



PLANNING COMMISSION

Council Chambers, 180 NE 2nd Street

Where Life is Sweet

September 30, 2026 at 7:00 PM

AGENDA

Meetings are always open to the public in-person.

To participate in live meetings through Zoom, registration is required no later than 8am the day of the meeting by emailing meetings@hermiston.gov and providing participants full name and place of residence. The Planning Assistant will respond to sender with Zoom meeting details prior to the start of the meeting.

Submit written electronic comments to meetings@hermiston.gov For written comments to be part of the record, sender must provide their full name and place of residence, and comments must be received within the time frame given for the item under discussion. The Planning Assistant will respond/confirm to sender that their electronic comment was received and will be made part of the record; or if their electronic comment is not able to be made a part of the record, the Planning Assistant will respond to the sender and state the reason(s) why.

1. CALL TO ORDER - 7:00 PM

2. MINUTES

A. Minutes of the August 5, 2026 regular meeting

3. HEARINGS

A. Rezone & Conditional Use Permit- 4N2802CD TL 400 & 600 - Celski Hermiston LLC
1320 & 1340 NE 4th St

B. Conditional Use Permit - 4N2812BB TL 417 to 423 Olin Homes OR LLC NE Emerald
Dr & NE 11th St

4. PLANNER COMMENTS AND UNSCHEDULED COMMUNICATION

5. ADJOURN

**** AMERICANS WITH DISABILITIES ACT NOTICE****

Please contact Hermiston City Hall, 180 NE 2nd Street, Hermiston, OR 97838 (Phone No.

541-567-5521) at least 48 hours prior to the scheduled meeting time if you need an accommodation. TTY and TDD users please call Oregon Telecommunications Relay Service at 1-800-735-2900 or 711.



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Chairman Fialka called the regular meeting to order at 7:00PM. Present were Commissioners Doherty, Rebman, Serrano, Misner, and Hamm. Commissioners Saylor and Caplinger were excused. Commissioner Kirkpatrick was absent. Staff in attendance included Planning Director C.F. Spencer, City Attorney Rich Tovey, and Planning Assistant Heather La Beau. Youth Advisor Jazmin Sanchez was present.

Minutes

Commissioner Rebman moved, and Commissioner Serrano seconded to approve the minutes of the July 8, 2026, regular meeting. Motion passed 5-0 with Commissioners Rebman, Serrano, Misner, Doherty, and Hamm in favor.

Final Plat - Henry K's Phase 3 Hermiston Home Works Inc 4N2813BC Tax Lot 3000 SE Columbia Drive/SE Owyn Drive

Planning Director Spencer presented the staff report. The access restrictions in approval condition #7 need to be added to the plat prior to signing.

Testimony

Tyler Brandt- Construction of the improvements has started but is not complete. He will provide a bond for the work that is not yet completed so he may record the plat. In response to the question of what irrigation district the property is in, Mr. Brandt stated for now, they are going with the Hermiston Irrigation District (HID). A public records request was submitted for any county records to document district boundaries. Currently, an early 1900's document with the legal boundary description of HID does not include the property. Additional documents may be discovered. The wetland area is closer to Phase 5 of the subdivision; they are already discussing fill and drainage options.

Commissioner Hamm moved and Commissioner Doherty seconded to approve the final plat subject to the conditions of approval. Motion passed 5-0 with Commissioners Rebman, Serrano, Misner, Doherty, and Hamm in favor.

Replat - 4N2801B Tax Lots 1502 & 1503 Victory Lighthouse Church/Bankston 1940/1990 NE 10th St

Planning Director Spencer presented the staff report. This replat dedicates right-of-way and vacates the existing 30' easement along the eastern property line, reconfigures two lots, and adds additional right-of-way for a proposed city sewer lift station.

Testimony

Ron McKinnis 79980 Prindle Loop Rd- Mr. McKinnis is confident he can accurately reflect any Hermiston Irrigation District (HID) easements on the plat and will work with them to determine any existing irrigation easements to label and/or vacate.

Findings of Fact

Design Standards

§154.15 Relation to Adjoining Street System.

The property is serviced by NE 10th Street and E Theater Lane. Each street servicing the property is a county road and subject to maintenance and access requirements of Umatilla County. NE 10th Street is partially improved adjacent to Parcels 1 and 2. Thirty feet of new street right-of-way is proposed for dedication along the east boundary of the newly created Parcel 3. This new right-of-way is in alignment with existing portions of NE 13th Street to the south and is designated as NE 13th Street on the preliminary plat.



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§154.16 Street and Alley Width.

NE 10th Street adjacent to Parcels 1 and 2 is 66 feet in width and in compliance with the city standards for major collector streets. E Theater Lane adjacent to Parcels 2 and 3 is dedicated to a width of 30 feet north of the street centerline, meeting the city standard width for minor collector streets. The proposed dedication of NE 13th Street is also 30 feet in width to centerline, meeting the city standard width for minor collector streets. As a new street NE 13th St is unclassified in the city TSP. However, as a street likely to provide connection and circulation between E Theater Lane and E Punkin Center, and potentially south to E Elm Ave in the future, a minor collector is the appropriate planning designation for this new street.

§154.17 Easements.

No easements are shown on the preliminary plat. An easement of record may exist for the N-Line irrigation line per the Hermiston Irrigation District letter dated July 27, 2026. ORS 92.044 only permits cities to require easements abutting a street. There is an existing dedicated 30 foot wide road easement on the east boundary of the site dedicated as part of Partition Plat 2005-37. Replatting of the property will vacate the existing access easement and rededicate this area as public right-of-way. Vacation and reconfiguration of easements is permissible through a replat process per ORS 92.185.

§154.18 Blocks.

Block length is not applicable to this plat.

§154.19 Lots.

Parcel 1 is 69,423 square feet or 1.59 acres and contains a single-family dwelling. Parcel 2 is 123,238 square feet or 2.83 acres and contains Victory Lighthouse Church. Parcel 3 is 371,145 square feet or 8.52 acres and is vacant.

§154.20 Character of Development.

The development is partially developed with residential and church uses. The newly created Parcel 3 is intended for residential development in the future. All parcels are zoned Low Density Residential (R-1) which permits one and two family dwellings. A church is a conditional use in the R-1 zone. Uses permitted in the R-1 zone are listed in Section 157.025 of the Hermiston Code of Ordinances.

§154.21 Parks, School Sites and the Like.

The comprehensive plan and parks master plan do not indicate a need for any additional parks or schools in the vicinity of the proposed partition. The property is within 60 feet of the Loma Vista Elementary School.

Minimum Improvements Required

§154.60 Permanent Markers

Permanent markers shall be set as shown on the final plat in accordance with ORS 92.050 through 92.080.

§154.61 General Improvements

NE 10th Street is partially improved adjacent to Parcels 1 and 2. The owner of each parcel will be required to sign an irrevocable consent agreement agreeing to not remonstrate against the future formation of a local improvement district for the improvement of NE 10th Street. Additionally, at the time Parcel 1 further



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develops, or Parcel 2 expands in excess of 10% of the value of the existing improvements on the property, street improvements are required adjacent to the developing parcel per the City of Hermiston development standards in Chapter 157.

E Theater Lane is a gravel street adjacent to Parcels 2 and 3. The owner of each parcel will be required to sign an irrevocable consent agreement agreeing to not remonstrate against the future formation of a local improvement district for the improvement of E Theater Lane. Additionally, at the time Parcel 3 develops, or Parcel 2 expands in excess of 10% of the value of the existing improvements on the property, street improvements are required adjacent to the developing parcel per the City of Hermiston development standards in Chapter 157.

NE 13th Street adjacent to Parcel 3 is entirely unimproved and exists as right-of-way only. The owner of Parcel 3 will be required to sign an irrevocable consent agreement agreeing to not remonstrate against the future formation of a local improvement district for the improvement of NE 13th St. Additionally, at the time Parcel 3 develops, street improvements are required per the City of Hermiston development standards in Chapter 157.

§154.62 Water Lines

A 12-inch water line is installed in NE 10th Street. This water line has adequate capacity to provide service for future residential development. No connections are proposed as a result of this partition.

§154.63 Sanitary Sewer System.

A 10-inch sanitary sewer line is installed in NE 10th Street. This sewer line has adequate capacity to provide service for future residential development. The city is in the process of designing a sanitary sewer lift station which will be located in the right-of-way for NE 13th Street to assist in providing sanitary sewer drainage to the mainline in NE 10th Street.

Preliminary Plat

Per §154.35(C) the preliminary plat shall show:

1. The location of present property lines, section lines and the lines of incorporated areas, streets, buildings, water courses, tree masses and other existing features within the area to be subdivided and similar information regarding existing conditions on land immediately adjacent thereto; **Shown as required**
2. The proposed location and width of streets, alleys, lots, building and setback lines and easements; **Shown as required**
3. Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract or immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet are to be indicated in a general way upon the plat; **The existing utilities in NE 10th Street are not shown on the plat. However, the location of this line shall be provided with civil drawings for the development**
4. The title under which the proposed subdivision is to be recorded and the name of the subdivider platting the tract; **Shown as required.**
5. The names and adjoining boundaries of all adjoining subdivisions and the names of recorded owners



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of adjoining parcels of unsubdivided land; **The city has obtained this information as part of the public notice process.**

6. Contours referred to a City Engineer's bench mark with intervals sufficient to determine the character and topography of the land to be subdivided, but in no case shall the intervals be more than one foot; **Contours are not shown**
7. North point, scale and date; **Shown as required**
8. Grades and profiles of streets and plans or written and signed statements regarding the grades of proposed streets; and the width and type of pavement, location, size and type of sanitary sewer or other sewage disposal facilities; water mains and other utilities; facilities for storm water drainage and other proposed improvements such as sidewalks, planting and parks, and any grading of individual lots; and **This information is required with civil improvement drawings and not recommended for this replat.**
9. All the above information unless waived by the Planning Commission.

Staff recommends that the planning commission waive the requirements in 3, 6 and 8 above. All of this information is required as part of the civil review process.

Chapter 157: Zoning

§157.025 Low Density Residential (R-1)

Parcel 1 is 69,423 square feet or 1.59 acres and contains a single-family dwelling. Parcel 2 is 123,238 square feet or 2.83 acres and contains Victory Lighthouse Church. Parcel 3 is 371,145 square feet or 8.52 acres and is vacant. All of the proposed lots meet or exceed the minimum lot size, width, or depth requirement in the R-1 zone. Uses permitted in the R-1 zone are listed in §157.025(A) and (B) of the Hermiston Code of Ordinances. The existing single-family dwelling on Parcel 1 is an outright use per §157.025(A)(1). The existing church on Parcel 2 is a conditional use per §157.025(B)(2) and operates under a conditional use permit approved by Umatilla County and now administered by the City of Hermiston after annexation of this property in 2025. Residential development on Parcel 3 will be subject to the development standards of the R-1 zoning and a separate limited land use process.

§157.101 Development Hazard Overlay

Comprehensive Plan Figure 12 identifies portions of this subdivision as subject to groundwater pollution hazards due to excessively well-drained soils. In accord with 157.101 of the Hermiston Code of Ordinances, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels. Any additional requirements or prohibitions necessary to mitigate groundwater pollution problems must be developed in conjunction with the Departments of Environmental Quality and Water Resources. At the discretion of the planning commission, the applicant may obtain an exemption to the above requirements if a registered engineer presents documentation which demonstrates that the proposed development will not contribute to potential groundwater pollution.

Conditions of Approval

1. Applicant shall receive certification pursuant to ORS 92.090 (7) from the governing irrigation district prior to final plat approval. Applicant should be aware that the City of Hermiston will not sign the final plat until the governing irrigation district has certified the final plat is located within the district boundary for the purposes of receiving services and subjecting the subdivision to the fees and other charges of the district. All irrigation easements shall be added to the plat as applicable.



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2. The owner of Parcels 1 and 2 shall sign an irrevocable consent agreement agreeing to not remonstrate against the future formation of a local improvement district for the improvement of NE 10th Street. Additionally, at the time Parcel 1 further develops, or Parcel 2 expands in excess of 10% of the value of the existing improvements on the property, street improvements are required adjacent to the developing parcel per the City of Hermiston development standards in Chapter 157.
3. The owner of Parcels 2 and 3 shall sign an irrevocable consent agreement agreeing to not remonstrate against the future formation of a local improvement district for the improvement of E Theater Lane. Additionally, at the time Parcel 3 develops, or Parcel 2 expands in excess of 10% of the value of the existing improvements on the property, street improvements are required adjacent to the developing parcel per the City of Hermiston development standards in Chapter 157.
4. The owner of Parcel 3 shall sign an irrevocable consent agreement agreeing to not remonstrate against the future formation of a local improvement district for the improvement of NE 13th Street. Additionally, at the time Parcel 3 develops, street improvements are required per the City of Hermiston development standards in Chapter 157.
5. Comprehensive Plan Figure 12 identifies portions of this subdivision as subject to groundwater pollution hazards due to excessively well-drained soils. In accord with 157.101 of the Hermiston Code of Ordinances, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels. Any additional requirements or prohibitions necessary to mitigate groundwater pollution problems shall be developed in conjunction with the Departments of Environmental Quality and Water Resources.
6. Topographic information in the form of contour lines, utility locations, grades of streets, and other information necessary for the consideration of residential subdivision shall be provided with civil drawings submitted as part of any residential development application for Parcel 3.

After a brief discussion, the Findings of Fact and Conditions of Approval were amended to include easement information for HID. Commissioner Hamm moved and Commissioner Misner seconded to adopt the Findings of Fact as amended. Motion passed 5-0 with Commissioners Rebman, Serrano, Misner, Doherty, and Hamm in favor. Commissioner Tami moved and Commissioner Hamm seconded to approve the Conditions of Approval as amended. Motion passed 5-0 with Commissioners Rebman, Serrano, Misner, Doherty, and Hamm in favor. Commissioner Doherty moved and Commissioner Hamm seconded to approve the preliminary plat with the conditions of approval. Motion passed 5-0 with Commissioners Rebman, Serrano, Misner, Doherty, and Hamm in favor.

Replat - 4N284A TL 900 & 4N2824B TL 301 Dress Brothers LLP of WA 2550/2500 S Hwy 395

Planning Director presented the staff report. The plat splits the undeveloped portion of the lot into two lots and adjusts an access easement. One of the newly created lots is proposed for development with an equipment rental operation.

Testimony

Jeff Dress 83674 Country Heights Dr Kennewick WA- Responding to a commissioner's question about property development, Mr. Dress stated they would love to have had a grocery store on the property, however the grocers wanted a parcel 2.5 acres larger than they had available.

Findings of Fact

Design Standards

§154.15 Relation to Adjoining Street System.

The property is serviced by Highway 395 and E Penney Ave. Highway 395 is a state highway. E Penney Ave is a city street. Each street is fully improved adjacent to each lot and no further improvements are



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required.

§154.16 Street and Alley Width.

E Penney Ave adjacent to Lots 2 and 3 is 60 feet in width and was improved as part of the Ranch and Home construction. The 60 foot width meets the city standard for minor collector streets. Highway 395 is 130 feet in width and meets the city and state standard for principal arterial streets.

§154.17 Easements.

Multiple easements are shown on the plat. Access easements of 40 feet in width and benefitting all lots and providing connections and access to E Penney Ave and Highway 395 are shown. A 20 foot utility easement extends across Lot 2 southward from E Penney Ave. A 30 foot access and utility easement extends along the south lot line of Lot 2 as well.

§154.18 Blocks.

Block length is not applicable to this plat.

§154.19 Lots.

Lot 1 is 245,242 square feet or 5.63 acres and contains an existing storage yard. Lot 2 is 372,566 square feet or 8.53 acres and contains the Ranch and Home store. Lot 3 is 128,066 square feet or 2.94 acres and is vacant.

§154.20 Character of Development.

The development is partially developed with retail commercial use. The newly created Lot 1 is intended for light industrial equipment rental, sales, and storage. No changes are proposed for the existing retail store on Lot 2. There are no current development plans for Lot 3 but it is likely to develop with highway oriented commercial use in the future. Uses permitted in the C-2, M-1, and M-2 zones are listed in 157.041, 157.055, and 157.056 of the Hermiston Code of Ordinances respectively.

§154.21 Parks, School Sites and the Like.

The comprehensive plan and parks master plan do not indicate a need for any additional parks or schools in the vicinity of the proposed replat.

Minimum Improvements Required

§154.60 Permanent Markers

Permanent markers shall be set as shown on the final plat in accordance with ORS 92.050 through 92.080.

§154.61 General Improvements

Public improvements are completed in E Penney Ave adjacent to the site. At the time of development of the Ranch and Home site, ODOT requested that additional improvements not be made in Highway 395.

§154.62 Water Lines

All lots are serviceable by municipal water. A looping 16-inch water line is installed and adjacent to all three lots.

§154.63 Sanitary Sewer System.

All lots are serviceable by municipal sewer. An eight-inch sanitary sewer line is installed and adjacent to all three lots.



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Preliminary Plat

Per §154.35(B) of the Hermiston Code of Ordinances, partitions creating three or fewer lots may be exempted from the preliminary plat requirements.

Final Plat

Per §154.46 of the Hermiston Code of Ordinances, the final plat shall show:

- A) The boundary lines of the area being subdivided, with accurate distances and bearings. **Shown as required**
- B) The lines of all proposed streets and alleys with their width and names. **Shown as required**
- C) The accurate outline of any portions of the property intended to be dedicated or granted for public use. **Shown as required**
- D) The line of departure of one street from another. **Shown as required**
- E) The lines of all adjoining property and the lines of adjoining streets and alleys with their widths and names. **Shown as required**
- F) All lot lines together with an identification system for all lots and blocks. **Shown as required**
- G) The location of all building lines and easements provided for public use, services or utilities. **Shown as required**
- H) All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, lots, streets, alleys, easements, and other areas for public or private use. Linear dimensions are to be given to the nearest 1/10 of a foot. **Shown as required**
- I) All necessary curve data. **Shown as required**
- J) The location of all survey monuments and benchmarks together with their descriptions. **Shown as required**
- K) The name of the subdivision, the scale of the plat, points of the compass, and the name of the owners or subdivider. **Shown as required**
- L) The certificate of the surveyor attesting to the accuracy of the survey and the correct location of all monuments shown. **Shown as required**
- M) Private restrictions and trusteeships and their periods of existence. Should these restrictions or trusteeships be of such length as to make their lettering on the plat impracticable and thus necessitate the preparation of a separate instrument, reference to such instrument shall be made on the plat. **Shown as required**
- N) Acknowledgment of the owner or owners to the plat and restrictions, including dedication to public use of all streets, alleys, parks or other open spaces shown thereon, and the granting of easements



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required. **Shown as required**

- O) Certificates of approval for endorsement by the city council and certificate indicating its submission to the planning commission, together with approval for endorsement by other local, county and/or state authority as required by Oregon statutes. **Shown as required**

Chapter 157: Zoning

§157.041 Outlying Commercial Zone (C-2)/ §157.055 Light Industrial Zone (M-1)/ §157.056 Heavy Industrial Zone (M-2)

There is no minimum lot size, lot width, or lot depth in the C-2, M-1, or M-2 zones. Lot 1 is 5.63 acres, Lot 2 is 8.53 acres, and Lot 3 is 2.94 acres. All lots are adequate in size, shape, transportation access, and utility support to develop viable economic uses. Uses permitted in the applicable zones are listed in §157.041, §157.055, and §157.056 of the Hermiston Code of Ordinances.

Conditions of Approval

1. Applicant shall receive certification pursuant to ORS 92.090 (7) from the governing irrigation district prior to final plat approval. Applicant should be aware that the City of Hermiston will not sign the final plat until the governing irrigation district has certified the final plat is located within the district boundary for the purposes of receiving services and subjecting the subdivision to the fees and other charges of the district.

After a brief explanation about the mixed-use zone and city limits boundary, Commissioner Hamm moved and Commissioner Misner seconded to adopt the Findings of Fact. Motion passed 5-0 with Commissioners Rebman, Serrano, Misner, Doherty, and Hamm in favor. Commissioner Serrano moved and Commissioner Hamm seconded to approve the Condition of Approval. Motion passed 5-0 with Commissioners Rebman, Serrano, Misner, Doherty, and Hamm in favor. Commissioner Rebman moved and Commissioner Doherty seconded to approve the final plat with the Condition of Approval. Motion passed 5-0 with Commissioners Rebman, Serrano, Misner, Doherty, and Hamm in favor.

Planner comments and unscheduled communication

Commissioners discussed potential September meeting dates for the code amendment work session and regular agenda items, preferring two shorter duration meetings over one long meeting. Pending consultant and room availability, the September 9th meeting will be the work session and the regular planning commission meeting will be held on September 30th.

The November meeting date falls on a holiday and will need rescheduled at a future meeting.

There was a brief discussion regarding data center development and their impacts on the area.

Adjournment

Chairman Fialka adjourned the meeting at 7:55PM.



Oregon

Tina Kotek, Governor

Department of Transportation

Region 5

3012 Island Avenue

La Grande, OR 97850

(541) 805-6630

Kelli.N.Martin@odot.oregon.gov

August 5, 2026

City of Hermiston
C/O Clinton Spencer, Planning Director
VIA EMAIL: cspencer@hermiston.gov
180 NE 2nd Street
Hermiston, Oregon 97838

Subject: *Notice of Proposed Land Use Action,
Ranch and Home 2nd Replat of Lots 1 and 2 of Partition Plat 16-71
Oregon Department of Transportation Comments*

The Oregon Department of Transportation (ODOT) has received notice of a proposed land use action for the Ranch and Home 2nd Replat of Lots 1 and 2 of Partition Plat 16-71; submitted by Knutzen Engineering on behalf of Dress Brothers LLP of Washington (Owners). The properties subject to the replat are described as 4N2824A Tax Lot 900 and 4N2824B Tax Lot 301; replat includes the adjustment of an existing lot line, creation of a third lot, and the dedication of easements.

ODOT supports the proposal as submitted subject to the following comments.

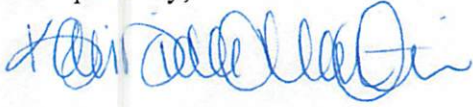
ODOT has jurisdiction of Highway 054/US395, including responsibilities for managing access within the corridor. The highway is access controlled adjacent to the properties subject to this Replat. ODOT notes the creation of an additional parcel adjacent to the highway shall not result in the creation of any additional access rights, abutter's or otherwise. The subject properties are to be serviced via two existing reservations of access associated with the original mother parcel. These reservations of access are located at Sta. 416+82, the current location of the public connection identified as Penny Ave., and the existing right in – right out private connection at Sta. 423+51; both identified on ODOT Right of Way Map 9B-9-13. ODOT finds the Replat includes previously dedicated access easements consistent with these reservation of access locations, shown as Easement and R-O-W Notes 5 and 6 on pages 1, 2, and 3 of the Replat. The proposed division of property aligns with these easements and appears to provide adequate access to the subject parcels with access rights at these locations.

ODOT notes the private connection located at 423+15 is subject to the Change of Use Requirements outlined in OAR734-051-3020 upon development, redevelopment, and or other action that results in an increase of traffic utilizing the connection.

*Notice of Proposed Land Use Action,
Ranch and Home 2nd Replat of Lots 1 and 2 of Partition Plat 16-71
Oregon Department of Transportation Comments
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ODOT appreciates the opportunity to review and provide comment on this proposal. Please enter this letter into the record of the proceedings and provide me with a copy of the decision.

Respectfully,



Kelli Nicole Martin, P.E.
Region 5 Access Management Engineer

Cc: Rich Lani, ODOT District 12 Manager
Paul Howland, ODOT District 12 Assistant Manager
Jordan Ottosen, District 12 Permit Specialist
Teresa Penninger, ODOT Region 5 Planner

From: [Clinton Spencer](#)
To: [Heather LaBeau](#)
Subject: FW: Replat Application 2005-37 and Hermiston Homes Limited Land Use Decision TL 925 & 926
Date: Wednesday, August 5, 2026 11:38:26 AM

Clinton Spencer
 Planning Director
 (541) 667-5025
cspencer@hermiston.gov



From: MARTIN Kelli N <Kelli.N.MARTIN@odot.oregon.gov>
Sent: Wednesday, August 5, 2026 11:36 AM
To: Clinton Spencer <cspencer@hermiston.gov>
Cc: OTTOSEN Jordan <Jordan.OTTOSEN@odot.oregon.gov>; PENNINGER Teresa B <Teresa.B.PENNINGER@odot.oregon.gov>
Subject: Replat Application 2005-37 and Hermiston Homes Limited Land Use Decision TL 925 & 926

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

Good morning Clint,

ODOT has received notice of the subject Replat Application and Limited Land Use Decision.

Replat Application 2005-37 – This proposal would result in very limited additional ADT and is not anticipated to impact the highway system. Therefore, ODOT has no comments.

Hermiston Homes Limited Land Use Decision TL 925 & 926 – No impact to traffic operations or facilities due to this decision. Therefore, ODOT has no comments.

Thank you for the opportunity to review and provide comment on these decisions and proposals.

Respectfully,

Kelli N. Martin, P.E.

Region 5 Access Management Engineer & Lead Roadway and Specifications Engineer

ODOT Region 5 Tech Center

3012 Island Ave

La Grande, OR 97850

Phone: 541.805.6630



Where Life is Sweet

Members of the Planning Commission
STAFF REPORT
 For the Meeting of Sept 30, 2026

Title/Subject

Rezone & Conditional Use Permit- 4N2802CD TL 400 & 600 - Celski Hermiston LLC 1320 & 1340 NE 4th St

Summary and Background

Celski Hermiston, LLC has submitted an application to amend the zoning map and obtain a conditional use permit for land located at 1340 NE 4th Street. The property consists of two parcels described as 4N 28 02CD Tax Lots 400 and 600. The current zoning is Outlying Commercial (C-2) and the applicant proposes to add the Neighborhood Commercial Overlay (NCO) to both parcels and to obtain a conditional use permit for multi-family housing. The total lot area is 66,000 square feet (1.5 acres) with Tax Lot 400 encompassing 53,000 square feet and Tax Lot 600 encompassing 13,000 square feet. The property is owned by Celski Hermiston, LLC.

The amendment to the zoning map and approval of a conditional use permit for housing are each quasi-judicial land use actions. Land use actions are deemed quasi-judicial where it is determined they have an impact on a specific site and do not have widespread and significant impact beyond the immediate area of the proposed action. Where multiple land use permits or zone changes are required, the hearing and applications may be applied for and conducted at one time per §157.232 of the Hermiston Code of Ordinances.

The proposed multi-family development is permitted conditionally in the NCO zone. The plan consists of 21 units in clusters of three to six-unit structures. The multi-family units are limited to Tax Lot 400, but the zoning amendment applies to both lots. Dwellings in the NCO zone are subject to two sets of development standards. New construction is subject to the NCO design standards which follow the C-2 requirements. Existing dwellings may be remodeled, rebuilt, and expanded in conformance with R-3 standards. Since the dwellings on Tax Lot 400 are entirely new construction the C-2 standards are applicable. The existing building on Tax Lot 600 has converted from residential to commercial use and is also subject to C-2 standards. However, under ORS 197A.445 the building on Tax Lot 600 may convert back to residential use in either the C-2 or NCO zones.

The addition of the NCO zoning to the existing C-2 zoning adds two new uses to those permitted conditionally. NCO allows for multi-family housing and mini-storage units through the conditional use process. Upper story residential uses are also permitted outright. The applicant has

considered the need for adding the overlay in the application narrative. The property abuts NE 4th Street, which is a mixed-use corridor classified as a minor arterial in the city's TSP. NE 4th Street is primarily a residential corridor but also contains a number of commercial uses. This site in particular is directly adjacent to the Walmart store located at 1300 N 1st St. Lands to the north and south are commercially zoned with the land to the north being vacant and the land to the south containing single-family residences. Impact to the surrounding area and transportation infrastructure is considered in the application materials and a trip generation letter prepared by Larry Frostad of Ardurra. The trip generation letter notes that development is expected to add approximately 25 peak hour trips cumulatively to all intersections servicing this development and that the addition of those trips will not impact the functional classification of any intersection. The property is serviced exclusively by NE 4th St.

The applicant notes that this property's location on NE 4th Street provides opportunities for housing within walking distance of commercial services. The site is also well serviced by transportation and utility infrastructure providing opportunities for infill and mixed-use development. The intent of the NCO overlay is to provide commercial areas that mix residential and commercial uses within walking distance of each other and application of the NCO overlay at this location facilitates provision of that need. The provision of higher density multi-unit housing on the NE 4th Street corridor will help provide needed housing in an area well-suited to accommodate additional housing and to provide housing in a location well situated to compatible services.

In considering the conditional use permit for housing at this location, it is necessary to consider the site plan and conditional use permit narrative. As noted, new residential construction is subject to C-2 dimensional standards. C-2 standards require a 20-foot setback from any street and a 25-foot setback from any residential zone. Thus, the development will require a 20-foot setback from NE 4th Street and no other setbacks are required. Additionally, the 20-foot setback may be reduced to 10 feet if solid ground cover landscaping is provided. Based on the site plan, it appears that the setback for the buildings fronting on NE 4th Street is less than 20 feet and therefore solid groundcover landscaping is required. Land to the east is zoned C-2 and has the NCO overlay applied and is developed with a mini-storage development, business office, and caretaker apartment. Building height is limited to 50 feet in the NCO zone. The two-story townhouse apartments are less than 50 feet in height. Lot coverage does not apply in the NCO zoning. Multi-family units require parking based upon the number of bedrooms in each unit. The proposed units are two-bedroom units and require 1.5 parking spaces per unit. Each unit provides one garage and one adjacent parking space. Therefore, each unit is providing two parking spaces, exceeding the minimum parking standard. The units are designed in accordance with the standards of the zoning ordinance.

Public facilities are adequate to accommodate the proposed use. As noted, NE 4th Street and the impacted intersections of NE 4th St/E Elm Ave, NE 4th St/E Theater Lane, and E Elm Ave/N 1st St all have sufficient capacity to accommodate the peak hour trips generated by the development without mitigation. Infill street improvements consisting of infill paving, curb, gutter, sidewalk, and storm drainage are required to complete NE 4th St.

Four criteria are applicable to the decision to amend the zoning map. These criteria are contained in §157.226 of the Hermiston Code of Ordinances and are as follows:

1. The change is in conformance with the Comprehensive Plan and also the goals and policies of the plan;

2. The showing of public need for the rezoning and whether that public need is best served by changing the zoning classification on that property under consideration;
3. The public need is best served by changing the classification of the subject site in question as compared with other available property;
4. The potential impact upon the area resulting from the change has been considered.

Issuance of a new conditional use permit is subject to the requirements of §157.208 of the Hermiston Code of Ordinances. This section provides the method and approval criteria necessary for approving or denying a conditional use. The specific findings required by this section are:

1. The proposal is in conformance with the comprehensive plan and zoning code.
2. The property is adequate in size and shape to accommodate the proposed use, together with all other zoning requirements and any additional conditions imposed by the planning commission.
3. Public facilities are of adequate size and quality to serve the proposed use.
4. The proposed use will prove reasonably compatible with surrounding properties.

The planning commission may impose, in addition to those standards and requirements expressly specified by the zoning code, any additional conditions they consider necessary to protect the best interests of the surrounding property or the city. These conditions may include increasing the required lot size or yard dimensions; limiting the height of buildings; controlling the location and number of off-street parking and loading spaces required; limiting the number size and location of signs; requiring screening and landscaping to protect adjacent property and any other condition deemed necessary by the commission.

It is not necessary to restate other ordinances and statutory requirements of the conditional use as part of the proceedings. The granting or denial of a conditional use will not affect the requirements of the City of Hermiston to comply with building, plumbing, and electrical codes, other ordinances, statutory or regulatory compliance issues.

Tie-In to Council Goals

1.9 Attract market rate housing developments to increase middle housing inventory

Fiscal Information

Similar multi-family developments with approximately 20 units are valued between \$1.5 and \$3 million. It is anticipated this development will generate approximately \$20,000 in city tax revenue annually.

Alternatives and Recommendation

Alternatives

Multiple actions are required in processing this proposal.

The planning commission may choose to make a recommendation to the city council that the addition of the NCO zoning be approved or denied.

The planning commission may choose to approve or deny the conditional use permit for the multi-family housing. The planning commission's decision on the conditional use permit is final.

The planning commission may impose conditions of approval on the conditional use permit. Staff has prepared a draft set of conditions to properly address the development impacts. The planning commission may choose to adopt the conditions as prepared or add additional conditions of approval.

Recommended Action/Motion

Multiple actions are required.

- Motion to adopt findings of fact
- Motion to impose conditions of approval
- Motion to make a recommendation to the city council on adoption of NCO zoning
- Motion to approve or deny the conditional use permit for multi-family housing

Staff recommends that the planning commission recommend the city council adopt the NCO zoning and approve the conditional use permit with the requirement that the conditional use permit is not effective unless and until the city council adopts the NCO zoning by ordinance.

Submitted By:

C.F. Spencer, Planning Director

Exhibit A

Findings of Fact

Zoning Map Amendment and Conditional Use Permit

1320 and 1340 NE 4th St

September 30, 2026

Application to Amend the City of Hermiston Zoning Map, effecting a change to the zoning of the subject property and approving a conditional use permit for 21 multi-family units.

Owner: Celski Hermiston LLC

Applicant: Celski Hermiston LLC
6725 W Clearwater Ave
Kennewick, WA 99336

Purpose of This Application:

The applicant seeks to amend the zoning map for two parcels encompassing 1.5 acres located at 1320 and 1340 NE 4th St. The property is described as 4N 28 02CD Tax Lots 400 and 600. The property is located within the Hermiston city limits and is designated on the comprehensive plan map with a commercial map designation. Current zoning is C-2 on the Hermiston zoning map.

The purpose of the application is to amend the Hermiston zoning map designation for this property by adding the Neighborhood Commercial Overlay to the existing Outlying Commercial designation. A conditional use permit to construct 21 multi-family units is proposed if the NCO designation is applied.

Documents to be Modified:

- City of Hermiston Zoning Map.

Current Use of the Property:

Tax Lot 600 (15,000 square feet) is currently occupied with a single-family building and garage which are used as a commercial office and accessory storage. Tax Lot 400 (53,000 square feet) is a vacant green field site.

Surrounding Uses: Lands to the south, east, and west are all zoned commercially. Land to the west and east is developed with auto-oriented commercial use. Land immediately to the south contains residential uses. Land to the north is zoned commercially and

residentially. The land immediately to the north is vacant commercial land. Land to the north and east is developed with multi-family housing.

Required Review:

The City of Hermiston Zoning provisions, found as part of Title XV Land Usage, in Chapter 157 Zoning part 157.226 Amendments provides the requirements for amendment to the Zoning Map and at (E) provide the approval criteria.

The City of Hermiston Zoning provisions in Chapter 157 Zoning, part 157.206 provides the requirements for a conditional use permit and 157.208 provides the approval criteria.

The City of Hermiston also provides application forms with procedures for both a zone change and conditional use permit. Both applications have several questions that reflect the Zoning ordinance provisions that will also be included here. As this is also a request to amend the zoning map the 14 Statewide Planning Goals are also considered.

Zoning Map Amendment Findings

City of Hermiston Zoning 157.226 Amendments (E) Approval Criteria: The review criteria are listed in **bold** with responses in regular text.

(E) Approval criteria.

(1) The following criteria must be followed in deciding upon a quasi-judicial proceeding:

(a) The burden in all land use proceedings is upon the applicant, whether a zone change, conditional use or variance is the subject of the hearing;

Response: The applicant has submitted a written application with supporting material to provide evidence for the governing body to consider.

(b) The requested zone change or conditional use must be justified by proof that:

1. The change is in conformance with the Comprehensive Plan and also the goals and policies of the plan;

Response: The City of Hermiston Comprehensive Plan has been acknowledged by the Land Conservation and Development Commission addressing the Statewide Land Use Planning Goals. For this request Goals 1 Citizen Involvement, 2 Planning Process, 8 Recreational Needs, 9 Local Economy, 10 Housing, 11 Public Services and Facilities, and 12 Transportation are applicable. Goals 3 Agricultural Lands, 4 Forest Lands, 5 Natural Resources, 6 Air, Water, and Land Resource Quality, 7 Areas Subject to Natural Hazards, 13 Energy Conservation, 14 Urbanization, 15 Willamette River Greenway, 16,

Estuarine Resources, 17 Coastal Shorelands, 18 Beaches and Dunes, and 19 Ocean Resources are not applicable.

The following City of Hermiston Comprehensive Plan Policies are considered:

- Policy 1: The City of Hermiston will insure that citizens have an adequate opportunity to be involved in all phases of the planning process.

Response: As this request will be heard by both the Planning Commission and City Council, with notice to adjoining landowners and affected agencies Goal 1 and Policy 1 are satisfied.

- Policy 2: The City of Hermiston will monitor and update periodically its comprehensive plan and implementing ordinances to respond to changing conditions.

Response: This request provides an opportunity for the City of Hermiston to evaluate this area of the city and consider the potential impact provided by providing additional housing opportunities in a developed mixed-use area. The city finds that the auto-oriented commercial uses across NE 4th Street provide compatible services that are not an undue burden on multi-family uses and that multi-family uses will utilize nearby services.

- Policy 4: The City of Hermiston will promote compact urban development within and adjacent to existing urban areas to insure efficient utilization of land resources and facilitate economic provision of urban facilities and services.

Response: The proposal is within the existing city limits and served by adequate infrastructure at this time. No annexation, urban growth boundary expansion, nor utility extension is necessary to service this property.

- Policy 19: The City of Hermiston will assure the availability of a sufficient supply of commercial land to accommodate 20-year projected need and strive to achieve the balanced distribution of commercial activities in neighborhoods, downtown, and along outlying highways.

Response: The 2024 Economic Opportunities Analysis provides the basis for determining adequacy of economic land. The EOA notes that Hermiston has a 20-year need for 25 acres of small acreage commercial sites of 0-.99 acres and a supply of 39 acres. The use of 1.5 acres of existing C-2 land to provide mixed use housing and commercial development will not impact the city's ability to meet the 25 acre projected demand.

- Policy 20: The City of Hermiston supports economic development and job growth which will diversify and strengthen the mix of economic activity in the local marketplace and provide employment opportunities for local residents.
- Policy 21: Housing Availability and Affordability: Having affordable, quality housing in safe neighborhoods with access to community services is essential for all Oregonians. Like other cities in Oregon, the City of Hermiston is responsible for helping to ensure

that its residents have access to a variety of housing types that meet the housing needs of households and residents of all incomes, ages, and specific needs. The City does this primarily by regulating residential land uses within the City, as well as working with and supporting non-profit and market rate developers and other housing agencies in developing needed housing.

Response: The requested NCO designation is consistent with the City of Hermiston comprehensive plan and stated purpose of the NCO district. The proposed development will provide new residential housing opportunities within walking distance of existing commercial services while maintaining the underlying commercial zoning designation. The NCO district specifically encourages infill development, redevelopment, and mixed-use development in commercial areas. The project promotes efficient use of urban land, utilizes existing infrastructure and public services, and supports the city's goals of accommodating growth while expanding housing opportunities for current and future residents. The proposed multi-family development represents an appropriate redevelopment of under utilized commercial property and advances the city's objectives of encouraging compact development patterns, reducing vehicle trips, and supporting pedestrian oriented neighborhoods.

- Policy 23: The City of Hermiston will plan for the timely and efficient provision of a full complement of urban services and facilities in all developed and developing areas within the community. Timely means a point within the 20-year timeframe when the city deems development appropriate for a given property based on factors including but not limited to the need for additional urban development within the urban growth boundary and the extent of undeveloped or undeveloped land between the existing development and the subject property.

Response: Public services are available within the existing NE 4th Street right of way. Utility capacity extends the full length of the property frontage and extends from the intersection of NE 4th St/E Elm Ave north beyond the Hermiston Drain. No utility extensions are necessary to accommodate development.

- Policy 31: The City of Hermiston will promote a balanced, well-integrated local transportation system which provides safe, convenient and energy-efficient access, and facilitates the movement of commodities.

Response: The applicant has provided evidence from a professional engineer that the affected intersections and roadway will not experience level of service decreases or other congestion delays as a result of development. Redevelopment of the site will require improvement of NE 4th Street to minor arterial standards along the east frontage of the road thereby providing adequate pedestrian access to the site and to the pedestrian crossing at NE 4th St/E Elm Ave.

- Policy 34: The City of Hermiston will comply with the requirements of the Transportation Planning Rule with the adoption of the Transportation System Plan and related amendments to implementing ordinances.

Response: The applicant has commissioned a trip generation analysis compliant with the Transportation Planning Rule. The findings of the trip generation analysis demonstrate that the affected intersections and roadway will not experience level of service decreases or other congestion delays as a result of development.

2. The showing of public need for the rezoning and whether that public need is best served by changing the zoning classification on that property under consideration;

Response: Hermiston continues to experience population growth and increasing demand for housing. The proposed NCO designation will facilitate development of a multi-family townhome community that will provide additional housing opportunities for workforce families, professionals, and residents seeking quality housing options within the city.

The NCO district was established to create commercial areas that support residential uses within walking distance of goods and services. Application of the overlay district will help address local housing needs while preserving the long-term commercial viability of the area.

3. The public need is best served by changing the classification of the subject site in question as compared with other available property.

Response: The subject property is uniquely positioned to serve the goals of the NCO district due to its location along NE 4th Street, proximity to existing commercial services, and access to public infrastructure. The property is located within an established urban area where residential development can occur without requiring significant public investment in new infrastructure.

Compared to other available properties, this site provides an opportunity to create a walkable residential community adjacent to commercial services, consistent with the purpose of the NCO district. Development of this property will support efficient land use patterns and reduce transportation demands by allowing residents to live closer to services and employment opportunities.

4. The potential impact upon the area resulting from the change has been considered.

Response: Potential impacts associated with the proposed NCO designation and residential development have been carefully considered. The proposed multi-family townhome development will be designed and constructed in accordance with all applicable City of Hermiston development standards regarding access, parking, landscaping, setbacks, drainage, utility service, and building design.

The NCO district was established to encourage compatible mixed-use development in commercial areas. The proposed project is consistent with that purpose and will provide

additional housing opportunities while maintaining compatibility with surround land uses. The development will utilize existing infrastructure and public services, minimizing impacts on adjacent properties and public facilities.

The 14 applicable Statewide Planning Goals are also considered.

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

Response: The City of Hermiston Comprehensive Plan and Zoning Ordinance outlines the City's citizen involvement program that includes the activities of the Planning Commission and provides for the public hearing process with its required notice provisions. These notice provisions provide for adjoining and affected property owner notice; notice to interested local, state, and federal agencies; and allows for public comment to the process.

The city finds that this application is consistent with Goal 1.

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

Response: Goal 2 establishes the underlining process that a county or a city needs to utilize when considering changes to their Comprehensive Plans and development codes. This requested change of Comprehensive Plan and Zoning designation is also guided by Goal 2 requirements. This application meets those requirements for this request.

The city finds that this application is consistent with Goal 2.

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

Response: The Goal 3 requires counties to preserve and maintain agricultural lands for farm uses. Counties must inventory agricultural lands and protect them by adopting exclusive farm use zones consistent with Oregon Revised Statute 215.203 et. seq. Goal 3 does not allow nonfarm uses like industrial development on lands zoned for exclusive farm use. This application is to consider modifications to the application of the Outlying Commercial zone within the city limits on lands that have already been identified for urban industrial and commercial uses. Per OAR 660-033-0020(1)(c), "Agricultural Land" does not include land within acknowledged urban growth boundaries or land within acknowledged exception areas for Goal 3 or 4.

Goal 3 does not apply to this action.

Goal 4 Forest Lands: To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of

forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Response: There are no forest lands in the City of Hermiston.

Goal 4 does not apply to this action.

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

Response: The subject property has a Development Hazard overlay and no other known cultural or historical sites. There are no known wetlands inventoried on the subject property.

The city finds that this application is consistent with Goal 5.

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

Response: Goal 6 addresses the quality of air, water, and land resources. In the context of comprehensive plan amendments, a local government complies with Goal 6 by explaining why it is reasonable to expect that the proposed uses authorized by the plan amendment will be able to satisfy applicable federal and state environmental standards, including air and water quality standards.

All development within the Hermiston urban growth boundary is required to comply with federal and state environmental standards (157.004). Compliance is a requirement of all land use applications.

Goal 6 does not apply to this action.

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

Response: There are no known natural hazards on the subject property, and it is located significantly above and outside the influence of the Umatilla River which has a history of flooding.

Goal 7 does not apply to this action.

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

Response: This proposal does not propose new recreational facilities. The city's park and open space master plan does not call for new recreational facilities within this area.

Goal 8 does not apply to this action.

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

Response: Goal 9 requires local governments to adopt comprehensive plans and policies that contribute to a stable and healthy economy. Hermiston has a Comprehensive Plan that has been acknowledged to comply with Goal 9. Specifically, the city has adopted an economic opportunities analysis as of 2024 which has been acknowledged by the State of Oregon. The 2024 EOA specifically identifies this site as a location for economic development. In the absence of development as a housing site, the proposed change still designates this land for commercial use, thereby implementing the comprehensive planning of this site for future commercial and industrial development.

The city finds that this application is consistent with Goal 9.

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

Response: The Oregon Legislature in 2019 passed HB 2001 which amended certain housing rules relating to provision of housing in commercial zones. Specifically, OAR 660-046-0330 states that cities adopting comprehensive plan amendments shall adopt findings regarding increase or decrease in housing capacity. This proposal specifically plans for the provision of market rate workforce housing within a commercial zone. Twenty-one new units are proposed. The city's acknowledge Housing Needs Analysis notes that over the 20-year planning horizon slightly more than 500 additional multi-family units are needed. This proposal provides units towards the city's documented need and provides those units at the acknowledged maximum density for multi-family units (21 units per acre).

The city finds that this application is consistent with Goal 10.

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

Response: Goal 11 requires local governments to plan and develop a timely, orderly, and efficient arrangement of public facilities and services. The city has adopted a public facilities plan as of September 2025. The public facilities plan demonstrates that there is adequate capacity to service development within the urban growth boundary through the 20-year planning horizon with minor system upgrades. System upgrades are planned within the city capital improvement plan and funded through the city-wide system

development charge fee. Development is required to pay into the SDC fees at the time of permitting thereby paying a proportionate share into future system upgrades.

The city finds that this application is consistent with Goal 11.

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

Response: Goal 12 requires local governments to provide and encourage a safe, convenient, and economic transportation system, implemented through the Transportation Planning Rule. A trip generation report prepared by a registered traffic engineer is attached to these findings as evidence of compliance with the Transportation Planning Rule. As noted in the report, no significant change in trip generation is generated between those uses permitted in the C-2 and NCO zones.

The city finds that this application is consistent with Goal 12.

Goal 13 Energy: To conserve energy.

Response: Goal 13 directs local jurisdictions to manage and control land and uses developed on the land to maximize the conservation of all forms of energy, based on sound economic principles. The site provides new housing opportunities within walking distance of commercial services thereby minimizing the need for new vehicle trips to meet basic commercial needs.

The city finds that this application is consistent with Goal 13.

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: This proposal is within the existing city limits of the City of Hermiston. No annexation or urban growth boundary expansion is proposed.

Goal 14 does not apply to this action.

Conclusion: This narrative provides evidence that the proposal complies with the Statewide Planning Goals and with the City of Hermiston Comprehensive Plan.

Conditional Use Permit Findings

City of Hermiston Zoning 157.208 Approval Criteria: The review criteria are listed in **bold** with responses in regular text.

(A) The proposal is in conformance with the Comprehensive Plan and Zoning Code.

Response: The requested conditional use permit is in full conformance with the City of Hermiston Comprehensive Plan and Zoning Ordinance. The proposed multi-family townhome development aligns with the city's growth management policies by encouraging compact, efficient infill and mixed-use redevelopment on commercial land. By offering residential options adjacent to existing commercial services, the project supports comprehensive plan goals to expand diverse housing options while maintaining long-term commercial vitality.

(B) The property is adequate in size and shape to accommodate the proposed use, together with all other zoning requirements and any additional conditions imposed by the Planning Commission.

Response: The subject property (Tax Lots 400 and 600) comprises sufficient acreage and favorable geometry along NE 4th St to accommodate the townhome structures, required off-street parking, vehicle maneuvering, perimeter setbacks, and open/landscaped spaces. The layout allows for full compliance with dimensional standards, stormwater management, and utility routing without needing dimensional variances.

(C) Public facilities are of adequate size and quality to serve the proposed use.

Response: The site is located within an established urban core served by existing municipal water, sanitary sewer, and public utility networks along NE 4th St. Fire protection, police, and emergency services are provided in the area. The existing transportation and utility infrastructure possesses sufficient capacity to absorb the residential demand without requiring major capital investments.

(D) The proposed use will prove reasonably compatible with surrounding properties.

Response: The townhome development is designed to integrate seamlessly with surrounding commercial and residential land uses. High-quality architectural standards, landscaped buffer areas, and standard lighting controls will preserve neighborhood aesthetic standards and prevent adverse light, privacy, or traffic impacts on neighboring parcels, creating a walkable transition zone.

Conclusion: This narrative provides evidence that the proposal complies with the standards for conditional use permits established in 157.208 of the Hermiston Code of Ordinances.

Exhibit B

Conditions of Approval

Zoning Map Amendment and Conditional Use Permit

1320 and 1340 NE 4th St

September 30, 2026

Subject to the deliberations of the planning commission and public testimony submitted to the planning commission, the following draft conditions of approval are presented.

1. Comprehensive Plan Figure 12 identifies this site as an area subject to development hazards due to a high water table. Therefore, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels. At the discretion of the Planning Commission, an applicant whose property is located in the DH overlay area may obtain an exemption from this condition if he can demonstrate the proposed development is not constrained by development limitations and/or will not contribute to potential groundwater pollution. To obtain an exemption, the applicant must present documentation to this effect prepared by a registered engineer.
2. The applicant shall receive approval from the Hermiston Irrigation District specifying whether the property is located within the boundary of the Hermiston Irrigation District and subject to water rights prior to issuance of any building permit.
3. All storm water shall be retained on site. Use of private dry wells and/or private swales as necessary is required. The city engineer will review the proposed drainage plan and storm report as part of the civil drawing review process.
4. Parking lot and exterior lighting, where proposed, shall be designed not to interfere with adjacent residential uses to the south.
5. Consistent with §157.164(D)(2) of the Hermiston Code of Ordinances the applicant shall be required to improve the NE 4th St frontage of the development site with infill paving, curb, gutter, sidewalk, and drainage improvements. Design of the NE 4th St improvements shall be reviewed and approved by the city engineer.
6. Civil drawings shall be submitted to the city engineer for review and approval prior to issuance of a building permit. Civil drawings shall be prepared in accordance with the design guidelines for plan preparation contained in the city's standard plans and specifications located at: <https://www.hermiston.or.us/commdev/page/hermiston-design-standards-specifications-and-plans>
7. Signage shall be installed consistent with the provisions of §155.37 of the Hermiston Code of Ordinances (relating to installation of signage in commercial and industrial zones).

8. All areas for the standing and maneuvering of vehicles shall be paved with a hard surface of concrete or asphalt prior to the occupancy of any dwelling.
9. Applicant shall comply with all provisions of §92.12 of the Hermiston Code of Ordinances (relating to the control of blowing dust) during all phases of development.
10. Bicycle parking shall be installed in accordance with 157.150(L)(4) of the Hermiston Code of Ordinances.
11. The south property line of the site is adjacent to residentially zoned property which is residentially occupied. Consistent with 157.179(B) of the Hermiston Code of Ordinances (Minimal Resident Disturbance), a sight-obscuring fence of at least five feet in height and not more than six feet in height shall be installed along the south property line of Tax Lot 400.
12. In accordance with §157.043(E)(1) of the Hermiston Code of Ordinances, solid ground cover landscaping shall be provided between each building fronting NE 4th Street in order to maintain a 10-foot setback.

Notice of Proposed Land Use Action



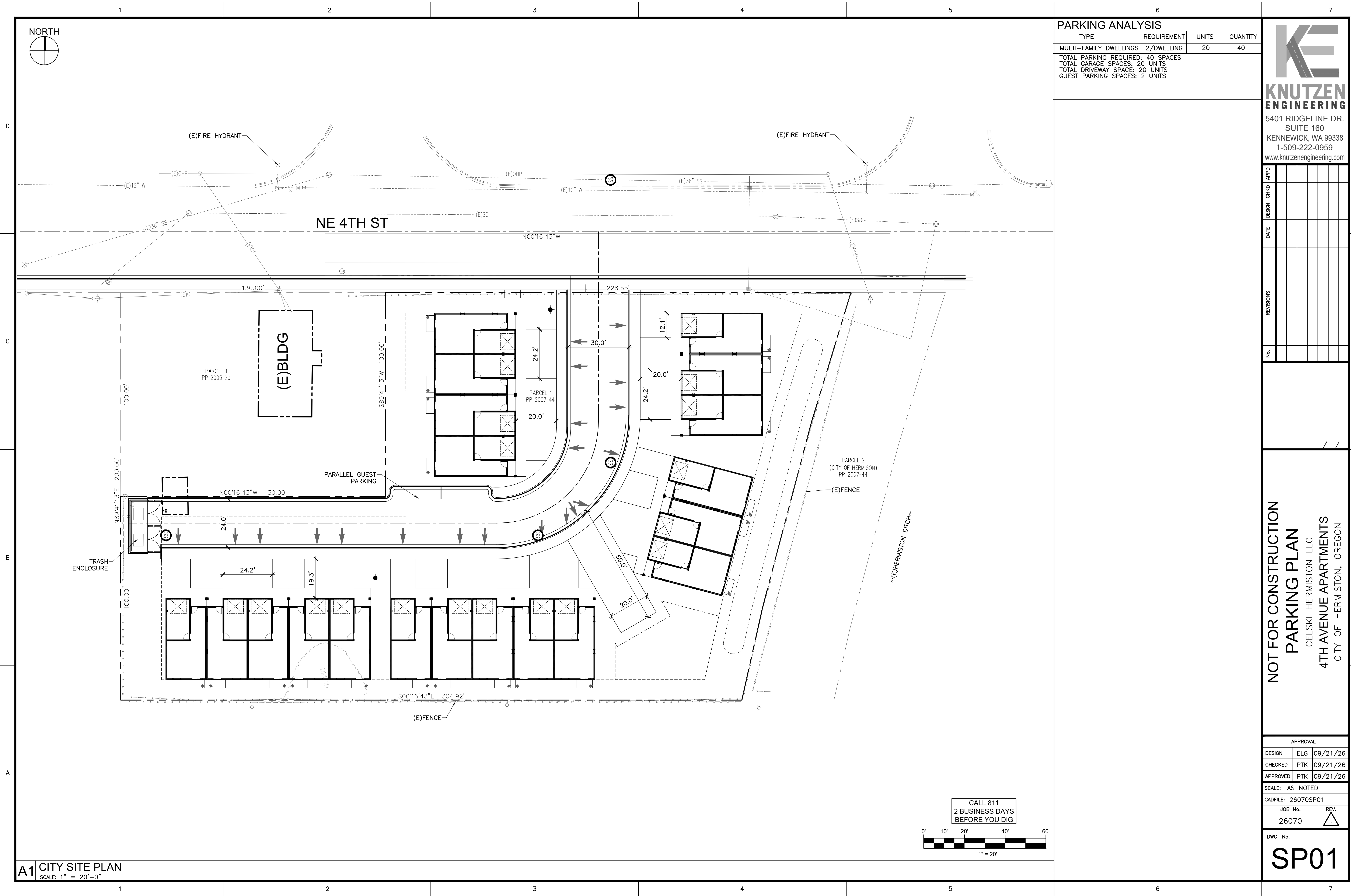
Legend

-  Area of Proposed NCO Rezone
-  Property Line
-  City Limits

0 100 200 300 400
Feet



\\2026\\26070-Celiski 4th Ave Hermiston Project\\DWG\\26070SP01.dwg - Sep 21, 2026 - 04:35pm - egi



PARKING ANALYSIS

TYPE	REQUIREMENT	UNITS	QUANTITY
MULTI-FAMILY DWELLINGS	2/DWELLING	20	40
TOTAL PARKING REQUIRED: 40 SPACES			
TOTAL GARAGE SPACES: 20 UNITS			
TOTAL DRIVEWAY SPACE: 20 UNITS			
GUEST PARKING SPACES: 2 UNITS			

**KNUTZEN
ENGINEERING**

5401 RIDGELINE DR.
SUITE 160
KENNEWICK, WA 99338
1-509-222-0959
www.knutzenengineering.com

No.	REVISIONS	DATE	DESIGN	CHKD	APPD

**NOT FOR CONSTRUCTION
PARKING PLAN**

CELSKI HERMISTON LLC
4TH AVENUE APARTMENTS
CITY OF HERMISTON, OREGON

APPROVAL		
DESIGN	ELG	09/21/26
CHECKED	PTK	09/21/26
APPROVED	PTK	09/21/26

SCALE: AS NOTED

CADFILE: 26070SP01	
JOB No. 26070	REV. △

DWG. No.

SP01

**NOT FOR
CONSTRUCTION**
9/22/2026
2:31:03 PM

E-mail:mlenko@draftcodesigns.com
Web:www.draftcodesigns.com

DRAFTCO

DESIGNS LLC

8458 W GAGE BLVD
KENNEWICK WA
99336

509.251.5939

RESIDENTIAL

BUILDING INFO	
LOCATION	AREA
MAIN LEVEL	458 ft²
SECOND LEVEL	646 ft²
CONDITIONED AREA (PER UNIT)	1104 ft²
COVERED ENTRY	12 ft²
GARAGE	230 ft²
UNCONDITIONED	242 ft²
OVERALL SF.	1347 ft²

26-029

NE 4TH STREET
TOWNHOMES
NE 4TH ST
HERMISTON OR 97838

COPYRIGHT NOTICE: USE OF THESE PLANS WITHOUT EXPLICIT PERMISSION OF DRAFTCO DESIGNS LLC AND PAYMENT IS A COPYRIGHT VIOLATION WHICH MAY SUBJECT THE USER TO LIABILITY UNDER BOTH STATE AND FEDERAL LAW. THE BUILDER/OWNER IS LICENSED A ONE-TIME USE OF THESE PLANS. ALL PLANS ARE SITE SPECIFIC.

BUILDING
ELEVATIONS

A-201

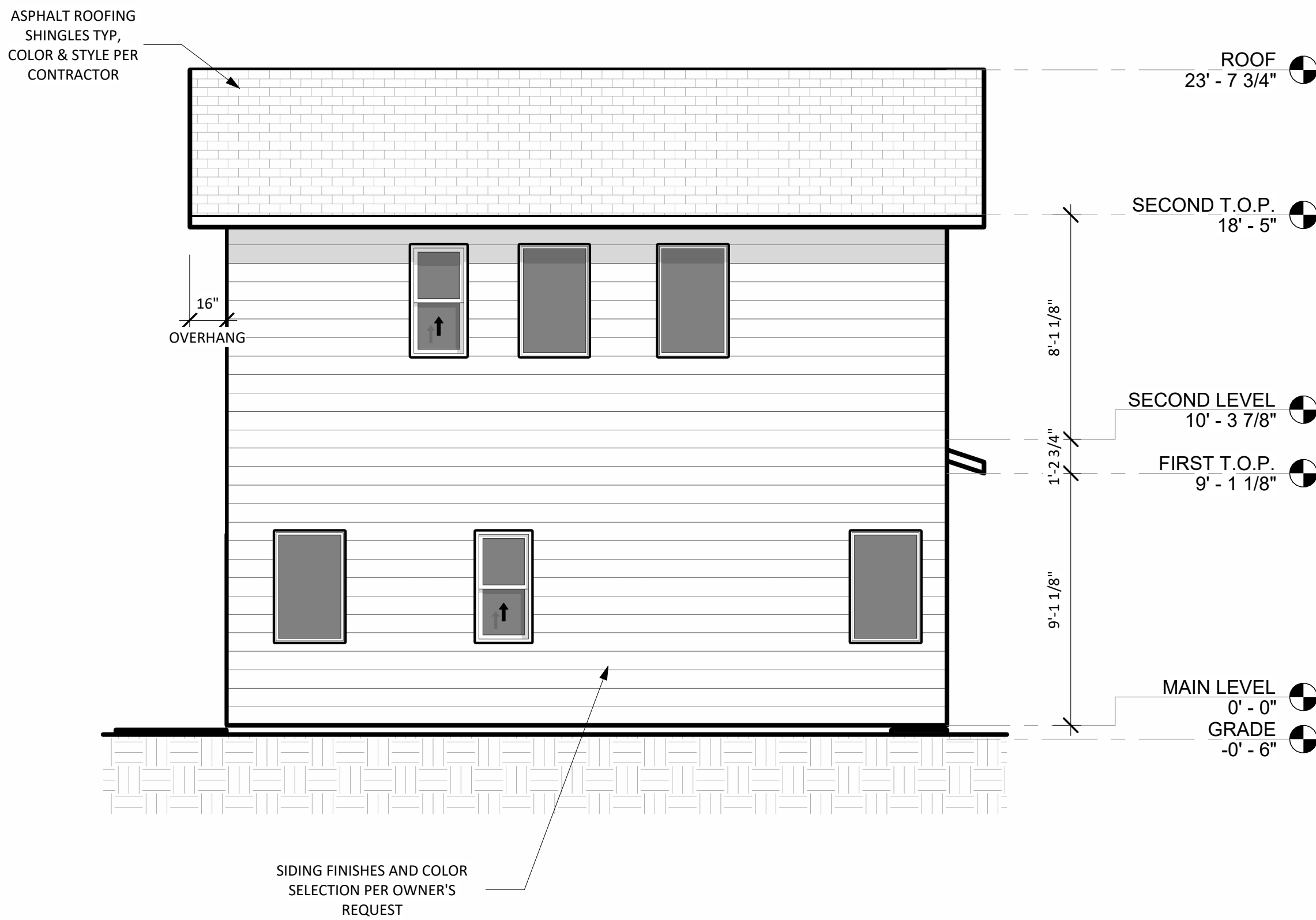
TYPICAL ELEVATION NOTES

1	SIDING FINISHES AND COLOR SELCECTION PER OWNERS REQUEST
2	EXTERIOR FINISHES AND ACTUAL PRODUCT COLOR DEPICTION MAY VARY SLIGHTLY FROM THE IMAGES SHOWN
3	ALL FINISHES TO BE REVIEWED BETWEEN CONTRACTOR AND OWNER BEFORE NEW CONSTRUCTION



1 FRONT ELEVATION

1/4" = 1'-0"



2 RIGHT ELEVATION

1/4" = 1'-0"

**NOT FOR
CONSTRUCTION**
9/22/2026
2:31:21 PM

E-mail:mlenko@draftcodesigns.com
Web:www.draftcodesigns.com

DRAFTCO
DESIGNS LLC

8458 W GAGE BLVD
KENNEWICK WA
99336

509.251.5939

RESIDENTIAL

BUILDING INFO	
LOCATION	AREA
MAIN LEVEL	458 ft²
SECOND LEVEL	646 ft²
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UNCONDITIONED	242 ft²
OVERALL SF.	1347 ft²

26-029

NE 4TH STREET
TOWNHOMES
NE 4TH ST
HERMISTON OR 97838

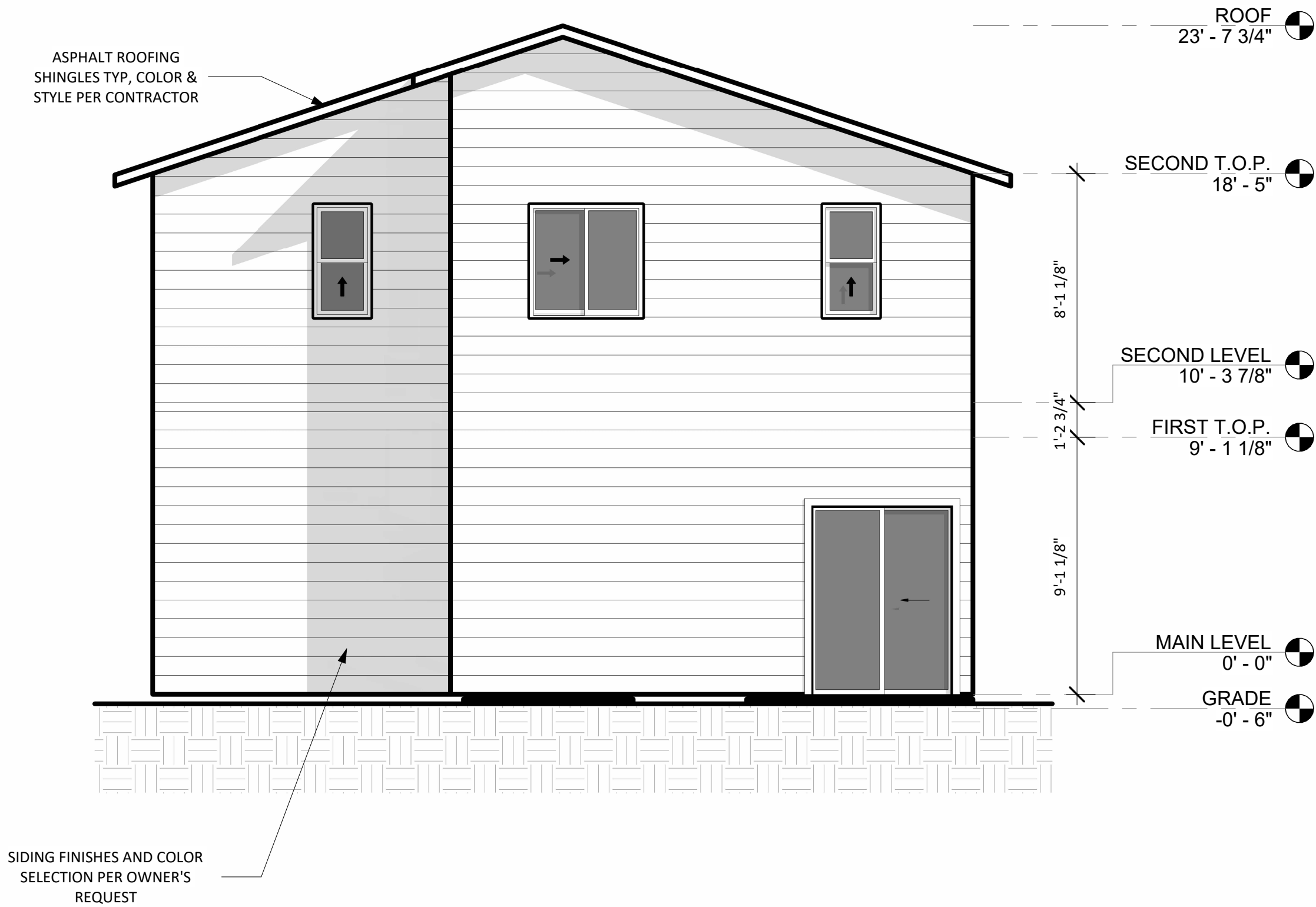
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BUILDING
ELEVATIONS

A-202

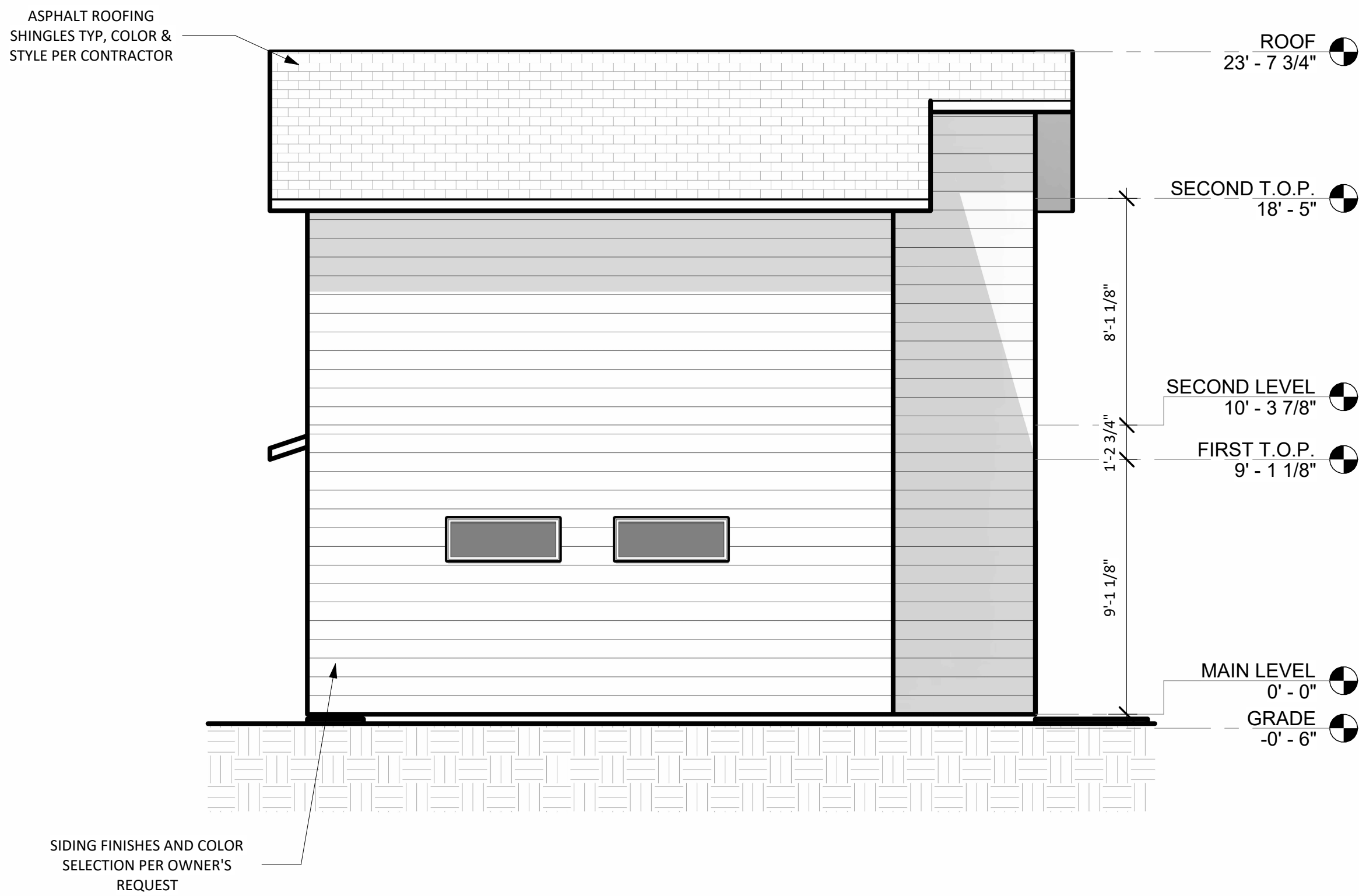
TYPICAL ELEVATION NOTES

1	SIDING FINISHES AND COLOR SELCTION PER OWNERS REQUEST
2	EXTERIOR FINISHES AND ACTUAL PRODUCT COLOR DEPICTION MAY VARY SLIGHTLY FROM THE IMAGES SHOWN
3	ALL FINISHES TO BE REVIEWED BETWEEN CONTRACTOR AND OWNER BEFORE NEW CONSTRUCTION



1 REAR ELEVATION

1/4" = 1'-0"



2 LEFT ELEVATION

1/4" = 1'-0"

**NOT FOR
CONSTRUCTION**
9/22/2026
2:23:22 PM

E-mail: milenko@draftcodesigns.com
Web: www.draftcodesigns.com

DRAFTCO

DESIGNS LLC

8458 W GAGE BLVD
KENNEWICK WA
99336

509.251.5939

RESIDENTIAL

BUILDING INFO	
LOCATION	AREA
MAIN LEVEL	517 ft²
SECOND LEVEL	768 ft²
CONDITIONED AREA (PER UNIT)	1285 ft²
COVERED ENTRY	32 ft²
GARAGE	251 ft²
UNCONDITIONED	283 ft²
OVERALL SF.	1568 ft²

26-029

NE 4TH STREET
TOWNHOMES
NE 4TH ST
HERMISTON OR 97838

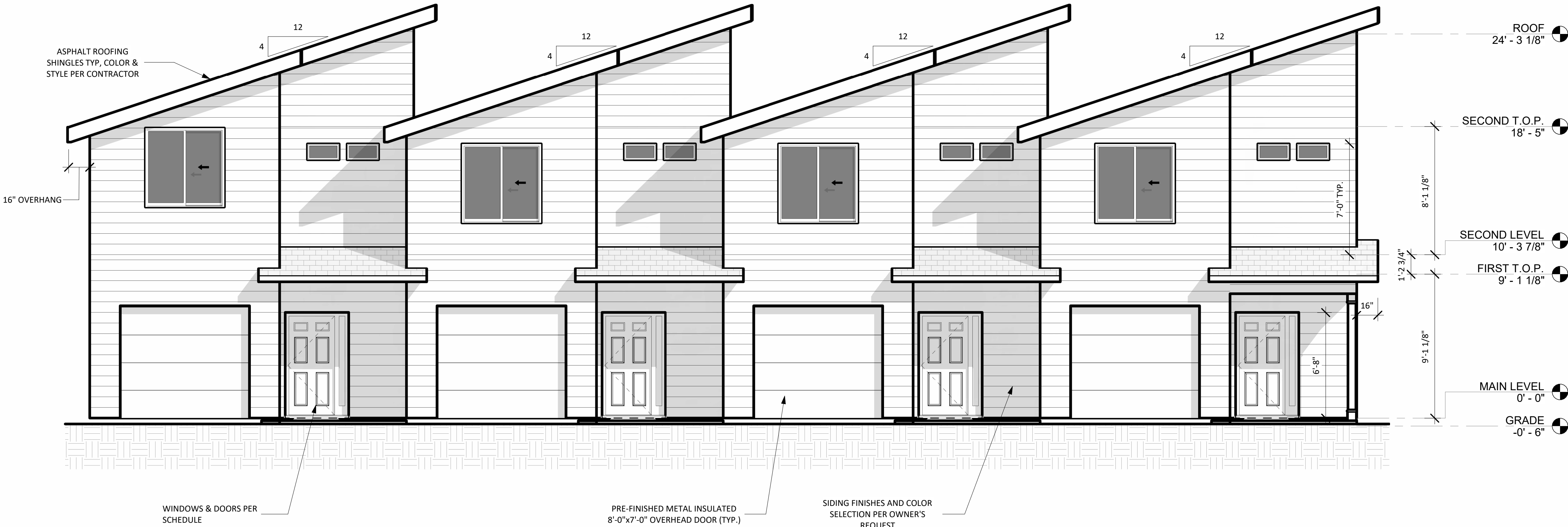
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BUILDING
ELEVATIONS

A-201

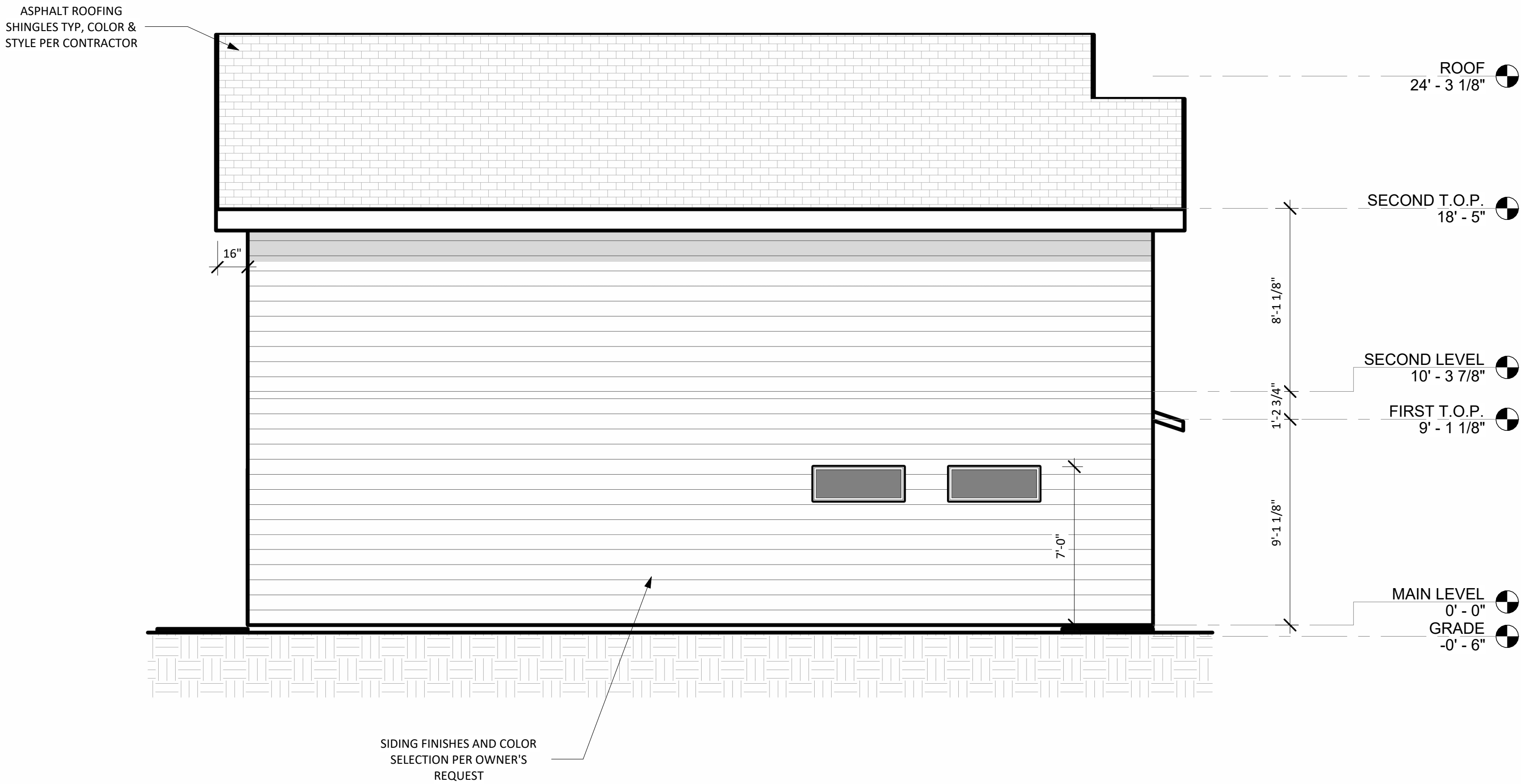
TYPICAL ELEVATION NOTES

- 1
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- 2
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1 FRONT ELEVATION

1/4" = 1'-0"



2 RIGHT ELEVATION

1/4" = 1'-0"

**NOT FOR
CONSTRUCTION**
9/22/2026
2:23:54 PM

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26-029

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HERMISTON OR 97838

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BUILDING
ELEVATIONS

A-202

TYPICAL ELEVATION NOTES

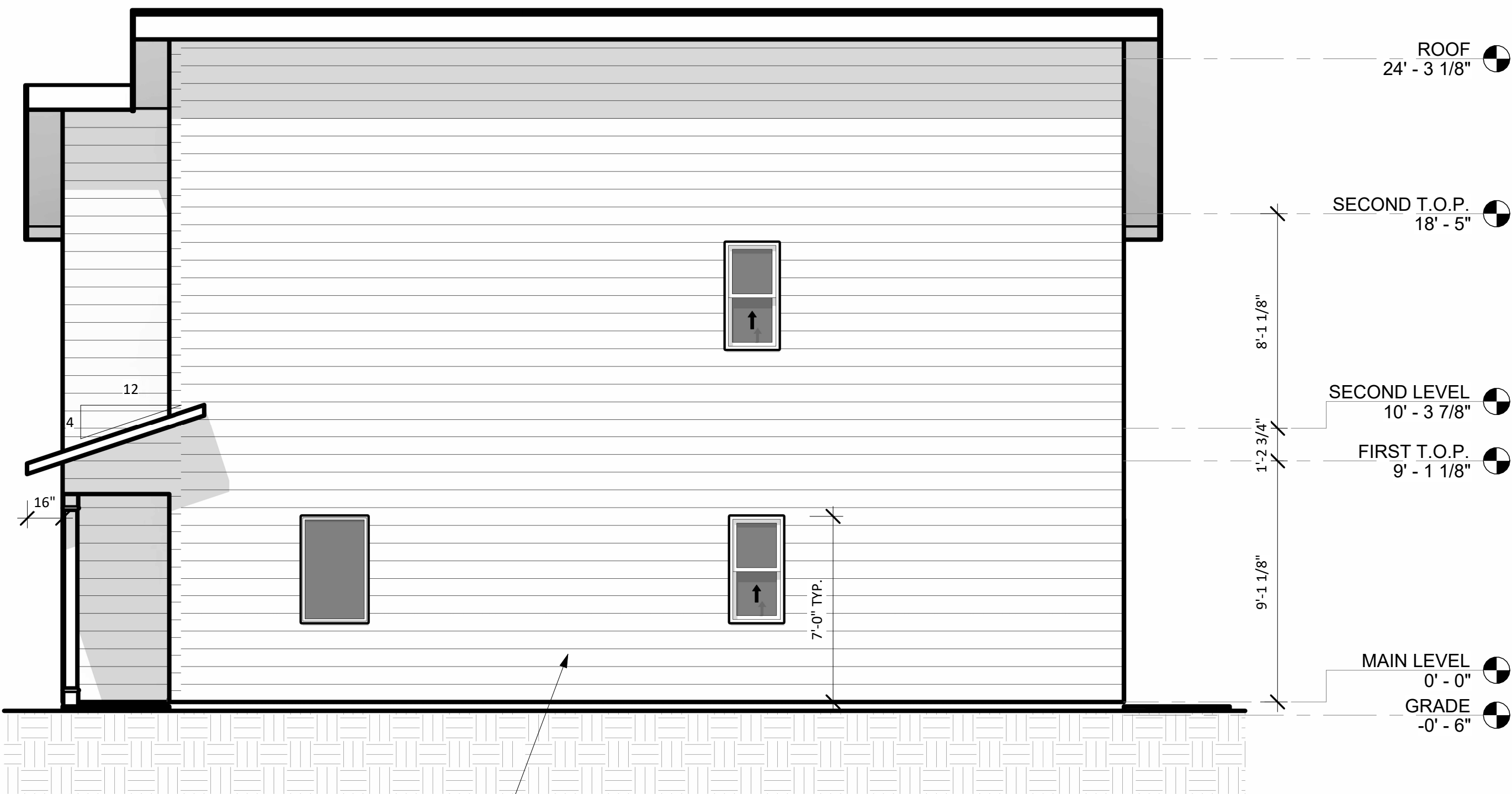
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SIDING FINISHES AND COLOR
SELECTION PER OWNER'S
REQUEST

1 REAR ELEVATION

1/4" = 1'-0"



SIDING FINISHES AND COLOR
SELECTION PER OWNER'S
REQUEST

2 LEFT ELEVATION

1/4" = 1'-0"

**NOT FOR
CONSTRUCTION**
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26-029

NE 4TH STREET
3PLEX
NE 4TH ST
HERMISTON OR 97838

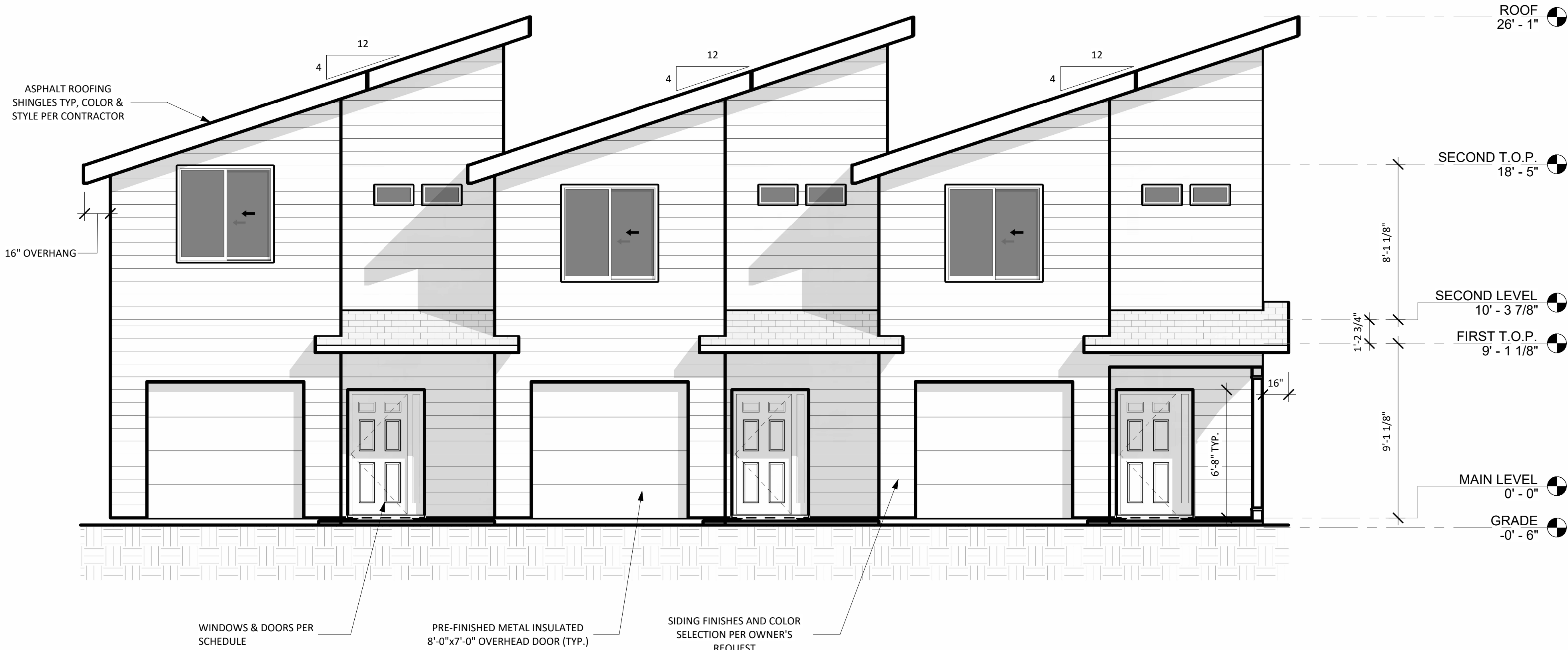
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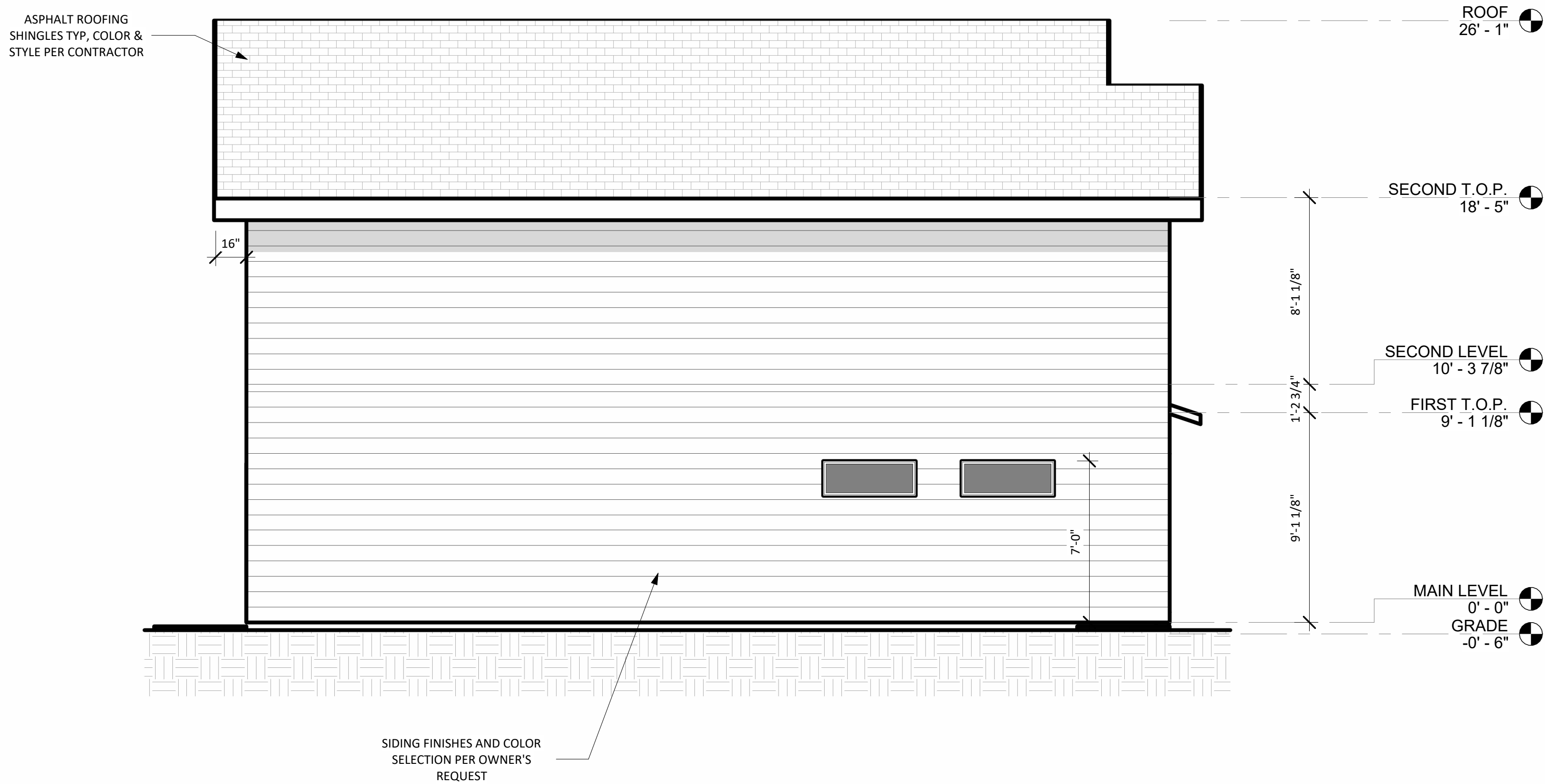
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2 RIGHT ELEVATION

1/4" = 1'-0"

**NOT FOR
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9/22/2026
2:10:30 PM

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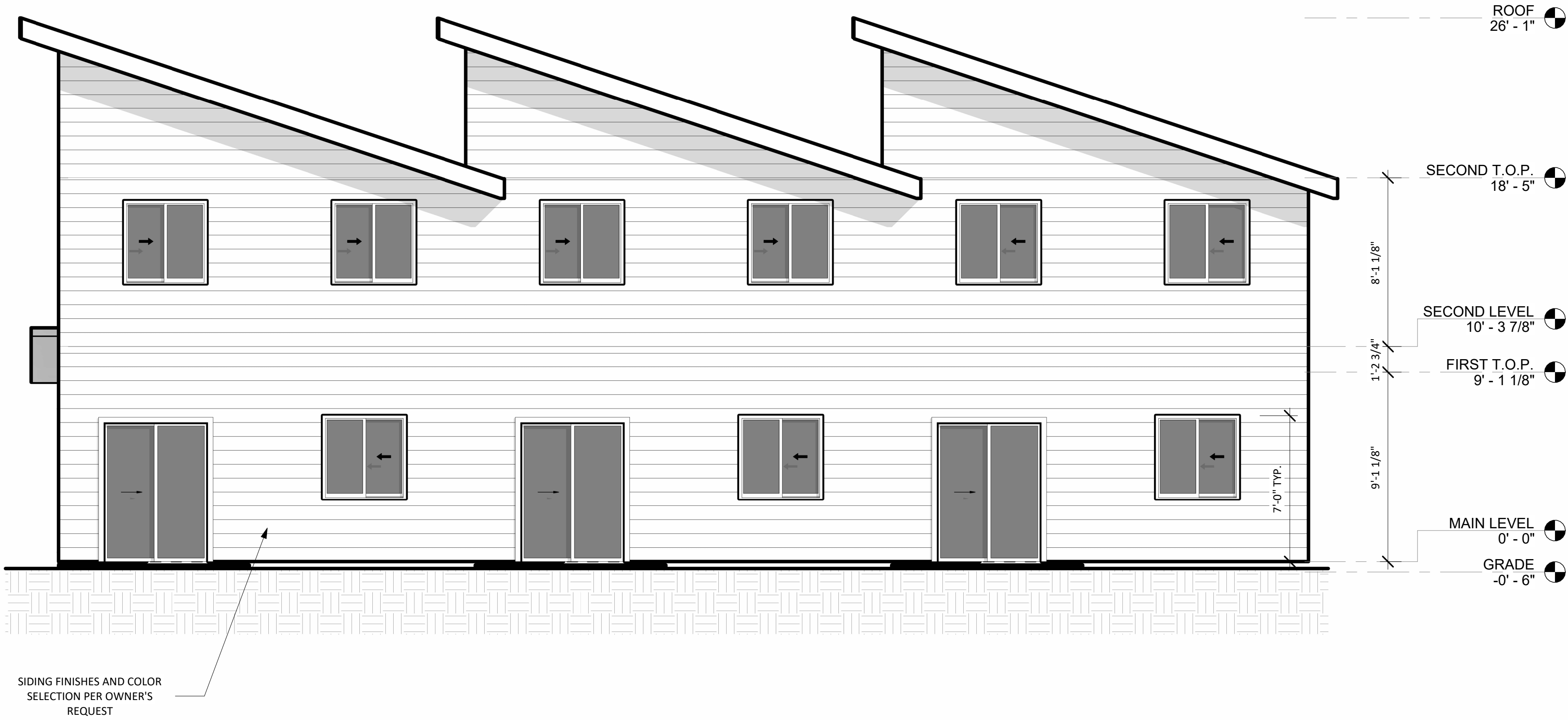
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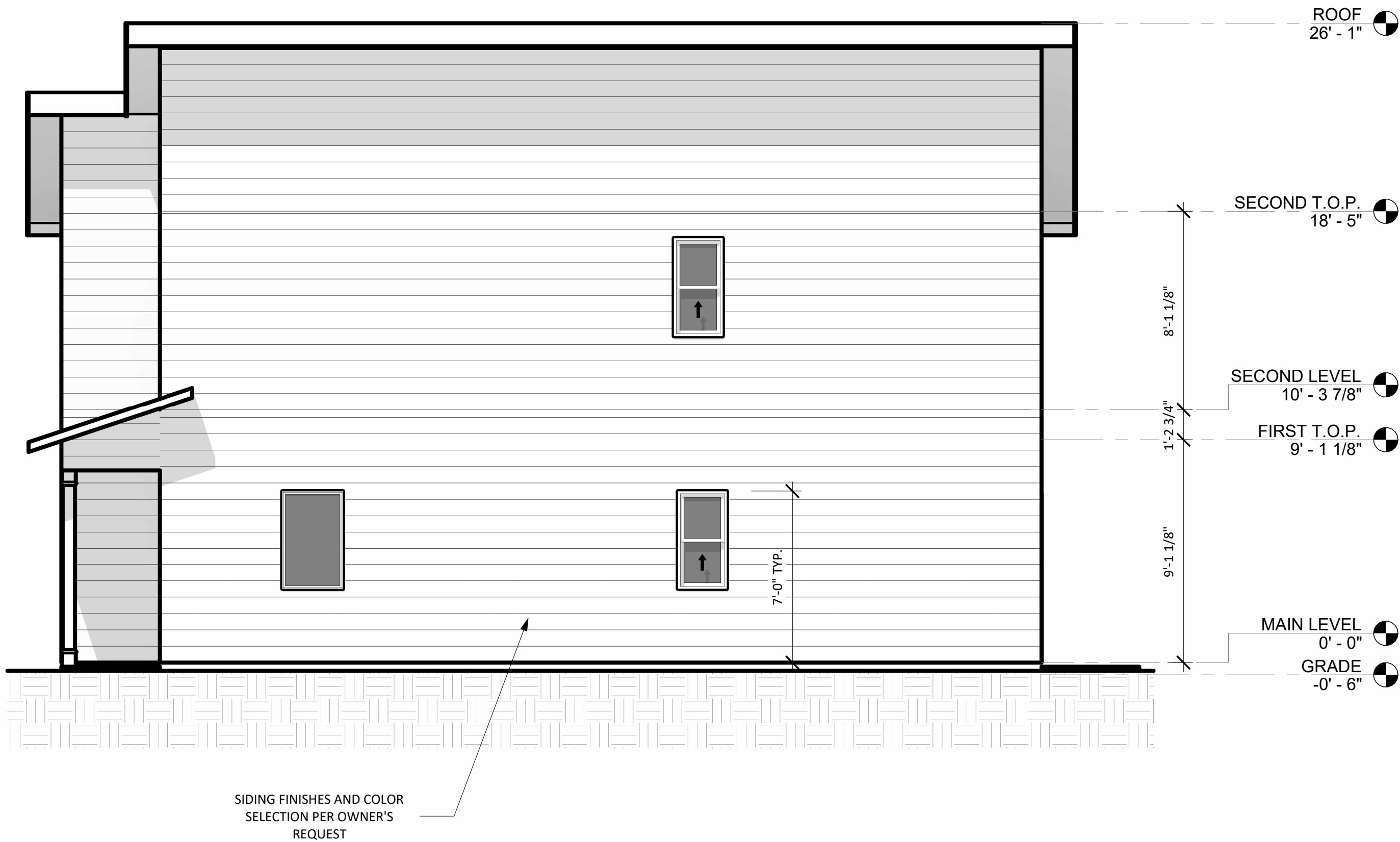
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CITY OF HERMISTON
APPLICATION TO AMEND ZONING ORDINANCE
(Text or Map)

Pursuant to the provisions of Section 26 of Hermiston Zoning Ordinance No. 1840, application is hereby made to amend the text or the zoning map for the following described property:

Name of Applicant:	Celski Hermiston, LLC		
Mailing Address:			
Contact Person:	Robert Davis	Phone:	
Name of Owner:	Same as Applicant (Celski Hermiston, LLC)		
Mailing Address:			
Legal Description:	Parcel 1, Partition Plat No. 2005-20 and Parcel 1, Partition Plat No. 2007-44, located in the South Half of the Southwest Quarter of Section 2, Township 4 North, Range 28 East of the Willamette Meridian, Umatilla County, Oregon.		
Assessor's Map No:	4N-28-02CD	Tax Lot No:	400 and 600
Subdivision:	N/A (Partition Plats 2005-20 & 2007-44)	Street Address:	1340 NE 4th Street, Hermiston, OR 97838
Current Zoning:	C-2 General Commercial	Proposed Zoning:	Neighborhood Commercial Overlay Zone (NCO)

IMPORTANT! The zoning ordinance requires a positive recommendation from the Hermiston Planning Commission and approval from the Hermiston City Council before a change can be made to the zoning designation of any property. This approval must be determined after separate public hearings before these bodies.

Oregon's Land Use Planning Laws require "findings of fact" with regard to requests for zoning ordinance amendments. The findings provide justification to either approve or deny the application. Read the questions that follow and answer them as completely as you can; use additional sheets if necessary. Your responses will help you to make findings and evaluate the merits of your request.

Inasmuch as **THE BURDEN OF PROOF IS ON THE PROPONENT**, the chances of a successful application depend upon the adequacy of the arguments you present to justify approval of the application.

APPROVAL CRITERIA & FINDINGS OF FACT

1. Explain how the requested change is in conformance with the comprehensive plan and also the goals and policies of the plan:

The requested Neighborhood Commercial Overlay (NCO) designation is consistent with the City of Hermiston Comprehensive Plan and the stated purpose of the NCO district. The proposed development will provide new residential housing opportunities within walking distance of existing commercial services while maintaining the underlying commercial zoning designation. The NCO district specifically encourages infill development, redevelopment, and mixed-use development in commercial areas. The project promotes efficient use of urban land, utilizes existing infrastructure and public services, and supports the City's goals of accommodating growth while expanding housing opportunities for current and future residents.

The proposed townhome development represents an appropriate redevelopment of underutilized commercial property and advances the City's objectives of encouraging compact development patterns, reducing vehicle trips, and supporting pedestrian-oriented neighborhoods.

2. Describe the public need for the rezoning and whether that public need is best served by changing the zoning classification on the property under consideration:

Hermiston continues to experience population growth and increasing demand for housing. The proposed NCO designation will facilitate development of a townhome community that will provide additional housing opportunities for workforce families, professionals, and residents seeking quality housing options within the city.

The NCO district was specifically established to create commercial areas that support residential uses within walking distance of goods and services. Application of the overlay district will help address local housing needs while preserving the long-term commercial viability of the area.

3. Explain how the public need is best served by changing the classification of the site in question as compared with other available property:

The subject property is uniquely positioned to serve the goals of the NCO district due to its location along NE 4th Street, proximity to existing commercial services, and access to public infrastructure. The property is located within an established urban area where residential development can occur without requiring significant public investment in new infrastructure.

Compared to other available properties, this site provides an opportunity to create a walkable residential community adjacent to commercial services, consistent with the purpose of the NCO overlay district. Development of this property will support efficient land use patterns and reduce transportation demands by allowing residents to live closer to services and employment opportunities.

4. Explain how the potential impact upon the area resulting from the change has been considered:

Potential impacts associated with the proposed NCO designation and residential development have been carefully considered. The proposed townhome development will be designed and constructed in accordance with all applicable City of Hermiston development standards regarding access, parking, landscaping, setbacks, drainage, utility service, and building design.

The NCO district was specifically established to encourage compatible mixed-use development in commercial areas. The proposed project is consistent with that purpose and will provide additional housing opportunities while maintaining compatibility with surrounding land uses. The development will utilize existing infrastructure and public services, minimizing impacts on adjacent properties and public facilities.

ADDITIONAL INFORMATION & SIGNATURES

ADDITIONAL INFORMATION TO BE FURNISHED AND ATTACHED TO THE APPLICATION:

1. Evidence that applicant is owner or purchaser of the property or has written permission of such owner to make an application for the proposed use.
2. Two copies of a site plan (11" x 17") drawn to scale, showing the location of the property concerned, the location of all proposed or existing building(s), highways, streets, and alleys.
3. A metes and bounds legal description of the perimeter of the entire parcel. A metes and bounds description of each individual parcel is not sufficient.

The above statements are true to the best of my beliefs and knowledge. As applicant, I understand that the planning commission requests the attendance of me, or my representative, at the meeting(s) where this request is scheduled for consideration and that the planning commission retains the right to approve or deny this request and impose those conditions as may be necessary to lessen probable adverse impact based upon the testimony provided at the hearing.

I am the: ☒ owner ☐ owner(s) authorized representative. (If authorized representative, please attach a signed letter from the owner.)

Applicant's Signature

Date

OUT-OF-POCKET EXPENSES FOR MAILING & PUBLICATION COSTS WILL BE BILLED LATER

NOTE: The planning commission shall conduct a public hearing on the proposed amendment at the earliest regular meeting, after the application is submitted, in accordance with the public hearing procedures under Section 27(3) of Hermiston Zoning Ordinance No. 1840. Both text and map amendments shall also be submitted to the Department of Land Conservation and Development 35 days prior to the date set for final action by the city council except as provided for under ORS 197.601.

For further information, please feel free to contact the planning department at the Hermiston City Hall, 180 N.E. 2nd Street, Hermiston, Oregon 97838, or by telephone (541) 667-5025. The City's FAX number is (541) 567-5530.

OFFICE USE ONLY

Date Filed: 7-22-26	Fee: \$1,500.00	Received By: hkpl	Date Paid: 7-20-26
Meeting Date: 9-9-26	Receipt No: 7.000000397		

CITY OF HERMISTON

CONDITIONAL USE PERMIT APPLICATION

Pursuant to the provisions of 157.205 of the Hermiston Code of Ordinances, application is hereby made for a conditional use permit for the following described property:

Applicant's Name:	Celski Hermiston, LLC (Contact: Robert Davis)	Phone:	5 [REDACTED]
Address:	[REDACTED]		
Property Owner(s):	Same as Applicant (Celski Hermiston, LLC)	Phone:	[REDACTED]
Address:	[REDACTED]		
Legal Description:	Parcel 1, Partition Plat No. 2005-20 and Parcel 1, Partition Plat No. 2007-44, located in the South Half of the Southwest Quarter of Section 2, Township 4 North, Range 28 East of the Willamette Meridian, Umatilla County, Oregon. (1340 NE 4th Street, Hermiston, OR 97838)		
Assessor's Map No:	4N-28-02CD	Tax Lot No:	400 and 600
Comp Plan Designation:	Commercial / Commercial Mixed-Use	Zoning Designation:	C-2 General Commercial / NCO Overlay
Current Use:	Underutilized Commercial Property	Request to Allow:	Townhome Residential Community (Mixed-Use Infill)

IMPORTANT!: Oregon's Land Use Planning Laws and 157.208 of the Hermiston Code of Ordinances require the planning commission to make findings of facts with regard to requests for conditional use permits. The findings provide justification to either approve or deny the application. Read the questions that follow and answer them as completely as you can; use additional sheets if necessary. Your responses will be used by the City to make findings and evaluate the merits of your request. The chances of a successful application depend upon the adequacy of the arguments you present to justify approval of the application.

APPROVAL CRITERIA & FINDINGS OF FACT

1. The proposal is in conformance with the comprehensive plan and zoning ordinance. Explain fully:

The requested Conditional Use Permit is in full conformance with the City of Hermiston Comprehensive Plan and Zoning Ordinance. The proposed townhome development aligns with the city's growth management policies by encouraging compact, efficient infill and mixed-use redevelopment on commercial land. By offering residential options adjacent to existing commercial services, the project supports comprehensive plan goals to expand diverse housing options while maintaining long-term commercial vitality.

2. The property is adequate in size and shape to accommodate the proposed use, together with all other zoning requirements and any additional conditions imposed by the planning commission. Explain fully:

The subject property (Tax Lots 400 and 600) comprises sufficient acreage and favorable geometry along NE 4th Street to accommodate the townhome structures, required off-street parking, vehicle maneuvering, perimeter setbacks, and open/landscaped spaces. The layout allows for full compliance with dimensional standards, stormwater management, and utility routing without needing dimensional variances.

3. Public facilities are of adequate size and quality to serve the proposed use. Explain fully:

The site is located within an established urban core served by existing municipal water, sanitary sewer, storm drainage, and public utility networks along NE 4th Street. Fire protection, police, and emergency services are currently active in the area. The existing transportation and utility infrastructure possesses sufficient capacity to absorb the residential demand without requiring major public capital investments.

4. The proposed use will prove reasonably compatible with surrounding properties. Explain fully:

The townhome development is designed to integrate seamlessly with surrounding commercial and residential land uses. High-quality architectural standards, landscaped buffer areas, and standard lighting controls will preserve neighborhood aesthetic standards and prevent adverse light, privacy, or traffic impacts on neighboring parcels, creating a walkable transition zone.

ADDITIONAL INFORMATION & SIGNATURES

ADDITIONAL INFORMATION TO BE FURNISHED AND ATTACHED TO APPLICATION:

1. Evidence that applicant is owner or purchaser of the property or has written permission of such owner to make an application for the proposed use.
2. Two copies of a site plan (11" x 17") drawn to scale, showing the location of the property concerned, the location of all proposed or existing building(s), highways, streets and alleys.

The above statements are true to the best of my belief and knowledge. As applicant, I understand that the planning commission requests my attendance, or the attendance of my representative, at the meeting(s) where this request is scheduled for consideration and may grant or deny this request based upon the testimony provided at the hearing.

I am the: ☒ owner ☐ owner(s) authorized representative. (If authorized representative, attach letter signed by owner.)

Applicant's Signature

Date

OUT OF POCKET EXPENSES FOR MAILING AND PUBLICATION COSTS WILL BE BILLED LATER

NOTE: The Hermiston Planning Commission meets the second Wednesday of the month. Because of public notice requirements and time constraints, this application must be returned to City Hall no less than four weeks prior to the public hearing date.

For further information, please feel free to contact the planning department at the Hermiston City Hall, 180 N.E. 2nd Street, Hermiston, OR 97838, or telephone (541) 667-5025. The City's fax number is (541) 567-5530.

MEMORANDUM

TO: Clinton Spencer, Planning Director, City of Hermiston
 CC: Kelli Martin, P.E., Region 5 Access Management & Lead Roadway and Specifications Engineer, ODOT
 FROM: Larry Frostad, P.E., P.T.O.E., Ardurra
 Conner Hansen
 DATE: July 14, 2026

SUBJECT: 4th Street Townhomes Project Trip Generation & Distribution Letter

This memorandum serves as the Trip Generation and Distribution Letter (TG&DL) prepared for the 4th Street Townhomes project proposed in Hermiston, Oregon. The Letter provides a preliminary assessment of the development's traffic volume impacts on surrounding area and adjacent streets to the project, as a function of the project approval process and for use in determining the need and scope of further documentation in a project Traffic Impact Analysis. The City of Hermiston is the lead land use jurisdiction, and ODOT is an interested party per the proximity to US 395 and Oregon State Route 207. Additional agencies may comment per invitation of City staff.

PROJECT DESCRIPTION

The 4th Street Townhomes project is a proposed development of 21 Single Family Attached Townhomes on a +/- 1.22 acre parcel (Umatilla County tax parcel account number 119019) situated on the east side of NE 4th Street north of Oregon State Highway 207 (Elm Avenue) within Hermiston, Oregon. Access to the existing street network is proposed via a connection to NE 4th Street. Site development is anticipated to be completed in 2027.

Figure 1 shows the location of the 4th Street Townhomes project. A site plan is provided in Figure 2. The site plan is subject to change during design and review.

TRIP GENERATION

Trip generation was established using methodology outlined within the Institute of Transportation Engineers (ITE) Trip Generation Manual (12th Edition, 2025). The Manual is a nationally recognized and locally accepted method for forecasting trip generation for a range of commercial, retail, and residential land uses. The methods were developed based on surveys of land uses situated throughout the United States.

ITE Land Use Code 215 was used for the purpose of trip generation. A description of this code is provided below:

Single-Family Attached Housing (ITE Land Use 215) Single-family attached housing includes any single-family housing unit that shares a wall with an adjoining dwelling unit, whether the walls are for living space, a vehicle garage, or storage space. This land use includes duplexes (defined as a single structure with two distinct dwelling units, typically joined side-by-side and each with at least one outside entrance) and townhouses/rowhouses (defined as a single structure with three or more distinct dwelling units, joined side-by-side in a row and each with an outside entrance).

The Fitted Curve Equation was used to forecast PM trips, being supported by sufficient studies (> 20) and sufficient coefficient of determination (> 0.75). Average Rate was used for the AM trips as the Fitted Curve does not calculate trips for fewer than 35 units.

Note that calculations from the Trip Generation Manual yield total trips. However, not all trips are new to the street network. Internal, Pass-by, and Diverted are terms used to describe the trip types that typically comprise total trips for a commercial project. Trip types and applications were identified using the *Trip Generation Handbook* (ITE, 2021). A description of ITE trip types and applicability for this project is as follows:

- **Internal Trips.** These trips travel between land uses of a multi-use, commercial project without using the adjacent roadway system as accomplished by local streets or through shared parking lots and access easements. An example for this project is a resident going to/from the coffee shop or restaurant located in the building. These trips are calculated using procedures and spreadsheet for *NCRHP Report 684_Internal Capture for Mixed-Use Development*. There are no Internal Trips with this project.
- **Pass-By/Diverted.** Trips attracted to/from adjacent streets or nearby streets as travelers commute between origins and destinations. These are addressed as turning trips diverted at a project approach or intersection, noted as an impact only to streets in-route between the initial travel route and proposed land use. Thus, they are only considered to impact a project approach and streets/intersections are along the diverted routes of travel. These are not considered a gain in traffic as they already exist within a commute. Pass-By / Diverted trips are not calculated for this project.
- **Net-New.** These are the trips that remain following the adjustments for Internal, Pass-by, and Diverted trips. These trips represent added system trips, having an impact not only on project driveways, but also on intersections, and streets aligned en-route between originating land uses and the project site.

Trip generation is shown below in Table 1 for typical Weekday, AM, and PM peak hours of adjacent streets, representing the impact of the project on the morning and evening rush hours.

Table 1. Trip Generation – 4th Street Townhomes

ITE Land Use Code	Units	Weekday	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
215 Single-Family Attached Housing	21	138	2	8	10	2	2	4
Net New Project Trips		138	2	8	10	2	2	4

Source: ITE Trip Generation Manual (12th Edition)

As shown, the 4th Street Townhomes project is expected to generate 138 New Weekday trips with 10 of those trips occurring in the AM peak hour and four occurring in the PM peak hour.

TRIP DISTRIBUTION AND ASSIGNMENT

The distribution and assignment of new project trips provide an initial impact assessment to help identify where volume changes are anticipated on the transportation network. The type of development, location of businesses and other residential land use attractions, and the roadway network influence trip distribution.

The project is accessed via NE 4th Street. Attractions include shopping directly to the west and the signalized intersection to the south to facilitate turning movements. The resulting trip distributions and associated Weekday, AM, and PM trip assignments are shown with Table 2.

Table 2. Trip Distribution and Assignment – New Trips

Origin/Destination	ADT ¹	Distributions	Trip Assignments		
			Weekday	AM	PM
OR 207 (Elm Street)	N/A				
- To/From West of 4th		45%	62	4	2
- To/From East of 4th		25%	34	3	2
4 th Street	N/A				
- To/From North of Site		20%	28	2	0
- To/From South of OR 207		10%	14	1	0
Trip Totals	N/A	100%	138	10	4

1. Not Available

IMPACT ASSESSMENT AND AREA

General practice is that any major intersection anticipated to support 25 or more new peak hour trips is identified for consideration of further evaluation. A “major” intersection is generally defined as the junction of two roadways classified as collectors or arterials. NE 4th Street is a Minor Arterial north of OR 207-Elm Avenue and a Major Collector south. OR 207 is functionally classified as a State Highway – Minor Arterial. To the west, US 395 is a Principal Arterial.

No major intersections are forecast to receive more than 25 project trips.

Per Section 5.D.1. of City of Hermiston Public Works Standards (February 2024), the City may require a TIA for projects that generate 1,000 or more Weekday trips, or for project locations where *"traffic characteristics could affect traffic safety, access management, street capacity, or known traffic problems or deficiencies in a development's study area"*. From review of the available information, the criteria do not appear to be met with this project.

Pedestrian frontage improvements are assumed per the Public Works Standards, although the type and exact location of crossings have not been shown on the Site Plan. The current driveway location is more than 250' from Elm Avenue.

SUMMARY

The 4th Street Townhomes project is a proposed development of 21 Single-Family Attached Townhomes on a +/- 1.22 acre parcel situated on the east side of NE 4th Street north of Oregon State Highway 207 (Elm Avenue) within Hermiston, Oregon. Access to the existing street network is proposed via a connection to NE 4th Street. Site development is anticipated to be completed in 2027.

Trip generation was determined using data from the ITE Trip Generation Manual 12th Edition. The project is anticipated to generate a total of 138 Weekday trips, with 10 trips during the AM peak hour and four trips during the PM peak hour. Trips were distributed to the network based on residential density and complementary land uses in the vicinity of the site. No intersections of functionally classed facilities were identified to receive more than 25 project trips.

This ends the Trip Generation and Distribution Letter prepared for the 4th Street Townhomes project in support of the transportation concurrency process. Please contact our office with questions and/or comments.



Where Life is Sweet

Members of the Planning Commission

STAFF REPORT

For the Meeting of September 30, 2026

Title/Subject

Conditional Use Permit - 4N2812BB TL 417 to 423 Olin Homes OR LLC NE Emerald Dr & NE 11th St

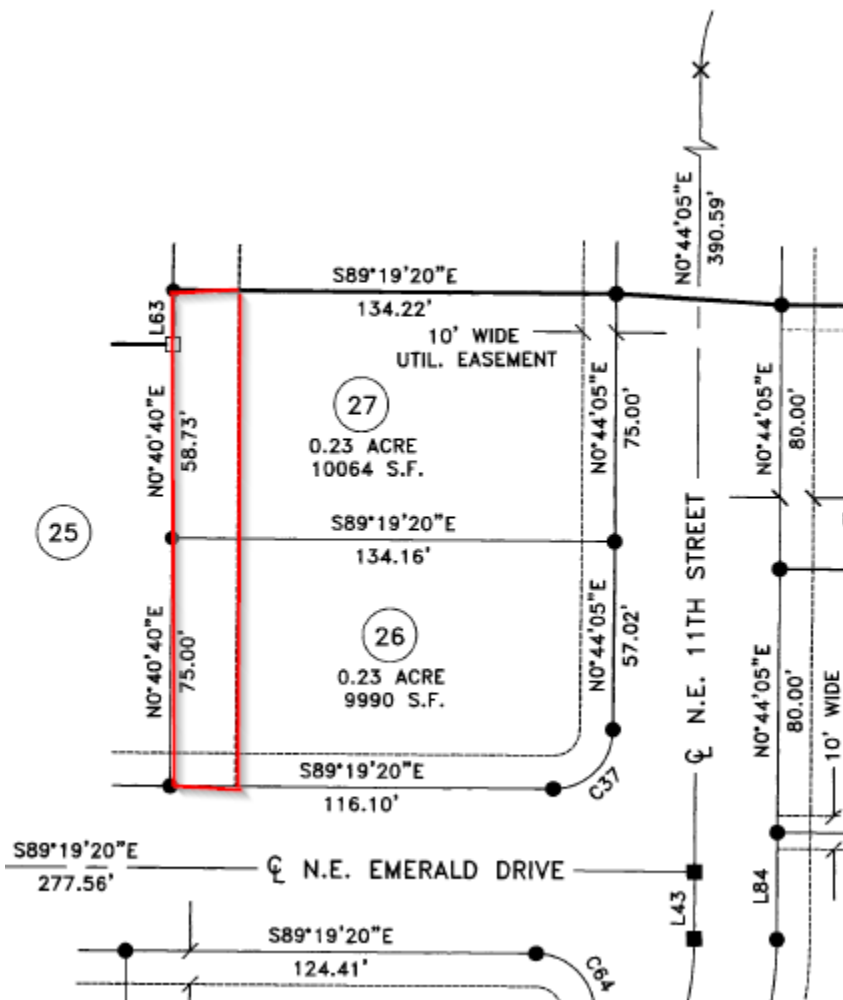
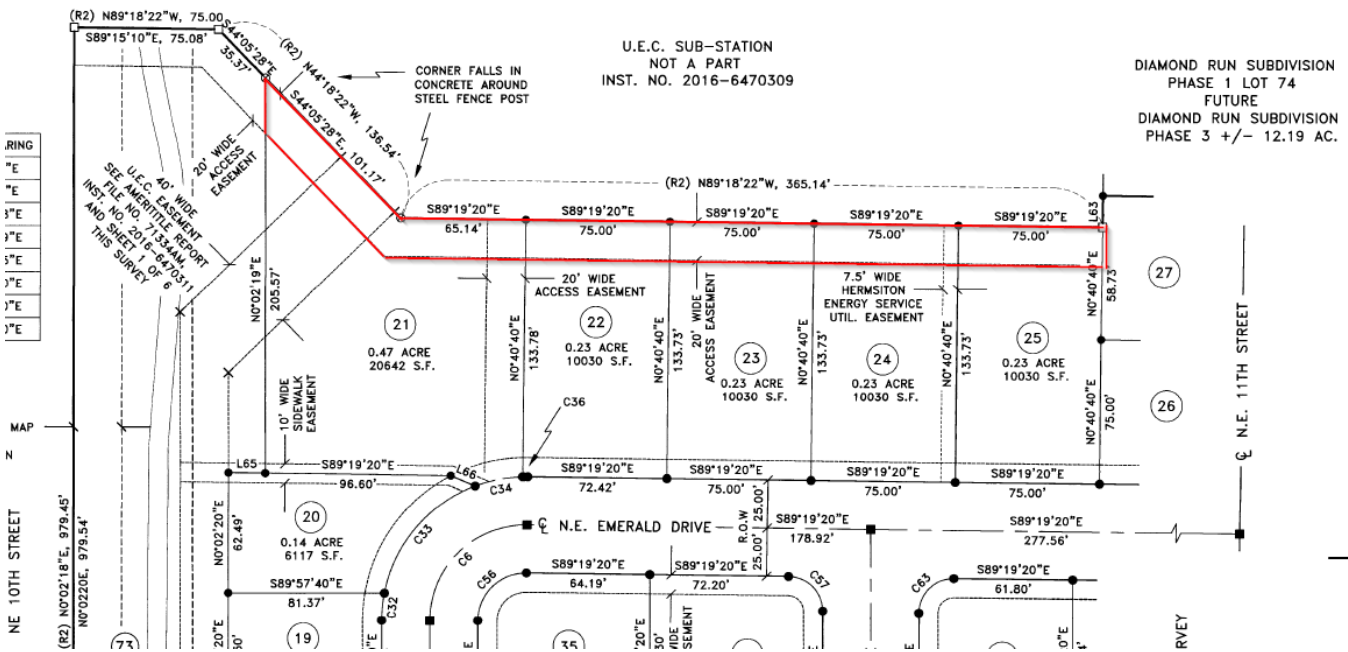
Summary and Background

Dean Olin of Olin Homes has submitted a request for a conditional use permit for seven lots within the Diamond Run middle housing development. The land proposed for a conditional use permit is in the northwest corner of the development in the portion of the development zoned with a Neighborhood Commercial Overlay (NCO). The applicant is requesting a conditional use permit to construct seven four-plex multi-family housing buildings, five mini-storage buildings, and two parking areas for storage of RVs and boats. The NCO zoning permits these uses through the conditional use permit process. The area under consideration is approximately 1.8 acres. There are seven lots in total ranging in size from 0.48 acres to 0.23 acres. The property is owned by Home Run Land LLC.

The issuance of a conditional use permit is a quasi-judicial land use action. Land use actions are deemed quasi-judicial where it is determined they have an impact on a specific site and do not have widespread and significant impact beyond the immediate area of the proposed action.

The property is described as 4N 28 12BB Tax Lots 417, 418, 419, 420, 421, 422, and 423. Twenty-eight multi-family units divided across seven lots and 33 storage units divided across five lots are all permitted conditionally in the NCO zone. Dwellings in the NCO zone are subject to two sets of development standards. New construction is subject to the NCO design standards which follow the C-2 requirements. Existing dwellings may be remodeled, rebuilt, and expanded in conformance with R-3 standards. Since the dwellings on these lots are entirely new construction the C-2 standards are applicable.

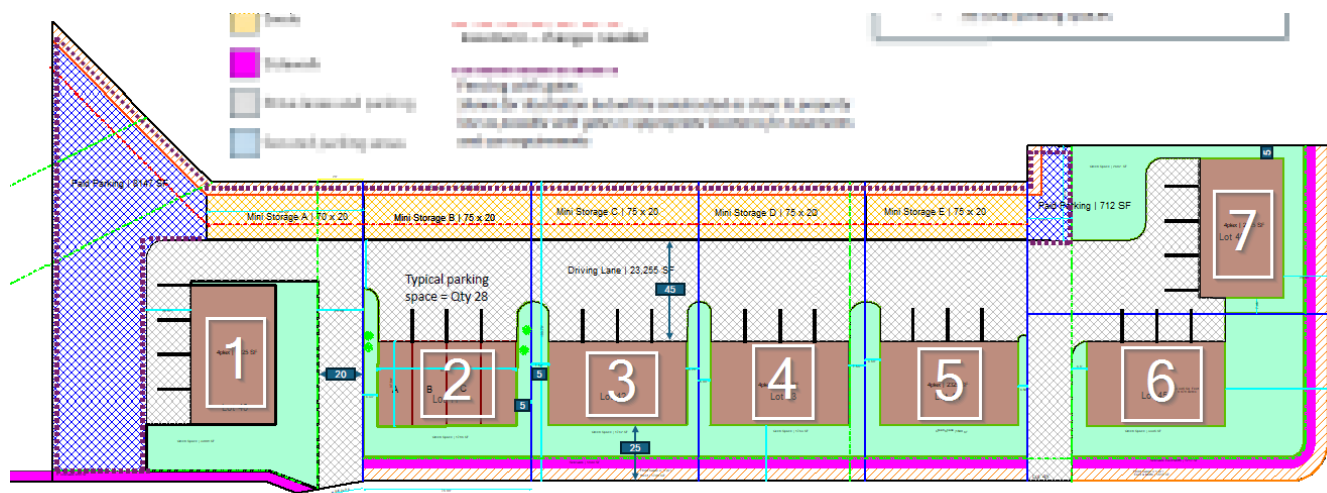
The property is currently encumbered with set of reciprocal access easements benefiting all of the NCO lots to encourage circulation and limit street access. The easements that require changing are shown in red below.



The reciprocal easements sit under the area proposed for mini-storage use. Additionally, the eastern shared access easement provides additional access for NCO lots to the north which are

not part of this application. There are additional points of access to the north and it is not necessary for this access to extend to the north and the applicant is proposing to fence this area and use it for storage. It is necessary for these easements to be vacated and rededicated prior to any construction taking place. There are two points of access to NE Emerald Drive for this development and all units access parking from the rear, therefore it is necessary to rededicate the reciprocal easement to the south in the driving lanes for the shared parking. As of the date of this report no replat has been submitted to the city for review. As a condition of approval, staff recommends that the conditional use permit not take effect until a replat application has been submitted and approved. If an application has not been submitted within 12 months of the date of approval, the conditional use permit will become void unless an extension is approved by the planning commission as required by §157.228(B) of the Hermiston Code of Ordinances.

The proposed site plan for the multi-family units has some design deficiencies which shall be addressed prior to construction. A partial site plan is included below and annotated by planning staff to number each building 1 through 7 and detail deficiencies to address.



In the above included site plan, Building #1 (the furthest west building) does not have sufficient distance between the parking fence and the parking striping for vehicles to turn and exit the area. This issue can be resolved by rotating the building ninety degrees and orienting the garages and parking to the north. Building #6 has two parking spaces which are inaccessible, either by vehicles occupying parking in Building #7 or by the physical location of Building #7 itself. This issue can be resolved by rotating Building #7 ninety degrees and orienting the garages to the south. Rotating Building #7 90 degrees and orienting the building to the south will also remedy a deficiency in the design of Building #7 itself where two of the parking spaces for Building #7 are inaccessible due to the placement of the landscape area.

The applicant has prepared a packet of findings which are attached to this report.

The lack of replat filling and necessary design changes to the site plan make full consideration of the conditional use permit difficult. All of the necessary design changes appear to be addressable through conditions of approval. However, it is preferable to continue the hearing and require completed revisions to be submitted prior to issuing a decision. Alternately, the planning commission may also choose to deny the permit and require the applicant to resubmit. The staff recommendation is to continue the hearing and require modifications to the site plan. Issuance of a new conditional use permit is subject to the requirements of §157.208 of the Hermiston Code of Ordinances. This section provides the method and approval criteria

necessary for approving or denying a conditional use. The specific findings required by this section are:

1. The proposal is in conformance with the comprehensive plan and zoning code.
2. The property is adequate in size and shape to accommodate the proposed use, together with all other zoning requirements and any additional conditions imposed by the planning commission.
3. Public facilities are of adequate size and quality to serve the proposed use.
4. The proposed use will prove reasonably compatible with surrounding properties.

The planning commission may impose, in addition to those standards and requirements expressly specified by the zoning code, any additional conditions they consider necessary to protect the best interests of the surrounding property or the city. These conditions may include increasing the required lot size or yard dimensions; limiting the height of buildings; controlling the location and number of off-street parking and loading spaces required; limiting the number size and location of signs; requiring screening and landscaping to protect adjacent property and any other condition deemed necessary by the commission.

It is not necessary to restate other ordinances and statutory requirements of the conditional use as part of the proceedings. The granting or denial of a conditional use will not affect the requirements of the City of Hermiston to comply with building, plumbing, and electrical codes, other ordinances, statutory or regulatory compliance issues.

Tie-In to Council Goals

1.9 Attract market rate housing developments to increase middle housing inventory

Fiscal Information

Similar multi-family developments with similar unit counts are valued between \$2 and \$3 million. It is anticipated this development will generate approximately \$25,000 in city tax revenue annually.

The mini-storage component competes with similarly valued mini-storage operations valued near \$500,000 and will generate approximately \$3,500 in city tax revenue annually.

Alternatives and Recommendation

Alternatives

The planning commission may choose to:

- Approve the proposed conditional use permit with the condition that the plan be modified and approved by staff prior to issuance of building permits
- Continue the hearing and require a revised site plan to be submitted prior to reconvening
- Deny the conditional use permit application and require the applicant to resubmit a compliant site plan

Recommended Action/Motion

Staff recommends that the planning commission continue the hearing and require a revised site plan to be submitted prior to reconvening.

Submitted By:

C.F. Spencer, Planning Director



CONDITIONAL USE PERMIT NARRATIVE

DIAMOND RUN PHASE 1 – MULTIFAMILY AREA (LOTS 40-46)

*Prepared in Support of a Conditional Use Permit Application
Submitted to the City of Hermiston Planning Department*

PRESENTED TO

City of Hermiston

DATE

July 21, 2026

OWNER

Home Run Land LLC
Lloyd & Lois Piercy

DEVELOPER

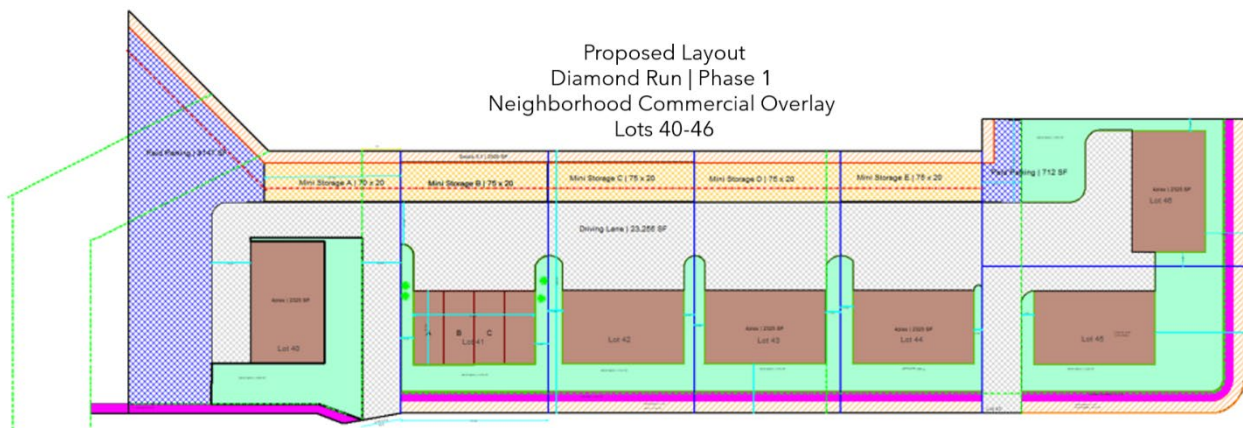
Olin Homes (OR), LLC
Dean Olin

PREPARED BY

LandWise, LLC
Owner Representative for Olin
Homes

TABLE OF CONTENTS

1. Project Overview
2. Site Composition
3. Project Description
4. Approval Criteria and Findings
5. Conclusion
6. Site Plan
7. Supporting Exhibits and Drawings



Conceptual Layout for illustrative purposes only. See supporting exhibits for the full-size site plan.

PROJECT OVERVIEW**1**

Diamond Run Phase 1 has been intentionally planned as an integrated residential neighborhood that balances housing, resident amenities, landscaped open space, circulation, and supporting infrastructure. The conceptual development provides twenty-eight new dwelling units while incorporating neighborhood-scale features designed to enhance community character, functionality, and long-term livability.

Owner	Home Run Land LLC Lloyd & Lois Piercy
Developer/Applicant	Olin Homes (OR) LLC Dean Olin
Prepared By	LandWise LLC Angie Sullivan
Zoning	NCO Neighborhood Commercial Overlay
Lots & Parcels	40 00417 44 00421 41 00418 45 00422 42 00419 46 00423 43 00420 7 Total Lots
Acreage	1.86 acres
Residential Buildings	Seven (7) Fourplex Buildings, each with four attached one-car garages
Dwelling Units	Twenty-eight (28) one-bedroom, one-bathroom dwelling units, each with a dedicated one-car garage
Private Storage Buildings	5
Individual Storage Units	33
Secure Vehicle Storage Areas	2 areas, approximately 8860 SF
Existing Infrastructure	Municipal Water, Fire Protection, Sanitary Sewer, Storm Drainage, Streets, Power, and Communications
Site Plan	Conceptual
Total Area	88,815 SF
Residential Building Footprint Area	16,275 SF 20%
Storage Building Footprint Area	7,400 SF 9%
Green Space including Swales	21,950 SF 27%
Parking, Drive Lanes & Sidewalk Area	26,330 SF 32%
Secured Parking Area	8,860 SF 11%

Figure 1: Project Summary

SITE COMPOSITION

2

- Residential Buildings
- Landscaped Open Space
- Private Storage
- Parking, Drive Lanes & Sidewalks
- Residential Vehicle Storage

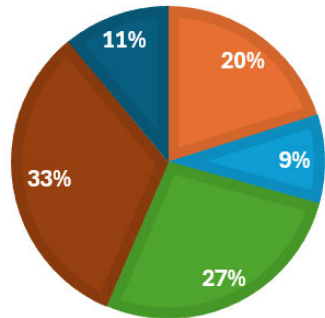


Figure 2: Site Composition

Figure 1. Conceptual allocation of the project site illustrating the intentional balance between residential development, resident amenities, landscaped open space, circulation, and supporting infrastructure.

PROJECT DESCRIPTION

3

Olin Homes (OR), LLC is requesting approval of a Conditional Use Permit to develop seven (7) Neighborhood Commercial Overlay (NCO) lots within Diamond Run Phase 1, located in the City of Hermiston, Oregon.

The proposed development has been designed as an integrated mixed-use residential project that combines medium-density housing with complementary neighborhood amenities intended to improve long-term livability and functionality for Diamond Run residents. The project includes one four-unit residential building on each lot, providing a total of twenty-eight (28) dwelling units, together with private storage buildings on selected lots and secure vehicle storage areas designed to accommodate recreational vehicles, boats, trailers, and other resident-owned vehicles.

The development has been intentionally planned to balance residential housing with neighborhood-supporting amenities, landscaped open space, efficient circulation, and on-site storage opportunities. The resulting layout promotes long-term livability while helping reduce neighborhood impacts commonly associated with higher-density residential development, including on-street parking congestion and the storage of recreational vehicles, boats, trailers, and other resident-owned vehicles.

Households in Eastern Oregon commonly own recreational vehicles, boats, utility trailers, and other large personal equipment that often cannot be accommodated within conventional residential garages. The proposed development responds to these regional lifestyle needs by incorporating secure resident storage and dedicated vehicle storage as integrated neighborhood amenities, reducing the potential for outdoor storage and long-term parking on neighborhood streets.

The proposed development responds to these needs through design rather than density alone. Each component of the site—including housing, private storage, landscaped open space, circulation, and resident vehicle storage—has been intentionally integrated to create a complete residential environment that supports the daily needs of future residents.

The project utilizes existing and planned public infrastructure, including public streets, municipal water, sanitary sewer, storm drainage, and franchise utilities. Internal circulation, pedestrian connections, landscaped areas, and stormwater facilities have been incorporated into the conceptual site design to create a coordinated development that is compatible with the surrounding neighborhood and consistent with the City's long-term planning objectives.

The conceptual site plan submitted with this application is intended to demonstrate compliance with the Conditional Use Permit approval criteria. Final architectural design, site design, utility design, landscaping, and construction documents will be completed during subsequent engineering and building permit review. Minor refinements to building placement, storage building layouts, parking areas, landscaping, and other site improvements may occur during final design while maintaining consistency with the approvals requested through this application.

The applicant has worked collaboratively with City planning staff throughout the conceptual design process. The proposed site layout reflects input received during pre-application meetings, including the incorporation of private storage facilities, secure resident vehicle storage, and the planned relocation of the internal access easement through the subdivision replat process. The resulting plan represents a thoughtful and coordinated approach to providing additional housing while enhancing neighborhood functionality and protecting the long-term character of Diamond Run.

APPROVAL CRITERIA AND FINDINGS

4

This narrative has been prepared in support of a Conditional Use Permit application for the proposed **Diamond Run Phase 1 - Multifamily Development (Lots 40-46)**. The application addresses the approval criteria established by the City of Hermiston for Conditional Use Permits and is intended to assist the Planning Commission in evaluating the proposed development.

The findings presented in the following sections respond individually to each of the approval criteria identified in the City's Conditional Use Permit application. The narrative describes the proposed development, summarizes the conceptual site design, and demonstrates how the project satisfies the applicable review standards based upon the information available at this stage of project development.

As part of the design process, the applicant met with City planning staff through the pre-application review process to discuss the proposed development and refine the conceptual site plan. The application reflects that collaborative effort by incorporating staff input into the proposed layout while maintaining flexibility for final site design, architectural design, landscaping, and building permit review.

The Planning Department's review is requested for the conceptual land use plan and the proposed mix of uses. Following land use approval, final architectural plans, subdivision replat, surveying, easement relocation and dedication, utility service connections, landscaping, and other technical details will be completed and reviewed through the City's applicable permitting and building review processes.

The findings that follow are intended to demonstrate that the proposed development is consistent with the purpose and intent of the Neighborhood Commercial (NCO) zoning district and represents a compatible, well-planned development that provides additional housing opportunities together with neighborhood-supporting amenities designed to enhance the long-term livability, functionality, and character of the Diamond Run community.

QUESTION 1**4**

THE PROPOSAL IS IN CONFORMANCE WITH THE COMPREHENSIVE PLAN AND ZONING ORDINANCE. EXPLAIN FULLY:

The proposal is in conformance with the Comprehensive Plan and the applicable provisions of the Hermiston Zoning Ordinance.

APPLICANT'S RESPONSE

The proposed development is consistent with the goals and policies of the City of Hermiston Comprehensive Plan and complies with the intent and applicable provisions of the Neighborhood Commercial Overlay (NCO) District.

The proposal advances the Comprehensive Plan's vision for neighborhood commercial areas by integrating residential housing with resident-oriented amenities in a manner that complements and supports the surrounding neighborhood while remaining consistent with the purpose and intent of the Neighborhood Commercial Overlay District.

Diamond Run Phase 1 has been designed to provide additional housing opportunities while incorporating neighborhood-supporting amenities that serve the long-term needs of residents. The project combines twenty-eight (28) residential dwelling units with private storage buildings and secure resident vehicle storage areas in a coordinated site design that promotes functionality, efficient land use, and neighborhood compatibility.

The Neighborhood Commercial Overlay District is intended to accommodate neighborhood-scale uses that provide services and amenities supporting nearby residential development. The proposed mix of residential housing together with resident-oriented storage facilities and secure vehicle parking is consistent with that purpose. Rather than functioning as an independent commercial self-storage facility, the storage buildings and secure vehicle storage areas are accessory amenities intended exclusively for residents of the development, enhancing the usability and long-term livability of the neighborhood.

The project also advances broader objectives of the Comprehensive Plan by making efficient use of land within the Urban Growth Boundary, utilizing existing public infrastructure, and contributing to the City's supply of attainable housing. Development within an area already served by public streets, municipal water, sanitary sewer, storm drainage, and other public utilities represents an efficient and responsible use of community infrastructure while supporting orderly urban growth.

The conceptual site design has been intentionally organized to balance residential development with landscaped open space, internal circulation, pedestrian connectivity, and resident amenities. Secure on-site storage for recreational vehicles, boats, trailers, and other resident-owned vehicles helps reduce on-street parking congestion while improving the overall appearance and functionality of the neighborhood.

The applicant has worked collaboratively with City planning staff throughout the conceptual design process. Feedback received during the pre-application review has been incorporated into the proposed layout, including refinement of the internal access configuration and the integration of resident-supporting storage facilities. The conceptual site plan submitted with this application reflects that collaborative process while maintaining flexibility for final engineering, architectural design, landscaping, and building permit review.

For these reasons, the applicant finds that the proposed development is consistent with the City of Hermiston Comprehensive Plan, satisfies the intent of the Neighborhood Commercial Overlay District, and meets the applicable approval criteria for approval of a Conditional Use Permit.

QUESTION 2

4

THE PROPERTY IS ADEQUATE IN SIZE AND SHAPE TO ACCOMMODATE THE PROPOSED USE, TOGETHER WITH ALL OTHER ZONING REQUIREMENTS AND ANY ADDITIONAL CONDITIONS IMPOSED BY THE PLANNING COMMISSION. EXPLAIN FULLY:

The property is of sufficient size, shape, and topography to accommodate the proposed use and any associated uses, structures, parking, landscaping, and other site improvements.

APPLICANT'S RESPONSE

The subject property is of sufficient size, configuration, and topography to accommodate the proposed development. The conceptual site plan demonstrates that the property can support the requested residential use together with the associated storage buildings, secure resident vehicle storage areas, parking, internal circulation, pedestrian access, landscaping, utilities, and stormwater facilities while maintaining an organized and functional site layout.

The seven development lots were created as part of the approved Diamond Run subdivision and are served by a coordinated street network and planned public infrastructure. Their size and configuration provide adequate area to accommodate the proposed fourplex buildings and supporting site improvements while maintaining appropriate setbacks, circulation, and open space. The conceptual layout illustrates that the various project elements function together as a coordinated development rather than as unrelated individual sites.

The property is generally level and well suited for urban residential development. Existing topographic conditions minimize the need for significant grading and facilitate efficient extension of public infrastructure throughout the site. These physical characteristics support orderly site development while reducing construction complexity and allowing flexibility during final site design.

The conceptual site design also demonstrates that the property is capable of accommodating the practical needs of future residents. In addition to residential buildings, the plan incorporates private storage buildings, secure resident vehicle storage areas, landscaped open space, pedestrian connections, and internal vehicle circulation. These features have been intentionally integrated into the overall layout to improve functionality and create a more complete residential environment.

Parking and circulation have been organized to provide safe and convenient access throughout the development. The inclusion of secure storage areas for recreational vehicles, boats, trailers, and other resident-owned vehicles provides an opportunity to reduce parking demand on neighborhood streets while accommodating uses commonly associated with residential living in Eastern Oregon.

Because this application is based upon a conceptual land use plan, the precise location and configuration of individual site improvements may be refined during final site plan design and building permit review. Those refinements are not anticipated to alter the overall development concept or the ability of the property to fully accommodate the proposed use.

Based upon the conceptual site design and the physical characteristics of the property, the applicant finds that the site is adequate in size, shape, and topography to support the proposed development and all associated site improvements consistent with the approval criterion.

Building Setback Compliance Residential Buildings						
Lot	Frontage	Front (ft)	Depth (ft)	Side	Front	Back
40	117	62	38	5	15	10
41	75	62	38	5	15	10
42	75	62	38	5	15	10
43	75	62	38	5	15	10
44	75	62	38	5	15	10
45	75	62	38	5	15	10
46	75	62	38	5	15	10
7 Lots						

Figure 3: Building Setback Compliance | Residential Buildings

Building Setback Compliance Storage Buildings						
Lot	Frontage	Front (ft)	Depth (ft)	Side	Front	Back
40	117	70	20	5	15	10
41	75	75	20	5	15	10
42	75	75	20	5	15	10
43	75	70	20	5	15	10
44	75	75	20	5	15	10
5 Lots						

Figure 4: Building Setback Compliance | Storage Buildings

Parking Compliance Summary				Attached	Exterior	Total
Lot	Lot Area (SF)	Building Area (SF)	Dwelling Units	Garage Spaces	Parking Spaces	Parking Spaces
40	20,641	2,325	4	4	2	6
41	10,029	2,325	4	4	2	6
42	10,030	2,325	4	4	2	6
43	10,030	2,325	4	4	2	6
44	10,030	2,325	4	4	2	6
45	9,990	2,325	4	4	2	6
46	10,065	2,325	4	4	2	6
7	Lots	16,275	28	28	14	42

Figure 5: Residence Parking Compliance

QUESTION 3

4

PUBLIC FACILITIES ARE OF ADEQUATE SIZE AND QUALITY TO SERVE THE PROPOSED USE. EXPLAIN FULLY:

Public facilities serving the proposed use are of adequate size and quality to accommodate the proposed development.

APPLICANT'S RESPONSE

The proposed development will be served by public infrastructure that was planned and constructed as part of the Diamond Run subdivision improvements. Public streets, municipal water, sanitary sewer, storm drainage, fire protection infrastructure, and other franchise utilities are available to serve the proposed development and are consistent with the level of urban development anticipated within the subdivision.

The applicant is familiar with the design and construction of the public improvements serving these lots and has confirmed that the infrastructure was designed to accommodate multifamily residential development. The proposed use is consistent with the original planning and design intent for this portion of Diamond Run and can be served by the existing public infrastructure without requiring extraordinary public facility improvements.

The conceptual site plan demonstrates that adequate area exists to accommodate internal circulation, emergency vehicle access, parking, utility connections, stormwater facilities, landscaping, and pedestrian access. Final site plans will establish the precise location and design of these improvements and will be reviewed through the City's normal building permit processes to ensure compliance with all applicable development standards.

The proposed private storage buildings are intended as accessory neighborhood amenities serving the residents of the development. These structures will be limited to basic electrical service for lighting and security purposes and are not intended to contain plumbing, habitable space, or utility services associated with commercial occupancy. As a result, the storage facilities are expected to place minimal additional demand on public utility systems while providing a valuable amenity for future residents.

The proposed development represents an efficient use of public infrastructure that has already been planned and constructed to support urban growth within the Diamond Run subdivision. Based upon the available public facilities and the planned design of the development, the applicant finds that adequate public services are available to accommodate the proposed use consistent with the requirements for approval of a Conditional Use Permit.

The proposed utility demands are consistent with the infrastructure that was originally planned and constructed for these lots. The development does not introduce unusual utility demands or intensive commercial uses beyond those anticipated during subdivision planning.

QUESTION 4

4

THE PROPOSED USE WILL PROVE REASONABLY COMPATIBLE WITH SURROUNDING PROPERTIES. EXPLAIN FULLY:

The proposed use will prove reasonably compatible with surrounding properties.

APPLICANT'S RESPONSE

The proposed development has been intentionally designed to complement the existing and planned residential character of the Diamond Run neighborhood. The project combines multifamily housing with resident-oriented amenities in a coordinated site layout that enhances long-term neighborhood livability while maintaining compatibility with surrounding properties.

Although the development includes private storage buildings and secure resident vehicle storage areas, these facilities are not proposed as an independent commercial self-storage use. Rather, they are

accessory amenities intended exclusively for the residents of the development. The storage buildings are designed to accommodate the everyday storage needs of residents, while the secure vehicle storage areas provide dedicated space for recreational vehicles, boats, trailers, and other resident-owned vehicles commonly associated with residential living in Eastern Oregon.

The location of the private storage buildings was also carefully considered in relation to adjoining land uses. The northern boundary of the development is adjacent to an existing Umatilla Electric Cooperative electrical substation. Placing the storage buildings along this property line creates a logical transition between the residential portions of the development and the utility facility. The storage buildings serve as a visual buffer while locating the lowest-intensity project elements adjacent to an existing public utility use, allowing the residential buildings and primary outdoor living areas to be oriented toward the interior of the neighborhood.

The inclusion of these amenities is intended to reduce the need for residents to store recreational vehicles, trailers, and other large personal property on neighborhood streets or individual residential lots. By providing secure on-site storage within the development, the project promotes a more organized neighborhood appearance, reduces potential on-street parking congestion, and supports the long-term quality and functionality of the surrounding residential area.

The project also benefits from nearby public investments, including the landscaped pedestrian corridor and park improvements located near the development. The conceptual site plan complements these community amenities by orienting residential activity toward the neighborhood while using thoughtful site planning to transition to adjoining infrastructure. This approach creates a cohesive relationship between residential development, public open space, and existing utility facilities.

The conceptual site plan has been designed to provide an orderly arrangement of buildings, parking, internal circulation, landscaped open space, and pedestrian connectivity. Residential buildings, storage facilities, and vehicle storage areas function together as components of a unified neighborhood rather than as separate or unrelated uses. Each element has been intentionally located to improve functionality, enhance neighborhood appearance, and support a safe and attractive residential environment.

The private storage buildings are intentionally designed as low-intensity accessory structures. They are not intended for commercial occupancy and will not contain habitable space or utility services associated with commercial activities. Utility service to the storage buildings will be limited to electrical service for lighting and security purposes, reinforcing their role as neighborhood-supporting amenities rather than independent commercial uses.

The proposed development represents a thoughtful approach to neighborhood design by responding to the unique characteristics of the site and its surrounding properties. Housing, resident amenities, landscaping, internal circulation, and transitions to adjacent land uses have been integrated into a comprehensive development plan that supports both the needs of future residents and the long-term character of the Diamond Run neighborhood.

For these reasons, the applicant finds that the proposed development will be reasonably compatible with surrounding properties and will contribute positively to the character, functionality, and livability of the surrounding neighborhood.

CONCLUSION

5

The proposed Diamond Run Phase 1 – Multifamily Development (Lots 40-46) development has been thoughtfully designed to provide additional housing opportunities while responding to the practical needs of future residents and the surrounding neighborhood. The project integrates residential housing with neighborhood-supporting amenities, landscaped open space, efficient circulation, and compatible transitions to adjoining land uses within a coordinated development plan.

The applicant believes the proposal is consistent with the City of Hermiston Comprehensive Plan, satisfies the intent of the Neighborhood Commercial Overlay (NCO) zoning district, can be adequately served by existing public infrastructure, and will be reasonably compatible with surrounding properties. Accordingly, the applicant respectfully requests approval of the Conditional Use Permit.

SUPPORTING EXHIBITS AND DRAWINGS

6

- Exhibit A – Vicinity Map
- Exhibit B – Comprehensive Plan Map
- Exhibit C – Conceptual Site Plan
- Exhibit D – Site Composition Graphic
- Exhibit E – Aerial Photograph (showing the UEC substation and park)
- Exhibit F – Project Statistics
- Exhibit G – Letter of Permission (Landowner)

Prepared By

LandWise, LLC

www.LandWise.pro

Owner Representation • Development Consulting • Entitlement Coordination • Construction Management

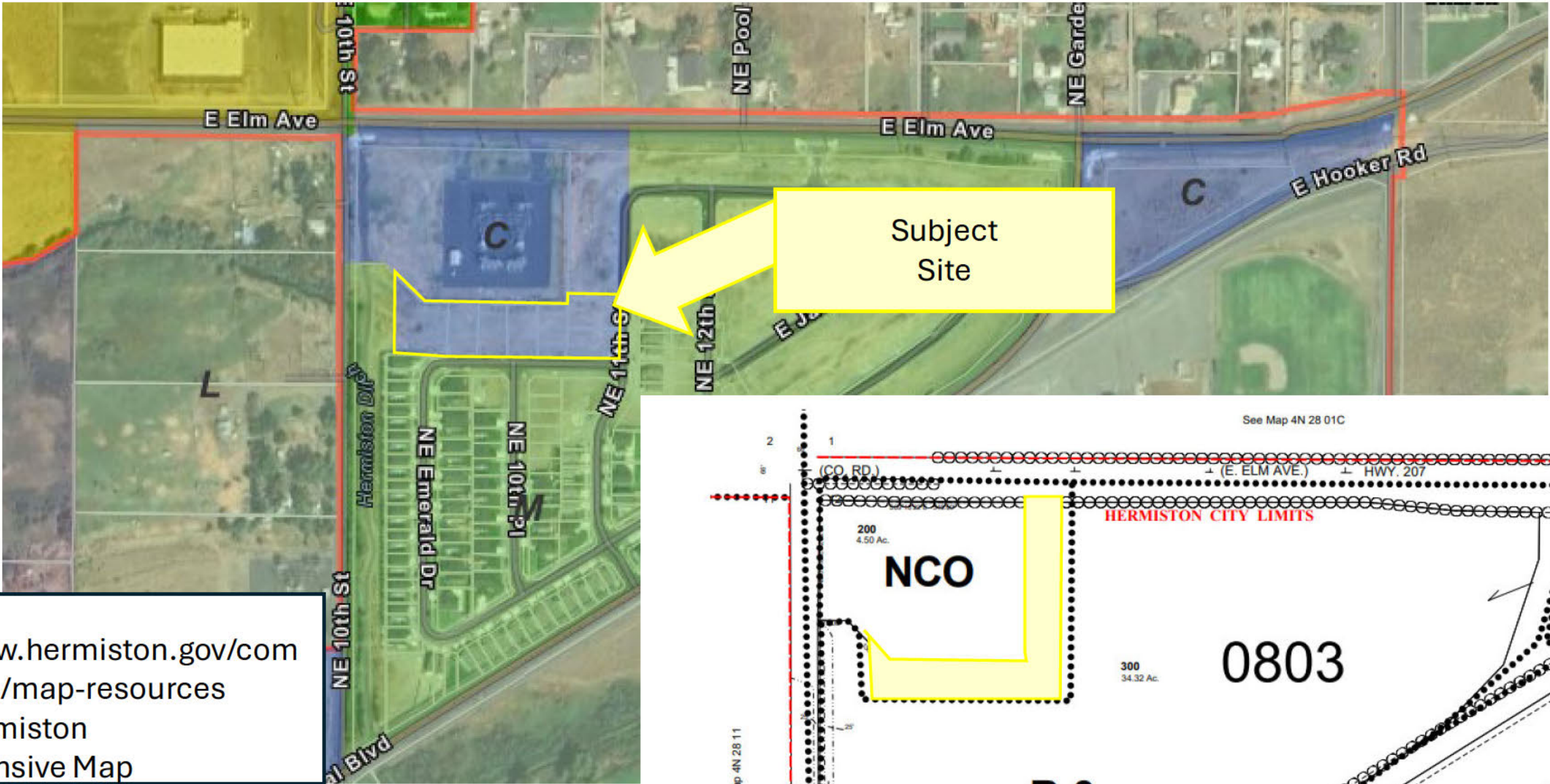
Vicinity Map



Exhibit B

Diamond Run
Phase 1 | Lots 40-46

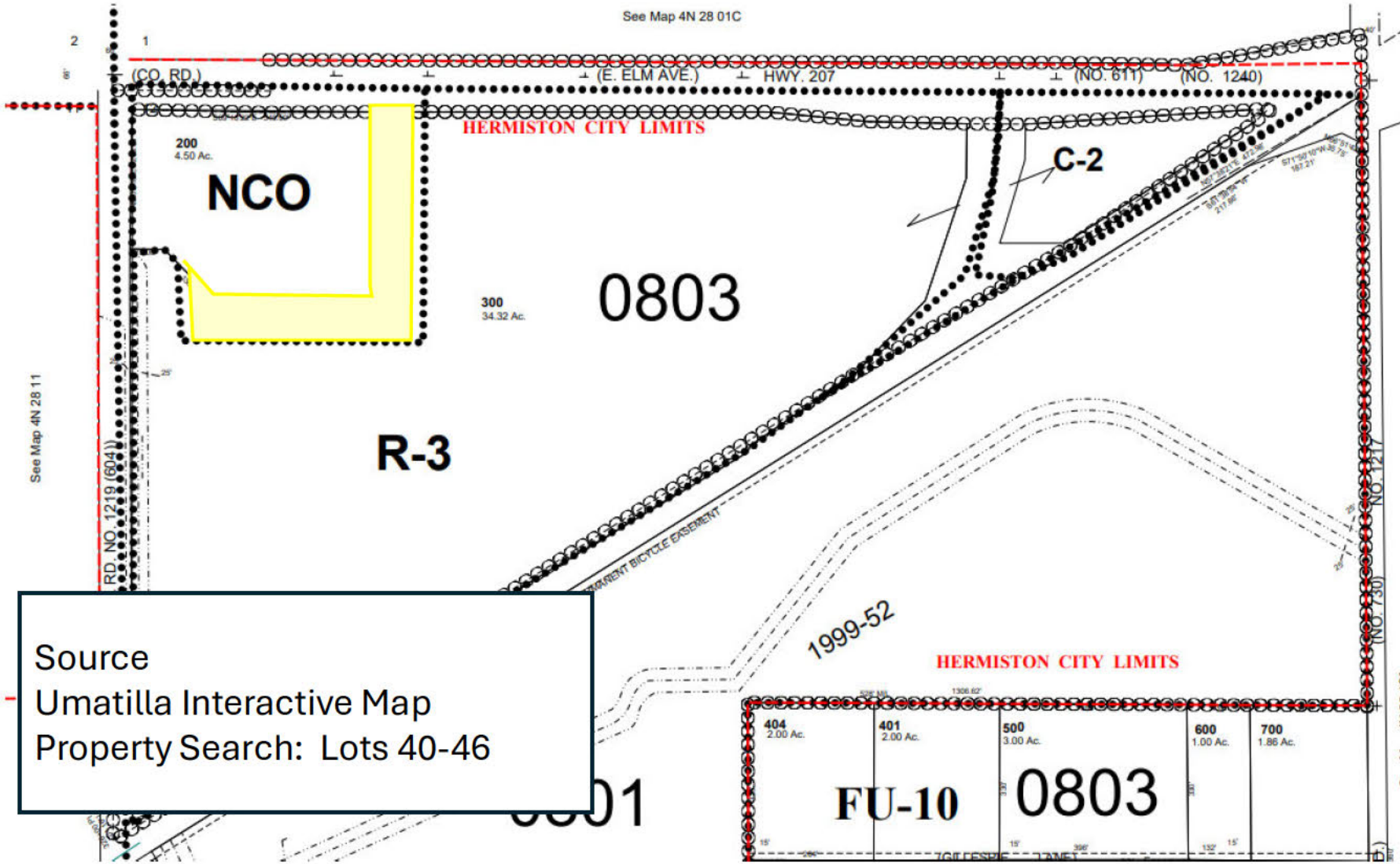
Comprehensive
Plan Map



Current designation is
C

More specifically
Neighborhood Commercial
Overlay (NCO)

Source
<https://www.hermiston.gov/comdev/page/map-resources>
City of Hermiston
Comprehensive Map



Source
Umatilla Interactive Map
Property Search: Lots 40-46

Exhibit C

Diamond Run
Phase 1 | Lots 40-46

Conceptual Site Plan

Legend

- Residential Four Plex

Storage Unit

Green space / Landscaping

Swale

Sidewalk

Drive lanes and parking

Secured parking areas
- Property Boundary Line

Parcel Boundary Line

Easement

Easement – changes needed

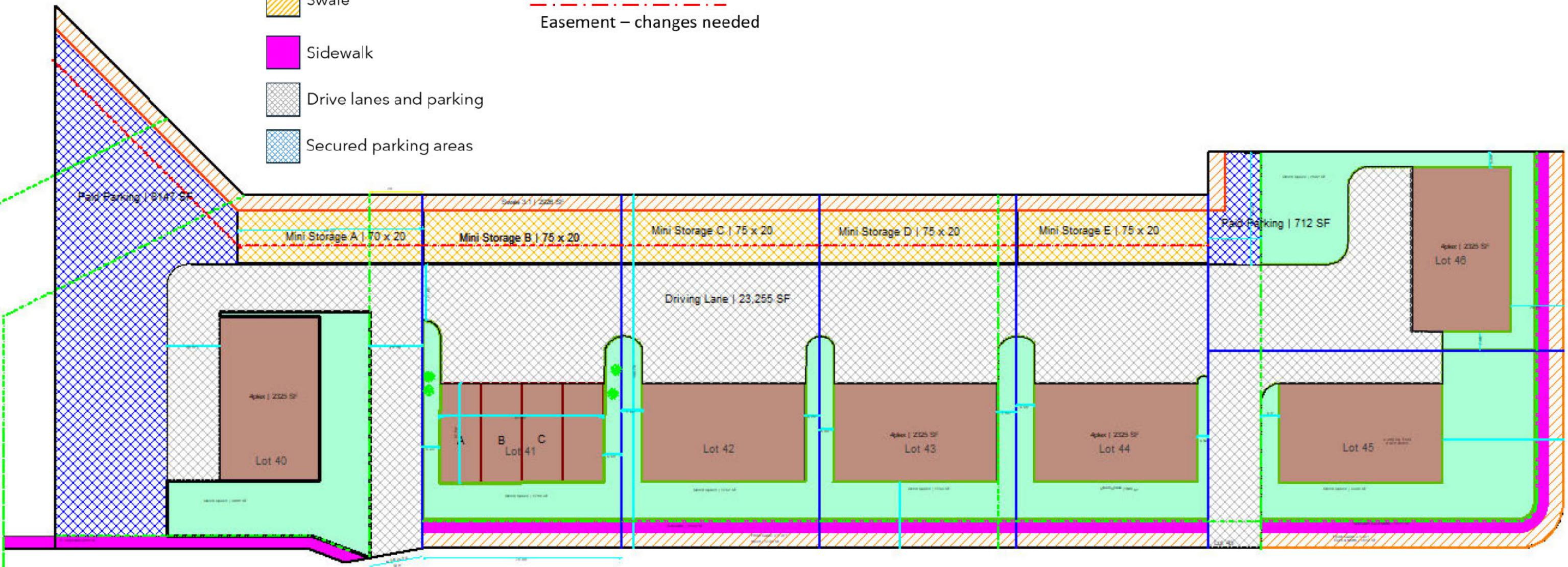


Exhibit D

Diamond Run
Phase 1 | Lots 40-46

Site Composition
Graphic

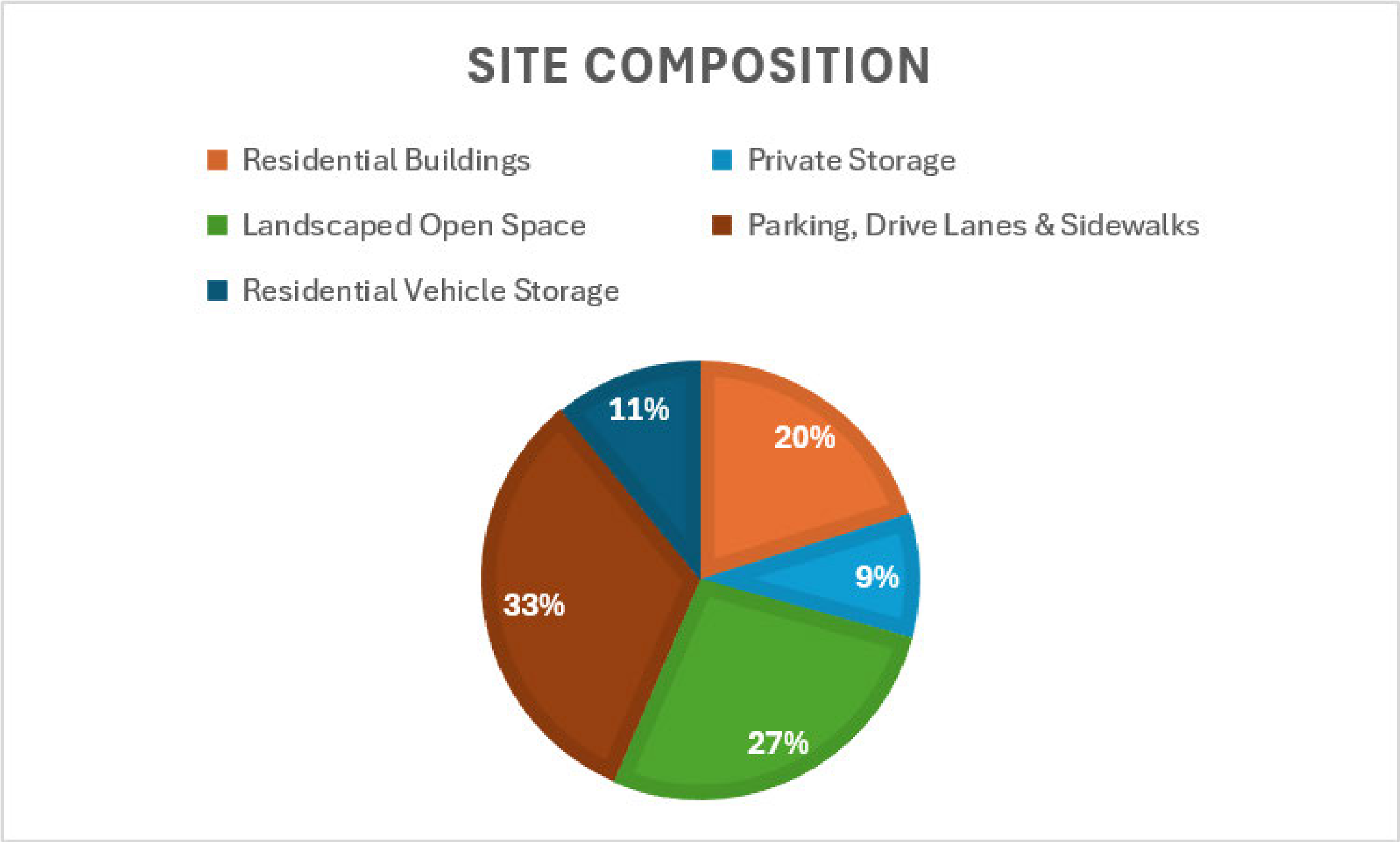


Exhibit E

Diamond Run
Phase 1 | Lots 40-46

Site Photographs



Photos on the following page, Exhibit E.1

1

Standing on Lot 45 corner looking west

2

Standing at Lot 40/41 looking north

3

Standing at UEC Easement looking east

4

New plantings along new City Path

Source
Google Earth
Image Date: 9/17/2025

Exhibit E.1

Diamond Run
Phase 1 | Lots 40-46

Site Photographs



Exhibit F

Diamond Run
Phase 1 | Lots 40-46

Project
Statistics

Project Name	Diamond Run Phase 1 Multifamily Development (Lots 40-46)		
Applicant	Olin Homes (OR) LLC		
Property Owner	Home Run Land LLC		
Owner Representative	LandWise LLC		
Comprehensive Plan Designation	Neighborhood Commercial Overlay (NCO)		
Number of Lots	7		
Total Site Area	80,815 SF or 1.86 acres		
Residential Buildings	7	The proposed development consists of 7 buildings (28 units) located on Diamond Run Phase 1. The buildings will include 28 garages, resident storage buildings, and two secondary buildings. The subdivision is located in the Commercial Overlay (NCO) zone.	
Dwelling Units	28		
Bedrooms	28		
Resident Garages	28		
Resident Surface Parking Spaces	14		
Total Parking Spaces	42		
Parking Required	42	(Calculation 1.5 per unit)	
Resident Storage Buildings	5		
Secure Vehicle Storage Areas	2		
Building Footprint (each)	2,325 SF		
Proposed Use	Multifamily Residential Fourplexes		
Utilities	Existing public water, fire protection, sewer, streets, franchise utilities		
Access	Existing Diamond Run Streets (Emerald Drive)		
Residential Density	15.05 units/acre		
Total Building Coverage	29%	Residential = 20% and Storage = 9%	
Maximum Coverage Allowed	45%	(R-3 standard)	
Green Space	27%		
Parking Ratio	1.5 spaces/dwelling		

Project Snapshot

The proposed development consists of seven fourplex buildings (28 dwelling units) on Lots 40-46 of Diamond Run Phase 1. The development includes 28 attached garages, resident parking, five resident storage buildings, and two secure vehicle storage areas utilizing existing subdivision infrastructure within the Neighborhood Commercial Overlay (NCO) district.

Exhibit G

**Diamond Run
Phase 1 | Lots 40-46**

Misc Items

- 1) Letter: Property Owner Authorization
- 2) City of Hermiston, Conditional Use Permit Application
- 3) Payment \$800 / receipt and/or copy of check

HOME RUN LAND LLC
[REDACTED]

Property Owner Authorization

July 21, 2026

City of Hermiston
Community Development Department
180 NE Second Street
Hermiston, OR 97838

RE: Owner Authorization for Conditional Use Permit Application

Diamond Run Phase 1 – Multifamily Development (Lots 40–46)

To Whom It May Concern:

Home Run Land LLC is the owner of the real property identified as Lots 40 through 46 of Diamond Run Phase 1, located within the City of Hermiston, Oregon.

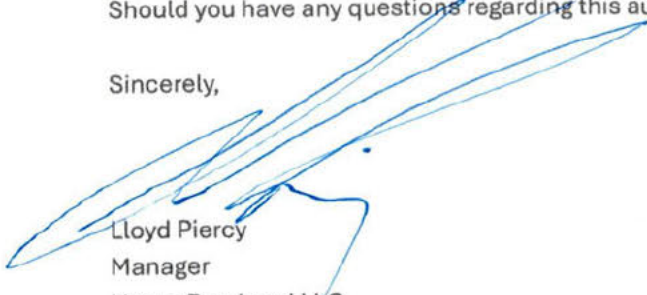
This letter authorizes Olin Homes (OR), LLC, as the proposed developer, and LandWise, LLC, as the owner's authorized representative, to prepare, submit, and process a Conditional Use Permit application, together with any related land use applications, supporting documentation, revisions, and materials necessary for the review and approval of the proposed multifamily residential development on the subject property.

This authorization further permits Olin Homes (OR), LLC and LandWise, LLC to communicate directly with City staff, respond to requests for additional information, attend meetings and public hearings, submit revised plans, and otherwise act on behalf of Home Run Land LLC throughout the City's land use review process.

Home Run Land LLC fully supports the proposed development and authorizes Olin Homes (OR), LLC and LandWise, LLC to proceed with this application.

Should you have any questions regarding this authorization, please contact the undersigned.

Sincerely,


Lloyd Piercy
Manager
Home Run Land LLC
[REDACTED]

CITY OF HERMISTON

CONDITIONAL USE PERMIT APPLICATION

Pursuant to the provisions of 157.205 of the Hermiston Code of Ordinances, application is hereby made for a conditional use permit for the following described property:

Applicant's Name: Olin Homes (OR) LCC Date: 7/20/2026

Address: [REDACTED] Phone: [REDACTED]
(Daytime)

Property Owner(s) Name (If Different): Home Ruh Land LLC

Address: [REDACTED] Phone: [REDACTED]
(Daytime)

Legal Description of Property: Assessor's Map No: 4N2812BB Tax Lot No: 00417-00423 (7 Lots)

Comprehensive Plan Designation: R3 Zoning Designation: NCO

Current Use of Property: Vacant lots with water, sewer, power and communications stubbed

Request to Allow: Construction of one (1) four-plex residential structure and one mini-storage per parcel/tax lot.
This application includes a total of seven (7) lots, resulting in twenty-eight (28) residential units plus 7 mini storage
buildings at completed build out. This will include on-site parking provided on each lot/parcel.

IMPORTANT!: Oregon's Land Use Planning Laws and 157.208 of the Hermiston Code of Ordinances require the planning commission to make findings of facts with regard to requests for conditional use permits. The findings provide justification to either approve or deny the application. Read the questions that follow and answer them as completely as you can; use additional sheets if necessary. Your responses will be used by the City to make findings and evaluate the merits of your request. The chances of a successful application depend upon the adequacy of the arguments you present to justify approval of the application.

1. The proposal is in conformance with the comprehensive plan and zoning ordinance. Explain fully:

See attached Conditional Use Permit Narrative, Section 1

2. The property is adequate in size and shape to accommodate the proposed use, together with all other zoning requirements and any additional conditions imposed by the planning commission. Explain fully:

See attached Conditional Use Permit Narrative, Section 2

3. Public facilities are of adequate size and quality to serve the proposed use. Explain fully:

See attached Conditional Use Permit Narrative, Section 3

4. The proposed use will prove reasonably compatible with surrounding properties. Explain fully:

See attached Conditional Use Permit Narrative, Section 4

ADDITIONAL INFORMATION TO BE FURNISHED AND ATTACHED TO APPLICATION:

- 1) Evidence that applicant is owner or purchaser of the property or has written permission of such owner to make an application for the proposed use.
- 2) Two copies of a site plan (11" x 17") drawn to scale, showing the location of the property concerned, the location of all proposed or existing building(s), highways, streets and alleys.

The above statements are true to the best of my belief and knowledge. As applicant, I understand that the planning commission requests my attendance, or the attendance of my representative, at the meeting(s) where this request is scheduled for consideration and may grant or deny this request based upon the testimony provided at the hearing.

I am the ___owner/ ☒ owner(s) authorized representative. (If authorized representative, attach letter signed by owner.)

Applicant's Signature:  Date: 7/21/26

OUT OF POCKET EXPENSES FOR MAILING AND PUBLICATION COSTS WILL BE BILLED LATER

NOTE: The Hermiston Planning Commission meets the second Wednesday of the month. Because of public notice requirements and time constraints, this application must be returned to City Hall no less than four weeks prior to the public hearing date. For further information, please feel free to contact the planning department at the Hermiston City Hall, 180 N.E. 2nd Street, Hermiston, OR 97838, or telephone (541) 667-5025. The City's fax number is (541) 567-5530.

OFFICE USE ONLY

Date Filed: _____ Received By: _____ Meeting Date: _____
 Fee: \$800.00 Date Paid: _____ Receipt No: _____

Exhibit B

Conditions of Approval

Conditional Use Permit

1021, 1017, 1013, 1009, 1005 NE Emerald Dr and 1195 NE 11th St

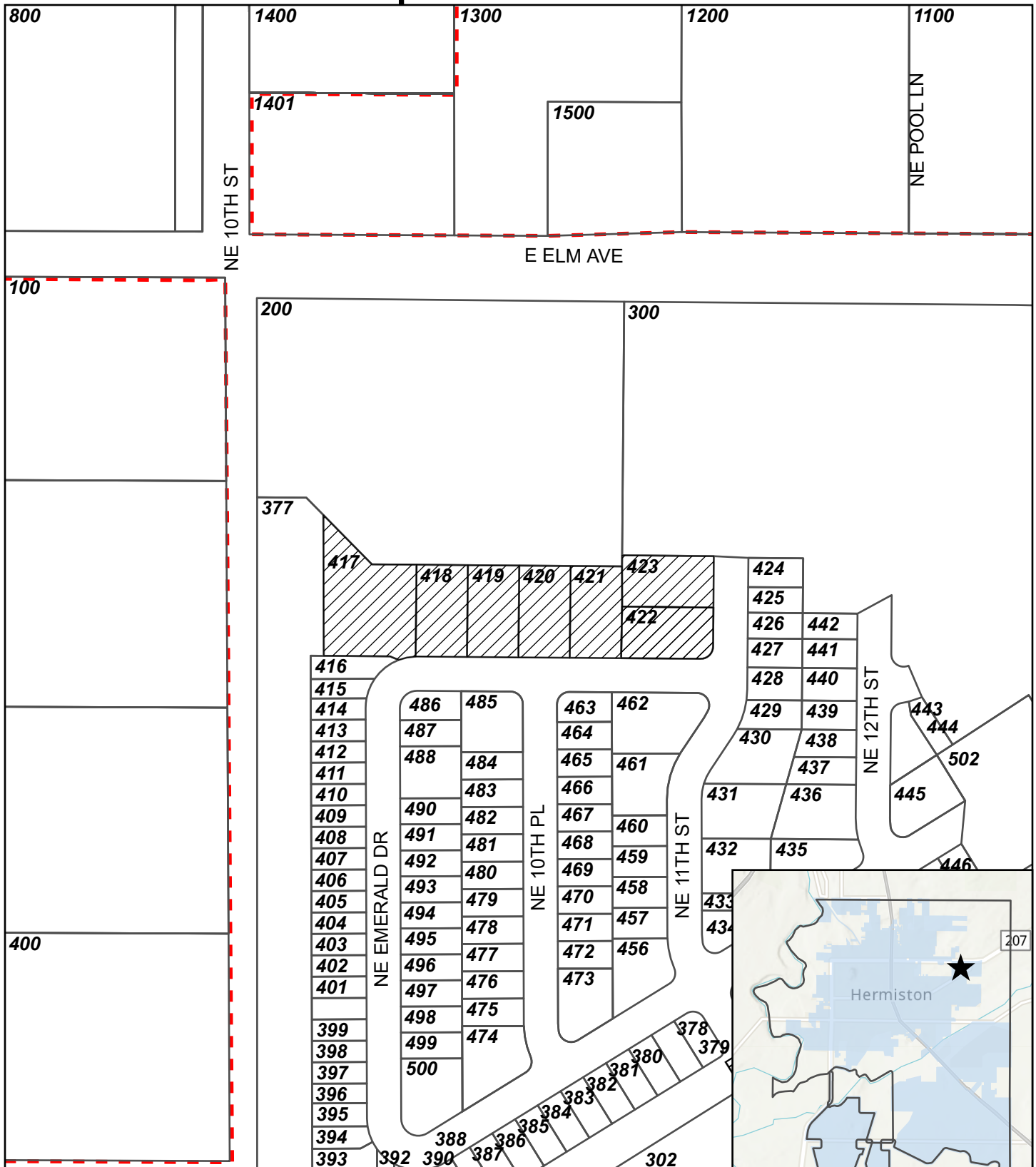
September 30, 2026

Subject to the deliberations of the planning commission and public testimony submitted to the planning commission, the following draft conditions of approval are presented.

1. Comprehensive Plan Figure 12 identifies this site as an area subject to development hazards due to excessively well-drained soils. Therefore, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels. At the discretion of the Planning Commission, an applicant whose property is located in the DH overlay area may obtain an exemption from this condition if he can demonstrate the proposed development is not constrained by development limitations and/or will not contribute to potential groundwater pollution. To obtain an exemption, the applicant must present documentation to this effect prepared by a registered engineer.
2. The applicant shall receive approval from the Hermiston Irrigation District specifying whether the property is located within the boundary of the Hermiston Irrigation District and subject to water rights prior to issuance of any building permit.
3. All storm water shall be retained on site. Use of private dry wells and/or private swales as necessary is required. The city engineer will review the proposed drainage plan and storm report as part of the civil drawing review process.
4. Parking lot and exterior lighting, where proposed, shall be designed not to interfere with adjacent residential uses to the south and east.
5. Civil drawings shall be submitted to the city engineer for review and approval prior to issuance of a building permit. Civil drawings shall be prepared in accordance with the design guidelines for plan preparation contained in the city's standard plans and specifications located at: <https://www.hermiston.or.us/commdev/page/hermiston-design-standards-specifications-and-plans>
6. Signage shall be installed consistent with the provisions of §155.37 of the Hermiston Code of Ordinances (relating to installation of signage in commercial and industrial zones).
7. All areas for the standing and maneuvering of vehicles shall be paved with a hard surface of concrete or asphalt prior to the occupancy of any dwelling. This condition also applies to the areas labeled as "Paid Parking" on the site plan.

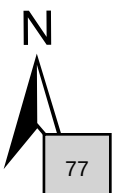
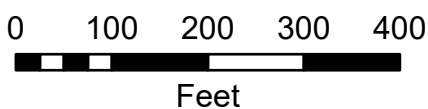
8. Applicant shall comply with all provisions of §92.12 of the Hermiston Code of Ordinances (relating to the control of blowing dust) during all phases of development.
9. Bicycle parking shall be installed in accordance with 157.150(L)(4) of the Hermiston Code of Ordinances.
10. A replat vacating the existing shared access easements and rededicating new shared access easements of 20 feet in width between the mini-storage use and multi-family parking shall be filed and recorded prior to occupancy of any structure.

Notice of Proposed Land Use Action

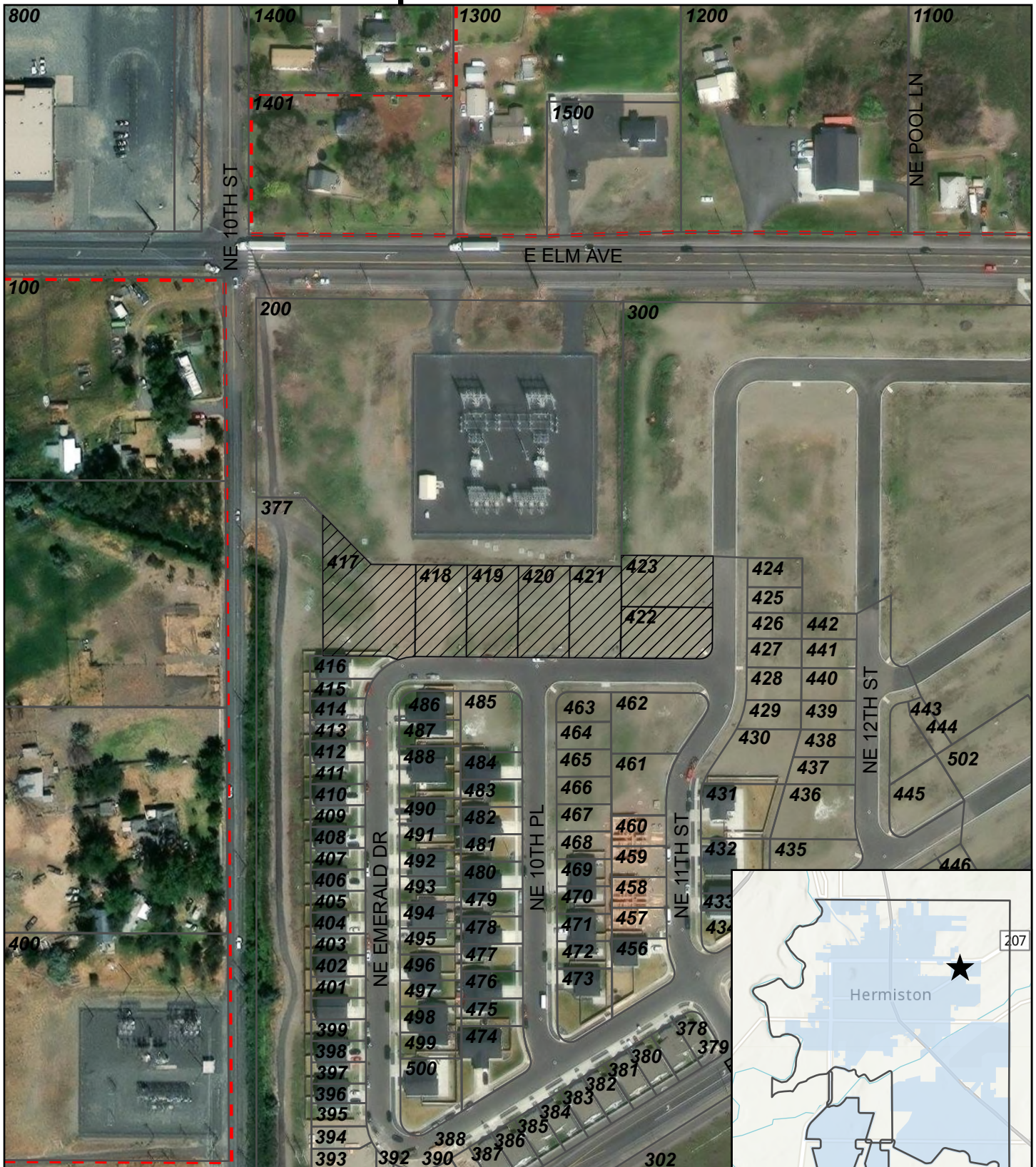


Legend

-  Area of Proposed Land Use Action
 Property Line
 City Limits
 Urban Growth Boundary



Notice of Proposed Land Use Action



Legend

-  Area of Proposed Land Use Action
-  Property Line
-  City Limits
-  Urban Growth Boundary

0 100 200 300 400
Feet

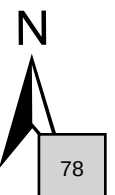


Exhibit C

Diamond Run Phase 1 | Lots 40-46

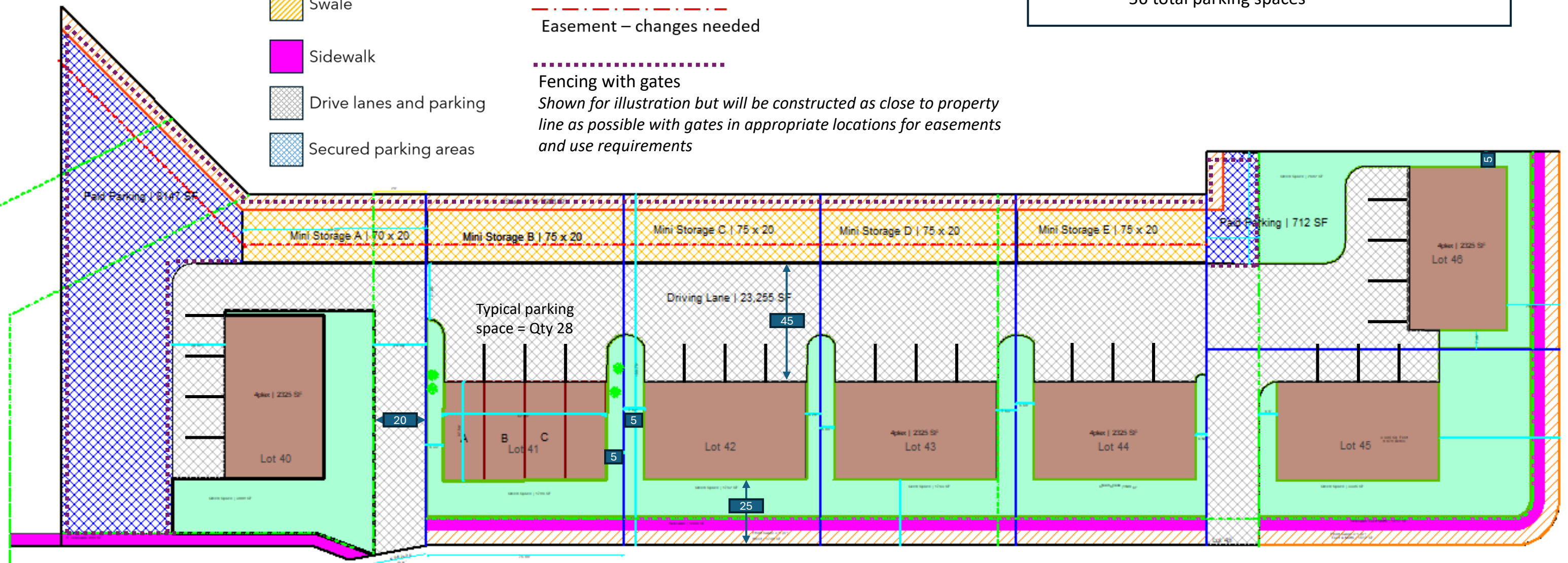
Conceptual Site Plan

Legend

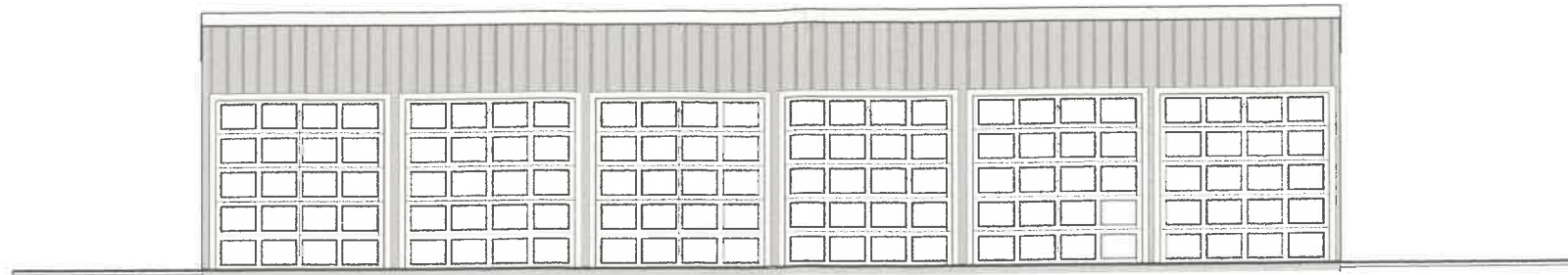
- | | | | |
|--|---------------------------|---|---|
|  | Residential Four Plex |  | Property Boundary Line |
|  | Storage Unit |  | Parcel Boundary Line |
|  | Green space / Landscaping |  | Easement |
|  | Swale |  | Easement – changes needed |
|  | Sidewalk |  | Fencing with gates
<i>Shown for illustration but will be a solid line as possible with gates in appropriate locations and use requirements</i> |
|  | Drive lanes and parking | | |
|  | Secured parking areas | | |

Parking Plan

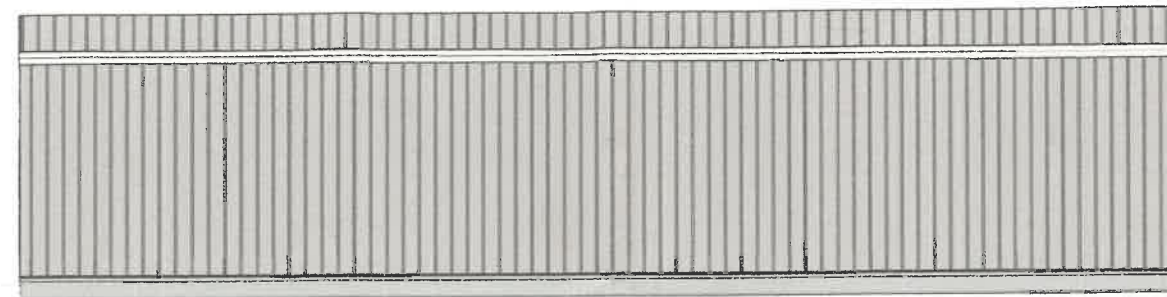
- Each unit has a 1-car garage plus 1 space outside the garage
- Typical space is 9' wide x 18' long
- 7 buildings with 4 units per unit = 28 units
 - 28 garage stalls
 - 28 parking stalls
 - 56 total parking spaces



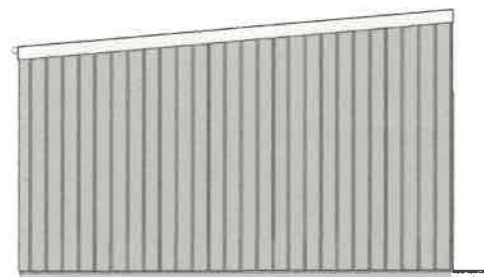
THESE DRAWINGS ARE THE PROPRIETARY WORK
PRODUCT AND PROPERTY OF OLIN HOMES LLC.
DEVELOPED FOR THE EXCLUSIVE USE OF C
HOMES LLC USE OF THESE DRAWINGS AND
CONCEPTS CONTAINED THEREIN WITHOUT
WRITTEN PERMISSION OF OLIN HOMES LLC
PROHIBITED AND MAY SUBJECT YOU TO A C
FOR DAMAGES FROM OLIN HOMES LLC.



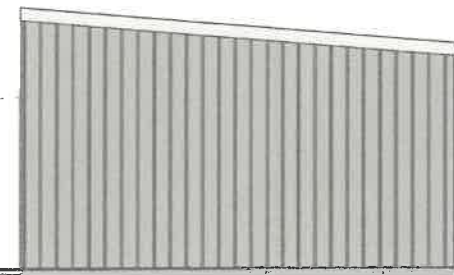
Exterior Elevation Front 2



Exterior Elevation Back 2



Exterior Elevation Left 2



Exterior Elevation Right



Camera 1

LOT 41 DIAMOND RUN
1017 NE EMERALD DR
OLIN HOMES (OR) LLC

OLIN HOMES (OR) LLC
DEAN OLIN
509.727.0817

DRAWINGS PROVIDED BY:

DATE:

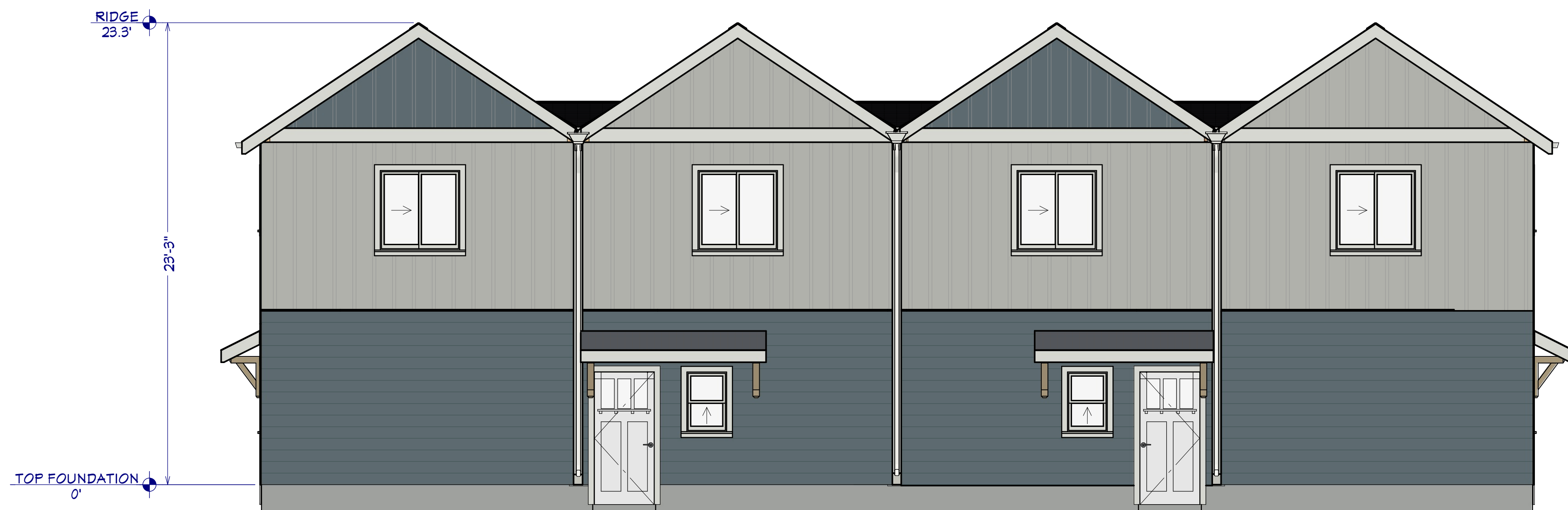
9/14/2026

SCALE:

1/4"=1' @ 24x36
1/8"=1' @ 11x17

SHEET:

1



Exterior Elevation Front South



Exterior Elevation East Right



Exterior Elevation Left West



Exterior Elevation Back North

DRAWINGS PROVIDED BY:

OLIN HOMES (OR) LLC
DEAN OLIN
509.727.0817

LOT 41 DIAMOND RUN
1017 NE EMERALD DR
OLIN HOMES (OR) LLC

DATE:

4/16/2026

SCALE:

1/4"=1' @ 24x36
1/8"=1' @ 11x17

SHEET:

1

81

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WRITTEN PERMISSION OF OLIN HOMES LLC IS
PROHIBITED AND MAY SUBJECT YOU TO A CLAIM
FOR DAMAGES FROM OLIN HOMES LLC.

HERMISTON IRRIGATION DISTRICT



366 East Hurlburt Avenue
Hermiston, OR 97838-2445
Office: 541-567-3024
Fax: 541-564-1069
Mobile: 541-571-7698
E-mail: Manager@hermistonid.org

September 18, 2026

City of Hermiston
Clint Spencer, Planning Director
180 NE 2nd St
Hermiston OR 97838

**Re: Olin Homes, LLC – Conditional Use Permit Application
4N2812BB 417, 418, 419, 420, 421, 422 & 423**

Director Spencer,

I have reviewed the information regarding the conditional use permit application submitted by Olin Homes, LLC for the map and tax lots listed above. My research has shown that this property is within the District boundary, however, there are no water rights, Federal rights-of-way or facilities.

HID has no objection to the adjustment. Thank you for the opportunity to review and comment on this application.

Respectfully,

Karra

Karra Van Fossen
Water Right Specialist