



Where Life is Sweet

Mayor and Members of the City Council
STAFF REPORT
For the Meeting of February 23, 2026

Title/Subject

Final Plat – Diamond Run Phases 2 and 3 Middle Housing Land Division, Home Run Land LLC, 4N 28 12BB Tax Lots 300 & 502

Summary and Background

Home Run Land LLC has submitted a request for a middle housing land division for Phases 2 and 3 of the Diamond Run subdivision located on E Diagonal Blvd. The middle housing land division occupies the remaining lots in the Diamond Run subdivision. Lots 124 and 125 of the original plat contain the remaining undeveloped housing. The city approved 77 lots in this area on August 20, 2020. The middle housing land division increases the number of lots from 77 to 137. At the same time the legal density is not increasing as each of the 77 lots is able to accommodate single and two-family dwellings by right under state statute and local ordinance. What does change is that each half of a two-family dwelling is located on a single lot of record rather than two dwellings being located on one lot.

The middle housing land division process was approved by the legislature in 2021 under SB 458 and is codified in ORS 92.031 and 197.360. The middle housing land division is not treated as a conventional platting process governed by Chapter 154 of the Hermiston Code of Ordinances and the preliminary plat and general improvement standards are not applicable. Under the governing ORS, only those criteria contained in ORS 92.031 may be applied.

(c) May not subject an application to approval criteria except as provided in this section, including that a lot or parcel require driveways, vehicle access, parking or minimum or maximum street frontage.

As such, the tentative approval of the middle housing land division was processed as an administrative application subject to the procedures in ORS 197.360 and approved by planning staff on December 31, 2025. In the governing ORS, the city grants a tentative approval at the administrative level and then the final approvals are obtained normally as with any land plat. ORS 197.360 through 197.380 establish that this application is treated as an expedited land division and is specifically exempt from a traditional hearings process (ORS 197.365(3)(b)(A)). It is subject to traditional noticing requirements although this type of notice specifies that those notified have 14 days to submit comments and then a decision is rendered administratively. The city has complied with the procedural requirements in ORS 197.365. Notice was issued on December 15, 2025 and the comment period closed on December 29, 2025. A copy of the staff

decision, conditions of approval, and findings of fact for the middle housing land division are attached.

The final plat now comes before the city council for review for compliance with the final plat standards in §154.46 of the Hermiston Code of Ordinances. Findings of fact for §154.46 are attached.

Tie-In to Council Goals

Approval of plats is a matter of city administration. In the case of this type of land division, approval is required if the criteria in ORS 92.031 are satisfied.

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 \$350,000 and generate \$1,520 in tax revenue annually. Full buildout will generate approximately \$205,000 in city revenue.

Alternatives and Recommendation

Alternatives

In this type of land division, approval is required if the criteria in ORS 92.031 are satisfied. The criteria in ORS 92.01 are satisfied, and the appeal period has expired. The city council shall determine if the final plat criteria in §154.46 are satisfied.

Recommended Action/Motion

Staff recommends the city council approve the final plat subject to the December 31, 2025, conditions of approval.

Submitted By:

C.F. Spencer, Planning Director