



PLANNING DIVISION

216 SE 4th ST, Pendleton, OR 97801, (541) 278-6252

Email: planning@umatillacounty.gov

AGENDA

**Umatilla County Planning Commission Public Hearing
Thursday, March 12, 2026, 6:30PM
Justice Center Media Room, Pendleton, Oregon**

**To participate in the hearing please submit comments before 4PM, March 12th
to planning@umatillacounty.gov or contact the Planning Department at 541-278-6252**

Planning Commission

Sam Tucker, Chair

Andrew Morris, Vice Chair

John Standley

Emery Gentry

Malcolm Millar

Tami Green

Jim Setzer

Planning Staff

Bob Waldher, Community Development Director

Megan Davchevski, Planning Division Manager

Tierney Cimmiyotti, Planner / GIS

Bryce Fairchild, Planner II

Charlet Hotchkiss, Planner

Shawna Van Sickle, Administrative Assistant

1. Call to Order

2. **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.

3. Other Business

4. Adjournment



PLANNING DIVISION

216 SE 4th ST, Pendleton, OR 97801, (541) 278-6252

Email: planning@umatillacounty.gov

COMMUNITY &
BUSINESS
DEVELOPMENT

MEMO

LAND USE
PLANNING,
ZONING AND
PERMITTING

TO: Umatilla County Planning Commission

FROM: Charlet Hotchkiss, Planner I

DATE: March 5, 2026

CODE
ENFORCEMENT

RE: March 12, 2026 Planning Commission Hearing

SOLID WASTE
COMMITTEE

Hermiston Cemetery District Text Amendment, #T-102-25,

Conditional Use Permit, #C-1405-25 and Type I Land Division, #S-065-25

SMOKE
MANAGEMENT

Hermiston Cemetery District, Owners

GIS AND
MAPPING

Background Information

RURAL
ADDRESSING

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.

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. 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.

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 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.

The proposed conditional use request is 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 is subject to the UCDC Sections 152.665 through 152.669.

Hearings

This hearing before the Umatilla County Planning Commission is the County's first evidentiary hearing for adoption of the text amendment. A subsequent Public Hearing before the Umatilla County Board of Commissioners is 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.

Conclusion

The request tonight is three-part:

1. The Planning Commission must make a recommendation to the Board of County Commissioners on whether or not to adopt the proposed text amendment to allow cemeteries in the F-1 zone. The Planning Commission is tasked with determining if the application satisfies the criteria of approval based on the facts in the record. Staff have provided Preliminary Findings of Fact and Conclusions of Law based on the applicant's supplied information. The Umatilla County Planning Commission has an obligation to make a recommendation to the Board of Commissioners to either adopt or deny this text amendment to the Umatilla County Development Code.
2. Approve or deny the Conditional Use Permit to allow a cemetery on Map #4N2814CD, Tax Lot #400.
3. Approve or deny the Subdivision request to plot 2,549 grave plots.

Following the Planning Commission's recommendation, the Board must also hold a public hearing(s) and decide whether or not to adopt the proposed amendment. A public hearing before the Board is scheduled for April 14, 2026, at 9AM in Room 130 of the Umatilla County Courthouse.

The Planning Commission may agree with staff's findings or may make new findings based on evidence in the record. Sample decision motions have been provided below.

1. SAMPLE MOTIONS FOR PLANNING COMMISSION TEXT AMENDMENT DECISION

A. Motion to Recommend Approval Based on Evidence in the Record

I, Commissioner _____, make a motion to 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.

B. Motion to Recommend Approval with Additional Findings

I, Commissioner _____, make a motion to recommend

approval of the Hermiston Cemetery Text Amendment, number T-102-25, to the Board of Commissioners with the following additional Findings of Fact:

_____.

C. Motion to Recommend Denial Based on Evidence in the Record

I, Commissioner _____, make a motion to recommend denial 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.

2. SAMPLE MOTIONS FOR PLANNING COMMISSION CONDITIONAL USE REQUEST

A. Motion to Approve Based on Evidence in the Record

I, Commissioner _____, make a motion to approve the Hermiston Cemetery Conditional Use, number C-1405-25, based on the foregoing Findings of Fact and Conclusions of Law.

B. Motion to Approve with Additional Findings

I, Commissioner _____, make a motion to approve the Hermiston Cemetery Conditional Use, number C-1405-25, with the following additional Findings of Fact: _____.

C. Motion to Deny Based on Evidence in the Record

I, Commissioner _____, make a motion to deny of the Hermiston Cemetery Conditional Use, number C-1405-25, based on the foregoing Findings of Fact and Conclusions of Law.

3. SAMPLE MOTIONS PLANNING COMMISSION LAND DIVISION REQUEST

A. Motion to Approve Based on Evidence in the Record

I, Commissioner _____, make a motion to approve the Hermiston Cemetery Subdivision, number S-065-25, based on the foregoing Findings of Fact and Conclusions of Law.

B. Motion to Approve with Additional Findings

I, Commissioner _____, make a motion to approve the Hermiston Cemetery Subdivision, number S-065-25, with the following additional Findings of Fact:
_____.

C. Motion to Deny Based on Evidence in the Record

I, Commissioner _____, make a motion to approve the Hermiston Cemetery Subdivision, number S-065-25, with the following additional Findings of Fact:
_____.

**UMATILLA COUNTY
 PLANNING COMMISSION HEARING – MARCH 12, 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**

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3.	Public Notice Map	Pages 9
4.	Tentative Plat – First Addition to the Hermiston Cemetery	Page 11-13
5.	Preliminary Findings	Pages 15-44
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	vii. Attachment G. Exhibit Map	Pages 132
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	ix. Attachment J. Water Rights for expansion	Pages 136-139
	x. Attachment K. Hermiston Well & Septic Location	Pages 141-143
	xi. Attachment L. Deed	Pages 145-147

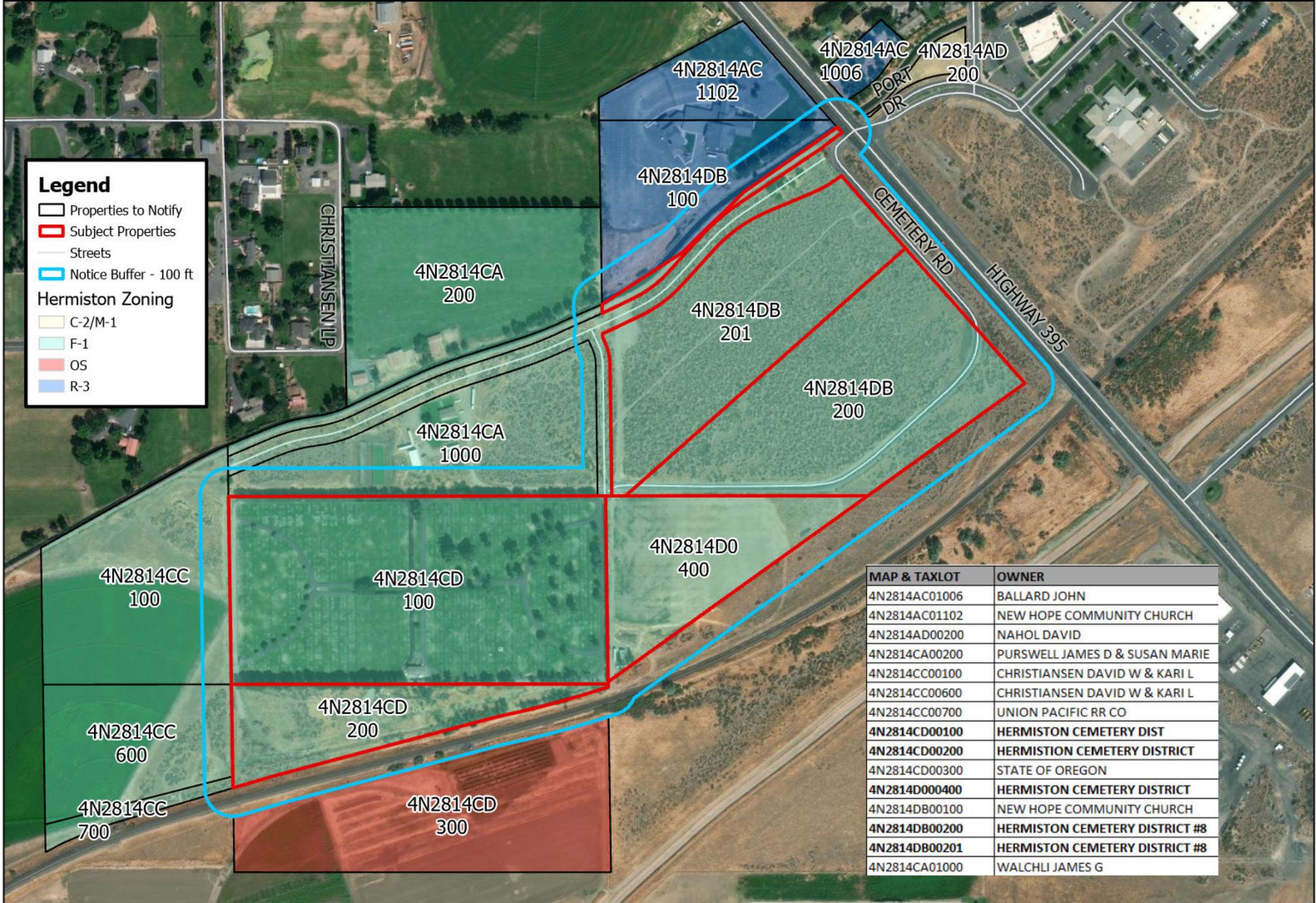
APPLICANT: HERMISTON CEMETERY DISTRICT
OWNER: HERMISTON CEMETERY DISTRICT
#C-1405-25 #T-102-25 #S-065-25

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

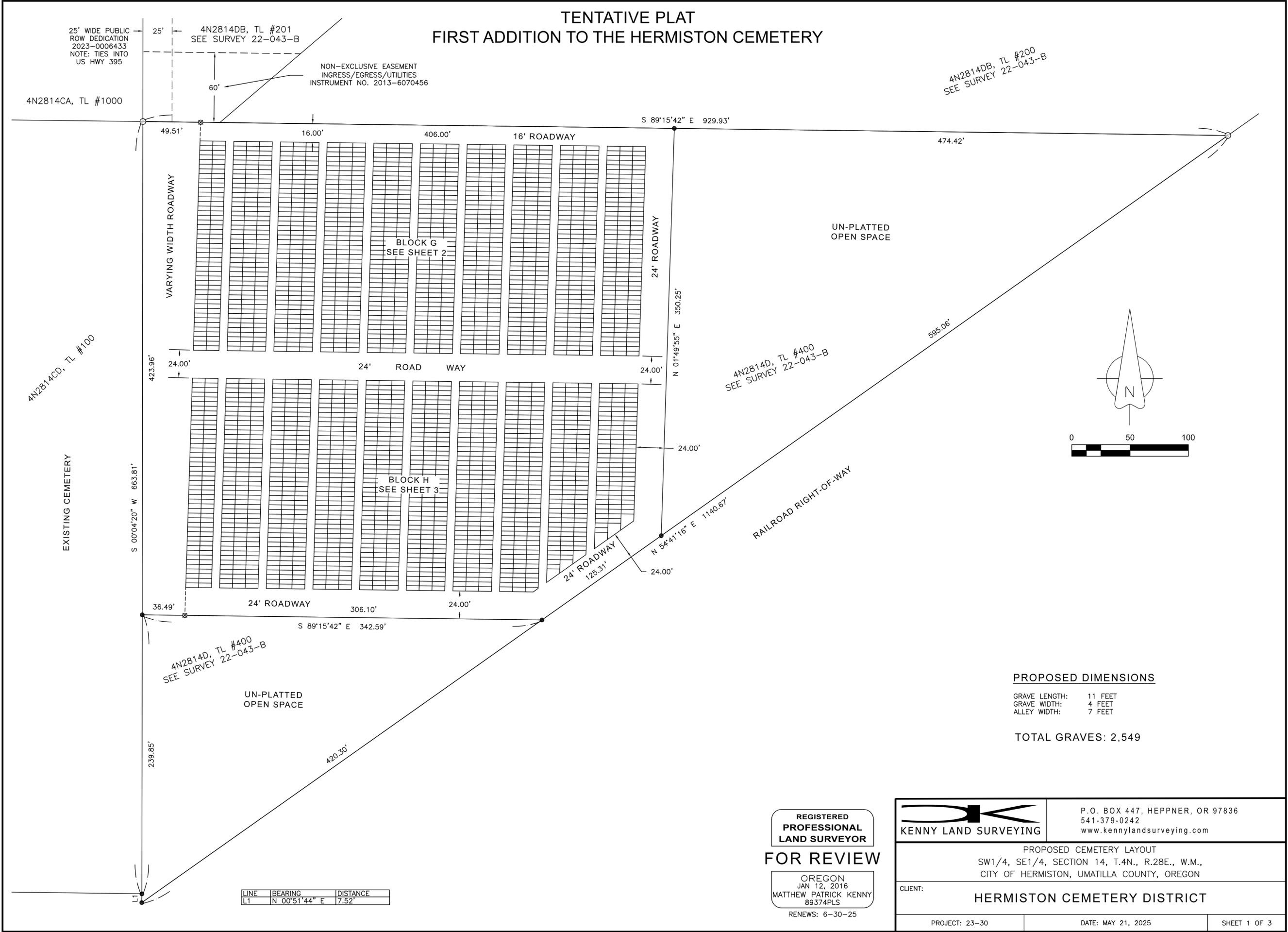
- Properties to Notify
- Subject Properties
- Streets
- Notice Buffer - 100 ft

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



25' WIDE PUBLIC ROW DEDICATION
2023-0006433
NOTE: TIES INTO US HWY 395

4N2814DB, TL #201
SEE SURVEY 22-043-B

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

4N2814DB, TL #200
SEE SURVEY 22-043-B

4N2814CA, TL #1000

4N2814CD, TL #100

EXISTING CEMETERY

4N2814D, TL #400
SEE SURVEY 22-043-B

UN-PLATTED OPEN SPACE

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

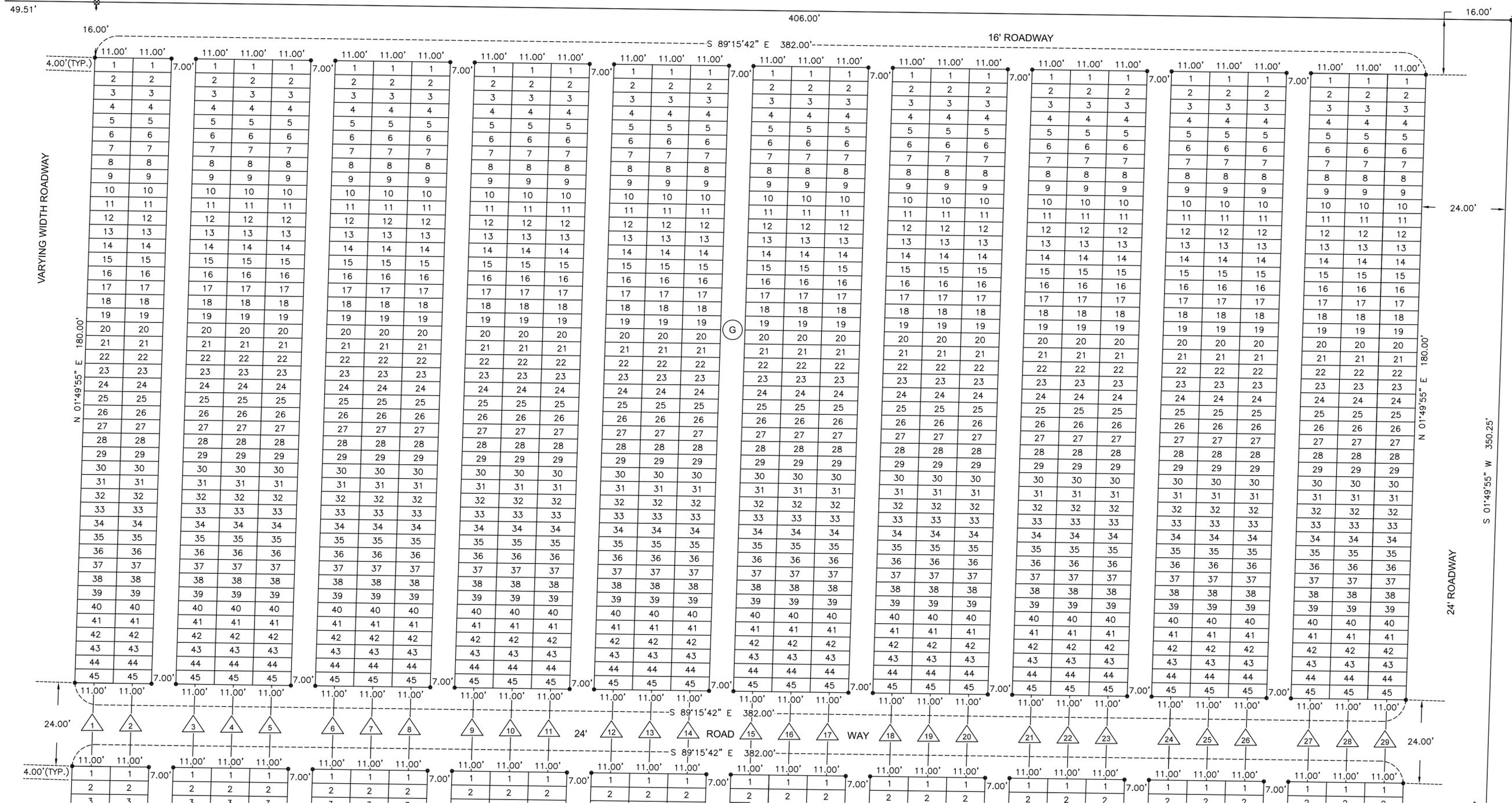
RENEWS: 6-30-25



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

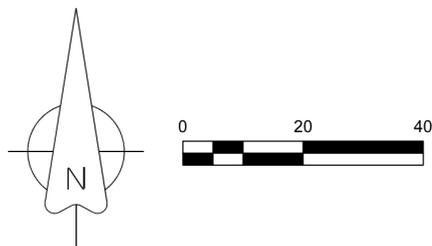
PROPOSED CEMETERY LAYOUT SW1/4, SE1/4, SECTION 14, T.4N., R.28E., W.M., CITY OF HERMISTON, UMATILLA COUNTY, OREGON		
CLIENT: HERMISTON CEMETERY DISTRICT		
PROJECT: 23-30	DATE: MAY 21, 2025	SHEET 1 OF 3

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



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

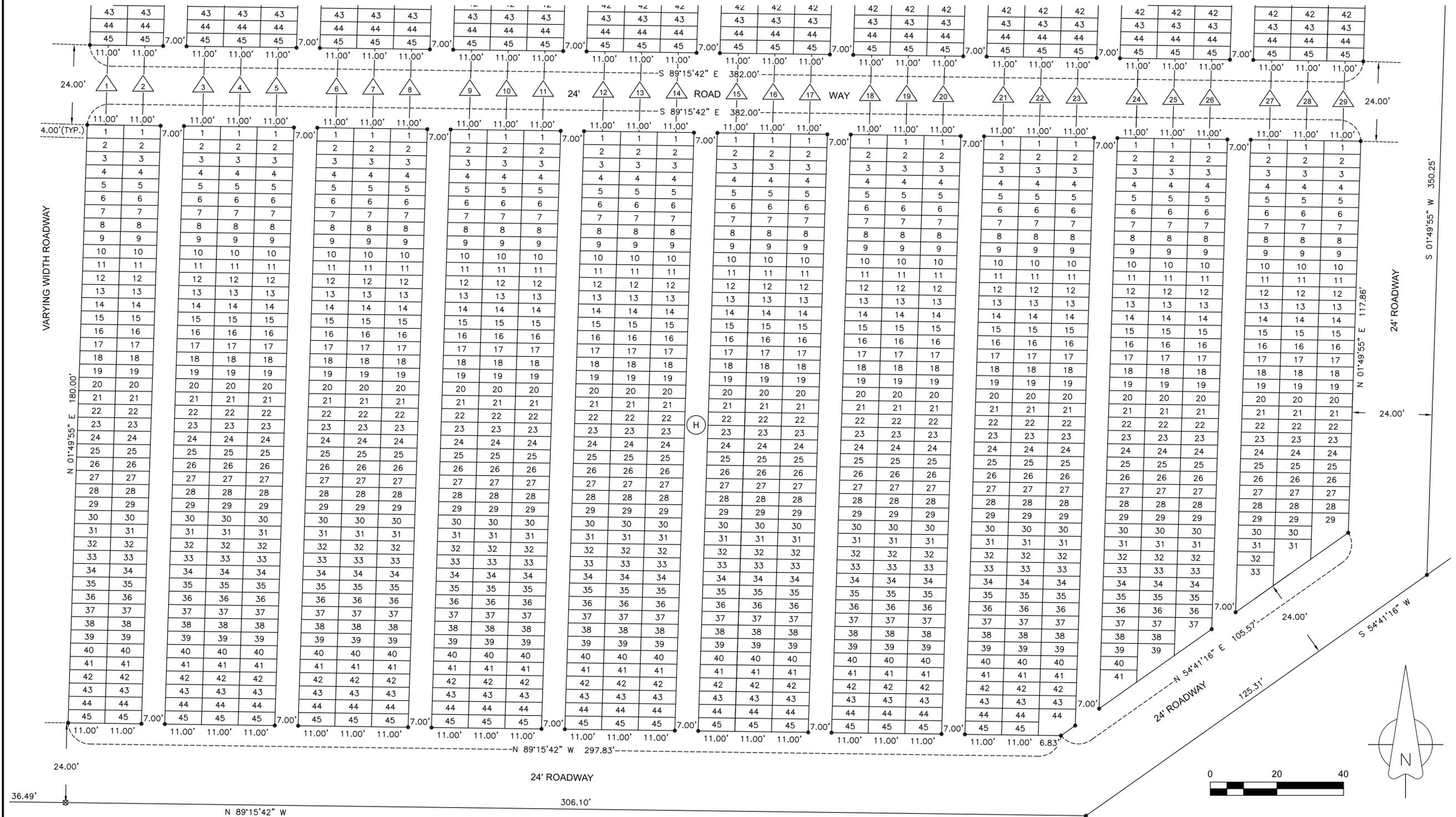
PROPOSED CEMETERY LAYOUT
 SW1/4, SE1/4, SECTION 14, T.4N., R.28E., W.M.,
 CITY OF HERMISTON, UMATILLA COUNTY, OREGON

CLIENT: **HERMISTON CEMETERY DISTRICT**

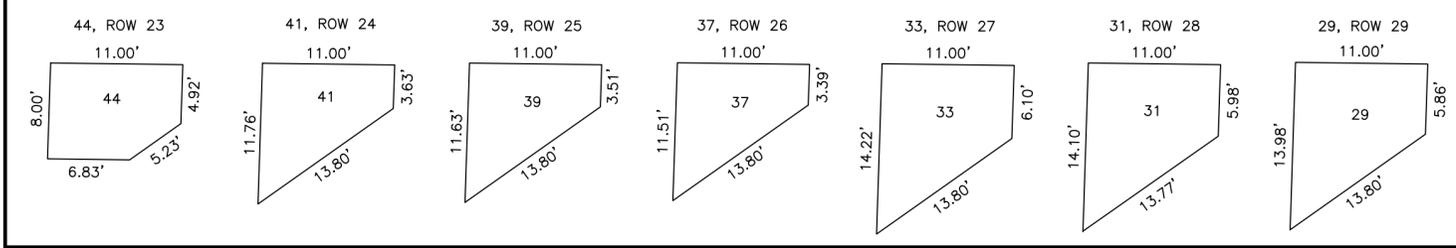
PROPOSED DIMENSIONS

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

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 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
PRELIMINARY 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. ¹

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.*

¹ 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.
- Block 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 forth 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 not 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 of 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

Jon M. Shafer, *Commissioner*

Cindy Timmons, *Commissioner*

Daniel L. Dorran, *Commissioner*

CONDITIONAL USE PERMIT DECISION: PENDING.

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: PENDING.

**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 plat 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 _____ day of _____, 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



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]

Robert Waldher, RLA
Director

[Quoted text hidden]

[Redacted signature]

[Quoted text hidden]

Carol Johnson <carol.johnson@umatillacounty.gov> Tue, Feb 25, 2025 at 4:35 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>

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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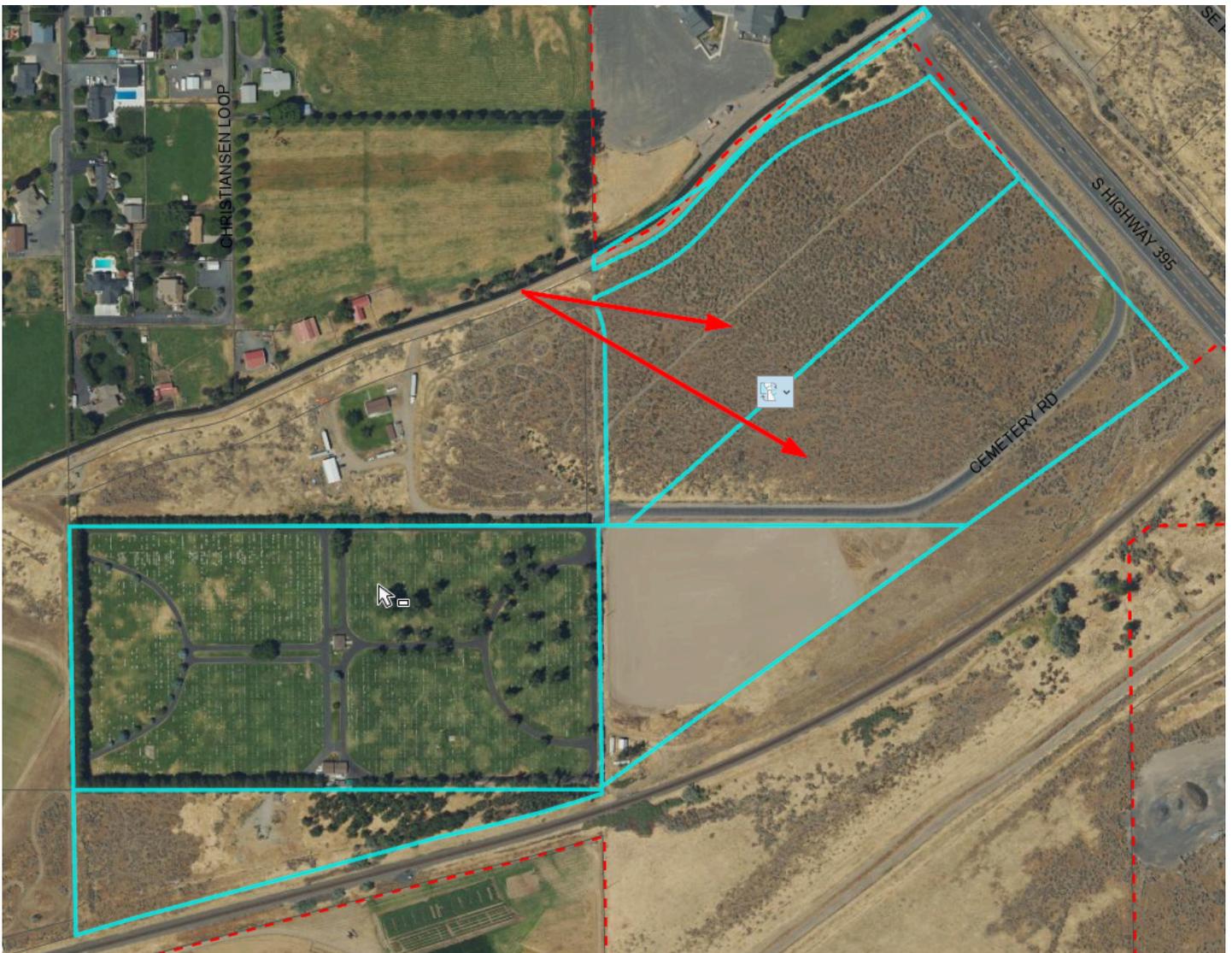
Clinton Spencer <cspencer@hermiston.gov>

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



[Quoted text hidden]
[Quoted text hidden]

[Redacted]

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)
<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]
--



Carol Johnson
Senior Planner

**Umatilla County Community
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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

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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information, and Umatilla County will not be held liable for its distribution.

--

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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--

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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Links:

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

Carol Johnson <carol.johnson@umatillacounty.gov>

Wed, Feb 26, 2025 at 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

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



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.umatillacounty.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

February 23, 2026

Charlet Hotchkiss
Umatilla County Community Development Department
216 SE 4th 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



Charlet Hotchkiss <charlet.hotchkiss@umatillacounty.gov>

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 3rd St
Pendleton, OR 97801
(541) 561-5246 cell
(541) 278-6021 D12 office
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 4th ST, Room 104
Pendleton, OR 97801
Planning@umatillacounty.gov

Voice: (541) 278-6252
Fax: (541) 278-5480
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 4th 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?

	<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
	<input type="checkbox"/> Pendleton FD	(subscriber)
	<input type="checkbox"/> Pilot Rock FD	<input type="checkbox"/> Tribal
	<input type="checkbox"/> Umatilla Rural	
	<input 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 new only	<input type="checkbox"/> Hudson Bay or
	<input type="checkbox"/> Stanfield	Walla Walla River
	<input type="checkbox"/> West Extension	Irrigation
	<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

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 _____

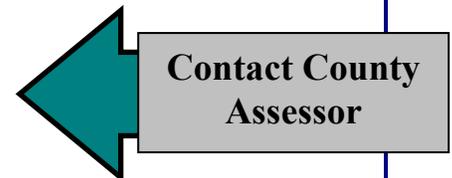
Garbage Disposal _____

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.

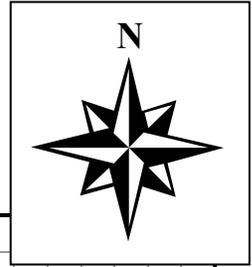
<input checked="" type="checkbox"/>	Materials to be submitted for ALL types of Applications:
<input type="checkbox"/>	a) Completed Application form.
<input type="checkbox"/>	b) Applicable Application fees.
<input type="checkbox"/>	c) Site Plan Marked Exhibit B (see next page) to include:
<input type="checkbox"/>	• 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> shown on exhibit
<input type="checkbox"/>	• Location of existing <u>septic systems</u> (i.e. tanks, drain fields) shown on exhibit
<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) The <u>DEED(S)</u> of the Property in question.
<input type="checkbox"/>	g) OVERLAY MAP 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) SUPPLEMENTAL APPLICATION 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



**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 4th ST, Pendleton, OR 97801, (541) 278-6252
Email: 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

Amendments to Map and/or Text

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.

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:
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October 2025 (Updated November 2025)
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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

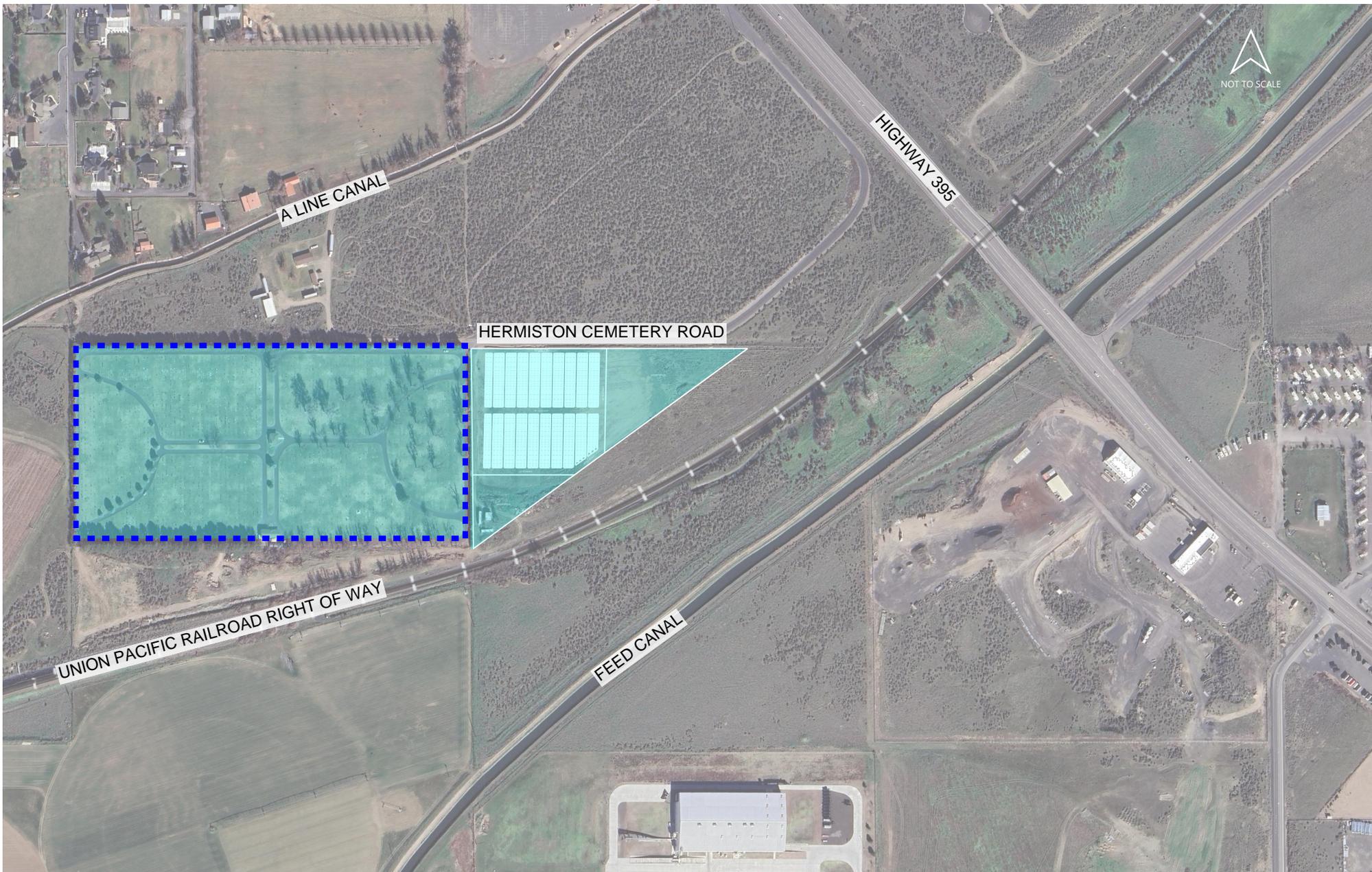
Proposed Conditions

Exhibit Map

Figure 3

Assessor's Maps

Figure 4
2024 Real Property Assessment Report

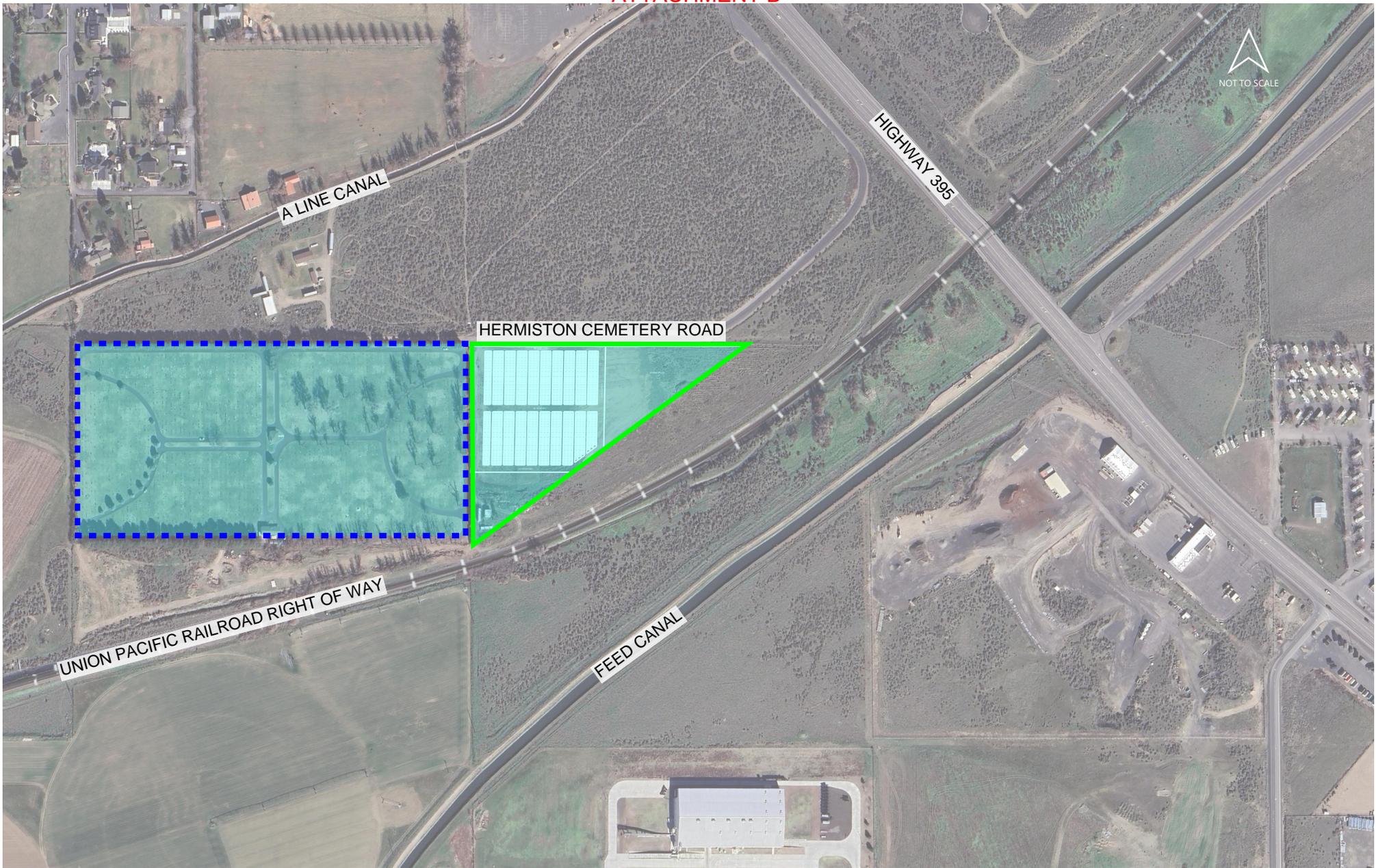


LEGEND

- 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

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



RENEWS: DECEMBER 31, 2024

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*¹ (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*,² 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,

¹ Umatilla County. (Revised January 29, 2013) *Zoning Ordinance*.

² 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

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

Table 2. ITE Trip Generation—Recreational Community Center

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

sf: square feet; GFA: gross floor area

Table 3. ITE Trip Generation—Elementary School

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

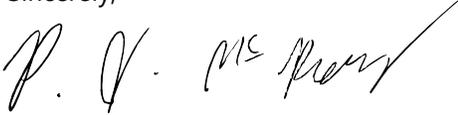
- 90% to and from the northwest of the US-395 / Hermiston Cemetery Road intersection
- 10% to and from the southeast of the US-395 / Hermiston Cemetery Road intersection

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 with any questions or comments.

Sincerely,

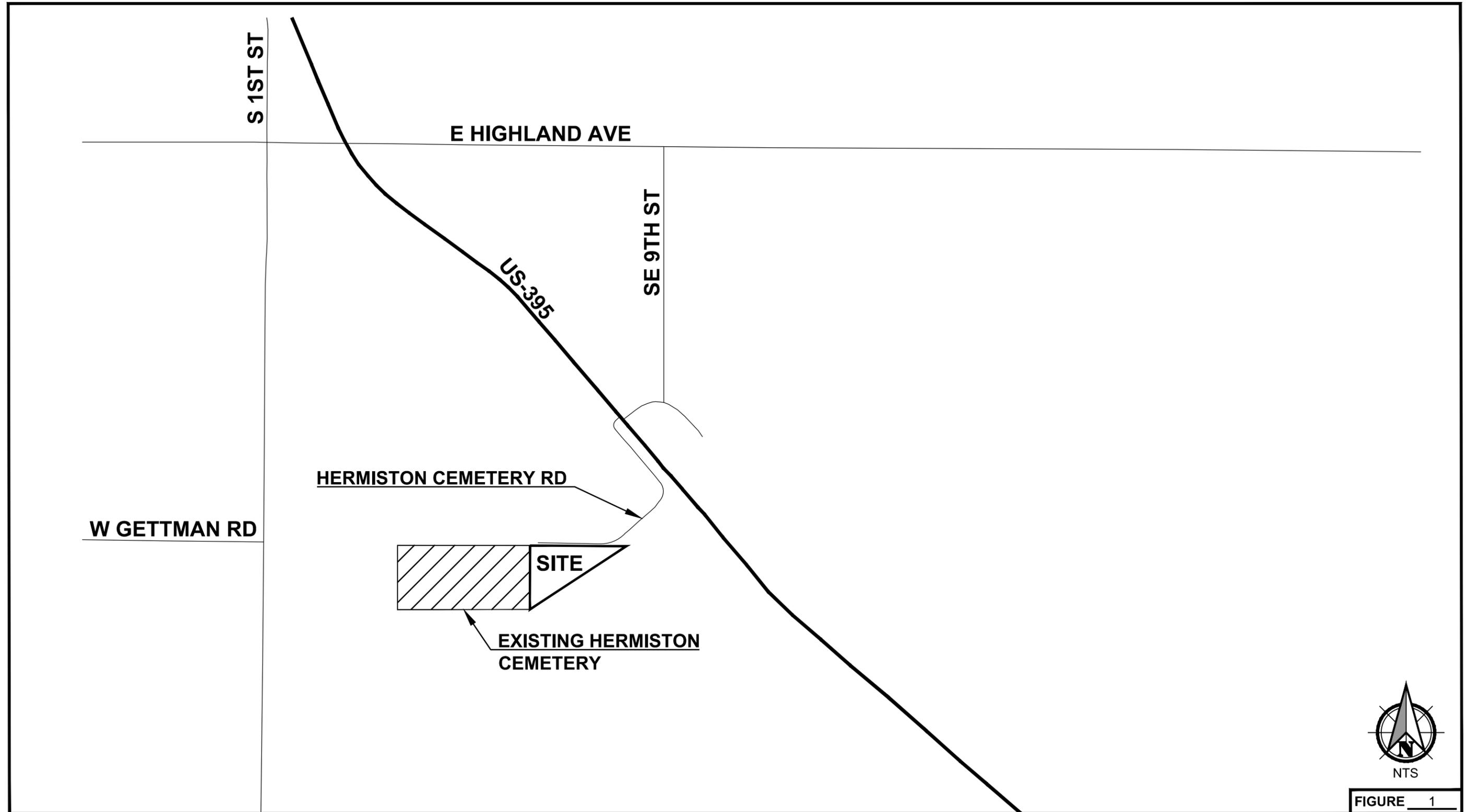
A handwritten signature in black ink, appearing to read "P. J. McKelvey". The signature is fluid and cursive, with a long horizontal stroke at the end.

PJ McKelvey, PE
Project Traffic Engineer

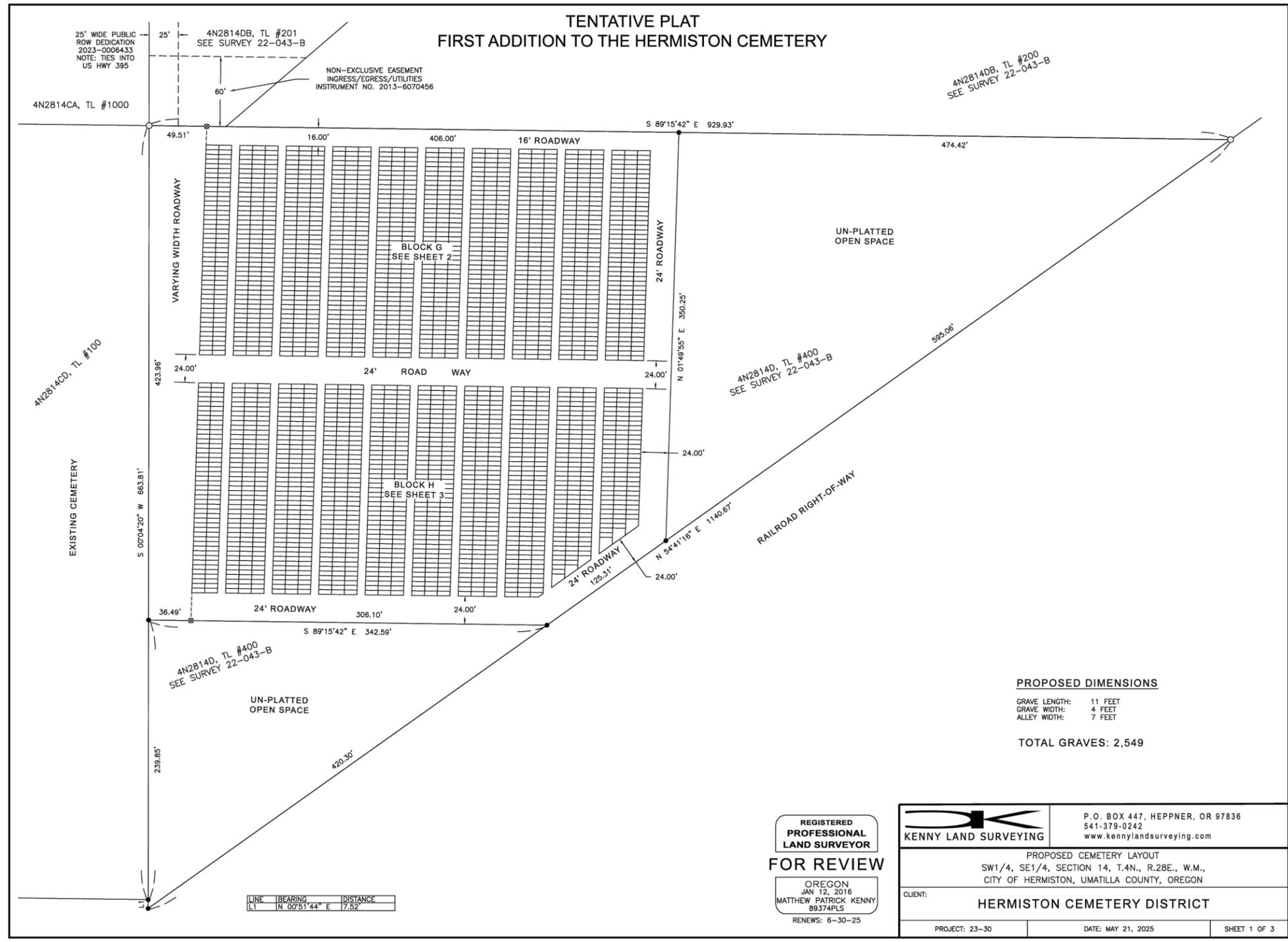
cc: John Manix, Emmelie Schultheis, Rebecca Wahlstrom (Apex)

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

ES:PJMtl



Vicinity Map
Hermiston Cemetery Zone Text Amendment



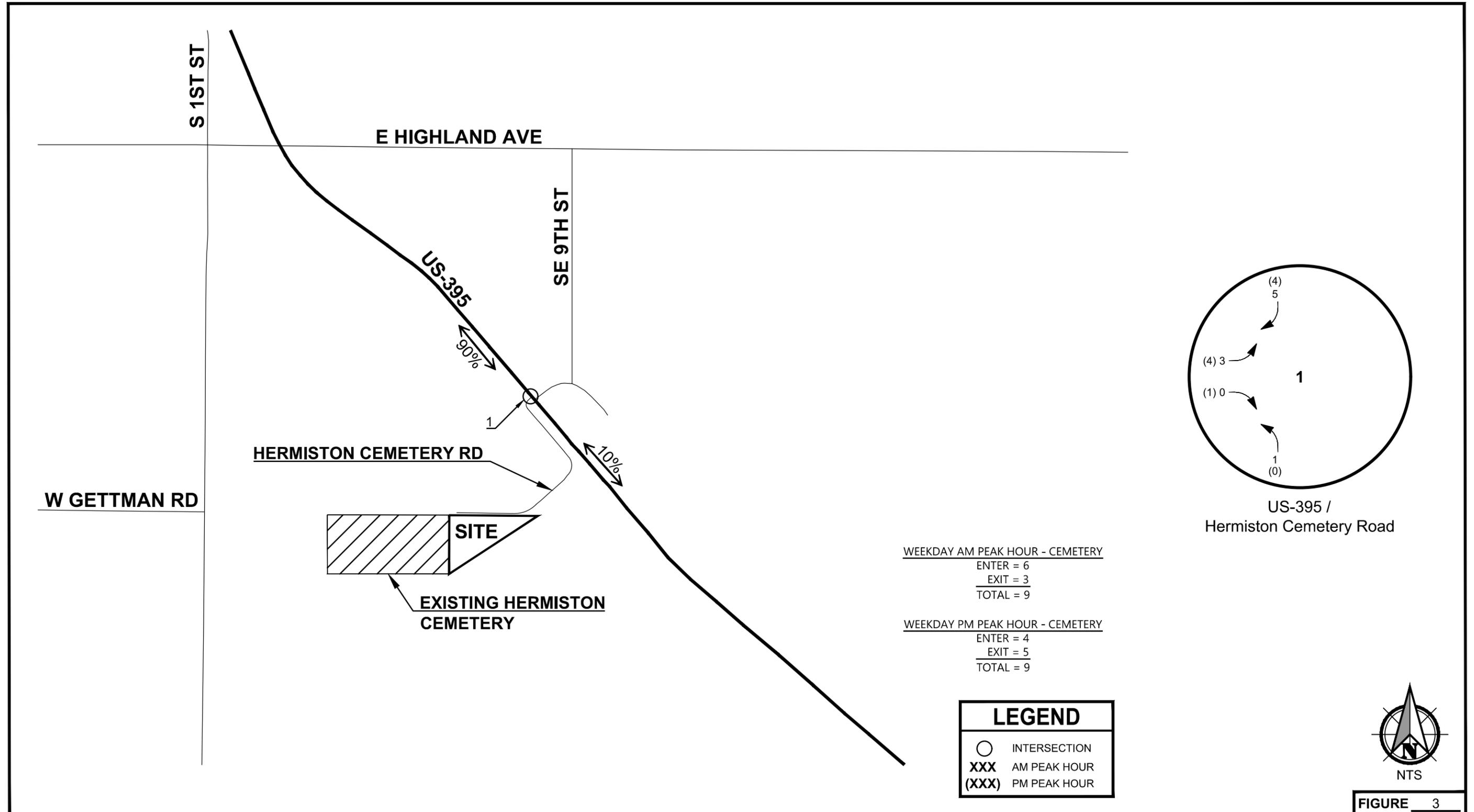
REGISTERED
PROFESSIONAL
LAND SURVEYOR
FOR REVIEW
OREGON
JAN 12, 2016
MATTHEW PATRICK KENNY
89374PLS
RENEWS: 6-30-25

	P.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:	HERMISTON CEMETERY DISTRICT
PROJECT: 23-30	DATE: MAY 21, 2025
SHEET 1 OF 3	

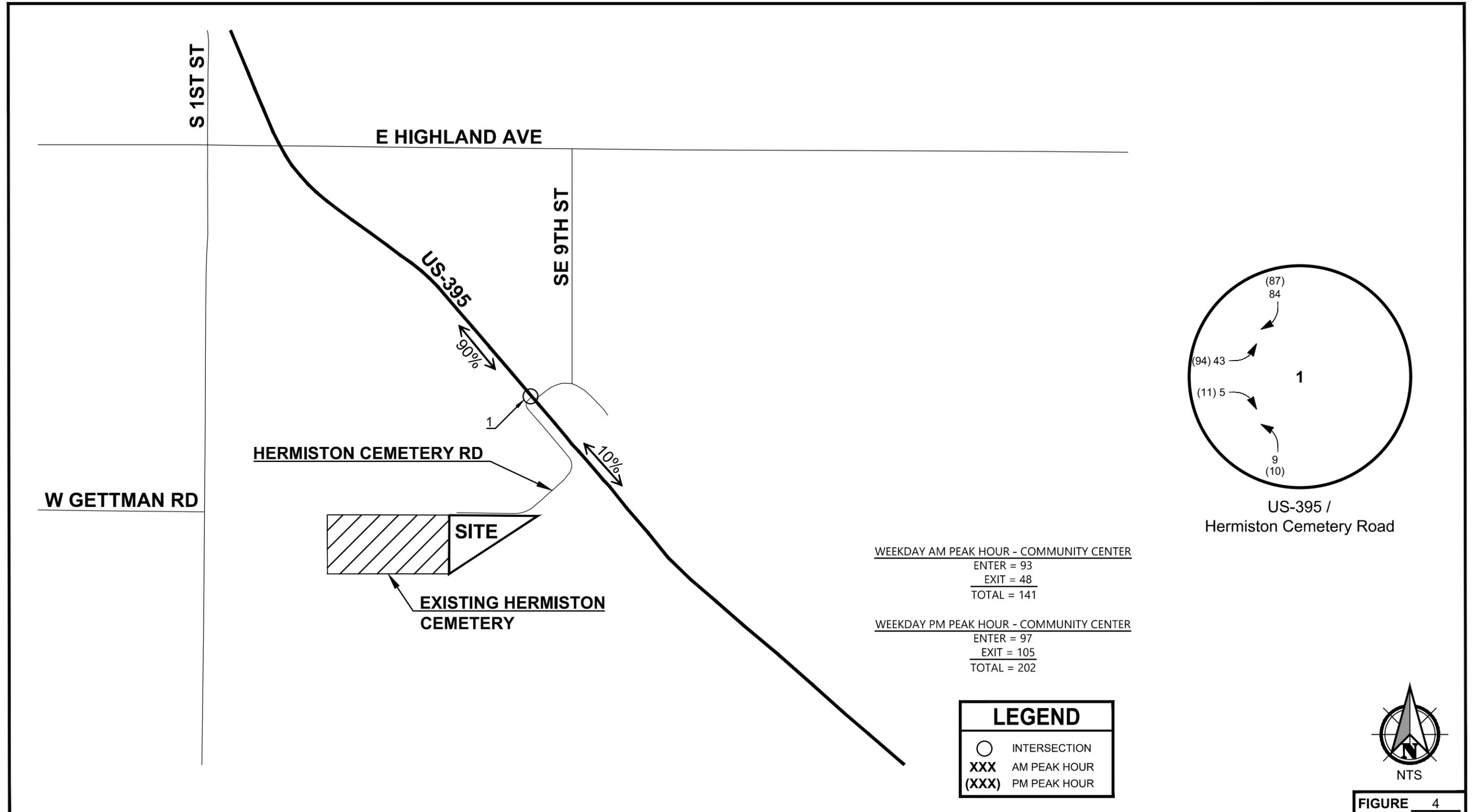


FIGURE 2

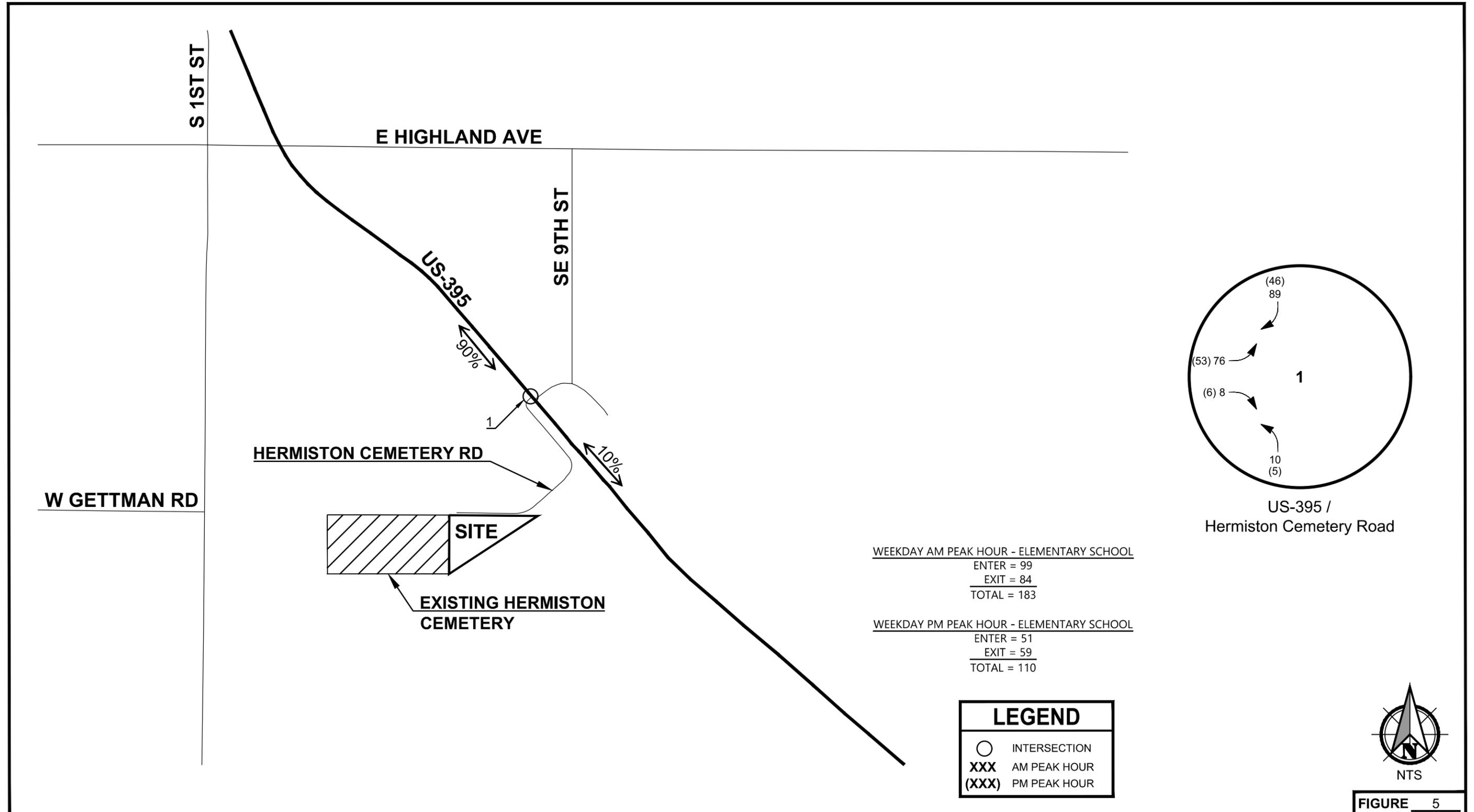
Site Plan Hermiston Cemetery Zone Text Amendment



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

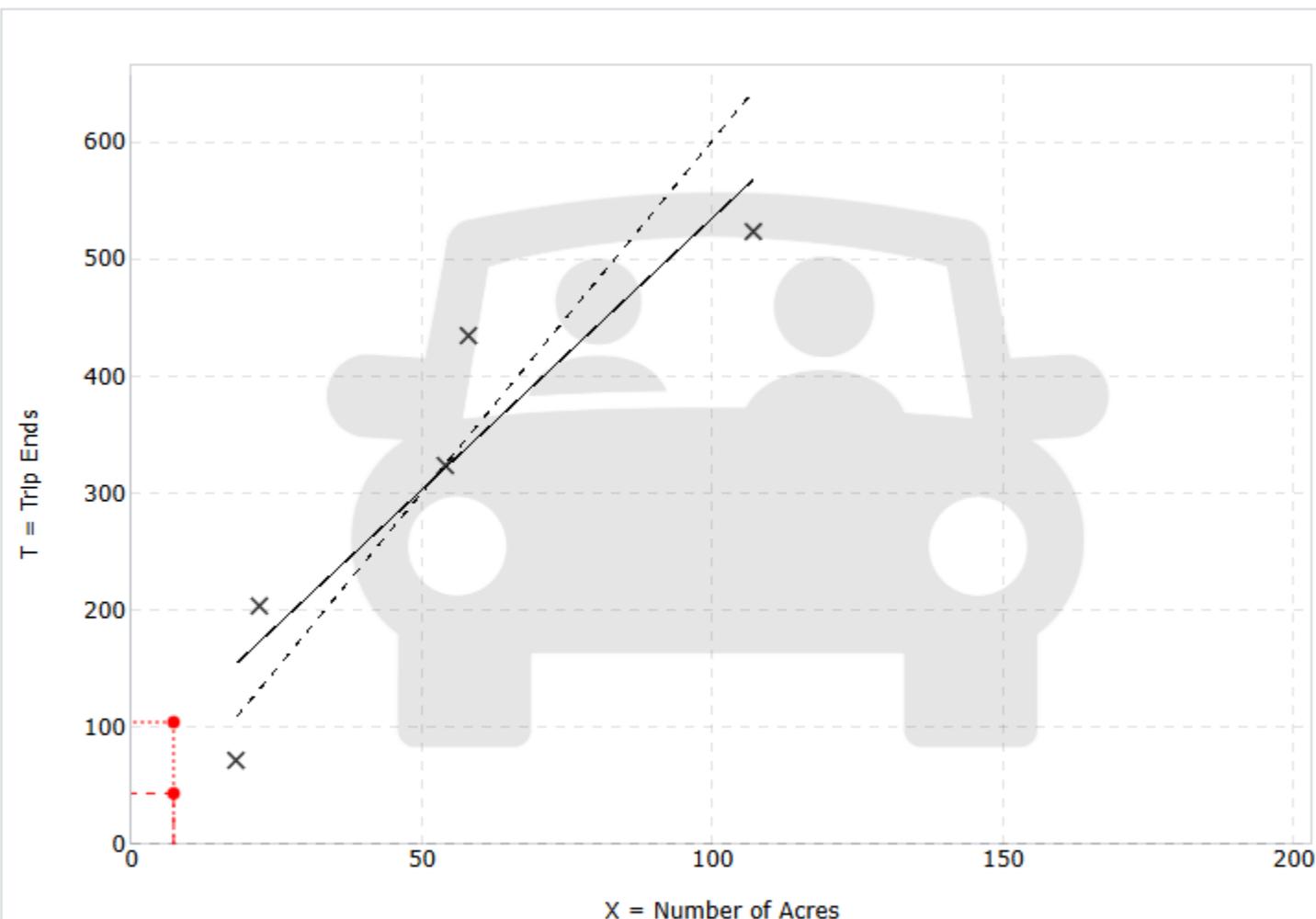
ENTER IV VALUE TO CALCULATE TRIPS:

7.27

Calculate

Data Plot and Equation

Caution – Small Sample Size



Reset Zoom

Restore

x Study Site

— Fitted Curve

- - - Average Rate

114

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

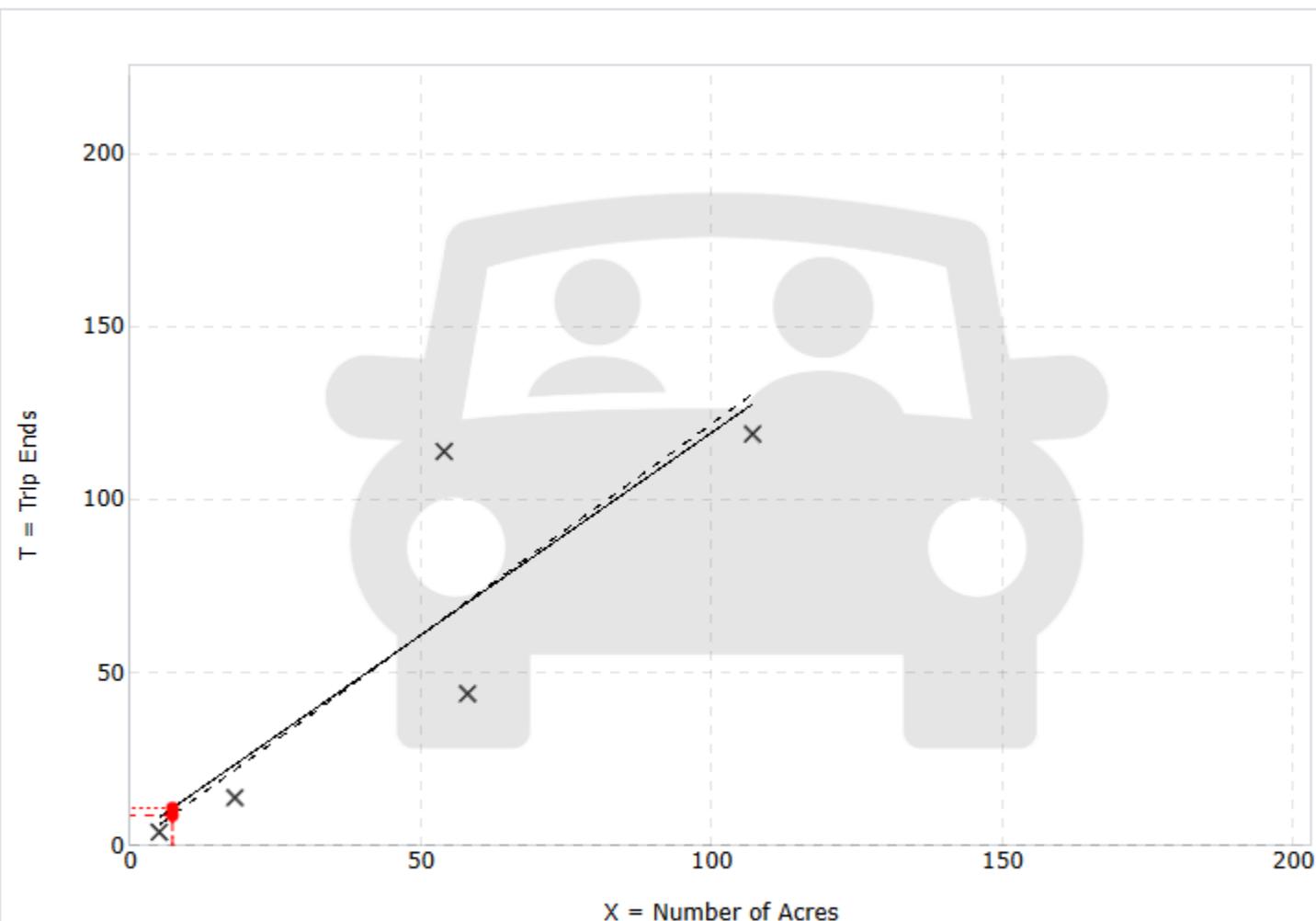
ENTER IV VALUE TO CALCULATE TRIPS:

7.27

Calculate

Data Plot and Equation

Caution – Small Sample Size



Reset Zoom

Restore

X Study Site

— Fitted Curve

- - - Average Rate

115

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

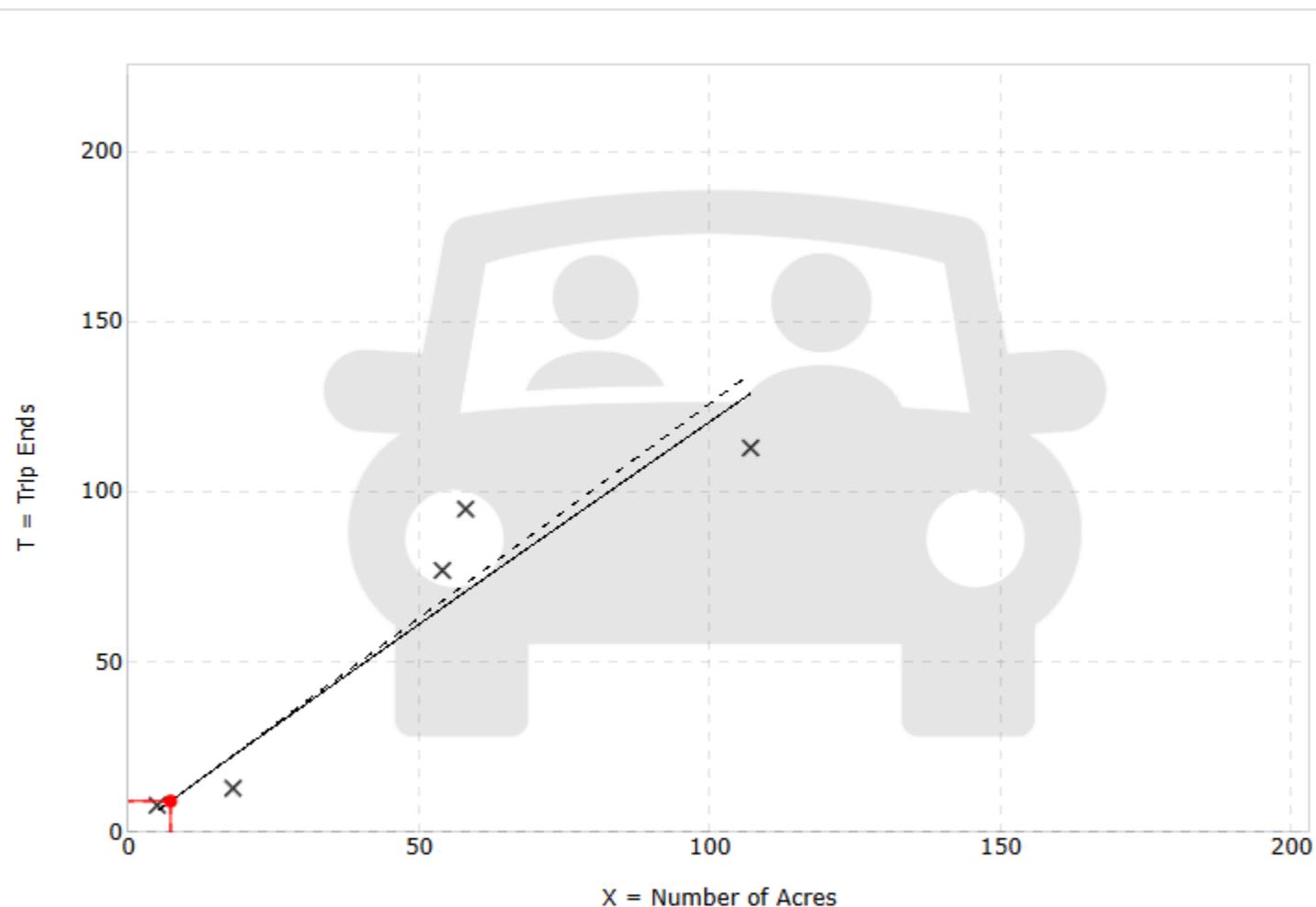
TRIP TYPE:

Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

7.27

Calculate



X Study Site

— Fitted Curve

- - - Average Rate

Reset Zoom

Restore

116

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^2 :

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

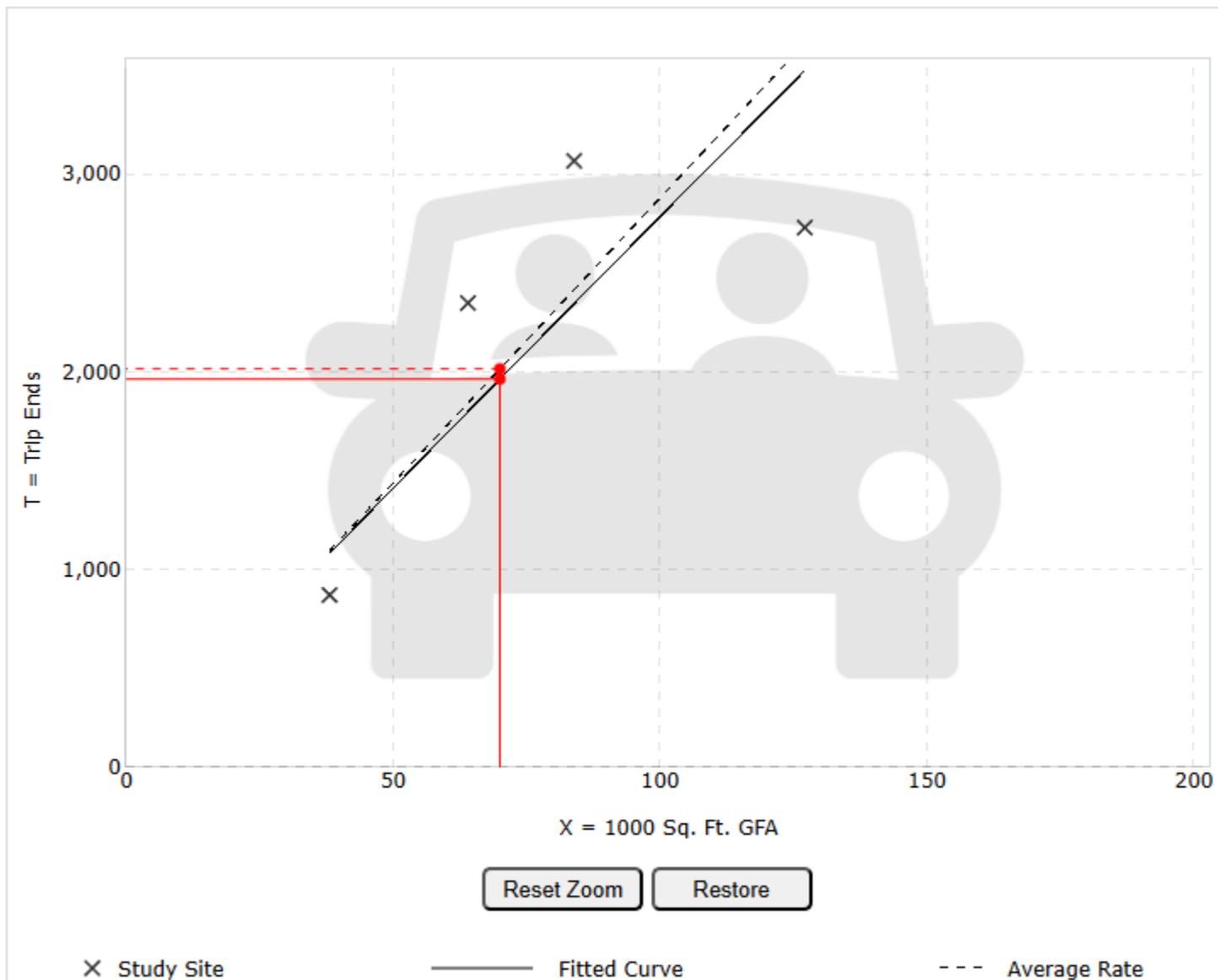
TRIP TYPE:

Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

70

Calculate



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:

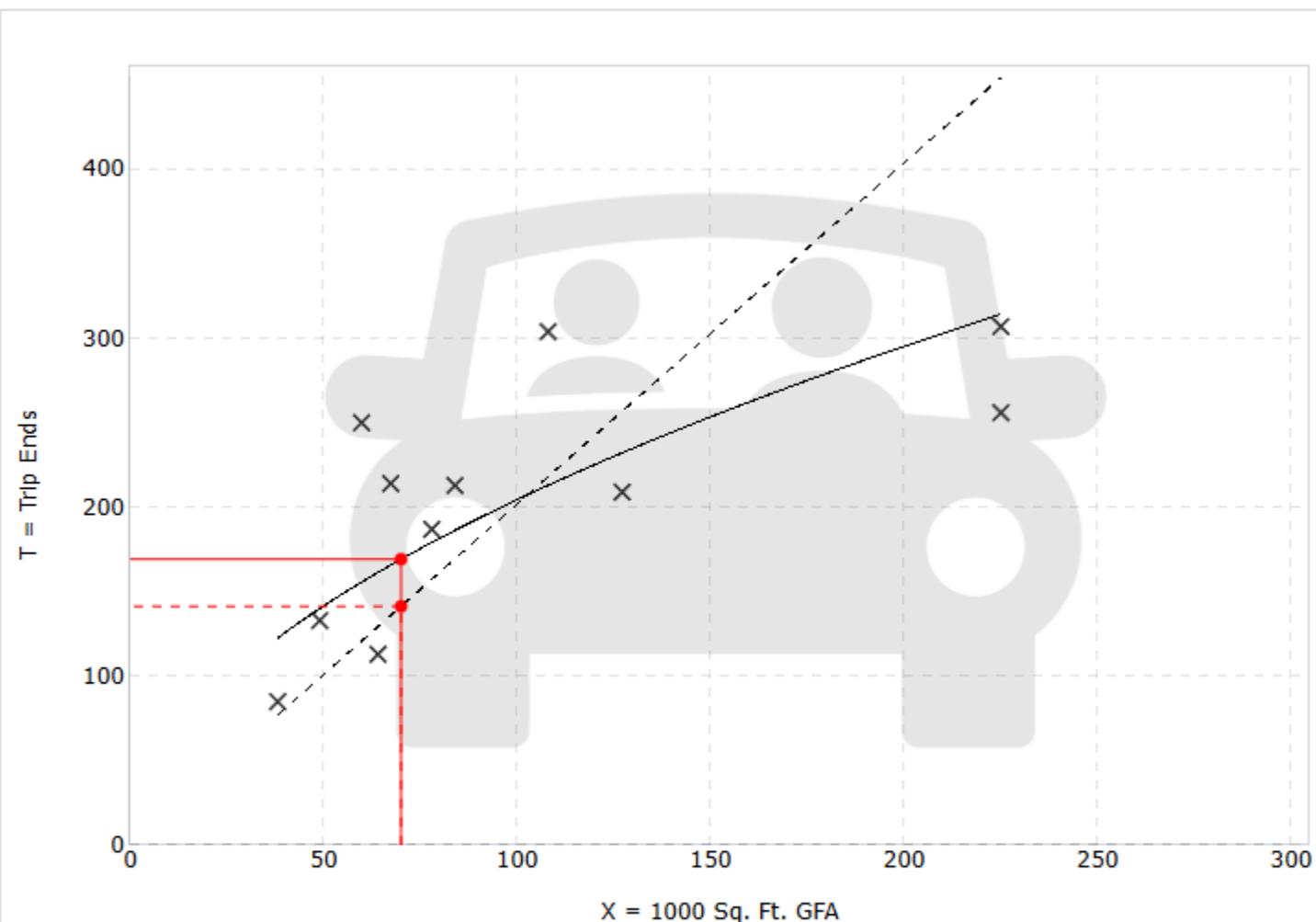
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

70

Calculate

Data Plot and Equation



Reset Zoom

Restore

x Study Site

— Fitted Curve

- - - Average Rate

118

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:

 $\ln(T) = 0.53 \ln(X) + 2.88$ R²:

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:

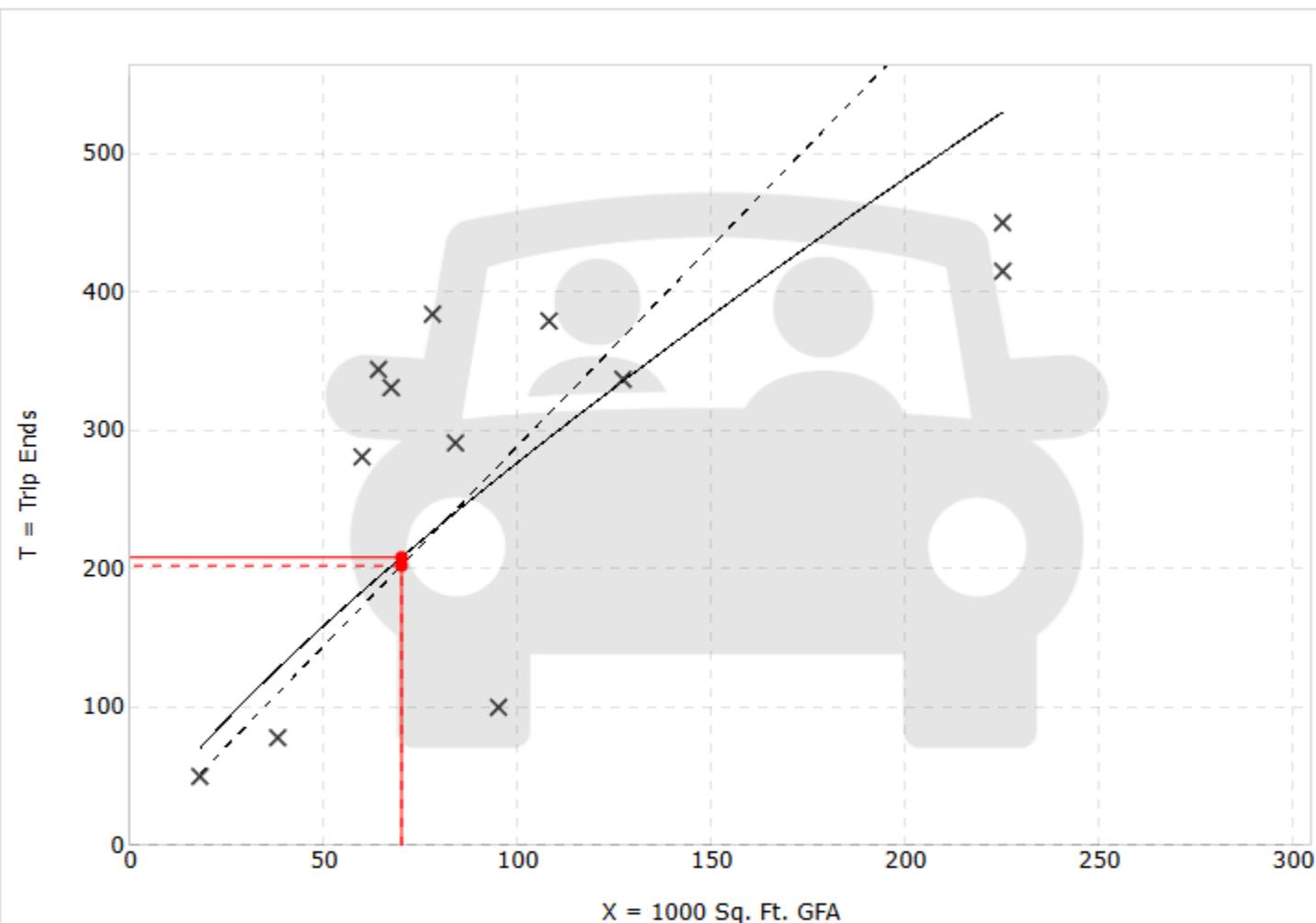
Vehicle

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:

 $\ln(T) = 0.80 \ln(X) + 1.94$ R²:

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:

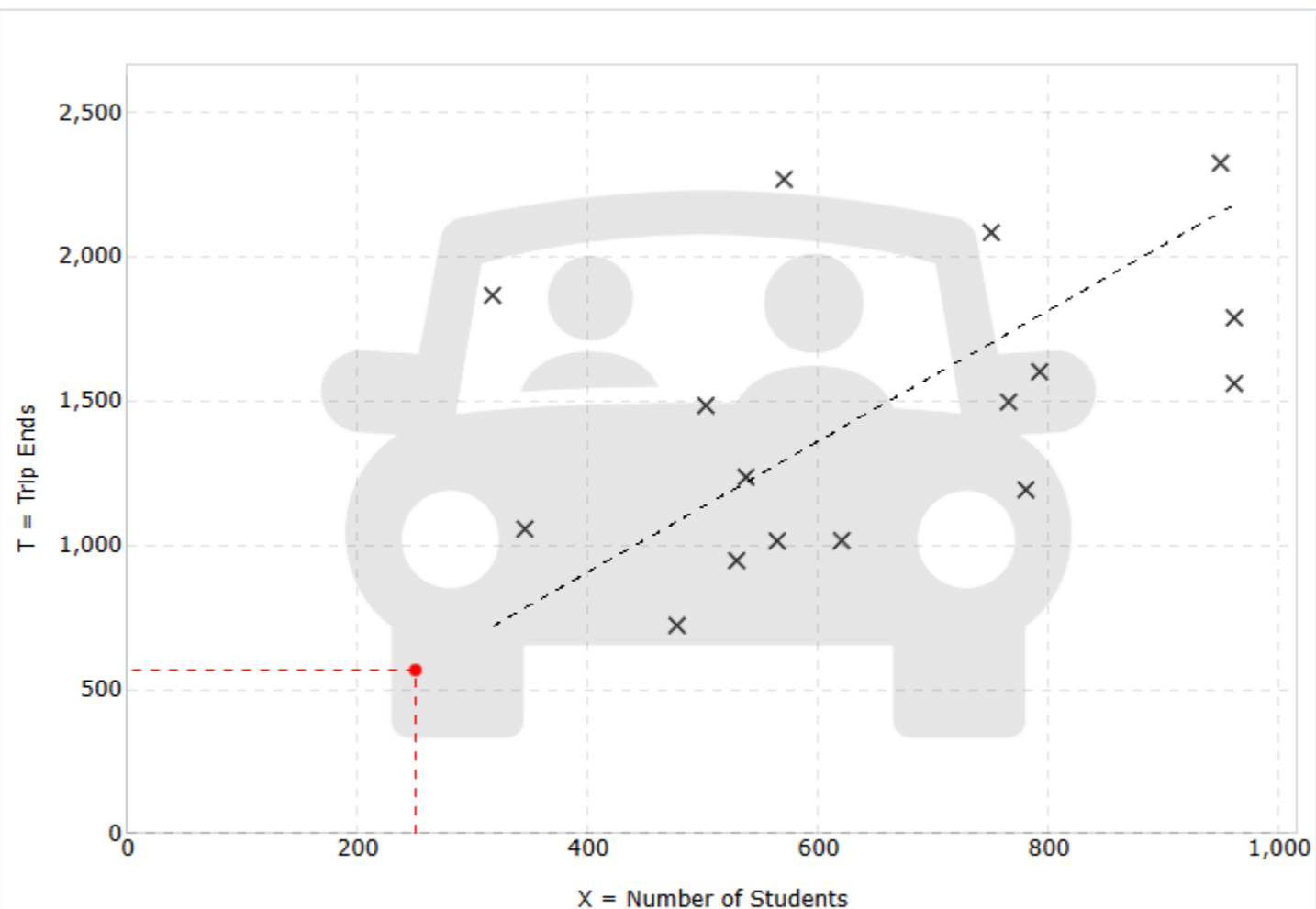
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

250

Calculate

Data Plot and Equation



Reset Zoom

Restore

x Study Site

- - - Average Rate

120

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

R²:

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:

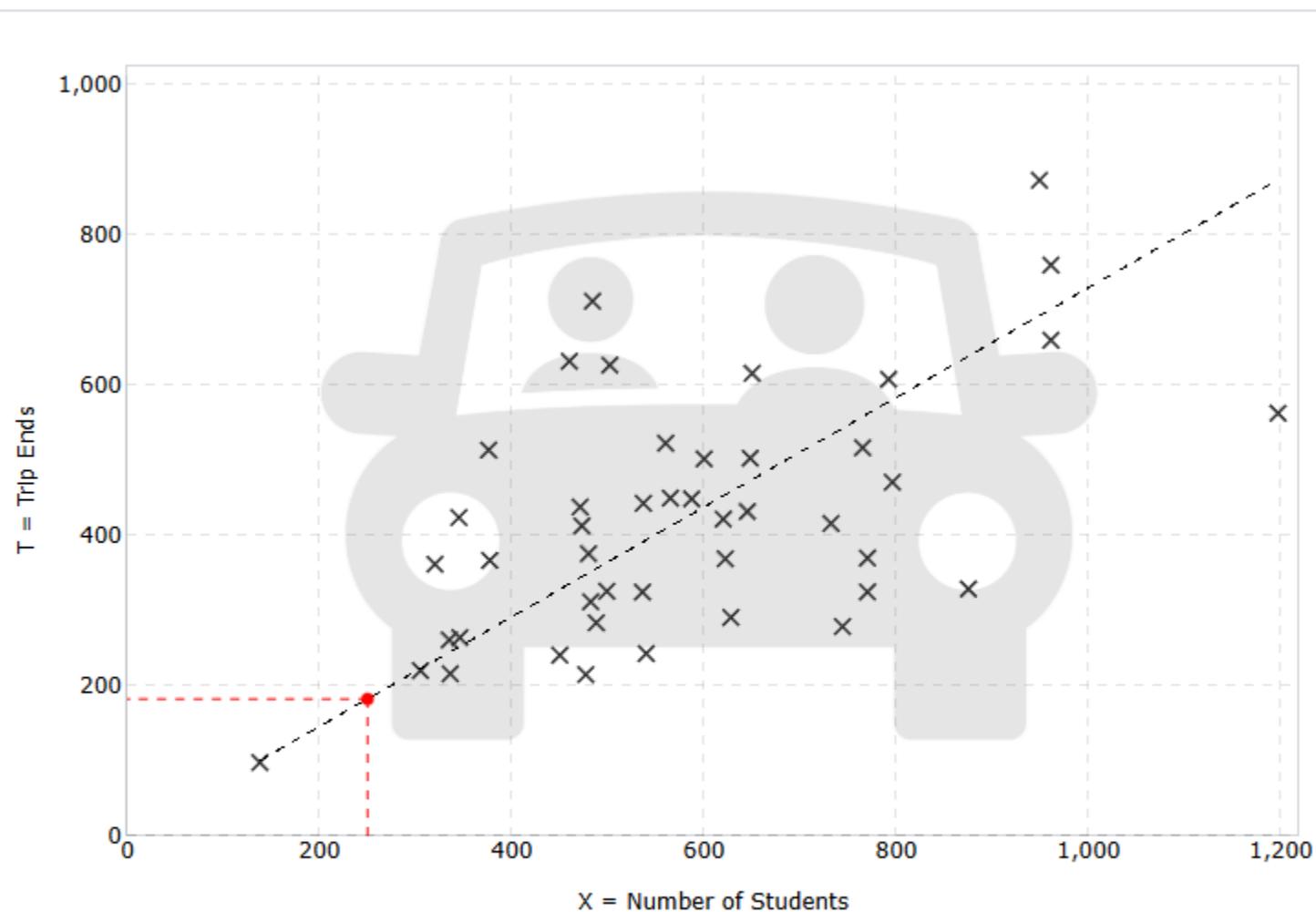
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

250

Calculate

Data Plot and Equation



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

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

R²:

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:

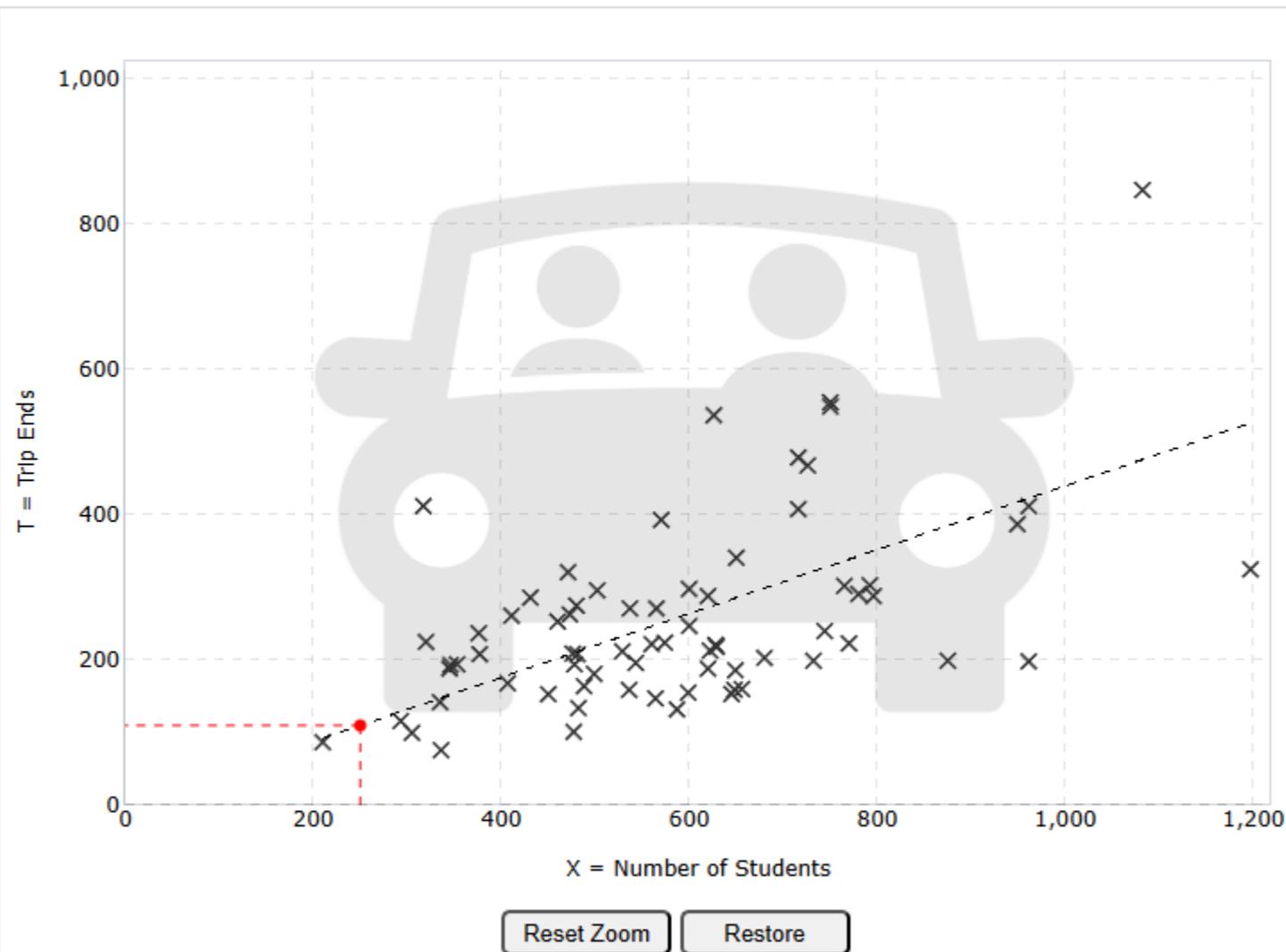
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

250

Calculate

Data Plot and Equation



Reset Zoom

Restore

x Study Site

- - - Average Rate

122

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

R²:

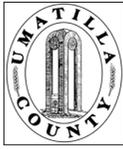
Directional Distribution:

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'

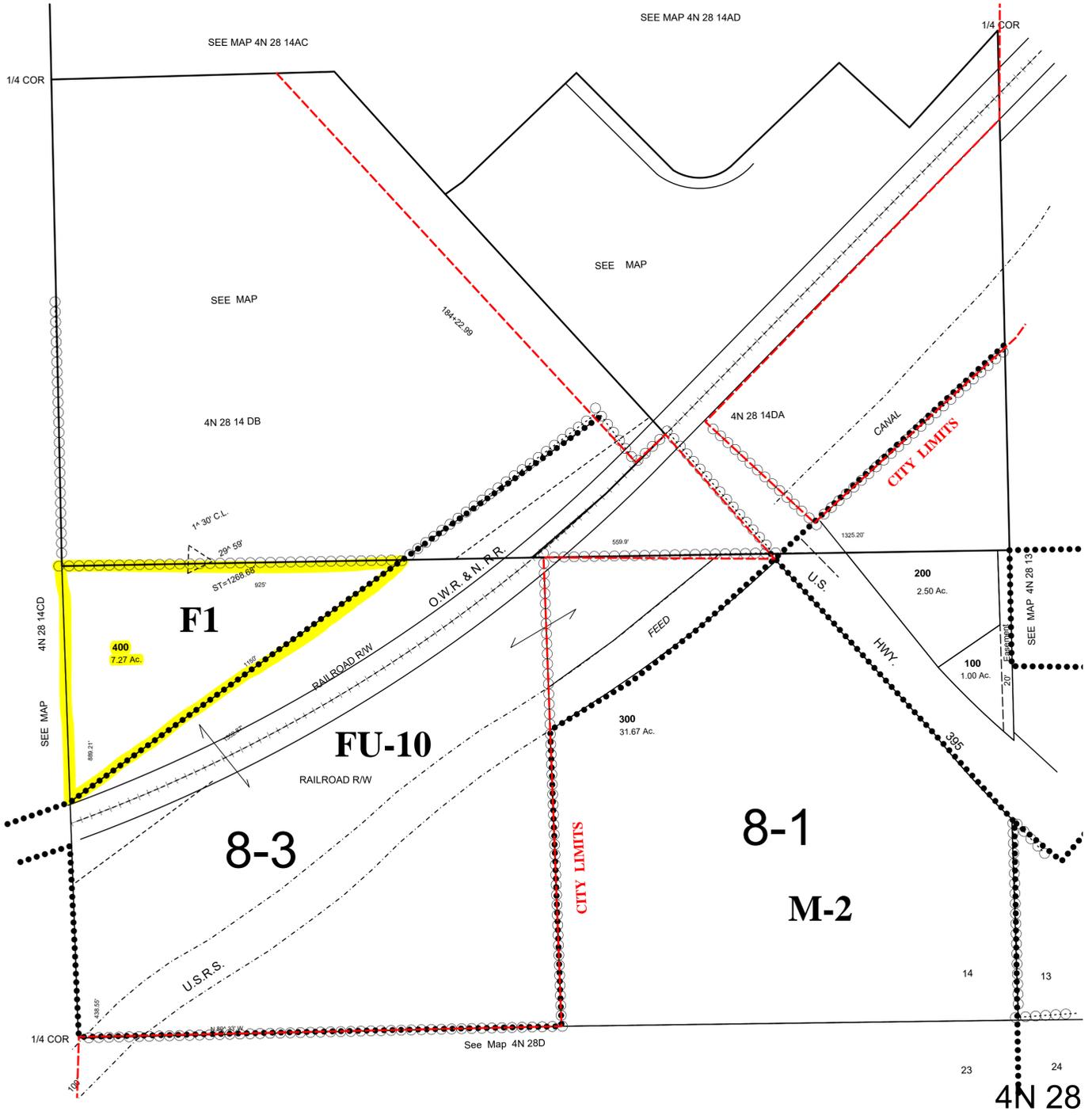
8/10/04

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

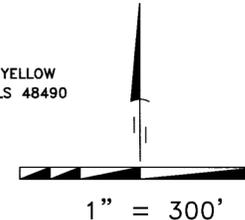
REGISTERED
PROFESSIONAL
LAND SURVEYOR
K.P.P.
OREGON
JULY 12, 2005
KEITH P. PRIMM
48490
EXPIRATION DATE: 12/31/22

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.

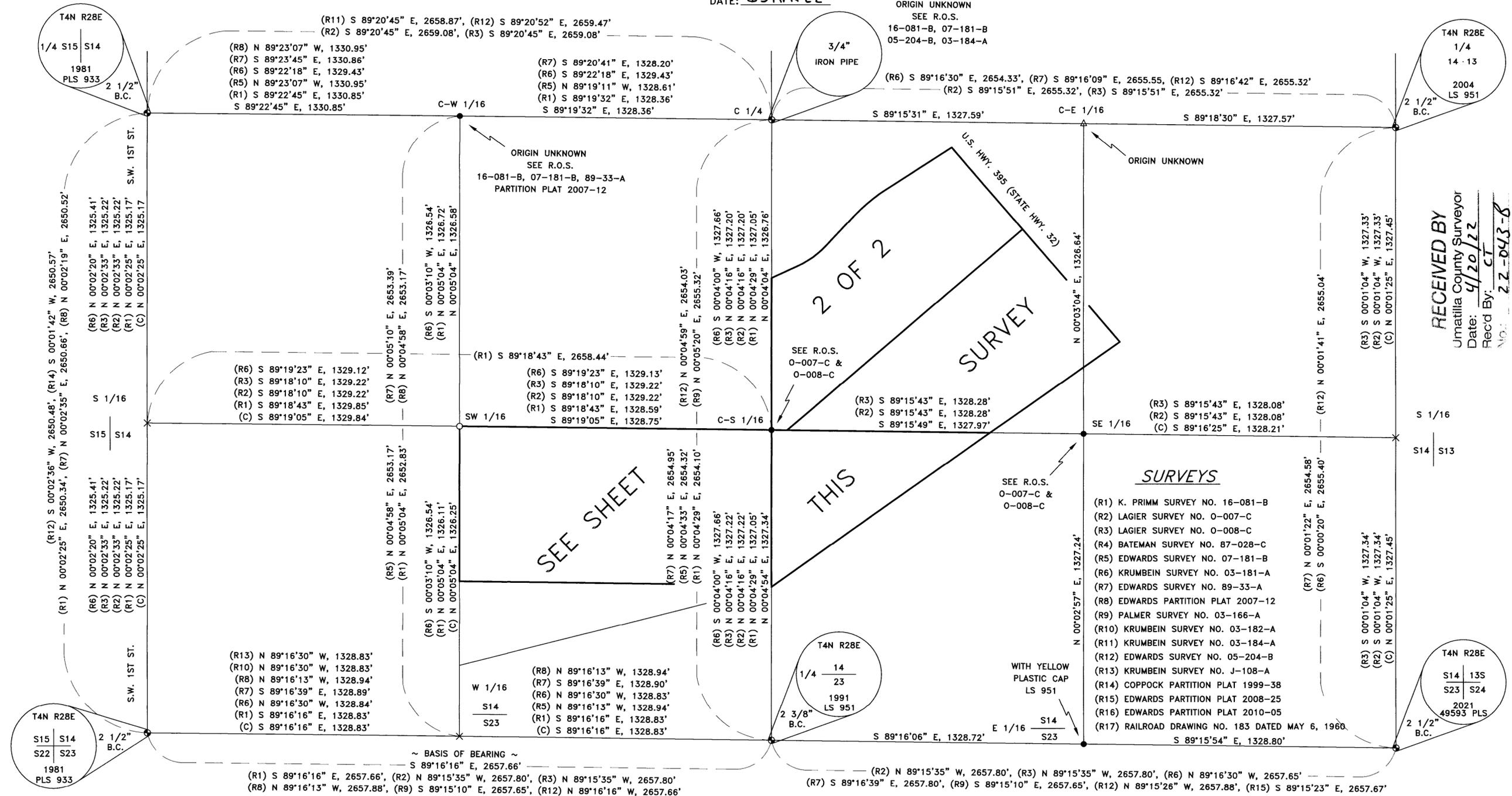
LEGEND

- 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 0-007-C AND 0-008-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 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.

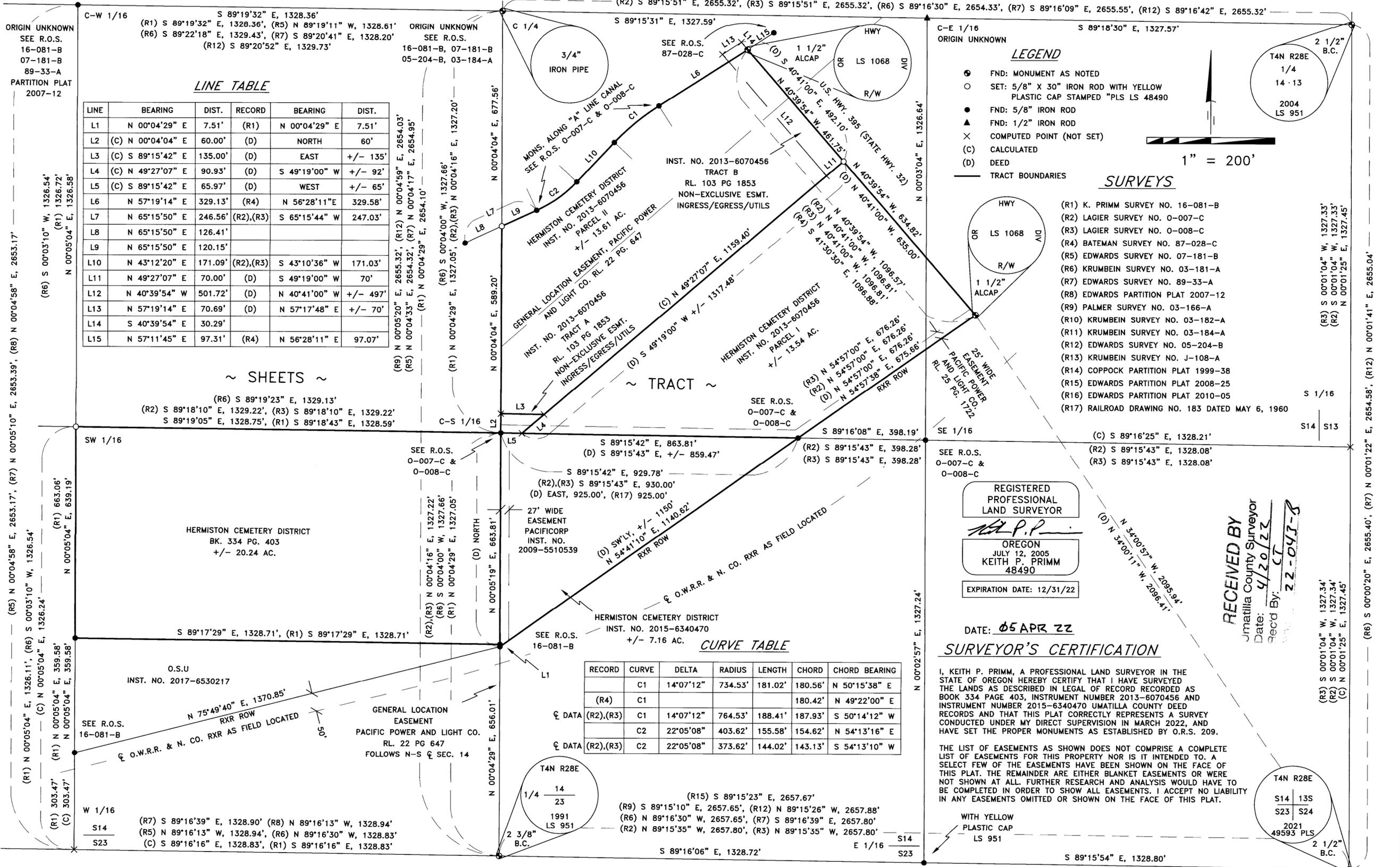
PRIMM LAND SURVEYING, INC.

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:	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

KEITH P. PRIMM
JULY 12, 2005
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

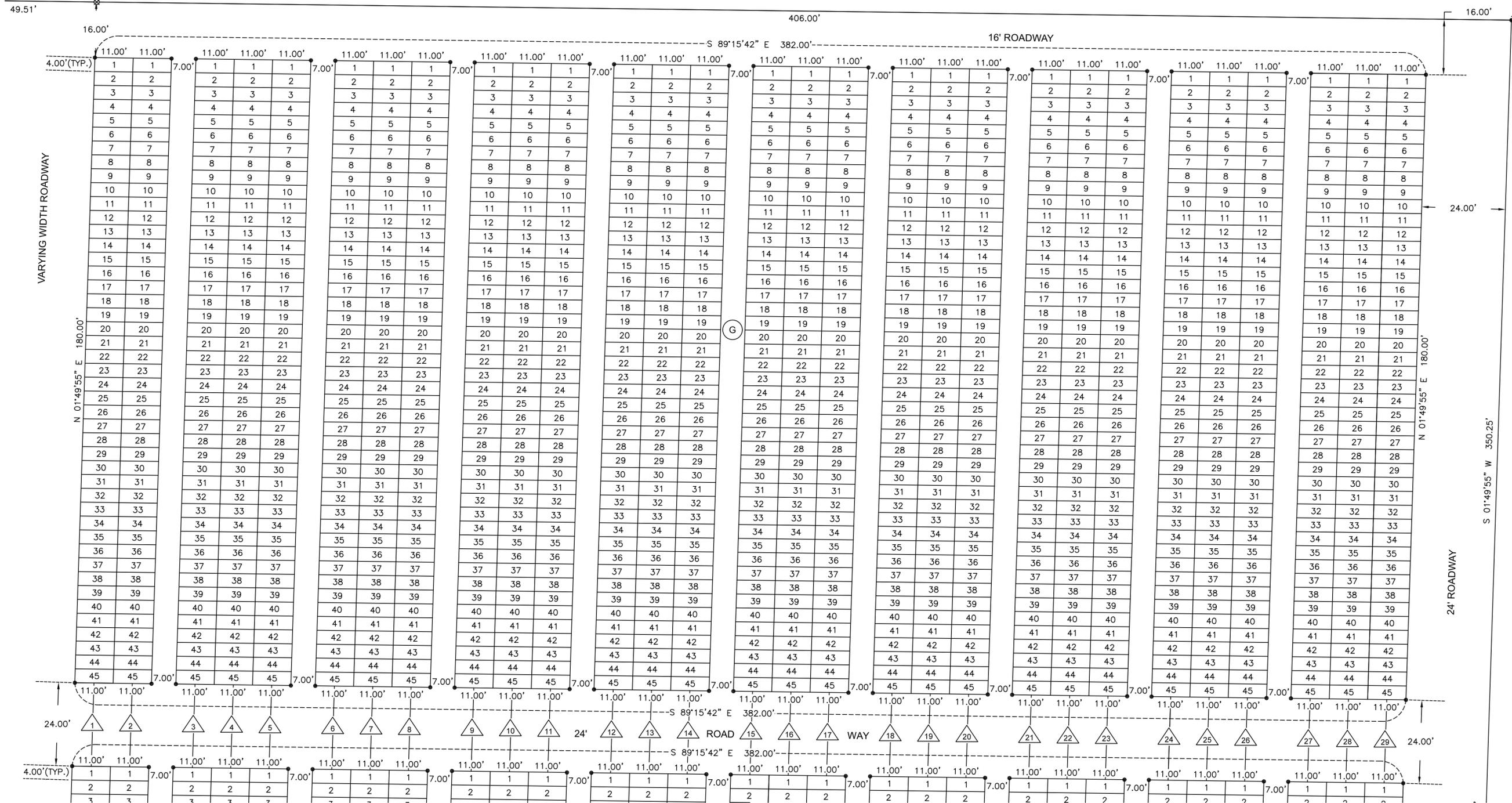
CLIENT: HERMISTON CEMETERY DISTRICT

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.

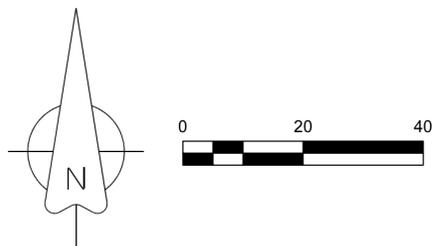
JOB #:	2202002
DATE:	09MAR22
FB/PG:	46/36-37
SHEET:	2 OF 2
DRAWN:	KPP
APPROVED:	KPP

TENTATIVE PLAT FIRST ADDITION TO THE HERMISTON CEMETERY 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



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

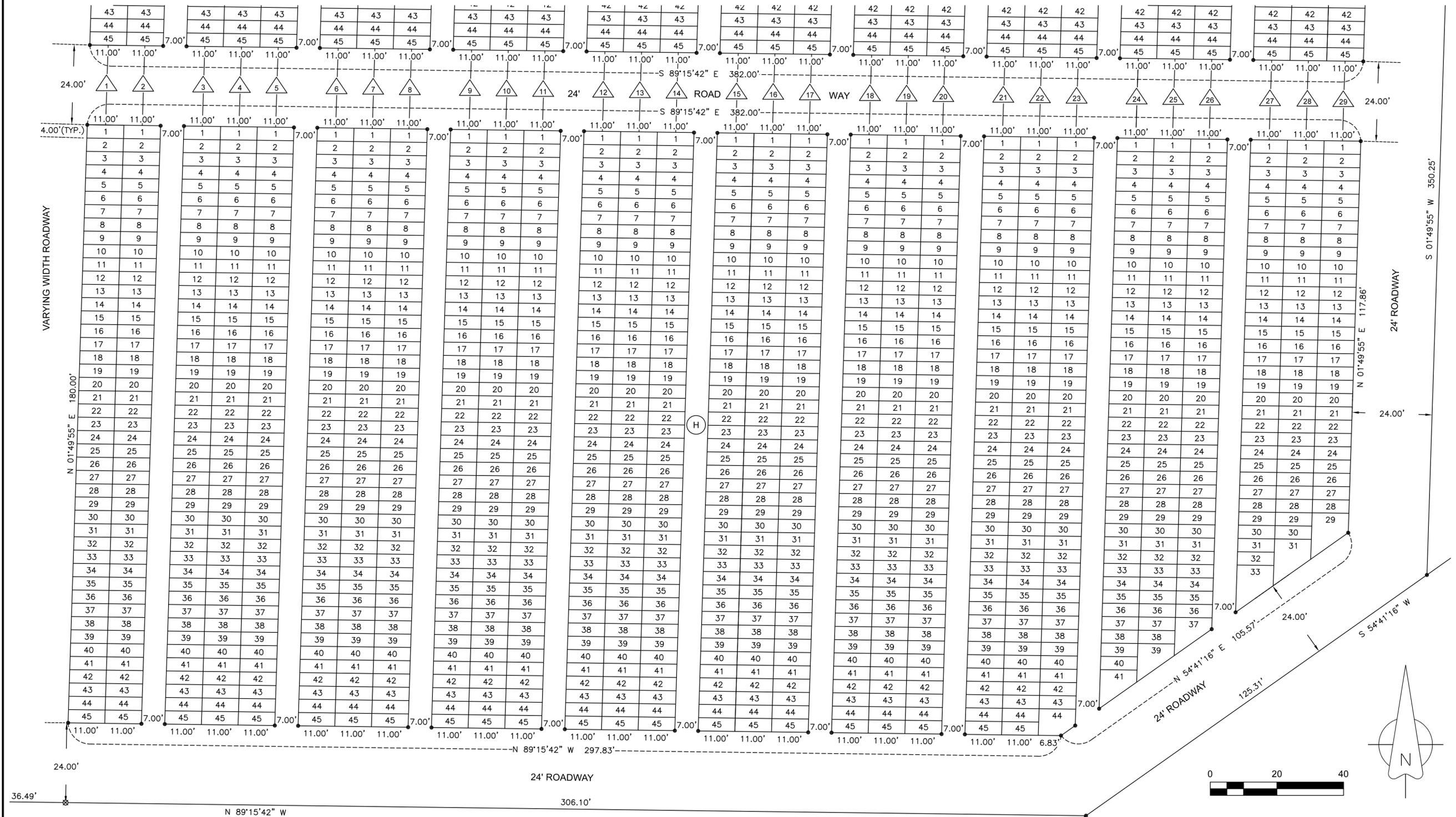
PROPOSED CEMETERY LAYOUT
 SW1/4, SE1/4, SECTION 14, T.4N., R.28E., W.M.,
 CITY OF HERMISTON, UMATILLA COUNTY, OREGON

CLIENT: **HERMISTON CEMETERY DISTRICT**

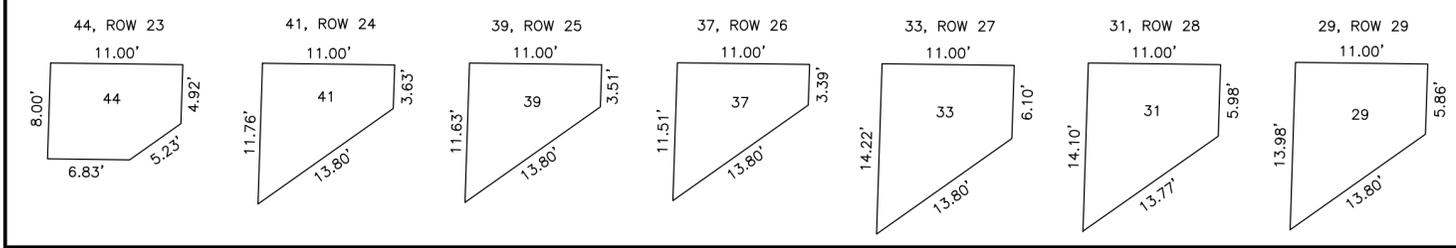
PROPOSED DIMENSIONS

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, HEPPNER, OR 97836
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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

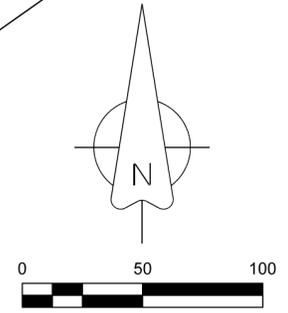
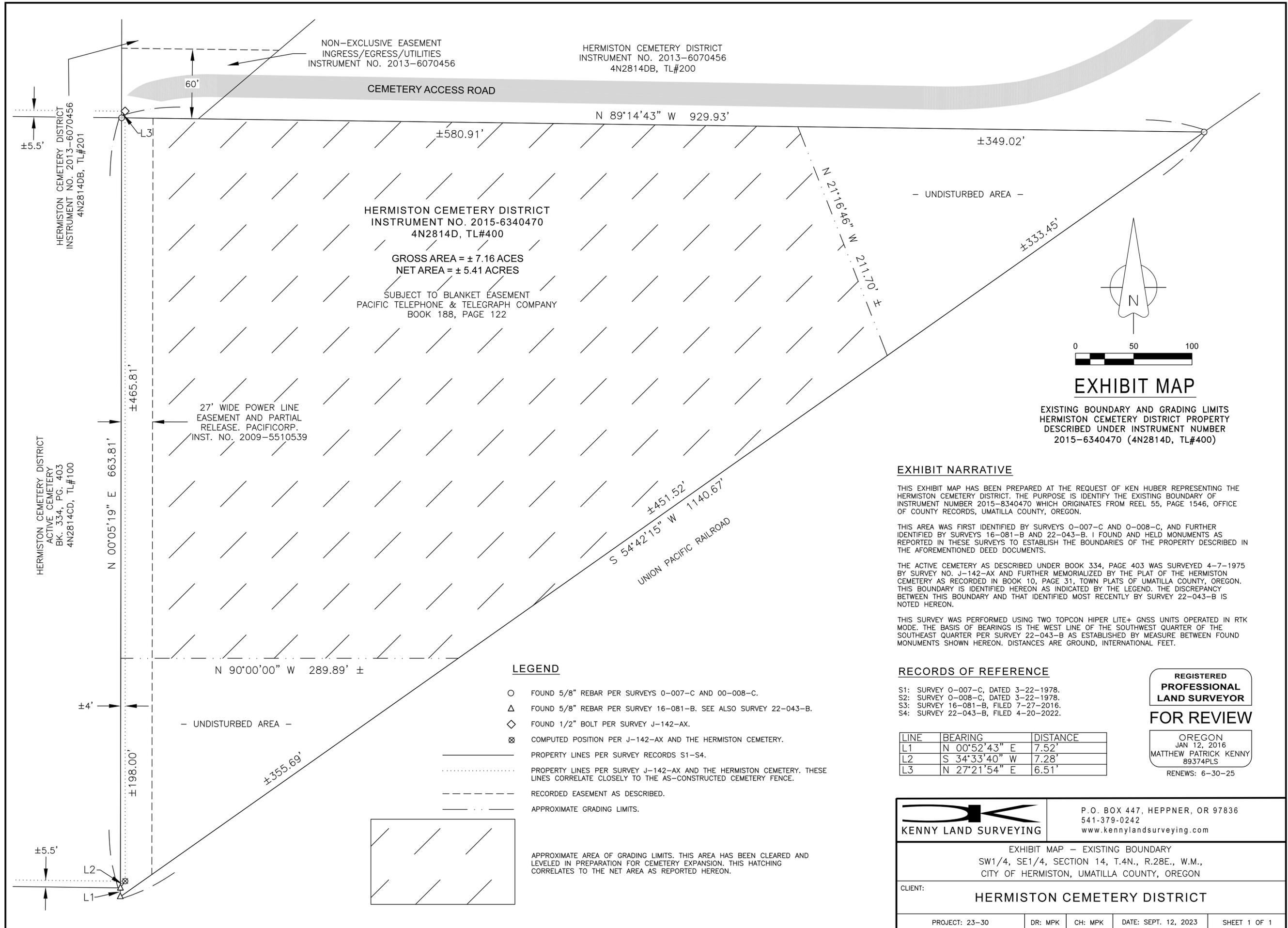


EXHIBIT MAP

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 0-007-C AND 0-008-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 0-007-C, DATED 3-22-1978.
- S2: SURVEY 0-008-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

 KENNY LAND SURVEYING	P.O. BOX 447, HEPPNER, OR 97836 541-379-0242 www.kennylandsurveying.com			
EXHIBIT MAP - EXISTING BOUNDARY 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	DR: MPK	CH: MPK	DATE: SEPT. 12, 2023	SHEET 1 OF 1

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 $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, T. 4 N., R. 28 E., W. M., 660 feet North and 660 feet West from S $\frac{1}{4}$ 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 $\frac{1}{4}$ SW $\frac{1}{4}$
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


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 6th 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 |
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. *\$2,812.93 Cap. Imp. Acct ck# 1068*
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

ATTACHMENT K

Rebecca Wahlstrom

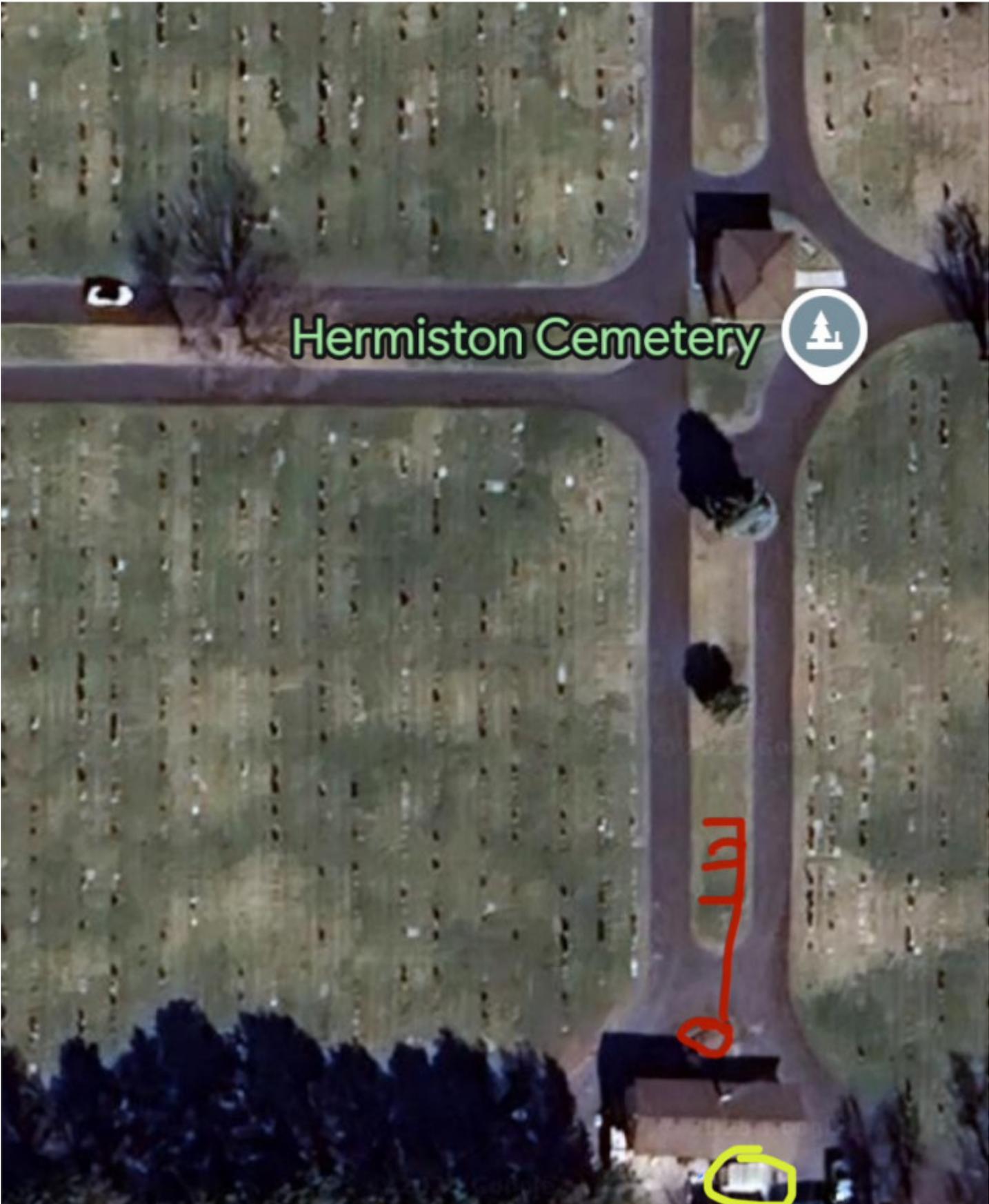
From: Clint Lori Spencer <clspencer95@gmail.com>
Sent: Monday, October 6, 2025 12:23 PM
To: Rebecca Wahlstrom
Cc: kenmhuber@aol.com; Kay Edwards
Subject: Re: [EXT] Re: Hermiston Cemetery Expansion: Draft exhibits

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.

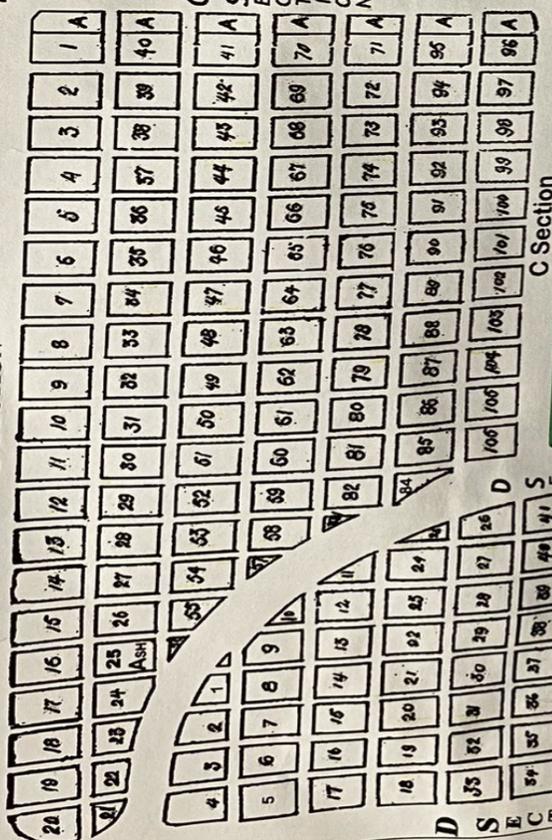
Lori



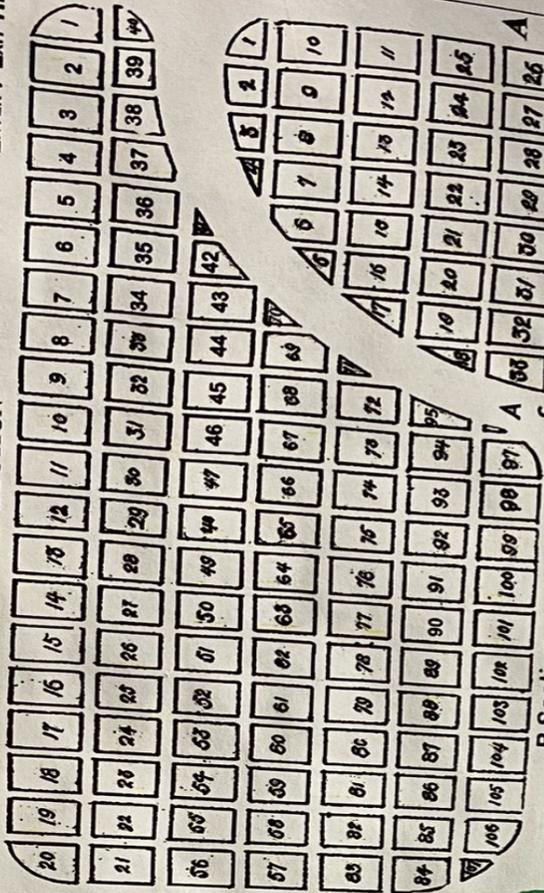
NORTH

ENTER / EXIT HERE

C SECTION



B SECTION

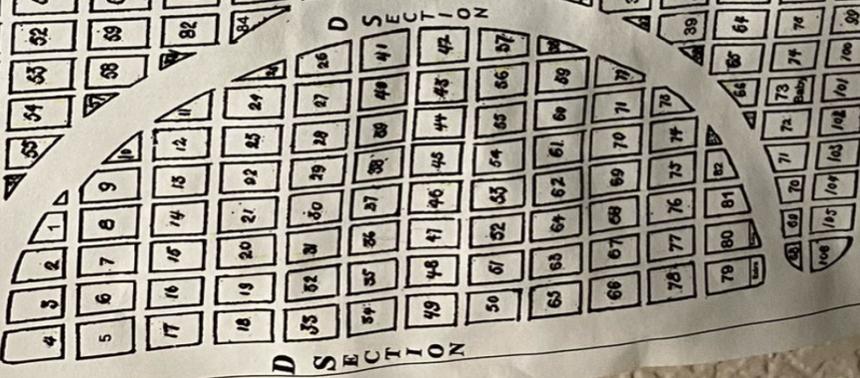


Veterans Memorial Shelter Cemetery Directors Flag Pole

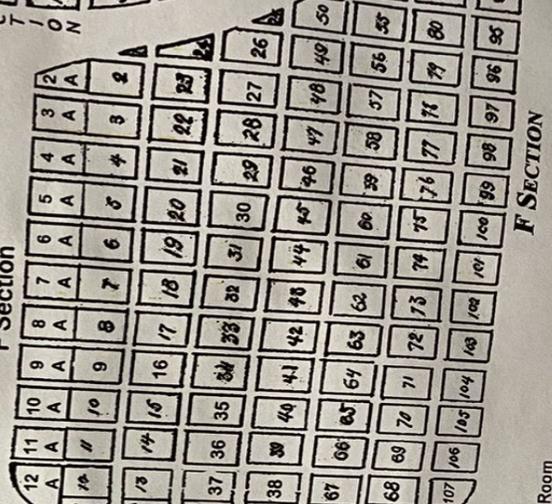
E SECTION



D SECTION



F SECTION



F SECTION

Office
Maintenance shop
Pump

Rest Room

Hermiston Cemetery Plot Map

64
3

ATTACHMENT L

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

Dated this 16 day of September, 2015.

Lynn Marius Duss

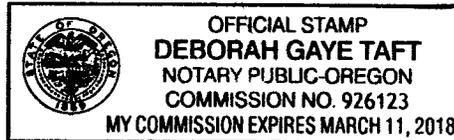
Lynn Marius Duss, Personal Representative
of the Estate of Joseph Edward Burns, Deceased

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