

## Planning Commission Meeting Agenda

March 16, 2021

7:00 PM

---

Chairperson: Todd Culver  
Commissioners: Roger Bristol, Rhonda Giles, Jeremy Moritz, Kurt Kayner, Kent Wullenwaber and Susan Jackson.  
Meeting Location: Harrisburg Municipal Center @354 Smith St.

### **PUBLIC NOTICES:**

1. *This meeting is open to the public and will be tape-recorded.*
2. *Copies of the Staff Reports or other written documents relating to each item on the agenda are on file in the office of the City Recorder and are available for public inspection.*
3. *The City Hall Council Chambers are handicapped accessible. Persons with disabilities wishing accommodations, including assisted listening devices and sign language assistance are requested to contact City Hall at 541-995-6655, at least 48 hours prior to the meeting date. If a meeting is held with less than 48 hours' notice, reasonable effort shall be made to have an interpreter present. The requirement for an interpreter does not apply to an emergency meeting. ORS 192.630(5)*
4. *Persons contacting the City for information requiring accessibility for deaf, hard of hearing, or speech-impaired persons, can use TTY 711; call 1-800-735-1232, or for Spanish voice TTY, call 1-800-735-3896.*
5. *The City of Harrisburg does not discriminate against individuals with disabilities, and is an equal opportunity provider.*
6. *For information regarding items of discussion on this agenda, please contact City Administrator Michele Eldridge, at 541-995-2200..*
7. *The Municipal Center is disinfected prior to meetings. Seating is staged 6' apart, and a max of 50 people can be in the room, dependent upon distancing.*
8. *Masks are required, and the City asks for anyone running a fever, having an active cough or respiratory difficulties to not attend the meeting.*
9. *If you would like to provide testimony, and are unable to attend, please contact the City Recorder. We can accept written testimony up until 5:00 on the day of the meeting, and can also call someone during the meeting if verbal testimony is needed.*

**CALL TO ORDER AND ROLL CALL**

**CONCERNED CITIZEN(S) IN THE AUDIENCE.** (Please limit presentation to two minutes per issue.)

**APPROVAL OF MINUTES.**

- 1. MOTION TO APPROVE THE MINUTES OF FEBRUARY 16, 2021**

**PUBLIC HEARING**

- 2. THE MATTER OF THE SKIP TRACER AND LADS SITE PLAN REVIEW (LU #426-2021)**

**STAFF REPORT EXHIBITS:**

Exhibit A: Application Materials

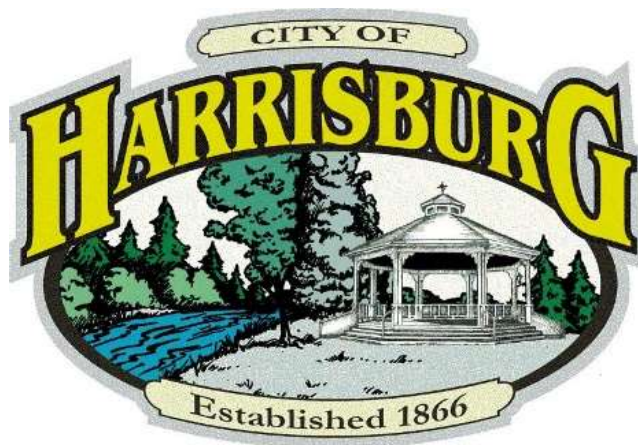
Exhibit B: Public Notice

**ACTION: MOTION TO APPROVE (APPROVE WITH AMENDED CONDITIONS/DENY) THE SKIP TRACER & LADS SITE PLAN (LU 426-2021) SUBJECT TO CONDITIONS OF APPROVAL CONTAINED IN THE MARCH 8, 2021 STAFF REPORT AND AFTER DUE CONSIDERATION OF WRITTEN AND ORAL PUBLIC TESTIMONY AND FINDINGS MADE BY THE COMMISSION DURING DELIBERATIONS ON THE APPLICATION**

**APPLICANT: Skip Tracer & Lads, Inc.**

**OTHERS**

**ADJOURN**



## Planning Commission Meeting Minutes February 16, 2021

---

Chairperson: Todd Culver, Presiding  
 Commissioners Present: Roger Bristol, Kurt Kayner, Rhonda Giles, Jeremy Moritz, Susan Jackson, and Kent Wullenwaber  
 Staff Present: City Administrator/Planner John Hitt, Asst. City Administrator/City Recorder Michele Eldridge, Public Works Director Chuck Scholz, and Finance Officer/Deputy City Recorder Cathy Nelson  
 Meeting Location: Harrisburg Municipal Center located at 354 Smith St.

**CALL TO ORDER AND ROLL CALL:** Order was called at 7:00pm by Chairperson Todd Culver.

**CONCERNED CITIZEN(S) IN THE AUDIENCE.** Everyone present were there for items on the agenda.

### **THE MATTER OF APPOINTING A CHAIRPERSON AND VICE CHAIR FOR CALENDAR YEAR 2021.**

Bristol **nominated Todd Culver for Chairperson for calendar year 2021 and was seconded by Wullenwaber. The Planning Commission then voted unanimously to Appoint Todd Culver as Chairperson for calendar year 2021.**

Kayner **nominated Rhonda Giles for Vice Chair for calendar year 2021 and was seconded by Wullenwaber. The Planning Commission then voted unanimously to Appoint Rhonda Giles as Vice Chair for calendar year 2021.**

### **APPROVAL OF MINUTES**

Bristol **motioned to approve the minutes as amended and was seconded by Giles. The Planning Commission then voted unanimously to Approve the Minutes for December 15, 2021.**

### **PUBLIC HEARING**

**THE MATTER OF THE SHADOWOOD PRELIMINARY 13-LOT, RESIDENTIAL SUBDIVISION #LU 425-2021**

**Chairperson Todd Culver read aloud the order of proceedings, and noted the procedures for a continuance, and the process to keep the record open.**

**At the hour of 7:04PM, the Public Hearing was opened.**

**Culver asked if there were any Conflicts of Interest, there were none stated. Culver then asked if there were any Ex Parte contacts. Culver stated that he had contact with the previous landowner but did not feel that it would influence his decision. There were no rebuttals in relation to Conflicts of Interest, or Ex Parte Contacts.**

**Culver then read aloud the criteria that were relied upon for this land use hearing and noted additional copies of criteria near the door. He also directed the audience on how they would need to direct testimony towards the applicable criteria, and how an appeal could be made.**

**STAFF REPORT:** Hitt notified the Planning Commission that was his last meeting. He was retiring effective February 28, 2021. City Council hired Michele Eldridge as the new City Administrator. Hitt then read the staff report as submitted and drew attention to the following items:

- The parcel is being divided into ten (10) high-density lots which is allowed in the R3 zone, and two (2) single family lots as allowed in the R2 zone. Lot #13 is not proposed for development at this time due to potential wetlands.
- Criteria 2 pertaining to paving width is being met with the proposed Condition No. 6, not No. 3 as shown in the staff report.
- Criteria 3.b. regarding vehicular access to the parcels is adequate. Hitt pointed out that the two (2) new subdivisions will include sidewalks, drainage, and paved parking. There are no codes, state or local, that can require extensive improvements as a condition. The cars of travel on Sommerville Loop will not go over 400 even with this new subdivision. Hitt also stated that the State has been notified of the preliminary application due to wetlands.
- Hitt notified the Planning Commission on their three (3) options. They can 1. Approve outright, 2. Approve with conditions, or 3. Deny. Hitt warned that if the Planning Commission choose to deny without substantial findings in can and probably would go to appeals and eventually end up in court.
- Bristol asked if all the lots were on Sommerville, Hitt replied that they were.

**APPLICANTS TESTIMONY:** Rich Wood, of Wood Construction and Development LLC, addressed the Planning Commission. Planning Commission asked the following questions:

- Bristol asked if applicant just built in Monroe. Wood said he did not. He is currently building in Umatilla and Redmond. He has built in Harrisburg in the past.
- Moritz asked what their plans for lots 11 and 12 are. Wood replied that they are vacant lots, they do not have any building designs. Woods further clarified that lots 1 through 10 will have duplex footprints and lots 11 and 12 are for single family. He is not planning on building the actual structures on the lots. He is selling the lots, as is, for others to develop.
- Bristol pointed out that lot 11 is overlapping an adjacent lot. Wood replied that phase 2 is only an idea at this point. Hitt confirmed that we are only approving the

February 16, 2021

plat for the phase one strip on Sommerville Loop. The code asks for conceptual drawings on a plat plan.

- Moritz asked if each proposed lot is an individual tax lot. Will the duplex be on two (2) separate lots? Eldridge replied that Harrisburg has several tandem lots with duplexes on them through town; and yes, they are each an individual tax lot.
- Jackson asked if Sommerville Loop was where the pavement ends and is a partial county road. Scholz confirmed that is it and pointed out that Harrisburg has no jurisdictional control on a county road.
- Kayner asked if this was the same road, Sommerville Loop, and the same issues as the last meeting's discussion. Scholz said it was.
- Bristol stated that the new development will pay deposits on SDCs, he asked when they turn in the money for the improvements. Eldridge stated it is when the building permit is approved. Bristol asked if the sidewalks and pavement linked to anything. Scholz stated that the sidewalks will not at this time. However, the pavement will connect to the existing street.
- Culver reminded the Planning Commission that it does not have any jurisdiction over improving existing roads, that authority belonged to the City Council. The Planning Commission only had jurisdiction over new development. Hitt added that the City Council needs to update the TSP to address Sommerville Loop.

### **TESTIMONY IN FAVOR, IN OPPOSITION, AND NEUTRAL TESTIMONY WAS ASKED FOR.**

Written public testimony received before February 9, 2021 was included in the agenda packet.

#### **In Favor:**

- Michael Dahrens, Engineer – 2350 Oakmont Way #105, Eugene, OR. Given the R3 Zoning they needed to design the footprints to show duplexes with shared driveways. This was the least intrusive way to develop this land. The duplexes will have to share a firewall. Most developers like the larger lots for building on, like lots 11 and 12.

#### **In Opposition:**

- Harvey Heckart – 1034 Sommerville Loop. Sommerville Loop is a problem. There are currently 82 dwellings and when the two new subdivisions are finished, that number will go up to 154 dwellings. The road is only 22 feet wide. The road becomes one lane when garbage cans go out. He acknowledged that he knew that the Planning Commission can do nothing about it. He will contact the City Council about the issue. Culver recommended and encouraged him to contact City Council.
- Allison Long – 1010 Sommerville Loop. Asking for contingency to not approve this or any more developments on Sommerville Loop until the street is fully developed. The street is a safety concern. Resident fears street development in front of her house will be paid for by homeowners. Kayner asked if staff can explain how the street development process works. Hitt stated that it is common for landowners to develop and pay for improvements in front of their property through agreements made with property owner.

February 16, 2021

**Neutral:**

- Allen Powell – 30539 Sommerville Loop. Concerned about stormwater drainage. Asked for clarification from the applicant on stormwater draining plans. Woods stated that they will maintain the open ditches. However, driveways will be piped. Powell asked if there would be accountability to keep water flowing. Scholz replied that there would be.

**No rebuttal of testimony or additional questions for the public.****The public hearing was closed at the hour of 7:47 pm.**

- Moritz asked if the City Council has talked about Sommerville Loop. Hitt stated that they have. They are discussing updating the TSP and Street Index. Scholz added that in 2016, Council created a street fund to start replacing streets per the street assessment report. The city started with the “F” rated streets and are moving up the list. Council has not specifically discussed Sommerville Loop because it was given a “D” rating and they are not at that rating yet. Moritz asked if staff would bring City Council the concerns about this street. Hitt responded the TSP needs to be updated first before the City Council or staff can move forward. Scholz stated that once the TSP gets updated, he can look at the CIP and get Sommerville Loop on it. Moritz asked at what time can City Council start looking at legitimate safety concerns on this street. Hitt reminded him that anyone can come to City Council and express concerns to Council. Kayner added that even if we had authority, how would we do it. He suggested that Planning Commission members go to City Council and push the agenda. Giles asked if anyone has taken their concern about Sommerville Loop to City Council. Hitt said at this point, no one has.
- **Giles motioned to approve the Shadowood Subdivision Application #LU 425-2021, subject to the conditions of approval contained in the February 2, 2021 Staff Report. This motion is based on findings contained in the February 2, 2021 staff report, and on public written and oral comments made on or about this application, and after due deliberation of the Harrisburg Planning Commission on the 16<sup>th</sup> day of February 2021. She was seconded by Kayner. The Planning Commission then voted 6 to 1, with Moritz being the Commissioner who voted against, to conditionally approve the Shadowood Subdivision Application #LU 425-2021 subject to conditions of approval contained in the February 2, 2021 staff report and after due consideration of written and oral public testimony and findings made by the Commission during deliberations on the application.**

**With no further discussion, the meeting was adjourned at the hour of 8:02 pm.**

---

**Chairperson**

---

**City Recorder**

City of Harrisburg  
**PLANNING COMMISSION**

**NOTICE OF DECISION**

**REQUEST:** The applicant requests approval of a proposed subdivision entitled Shadowood Subdivision (LU 425-2021) to create a 13-parcel subdivision.

**LOCATION:** The subject site is located adjacent and to the east of 995 Sommerville Loop, and is also known as tax lot 3000 of Linn County Assessor's Map 15S04W15.

**HEARING DATE:** February 16, 2021

**ZONING:** R-2 (Medium Density Residential) and R-3 (High Density Residential)

**APPLICANT** Wood Construction & Development LLC  
Richard Wood  
5125 NW Greenwood Ave  
Redmond, OR 97756

**OWNER:** William R. Wood  
PO Box 3500-130  
Sisters, OR 97759

**APPEAL DEADLINE:** March 2, 2021, at 5:00 p.m.

**DECISION:** The Harrisburg Planning Commission conducted a public hearing on February 16, 2021, and voted to approve the request, subject to the attached conditions of approval. The Planning Commission adopted the findings contained in the Staff Report of the February 16, 2021, Planning Commission meeting, and portions of the minutes from the meeting that demonstrate support for the Planning Commission's actions.

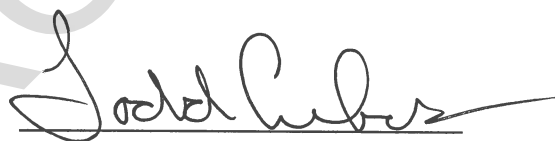
**APPEALS:** The decision may be appealed by filing a Notice of Appeal with the City Recorder at 120 Smith Street. The Notice of Appeal should be filed by the Appeal Deadline date listed above. Specific information on the requirements for an appeal or a

copy of the complete file of this land use action may be obtained at Harrisburg City Hall. There is a fee of \$425.00.

**EFFECTIVE DATE:** March 3, 2021, unless an appeal has been filed with the City Recorder.

**EFFECTIVE PERIOD:** A Final Plat must be provided to the City within six months after the preliminary subdivision plat is approved. If the applicant has not submitted the final plat for approval within six months of approval, the preliminary plat shall be resubmitted to the Planning Commission for additional review (see HMC 17.25.010(1)). Where the Planning Commission finds that conditions have not changed, at its discretion and without a public hearing, the Commission may extend the approval period one time for a period not to exceed one additional year.

Unless appealed, this Subdivision approval will expire on September 3, 2021.



Todd Culver  
Planning Commission Chairperson



## CONDITIONS OF APPROVAL

1. **Consistency with Plans** – Development shall comply with the plans and narrative in the applicant's proposal, and all applicable land use and building code requirements contained in HMC Chapters 15, 17 & 18, except where modified by the following conditions of approval.
2. **Street Lights** - Prior to the submission of a Final Plat, the Applicant shall submit a street light plan as directed and acceptable to the City's Director of Public Works.
3. **Public Infrastructure** - Prior to the submission of a Final Plat the Applicant shall comply with all of the public utilities, ROW and easement requirements of HMC Titles 12 & 13. All utilities shall be located underground.
4. **Fire Hydrants** - Prior to the submission of a Final Plat the Applicant shall meet with an officer of the Harrisburg Rural Fire District to determine the exact number, size and types of required fire hydrants and shall call out same on a Preliminary Plat Map, 12 x 17, or larger.
5. **Excavating and Grading** - Applicant shall comply with Excavating and Grading provision as required by HMC 15.05.030 and the permitting procedures of HMC 15.05.040-070.
6. **Revised Application Drawings:** Prior to the submission of a Final Plat the Applicant shall amend his application drawings, (sheet 5) to show a 5.5' wide sidewalk, a planter/utility area of approximately 5.5' wide showing the addition of street trees as required in HMC 12.20, and at least 7.5' feet of new asphalt adjacent to the existing paved surface. Trees must be from the approved street tree list and shall not be a maple tree. Submit to the city's Director of Public Works for his approval, prior to any excavating, grading or construction.
7. **Submission of Final Plat** - Applicant shall submit a Final Plat application consistent with HMC 17.25, within six months of this approval, unless an extension is timely requested and granted.

### OTHER DEVELOPMENT CONSIDERATIONS:

- a. If there are any wells on the property that will not be used, they shall be properly abandoned by a licensed well driller.
- b. A separate Development Agreement (DVA) between Applicant and the City of Harrisburg will be required before ANY construction begins. The Development Agreement will include bond and deposit requirements, as well as other engineering requirements.
- c. Applicant shall provide an acceptable plan for the installation of items provided in design specifications, including but not limited to the number, type and location of

streetlights (type to be approved by the Public Works Director), fire hydrants, manholes, sidewalks, street signs and mail receptacles. These items shall be completed prior to any occupancy, except that sidewalks shall be installed prior to the occupancy of the lot.

- d. Requirements herein imposed upon the Applicant may be imposed upon a developer or builder if the developer or builder has accepted the responsibility in a written document, and the City of Harrisburg is satisfied that it will not have any adverse impact on bonding requirements or other guarantees of compliance.
- e. Applicant shall acquire all required building, electrical, mechanical, and plumbing permits before beginning construction as required by HMC 15.05.010 &.020.

Staff Report  
**Harrisburg Planning Commission**  
Harrisburg, Oregon

---

**THE MATTER OF THE SKIP TRACER AND LADS SITE PLAN REVIEW (LU #426-2021)**

**STAFF REPORT EXHIBITS:**

Exhibit A: Application Materials

Exhibit B: Public Notice

**ACTION: MOTION TO APPROVE (APPROVE WITH AMENDED CONDITIONS/DENY) THE SKIP TRACER & LADS SITE PLAN (LU 426-2021) SUBJECT TO CONDITIONS OF APPROVAL CONTAINED IN THE MARCH 8, 2021 STAFF REPORT AND AFTER DUE CONSIDERATION OF WRITTEN AND ORAL PUBLIC TESTIMONY AND FINDINGS MADE BY THE COMMISSION DURING DELIBERATIONS ON THE APPLICATION**

**APPLICANT:** Skip Tracer & Lads, Inc.

**LOCATION:** 23767 Peoria Rd, Harrisburg, OR (15S04W09, Tax Lot 606)

**HEARING DATE:** March 15, 2021 @ 7:00pm

**ZONING:** M-2 (General Industrial)

**OWNER:** Arlin LLC

---

**BACKGROUND**

The applicant proposes a 7,500 sq. ft. machine shed structure for the storage of their excavation equipment. The subject site is on the east side of Peoria Rd north of the Knife River Pre-Stress Concrete Plant. The north side of the property is the boundary of City limits, with a farm field directly north of the property.

The subject site already contains an industrial building, off-street parking, on-site landscaping, and outdoor storage areas. There is an existing access driveway that

serves the existing uses. It is zoned M-2 (Heavy Industrial). The site is not subject to any other zoning or natural features overlay.

The applicant went through a similar land use hearing in April 2019 for this structure, but at the time, they had only wanted a structure half of the size of what is now proposed. City Staff informed the applicant that the City could have extended their site plan approval due to the Coronavirus Pandemic. However, the proposed new building was more than twice the size of what had previously been approved. This necessitates the requirement for a new site plan.

## INTRODUCTION

The following findings demonstrate that the submitted Site Plan Review application either currently complies with all applicable approval criteria, or can be brought into compliance, upon demonstration by the applicant of meeting the relevant conditions of approval.

## CRITERIA AND FINDINGS OF FACT

### HMC 18.95.060 – Site Plan Review Criteria

**Site plan approval shall be completed prior to occupancy. The site plan shall be approved when all of the criteria listed in this section, or only those criteria relevant to an administrative review have been met:**

- 1. Criterion: Vehicular access to and from the site is adequate to serve the use and will not result in traffic-related problems on the street network in the immediate surrounding area.**

**Discussion:** There is an existing driveway with access onto Peoria Road near the northwest corner of the property (**Exhibit A.5**). The width of the existing access onto Peoria Road is roughly 34 feet wide. The existing access will provide two-way vehicular movements into and out of the site and vehicle parking lot. The proposed storage building will be located to the east and north of the existing vehicle access (**Exhibit A.5**).

The size, location, and surface types are discussed under Section HMC 18.95.100(5). Findings from that section are incorporated here by reference.

**Finding:** As proposed, vehicular access to and from the site will be adequate to serve the use and will not result in traffic-related problems on the street network in the immediate surrounding area. **The criterion is met.**

- 2. Criterion: Off-street parking areas are suitable in terms of size and location to serve the proposed use.**

**Discussion:** The proposed storage building will be served by the existing vehicle parking lot to the north of the existing industrial building. No new parking is proposed, nor are any improvements needed for the existing parking spaces.

An analysis of the required number of parking spaces is provided under Section 18.95.100(4). Findings from that section are incorporated here by reference.

**Finding:** As proposed, the off-street parking areas are suitable in terms of size and location to serve the proposed use. **The criterion is met.**

**3. Criterion: The size, design, and operating characteristics of the intended use are reasonably compatible with surrounding development.**

**Discussion:** The existing site is roughly 4.31 acres in size and contains an industrial building, off-street parking, on-site landscaping, and outdoor storage areas. The applicant proposes to construct a roughly 7,500 sq. ft. storage building on the property. This building is intended to provide a space to store vehicles and other equipment out of the natural elements (**Exhibit A.5**). The storage building will be built over and around the existing fuel tank on the property. The fuel tank will be vented through the roof of the building.

Other than the proposed storage building, no new improvements are proposed to be made to the property.

The subject site is zoned M-2 – Heavy Industrial. The properties to the north and west of the subject site are outside the City limits and Urban Growth Boundary and are subject to Linn County zoning requirements. Both of these properties are zoned Exclusive Farm Use (EFU). The property to the north is currently a farm field. The property to the west is owned by the City of Harrisburg and is leased out to a farmer for agricultural purposes. The properties to the south and east of the subject site are inside the City limits and are both zoned M-2 (Heavy Industrial). The proposed storage building, and operating characteristics of the use are reasonably compatible with the surrounding development.

**Finding:** As proposed, the size, design, and operating characteristics of the intended use are reasonably compatible with the surrounding development. **The criterion is met.**

**4. Criterion: The utilities and drainage facilities intended to serve the proposed use are adequate to accommodate the proposed use and are reasonably compatible with the surrounding area.**

**Discussion:** There are existing water, storm sewer, and sanitary sewer services in Peoria Road abutting the subject site. The applicant does not propose to make any utility connections to the proposed storage building. Storm drainage is proposed to be collected in a bioswale. From that point, storm drainage will continue into a ditch along the side of Peoria Road, joining with the bioswale located on City property.

**Finding:** As conditioned, the utility systems are adequate to accommodate the proposed development. The applicant is proposing a bioswale and connections to the City's drainage system that will not negatively affect the neighboring properties. **The criterion is met.**

**5. Criterion: The intended use shall be adequately screened or buffered from adjacent or nearby properties.**

**Discussion:** The screening and buffering standards are discussed under HMC 18.95.100(1) and (6) below. Findings from under that section of the staff report are incorporated here by

reference. As proposed, staff found that the application complied with the screening and buffering requirements in HMC 18.95.100(1) and (6).

**Finding:** The proposed use will be adequately screened and buffered from adjacent and nearby properties due to a stand of trees on the adjoining property. **The criterion is met.**

**6. Criterion: Plans are adequate to control sediment runoff from impacting surrounding properties and the City drainage system.**

**Discussion:** This criterion is more relevant for the building permit plan review process. **Condition of Approval 3** will require the applicant to provide the City with an erosion and sediment control plan with submission of their building permit that will demonstrate how the applicant proposes to keep sediment from leaving the property during construction.

**Finding:** As conditioned, the applicant will provide adequate measures to keep sediment from leaving the property and impacting surrounding properties or the City's drainage system. **The criterion is met.**

**7. Criterion: Security measures are adequate to protect the general public from injury on the work site.**

**Discussion:** The subject site is contained by a chain link fence. The proposed construction is to occur within the existing fencing. The applicant's proposed construction inside the existing fencing will provide security measures to protect the general public from injury caused by work site.

**Finding:** As proposed, the applicant will provide security measures that will adequately protect the general public from injury on the work site. **The criterion is met.**

**HMC 18.95.100 - Standards Applicable to Commercial and Industrial Site Plan Review**

**1. Criterion: Buffer. Where landscaping is not installed, buffering shall be considered with the following standards:**

- a. A buffer shall be provided on each side of a property which abuts a lot which is zoned or used for residential purposes, and shall be a minimum of five feet in width.
- b. The buffer shall contain a continuous fence or wall a minimum of six feet in height, so as to effectively screen the property from adjoining residential properties. A berm or trees or shrubs can be used instead of, or to supplement, a fence or wall so long as any planted trees or shrubs can reasonably be expected to provide an adequate buffer within three years after planting.
- c. Buffers may not be used for buildings, parking, or driveways, unless there is no other suitable location for a driveway.
- d. Buffers may be used for landscaping, sidewalks, paths, or utility placement.

**Discussion:** The nearest residence to the proposal is located two properties to the north of the subject site. The property immediately north of the site is farm field with no residence.

Therefore, no buffer is required. The other properties to the east, south and immediately west do not contain residential structures and are not zoned residential.

**Finding:** As proposed, the application complies with the requirements of HMC 18.95.100(1). **The criterion is met.**

**2. Criterion: Landscaping.**

- a. In addition to the buffer requirements in subsection (1) of this section and except as modified in subsection (2)(b) of this section, landscaping shall be placed and maintained as follows:
  - (1) In an M-2 zone, landscaping shall comprise at least one percent of the gross property area.
- b. If the Planning Commission finds it appropriate, the applicant can mitigate the landscaping requirements in subsection (2)(a) of this section by providing artwork or other landscape/park contributions to the betterment of the City.
- c. All front yards exclusive of accessways, and other permitted intrusions (such as parking lots) shall be landscaped within one year of building occupancy.
- d. Plans shall be provided to show how landscaping will be irrigated.

**Discussion:** The subject site contains on-site landscaping and street trees that were planted, consistent with prior land use actions. No additional or new landscaping is required to be planted. The existing landscaping is proposed to be retained and maintained.

**Finding:** As proposed, the application complies with the landscaping requirements in HMC 18.95.100(2). **The criterion is met.**

**3. Criterion: Fencing. Fences must meet the requirements set forth in HMC 18.80.010. The remainder of the criterion for fencing is referenced herein by reference.**

**Discussion:** The subject site is currently surrounded by existing chain link fencing. No new fencing is proposed to be installed.

**Finding:** As proposed, the fencing complies with the provisions of HMC 18.80. **The criterion is met.**

**4. Criterion: Parking.**

- a. Off-street parking shall be provided in compliance with the standards in HMC 18.85.010.
- b. Off-street parking shall be set back a minimum of 15 feet from lot lines abutting a street, and 10 feet from lots zoned residential.
- c. In a commercial zone, all areas for parking or maneuvering vehicles, other than a part of a business used for storing recreational vehicles, travel trailers, or boats that do not typically move more than once per week shall be hard surfaced.

**Discussion:** The off-street parking standard for the proposed use is 1 space per employee, plus one space per 700 sq. ft. of patron area. There is an existing parking lot which was constructed to accommodate the employee and patron areas of the proposed warehouse. The proposed storage building will not result in an increase in employees, nor does it contain any patron areas. Therefore, no additional off-street parking is required. The applicant does not propose to construct any new off-street parking spaces. As proposed the application complies with the standards in HMC 18.85.

**Finding:** As proposed, the application complies with the provisions in HMC 18.95.100(4).  
**The criterion is met.**

5. **Criterion: Access Driveways.** A driveway with access onto a public street shall meet the following requirements:
- a. Driveways shall have a minimum width of 12 feet for one-way driveways and 24 feet for two-way.
  - b. There shall be a minimum separation of 24 feet between driveways.
  - c. Driveways shall be at least 25 feet from the intersection with a local street and 35 feet from the intersection with an arterial or collector street.
  - d. Points of access from a public street to properties in an industrial zone shall be so located as to minimize traffic congestion and avoid, where possible, directing traffic onto residential streets.
  - e. In a commercial zone, all driveways shall be hard surfaced.
  - f. In an industrial zone, the first 50 feet of any new driveway, measured from where the driveway intersects with the public street, shall be hard surfaced.
  - g. All driveways over 100 feet in length shall be capable of supporting emergency vehicles weighing up to 50,000 pounds, and shall be free of obstacles that would prevent emergency vehicles from using the driveway.

**Discussion:** The applicant proposes to utilize an existing 34-ft. wide driveway approach onto Peoria Road for their site vehicle access. There are no other access driveways on the subject site, and the proposed driveway is more than 35 feet from a street intersection or other private driveway. No new improvements are required or proposed to be made to the existing access and driveway.

**Finding:** As proposed, the application complies with the provisions in HMC 18.95.100(5).  
**The criterion is met.**

6. **Criterion: Screening Standards.**
- a. Refuse containers or disposal areas which would otherwise be visible from a public street, customer or employee parking area, any public facility, or any residential area, shall be screened from view by placement of a sight-obscuring fence, wall or hedge a minimum of six feet in height. All refuse material shall be contained within the screened area. No refuse container shall be placed within 15 feet of a dwelling window.
  - b. Building entrances or other openings adjacent to or across the street from a residential zone shall be prohibited if they cause glare, excessive noise, or otherwise adversely affect land uses in the residential zones.



- c. All servicing, processing and storage on property abutting or facing a residential zone shall be screened from view by a permanently maintained sight-obscuring fence or dense evergreen landscape buffer, at least six feet in height.

**Discussion:** No new screening is required or proposed for the new storage building.

**Finding:** As proposed, the application complies with the provisions in HMC 18.95.100(6).  
The criterion is met.

#### **HMC 12.20 – Street Trees**

- 7. **Criterion:** Street trees shall be required within a public right-of-way that abuts new construction of a structure that is over 1,000 square feet in size, and where after construction there will be a planter strip at least 48 inches wide. The remainder of the criterion for street trees is referenced herein by reference.

**Discussion:** There are existing street trees planted along the Peoria Road frontage of the subject site. No new street trees are required or proposed.

**Finding:** As proposed, the application complies with the provisions in HMC 12.20. The criterion is met.

#### **HMC 18.45 – M-2 Zoning Standards**

**Criterion:** Setback requirements - In an M-2 zone, setback requirements shall comply with HMC 18.40.030.

##### **18.45.040 Lot coverage.**

In an M-2 zone, lot coverage requirements shall comply with HMC 18.40.040. [Ord. 882 § 3.460, 2010.]

##### **18.40.030 Setback requirements.**

In an M-1 zone, the yards shall be as follows:

1. The yard along a street, other than an alley, shall be a minimum of 20 feet, unless otherwise specified by the Planning Commission.
2. The size of other yards shall be a minimum of 10 feet, except where the lot abuts a residential zone the yard shall be a minimum of 20 feet. [Ord. 882 § 3.330, 2010.]

##### **18.40.040 Lot coverage.**

In an M-1 zone, buildings shall not occupy more than 80 percent of the lot area. [Ord. 882 § 3.360, 2010.]

**Discussion:** The proposed storage building is proposed to be 50'x150' square feet or 7,500 sq. ft. in size. The northeast corner of the building is nearest the north property line. The distance to the nearest farmhouse on the east side of Peoria is roughly 850', with a farm field located between the proposed building and the nearest residential use. The residential property located on the west side of Peoria is not adjacent to the subject property and is located more than 500' from the driveway access. The view of the new structure will be screened by the existing warehouse. All other setback requirements are well exceeded. The proposed building will also fall well under the lot coverage requirements.

**Finding:** As proposed, the application complies with the provisions in HMC 18.45 **The criterion is met.**

## CONCLUSIONS

The applicant requests approval of a site plan for a new 7,500 sq. ft. building. As demonstrated by the above discussion, analysis and findings, the application, as conditioned, complies with the applicable criteria from relevant Harrisburg Municipal Code and state requirements.

## PLANNING COMMISSION ACTION

The Planning Commission has three options with respect to the subject applications. They can:

1. Approve the request;
2. Approve the request with conditions; or
3. Deny the request.

Based upon the criteria, discussion, and findings of facts above, Staff recommends the Planning Commission Approve with Conditions, LU 426-2021

## RECOMMENDED CONDITIONS OF APPROVAL

1. **Consistency with Plans** – Development shall comply with the plans and narrative in the applicant's proposal, except where modified or added to by the following conditions of approval.
2. **Building Permits** – Prior to construction, the applicant shall obtain all necessary building permits for the construction of the proposed addition.
3. **Erosion & Sediment Control Plan** – Prior to the issuance of the building permits, the applicant shall submit for review and approval an erosion and sediment control plan that demonstrates how the applicant will prevent sediment and runoff from the earthwork from impacting the City's drainage system or other properties. This plan shall be reviewed and approved by the City's Public Works Director.



City of Harrisburg  
120 Smith Street  
Harrisburg, OR 97446  
Phone (541) 995-6655  
[www.ci.harrisburg.or.us/planning](http://www.ci.harrisburg.or.us/planning)

## LAND USE APPLICATION

STAFF USE ONLY	
File Number: LU 426-2021	Date Received: 01.29.21
Fee Amount: \$950	

APPLICATION TYPE	
<input type="checkbox"/> Annexation*	<input type="checkbox"/> Property Line Adjustment
<input type="checkbox"/> Comprehensive Plan Amendment*	<input type="checkbox"/> Partition/Replat*      Minor      Major
<input type="checkbox"/> Conditional Use Permit*	<input checked="" type="checkbox"/> Site Plan Review*
<input type="checkbox"/> Historic Permit*	<input type="checkbox"/> Site Plan Review – Parking Only
<input type="checkbox"/> Resource Alteration	<input type="checkbox"/> Subdivision/Replat*
<input type="checkbox"/> Resource Demolition	<input type="checkbox"/> Vacation of street, alley or easement
<input type="checkbox"/> Historic Review – District	<input type="checkbox"/> Variance*
<input type="checkbox"/> Legal Lot Determination	<input type="checkbox"/> Zone Map Change*
<input type="checkbox"/> Zoning Ordinance Text Amendment*	

\*A Pre-Application Conference with City Staff is Required

PLEASE PROVIDE A BRIEF SUMMARY OF THE PROPOSAL	
Project Description	The purpose of this project is to provide a machine shed structure for our excavation equipment. The building is approximately 50'X150' on the north end of the property. It will also provide cover for our self contained fuel tank.  7,500 Sq. Ft. Structure
Project Name	Machine Shed

## PRIMARY CONTACT AND OWNER INFORMATION

Applicant's Name	Skip Tracer & Lads		
Phone	541-995-3467	Email	brandon@skiptracerandlads.com
Mailing Address	PO Box 527, Harrisburg, OR 97446		
Applicant's Signature	<i>Brandon M. Linn VP. Skip Tracer &amp; Lads</i>		
	Date	1/25/21	
Property Owner Name	Arlin LLC		
Phone	541-995-3467	Email	brandon@skiptracerandlads.com
Mailing Address	PO Box 527, Harrisburg, OR 97446		
Owner Signature	<i>Brandon M. Linn</i>		
	Date	1/25/21	

\*If more than one property owner is involved, provide a separate attachment listing each owner or legal representative and their signature.

## PROPERTY DESCRIPTION

(general vicinity, side of street, distance to intersection, etc.)

Street Address	23767 Peoria Rd. Harrisburg, OR 97446		
General Location Description	New machine shed located on the NE portion of the pro		
Assessor's Map Number(s)	Related Tax Lot(s)		
Map #	15S04W09	Tax Lot(s) #	606
<p>The Assessor's Map Number (Township, Section and Range) and the Tax Lot Number (parcel) can be found on your tax statement, at the Linn County Assessor's Office, or online at <a href="http://linn-web.co.linn.or.us/propertywebquerypublic/">http://linn-web.co.linn.or.us/propertywebquerypublic/</a></p>			
Lot Area	North Fence area		



### LAND USE AND OVERLAY ZONES

Existing Zone(s)

Existing Comprehensive Plan Designation(s)

Please select any of the following zone overlays or natural areas that apply to the subject site:

- ☐ Historic Overlay      ☐ Willamette River Greenway      ☐ Floodplain  
☐ Riparian Corridors      ☐ Wetlands

\*Please include a discussion in the project narrative indicating how these overlays affect your proposal. For more information about any of these overlays, please contact the City Planner at (541) 995-6655.

### CHECK THE BOX NEXT TO INCLUDED EXHIBITS

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Narrative* (address all applicable HMC review criteria)<br><input type="checkbox"/> Assessor's Map with Applicable Tax Lots Highlighted<br><input checked="" type="checkbox"/> Site Plan<br><input type="checkbox"/> Survey / ALTA<br><input checked="" type="checkbox"/> Aerial Photograph / Existing Land Use(s) Map<br><input type="checkbox"/> Zoning Map (if applicable, show proposed change(s))<br><input type="checkbox"/> Comprehensive Plan Map(s) (if applicable, show proposed changes))<br><input type="checkbox"/> Subdivision or Partition Plat | <input type="checkbox"/> Architectural Elevations<br><input type="checkbox"/> Architectural Floor Plans<br><input type="checkbox"/> Utilities Plan<br><input type="checkbox"/> Geotechnical Report/Site<br><input type="checkbox"/> Assessment<br><input type="checkbox"/> Electronic Versions of Exhibits<br><input type="checkbox"/> Application Fee<br><input type="checkbox"/> Other |
|--|--|

\*A written narrative is required for all application types. Typical drawings sizes are 24"X36", 11"X17", or 8.5"X11". Sizes of required drawings will depend on the type and scope of applications involved. Contact the City Planner to verify requirements. On your plans, include the following: property lines, points of access for vehicles, pedestrians, and bicycles, water courses, any natural features (wetlands, floodplain, etc.), existing and proposed streets and driveways, parking areas, utilities, pedestrian and bike paths, and existing easements. Please note there are additional specific graphic and narrative requirements for each application type. Refer to the Harrisburg Municipal Code for more information.

A Pre-application Conference is Required with City Staff prior to turning in your land use application. Please contact the City Administrator, or City Recorder/Assistant City Administrator to make an appointment. Date of Appointment:

### PLEASE TELL US MORE ABOUT THE PROPOSAL AND ITS SITE

1. Are there existing structures on the site? ☒ Yes ☐ No If yes, please explain

There is an existing building on this property that Skip Tracer & Lads use for their base shop.

2. Indicate the uses proposed and describe the intended activities:

Storage

3. How will open space, common areas and recreational facilities be maintained?

Open and common areas will be maintained by the same maintenance program that is in place currently. No changes are anticipated to be made.

4. Are there previous land use approvals on the development site? ☒ Yes ☐ No  
If yes, please include a discussion in the project narrative describing how the prior approvals impact your proposal.

The previous approval for the main shop (2012) and an expired approval (2019)

5. Have you reviewed the Oregon Fire Code Applications Guide in relation to your land use request? ☒ Yes ☐ No Do you have questions about any element of these requirements? If yes, please explain:

### AUTHORIZATION FOR STAFF & DECISION MAKERS TO ENTER LAND

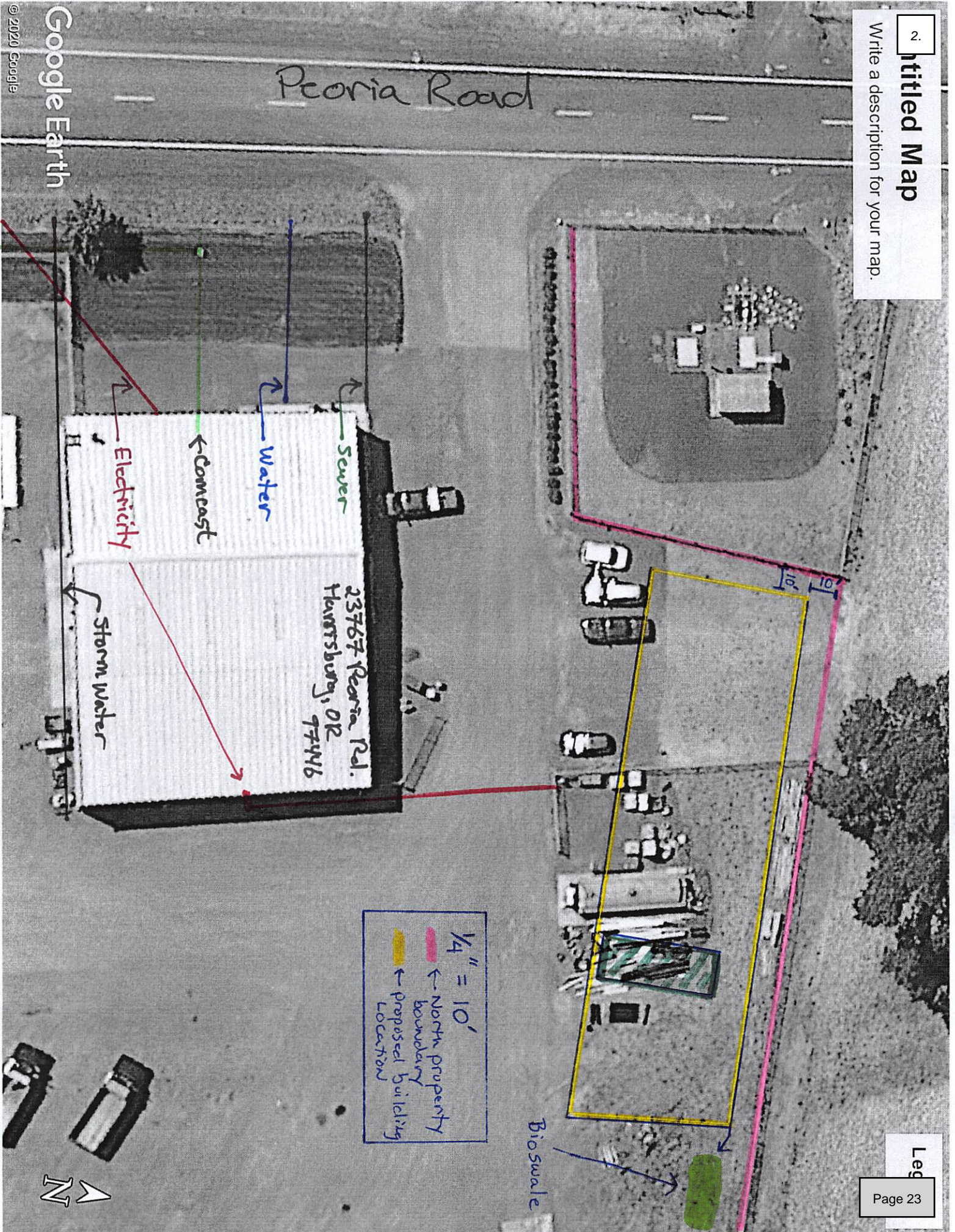
City staff, Planning Commissioners, and City Councilors are encouraged to visit the sites of proposed developments as part of their review of specific land use applications. Decision maker site visits are disclosed through the public hearing process. Please indicate below whether you authorize City staff and decision makers to enter onto the property(-ies) associated with this application as part of their site visits.

☒ I authorize City staff and decision makers to enter onto the property(-ies) associated with this application.

☐ I do not authorize City decision makers to enter onto the property(-ies) associated with this application.



Write a description for your map.



1/4" = 10'  
← North property boundary  
← proposed building location

Bioswale



**NARRATIVE:**

The purpose of this plan is to build a storage building for our equipment. The access point will be the same access point already developed for the 23767 Peoria Rd. site. No common areas are needed such as pedestrian and bicycle paths, water courses or natural features. The already existing street (Peoria Rd) has been permitted and accessed through the Plan Approval process for the original building. All utilities and parking areas have already been established. The erection of this building will not produce an increase in traffic. Annotated above is the proposed location of the approximate 50'X150' building and the property boundaries. In tentative correspondence with the City, the location of the building may be put 10' from the north fence. The distance to the next home to the north (850') and the north fence being the northern boundary of the Harrisburg City limits may allow us to build this close to the fence. Additionally, a previous City of Harrisburg approval was made LU no. 402 for a similar building (smaller in size). Business got busy and we were unable to start that building before expiration. Since then, a larger building has been envisioned. The plan for drainage runoff from building gutters is to a bio swale at the NE corner of the property (annotated in green). In addition, the relocation of the fuel tank is described with a striped green marking. This fuel tank, like the previously approved plan, will be vented through the roof of the building. All utility locations are marked.







# NOTICE OF LAND USE PUBLIC HEARING

**Tuesday, March 16, at 7:00 PM**

City of Harrisburg Planning Commission  
Harrisburg Municipal Center @ 354 Smith Street

## **CASE: Skip Tracer & Lads Site Plan Review (Land Use #426-2021)**

### **SITE LOCATION:**

The subject site is located at 23767 Peoria Road, and is known as tax lot 606 of Linn County Assessor's Map 15S04W09.

**APPLICANT / OWNER:** Skip Tracer & Lads  
Skip Tracer & Lads  
PO Box 527  
Harrisburg, OR 97446

### **REQUEST:**

The applicant requests approval of Site Plan Review to construct a roughly 7,500 sq. ft. equipment storage building near the northwestern corner of the property. The applicant proposes to use the existing access onto Peoria Road. No new parking or other site improvements are proposed.

### **WHOM TO CONTACT FOR MORE INFORMATION:**

Michele Eldridge, City Administrator, at (541) 995-6655, or [meldridge@ci.harrisburg.or.us](mailto:meldridge@ci.harrisburg.or.us)

Mailing Address: City of Harrisburg, PO Box 378, Harrisburg, OR 97446; Office Location: City Hall, 120 Smith Street

### **THE HEARING PROCESS / OPTIONS FOR PROVIDING COMMENT:**

- At the hearing, the Planning Commission receives public testimony, deliberates, and typically makes its decision before adjourning the meeting.
- If you wish to testify on the proposal, you may provide written or oral testimony to the Planning Commission.
- The Chairperson will set a time limit of three minutes per person for oral testimony at the public hearing. Written testimony is encouraged. While written testimony will be accepted up to and including the night of the public hearing, written testimony submitted to the City Planner by noon, eight days prior to the public hearing, will be included in the Planning Commission packets that are delivered prior to the hearing.
- Any person participating in the hearing is entitled to request that it be continued to a second hearing if new evidence or documents are submitted in favor of the application. The "continuance" hearing will be limited to the issues related to the new documents or evidence for which the continuance was requested.
- A person testifying may also request to have the record remain open for seven days to allow for the submittal of additional written testimony.

"Raise it or waive it": Failure to raise an issue in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals (LUBA) based on that issue. This means that in order to appeal the City's decision to LUBA based on a particular issue, you must raise that issue at the City's public hearing. The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government to respond to the issue precludes an action for damages in Circuit Court.

**DECISION:**

The Planning Commission's decision will be final unless appealed to the City Council. Appeals to the City Council must be submitted to the City Recorder, consistent with the provisions in HMC 18.125.090.

**DECISION-MAKING CRITERIA:**

The Planning Commission will evaluate this request based on specific review criteria from the Harrisburg Municipal Code (HMC) and other applicable requirements. The staff-identified criteria for this land use decision are found in HMC 18.45, and 18.95.

**Citizens are encouraged to become familiar with the applications and applicable review criteria.** A staff report discussing the request in relation to the criteria will be available 7 days before the hearing. All documents may be reviewed at City Hall without charge; copies will be provided upon request at a charge. The Harrisburg Municipal Code is available on the City's website (<http://www.codepublishing.com/or/harrisburg/>).

**The City of Harrisburg does not discriminate against individuals with disabilities, and is an Equal Opportunity Provider.** Persons with disabilities that wish accommodations, including assisted listening devices and sign language assistance are requested to contact City hall at 541-995-6655, at least 48 hours prior to a meeting date.

**THE CITY OF HARRISBURG ENCOURAGES YOU TO NOTIFY YOUR NEIGHBORS AND OTHER PERSONS YOU BELIEVE WOULD BE AFFECTED BY THIS MATTER.**

---

Mail: February 24, 2021