

December 31, 2025

Lloyd Piercy
Home Run Land LLC
33927 Riverview Drive
Hermiston, OR 97838



Re: **Notice of Decision** – Middle Housing Land Division – Diamond Run Phase 2 and 3

Dear Mr. Piercy:

The City of Hermiston has reviewed and granted tentative approval for Phases 2 and 3 of the Diamond Run subdivision pursuant to ORS 92.031(2). The tentative approval constitutes an administrative approval under ORS 197.365 and serves the same function as a preliminary plat approval under §154.35 of the Hermiston Code of Ordinances. The tentative plat is intended to provide individual lots for duplex dwellings where each dwelling unit is contained on an individual lot with a common wall joining the dwellings. Said dwellings constitute middle housing as defined in ORS 197A.420.

In reviewing the tentative plat, the City of Hermiston has applied the standards contained in ORS 92.031. Per the governing statute, the only applicable criteria are contained in 92.031. Findings of fact demonstrating compliance with ORS 92.031 are attached. Additionally, conditions of approval compliant with the governing statute are attached as well.

This letter constitutes a tentative approval as required by the State of Oregon under ORS 92.031(2). This approval is an administrative approval of the tentative plat. The final plat is subject to final approval by the Hermiston Planning Commission and Hermiston City Council subject to the provisions of §154.46 of the Hermiston Code of Ordinances. Pursuant to ORS 197.365(4)(b)(A), the planning commission and city council will not hold hearings on the proposal. The required notices was provided by the City of Hermiston for the administrative review of the tentative plan on December 15, 2025. The planning commission will meet on February 11, 2026 and the city council will meet on February 23, 2026 to review the final plat for compliance with §154.46. Each meeting will be held at 7:00 p.m. at 180 NE 2nd Street, Hermiston, OR.

Under the provisions of ORS 197.375, a middle housing land division may be appealed within 14 days of the mailing of a notice of decision. An appeal shall be accompanied by a \$300 deposit for costs. The decision may be appealed by the applicant or any person or organization who files written comments during the comment period. An appeal shall be based on allegations:

City of Hermiston
PLANNING DEPARTMENT

- Of violation of the substantive provisions of the applicable land use regulations;
- Of unconstitutionality of the decision;
- That the applicant is not eligible for review under ORS 92.031 or 197.360 to 197.380 and should be reviewed as a land use decision or limited land use decision;
- That the parties' substantive rights have been substantially prejudiced by an error in procedure by the local government

An appeal of the decision shall be made to a referee appointed by the local government under this section.

If no appeal is filed by January 13, 2026, the city's decision will become final.

If you have any questions, please feel free to contact me at (541)667-5025.

Sincerely,

Clinton Spencer
Planning Director

C: Byron Smith
Rich Tovey
Building Department
Development Staff