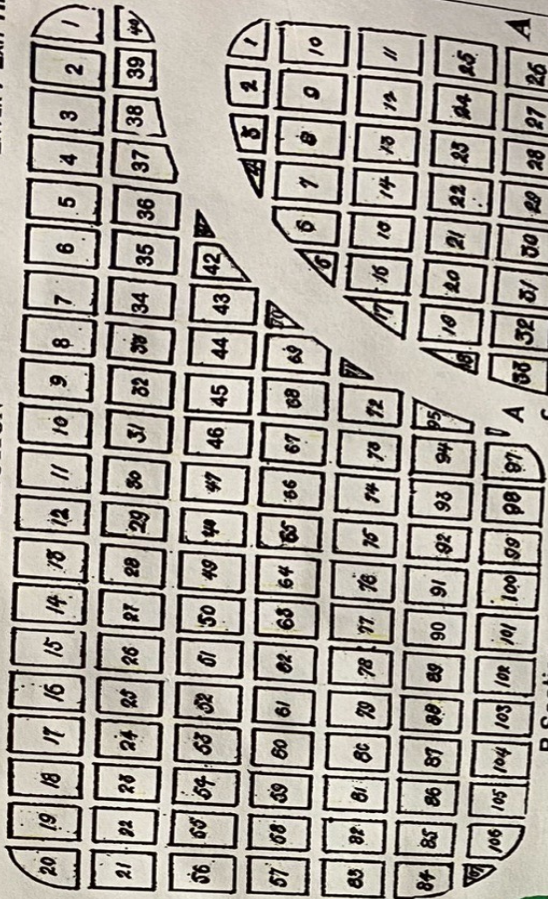
NORTH

ENTER / EXIT HERE

C SECTION



B SECTION

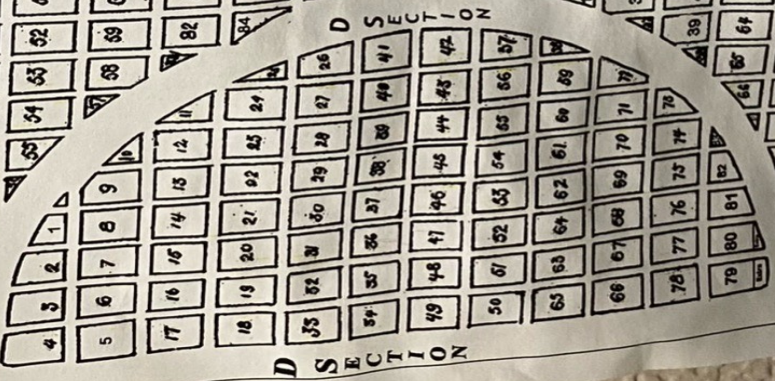


Veterans Memorial Shelter Cemetery Directors Flag Pole

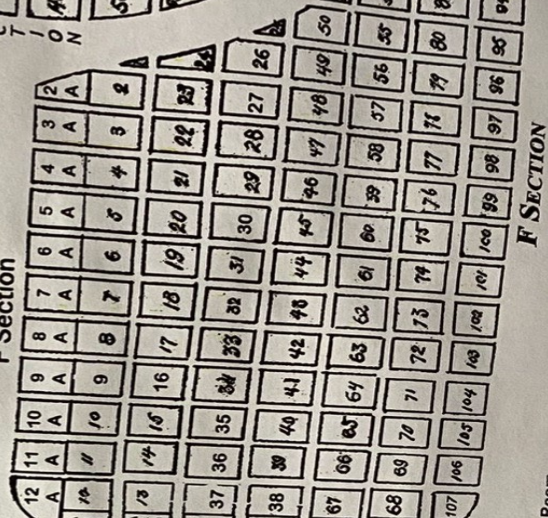
E SECTION



D SECTION



F SECTION



F SECTION



Hermiston Cemetery Plot Map



64  
3

SEND TAX STATEMENTS TO:

Hermiston Cemetery District  
P.O. Box 265  
Hermiston, OR 97838

AFTER RECORDING RETURN TO:

Pioneer Title Company  
126 SE Court Avenue  
Pendleton, OR 97801

Umatilla County  
Received:9/17/2015



1035808

**DEED OF PERSONAL REPRESENTATIVE**

LYNN MARIUS DUUS, the duly appointed, qualified, and acting Personal Representative of the Estate of Joseph Edward Burns aka Joseph E. Burns aka Joseph Burns, Deceased, Grantor, conveys to HERMISTON CEMETERY DISTRICT, Grantee, all that real property situated in Umatilla County, Oregon, described as follows:

The real property described on Exhibit "A" which is attached hereto and by this reference incorporated herein.

The true and actual consideration for this conveyance is \$80,000.00.

BEFORE SIGNING AND ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES, OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

PAGE 1 - DEED OF PERSONAL REPRESENTATIVE

State of Oregon  
County of Umatilla

Instrument received  
and recorded on  
9/17/2015 1:27:53 PM

in the record of instrument  
code type DE

Instrument number 2015-6340470  
Fee \$64.00

Office of County Records

*Steve Churchill*

Records Officer  
1035808 P3



PIONEER TITLE CO. 94361  
126 SE COURT, PEND. OR 97801

64

Dated this 16 day of September, 2015.

*Lynn Marius Duss*

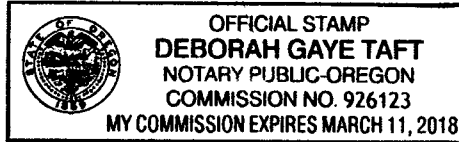
Lynn Marius Duss, Personal Representative  
of the Estate of Joseph Edward Burns, Deceased

State of OREGON  
County of Umatilla

This record was acknowledged before me on Sept. 16, 2015 by Lynn Marius  
Duss as Personal Representative of the Estate of Joseph Edward Burns, Deceased.

*DG Taft*

Notary Public - State of Oregon



**PREPARED BY:**

David Wm. Hadley, OSB No. 81252  
Attorney At Law  
130 SE 3rd Street  
Hermiston, OR 97838  
Telephone: 541-567-0292

burnsburnsprdeed1379

A triangular parcel of land situated in the Southwest Quarter of Southeast Quarter of Section 14, Township 4 North, Range 28, East of the Willamette Meridian, Umatilla County, Oregon, bounded and described as follows:

Beginning at the Northwest corner of said Southwest Quarter of the Southeast Quarter of Section 14; thence East along the North line of said Southwest Quarter of the Southeast Quarter a distance of 925.0 feet; thence Southwesterly along a straight line a distance of 1150 feet, more or less, to a point in the North-South centerline of said Section 14, that is 50.0 feet distant Northwesterly, measured radially from the center line of the main tract of the Oregon-Washington Railroad & Navigation Company, as now constructed and operated; thence North along said North-South center line of said Section 14 to the Point of Beginning;

All being East of the Willamette Meridian, Umatilla County, Oregon.

**EXHIBIT A**

# DRAFT MINUTES

**TEXT AMENDMENT REQUEST #T-102-25, AMENDMENT OF THE 1972 UMATILLA COUNTY ZONING ORDINANCE IN THE F-1, EXCLUSIVE FARM USE ZONE (19-ACRE MINIMUM PARCEL SIZE), SECTION 3.03 CONDITIONAL USES TO ADD “CEMETERY” TO THE LIST OF CONDITIONAL USES PERMITTED. CONDITIONAL USE PERMIT REQUEST #C-1405-25, TO ALLOW A CEMETERY USE ON THE F-1 ZONED SUBJECT PROPERTIES. LAND DIVISION TYPE I, #S-065-25, TO CREATE SUBDIVISION PLOTS.**

The The Hermiston Cemetery District is proposing an amendment to the 1972 Umatilla County Zoning Ordinance, Section 3.03 Conditional Uses, to add “cemetery” to the list of conditional uses permitted in the following zone: F-1, (EFU, 19-acre minimum). The Hermiston Cemetery District is also requesting a conditional use permit request to allow a cemetery use on Map #4N2814CD, Tax Lot #100, to surrounding properties under shared ownership, Map #4N2114CD, Tax Lot #200 and Map #4N2814D, Tax Lot #400 and Map #4N2814DB, Tax Lots #200 and #201. The Hermiston Cemetery District is also requesting a Land Division, Type I, request to subdivide Map #4N2814D; Tax Lot #400, into a total of 2,258 graves, platting the new cemetery, proposed under #C-1405-25.

A proposed amendment to the 1972 Umatilla County Zoning Ordinance in the F-1, EFU Zone, is subject to policies in the Umatilla County Comprehensive Plan, Transportation System Plan and the applicable Oregon Statewide Planning Goals. The subject properties, zoned F-1 (EFU) are within the City of Hermiston’s Urban Growth Boundary (UGB) and are therefore subject to the policies of the City of Hermiston and Umatilla County Joint Management Agreement (JMA), as well as the City of Hermiston’s Comprehensive Plan and Transportation System Plan. The proposed amendment is also subject to Umatilla County Development Code, Sections 152.750 through 152.755. The proposed conditional use request is subject to the 1972 UC Zoning Ordinance, Sections 7.010 through 7.040, and upon the issuance of a Zoning Permit. The proposed Land Division, Type I, request is subject to the UCDC Sections 152.665 through 152.669.

**UMATILLA COUNTY  
PLANNING COMMISSION HEARING  
March 12, 2026**

**DRAFT MINUTES**  
**UMATILLA COUNTY PLANNING COMMISSION**  
**Meeting of Thursday, March 12, 2026, 6:30pm**

\*\*\*\*\*

**COMMISSIONERS**

**PRESENT:** Sam Tucker, Chair, Andrew Morris, Vice Chair, John Standley, Malcolm Millar and Emery Gentry

**COMMISSIONER**

**PRESENT VIA**

**GOOGLE MEETS:** Jim Setzer

**COMMISSIONERS**

**ABSENT:** Tami Green

**PLANNING STAFF:**

Megan Davchevski, Planning Manager, Charlet Hotchkiss, Planner, and Shawwna Van Sickle, Administrative Assistant

\*\*\*\*\*

*NOTE: THE FOLLOWING IS A SUMMARY OF THE MEETING. RECORDING IS AVAILABLE AT THE PLANNING OFFICE.*

**CALL TO ORDER**

Chair Sam Tucker called the meeting to order at 6:31PM and read the Opening Statement.

**NEW HEARING**

**TEXT AMENDMENT REQUEST #T-102-25, AMENDMENT OF THE 1972 UMATILLA COUNTY ZONING ORDINANCE IN THE F-1, EXCLUSIVE FARM USE ZONE (19-ACRE MINIMUM PARCEL SIZE), SECTION 3.03 CONDITIONAL USES TO ADD “CEMETERY” TO THE LIST OF CONDITIONAL USES PERMITTED. CONDITIONAL USE PERMIT REQUEST #C-1405-25, TO ALLOW A CEMETERY USE ON THE F-1 ZONED SUBJECT PROPERTIES. LAND DIVISION TYPE I, #S-065-25, TO CREATE SUBDIVISION PLOTS.** The Hermiston Cemetery District is proposing an amendment to the 1972 Umatilla County Zoning Ordinance, Section 3.03 Conditional Uses, to add “cemetery” to the list of conditional uses permitted in the following zone: F-1, (EFU, 19-acre minimum).

The Hermiston Cemetery District is also requesting a conditional use permit request to allow a cemetery use on Map #4N2814CD, Tax Lot #100, to surrounding properties under shared ownership, Map #4N2114CD, Tax Lot #200 and Map #4N2814D, Tax Lot #400 and Map #4N2814DB, Tax Lots #200 and #201.

The Hermiston Cemetery District is also requesting a Land Division, Type I, request to subdivide Map #4N2814D; Tax Lot #400, into a total of 2,258 graves, platting the new cemetery, proposed under #C-1405-25.

A proposed amendment to the 1972 Umatilla County Zoning Ordinance in the F-1, EFU Zone, is subject to policies in the Umatilla County Comprehensive Plan, Transportation System Plan and the applicable Oregon Statewide Planning Goals. The subject properties, zoned F-1 (EFU) are within the City of Hermiston's Urban Growth Boundary (UGB) and are therefore subject to the policies of the City of Hermiston and Umatilla County Joint Management Agreement (JMA), as well as the City of Hermiston's Comprehensive Plan and Transportation System Plan. The proposed amendment is also subject to Umatilla County Development Code, Sections 152.750 through 152.755.

The proposed conditional use request is subject to the 1972 UC Zoning Ordinance, Sections 7.010 through 7.040, and upon the issuance of a Zoning Permit.

The proposed Land Division, Type I, request is subject to the UCDC Sections 152.665 through 152.669.

Chair Tucker called for any abstentions, bias, conflicts of interest, declarations of ex parte contact or objections to jurisdiction. No reports were made.

Chair Tucker called for the Staff Report.

### **STAFF REPORT**

Ms. Charlet Hotchkiss stated the existing cemetery located on Map #4N2814CD; Tax Lot 100, is a pre-existing nonconforming use. Developed in 1973 when the Hermiston Cemetery District was originally formed and incorporated on June 8, 1973. The cemetery had been operating in this location and serving the communities of Hermiston and the surrounding areas for 53 years. This request was the first request the Hermiston Cemetery District had made for expansion in the more than 50 years that they've been operating. She shared that the Hermiston Cemetery District had needs for more land to accommodate the growing population. The applicant stated the proposed platting will allow for further expansion in the future, should it be necessary. The Hermiston Cemetery District currently owns the surrounding properties involved in the request.

Ms. Hotchkiss explained that the Hermiston Cemetery District land use request consisted of the following three land use requests:

1. A text amendment to the County's 1972 Zoning Code, Section 3.03 Conditional Uses to add "cemetery" to the list of conditional uses permitted in the F-1, Exclusive Farm Use Zone (19-acre minimum parcel size).

2. A Conditional Use Permit request to allow a cemetery use on the F-1 zoned properties in order to expand the existing cemetery. The Conditional Use Permit would apply to properties identified as Map #4N2814CD, Tax Lot #100, Map #4N2114CD, Tax Lot #200, Map #4N2814D, Tax Lot #400 and Map #4N2814DB, Tax Lots #200 and #201.

3. A Type I Land Division, Subdivision request to subdivide Map #4N2814D; Tax Lot #400, into a total of 2,549 graves (subdivision plots), for the cemetery expansion.

Ms. Hotchkiss shared that a proposed amendment to the 1972 Umatilla County Zoning Ordinance in the F-1 Zone, was subject to policies in the Umatilla County Comprehensive Plan, City of Hermiston Comprehensive Plan, City of Hermiston Transportation System Plan, Umatilla County Transportation System Plan and the applicable Oregon Statewide Planning Goals. She added, the proposed amendment would add “cemetery” to the list of conditional uses permitted within this zone. She added that this conditional use would apply to Section 7.010 through 7.040 in the 1972 Umatilla County Zoning Ordinance, and permitted upon the issuance of a Zoning Permit to finalize the conditional use request.

Ms. Hotchkiss further explained that approval of the Text Amendment and Conditional Use Permit would also allow the Hermiston Cemetery District to subdivide Tax Lot #400, Map #4N2814D, into cemetery plots with a total of 2,549 gravesites. She reiterated that the other tax lots involved in the Conditional Use request were not being subdivided at the time and will remain as un-platted open space until a Land Division application was submitted. The applicant was requesting approval of a Land Division, Type I, to subdivide the individual parcel. She stated the decision of the Hermiston Cemetery District Land Division was made by the Planning Commission, unless timely appealed to the Board of County Commissioners.

Ms. Hotchkiss stated that notice of the applicant’s request were mailed on February 20, 2026 to nearby property owners and necessary agencies. Notice of the March 12, 2026 Planning Commission hearing were published in the East Oregonian on February 25, 2026.

Ms. Hotchkiss explained that a proposed Text Amendment to the 1972 Umatilla County Zoning Ordinance in the F-1, EFU Zone, was subject to policies in the Umatilla County Comprehensive Plan, Transportation System Plan and the applicable Oregon Statewide Planning Goals. The subject properties, zoned F-1 were within the City of Hermiston’s Urban Growth Boundary (UGB) and were therefore subject to the policies of the City of Hermiston and Umatilla County Joint Management Agreement (JMA). Additionally, it was subject to the City of Hermiston’s Comprehensive Plan and Transportation System Plan. The proposed amendment was also subject to Umatilla County Development Code, Sections 152.750 through 152.755.

Ms. Hotchkiss shared that the proposed Conditional Use request was subject to the Umatilla County Development Code, Sections 152.611 through 152.615, and requires the issuance of a Zoning Permit. The proposed Land Division, Type I, Subdivision request was subject to the UCDC Sections 152.665 through 152.669.

Ms. Hotchkiss stated this hearing before the Umatilla County Planning Commission was the County's first evidentiary hearing for adoption of the text amendment. A subsequent Public Hearing before the Umatilla County Board of Commissioners was scheduled for Tuesday, April 14, 2026 at 9:00 AM in Room 130 of the Umatilla County Courthouse, 216 SE 4th Street, Pendleton, OR 97801.

Ms. Hotchkiss stated the Planning Commission may agree with staff's findings or may make new findings based on evidence in the record. Sample decision motions had been provided below.

Vice Chair Morris and Commissioner Standley asked if under the Conditional Use process if this type of request would include placing the property on annual review. Ms. Hotchkiss stated this was not a condition within the findings and would not be necessary.

Chair Tucker raised a question regarding State protections for the EFU (Exclusive Farm Use) zone and if this applied even if the property was located within the Urban Growth Boundary (UGB). Mrs. Megan Davchevski clarified that the F1 zone, being inside the urban growth boundary, was not protected by Statewide Planning Goal 3 (agricultural lands) like other EFU zones.

Chair Tucker discussed the structure of the required motions, specifically concerning whether the approval of the conditional use and subdivision should be explicitly conditioned upon the later approval of the text amendment by the Board of Commissioners. Ms. Hotchkiss advised that conditioning the motion would not be necessary because the subsequent action items were already conditioned on receiving approval of the Text Amendment. She also confirmed that the City of Hermiston was aware of the Cemetery District's plans, and the proposals do not conflict with the city's intentions.

**Proponent:** No Testimony was provided by the Applicant or representatives of the applicant.

**Neutral:** None

**Opponents:** None

**Public Agencies:** Ms. Hotchkiss received two comments from public agencies: Hermiston Irrigation District stated they had no objection to the land division and noted the parcel has water rights, and ODOT confirmed they had no comments.

**Rebuttal:** None requested.

Chair Tucker called for any requests for the hearing to be continued, or for the record to remain open. There were none.

Chair Tucker closed the hearing for deliberation.

Chair Tucker stated there were no exhibits to add to the record.

### **DELIBERATION & DECISION**

Chair Tucker asked for any discussion on the matters presented that evening.

Commissioner Millar made a motion to recommend approval of the Hermiston Cemetery Text Amendment #T-102-25 to the Board of County Commissioners based on the evidence and Findings of Fact and Conclusions of Law in the record.

Commissioner Standley seconded the motion. Motion passed with a vote of 6:0 to recommend approval to the Board of County Commissioners.

#### **Voting Record:**

**Yes** - Commissioner Gentry, Commissioner Setzer, Commissioner Standley, Commissioner Millar, Vice Chair Morris and Chair Tucker

**No** – none.

**Absent** - Commissioner Green

Commissioner Gentry made a motion to approve of the Hermiston Cemetery Conditional Use Permit #C-1405-25, based on the evidence and Findings of Fact and Conclusions of Law in the record.

Commissioner Setzer seconded the motion. Motion passed with a vote of 6:0 to approve the Conditional Use Request.

#### **Voting Record:**

**Yes** - Commissioner Gentry, Commissioner Setzer, Commissioner Standley, Commissioner Millar, Vice Chair Morris and Chair Tucker

**No** – none.

**Absent** - Commissioner Green

Commissioner Standley made a motion to approve of the Hermiston Cemetery Subdivision Request #S-065-25, based on the evidence and Findings of Fact and Conclusions of Law in the record.

Commissioner Millar seconded the motion. Motion passed with a vote of 6:0 to approve the Subdivision Request.

**Voting Record:**

**Yes** - Commissioner Gentry, Commissioner Setzer, Commissioner Standley, Commissioner Millar, Vice Chair Morris and Chair Tucker

**No** – none.

**Absent** - Commissioner Green

**OTHER BUSINESS**

Mrs. Davchevski stated the next scheduled Planning Commission hearing will be on March 26, 2026. She shared that the Planning Commission was short two vacancies to fill the nine-member board. One potential planning commissioner, Mr. Brown, had been identified, and Mrs. Davchevski had requested the County Commissioners to appoint them at the following Wednesday board hearing, which would leave one vacancy.

**ADJOURNMENT**

Chair Tucker adjourned the meeting at 6:58PM.

Respectfully submitted,

Shawna Van Sickle,

Administrative Assistant





# PLANNING DIVISION

216 SE 4<sup>th</sup> ST, Pendleton, OR 97801, (541) 278-6252

Email: [planning@umatillacounty.gov](mailto:planning@umatillacounty.gov)

COMMUNITY &  
BUSINESS  
DEVELOPMENT

## MEMO

LAND USE  
PLANNING,  
ZONING AND  
PERMITTING

**TO:** Umatilla County Board of Commissioners

**FROM:** Bryce Fairchild, Planner II

**DATE:** April 7, 2026

CODE  
ENFORCEMENT

**RE:** **April 14, 2026 Board of Commissioners Hearing**

SOLID WASTE  
COMMITTEE

City of Hermiston Plan Map Amendment Co-adoption

Plan Map Amendment, #P-141-26

SMOKE  
MANAGEMENT

City of Hermiston, Applicant / Umatilla County, Owner

GIS AND  
MAPPING

### ***Background Information***

On January 26, 2026 Hermiston City Council adopted Ordinance 2378, amending the Comprehensive Plan Map from “Urbanizable” to “Urban” for approximately 19.5 acres located directly south of the Umatilla County Fairgrounds at 1835 E Airport Road.

The City Council also adopted Ordinance 2379 annexing said property effective upon co-adoption of Ordinance 2378.

RURAL  
ADDRESSING

LIAISON,  
NATURAL  
RESOURCES &  
ENVIRONMENT

PUBLIC TRANSIT

### ***Co-Adoption***

The City of Hermiston Joint Management Agreement (JMA) Section E (10) requires Comprehensive Plan Amendments applicable in the Urban Growth Area to be processed by the City. The JMA requires amendments to be adopted by ordinance, first by the City, then to the County for co-adoption review.

### ***Hearings***

The Hermiston City Council held a public hearing on January 14<sup>th</sup> 2026 and approved the plan map amendment and subsequently adopted Ordinances 2378 and 2379.

The Umatilla County Planning Commission held the County’s first evidentiary hearing for co-adoption on March 26, 2026 at the Justice Center Media Room, 4700 NW Pioneer Place, Pendleton, OR. The Planning Commission recommended approval of the Comprehensive Plan Map Amendment Co-adoption with a vote of 6-0.

### ***Conclusion***

The Umatilla County Board of Commissioners decision is final unless appealed to the Land Use Board of Appeals (LUBA). Following co-adoption of the City of Hermiston ordinances the subject property will be annexed into the city.

## Attachments

- Umatilla County Public Notice Map
- City of Hermiston Comprehensive Plan Map Amendment
- City of Hermiston Ordinance 2378
- City of Hermiston Findings of Fact
- Traffic Impact Analysis
- Umatilla County Land Use Request Application

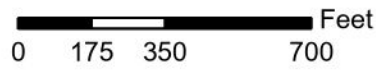
**PLAN MAP AMENDMENT #P-141-26  
CO-ADOPTION OF HERMISTON ORDINANCE NO. 2378, 2379  
CITY OF HERMISTON, APPLICANT  
UMATILLA COUNTY, OWNER**

**APRIL 14, 2026 BOARD OF COUNTY COMMISSIONERS  
PACKET CONTENT LIST**

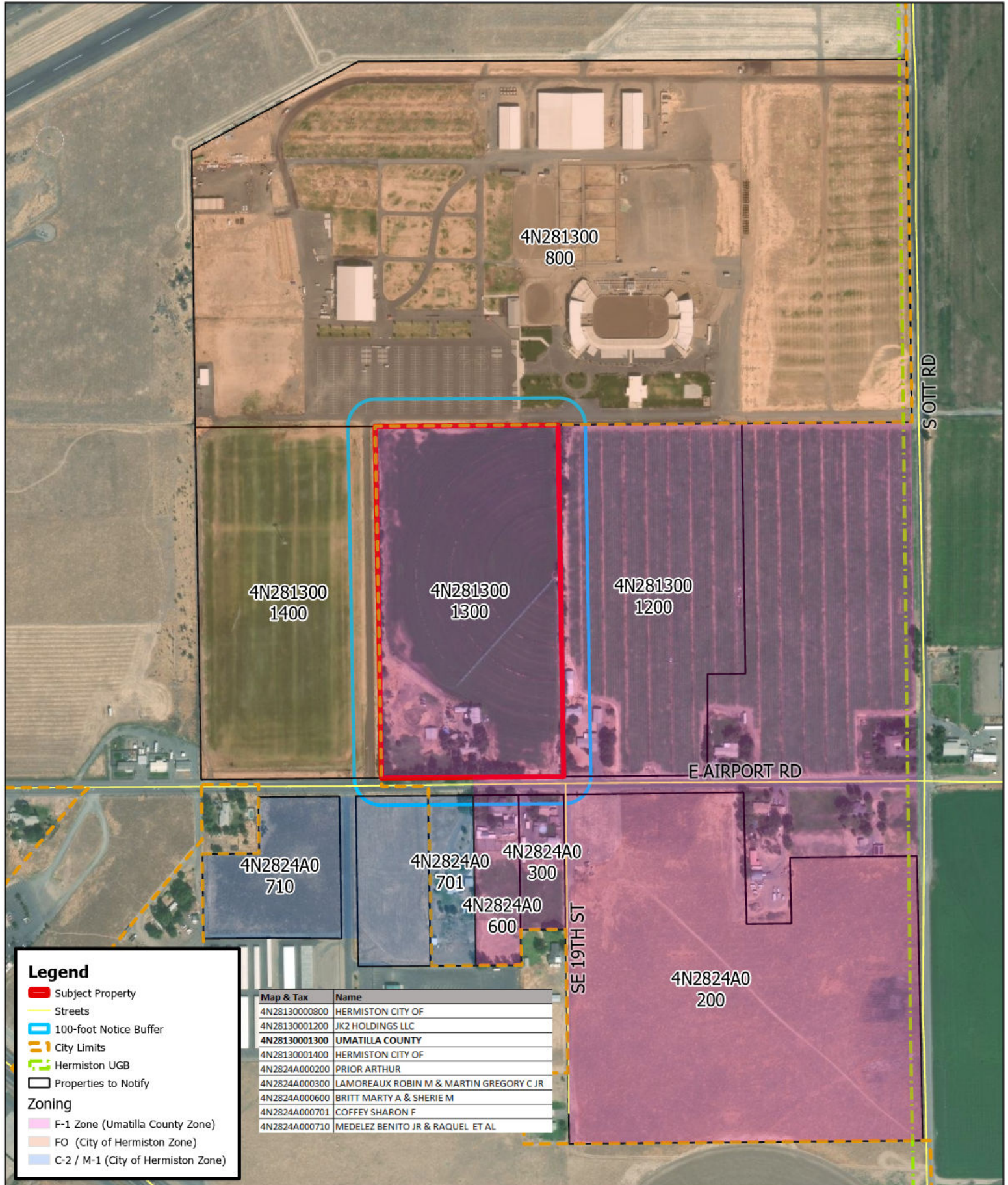
1. Staff Memo to Board of Commissioners, pages 1-2
2. Table of Contents, page 3
3. Umatilla County Public Notice Map, page 4
4. City of Hermiston Comprehensive Plan Map Amendment Map, page 5
5. City of Hermiston Ordinance No. 2378, pages 6-7
6. City of Hermiston Co-adoption notice from City Planner, Clinton Spencer, pages 8-9
7. City of Hermiston Findings of Fact, pages 10-25
8. Traffic Impact Analysis, pages 26-33
9. Umatilla County Land Use Request Application, pages 34-45

**CITY OF HERMISTON, APPLICANT  
UMATILLA COUNTY, OWNERS  
MAP: 4N 28 13 TAX LOT: 1300  
PLAN AMENDMENT #P-141-26**

Notified property owners within 100 feet of subject property.



Map Disclaimer: No warranty is made by Umatilla County as to the accuracy, reliability or completeness of the data. Parcel data should be used for reference purposes only. Created by B. Fairchild, Umatilla County Planning Department Date: 2/25/2026

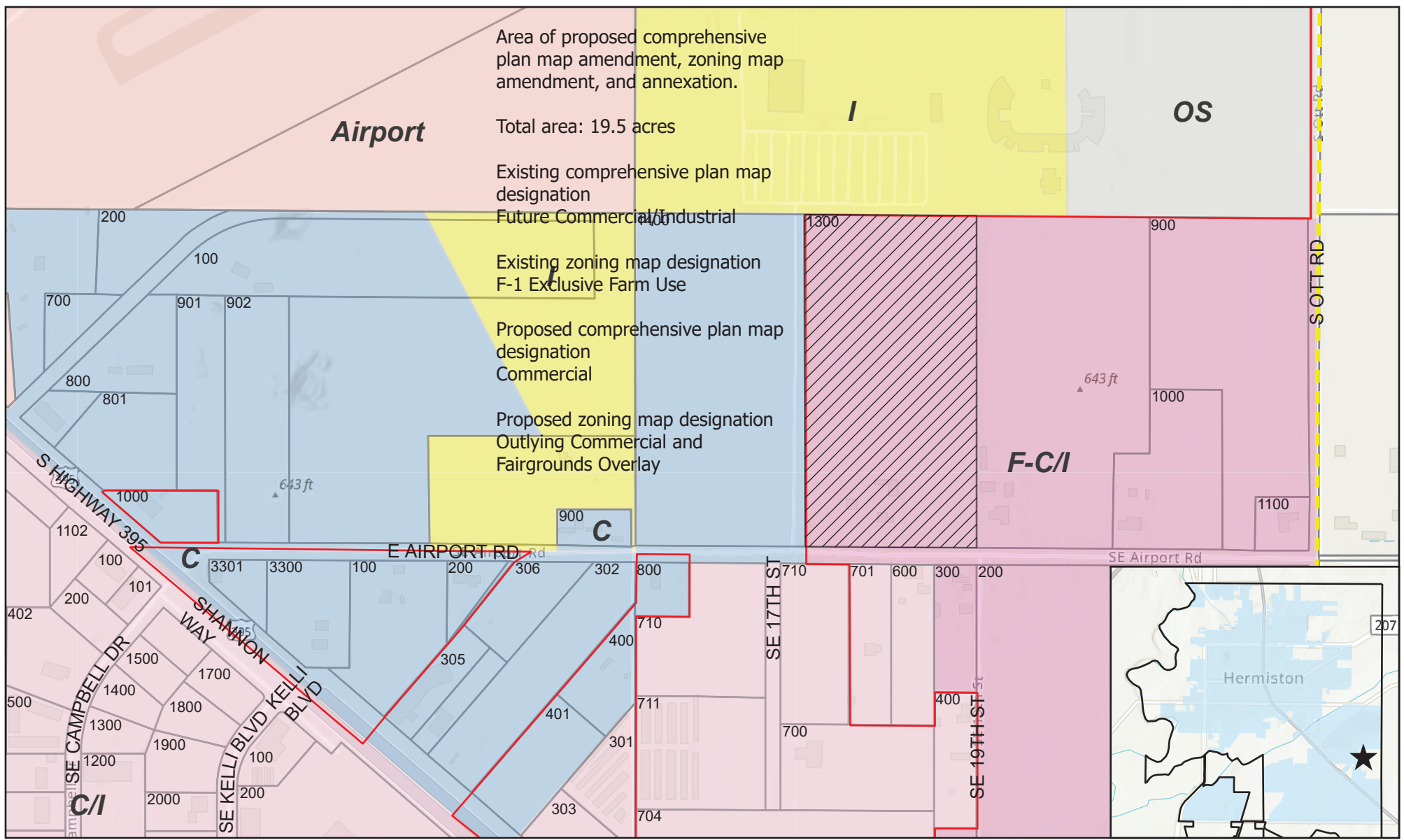


**Legend**

- Subject Property
  - Streets
  - 100-foot Notice Buffer
  - City Limits
  - Hermiston UGB
  - Properties to Notify
- Zoning**
- F-1 Zone (Umatilla County Zone)
  - FO (City of Hermiston Zone)
  - C-2 / M-1 (City of Hermiston Zone)

Map & Tax	Name
4N28130000800	HERMISTON CITY OF
4N28130001200	JK2 HOLDINGS LLC
4N28130001300	UMATILLA COUNTY
4N28130001400	HERMISTON CITY OF
4N2824A000200	PRIOR ARTHUR
4N2824A000300	LAMOREAUX ROBIN M & MARTIN GREGORY C JR
4N2824A000600	BRITT MARTY A & SHERIE M
4N2824A000701	COFFEY SHARON F
4N2824A000710	MEDELEZ BENITO JR & RAQUEL ET AL

# Comprehensive Plan Map Amendment and Annexation - 4N 28 13



Area of proposed comprehensive plan map amendment, zoning map amendment, and annexation.

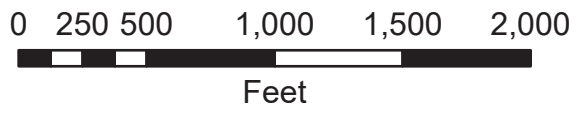
Total area: 19.5 acres

Existing comprehensive plan map designation  
Future Commercial/Industrial

Existing zoning map designation  
F-1 Exclusive Farm Use

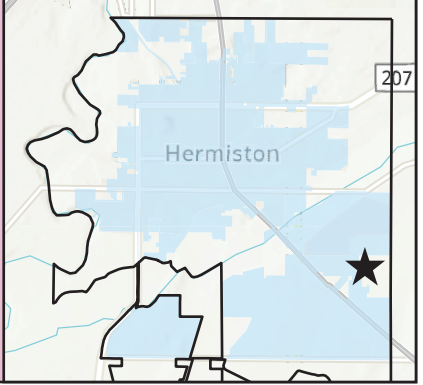
Proposed comprehensive plan map designation  
Commercial

Proposed zoning map designation  
Outlying Commercial and Fairgrounds Overlay



- Area of Proposed Land Use Action
- Property Line
- Hermiston UGB
- City Limits

- Comprehensive Plan Map Designation
- C
  - I
  - C/I
  - Airport
  - OS



# **City of Hermiston Ordinance No. 2378**

---

January 26th, 2026

**ORDINANCE NO. 2378**

AN ORDINANCE AMENDING THE CITY OF HERMISTON COMPREHENSIVE PLAN MAP TO CONVERT CERTAIN LANDS FROM URBANIZABLE STATUS TO URBAN STATUS LOCATED WITHIN THE URBAN GROWTH BOUNDARY OF THE CITY OF HERMISTON IN ACCORD WITH THE PROVISIONS OF POLICY 6 IN THE CITY'S COMPREHENSIVE PLAN.

THE CITY OF HERMISTON DOES ORDAIN AS FOLLOWS:

**SECTION 1.** The following described property shall be changed on the city comprehensive plan map from Future Commercial/Industrial (FC/I) to Commercial (C) and shall be designated as Outlying Commercial (C-2) with Fairgrounds Overlay (FO) on the city zoning map:

The East Half of the Southwest Quarter of the Southeast Quarter of Section 13, Township 4 North, Range 28, East of the Willamette Meridian, Umatilla County, Oregon

Also including the 66 foot right-of-way for E Airport Rd adjacent to the south boundary of property described above.

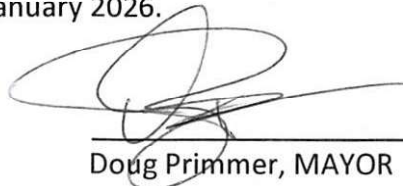
All being East of the Willamette Meridian, Umatilla County, Oregon;

**SECTION 2.** The findings of fact as adopted by the City Council on January 26, 2026, are incorporated herein by reference.

**SECTION 3.** The effective date of this ordinance shall be thirty days after co-adoption by the Umatilla County Board of Commissioners.

PASSED by the City Council this 26<sup>th</sup> day of January 2026.

SIGNED by the Mayor this 26<sup>th</sup> day of January 2026.

  
\_\_\_\_\_  
Doug Primmer, MAYOR



ATTEST:

  
\_\_\_\_\_  
Heather KP La Beau, DEPUTY CITY RECORDER

# **Notification from the City of Hermiston**

## **RE: Adoption of Ordinance No. 2378**

---

February 9, 2026

February 9, 2026

Mr. Bob Waldher  
Umatilla County Planning Director  
216 SE 4<sup>th</sup> Street  
Pendleton, OR 97801



Re: Co-Adoption of Hermiston Ordinance No 2378

Dear Mr. Waldher:

On January 26, 2026, the Hermiston City Council adopted Ordinance 2378 amending the comprehensive plan map from urbanizable to urban status for approximately 19.5 acres on the north side of E Airport Rd. The city council also adopted ordinance 2379 annexing said property effective upon co-adoption of ordinance 2378. Per Section E10 of the Hermiston Planning Area Joint Management Agreement the matter of conversion now comes before Umatilla County for co-adoption. A copy of ordinance 2378 is attached to this letter for the county's use.

The applicants in the matter of conversion and annexation is the City of Hermiston. The necessary applications and fees associated with the co-adoption process have been forwarded to the county.

Sincerely,

A handwritten signature in black ink, appearing to read "Clinton Spencer".

Clinton Spencer  
Planning Director

# **City of Hermiston Findings of Fact**

---

City of Hermiston Comprehensive Plan Map Amendment and Annexation

## Exhibit A

### Findings of Fact

#### Comprehensive Plan Map and Zoning Map Amendment

1835 E Airport Road

January 26, 2026

**Application to Amend the City of Hermiston Comprehensive Plan Map and associated Zoning Map, effecting a change to the zoning of the subject property.**

**Owner:** Farm City Pro Rodeo

**Applicant:** City of Hermiston  
180 NE 2<sup>nd</sup> Street  
Hermiston, OR 97838  
541 567-5025  
[planning@hermiston.gov](mailto:planning@hermiston.gov)

#### **Purpose of This Application:**

The City of Hermiston seeks to amend the comprehensive plan map and zoning map for a 19.5 acre parcel located at 1835 E Airport Road. The property is described as 4N 28 13 Tax Lot 1300. The property is located within the urbanizable portion of the Hermiston urban growth boundary (UGB) and is designated on the comprehensive plan map with a Future Commercial/Industrial map designation. Current zoning is F-1 on the Umatilla County zoning map.

The purpose of the application is to amend the Hermiston comprehensive plan map designation for this property from the urbanizable F C/I designation to the urban Commercial designation, implementing the planned intent of the comprehensive plan. Additionally, the property will be removed from the Umatilla County F-1 designation and amended to the Hermiston Outlying Commercial (C-2) designation and the Fairgrounds Overlay (FO) will be applied.

Finally, annexation to the City of Hermiston with the C-2 and FO designations is proposed.

#### **Documents to be Modified:**

- City of Hermiston Comprehensive Plan Map.
- City of Hermiston Zoning Map.

#### **Current Use of the Property:**

The property is currently occupied with a rural single-family homesite and multiple barns and outbuildings. The residential use occupies approximately 3.24 acres of the site. The remaining 16 acres are used for irrigated agriculture.

**Surrounding Uses:** This area south of Hermiston is a mix of commercial, light industrial, and residential uses. The area is urbanizing, spurred by the Eastern Oregon Trade and Event Center (EOTEC). The development on the subject property is approximately one half-mile from Highway 395. The site is adjacent to EOTEC on the north and west property lines. The Hermiston Airport is further to the north beyond EOTEC. Lands to the west beyond EOTEC are developed residentially but are zoned for commercial and industrial development. Lands to the south are light industrially and rural residentially developed. Lands to the west, north, and south are zoned for commercial and industrial development within the city limits. Lands to the east are zoned for agricultural use and are planned on the Hermiston comprehensive plan for future commercial and industrial use.

**Required Review:**

The City of Hermiston Zoning provisions, found as part of Title XV Land Usage, in Chapter 157 Zoning part 157.226 Amendments provides the requirements for amendment to the Zoning Map and at (E) provide the Approval Criteria. The City of Hermiston also provides application forms with procedures for both a Comprehensive Plan Map Amendment and a Zone Change. Both applications have several questions that reflect the Zoning ordinance provisions that will also be included here. As this is also a request to amend the Comprehensive Plan Map the 14 Statewide Planning Goals are also considered.

City of Hermiston Zoning 157.226 Amendments (E) Approval Criteria: The review criteria are listed in **bold** with responses in regular text.

**(E) Approval criteria.**

**(1) The following criteria must be followed in deciding upon a quasi-judicial proceeding:**

**(a) The burden in all land use proceedings is upon the applicant, whether a zone change, conditional use or variance is the subject of the hearing;**

*Response:* The applicant is submitting this application with supporting material to provide evidence for the governing body to consider.

**(b) The requested zone change or conditional use must be justified by proof that:**

**1. The change is in conformance with the Comprehensive Plan and also the goals and policies of the plan;**

*Response:* The City of Hermiston Comprehensive Plan has been acknowledged by the Land Conservation and Development Commission addressing the Statewide Land Use

Planning Goals. For this request Goals 1 Citizen Involvement, 2 Planning Process, 8 Recreational Needs, 9 Local Economy, 11 Public Services and Facilities, 12 Transportation, and 14 Urbanization are applicable. Goals 3 Agricultural Lands, 4 Forest Lands, 5 Natural Resources, 6 Air, Water, and Land Resource Quality, 7 Areas Subject to Natural Hazards, 10 Housing, 13 Energy Conservation, 15 Willamette River Greenway, 16, Estuarine Resources, 17 Coastal Shorelands, 18 Beaches and Dunes, and 19 Ocean Resources are not applicable.

The following City of Hermiston Comprehensive Plan Policies are considered:

- Policy 1: The City of Hermiston will insure that citizens have an adequate opportunity to be involved in all phases of the planning process.

*Response:* As this request will be heard by both the Planning Commission and City Council, with notice to adjoining landowners and affected agencies Goal 1 and Policy 1 are satisfied.

- Policy 2: The City of Hermiston will monitor and update periodically its comprehensive plan and implementing ordinances to respond to changing conditions.

*Response:* This request provides an opportunity for the City of Hermiston to evaluate this area of the urban growth boundary and consider implementing the urbanizable Future Commercial/Industrial designation as an urban Commercial designation.

- Policy 4: The City of Hermiston will promote compact urban development within and adjacent to existing urban areas to insure efficient utilization of land resources and facilitate economic provision of urban facilities and services.

*Response:* The proposal is adjacent to urban development or urban comprehensive plan map designations to the north, west, and south. The site is adjacent to city limits to the west and south. Urbanization and annexation of the site is a logical extension of the existing zoning and development pattern, further extending the city limits into land planned for urban development. It is not necessary to leave any rural land nor to create any islands of urbanizable land by extending the existing city limits and urban comprehensive plan map designation onto the subject property.

- Policy 19: The City of Hermiston will assure the availability of a sufficient supply of commercial land to accommodate 20-year projected need and strive to achieve the balanced distribution of commercial activities in neighborhoods, downtown, and along outlying highways.

*Response:* Changing the comprehensive plan map designation of the property to Commercial is considered within the text of the 2024 Economic Opportunities Analysis. The EOA notes that Hermiston has 66 acres of Future Commercial/Industrial land within the urban growth boundary. These 66 acres are comprised of three sites, the subject property being one of these three sites. Changing the designation from Future

Commercial/Industrial to Commercial is the realization of the planned use of the property consistent with the comprehensive plan.

- Policy 20: The City of Hermiston supports economic development and job growth which will diversify and strengthen the mix of economic activity in the local marketplace and provide employment opportunities for local residents.

*Response:* The applicant intends to develop the property with a recreational vehicle park, defined as a commercial use in the C-2 zoning definitions. Development of a recreational vehicle park on the site supports the local economy providing tourism opportunities as well as affordable workforce housing opportunities for temporary workers.

- Policy 23: The City of Hermiston will plan for the timely and efficient provision of a full complement of urban services and facilities in all developed and developing areas within the community. Timely means a point within the 20-year timeframe when the city deems development appropriate for a given property based on factors including but not limited to the need for additional urban development within the urban growth boundary and the extent of undeveloped or undeveloped land between the existing development and the subject property.

*Response:* Public services are available within the existing Eastern Oregon Trade and Event Center to the north. The City plans to extend public infrastructure in the form of new water and sewer main lines south to E Airport Road as part of development of this property. There is adequate capacity in the existing lines within EOTEC to provide service for site development. Additionally, the extension of lines to E Airport Road consistent with 157.164(E) will provide public benefit and future utility access for properties south of E Airport Road as well as to the east and west of the site.

- Policy 31: The City of Hermiston will promote a balanced, well-integrated local transportation system which provides safe, convenient and energy-efficient access, and facilitates the movement of commodities.

*Response:* As part of the development of the EOTEC site, the city and county partnered to improve E Airport Road to collector status from the intersection with Highway 395 to the east boundary of EOTEC. Improvement of and development upon this parcel will continue widening and improvement of E Airport Road to collector status matching existing improvements.

- Policy 32: The City of Hermiston will protect the operation of the Hermiston Airport from conflicting land uses and encourage expansion of air and rail transportation to facilitate economic development.

*Response:* The site is within 2,000 feet of the Hermiston Municipal Airport runway and within the conical surface of the runway. As such, no structure may be erected on the site exceeding 150 feet in height. Future development approvals regarding site improvements will consider airport height limitations as part of the review process.

- Policy 34: The City of Hermiston will comply with the requirements of the Transportation Planning Rule with the adoption of the Transportation System Plan and related amendments to implementing ordinances.

*Response:* The City has commissioned a trip generation analysis compliant with the Transportation Planning Rule. The analysis demonstrates that the existing F-1 zoning in Umatilla County permits a recreational vehicle park as a conditional use and the proposed C-2 zoning with Fairgrounds Overlay also permits a recreational vehicle park as an outright use. There is no substantial change in potential trip generation between the two uses. However, a trip cap is recommended to ensure the compatibility of the analysis. Should the recreational vehicle park be abandoned as a development proposal, a new traffic impact analysis will be required as part of the land use application process.

**2. The showing of public need for the rezoning and whether that public need is best served by changing the zoning classification on that property under consideration;**

*Response:* The usage pattern for EOTEC has shown an ongoing and immediate need for recreational vehicle spaces available for use in conjunction with events. Additionally, EOTEC fields inquiries from the general public as the availability of overnight spaces available for public use. The location of the site adjacent to the EOTEC grounds and the HEROES sports complex is an optimal location to provide spaces available for tournaments, tourism, and EOTEC users. The site location adjacent to the EOTEC complex on the north and west property lines demonstrates that this is the optimal site for additional EOTEC development as compared with other sites which will require shuttle service or vehicular trips to access the EOTEC site.

**3. The public need is best served by changing the classification of the subject site in question as compared with other available property.**

*Response:* The subject property is adjacent to the Eastern Oregon Trade and Event Center on two sides. The proposed use of the site for a recreational vehicle park and athletic fields is highly site specific. In the case of the RV park, the park is intended to service users of the EOTEC facility as well as the general public for overnight and extended use. EOTEC events such as the Umatilla County Fair require a large number of RV spaces to be available in conjunction with time limited events. These spaces must be located within walking distance of EOTEC. There are limited properties which meet the siting criteria. Of those sites which do meet the criteria, this subject property is the only one adjacent to public facilities and available for immediate servicing.

**4. The potential impact upon the area resulting from the change has been considered.**

*Response:* The City has held public hearings before the planning commission and city council to consider the potential impact and solicit public input into the proposed

amendment to the comprehensive plan and zoning designations. The recreational vehicle park proposed for the site is an outright use under the Fairgrounds Overlay. A site plan review and public notice and comment is required for the subsequent land use application process. Potential impacts are considered in each land use process.

The proposed development of the site is subject to the recreational vehicle park standards contained in 157.147 of the Hermiston Code of Ordinances. These standards are intended to minimize the impacts of development on surrounding property and to protect the health and welfare of users within the RV park. All development will be fully compliant with the RV park standards and the development standards of the City of Hermiston.

**The 14 applicable Statewide Planning Goals are also considered.**

**Goal 1 Citizen Involvement: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.**

*Response:* The City of Hermiston Comprehensive Plan and Zoning Ordinance outlines the City's citizen involvement program that includes the activities of the Planning Commission and provides for the public hearing process with its required notice provisions. These notice provisions provide for adjoining and affected property owner notice; notice to interested local, state, and federal agencies; and allows for public comment to the process.

The city finds that this application is consistent with Goal 1.

**Goal 2 Planning: To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.**

*Response:* Goal 2 establishes the underlining process that a county or a city needs to utilize when considering changes to their Comprehensive Plans and development codes. This requested change of Comprehensive Plan and Zoning designation is also guided by Goal 2 requirements. This application meets those requirements for this request.

The city finds that this application is consistent with Goal 2.

**Goal 3 Agricultural Lands: To preserve and maintain agricultural lands.**

*Response:* The Goal 3 requires counties to preserve and maintain agricultural lands for farm uses. Counties must inventory agricultural lands and protect them by adopting exclusive farm use zones consistent with Oregon Revised Statute 215.203 et. seq. Goal 3 does not allow nonfarm uses like industrial development on lands zoned for exclusive farm use. This application is to consider modifications to the application of the Outlying Commercial zone within the city limits on lands that have already been identified for urban industrial and commercial uses. Per OAR 660-033-0020(1)(c), "Agricultural Land" does

not include land within acknowledged urban growth boundaries or land within acknowledged exception areas for Goal 3 or 4.

Goal 3 does not apply to this action.

**Goal 4 Forest Lands: To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.**

*Response:* There are no forest lands in the City of Hermiston.

Goal 4 does not apply to this action.

**Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources: To protect natural resources and conserve scenic and historic areas and open spaces.**

*Response:* The subject property does not have any overlays or other known cultural or historical sites. There are no wetlands inventoried on the subject property.

Goal 5 does not apply to this action.

**Goal 6 Air, Water and Land Resources Quality: To maintain and improve the quality of the air, water and land resources of the state.**

*Response:* Goal 6 addresses the quality of air, water, and land resources. In the context of comprehensive plan amendments, a local government complies with Goal 6 by explaining why it is reasonable to expect that the proposed uses authorized by the plan amendment will be able to satisfy applicable federal and state environmental standards, including air and water quality standards.

All development within the Hermiston urban growth boundary is required to comply with federal and state environmental standards (157.004). Compliance is a requirement of all land use applications.

Goal 6 does not apply to this action.

**Goal 7 Areas Subject to Natural Hazards and Disasters: To protect people and property from natural hazards.**

*Response:* There are no known natural hazards on the subject property, and it is located significantly above and outside the influence of the Umatilla River which has a history of flooding.

Goal 7 does not apply to this action.

**Goal 8 Recreation Needs: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.**

*Response:* The subject property is intended to provide additional recreational facilities following amendment to the comprehensive plan map and annexation. In compliance with Policy 18 of the comprehensive plan, the city will work to acquire additional parks and recreation facilities throughout the community. Development of this site with athletic facilities satisfies the city's comprehensive planning policy relative to recreation.

The city finds that this application is consistent with Goal 8.

**Goal 9 Economy: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.**

*Response:* Goal 9 requires local governments to adopt comprehensive plans and policies that contribute to a stable and healthy economy. Hermiston has a Comprehensive Plan that has been acknowledged to comply with Goal 9. Specifically, the city has adopted an economic opportunities analysis as of 2024 which has been acknowledged by the State of Oregon. The 2024 EOA specifically identifies this site as a location for future economic development. As noted above, a recreational vehicle park is considered a commercial use in the city's zoning definitions. In the absence of development as an RV park, the proposed change still designates this land for commercial use, thereby implementing the comprehensive planning of this site for future commercial and industrial development.

The city finds that this application is consistent with Goal 9.

**Goal 10 Housing: To provide for the housing needs of citizens of the state.**

*Response:* Housing is not specifically considered as part of this application. Commercial land is not considered as part of city's residential land inventory. The 2021 residential buildable land inventory demonstrates that the subject property is not included in nor necessary for the provision of housing through the 20-year planning horizon.

However, the Oregon Legislature in 2019 passed HB 2001 which amended certain housing rules relating to provision of housing in commercial zones. Specifically, OAR 660-046-0330 states that cities adopting a comprehensive plan amendments shall adopt findings regarding increase or decrease in housing capacity. Since several recent legislative changes allow residential use within commercial zones, and the proposed RV park development is considered a residential use providing short and medium-term residential occupancies, the city is required to consider the housing capacity impacts. Under 197A.270, a city is required to assume

Goal 10 does not apply to this action.

**Goal 11 Public Services: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.**

*Response:* Goal 11 requires local governments to plan and develop a timely, orderly, and efficient arrangement of public facilities and services. The city has adopted a public facilities plan as of September 2025. The public facilities plan demonstrates that there is adequate capacity to service development within the urban growth boundary through the 20-year planning horizon with minor system upgrades. System upgrades are planned within the city capital improvement plan and funded through the city-wide system development charge fee. Development is required to pay into the SDC fees at the time of permitting thereby paying a proportionate share into future system upgrades.

The city finds that this application is consistent with Goal 11.

**Goal 12 Transportation: To provide and encourage a safe, convenient and economic transportation system.**

*Response:* Goal 12 requires local governments to provide and encourage a safe, convenient, and economic transportation system, implemented through the Transportation Planning Rule. A trip generation report prepared by a registered traffic engineer is attached to these findings as evidence of compliance with the Transportation Planning Rule. As noted in the report, no significant change in trip generation is generated between those uses permitted in the F-1 and C-2 zones when subjected to a trip cap.

The city finds that this application is consistent with Goal 12.

**Goal 13 Energy: To conserve energy.**

*Response:* Goal 13 directs local jurisdictions to manage and control land and uses developed on the land to maximize the conservation of all forms of energy, based on sound economic principles. The site is situated adjacent to EOTEC and intended to minimize the need for vehicular trips for RV park users to access EOTEC events and athletic events.

Goal 13 does not apply to this action.

**Goal 14 Urbanization: To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.**

*Response:* Goal 14 prohibits urban uses on rural lands. To locate urban uses on rural lands, local governments must either expand their urban growth boundaries to add property or take a Goal 14 exception setting forth reasons why urban development should be allowed on rural lands. This application is to change the Comprehensive Plan and Zoning Map designation on lands within the urban growth boundary allowing commercial uses on the subject property. By locating urban uses on land within the urban growth boundary, the city is eliminating the need to expand the UGB onto rural lands to accommodate urban development.

The city finds that this application is consistent with Goal 14.

The city finds that this application is consistent with the applicable Statewide Planning Goals.

**Conclusion:** This narrative provides evidence that the proposal complies with the Statewide Planning Goals and with the City of Hermiston Comprehensive Plan. No change to traffic impacts based on this application is anticipated with actual traffic impacts analyzed at the time of development.

**Exhibit B**  
**Findings of Fact**  
**Annexation**  
**1835 E Airport Road**  
**January 26, 2026**

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

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

Response:

1. The proposed annexation of the subject property is aligned with the City of Hermiston Comprehensive Plan, acknowledged as compliant by the State of Oregon, and codified in Code Section 156.02 of Title XV.
2. The City has received consent to annexation from the property owner for approximately 19.5 acres of land and an election was deemed not necessary by the city council on October 27, 2025 (*ORS 222.120(1)*)
3. Notice of public hearing was published in the local newspaper for two consecutive weeks prior to the planning commission hearing on December 17 and 24, 2025. Notices were also posted in four public places in the city for a like period. Comments or remonstrances received have been incorporated into the record. (*ORS 222.120(3)*)
4. Notice of public hearing was physically posted on the property on December 17, 2025. (*HZO §157.229(B)*)
5. Affected agencies were notified. (*ORS 222.005*)
6. A public hearing of the planning commission was held on January 14, 2026. Comments received at the hearing are incorporated into the planning commission record. (*ORS 222.120(2)*)
7. Notice of public hearing of the city council was published in the local newspaper for two consecutive weeks prior to the city council hearing on January 7 and 14, 2026. Notices were also posted in four public places in the city for a like period. Comments or remonstrances received have been incorporated into the record. (*ORS 222.120(3)*)
8. A public hearing of the city council was held on January 26, 2026. Comments received at the hearing are incorporated into the record. (*ORS 222.120(2)*)

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

- a. The city has received consent from the property owners within the affected area
  - b. An election has been deemed not necessary since consent from more than half the owners has been received
  - c. The property is contiguous with the existing city limits
  - d. All statutorily required notices have been published and posted
- B.** §150.05(2) *The property is contained within the urban portion of the urban growth boundary as identified on the comprehensive plan.*

Response:

- 9. Since the property is contiguous to the existing city limits, the annexation is in accord with Comprehensive Plan Policy 4 which promotes compact urban development within and adjacent to existing urban areas to ensure efficient utilization of land resources and facilitates economic provision of urban facilities and services.
- 10. Annexation is consistent with Policy 5 which requires the city to establish a program for annexation and efficient and orderly provision of public services.
  - a. Property is contained within the urban portion of the UGB (See Finding 11 below)
  - b. Proposed development is consistent with applicable comprehensive plan policies and map designations (See Finding 11 below)
  - c. All city services can be extended readily (See Findings 15-18 below)
  - d. Property owner(s) is willing to bear costs associated with extension of sewer, water and roads except for major facilities -- e.g. sewer pump station or major water main -- necessary to facilitate later growth. (See Findings 15-18 below)
  - e. Proposal is consistent with all applicable state requirements including ORS Chapter 222 governing annexations and Chapter 225 governing utility extensions. (See Findings 1-8 above)
- 11. Following amendment from Future Commercial/Industrial to Commercial as approved by the planning commission on January 14, 2026, the property is located within the urban portion of the urban growth boundary (UGB) as identified on the comprehensive plan map. The property is designated as "C" on the comprehensive plan. The C designation is a urban commercial comprehensive planning designation corresponding to the C-2 zoning designation on the city zoning map.

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

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

Response:

12. The applicant has submitted an application to annex the property with an Outlying Commercial zoning designation. The Fairgrounds Overlay zone is also proposed.
13. The proposed Outlying Commercial and Fairgrounds Overlay zoning designations are an implementing zoning designation for the C comprehensive plan map designation.

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

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

Response:

14. This document, consisting of three pages of findings adopted by the planning commission on January 14, 2026, serves as findings of fact in support of annexation.

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

Response:

15. Sewer is available to service this property within the Eastern Oregon Trade and Event Center. At the time of connection, the City is responsible for all connection fees, and extension of the sewer line to the southernmost property line at E Airport Road.
16. A 12" water main is available to service this property within the Eastern Oregon Trade and Event Center. Sufficient capacity exists in this water line to serve any potential development on this parcel. At the time of connection, the City is responsible for all connection fees, and extension of the water line to the southernmost property line at E Airport Road.
17. A traffic impact analysis has been prepared considering the traffic impacts generated by a recreational vehicle park, athletic fields, and parking. All intersections studied continue to operate at mobility targets following development. No additional off-site mitigation measures are necessary as a result of development of the parcel.
18. Partial improvement along E Airport Road along the entire frontage of the subject parcel is necessary as a condition of subsequent development. E Airport Road is classified as a major collector street and major collector improvements to match those immediately west of the site will be required as a condition of subsequent development.

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

**Exhibit C**  
**Recommended Conditions of Approval**  
**1835 E Airport Road**  
**January 26, 2026**

Subject to the testimony presented at the public hearing and the deliberations of the city council, the following conditions of approval as adopted by the planning commission are presented.

1. At such time that development occurs on this parcel, E Airport Road adjacent to the parcel frontage shall be improved to major collector status with improvements matching those installed in E Airport Road adjacent to the west boundary of the site.
2. A trip-cap of 645 average daily trips and 107 PM peak hour trips shall be imposed on the property following annexation. Compliance with the trip cap will require the following actions:
  - a. Each application for development authorization within amended area submitted to the city shall be accompanied by a trip generation letter indicating the average daily and peak hour trips generated for the proposal.
  - b. Each trip generation letter shall indicate available peak hour trips remaining at completion of construction for the proposal.
  - c. At such time that the peak hour trips exceed 107 PM trips, the city shall no longer issue building permits until a revised traffic impact analysis is prepared. The requirement to prepare a new traffic impact analysis shall run with the land.
3. Development of an RV park on the property shall be considered a separate land use decision. Consideration of an RV park approval is a limited land use decision subject to approval under the Hermiston Code of Ordinances.

# Traffic Impact Analysis

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Kittelson & Associates

# DRAFT TECHNICAL MEMORANDUM

November 21, 2025

Project# 32259

To: Clint Spencer, City of Hermiston Planning Director  
 From: Nicholas Meltzer, PE; Matt Hughart, ACIP  
 CC: Joshua Lott, PE, Anderson Perry Project Engineer  
 RE: Hermiston RV Park Transportation Planning Rule (TPR) Compliance

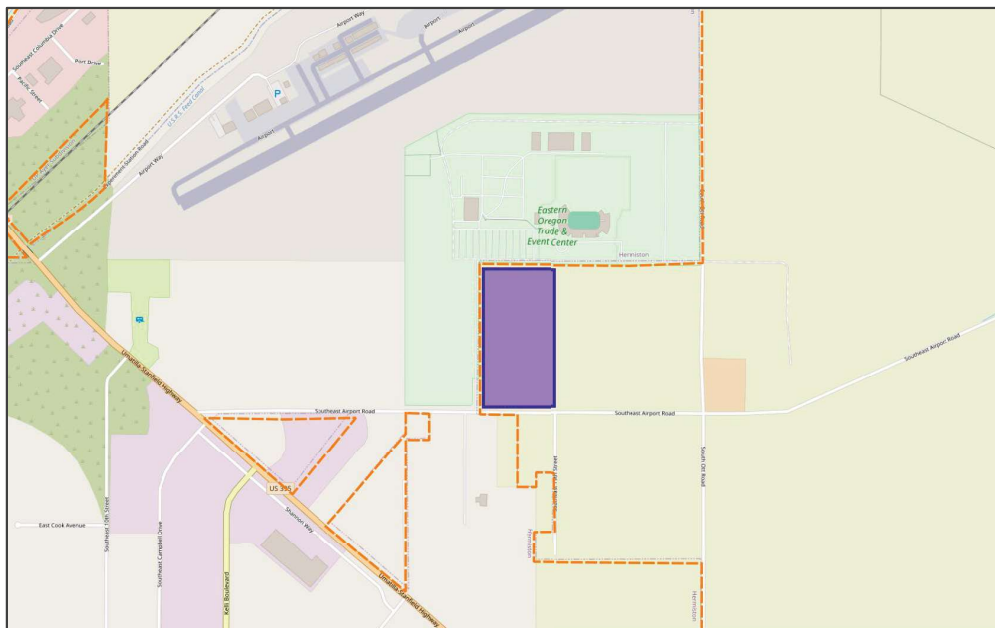
The City of Hermiston is annexing land within the Uran Growth Boundary (UGB) and outside the existing city limits. As part of the annexation, the land is proposed to be zoned C-2 ("Outlying Commercial Zone"). This memo outlines the proposed rezoning compliance with the Transportation Planning Rule (TPR) per Oregon Administrative Rule (OAR 660-012-0060)

As summarized herein, the proposed zoning does not result in a significant affect on the transportation system, assuming that a limitation on the land is placed that limits future development of the property to include a publicly owned park/field/community space and a 100-space Recreational Vehicle park and/or the equivalent of 107 weekday PM peak hour trips or 645 daily trips.

## BACKGROUND

The subject site is located on E Airport Road, between US 395 and S Ott Road. It is bounded by Hermiston city limits on two sides and adjacent to the Umatilla County Fairgrounds. The site is shown in Figure 1. The proposed use of the site is park and recreation space to be owned and operated by the City of Hermiston.

**Figure 1 Proposed Site of Park and Recreation Space Outlined in Purple**



## POLICY AND PLANNING CONTEXT

The current zoning for the site is F-1 (Exclusive Farm Use), under Umatilla County's Zoning Ordinance. Section 3.012 (7) of the Ordinance allows "Parks, playgrounds, community centers or recreational vehicle parks owned and operated by a governmental agency or a non-profit community organization (in the Hermiston Urban Growth Area only)." As noted earlier, the proposed use of the approximate 19-acre site includes a publicly owned park/field/community space and a 100-space RV Park.

The City of Hermiston is proposing to rezone the site to C-2 Outlying Commercial. A review of the permitted uses associated with the C-2 zoning provides the following guidance:

- All uses permitted under the C-1 zoning are allowed outright in C-2; of these, the higher potential trip generators include a variety of retail uses, clinics, and food uses. These could be generalized by the shopping center land use category within the *Trip Generation Manual*, as published by the Institute of Transportation Engineers.
- RV parks are an outright permitted use and subject to the requirements of Section 157.147 (this site appears to comply with the provisions of this section).
- Government structures or land uses including but not limited to a public park, playgrounds, recreational building, fire station, library or museum are allowed as conditional uses.

If one were to posit that the 19.5 acres of C-2 would be reasonably developed with a maximum floor area ratio (FAR) of 0.25, this could enable 212,350 square feet of retail space. This level of development could equate to 11,408 weekday trips, of which 971 are estimated to occur during the weekday PM peak hour<sup>1</sup>. This level of trip generation far exceeds that of the intended use of the property by an RV park and a publicly owned park/field/community space. As such, the City is proposing a land use limitation to limit the future use of the site assuming the zone change is approved.

## APPLICABLE TPR CRITERIA

Two sections of Oregon's TPR apply to amendments to acknowledged land use designations. Per OAR 660-012-0060(1) and (2), the first step in assessing an amendment's potential transportation impact is to compare the vehicular trip generation of the site assuming a "reasonable worst-case" development scenario under the existing and proposed zoning. If the trip generation potential increases under the proposed zoning, additional analysis is required to assess whether the rezone will "significantly affect" the transportation system. Conversely, if the trip generation under the proposed zoning is equal to or less than that under the existing zoning, no additional quantitative analysis is necessary to conclude that the proposal does not "significantly affect" the transportation system.

We further note that Table 1, Policy 1F.5 of the Oregon Highway Plan establishes the following thresholds for determining significance:

<sup>1</sup> As estimated using the *Trip Generation Manual* (11<sup>th</sup> Edition, as published by the Institute of Transportation Engineers). The 12<sup>th</sup> Edition was recently published and if these rates were used, this level of development would result in 7,727 daily trips and 868 weekday PM peak hour trips, which would yield the same conclusions related to the TPR.

- Any proposed amendment that does not increase the average daily trips by more than 400 is not considered significant.
- Any proposed amendment that increases the average daily trips by more than 400 but less than 1,000 for state facilities is not considered significant where:
  - The annual average daily traffic is less than 5,000 for a two-lane highway
  - The annual average daily traffic is less than 15,000 for a three-lane highway
  - The annual average daily traffic is less than 10,000 for a four-lane highway
  - The annual average daily traffic is less than 25,000 for a five-lane highway

If the increase in traffic between the existing plan and the proposed amendment is more than 1,000 average daily trips, then it is not considered a small increase in traffic and the amendment causes further degradation of the facility and would be subject to existing processes for resolution.

## TRIP GENERATION COMPARISON

To test for a potential significant effect, we reviewed the change in trip generation potential of the permitted land uses associated with the existing versus the proposed zoning designations. As noted above, the existing zoning designation of the property is F-1 and per Section 3.012 of the County's Zoning Code, the highest trip generations permitted on the site are churches, schools, and community centers or RV parks operated by a governmental agency or non-profit organization.

The City's C-2 zoning permits a variety of high trip-generating retail uses. With no trip limits on the C2 uses, the proposed zoning designation has the potential to result in a significant impact per the TPR and OHP Policy 1F.5 based on the estimated trip generation potential. If a land use limitation of parks, playgrounds, community centers or RV Parks operated by a government agency were applied to the zone change, we estimate a trip potential of up to 645 daily trips, or 107 trips in the PM Peak Hour. As this increase is less than the 1,000 trip daily trip threshold for a two lane facility with a volume less than 5,000, the OHP policy identifies there is no significant affect. For this reason, a land use limitation is proposed.

For the purposes of developing a land use limitation associated with public uses, the trip generation was estimated for a variety of uses that could be developed under the zoning and consistent with the land use limitation. This shown in Table 1 using average trip rates (per ITE guidance) obtained from the *Trip Generation Manual, 11<sup>th</sup> Edition*.

**Table 1. Estimated Trip Generation**

Land Use	ITE Code	Size	Daily Trips	Weekday PM Peak Hour Trips
<b>Campground/RV Park</b>	416	100 Spaces	290*	27
<b>Soccer Complex</b>	488	4 fields	285	66
<b>Public Park</b>	411	5 acres**	92	23
<b>Community Center</b>	495	5,000 sq. ft. GFA	144	13
<b>Library</b>	590	5,000 sq. ft. GFA	360	41
<b>Soccer Complex and RV Park</b>		100 RV Spaces AND 4 Soccer Fields	575	93

\*ITE does not identify daily trip making. However, if one were to use a motel rate as a proxy, the percentage of PM trips that occur as a function of the daily trip is 9.3 percent. Based on this ratio, one could posit that the RV park could generate 365 daily trips.

\*\*Public Parks can vary widely in intensity of use. ITE includes trip generation information for other independent variables including number of employees and daily visitors. The fitted curve equation was used to provide more accurate estimates.

Any two of the uses in Table 1 could be combined with an RV Park on the site and result in less than 1,000 daily trips. Using the thresholds in the Oregon Highway Plan described above, the amendment is not deemed to have a significant affect if the average daily trips are more than 400 but less than 1,000 for facilities where the average daily traffic is less than 5,000 for a two-lane highway.

## COMPLIANCE WITH THE APPLICABLE OREGON ADMINISTRATIVE RULE CRITERIA

OAR Section 660-12-0060 of the TPR sets forth the relative criteria for evaluating plan and land use regulation amendments. Table 2 summarizes the criteria in Section 660-012-0060 and the applicability to the proposed limited zone change.

**Table 2. Summary of Criteria in OAR 660-012-0060**

Section	Criteria	Applicable?
1	Describes how to determine if a proposed land use action results in a significant effect.	Yes
2	Describes measures for complying with Criteria #1 where a significant effect is determined.	Yes
3	Describes measures for complying with Criteria #1 and #2 without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility.	Yes
4	Determinations under Criteria #1, #2, and #3 are coordinated with other local agencies.	Yes
5	Indicates that the presence of a transportation facility shall not be the basis for an exception to allow development on rural lands.	No
6	Indicates that local agencies should credit developments that provide a reduction in trips.	No
7	Outlines requirements for a local street plan, access management plan, or future street plan.	No
8	Defines a mixed-use, pedestrian-friendly neighborhood.	No
9	A significant effect may not occur if the rezone is identified on the Comprehensive Plan and assumed in the adopted Transportation System Plan.	No
10	Agencies may consider measures other than vehicular capacity if within an identified multimodal mixed-use area (MMA).	No
11	Allows agencies to override the finding of a significant effect if the application meets the balancing test.	No

As shown in Table 2, there are eleven criteria that apply to Plan and Land Use Regulation Amendments. Of these, four are applicable to the proposed land use action. These criteria are provided below in italics with our response shown in standard font.

*OAR 660-12-0060(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

*(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*

*(b) Change standards implementing a functional classification system; or*

*(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*

*(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*

*(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*

*(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

**Response:** The proposed change in zoning designation could result in an increase in daily trip making although no changes to the City's functional street classification designations or standards are warranted by the change in designation. The intended function of the adjacent facilities are appropriate for use by F-1 and C-2.

*(2) If a local government determines that there would be a significant effect, then the local government must ensure that allowed land uses are consistent with the performance standards of the facility measured or projected at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in subsections (a) through (c) below, unless the amendment meets the balancing test in subsection (c) or qualifies for partial mitigation in section (11) of this rule. A local government using subsection (c), section (3), section (10) or section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to this congestion.*

*(3) Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:*

*(a) In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted TSP;*

*(b) Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;*

*(c) The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C); and*

*(d) For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a proposed amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsections (a) through (c) of this section.*

**Response:** The City of Hermiston is establishing a land use limitation associated with the site to limit future use to 107 weekday PM peak hour trips or 645 daily trips. This reasonable accommodation ensures the site can be developed without triggering a significant affect under the Oregon Transportation Planning Rule. This land use limitation allows for a combination of public uses.

*(4) Determinations under sections (1)-(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.*

**Response:** The Applicant is coordinating the proposed zone change with County and ODOT staff.

## CONCLUSIONS

As discussed herein, there are adequate facilities to accommodate the proposed change in zoning, assuming a limitation is placed on the future use of the C-2 zoned lands. This proposed limitation is associated with a land use limitation that limits trips to 107 in the PM Peak and 645 daily. Using the thresholds in the Oregon Highway Plan, the amendment is not significant if the average daily trips are more than 400 but less than 1,000 for facilities where the average daily traffic is less than 5,000 for a two-lane highway. As such, there are no significant affects on the transportation system as defined by the TPR.

The City of Hermiston is proposing an enforceable, ongoing land use restriction that would demonstrably limit development to levels no greater than the proposed 100 space RV Park and associated park/field/community space.

We note that future development review is anticipated under separate cover to address topics including but not limited to assessment of intersection operation and safety.

# **Umatilla County Applications**

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Land Use Request Application



## LAND USE REQUEST APPLICATION REVIEW PROCESS

### Umatilla County Department of Community Development Planning Division

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## LAND USE REQUEST APPLICATION

Return Application  
Materials to:

**Department of Community  
Development – Planning Division**  
216 SE 4<sup>th</sup> ST, Room 104  
Pendleton, OR 97801  
Planning@umatillacounty.gov

Voice: (541) 278-6252  
Fax: (541) 278-5480  
[www.umatillacounty.gov](http://www.umatillacounty.gov)

*Revision Date:* November 6, 2023  
Please obtain the most current version of  
this application and other supplemental  
applications before submitting.

#### 1. **Pre-Application Meeting:**

The applicant(s) will meet with the Planning Department staff to review the proposed development/request. Applicable information will be discussed in relation to the proposal. The applicant(s) will then submit all applicable materials to the Planning Department at their convenience.

#### 2. **Determination of Completeness**

The Planning Department staff will review applicable regulations in regards to the type of application. Once the application is determined to be complete the 120 or 150-day clock will begin, which is the maximum amount of time the County has, by law, to process the application.

#### 3. **Administrative Review**

Planning staff reviews applications that fall within the administrative review process. A public notice is sent to the surrounding property owners and affected public agencies. The public notice includes a description of the request and the analysis (preliminary findings) of how the request conforms to the standards set forth in the Umatilla County Development Code. The Planning Director approves administrative decisions. Applications processed through administrative review may be directed to a public hearing at the discretion of the Planning Director, or by the request of a notified property owner or public agency. Decisions made at a public hearing are made by the Planning Commission.

#### 4. **Consideration by Planning Commission**

Public notices are sent to the adjacent property owners for comments of an application that will be heard before the County Planning Commission. The application will then go before the Umatilla County Planning Commission in an Open Record Public Hearing. Public comment is received and a decision is rendered on the application or a recommendation is made to the Board of Commissioners depending upon the type of application being processed.

#### 5. **Consideration by the Board of Commissioners**

The Board of Commissioners hears legislative type of applications (amendments) or appeals. Public hearings are held with testimony being taken for the application or appeal. The Board of Commissioners makes a final decision.

#### 6. **Provision for Appeals**

An appeal is provided for if the applicant/person with standing desires to challenge a decision of the decision-making body (Planning Director, Planning Commission or Board of Commissioners). After a decision is made by any of the decision-making bodies the appeal must be filed within 15 days of the decision. Failure to appeal the decision during that timeframe specified precludes any further appeal on the matter.

# Contact Information for Agencies and Offices

## ***State Offices***

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**Department of Environmental Quality, DEQ**  
Pendleton Office, On-Site Program, 541-276-4063

**Department of Fish and Wildlife, ODFW**  
Pendleton Office, 541-276-2344

**Department of Forestry, ODF**  
Pendleton Office, 541-276-3491

**Department of Geology and Mineral Industries,  
DOGAMI, Albany office, 541-967-2039**

**Division of State Lands, DSL**  
Bend Office, 541-388-6112

**Office of Energy**  
Salem Office, 503-373-1034

**Oregon Department of Transportation, ODOT**  
Pendleton Office, 541-276-1241  
La Grande Office, 541-963-1574

**Oregon Water Resource Department, OWRD  
(Watermaster) Pendleton office, 541-278-5456**

**State Building Codes**  
Pendleton Office, 541-276-7814

**State Historic Preservation Office, SHPO**  
Salem Office, 503-378-4068

## ***County Offices***

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**County Assessor, 541-278-6219**

**County Surveyor, 541-278-5460**

**County Public Works, 541-278-5424**

**County Records, 541-278-6236**

**County Tax Office, 541-278-6213**

**County Environmental Health, 541-278-5432**

**County GIS, 541-278-6232**

## ***Fire Districts/Departments***

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**East Umatilla County Fire District**  
541-566-2311

**Echo Fire District**  
Merle Gehrke, 541-376-8118 or 541-376-8550

**Meacham Volunteer Fire Department**  
Rollin Reynolds, 541-983-2588

**Milton-Freewater Rural Fire Department**  
Rick Saager, 541-938-7146 or 541-938-7222

**Pendleton Fire District; Lower McKay, McKay Creek,  
Rieth & Riverside, 541-276-1442**

**Pilot Rock Fire District**  
Brian Hemphill, 541-443-5121

**Umatilla County Fire District #1**  
(Formerly Hermiston Rural Fire District, and  
Stanfield Rural Fire District)  
541-567-8822

**Umatilla Rural Fire District**  
541-922-3718

## ***Irrigation Districts***

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**Hermiston Irrigation District**  
541-567-3024

**Hudson Bay Improvement District (also serving the  
Walla Walla River**  
Jon Brough, 541-520-2856

**Stanfield Irrigation District**  
Ray Kopacz, 541-449-3272

**West Extension Irrigation**  
Bev Bridgewater, 541-922-3814

**Westland Irrigation District**  
Mike Wick, 541-667-2030

# Umatilla County Department of Community Development

## Land Use Request Application

This application must be submitted to the Umatilla County Department of Community Development, 216 SE 4<sup>th</sup> ST, Pendleton, OR 97801, (541) 278-6252, and must be accompanied by a non-refundable application fee. Acceptance of the application and fee does not guarantee approval or a Determination of Completeness.

**PLEASE COMPLETE THIS APPLICATION PRINTING CLEARLY WITH A BLACK INK PEN**

---

### Section 1: Type of Application(s) to Submit

Complete the applicable Supplemental Application that corresponds with the application you are submitting.

**Amendment:**  Comprehensive Plan Text/Map,  Zoning Text/Map

**Conditional Use**  (briefly describe) \_\_\_\_\_

**Land Division**  Type I,  Type II,  Type III,  Type IV

**Land Use Decision**  Farm Dwelling,  Non-Farm Dwelling,  Lot of Record Dwelling

(OTHER LUD, briefly describe) \_\_\_\_\_

**Pre-Application**  Dwellings on resource land (specify) \_\_\_\_\_

**Variance**  Lot Size,  Setbacks,  Other (specify) \_\_\_\_\_

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### Section 2: Contact Information

**Name of Applicant:** City of Hermiston

**Address:** 180 NE 2nd Street

**City, State, Zip:** Hermiston, OR 97838

**Telephone Number & Email Address:** 541 667-5025 planning@hermiston.gov

The APPLICANT is the ...  Legal Owner,  Contract Purchaser,  Agent,  Realtor

**Name of Current Property Owner(s):** Farm City Pro Rodeo

If Property Owner is not the applicant.

**Address:** 975 SE 4th St

**City, State, Zip:** Hermiston, OR 97838

**Telephone Number:** 541 564-8500

**Date of Pre-Application Meeting with a Planner:** 11/17/25

**A pre-application is required prior to submitting any land use request application. If a pre-application meeting has not occurred, you must request to meet with a planner.**



11. Does the Property reside in a Floodplain?  
 If so, a Floodplain Development Permit will need to be completed prior to construction.

No, the Property is not in a floodplain.  
 Yes, the Property is in a floodplain:

Zone \_\_\_\_\_

Community Number \_\_\_\_\_

Panel Number \_\_\_\_\_

12. If the Property is in a Floodplain, then is it also located in a wetland as listed on the National Wetlands Inventory maps?

Yes, provide documentation.  
 No, the Property is not in a wetlands

13. How is ACCESS provided to the Property? (i.e. provide name of road that directly serves the Property.) What type of surface does the roadway have?

*Name of Road or Lane*  
 E Airport Road \_\_\_\_\_

Paved,  Gravel,  Dirt

14. Will the Property need an Access Permit onto a County Road or State Highway? If so contact the County Public Works Department, 541-278-5424, or ODOT, 541-276-1241.

Yes, if so please contact the proper authority and provide that documentation  
 No, one already exists (provide a copy)

15. EASEMENTS: Are there any easements on the Property that provide the MAIN ACCESS for the Property OR adjacent properties? Are there any other easements on the property? Attach easement documentation.

*Attach easement documentation:*

Access easements exist  
 Utility line easements exist  
 Irrigation easements exist  
 Other easements exist: \_\_\_\_\_  
 No, other easements exist.

16. Which Rural Fire District/Department covers your Property with fire protection?

	<i>Fire Services:</i>	<i>Private Companies:</i>
	<input type="checkbox"/> East Umatilla	<input type="checkbox"/> Meacham
	<input type="checkbox"/> Echo Rural	<input type="checkbox"/> Milton-Freewater (subscriber)
	<input type="checkbox"/> Pendleton FD	<input type="checkbox"/> Tribal
	<input type="checkbox"/> Pilot Rock FD	
	<input type="checkbox"/> Umatilla Rural	
	<input checked="" type="checkbox"/> Umatilla Dist. #1	<input type="checkbox"/> Not in a RFD
		<input type="checkbox"/> Other, _____

17. Is the Property within an Irrigation District? If the property is served by an Irrigation District, a confirmation letter from that office discussing any concerns of the proposed development must be submitted with this application.

	<i>Irrigation District:</i>	
	<input type="checkbox"/> Hermiston	<input type="checkbox"/> Hudson Bay or Walla Walla River Irrigation
	<input checked="" type="checkbox"/> Stanfield	
	<input type="checkbox"/> West Extension	
	<input type="checkbox"/> Westland	<input type="checkbox"/> Not in an ID
		<input type="checkbox"/> Other, _____

18. Describe the soils on the Property by listing the map name and land capability. Visit <http://websoilsurvey.nrcs.usda.gov> or contact NRCS at (541) 278-8049.

Map Unit	Description	Class
1B	Adkins fine sandy loam	
3A	Adkins fine sandy loam	

19. What type of water use(s) exist on the Property? If there are none currently, will there be water uses developed in the future?

- No current water uses exist  
 Water Uses to be developed:

- Yes, there are water uses  
 Domestic Well  
 Irrigation Well  
 Stock Well  
 Other: \_\_\_\_\_

20. Are there Water Rights on the Property? If there are Water Rights, the water permit, certificate and/or other documentation from the Oregon Water Resources Department shall be included with this application.

- No current water rights exist  
 Will apply for Water Rights  
 Yes, there are water rights, please provide documentation (permit #, etc.)  
 Surface Water Right(s),  
 # \_\_\_\_\_

- Ground Water Right(s),  
 # \_\_\_\_\_

21. Will the water rights require a change of use? Explain.

- No, the proposed use does not require a change with OWRD

- Yes, the proposed use does require a change with OWRD

22. What are the water needs of the proposed development? Provide an explanation that shows how the determination was obtained that shows daily usage of water for the development.

*Expected Water Usage:*

- Exempt Domestic Well (<15,000 gal daily)  
 Exempt Commercial Well (<5,000 gal daily)  
 Water Right required, estimated number of gallons to be used daily: \_\_\_\_\_ gallons  
 No water is necessary for the development

23. What is the source of your water supply for the proposed development? Please explain your response on a separate sheet of paper.

*Water Source:*

- Surface Water, explanation attached  
 Alluvial Groundwater, explanation attached  
 Basalt Groundwater, explanation attached  
 No water is necessary for the development

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24. Who is the provider of the utilities for the Property?

Water  well, or City of Hermiston

Sewer  septic, or City of Hermiston

Telephone Century Link

Electrical Umatilla Electric

Garbage Disposal Sanitary Disposal

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25. Provide a description of your proposal (*attach a description if necessary*):

The land is proposed for annexation to the City of Hermiston to expand uses on the Eastern Oregon Trade and Event Center. Specifically, the development of a 100 space RV park is proposed for development on the E Airport Road frontage. Development of the RV park is a separate land use action not considered as part of this application.

Water and sewer services will be provided through municipal utilities from the City of Hermiston. The E Airport Road frontage will be improved to major collector status to match those improvements to E Airport Road installed west of the subject property.

The proposal before the county is a co-adoption of map amendments to the comprehensive plan map and zoning map adopted by the City of Hermiston on January 26, 2025. The City of Hermiston amended the comprehensive plan map designation from Future Commercial/Industrial to Commercial, implementing an urban commercial designation and removing the urbanizable future designation. Similarly, the City amended the zoning designation from F-1 General Farm Use to Outlying Commercial and applied the Fairgrounds Overlay zoning to facilitate development of additional fairgrounds uses on the site.

## Section 4: Required Application Materials

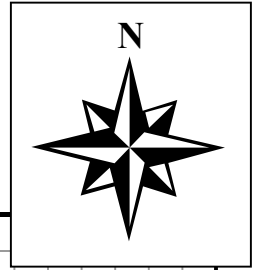
26. These materials are to be submitted with the application: The proceeding page is to be used as a base for the site plan. This drawing DOES NOT take the place of any maps required to be submitted by a Licensed Surveyor. This site plan will show what is or will be on the property. Additional material may be requested.

<input checked="" type="checkbox"/>	<b>Materials to be submitted for ALL types of Applications:</b>
<input type="checkbox"/>	a) Completed Application form.
<input type="checkbox"/>	b) Applicable Application fees.
<input type="checkbox"/>	c) Site Plan Marked Exhibit B (see next page) to include:
<input type="checkbox"/>	• Scale of drawing
<input type="checkbox"/>	• Site area showing <u>property boundaries</u> and dimensions
<input type="checkbox"/>	• Proposed and existing <u>structures</u> with dimensions to nearest Property lines
<input type="checkbox"/>	• Location of existing <u>wells</u>
<input type="checkbox"/>	• Location of existing <u>septic systems</u> (i.e. tanks, drain fields)
<input type="checkbox"/>	• Widths and names of <u>roads</u> adjacent to the site as well as existing roads, which provide direct access to the property.
<input type="checkbox"/>	• Existing <u>access points</u> (driveways, lanes, etc.)
<input type="checkbox"/>	• <u>Easements</u> and rights-of-ways
<input type="checkbox"/>	• Existing <u>utility lines</u> (above and below ground)
<input type="checkbox"/>	• Approximate location of any unusual <u>topographical</u> features.
<input type="checkbox"/>	• Major <u>geographic</u> features
<input type="checkbox"/>	• Location of all creeks, streams, ponds, springs and other drainage ways
<input type="checkbox"/>	d) <u>VICINITY MAP</u> – Assessor’s map of the Property.
<input type="checkbox"/>	e) <u>Property ASSESSOR’S REPORT</u> showing property details.
<input type="checkbox"/>	f) <b>The <u>DEED(S)</u> of the Property in question.</b>
<input type="checkbox"/>	g) <b>OVERLAY MAP</b> showing potential re-division of the parcels (if the parcels are large enough to be re-divided). Within the Hermiston Urban Growth Boundary, a formal “Shadow Plat” may be required.
<input type="checkbox"/>	h) <b>SUPPLEMENTAL APPLICATION</b> for the land use request will also be required to be submitted with this basic application form. <u>Submit a Supplemental Application if applying for any of the following:</u>
	- Amendment to Comprehensive Plan/Map or Zoning Text/Map
	- Conditional Use
	- Land Division
	- Land Use Decision
	- Variance



## Exhibit B, "Site Plan"

Please include the details listed under item (c)  
found in Section 4 (on preceding page)




A large grid area for drawing the site plan.

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## Section 5: Certification

*(Please provide legible signatures.)*

**APPLICANT:** I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge.

**X**  \_\_\_\_\_ 1/28/26 \_\_\_\_\_  
Signature of Applicant Date  
Clinton Spencer \_\_\_\_\_  
Printed Name of Applicant

**PROPERTY OWNER(S):** ALL property owners to this land use request are to sign, date and print their names verifying that the applicant is authorized to submit the specified land use request. If there are multiple parcels that are part of this land use request, please indicate which parcel you own. This page can be copied if there are more property owners than this space allows. Attach additional page if necessary.

Legal Owner(s) Farm City Pro Rodeo \_\_\_\_\_

Mailing Address 975 SE 4th St \_\_\_\_\_ City, State, Zip Hermiston, OR 97838 \_\_\_\_\_

Parcel Map # 4N 28 13 1300 \_\_\_\_\_

**X** \_\_\_\_\_ **X** \_\_\_\_\_  
*Signature of Legal Owner* *Signature of Legal Owner*

\_\_\_\_\_ Date \_\_\_\_\_ Date \_\_\_\_\_

\* \* \* \* \*

Legal Owner(s) \_\_\_\_\_

Mailing Address \_\_\_\_\_ City, State, Zip \_\_\_\_\_

Parcel Map # \_\_\_\_\_

**X** \_\_\_\_\_ **X** \_\_\_\_\_  
*Signature of Legal Owner* *Signature of Legal Owner*

\_\_\_\_\_ Date \_\_\_\_\_ Date \_\_\_\_\_

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### ADDITIONAL PERSON(S) TO SEND NOTICE

Is there anyone else besides the property owner and adjacent property owners who would like to receive notice of this application during its' review period and notice of decision? (Realtor, Prospective Buyer, Attorney, etc.) Provide name and mailing address:

Name: \_\_\_\_\_ Address: \_\_\_\_\_



September 30, 2025

Clint Spencer  
City of Hermiston  
180 NE 2<sup>nd</sup> Street  
Hermiston, OR 97838

**RE: 1835 E. Airport Road—4N2813 TAX LOT 1300**

Dear Clint:

In relation to the property located at 1835 E. Airport, and adjacent to the current EOTEC property, recently purchased by the Farm-City Pro Rodeo Company, please authorize the City of Hermiston to act on our behalf in all matters pertaining to annexation and map amendments. We recognize that an officer of the Farm-City Pro Rodeo Company board will still be required to sign all applications.

Thank you for your assistance with this matter.

Sincerely,

Dennis L. Barnett  
Treasurer



975 SE 4th St.  
Hermiston, OR 97838  
(541)564-8500



# **DRAFT MINUTES**

**CO-ADOPTION OF CITY OF HERMISTON COMPREHENSIVE PLAN MAP  
AMENDMENT #P-141-26:**

**CITY OF HERMISTON, APPLICANT**

**UMATILLA COUNTY, OWNERS.**

The applicant requests the County co-adopt City Ordinance 2378 amending the comprehensive plan map from urbanizable to urban status for approximately 19.5 acres located on 1835 Airport Road, directly south of the Umatilla County Fairgrounds. The City Council also adopted Ordinance 2379 annexing said property effective upon co-adoption of Ordinance 2378. The criteria of approval are found in Umatilla County Development Code 152.750 - 152.754 and the Joint Management Agreement between the City and County.

**UMATILLA COUNTY  
PLANNING COMMISSION HEARING  
March 26, 2026**

**DRAFT MINUTES**  
**UMATILLA COUNTY PLANNING COMMISSION**  
**Meeting of Thursday, March 26, 2026, 6:30pm**

\*\*\*\*\*

**COMMISSIONERS**

**PRESENT:** Sam Tucker, Chair, Andrew Morris, Vice Chair, John Standley, Emery Gentry, Jim Setzer and Andrew Brown

**COMMISSIONER**

**PRESENT VIA**

**GOOGLE MEETS:** None

**COMMISSIONERS**

**ABSENT:** Tami Green and Malcolm Millar

**PLANNING STAFF:**

Megan Davchevski, Planning Manager, Bryce Fairchild, Planner II, Tierney Cimmiyotti, Planner, and Shawna Van Sickle, Administrative Assistant

\*\*\*\*\*

*NOTE: THE FOLLOWING IS A SUMMARY OF THE MEETING. RECORDING IS AVAILABLE AT THE PLANNING OFFICE.*

**CALL TO ORDER**

Chair Sam Tucker called the meeting to order at 6:31PM and read the Opening Statement.

**NEW HEARING**

**TYPE III LAND DIVISION, REPLAT REQUEST #LD-4N-1091-26: RONALD V. MCKINNIS, APPLICANT, DARRYL & KIMBERLY PENNEY, CLAY & COLTON AKES, OWNERS.** The applicants request approval to replat Lots 2 and 4 of Block 3 of the Wildwood Subdivision to adjust the shared property line in order to provide adequate setback spacing to rectify a Code Violation. These properties are located on Assessor’s Map 4N 37 29C, Tax Lots 9900 and 10100. The land use standards applicable to the applicant’s request are found in Umatilla County Development Code Section 152.697(C), Type III Land Divisions.

Chair Tucker called for any abstentions, bias, conflicts of interest, declarations of ex parte contact or objections to jurisdiction. No reports were made.

Chair Tucker called for the Staff Report.

**STAFF REPORT**

Mr. Bryce Fairchild stated the applicant was requesting to Replat Lots 2 and 4, Block 3 of the Wildwood Subdivision in order to alter the shared property line. This request was the result of a Code Violation. He shared that the property owner built a general-purpose shed that does not meet the minimum setback requirements in the Mountain Residential (MR) Zone. He explained the code

violation could be resolved by moving the common property line through this replat, and obtaining a Zoning Permit.

Mr. Fairchild stated the subject properties were located in the Wildwood Subdivision located directly north of Highway 204, approximately 0.75 miles east of the Oregon Department of Transportation (ODOT) gravel station.

Mr. Fairchild added that notice of the applicant's request and the public hearing were mailed on March 6, 2026 to the owners of properties located within 250-feet of the perimeter of Lots 2 and 4 and to applicable public agencies. Additional notice was also published in the East Oregonian on March 11, 2026 notifying the public of the applicant's request before the Planning Commission on March 26, 2026.

Mr. Fairchild shared that the Criteria of Approval were found in the Umatilla County Development Code Section 152.697(C), Type III Land Divisions. Standards for reviewing a Replat generally consist of complying with development standards and survey plat requirements. He explained that the Planning Commission was tasked with determining if the application satisfied all of the criteria of approval based on the facts in the record. The proposed Conditions of Approval address the survey and recording requirements with final approval accomplished through the recording of the final survey plat.

Mr. Fairchild concluded that the decision made by the Planning Commission was final unless timely appealed to the County Board of Commissioners.

Vice Chair Morris asked if both properties have been developed. Mr. Fairchild explained that the replat application was sought out due to the orientation of the building currently in violation on the Penney property. He further explained the building was too close to the property line and does not meet applicable setback standards. Chair Tucker questioned if other avenues for correction were explored before this application was submitted. Mr. Fairchild and Mrs. Megan Davchevski confirmed this was the best option for the owners. She explained the owners could have moved the building but that would likely be more costly.

**Proponent: Ronald McKinnis, Applicant and representative for the property owners, 79980 Prindle Loop Road, Hermiston, OR 97838;** Mr. Ron McKinnis, a professional land surveyor and engineer, stated that replating was the simplest method to maintain the building's setbacks and confirmed that a standard property line adjustment could not accomplish what needed to be adjusted per Umatilla County Staff.

**Darryl & Kimberly Penney, Owners, 58455 Wildwood Loop, Weston, OR 97886;** Mr. & Mrs. Penney expressed their desire to comply with regulations, noting that replating the property line was preferred over demolishing or moving the recently constructed building. They stated noted that they initially believed the setback requirement was five feet to the line, not 20 feet which is required.

**Ron Kerr, 78201 Black Pine Lane, Weston, OR 97886;** Mr. Kerr stated he wasn't sure what the issue was. He shared that the other property owners, Colton and Clay, who were absent, had agreed to the proposed change and did not see an issue with their neighbors using the involved land for this purpose.

**Neutral:** None

**Opponents:** None

**Public Agencies:** None

**Rebuttal:** None requested.

Chair Tucker called for any requests for the hearing to be continued, or for the record to remain open. There were none.

Chair Tucker closed the hearing for deliberation.

Chair Tucker stated there were no exhibits to add to the record.

### **DELIBERATION & DECISION**

Chair Tucker asked for any discussion on the matters presented that evening.

Commissioner Standley made a motion to approve Type III Land Division, Replat Request #LD-4N-1091-26 based on the evidence and Findings of Fact and Conclusions of Law in the record.

Commissioner Gentry seconded the motion. Motion passed with a vote of 6:0 to approve the Replat request.

#### **Voting Record:**

**Yes** - Commissioner Gentry, Commissioner Setzer, Commissioner Standley, Commissioner Brown, Vice Chair Morris and Chair Tucker

**No** – none.

**Absent** - Commissioner Green and Commissioner Millar

### **NEW HEARING**

**CO-ADOPTION OF CITY OF HERMISTON COMPREHENSIVE PLAN MAP AMENDMENT #P-141-26: CITY OF HERMISTON, APPLICANT / UMATILLA COUNTY, OWNERS.** The applicant requests the County co-adopt City Ordinance 2378 amending the comprehensive plan map from urbanizable to urban status for approximately 19.5 acres located on 1835 Airport Road, directly south of the Umatilla County Fairgrounds. The City Council also adopted Ordinance 2379 annexing said property effective upon co-adoption of

Ordinance 2378. The criteria of approval are found in Umatilla County Development Code 152.750 - 152.754 and the Joint Management Agreement between the City and County.

Chair Tucker called for any abstentions, bias, conflicts of interest, declarations of ex parte contact or objections to jurisdiction. No reports were made.

Chair Tucker called for the Staff Report.

### STAFF REPORT

Mr. Bryce Fairchild started by explaining the Hermiston City Council adopted Ordinance 2378, amending the Comprehensive Plan Map from “Urbanizable” to “Urban” for approximately 19.5 acres located directly south of the Umatilla County Fairgrounds at 1835 E Airport Road on January 26, 2026.

Mr. Fairchild stated the City Council held a public hearing on January 14, 2026 and approved the plan map amendment and subsequently adopted Ordinance 2379 annexing said property effective upon co-adoption of Ordinance 2378. He explained that the City of Hermiston Joint Management Agreement (JMA) Section E (10) requires Comprehensive Plan Amendments applicable in the Urban Growth Area to be processed by the City. The JMA requires amendments to be adopted by ordinance, first by the City, then to the County for co-adoption review.

Mr. Fairchild explained this hearing before the Umatilla County Planning Commission was the County’s first evidentiary hearing for co-adoption. A subsequent Public Hearing before the Umatilla County Board of Commissioners was scheduled for Tuesday, April 14, 2026 at 9:00 AM in Room 130 of the Umatilla County Courthouse, 216 SE 4th Street, Pendleton, OR 97801.

Mr. Fairchild concluded that the Umatilla County Planning Commission had an obligation to make a recommendation to the Board of Commissioners for co-adoption of the Comprehensive Plan Map Amendment, changing the designation of the property from “Urbanizable” to “Urban” status.

Commissioner Standley questioned how Umatilla County acquired the land in question. Mr. Fairchild stated he was uncertain the process of how that was completed but that a deed was included showing transfer of ownership from Farm City Pro Rodeo to Umatilla County. Commissioner Standley also asked about the occupancy of the home that is on-site of this property. Ms. Cimmiyotti stated this would be more appropriately answered by the city representative.

Chair Tucker asked about the Traffic Impact Analysis (TIA) and if more could be addressed regarding those requirements. Mrs. Davchevski explained that the requirements for County versus City were likely different on what would require a TIA to be performed. She reiterated that the City of Hermiston representative could address that also during their testimony.

**Proponent: Clint Spencer, Planning Director – City of Hermiston, 180 NE 2<sup>nd</sup> Street, Hermiston, OR 97838;** Mr. Clint Spencer, representing the City of Hermiston, confirmed the

property's acquisition was facilitated by the Farm City Pro Rodeo, a nonprofit that runs the rodeo for the county fair, with the intention of deeding it to Umatilla County upon annexation to the City of Hermiston. The city was asking for co-adoption to change the designation from urbanizable F2 zoning to urban commercial zoning with a fairground overlay. He stated this change was necessary to receive city water and sewer services, which are otherwise not extended outside city limits. The plan is part of a two-fold development to create two additional 100-space RV parks, one on EOTEC land and one on this newly annexed property, which will occupy the southern one-third of the site. A traffic analysis was prepared by Kittleson and Associates to comply with the Transportation Planning Rule (OAR 660 division 12) and ODOT requirements, ensuring the development at maximum density will not degrade existing roads below their current classification.

Vice Chair Morris asked if once the proposed zoning was adopted, would the City of Hermiston consider future data centers on this site, even with its' smaller sized acreage? Mr. Spencer expressed that the site was too small for the large data centers they are currently considering for future sites and the change to commercial designation removes data centers from the future use picture for this specific parcel.

Commissioner Setzer asked about who would own the site and be responsible for managing daily operations. Mr. Spencer explained that the RV sites would be publicly owned and daily operations would be managed by the City of Hermiston Parks Department.

Commissioner Standley questioned if the current owner had agreed upon the funding of such upgrades to the site for infrastructure and upgrades. Mr. Spencer stated the City will handle the upgrade costs for the development, funded by an \$8 million agreement with Amazon Web Services (AWS). Mr. Spencer explained that the RV Park located on the already owned EOTEC property was an incentive since there is no agreement with AWS to use that RV Park; however, the RV Park on the property under discussion was intended for exclusive use for construction workers of AWS for about five years, after which it becomes a wholly city-owned facility. Mr. Spencer stated while the application listed the Farm City Pro Rodeo as the owner at the start of the process, the land has since been deeded to Umatilla County.

Commissioner Standley again, asked about the occupancy of the home that was on the property. Mr. Spencer stated to his knowledge the home was currently vacant, he added that the city was beginning the process for bids and the demolishing of the home would be part of that process.

**Neutral:** None

**Opponents:** None

**Public Agencies:** None

**Rebuttal:** None requested.

Chair Tucker called for any requests for the hearing to be continued, or for the record to remain open. There were none.

Chair Tucker closed the hearing for deliberation.

Chair Tucker stated there were no exhibits to add to the record.

### **DELIBERATION & DECISION**

Chair Tucker asked for any discussion on the matters presented that evening.

Commissioner Gentry made a motion to recommend approval of the Co-Adoption of City of Hermiston Comprehensive Plan Map Amendment #P-141-26 to the Board of County Commissioners based on the evidence and Findings of Fact and Conclusions of Law in the record.

Vice Chair Morris seconded the motion. Motion passed with a vote of 6:0 to recommend approval to the Board of County Commissioners.

#### **Voting Record:**

**Yes** - Commissioner Gentry, Commissioner Setzer, Commissioner Standley, Commissioner Brown, Vice Chair Morris and Chair Tucker

**No** – none.

**Absent** - Commissioner Green and Commissioner Millar

### **OTHER BUSINESS**

Mrs. Davchevski reminded the Planning Commission of a joint work session scheduled for April 9th at 6:00 PM at the Umatilla County Courthouse in Pendleton with the Planning Commission and Board of County Commissioners. The session would include a presentation and general overview from the consultant working on the draft Transportation System Plan, which will eventually come back to the Planning Commission for a regular hearing. The date for that has yet to be determined. Mrs. Davchevski introduced the newly appointed Planning Commissioner Andrew Brown from Milton-Freewater.

### **ADJOURNMENT**

Chair Tucker adjourned the meeting at 7:14PM.

Respectfully submitted,

Shawna Van Sickle,

Administrative Assistant