



*Where Life is Sweet*

Members of the Planning Commission  
**STAFF REPORT**  
For the Meeting of June 11, 2025

**Title/Subject**

Replat- 4N2802AB Replat of Sunset Estates & Terra Nova Terrace

**Summary and Background**

Ron McKinnis has submitted a preliminary replat application for Sunny View Terrace, a replat of Lots 20, 27-25, 48-53, 56-51, 64-69, 72-77, 80-85, 88-93, and 96-98 of Sunset Estates and Lots 1-7 of Terra Nova Terrace. The intent of the replat is to replat and subdivide the existing lots into common wall housing lots consistent with the provisions of §157.152 of the Hermiston Code of Ordinances. Common wall housing is similar to multi-family housing and incorporates elements of townhouse housing as well. In essence, the replat creates two-, three-, and four-plex lots where each housing unit is on a separate lot. These lots may be owner-occupied or rental units. The townhouse portion of Cimmaron Terrace south of E Theater Lane is the same concept proposed in Sunny View Terrace.

The replat is not considered a middle housing land division under ORS 92.031. Middle housing land divisions allow expedited administrative approval of land divisions specifically to create middle housing lots. Early discussions with the developer proposed a duplex development splitting each existing lot in half and would qualify for middle housing land divisions. The creation of three- and four-plex lots do not qualify for middle housing status. Under the state rules, Hermiston is only obligated to provide two-family developments for middle housing as a city with a population between 2,500 and 25,000. However, the city's common wall code serves a similar purpose but is not subject to the statewide "shall approve" requirement for which a middle housing land division qualifies.

The property is owned by the Holt Revocable Living Trust and Larry and Diana Ables. The property is zoned Multi-Structure Residential (R-4). Land to the west is developed with urban density single-family dwellings and rural single-family estates. Land to the south is currently vacant but is approved for the Upland Meadows single-family subdivision which is currently starting construction. Land to the east is used agriculturally and contains single-family estates. Land to the north is outside the urban growth boundary and is used agriculturally and contains single-family estates. The Sunset Estates subdivision is a development approved by the city in the 1990s but which remained undeveloped until 2008 when the NE 8<sup>th</sup> Street fronting lots were improved and developed with single-family housing. This portion of Sunset Estates has continued to remain an undeveloped future phase but is proposed for sale and development now.

Common wall housing is a relatively new code provision added to the zoning ordinance by the city in 2011 during the city's periodic review process. After considering the use of the planned unit development process to create the common wall townhouse development in Cimmaron Terrace, it was determined that the PUD process introduced too much subjectivity into what is a common housing type in other cities. Thus, the common wall housing code allows for the creation of multi-family housing with each unit on a separate lot, provided that the overall density of the multi-unit structure remains in compliance with the density standard for multi-family housing in the zone in which it is located. For example, four common wall townhouses would require a minimum of 8,000 square feet for the aggregate of the four lots upon which they are sited. In order to assist the planning commission in visualizing the common wall housing, staff has prepared a supplemental map using the preliminary plat. This supplemental map uses polygons to represent the distribution of common wall units in the development. Since the code requires additional width at the end of each structure to accommodate sideyard setbacks, it is easier to identify the future layout of dwellings using these polygons.

#### *157.152 COMMON WALL HOUSING.*

- (A) Common wall, attached single-family housing shall be allowed in the R-2, R-3, R-4 and RR zones. Attached single-family housing shall not be allowed in the R-1 zone.
- (B) Where common wall housing is proposed, the minimum lot area shall be calculated using the density standards of the underlying zone for the number of units. At no time may there be more common wall units than would be allowed for traditional single lot multi-family housing.
- (C) There shall be no setback for attached units where abutting a common wall. The sideyard setback on each end of a common housing block shall be the same as that in the underlying zone.
- (D) Front and rear setbacks shall be the same as those in the underlying zone.
- (E) Lot coverage requirements shall be calculated for the aggregate of all common wall attached units and shall be the same as the coverage requirement in the underlying zone.
- (F) Where common wall dwellings abut a lot line, all provisions of the building code for zero lot line housing shall apply.
- (G) Where common wall dwellings are proposed, each dwelling shall be serviced by an individual water meter and sewer connection. Group metering and connections are not allowed.
- (H) All units with a common wall must be constructed concurrently and be under the same ownership at the time of initial construction.
- (I) Common walls must follow the property line and have no openings.

Public notice was provided for the proposed partition. Notice of land use action was mailed to property owners within 100 feet on May 28, 2025. A sign informing the public of the proposal was placed on the property on May 28, 2025.

The criteria that are applicable to the decision to accept the proposed partition are contained in 154.15 through 154.66, 157.028, 157.101, and 157.152 of the Hermiston Code of Ordinances.

The findings of fact are attached to this report as Exhibit A. The conditions of approval are attached as Exhibit B. The map showing the property boundary and adjacent streets and parcels is attached as Exhibit C. The preliminary plat as prepared by the surveyor is attached as Exhibit D. An aerial photo for the planning commission's reference is attached as Exhibit E. A supplemental map indicating the proposed common wall dwelling counts are attached as Exhibit F.

### **Tie-In to Council Goals**

Approval of plats is a matter of administration by city ordinances.

This development satisfies council goal 1.7 - *Attract market-rate rental housing developments to increase middle housing inventory*

### **Fiscal Information**

There is no impact to the city from the approval of the plat. Each attached dwelling is expected to be priced near \$250,000 to \$300,000 and generate approximately \$1,873 in tax revenue annually.

### **Alternatives and Recommendation**

#### **Alternatives**

The planning commission may choose to approve or deny the preliminary plat.

#### **Recommended Action/Motion**

Staff has reviewed the proposed plat and found that it is prepared in accordance with all requirements of 154.35(B) of the Hermiston Code of Ordinances. Staff recommends the planning commission approve the preliminary plat subject to the conditions of approval.

- Motion to make the project file a part of the record
- Motion to approve the findings of fact
- Motion to approve the conditions of approval
- Motion to approve the preliminary plat subject to the conditions of approval

### **Submitted By:**

C.F. Spencer, Planning Director