

Planning Commission Meeting Agenda

June 15, 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 6' apart, and only 50 people can be in the room, dependent upon adequate spacing.*
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 MAY 18, 2021

PUBLIC HEARING

- 2.** THE MATTER OF THE BUTTERFLY GARDEN PRELIMINARY 24-LOT SUBDIVISION APPLICATION AND CONCURRENT VARIANCE AND SITE PLAN REVIEW APPLICATIONS (LU 429-2021)

STAFF REPORT EXHIBITS:

Exhibit A: Application Materials

Exhibit B: Public Notice

Exhibit C: Public Testimony

ACTION: MOTION TO APPROVE/APPROVE WITH CONDITIONS/MODIFY/DENY THE BUTTERFLY GARDEN PRELIMINARY 24-LOT SUBDIVISION, VARIANCE, AND SITE PLAN REVIEW APPLICATION (LU 429-2021), SUBJECT TO THE CONDITIONS OF APPROVAL CONTAINED IN THE JUNE 15, 2021 STAFF REPORT. THIS MOTION IS BASED ON FINDINGS PRESENTED IN THE STAFF REPORT TO THE PLANNING COMMISSION ON JUNE 15, 2021, AND ON TESTIMONY AND FINDINGS MADE BY THE COMMISSION DURING DELIBERATIONS ON THE REQUEST.

APPLICANT: Fred Property and Equipment LLC, 445 N 7th St, Harrisburg, Oregon 97446

- 3.** THE MATTER OF THE VINCENT FERRIS CONSTRUCTION BUILDING SITE PLAN REVIEW AND FILL PERMIT (LU #430-2021)

STAFF REPORT EXHIBITS:

Exhibit A: Application Materials

ACTION: MOTION TO APPROVE (APPROVE WITH AMENDED CONDITIONS/DENY) THE VINCENT FERRIS CONSTRUCTION BUILDING SITE PLAN AND FILL PERMIT (LU 430-2021) SUBJECT TO CONDITIONS OF APPROVAL CONTAINED IN THE JUNE 7, 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: Vincent Ferris

OTHERS

ADJOURN



Planning Commission Meeting Minutes May 18, 2021

Chairperson: Rhonda Giles, Presiding
 Commissioners Present: Jeremy Moritz, Susan Jackson, Kurt Kayner and Kent Wullenwaber
 Absent: Todd Culver and Roger Bristol
 Staff Present: City Administrator/Planner Michele Eldridge, 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 7:01pm by Chairperson Rhonda Giles.

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

APPROVAL OF MINUTES

Kayner motioned to approve the minutes for April 20, 2021 and was seconded by Moritz. The Planning Commission then voted unanimously to Approve the Minutes for April 20, 2021.

OLD BUSINESS

THE MATTER OF APPROVING THE TIME LIMIT ON THE WOODHILL CROSSING SUBDIVISION (LU 424-2020) FOR A PERIOD NOT TO EXCEED ONE YEAR.

Staff Report: Eldridge reviewed the time extension request with the Planning Commission. She noted that this is a simple time extension for up to one year.

- Moritz asked for clarification on the total time of the application with extension. Eldridge stated it will be the original six (6) months plus an extra one year if approved.
- The new engineer, Roy Hankins, addressed the Commission. He gave a brief background for the reason for the extension. The developer hired recently, due to the previous engineering not having the time to commit to the project. With the

May 18, 2021

changes in engineering the project will not be ready within the timeframe given with the original application. Therefore, they are requesting the one (1) year extension.

- Kayner **motioned to approve the Woodhill Crossing Subdivision Land Use Approval Time-Line Extension Request (LU-424-2020) for a year with a new expiration date of June 5, 2022. This motion is based on findings presented in the May 2, 2021 staff report to the Planning Commission and findings made by the Commission during deliberations on the request. He was seconded by Wullenwaber. The Planning Commission then voted unanimously to approve the Woodhill Crossing Subdivision Land Use Approval Time-Line Extension Request (LU-424-2020) for a year with a new expiration date of June 5, 2022.**

WORK SESSION

THE MATTER OF REVIEWING RECENT SUBDIVISION AND ZONING CODE WORK SESSIONS

Staff Report: Eldridge told the Planning Commission the purpose for this review is to prepare them for what we are going to be doing moving forward. We have already reviewed Zoning Districts, Allowed Uses, General Review Procedures back in July. In August we went over the Zoning Matrix, Site Design Review, and the Proposed Land Division Chapter. We brought the Revised Zoning Matrix, Site Plan Review, and new Zoning District Regulations in September. Lastly, in October we looked at the Conditional Use Permits, HMC 18.110. Jon Hitt will start working on the update again in June. We are hoping to bring the next section to you in July.

- Moritz asked if the Planning Commission could get a printout of the new ordinances so they could begin creating their own books. Eldridge replied the staff was planning on presenting the entire code as amended and hold a public hearing with the Planning Commission and City Council. She noted that all the reviewed ordinances can be viewed and printed from the links on page 20 of the agenda packet.

OTHERS

- Eldridge said that we have two basic deadlines to address during the next meeting.
 1. Butterfly Gardens. Due to an 18% increase in price and the two (2) year backlog for manufactured homes they have decided to change to stick-built homes. The decision has made this an actual sub-division of townhouses. We will have a new plot-plan, subdivision, and variance. Staff expects public to be present for the public hearing. This sub-division will remain a 55+ community.
 2. Vincent Farris purchased property on S. 6th Street. He is putting in a warehouse for storage for his business. The City has had to contact him on several occasions because he was doing work without a permit which caused regulatory issues due to wetlands and drainage. We are having a pre-application meeting with him, and all agencies involved.
- Moritz said he would not be at the next meeting.

With no further discussion, the meeting was adjourned at the hour of 7:25 pm.

Chairperson

City Recorder

Staff Report

Harrisburg Planning Commission

Harrisburg, Oregon

THE MATTER OF THE BUTTERFLY GARDEN PRELIMINARY 24-LOT SUBDIVISION APPLICATION AND CONCURRENT VARIANCE AND SITE PLAN REVIEW APPLICATIONS (LU 429-2021)

STAFF REPORT EXHIBITS:

Exhibit A: Application Materials

Exhibit B: Public Notice

Exhibit C: Public Testimony

ACTION: Motion to approve/approve with conditions/modify/deny the Butterfly Garden Preliminary 24-Lot Subdivision, Variance, and Site Plan Review Application (LU 429-2021), subject to the conditions of approval contained in the June 15, 2021 Staff Report. This motion is based on findings presented in the Staff Report to the Planning Commission on June 15, 2021, and on testimony and findings made by the Commission during deliberations on the request.

APPLICANT: Fred Property and Equipment LLC, 445 N 7th St, Harrisburg, Oregon 97446

LOCATION: 770 N. 7th St., 15S04W10CA00200

HEARING DATE: June 15, 2021

ZONING: R-2 – Medium Density Residential

OWNER: Fred Property and Equipment LLC, 445 N 7th St, Harrisburg, Oregon 97446

BACKGROUND

The applicant is requesting Planning Commission approval for a Preliminary 24-Lot Subdivision on residentially zoned lands at 770 N 7th Street, with a concurrent Site Plan Review application, and a Variance application to allow for an alignment in conflict with current spacing standards. The subject site abuts the east side of N 7th Street, at the

east terminus of Erica Place. The applicant's proposal would divide a 2.25-acre lot into 24-lots. As shown on the applicant's tentative plat, lots will range in size from 2,502 square feet to 5,681 square feet.

COMMENTS

On May 27, 2021, City Staff requested public comments on the proposed applications, in compliance with HMC 18.125. The following comments were received by the June 4th, 2021 deadline:

Chuck Scholz, Public Works Director, City of Harrisburg, dated June 1, 2021

"My only notes from what I see:

- Interior Fire Hydrant should be located on East side of lot 18
- Wastewater lateral stub outs shall have a clean out located behind the Y at the property lines behind the sidewalk in front of each lot."

Tim and Karen Salisbury, 354 Smith Street, Received June 4, 2021

"Last winter, Tim Walter asked about our fence; whether we'd like to keep our own fence or if we'd go along with a new fence the developer would build on the property line. We told Mr. Walter that we'd accept a new fence the developer builds as long as it is tall enough for privacy and preferably it would be a masonry privacy and sound protection fence. We filled out property 47 years ago so it is about a foot higher than yours. Mr. Water is aware of the height difference of our land and yours and how it would affect the fence height. Unless you fill and drain your property, a 6' fence on the property line would only be a 5' fence on our side. That would not be acceptable. An 8' high masonry fence would provide longevity of the fence, privacy, and sound protection, all the issues we're concerned about. We're asking you, the Planning Commission, to add the 8' masonry fence to the plan requirements. Thank you"

Terry and Christina Crabb, 793 N 7th Street, Received June 7, 2021

"My concern with the new request for the 3 to 4 dwelling townhouses is that they will become rental properties, not owner occupied. This is, for the most part, an owner occupied subdivision and I would like to have it stay that way. Even if one of the current homes is rented out, it is still a single family dwelling, and the renters seem to have longevity in their stay.

As stated above, I am against having townhouses built that will become rental properties."

Comments relative to the proposal are addressed within this report according to the specific criteria applicable to the concern.

INTRODUCTION

The following findings demonstrate that the submitted Site Plan Review application complies with all applicable approval criteria and related standards as set forth in the

Harrisburg Municipal Code. The following evaluation includes findings of compliance with the applicable criteria, with informational items noted where appropriate. The approval criteria and related standards are listed below in **bold**, with Staff findings addressing each.

SUBDIVISION CRITERIA

17.20.020 Submission of preliminary subdivision plat.

The subdivider shall prepare a preliminary subdivision plat and other supplementary material as may be required to indicate the general program and objectives of the project.

4. At the time of preparation of the preliminary subdivision plat, the subdivider shall get approval from Linn County for the proposed name of the subdivision. [Ord. 891, 2010; Ord. 739 § 3.020, 1998.]

The applicant has provided concurrence from the Linn County Surveyors regarding the proposed Butterfly Garden subdivision name, as required by this section.

17.20.030 Information on preliminary subdivision plat.

ORS [92.050](#) requires that a plat for a subdivision or partition not be submitted until all of the requirements of ORS [92.050](#) and [209.250](#) have been met. The following information shall be shown on the preliminary subdivision plat or shall accompany it when it is submitted for approval.

The applicant has submitted a preliminary plat in compliance with this section.

17.20.040 Preliminary review of proposal.

1. Upon acceptance of the preliminary plat, the City Recorder shall provide one copy of the preliminary subdivision plat and supplementary material to each of the following:

2. These officials and agencies shall be given a reasonable period of time, not to exceed 15 days, to review the plat and to suggest any revisions that appear to be indicated in the public interest.

3. In the event the proposed subdivision consists of five or more acres, the Parks Committee shall be allowed up to one month to review the proposal and advise the Planning Commission if any of the land might be necessary to meet the goals of the Parks Master Plan. [Ord. 891, 2010; Ord. 739 § 3.040, 1998.]

The City Recorder provided notice in compliance with the above standards on May 27, 2021. **Therefore, these criteria have been met.**

17.20.050 Tentative approval of preliminary subdivision plat.

17.40.020 Streets.

1. General. The location, width and grade of streets shall be considered in their relation to existing and planned streets, topographical conditions, public convenience and safety, and the proposed use of the land to be served by the streets. Where location is not shown in a comprehensive plan, the arrangement of streets in a subdivision shall either:

- a. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or**
- b. Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where physical conditions make continuance or conformance to existing streets impractical.**

The applicant has submitted a Preliminary Plan that complies with the above criteria. No City streets are planned within the project boundary. The proposed north-south right-of-way will be stubbed to the existing property boundary at each end to allow for future connections should they become necessary. Therefore, these criteria have been met.

2. Minimum Right-of-Way and Roadway Widths.

The applicant has submitted a Preliminary Plat in compliance with this criterion. The City Engineer has confirmed that paving widths of 32 feet are appropriate for the intended use and essential service providers. Therefore, these criteria have been met.

3. Reserve Strips. Reserve strips or street plugs controlling the access to streets shall be required for the protection of the public welfare or of substantial property rights.

No Reserve Strips are shown on the preliminary plan, but will be required as part of this subdivision proposal as the dead-end streets warrant the following condition:

- 1. Prior to Final Plat approval, the applicant shall revise the plan to show a 1 foot reserve strip at the terminuses of the proposed Monarch Way right-of-way.*

4. Alignment. As far as practical, streets other than minor streets shall be in alignment with existing streets by continuations of the center lines thereof. Staggered street alignment resulting in "T" intersections shall, wherever practical, leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction, and otherwise shall not be less than 125 feet.

The southern T intersection with Erica Place will be located approximately 121 feet from the centerline of the proposed Periander Way to the north, which is less than the minimum requirement. The applicant is requesting to reduce the 125-foot minimum standard between centerlines to 121 feet. This request is less than a 3% reduction in the standard and poses no safety concerns. A Variance application has been submitted

in concurrence with this Preliminary Subdivision application. As such, the following condition is warranted:

2. *Prior to Final Plat Approval, the applicant shall obtain Planning Commission approval for a Variance to the minimum alignment spacing standards at HMC 17.40.020(4) for the proposed Periander Way to allow for a minimum spacing of 121 feet.*

5. Future Extension of Streets. Where necessary to give access to or permit a satisfactory future subdivision of adjoining land, streets shall be extended to the boundary of the subdivision, and the resulting dead-end streets may be approved without a turnaround. Reserve strips and street plugs may be required to preserve the objectives of street extensions.

As noted above, The proposed north-south right-of-way will be stubbed to the existing property boundary at each end to allow for future connections should they become necessary. Additionally, as conditioned at 17.40.020(3), the applicant shall revise the plan to show a 1 foot reserve strip at the terminuses of the proposed Monarch Way right-of-way in compliance with this standard.

6. Intersection Angles. Streets shall be laid out to intersect at angles as near to right angles as practical but in no case shall the acute angles be less than 60 degrees unless there is a special intersection design. The intersection of arterial or collector streets with other arterial or collector streets shall have at least 100 feet of tangent adjacent to the intersection. Other streets, except alleys, shall have at least 50 feet of tangent adjacent to the intersections. Intersections which are not at right angles shall have a minimum corner radius of 20 feet along the right-of-way lines of the acute angle.

The proposed streets intersect at right angles. Therefore, this criterion has been met.

7. Existing Streets. Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of subdivision.

The existing right-of-way of N 7th Street is of sufficient width in accordance with it's functional classification. Therefore, no additional right of way is required with this application beyond what is proposed.

8. Half Streets. Half streets, while generally not acceptable, may be approved where essential to the reasonable development of the subdivision, when in conformity with the other requirements of these regulations, and when the Planning Commission finds it will be practical to require the dedication of the other half when the adjoining property is subdivided. Whenever a half street is adjacent to a tract to be subdivided,

the other half of the street shall be platted within such tract. Reserve strips and street plugs may be required to preserve the objectives of half street.

No half streets are proposed with this application. Therefore, this criterion is not applicable.

9. Cul-de-Sacs. A cul-de-sac shall be as short as possible and shall have a maximum length of 300 feet unless environmental features or permanent obstacles require a depth greater than 300 feet. Cul-de-sacs will not be permitted where the street would logically connect to a future street that has not been constructed. In these cases, for the case of future connectivity, the street shall be stubbed out.

No Cul-de-Sacs are proposed with this application. Therefore, this criterion is not applicable.

10. Street Names. Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the names of existing streets. Street names shall conform to the established pattern in the City and shall be subject to the approval of the Planning Commission.

Street names have been provided on the Preliminary Plat for the newly created right-of-ways. Periander Way is proposed for the East/West directional street. Monarch Way has been proposed for the north south right-of-way. However, two conflicts are present in similar alignment with the proposed street. Both 7th Place and Arrow Leaf Place are existing right-of-ways established within the City's street pattern. Therefore, the Planning Commission has discretion in allowing the proposed name or requiring the applicant revise the preliminary plan to show compliance with the above standard.

3. Prior to Final Plat approval, the applicant either receive Planning Commission approval for the proposed right-of-way name of Monarch Way or shall revise the plat to show compliance with the standards at 17.40.020(10).

11. Curves. Center line radii of curves shall not be less than 300 feet on major arterials, 200 feet on secondary arterials, or 100 feet on other streets.

All centerline radii detailed on the submitted preliminary Plat are shown in compliance with this criterion. Therefore, this standard is met.

12. Streets Adjacent to Railroad Right-of-Way.

No existing or proposed streets are adjacent to railroad right-of-way. Therefore, this criterion is not applicable.

13. Bulb-Outs.

- a. All residential neighborhoods shall have a five-foot bulb-out on each side of an intersection.**
- b. A mid-block bulb-out shall be required if a block length exceeds 630 feet.**

Block lengths shown on the preliminary plat are under 630 feet. No intersection or mid-block bulb-outs are shown on the submitted Preliminary Plan as required by these criterion. The applicant has requested an exception request within their revised narrative for granting modifications to the Subdivision criteria. However, based on prior Planning Commission decisions, and Public Works direction, five-foot bulb-outs have not been required in for subdivision applications. While this is inconsistent with the current HMC, the Planning Commission has the authority to allow exceptions to this standard pursuant to HMC 17.05. Without Planning Commission approval of an exception, the following condition is warranted:

4. Prior to Final Plat approval, the applicant shall revise the plat to show compliance with the standards at 17.40.020(13). Bulb-Outs shall be required at the intersections of N 7th Street and Periander Way, with the bulb portions extending within the proposed right-of-way.

14. Mailbox Clusters. In a residential subdivision, mailboxes shall be installed by the developer in clusters of locked mailboxes or groupings of multiple mailboxes, in the manner required by Section 1111 of the Oregon Structural Specialty Code (2010), and as approved by the United States Postal Service and the City. The mailboxes shall not reduce the intended width of the public sidewalk. [Ord. 950 § 1 (Exh. A), 2017; Ord. 906 § 1, 2012; Ord. 891, 2010; Ord. 739 § 7.020, 1998.]

Mailbox clusters areas are shown on the submitted Preliminary Plan. Therefore, this criterion is met.

17.40.030 Blocks.

- 1. Size and Width. No block length shall be more than 630 feet. Except where cul-de-sacs are used, block perimeters will not exceed 1,800 feet.**
 - a. Exceptions to the maximum block length will be considered when, due to environmental constraints or permanent obstacles in the built environment, a longer block length is necessary. The exception will be considered on a case-by-case basis, with the difficulty of building around the environmental or built environmental feature the determining factor in permitting block length longer than minimum requirements.**

The proposed block length of Periander Way and Monarch Way are less than 630 feet. Therefore, these criterion are not applicable.

2. Easements.

- a. **Utility Lines.** Easements for sewers, water mains, electric lines or other public facilities shall be dedicated whenever necessary. All public utilities shall be underground.
- b. **Watercourses.** If a subdivision or partition is traversed by a watercourse such as a drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of the watercourse and such further width as will be adequate for the purpose.
- c. **Pedestrian Ways.** Pedestrian walkways and access ways shall be included wherever possible to connect a new development to existing sidewalk networks.
- d. **Bicycle Access.** New development should accommodate safe and convenient pedestrian and bicycle access to surrounding residential and commercial development. [Ord. 891, 2010; Ord. 739 § 7.030, 1998.]

The submitted Preliminary Plat shows all proposed easement locations in compliance with this section. Pedestrian Ways are shown to accommodate safe and convenient travel to surrounding developments. No watercourses exist on site. Therefore, these criterion have been met.

17.40.040 Lots.

- 1. **Size and Shape.** Lot size, width, shape and orientation shall be appropriate for the location of the subdivision and for the type of use contemplated.
 - a. No lot shall be dimensioned to contain part of an existing or proposed street.
 - b. Lot depth shall not exceed two-and-one-half times the average width.
 - c. These minimum standards shall apply with the following exceptions:
 - (1) In areas that will not be served by a public water supply or by a public sewerage system, minimum lot sizes shall conform to the requirements of the Linn County Environmental Health Program.
 - (2) In areas served by a public water supply and a public sewerage system, lot sizes and widths shall conform to the standards of HMC Title 18.
 - (3) Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use contemplated.

The submitted Preliminary Plat shows 24 residentially zoned lots in compliance with the above criteria.

2. Each lot shall abut upon a street other than an alley for a width of at least 25 feet.

All 24 lots shown on the Preliminary Plat have a minimum 25 feet of frontage upon the shown streets. Therefore, this criterion is met.

3. Through Lots. Through lots shall be avoided except where they are essential to provide separation of residential development from major traffic arteries or adjacent nonresidential activities or to overcome specific disadvantages of orientation. A planting screen easement at least 10 feet wide and across which there shall be no right of access may be required along the line of lots abutting such a traffic artery or other incompatible use.

No through lots are proposed with this subdivision application. Therefore, this criterion is not applicable.

4. Lot Side Lines. The side lines of lots, as far as practicable, shall run at right angles to the street upon which the lots face. [Ord. 739 § 7.040, 1998.]

All lot lines run at right angles to the street upon which they face. Therefore, this criterion is met.

18.20.020 Uses Permitted Outright

In an R-2 zone, the following uses and their accessory uses are permitted outright:

1. A use permitted outright in an R-1 zone.

18.15.030 Uses permitted outright.

In an R-1 zone, the following uses and their accessory uses are permitted outright:

1. One single-family dwelling per lot, or a duplex as allowed in HMC 18.15.100.

Townhomes, as defined by HMC 18.10.030 "Townhome" means three or more attached single-family dwellings or row houses that are individually owned. The applicant has proposed three and four attached single-family dwellings that are individually owned. As such, this criterion is met.

18.20.050 Lot size and frontage.

Except as provided in HMC 18.20.090 or 18.90.100, in an R-2 zone:

3. For a duplex with each dwelling on a separate lot:

a. The minimum lot size shall be 4,000 square feet.

b. The minimum lot width at the front building line shall be 30 feet, except on a cul-de-sac the minimum lot width at the front building line shall be 25 feet.

4. For townhomes:

- a. The minimum lot area shall be 3,500 square feet for dwellings attached to one other dwelling and 2,500 square feet for dwellings attached to more than one other dwelling.**
- b. The minimum lot width at the front property line shall be 25 feet.**
- c. The minimum lot depth shall be 80 feet. [Ord. 882 § 3.140, 2010.]**

All lots shown on the Preliminary Plat are a minimum of 2,500 square feet, with the largest lot at 5,681 square feet. All lots show a minimum width at the building setback line of 25 feet or greater. All lots show a minimum depth of 80 feet or greater. Therefore, these criteria have been met.

18.65.010 Local wetland protection and wetland notification.

- 1. This chapter is applicable to all wetlands within the City of Harrisburg, whether on the Local Wetlands Inventory (LWI) map1 or not.**
- 2. Wetland review, as defined by this code, is applicable to development on parcels containing any wetland protection area.**

This property had no wetlands when reported during the previous land use action, and was reported again to DSL during this request. No known wetlands exist within the project boundary. Therefore, these criteria are not applicable to this Preliminary Subdivision application.

SITE PLAN REVIEW CRITERIA

The applicant is concurrently requesting a Site Plan Review application in partnership with the Subdivision application. The following findings are for Planning Commission consideration:

18.95.060 Decision criteria for site plan review.

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. 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.**
- 2. Off-street parking areas are suitable in terms of size and location to serve the proposed use.**
- 3. The size, design, and operating characteristics of the intended use are reasonably compatible with surrounding development.**
- 4. 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.**
- 5. The intended use shall be adequately screened or buffered from adjacent or nearby properties.**

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

7. Security measures are adequate to protect the general public from injury on the work site. [Ord. 882 § 5.530, 2010.]

North 7th Street is a fully developed City owned and maintained right-of-way with adequate width to safely serve the project site. The proposed alignment of Periander Way is not in compliance with minimum spacing standards, to which the applicant has submitted a Variance application for review. The applicant's registered engineer has provided assurances that no safety impacts would result by a shortened distance of four feet. Further, there are numerous areas within the community with non-compliant alignment distances (e.g. N 6th St. and N 6th Pl., and N 6th St. and Dempsey St.). The proposed townhome developments are proposed with two parking spaces per unit in compliance with the minimum standard. Townhomes are a use permitted outright in the R-2 zoning district. The existing sewer and water facilities are of adequate size to serve the proposed development. A screening fence has been proposed for the perimeter of the site. An erosion control permit has been issued by the Department of Environmental Quality for the site. A construction fence will be in place during construction to prevent public injury. Therefore, the above standards have been met.

18.95.090 Standards applicable to residentially zoned areas for site plan review.

1. Buffer. A buffer shall be provided on each side of a property which abuts a lot which is zoned or used for residential purposes. The buffer area shall be a minimum of five feet in width, containing 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.

All setbacks are shown to be in compliance with the above standard. A six foot continuous fence is proposed for the perimeter of the project site. However, public comments received have requested the Planning Commission consider a masonry type fence for the perimeter of the site for buffering both visual and audible impacts.

2. Buffer areas may not be used for buildings, parking, or driveways, unless the area is the most suitable location for a driveway, but may be used for landscaping sidewalks or pathways and for utility placement.

This criterion is not applicable to the current request.

3. Landscaping.

a. All areas intended for use as part of the building project shall be completely and permanently landscaped, except for buildings, areas used for refuse containers, and areas set aside for access driveways, off-street parking, sidewalks and pathways.

b. All landscaped and buffered areas shall be continually maintained in an attractive manner.

The applicant is aware of this requirement. All areas other than building and access ways will be landscaped in compliance with this standard.

4. Screening of Refuse Containers. Any refuse or recycling container or disposal area visible from a public street or abutting property zoned residential shall be screened from view by placement of a solid wood, concrete block or similar fence or evergreen hedge at least five feet in height.

The applicant has stated that all refuse containers will be privately owned by individual property owners. No communal refuse areas are proposed. Therefore, this standard is not applicable.

5. Fencing. Fences must meet the requirements set forth in HMC 18.80.010.

The applicant is aware of this requirement.

6. Parking.

- a. Off-street parking shall be provided in compliance with the standards of Chapter 18.85 HMC.**
- b. Off-street parking areas shall be set back a minimum of 15 feet from lot lines abutting a street and 10 feet from lots zoned residential.**

Off-street parking areas are shown in compliance with the above standards.

7. Access Driveways. The driveway with access onto a public street shall meet the following requirements:

- a. Driveways shall have a minimum width of 10 feet for one-way driveways, and 20 feet for two-way driveways.**
- b. Adjoining lots may utilize a shared driveway with the consent of the City, but only if appropriate easement documents and maintenance agreements are entered into and recorded with Linn County.**
- c. There shall be a minimum separation of 22 feet between driveways unless otherwise approved by the City.**
- d. Driveways shall be at least 20 feet from the intersection with a minor street and 30 feet from the intersection with an arterial or collector street. [Ord. 882 § 5.560, 2010.]**

No access driveways are proposed as each lot will be served by a public right-of-way. Therefore, these criteria are not applicable.

18.20.010 Required standards for all new dwellings in R-2 zones.

1. Each dwelling shall have a garage or carport unless there are more than four residential units in one building.

- a. The garage or carport shall be installed prior to occupancy.**
- b. The garage or carport shall have exterior siding and roofing that, in color, material and appearance, are similar to the exterior siding and roofing materials commonly used on residential dwellings within the community or that are comparable to the predominant materials used on surrounding dwellings as determined by the City Planner.**
- c. The garage or carport shall include an unobstructed area not less than 18 feet long and not less than 12 feet wide for a single garage or carport or an average of 10 feet wide per vehicle for a garage or carport designed for more than one vehicle.**
- d. The garage or carport floor shall be concrete, or other surface approved by the City.**

All proposed units are to include one garage in compliance with the above standards, with additional parking included in front of each garage.

2. All parking spaces and driveways shall be hard surfaced, except that HMC 18.15.020(3) shall apply for a driveway that is only for a single-family residence.

All parking areas are shown to be hard surfaced in compliance with this standard.

3. Eaves that extend a minimum of 12 inches from the intersection of the roof and the exterior walls.

All eaves are to be constructed in compliance with this standard.

4. Public improvements, including curbs, gutters, sidewalks and a paved street adjoining the property shall be installed in accordance with City standard specifications prior to occupancy unless an extension is granted in writing by the City. Prior to approving an extension, the City may require the responsible party to sign a waiver of remonstrance.

Public facilities are shown to be installed in compliance with this standard. The proposed stormwater drainage facility to be dedicated to the City for ongoing ownership and maintenance will require an approved Development Agreement, including an adequate Landscape Plan prior to Final Plat approval. Additionally, Harrisburg Fire and Rescue has requested turnaround curb cuts at the end lots of the proposed Monarch Way for adequate fire apparatus maneuvering, specifically lot No. 7 (on the northeast corner of the parcel) and Lot No. 18 (on the southeast corner of the parcel). Therefore, the following conditions are warranted:

5. Prior to Final Plat approval, the applicant shall submit a landscape plan detailing compliance with 18.20.010(4) and 18.20.010(5).
6. Prior to Final Plat approval, the applicant shall revise the Plat to show curb cuts at lot No. 7 (on the northeast corner of the parcel) and Lot No. 18 (on the southeast corner of the parcel) in compliance with Public Works design standards.

5. Appropriate landscaping, other than weeds or bare ground, shall be installed within one year of occupancy.

The applicant understands this requirement and has committed to installing compliant landscaping within one year of occupancy.

6. High-density residential development can include up to 17 dwelling units per net acre (not including right-of-way).

The site is approximately 2.25 acres in size. A total of 24 units are proposed. Therefore, 10.66 dwelling units per acres are proposed in compliance with this standard.

7. A receptacle for the delivery of mail by the United States Postal Service (USPS) shall be installed prior to occupancy unless (a) an extension is granted in writing by the City, or (b) the person who will be occupying the dwelling provides evidence to the City that a Post Office box has been obtained. The receptacle shall be of a design approved by the USPS and it shall be placed at a location approved by the USPS and the City. [Ord. 906 § 1, 2012; Ord. 882 § 3.105, 2010.]

Mail receptacles will be installed in compliance with the above provision.

VARIANCE CRITERIA

The applicant has requested Variance approval to HMC 17.40.020(4), as the proposed right-of-way terminus is 121 feet north of the existing Erica Place right-of-way. The applicant is requesting a Variance to allow for a 4-foot reduction in the minimum alignment spacing. The follow findings are for Planning Commission consideration:

17.50.040 Conditions for granting a variance.

Before a variance may be granted, the Planning Commission shall first determine that all of the following conditions exist:

1. That there are exceptional physical characteristics with the involved property over which the owner has no control;

Erica Place is an existing fully developed right-of-way. The applicant has no control of the location of this roadway. However, the proposed layout of the 24-lot subdivision has adequate depths to allow for a minimum alignment of 125 feet north of Erica Place, while ensuring a minimum lot depth of 80 feet for lots north of the proposed right-of-way. The applicant argues that strict application of the alignment standard would reduce the net useable land to the north of Periander Way and result in the loss of one lot. This would prevent the property owner in developing his property to the highest and best use and be in conflict with Oregon's overall goal of increasing densities in urban areas. While the applicant makes this claim in good faith, no studies have been provided to show how a reduced alignment would affect traffic and safety patterns, nor how the property is constrained to the north as to warrant the reduced alignment distances. Therefore, the Planning Commission has discretion in determining compliance with this standard.

2. That the strict application of the municipal code would deprive the owner of the reasonable use of the property rights compared to neighbors;

Again, the applicant argues that strict application of the alignment standard would reduce the net useable land to the north of Periander Way and result in the loss of one lot. This would prevent the property owner in developing his property to the highest and best use and be in conflict with Oregon's overall goal of increasing densities in urban areas. While there is merit to this argument, this does not speak to the property rights of neighboring sites in the same zone, nor the local jurisdictional authority and the Comprehensive Plan relative to urban density. Development patterns in the surrounding vicinity are single family homes. The applicant is requesting a 24-lot subdivision. It is Staff's opinion that the loss of one lot would not deprive the owner of the reasonable use of the property rights compared to neighboring owners. Therefore, the Planning Commission has discretion in determining compliance with this standard.

3. That the granting of the variance would not confer any special privilege upon the applicant;

The granting of the variance would allow the owner to reduce the minimum alignment as required by HMC 17.40.020(4). As such, potential impacts to traffic flow patterns and overall safety have not been addressed. As noted above, the loss of one lot as proposed would not deprive the applicant of their rights under this Code. By granting the Variance, a special privilege would be conferred upon the applicant as they could otherwise meet the letter and intent of the HMC through alternate designs. Again, this is Staff opinion as it relates to the above criterion. The Planning Commission has discretion in determining compliance with this standard.

4. That the variance would not violate a provision of law; and

The granting of the variance would not violate a provision of law. Therefore, this standard has been met.

**5. That substantial hardship would result if the variance were not granted.
[Ord. 906 § 1, 2012; Ord. 739 § 9.030, 1998.]**

The property owner would potentially lose one lot, which could pose a financial hardship. However, the applicant has not provided evidences to show how this constitutes a substantial hardship, as this criterion requires. There, the Planning Commission has discretion in determining whether the loss of one lot constitutes a substantial hardship.

CONCLUSIONS

As shown in the above findings, the Preliminary Subdivision application contains areas subject to Planning Commission discretionary review that have not been satisfied prior to the June 15, 2021 Planning Commission hearing.

As conditioned, the submitted application can be made to comply with minimum standards prior to Final Plat approval.

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.

RECOMMENDED MOTION(S)

THE MOTION IS LOCATED AT THE TOP OF THIS STAFF REPORT, AND THE PLANNING COMMISSION AGENDA

RECOMMENDED CONDITIONS OF APPROVAL

- 1. Prior to Final Plat approval, the applicant shall revise the plan to show a 1 foot reserve strip at the terminuses of the proposed Monarch Way right-of-way.**
- 2. Prior to Final Plat Approval, the applicant shall obtain Planning Commission approval for a Variance to the minimum alignment spacing standards at HMC 17.40.020(4) for the proposed Periander Way to allow for a minimum spacing of 121 feet.**
- 3. Prior to Final Plat approval, the applicant either receive Planning Commission approval for the proposed right-of-way name of Monarch Way,**

or shall revise the plat to show compliance with the standards at 17.40.020(10).

4. *Prior to Final Plat approval, the applicant shall revise the plat to show compliance with the standards at 17.40.020(13). Bulb-Outs shall be required at the intersections of North 7th Street and Periander Way, with the bulb portions extending within the proposed right-of-way.*
5. Prior to Final Plat approval, the applicant shall submit a landscape plan detailing compliance with 18.20.010(4) and 18.20.010(5).
6. Prior to Final Plat approval, the applicant shall revise the Plat to show curb cuts at lot No. 7 (on the northeast corner of the parcel) and Lot No. 18 (on the southeast corner of the parcel) in compliance with Public Works design standards.
7. Consistency with Plans – Development shall comply with the plans and narrative in the applicant’s proposal, except where modified or added to by the these conditions of approval.
8. Storm Drainage – Prior to issuance of a building permit, applicant shall submit an engineered stormwater management and detention plan, showing no impact on neighboring properties beyond historical storm water flow. This plan must be approved by the City Engineer.
9. Public Utilities - Prior to issuance of a building permit, applicant shall obtain approval of the City Engineer and/or public works director, and all required permits, for all public utility connections, road improvements, fire hydrant placement, and pedestrian walkways and other required site improvements whether publicly or privately owned.
10. Signage – Prior to issuance of a building permit, applicant shall obtain a city sign permit for any proposed subdivision signage that meets the requirements of HMC 18.70.
11. City Development Agreement – The applicant and the City of Harrisburg shall enter into a mutual agreement for the placement and completion of all required infrastructure and utilities. In addition, the agreement shall require permanent access and maintenance of storm drain detention areas by the City with funding assistance provided by the applicant.



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

LAND USE APPLICATION

The City of
Harrisburg

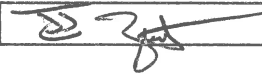
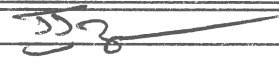
STAFF USE ONLY	
File Number: <u>429-2021</u>	Date Received: <u>MAY 18 2021</u>
Fee Amount: <u>\$4,715</u>	RECEIVED

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 checked="" 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 checked="" 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	Townhouse subdivision made up of a combination of triplex and quadplexes with city maintained streets.
Project Name	Butterfly Garden Village

PRIMARY CONTACT AND OWNER INFORMATION

Applicant's Name	Fred Property and Equipment LLC		
Phone	541.729.6738	Email	peggiewalter@comcast.net
Mailing Address	445 N. 7th, Harrisburg, OR 97446		
Applicant's Signature			
	Date	5/17/21	
Property Owner Name	FRED PROPERTY AND EQUIPMENT LLC		
Phone	541.729.6738	Email	peggiewalter@comcast.net
Mailing Address	445 N. 7th, Harrisburg, OR 97446		
Owner Signature			
	Date	5/17/21	

*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	770 7th st. Harrisburg, OR		
General Location Description	east side of 7th, approximately 750' from diamond hill rd		
Assessor's Map Number(s)	Related Tax Lot(s)		
Map #	15S04W10CA	Tax Lot(s) #	00200
<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 http://linn-web.co.linn.or.us/propertywebquerypublic/</p>			
Lot Area	2.25ac		

LAND USE AND OVERLAY ZONES

Existing Zone(s) R2

Existing Comprehensive Plan Designation(s) R2 Medium Density Residential Zoning

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

- | | | |
|---|--|-------------------------------------|
| <input type="checkbox"/> Historic Overlay | <input type="checkbox"/> Willamette River Greenway | <input type="checkbox"/> Floodplain |
| <input type="checkbox"/> Riparian Corridors | <input type="checkbox"/> 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)
<input checked="" type="checkbox"/> Assessor's Map with Applicable Tax Lots Highlighted
<input checked="" type="checkbox"/> Site Plan
<input type="checkbox"/> Survey / ALTA
<input checked="" type="checkbox"/> Aerial Photograph / Existing Land Use(s) Map
<input checked="" type="checkbox"/> Zoning Map (if applicable, show proposed change(s))
<input checked="" type="checkbox"/> Comprehensive Plan Map(s) (if applicable, show proposed changes))
<input type="checkbox"/> Subdivision or Partition Plat | <input checked="" type="checkbox"/> Architectural Elevations
<input checked="" type="checkbox"/> Architectural Floor Plans
<input checked="" type="checkbox"/> Utilities Plan
<input type="checkbox"/> Geotechnical Report/Site
<input type="checkbox"/> Assessment
<input type="checkbox"/> Electronic Versions of Exhibits
<input type="checkbox"/> Application Fee
<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

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

Subdivision for triplex and quadplex

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

The only open space will be on parkways, which will be maintained by individual homeowners.

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 prior approval was for a 25 unit mobile home park. The new application will be for the same density but using stick built triplex's & quadplexes.

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.

BUTTERFLY GARDEN TOWNHOMES NARRATIVE

APPLICANT: Tim Walter PHONE: (541) 729-6738

CIVIL ENGINEER: The Favreau Group PHONE: (541) 683-7048

DATE: May 17, 2021

Present Request:

This application requests a Townhome Development approval for subject tax lot. This application proposes to create 24 townhomes on separate lots.

TAX LOT	15-04-10. Tax Lot 200
CURRENT ZONING	R2
SIZE	2.24 Acres
ELECTRIC	Pacific Power
WATER	City of Harrisburg
GAS	Northwest Natural Gas
STORM WATER/SANITARY SEWER	City of Harrisburg

17.35.030 Partitioning procedures.

4. In taking action on the partition the Planning Commission shall base the decision on findings related to the following criteria:

a. The partition is consistent with the standards of this title and HMC Title 18.

Response: This application is consistent with the applicable standards as shown below.

b. Vehicular access to the parcels to be created is adequate. (Criteria and findings apply for a major partition.)

Response: A 32-foot paved street with a 44-foot right-of-way will provide access to all proposed lots.

c. All necessary public utilities can be provided to the parcels to be created.

Response: Water, sewer, storm drain, electricity and communication lines are all existing in the adjacent 7th St. and have adequate capacity for this proposal to connect to them.

d. Full and orderly development to the surrounding area can be maintained.

Response: The adjacent properties to the north, west and east are fully developed. The property to the south has access to 7th St. for future development.

18.20.010 Required standards for all new dwellings in R-2 zones.

1. Each dwelling shall have a garage or carport unless there are more than four residential units in one building.

Response: Each unit will have a one car attached garage and an off-street parking space in front of the garage.

a. The garage or carport shall be installed prior to occupancy.

Response: The attached garage is a part of the unit construction.

- b. The garage or carport shall have exterior siding and roofing that, in color, material and appearance, are similar to the exterior siding and roofing materials commonly used on residential dwellings within the community or that are comparable to the predominant materials used on surrounding dwellings as determined by the City Planner.

Response: The attached garage will be of similar material as the house.

- c. The garage or carport shall include an unobstructed area not less than 18 feet long and not less than 12 feet wide for a single garage or carport or an average of 10 feet wide per vehicle for a garage or carport designed for more than one vehicle.

Response: The attached garages shall be a minimum of 12' wide by 18' long.

- d. The garage or carport floor shall be concrete, or other surface approved by the City.

Response: All garages shall have concrete floors.

- 2. All parking spaces and driveways shall be hard surfaced, except that HMC 18.15.020(3) shall apply for a driveway that is only for a single-family residence.

Response: The driveways and garages shall be concrete.

- 3. Eaves that extend a minimum of 12 inches from the intersection of the roof and the exterior walls.

Response: Eaves will be extended a minimum of 12" from the exterior walls.

- 4. Public improvements, including curbs, gutters, sidewalks and a paved street adjoining the property shall be installed in accordance with City standard specifications prior to occupancy unless an extension is granted in writing by the City. Prior to approving an extension, the City may require the responsible party to sign a waiver of remonstrance.

Response: All public improvements shall be designed and constructed in accordance with City Standards. All public improvement plans shall be approved by the City Engineer prior to construction.

- 5. Appropriate landscaping, other than weeds or bare ground, shall be installed within one year of occupancy.

Response: The site will be fully landscaped during the end of the construction process.

- 6. High-density residential development can include up to 17 dwelling units per net acre (not including right-of-way).

Response: There are 24 units proposed for 1.74 net acres = 13.8 units per acre.

- 7. A receptacle for the delivery of mail by the United States Postal Service (USPS) shall be installed prior to occupancy unless (a) an extension is granted in writing by the City, or (b) the person who will be occupying the dwelling provides evidence to the City that a Post Office box has been obtained.

The receptacle shall be of a design approved by the USPS and it shall be placed at a location approved by the USPS and the City. [Ord. 906 § 1, 2012; Ord. 882 § 3.105, 2010.]

18.20.020 Uses permitted outright.

Response: The proposed mail box is shown on the site plan.

In an R-2 zone, the following uses and their accessory uses are permitted outright:

- 1. A use permitted outright in an R-1 zone.
- 2. Multiple-family dwelling with three or more dwelling units shall be permitted, subject to the site plan review standards and procedures of Chapter 18.95 HMC, to ensure the availability and adequacy of municipal services and the appropriateness of the design.
- 3. Home occupation, when the provisions of Chapter 5.05 HMC are complied with.
- 4. One boarding, lodging, or rooming house, per lot, subject to the standards and procedures of Chapter 18.95 HMC.
- 5. One residential facility, per lot.

Response: The proposal is for 24 townhomes on 24 individual lots.

6. Manufactured dwelling park, subject to the standards and procedures of HMC 18.75.020 and 18.95.080.

Response: Does not apply.

7. A duplex. [Ord. 909 § 5, 2013; Ord. 882 § 3.110, 2010.]

18.20.050 Lot size and frontage.

Except as provided in HMC 18.20.090 or 18.90.100, in an R-2 zone:

1. For single-family and multifamily dwellings, residential care homes, and residential care facilities:

- a. The minimum lot size shall be 7,000 square feet.
- b. The minimum lot width at the front building line shall be 60 feet; except on a cul-de-sac the minimum lot width at the front building line shall be 50 feet.
- c. The minimum lot depth shall be 80 feet.

d. A lot shall have a minimum of 50 feet of frontage along a public right-of-way, except on a cul-de-sac where a lot shall have a minimum of 35 feet of frontage along a public right-of-way.

2. For a duplex on a single lot:

- a. The minimum lot size shall be 8,000 square feet.
- b. The minimum lot width at the front building line shall be 60 feet, except on a cul-de-sac the minimum lot width at the front building line shall be 50 feet.
- c. The minimum lot depth shall be 80 feet.
- d. The lot shall have a minimum of 50 feet of frontage along a public right-of-way, except on a cul-de-sac where the lot shall have a minimum of 35 feet of frontage along a public right-of-way.

3. For a duplex with each dwelling on a separate lot:

- a. The minimum lot size shall be 4,000 square feet.
- b. The minimum lot width at the front building line shall be 30 feet, except on a cul-de-sac the minimum lot width at the front building line shall be 25 feet.

Response: Does not apply.

4. For townhomes:

- a. The minimum lot area shall be 3,500 square feet for dwellings attached to one other dwelling and 2,500 square feet for dwellings attached to more than one other dwelling.

Response: All proposed buildings will have a minimum of 3-units and all lots are over 2,500 square feet.

- b. The minimum lot width at the front property line shall be 25 feet.

Response: All proposed lots are a minimum of 25 feet wide.

- c. The minimum lot depth shall be 80 feet. [Ord. 882 § 3.140, 2010.]

18.20.060 Setback requirements.

Response: All proposed lots are a minimum of 80 feet deep.

Except as provided in HMC 18.90.010, 18.90.050 and 18.90.100, in an R-2 zone the yards shall be as follows:

- 1. The front yard setback shall be a minimum of 15 feet, except that a garage or carport shall be set back a minimum of 20 feet.

Response: As shown on the site plan, all proposed garages are 20 feet from the right-of-way and the proposed living areas are 15 feet from the right-of-way.

- 2. Each side yard shall be a minimum of five feet, except that:

Response: All side yards are a minimum of 5 feet.

- a. No setback is required where a common wall separates two adjoining dwellings.

Response: Common walls are on the proposed property line.

- b. In the case of a corner lot, the side abutting a street shall be a minimum of 15 feet.

Response: All corner lots have 15 feet from the right-of-way and the building.

3. The rear yard shall be a minimum of 20 feet, except that:

Response: All rear lots have a minimum of 20 feet.

a. In the case of a corner lot the rear yard setback for an accessory building shall be a minimum of 10 feet; and

Response: Does not apply.

b. In the case of a lot on the bulb portion of a cul-de-sac, the rear yard setback shall average a minimum of 20 feet. The average of the rear yard setback shall be a measurement of the average of the closest line from the rear of the structure to the rear property line and the farthest line from the rear of the structure to the rear property line.

Response: Does not apply.

c. The rear yard setback for an uncovered deck, no part of which is more than 30 inches above the ground, shall be five feet. [Ord. 882 § 3.150, 2010.]

Response: Does not apply.

18.20.070 Height of flagpoles.

In an R-2 zone the maximum height of a flagpole shall be equal in height to the top of the tallest building or 24 feet above grade, whichever is higher. [Ord. 882 § 3.160, 2010.]

Response: Does not apply.

18.20.080 Lot coverage.

Except as provided in HMC 18.90.100, in an R-2 zone buildings shall not occupy more than 60 percent of the lot area. [Ord. 882 § 3.170, 2010.]

Response: All proposed buildings are less than 60% of the lot.

18.20.090 Common wall requirements.

The following requirements shall apply to a building, other than an apartment building, containing two or more dwellings with a common wall:

1. If each dwelling is on a separate lot, the common wall shall coincide exactly with the property line separating the units.

Response: The common wall will be on property line.

2. Each dwelling unit shall have independent utilities and addresses.

Response: All townhomes will have separate utilities and be addressed individually.

3. Prior to the initial occupancy, an agreement shall be recorded with Linn County stating how issues relating to liability and maintenance and care of the common areas of the duplex will be resolved between the owners of each half of the duplex. [Ord. 882 § 3.180, 2010.]

Response: Does not apply.

18.95.060 Decision criteria for site plan review.

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. 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.

Response: The site will connect to 7th St. which is a neighborhood collector and can safely accommodate the additional 24 units.

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

Response: Each unit will have a one car attached garage and an off-street parking space in front of the garage. The proposed parking spaces will meet City code.

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

Response: The proposed development is consistent with the current zoning and is compatible with the surrounding residential uses.

4. 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.

Response: The existing sewer and existing water systems have adequate capacity for the proposed development. The proposed drainage system will include a detention pond to meter the proposed runoff to pre-development flows.

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

Response: A screening fence is proposed along the perimeter of the project.

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

Response: An erosion control permit has been received from DEQ.

7. Security measures are adequate to protect the general public from injury on the work site.
[Ord. 882 § 5.530, 2010.]

Response: The site will be fenced during construction.

18.95.090 Standards applicable to residentially zoned areas for site plan review.

1. Buffer. A buffer shall be provided on each side of a property which abuts a lot which is zoned or used for residential purposes. The buffer area shall be a minimum of five feet in width, containing 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.

Response: A 6-foot high screening fence is proposed around the perimeter.

2. Buffer areas may not be used for buildings, parking, or driveways, unless the area is the most suitable location for a driveway, but may be used for landscaping sidewalks or pathways and for utility placement.

Response: Does not apply.

3. Landscaping.

- a. All areas intended for use as part of the building project shall be completely and permanently landscaped, except for buildings, areas used for refuse containers, and areas set aside for access driveways, off-street parking, sidewalks and pathways.

Response: All non-hardscape areas shall be landscaped.

- b. All landscaped and buffered areas shall be continually maintained in an attractive manner.

Response: All homeowners shall be responsible for the maintenance of their own landscaping.

4. Screening of Refuse Containers. Any refuse or recycling container or disposal area visible from a public street or abutting property zoned residential shall be screened from view by placement of a solid wood, concrete block or similar fence or evergreen hedge at least five feet in height.

Response: There will be no common disposal area. Individual property owners will be responsible for their own trash pick up.

5. Fencing. Fences must meet the requirements set forth in HMC 18.80.010.

Response: All proposed fencing will meet City code.

6. Parking.

a. Off-street parking shall be provided in compliance with the standards of Chapter 18.85 HMC.

Response: Each unit will have a one car attached garage and an off-street parking space in front of the garage.

b. Off-street parking areas shall be set back a minimum of 15 feet from lot lines abutting a street and 10 feet from lots zoned residential.

Response: Does not apply.

7. Access Driveways. The driveway with access onto a public street shall meet the following requirements:

a. Driveways shall have a minimum width of 10 feet for one-way driveways, and 20 feet for two-way driveways.

Response: Does not apply.

b. Adjoining lots may utilize a shared driveway with the consent of the City, but only if appropriate easement documents and maintenance agreements are entered into and recorded with Linn County.

Response: Does not apply.

c. There shall be a minimum separation of 22 feet between driveways unless otherwise approved by the City.

Response: Does not apply.

d. Driveways shall be at least 20 feet from the intersection with a minor street and 30 feet from the intersection with an arterial or collector street. [Ord. 882 § 5.560, 2010.]

Response: Does not apply.

BUTTERFLY GARDEN TOWNHOMES VARIANCE NARRATIVE

APPLICANT: Tim Walter PHONE: (541) 729-6738

CIVIL ENGINEER: The Favreau Group PHONE: (541) 683-7048

DATE: May 17, 2021

TAX LOT 15-04-10. Tax Lot 200
CURRENT ZONING R2
SIZE 2.24 Acres

ELECTRIC Pacific Power
WATER City of Harrisburg
GAS Northwest Natural Gas
STORM WATER/SANITARY SEWER City of Harrisburg

Present Request:

This application requests a variance approval for subject tax lot in regards to the following City Code Section.

17.40.020 Streets.

4. Alignment. As far as practical, streets other than minor streets shall be in alignment with existing streets by continuations of the center lines thereof. Staggered street alignment resulting in "T" intersections shall, wherever practical, leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction, and otherwise shall not be less than 125 feet.

The applicant is requesting to reduce the 125 foot minimum standard between centerlines to 121 feet. This request is less than a 3% reduction in the standard and poses no safety concerns.

17.50.040 Conditions for granting a variance.

Before a variance may be granted, the Planning Commission shall first determine that all of the following conditions exist:

1. That there are exceptional physical characteristics with the involved property over which the owner has no control;

Response: The location of the existing Erica Place cannot be moved and would require the location of the proposed Periander Way to move 3.65 feet to the north. This would reduce the net useable land to the north of Periander Way and result in the loss of one lot. This would prevent the property owner in developing his property to the highest and best use and be in conflict with Oregon's overall goal of increasing densities in urban areas. If not for the location of the existing Erica Place, the owner would be able to develop his property as proposed in accordance with City code.

2. That the strict application of the municipal code would deprive the owner of the reasonable use of the property rights compared to neighbors;

Response: The location of the existing Erica Place would require the location of the proposed Periander Way to move 3.65 feet to the north. This would reduce the net useable land to the north of Periander Way and result in the loss of one lot. This would prevent the property owner in developing his property to the highest and best use and be in conflict with Oregon's overall goal of increasing densities in urban areas. If not for the location of the existing Erica Place, the owner would be able to develop his property as proposed in accordance with City code.

3. That the granting of the variance would not confer any special privilege upon the applicant;

Response: Granting this variance would not confer any special privilege upon the applicant since this variance is unique to this particular property.

4. That the variance would not violate a provision of law; and

Response: Granting this variance does not violate any provision of law.

5. That substantial hardship would result if the variance were not granted. [Ord. 906 § 1, 2012; Ord. 739 § 9.030, 1998.]

Response: If the variance was not granted, the property owner would lose one lot and which would pose a financial hardship.

LINN COUNTY SURVEYOR'S OFFICE

SUBDIVISION PLAT NAMING

I request that the Linn County Surveyor's Office reserve the following subdivision name:

PROPOSED NAME OF SUBDIVISION:	Butterfly Garden Subdivision ²
MAP AND TAX LOT NUMBER:	15504W10CA 00200
CITY JURISDICTION (Which City?) OR COUNTY JURISDICTION:	Harrisburg
SURVEYOR'S NAME:	Statewide Surveying
OWNER'S NAME:	Fred Property and Equipment LLC

I understand that if the name is not used within one year, it will be automatically canceled.

Name of person reserving name: Jeremy Zuidema
 Address: 14655 Libby LN SE, Jefferson, OR 97352
 Telephone number: 541-740-1769 Fax number: _____
Jeremy@32trucking.com

Signature: JS Zuidema Date: 5/19/2021

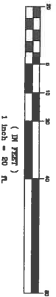
Thomas J. Gandy 5/20/21
 Name approved Date
 Linn County Surveyor's Office

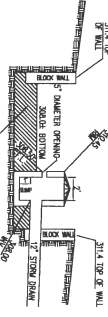
92.090 Approval of subdivision plat names; requisites for approval of tentative subdivision or partition plan or plat. (1) Subdivision plat names shall be subject to the approval of the county surveyor or, in the case where there is no county surveyor, the county assessor. No tentative subdivision plan or subdivision plat of a subdivision shall be approved which bears a name similar to or pronounced the same as the name of any other subdivision in the same county, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the contiguous subdivision bearing that name. All subdivision plats must continue the lot numbers and, if used, the block numbers of the subdivision plat of the same name last filed. On or after January 1, 1992, any subdivision submitted for final approval shall not use block numbers or letters unless such subdivision is a continued phase of a previously recorded subdivision, bearing the same name, that has previously used block numbers or letters.

P.O. Box 100 Albany, OR 97321

Phone (541) 967-3857 Fax: (541) 967-3801

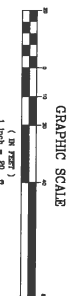
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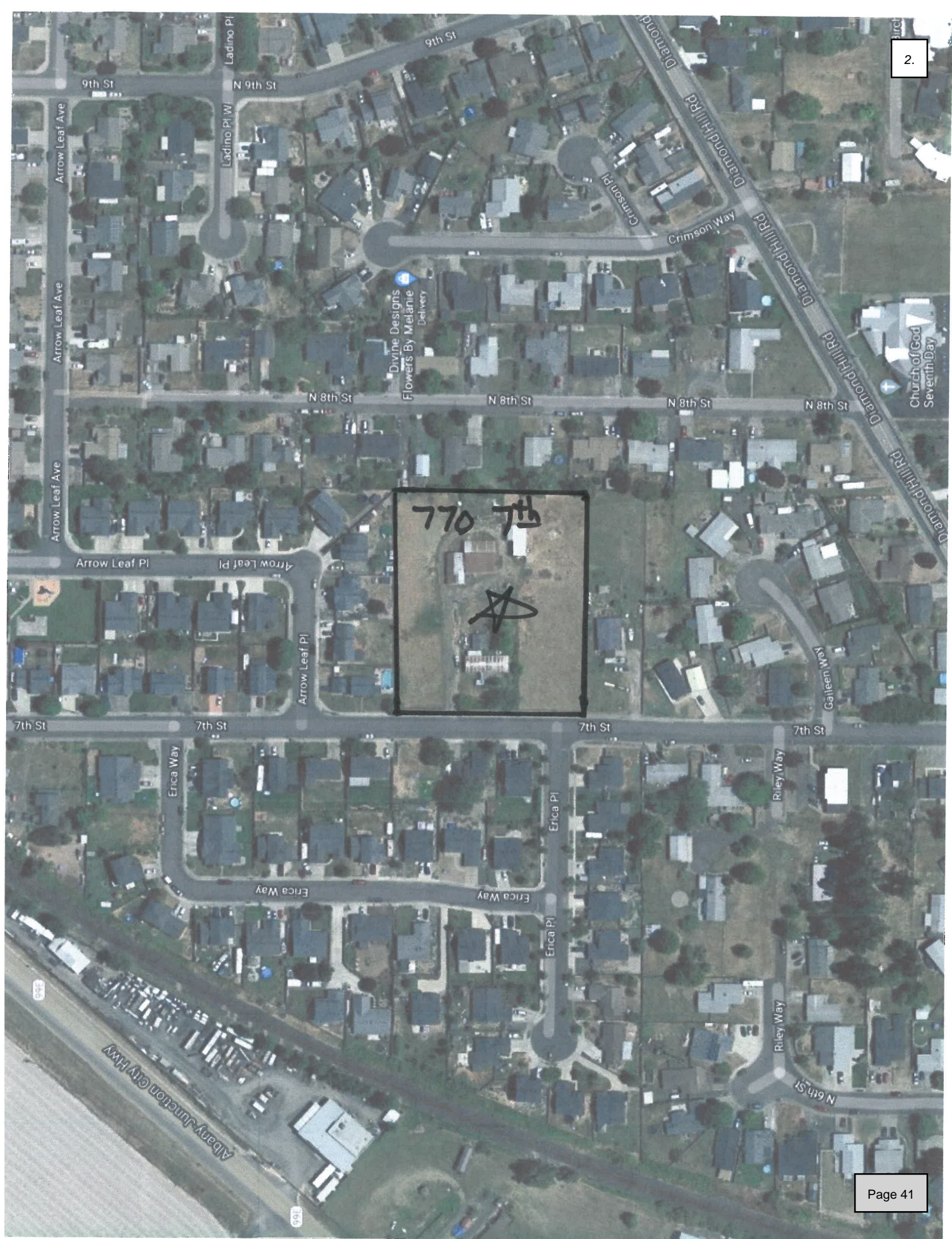
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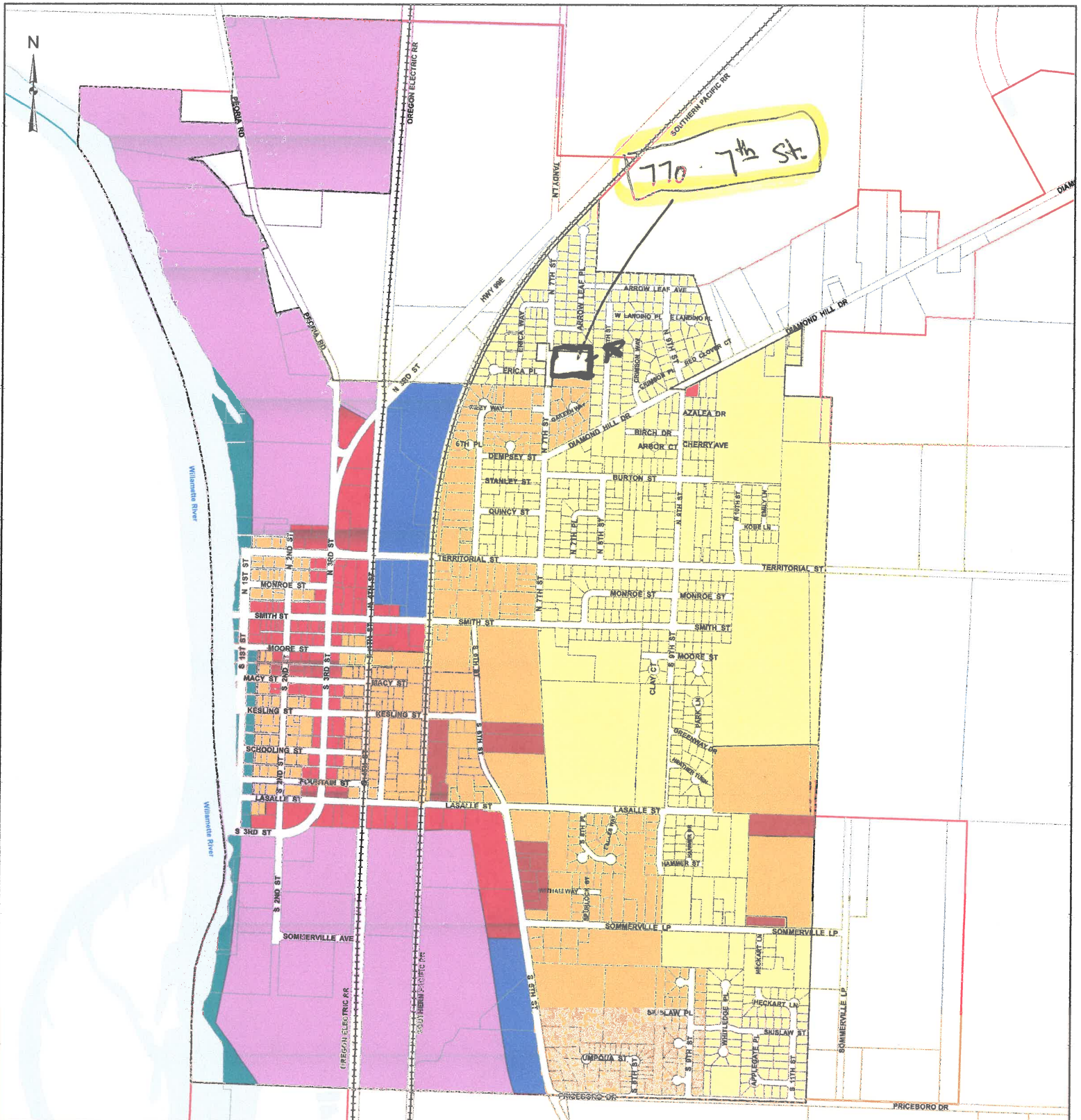
DETENTION POND DETAIL





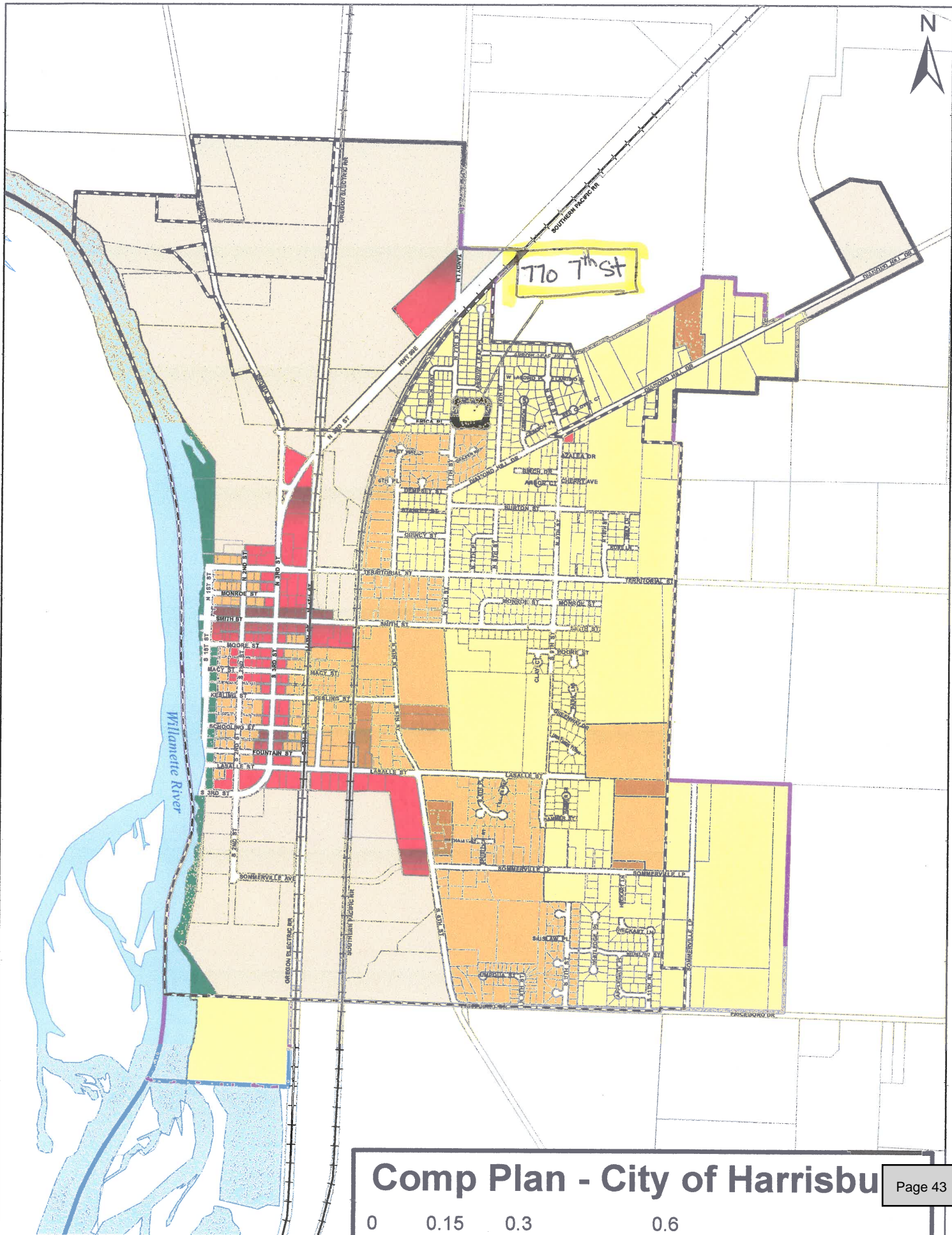
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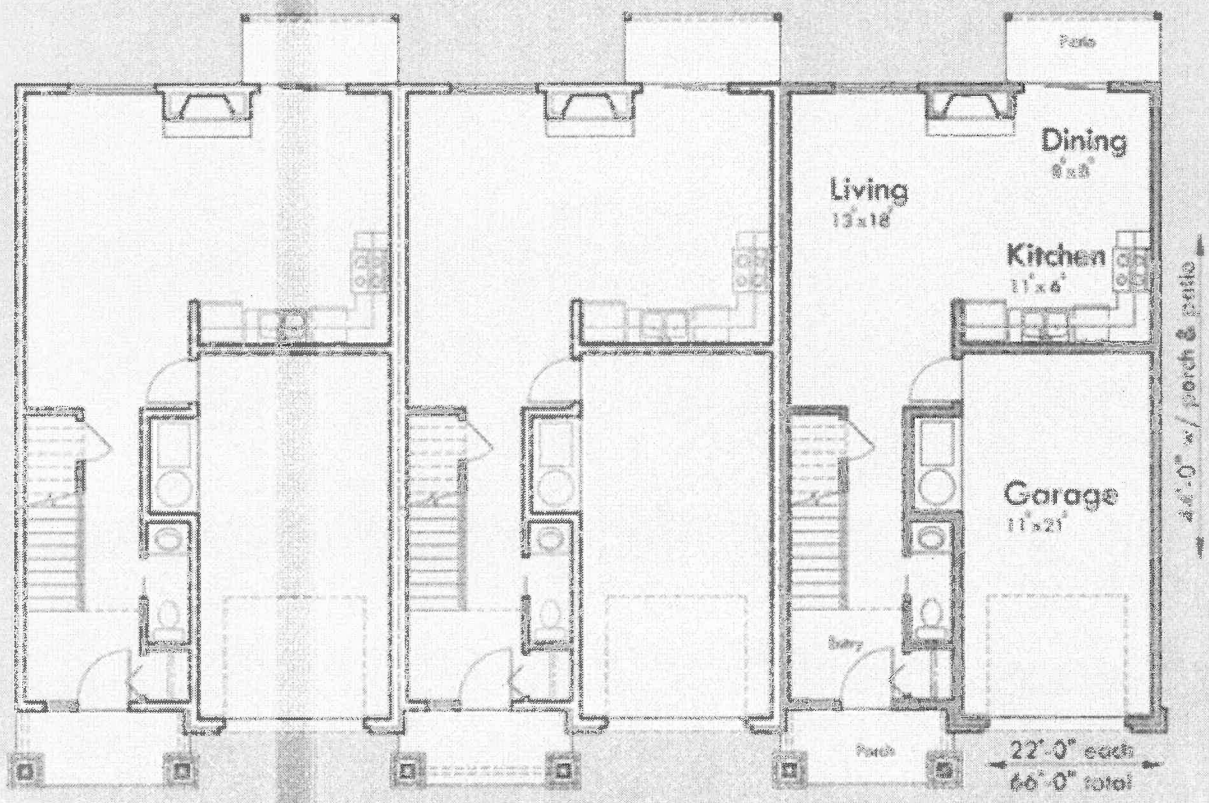
Zoning

City of Harrisburg, Oregon

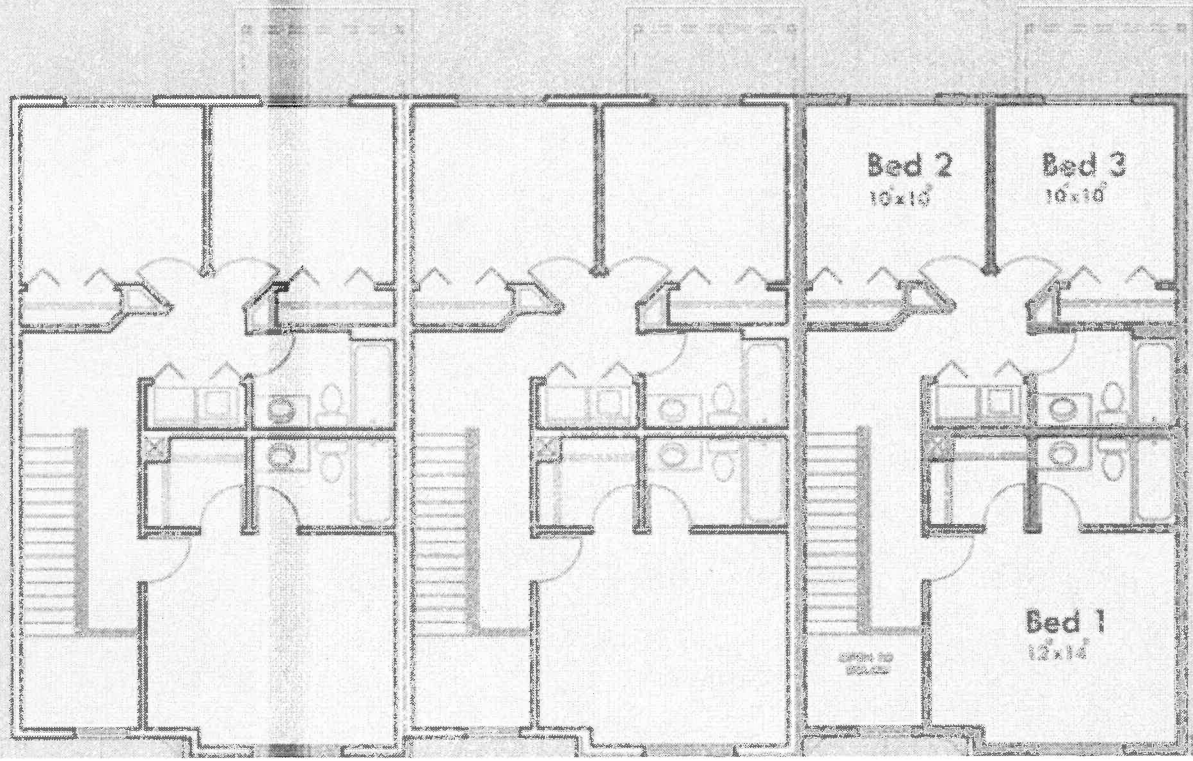








Upper Floor Plan



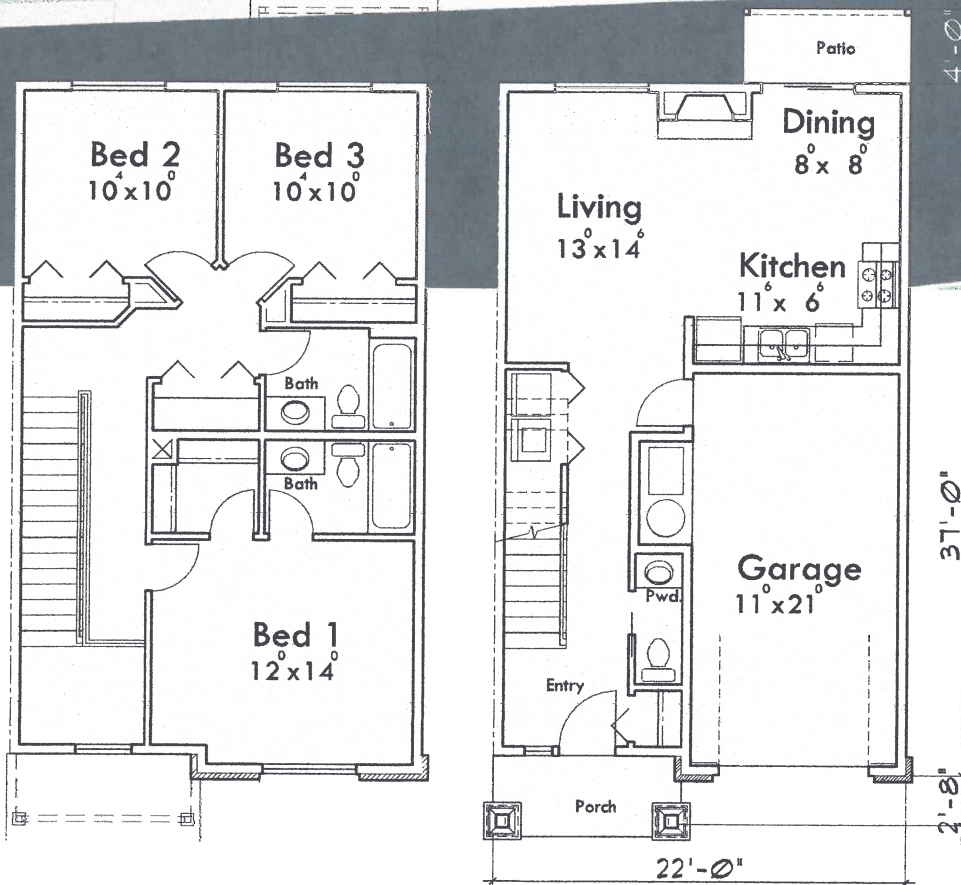
PLAN #F-597

MAIN FLR. 540 SQ. FT.

UPPER FLR. 720 SQ. FT.

TOTAL 1260 SQ. FT.

GARAGE 263 SQ. FT.



Art work may vary
from building plans

6/6/2021

RE: Butterfly Garden Subdivision

As the homeowner of 793 N 7th Street, I have some concerns with the new application for the subdivision located at 770 N 7th Street.

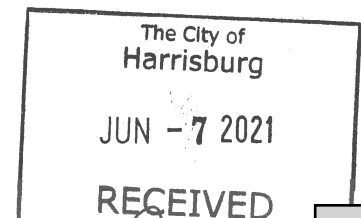
The original request for the 24-lot manufactured dwelling park was for single-family units for people 55 and older. My understanding was that they would be owner-occupied and not rental properties. Owner-occupied properties tend to be taken care of better and, with the 55 and older restriction, these properties typically would have fewer people in each home, so less traffic.

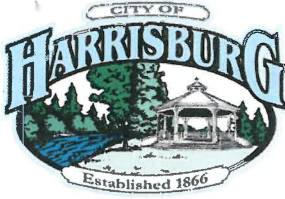
My concern with the new request for the 3 to 4 dwelling townhouses is that they will become rental properties, not owner occupied. This is, for the most part, an owner-occupied subdivision and I would like to have it stay that way. Even if one of the current homes is rented out, it is still a single-family dwelling, and the renters seem to have longevity in their stay.

As stated above, I am against having townhouses built that will become rental properties.

Thank you for your consideration.

Terry and Christina Crabb





NOTICE OF LAND USE PUBLIC HEARING

2.

Tuesday, June 15, 2021, at 7:00 PM

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

CASE: Butterfly Garden Subdivision, Site Plan and Variance – LU 429-2021

SITE LOCATION:

The subject site is a 2.25-acre parcel, located at 770 N. 7th St, and otherwise known as 15S04W10CA00200. Applicant proposes a 24-lot subdivision which will contain 7 townhome complexes, consisting of a mix of 3 and 4 dwelling units each. The applicant had received prior site plan approval for a 24-lot Manufactured Dwelling Park. That site plan and project has been formally withdrawn and discontinued at this time due to market conditions.

APPLICANT/OWNER: Fred Property & Equipment LLC
445 N. 7th St.
Harrisburg, OR 97446

*how is it
zoned?*

REQUEST:

The applicant has filed a preliminary subdivision plat for a 24-lot subdivision. The subdivision will include a mix of townhomes, containing 3 to 4 dwellings each for a total of 24 dwellings. A site plan is required for the townhomes containing 3 or more dwelling units. A variance is also required for a 3% reduction in terms of distance between the proposed Periander Way centerline, and the existing Erica Place (located on the west side of N. 7th St.) centerline.

WHOM TO CONTACT FOR MORE INFORMATION:

Michele Eldridge, City Administrator, at (541) 995-2200, or 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 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

PLEASE TURN OVER FOR MORE INFORMATION

725 N. 8th St
Harrisburg, OR
6-4-2021

City of Harrisburg Planning Commission
354 Smith St.
Harrisburg, OR

RE: Butterfly Garden Subdivision Site Plan – LU 429-2021

This is the third time we've heard about a new plan for developing the land behind our house. We know development is inevitable but we feel we must try to protect our property from being negatively affected. We own 2 lots, with our house built in the middle, right behind your property so we will be the neighbor most affected by your development.

With this new plan for the property, you've gone to 2-story buildings. The previous 2 proposals were single story. We much prefer single story buildings right behind our home because of obvious privacy issues but we doubt you'll change to single story buildings. So, the following is our solution to this issue of privacy, longevity of the fence, and noise issues.

Last winter, Tim Walter asked us about our fence; whether we'd like to keep our own fence or if we'd go along with a new fence the developer would build on the property line. We told Mr. Walter that we'd accept a new fence the developer builds as long as it is tall enough for privacy and preferably it would be a masonry privacy and sound protection fence. We filled our property 47 years ago so it is about a foot higher than yours. Mr. Walter is aware of the height difference of our land and yours and how it would affect the fence height. Unless you fill and drain your property, a 6' fence on the property line would only be a 5' fence on our side. That would not be acceptable. An 8' high masonry fence would provide longevity of the fence, privacy, and sound protection, all the issues we're concerned about. We're asking you, the Planning Commission, to add the 8' masonry fence to the plan requirements. Thank you.

Sincerely,
Tim Salisbury
Karen Salisbury
Tim & Karen Salisbury

RECEIVED
JUN 04 2021

BY: *[Signature]*

Staff Report Harrisburg Planning Commission Harrisburg, Oregon

THE MATTER OF THE VINCENT FERRIS CONSTRUCTION BUILDING SITE PLAN REVIEW AND FILL PERMIT (LU #430-2021)

STAFF REPORT EXHIBITS:

Exhibit A: Application Materials

ACTION: MOTION TO APPROVE (APPROVE WITH AMENDED CONDITIONS/DENY) THE VINCENT FERRIS CONSTRUCTION BUILDING SITE PLAN AND FILL PERMIT (LU 430-2021) SUBJECT TO CONDITIONS OF APPROVAL CONTAINED IN THE JUNE 7, 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: Vincent Ferris

LOCATION: 1070 S. 6th St., Harrisburg, OR (15S04W16D, Tax Lot 000213)

HEARING DATE: June 15, 2021 @ 7:00pm

ZONING: M-1 (Limited Industrial) and M-2 (General Industrial)

OWNER: Orrin Lehr/Shannon Goodpasture-Lehr

BACKGROUND

The applicant proposes a 7,200 sq. ft. construction building that will be primarily used for equipment and materials storage. A part-time office area is also planned to be added in the future. A 2,160 sq. ft. open sided, covered storage structure will also be constructed behind the main structure.

This property had been owned by the Harrisburg Fire/Rescue District, who had plans for a new fire station at this location. It is zoned primarily as M-1 (Limited Industrial) but also has M-2 Zoning along the western most edge of the property. No buildings are

proposed to be located in the M-2 zone. There is an existing curb cut that will be the main access to this property. This property has recently been used by the Diamond Hill Paintball Park Co., who leased the property for a few years.

The site itself has a significant ditch on the southern lot line that leads to the Willamette River. In addition, there is a wetland (emergent, seasonally flooded and farmed) area immediately adjacent to this property on the northwest property line. The site is not subject to any other zoning or natural features overlay. Because of the placement of the ditch and the wetlands, the City was required to file a Wetland Land Use Notification with this site plan to the Department of State Lands. The current Local Wetland Inventory does not show wetlands on the property, but the maps can be off by as much as 20'. While the applicant has stated that he contacted DSL who indicated that there were no issues to his building on this property, the City must have acknowledgment from DSL.

INTRODUCTION

The following findings demonstrate that the submitted Site Plan Review and Fill Permit 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 curb cut for a driveway, with access onto S. 6th St. near the southeast corner of the property (**Exhibit A.9**). The width of the existing access onto S. 6th St. is roughly 26 feet wide at this time. The Site Plan shows a 30' wide driveway, which will easily accommodate two-way vehicular movements into and out of the site and vehicle parking lot. The proposed warehouse building will be located to the west and adjacent to the proposed vehicle access while the covered storage building is located further back on the property, but still to the northwest of the proposed access driveway.

The first 50' of the proposed access driveway will be hard surfaced with concrete. All driveways over 100' in length are required to have the ability to hold a 50,000 lb. emergency vehicle. (**Condition No. 3**) 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 warehouse building is shown on the site plan with a 6-space parking lot. While some of the parking will be off-site at construction locations, the standards as shown in HMC 18.95.100(4) require a space for every employee, plus 1 per 700 sq. ft. for any patron area. The applicant currently has 8 employees. While there may not be patron area for some time, it should be planned for. Based on this, the applicant shall be required to add 3 more parking spaces, one of which shall be ADA (**Condition No. 4**).

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 conditioned, 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 3.05 acres in size and as proposed, will add a 7,200 industrial warehouse building, off-street parking, on-site landscaping, and outdoor storage areas, including a 2,160 sq. ft covered storage area. The proposed buildings are intended to provide a space to store vehicles, equipment and materials out of the natural elements (**Exhibit A.9**). The building will have 2 employee restrooms, and will eventually hold a part-time office.

Other than the 2 proposed storage buildings, no new improvements are proposed to be made to the property. There will be an additional 600 yards of granular fill that will be brought to this property, which will be addressed in the Fill Permit section of this staff report. This granular fill will result in further storage locations for heavy equipment.

The subject site is zoned M-1(Limited Industrial) for the first 294' of the property, while M-2 (Heavy Industrial) accounts for approximately 172' of property located to the west property line on this parcel. The properties to the north and west of the subject site are also zoned M-1 and M-2. The property that is owned by JB RV Storage is primarily M-2, while the property to the north is zoned M-1, but is still farmed and leased by Arel Farms. The properties to the south of the subject site are inside the City limits and are also zoned both M-1 and M-2. This property is also being farmed by Arel Farms. Therefore, the proposed warehouse structure and storage building, as well as the 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 is existing water, storm sewer, and sanitary sewer services in S. 6th St. abutting or near the subject site. The applicant proposes to make utility connections to the

proposed warehouse building. The size of this property requires it to meet DEQ 1200-C permit regulations. The applicant shall therefore submit a copy of their approved DEQ 1200-C permit prior to the Building Permit being submitted. The permit shall be reviewed and approved by the City's Public Works Director. **(Condition No. 5).**

Storm drainage from impermeable surfaces is proposed to be gathered in a rain garden, which will then be routed and collected in a bioswale located on the northwest property line. From that point, storm drainage will continue into a ditch located along the northwest side of this property, and that will ultimately drain into the Willamette River. The applicant stated some of the ways that he would be able to compensate for abnormal or excessive rain events on the property.

Ultimately, the applicant must prove that they will not impact drainage from or to a neighboring property, and therefore shall submit an engineered stormwater management and detention plan, which shall include the details from the addition of 600 yards of granular fill, showing no impact on neighboring properties beyond historical storm water flow, prior to the Building Permit being submitted. This plan must be approved by the City Engineer **(Condition No. 6).**

As stated above, this property is adjacent to wetlands located in the local wetlands inventory map. This map can be off by more than 20'. There is also a ditch on the south side of the property, that is a possible aquatic bed. Therefore, the City of Harrisburg was required to file a Wetland Land Use Notice (WLUN) with the Department of State Lands (DSL). the applicant shall obtain approval from the Department of State Lands for the development of this property, prior to the Building Permit being submitted. **(Condition No. 7).** No further construction, grading, excavation, fill/removal shall be permitted prior to submission of an acknowledgement from DSL.

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. The applicant does not show refuse or disposal areas on the site plan. Prior to the issuance of a building permit, the applicant shall show where refuse will be located on the property, and how it will be shielded from view from residential areas. **(Condition No. 8)**

In addition, applicant proposes to install a fence around the property. All servicing, processing and storage on a 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. Prior to the issuance of a building permit, the applicant shall file a fence permit with the City that is sight obscuring from residential property located across S. 6th St. **(Condition No. 9)** Findings from under that section of the staff report are incorporated here by reference. As conditioned, 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 the installation of a 6-foot sight-obscuring fence, that shall be permanently maintained. As conditioned, **the criterion is met.**

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

Discussion: The applicant proposes to account for unforeseen drainage issues during construction of the pre-storm system by providing silt fence control, temporary ditching, and hay bales as needed. **Condition of Approval 10** 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 and runoff from the earthwork from impacting the City's drainage system or other properties.

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 applicant proposes that the subject site shall be contained by fencing, and includes barriers such as a construction fence and silt fence. The applicant's construction inside the 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 across the street. There is also a residential use in the manager's office building in the RV Storage business located to

the west of this property. The proposed 6' fence will need to be sight-obscuring on all sides except for the 89' located on the west property line.

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-1 zone, landscaping shall comprise at least two 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 plan shows a landscaping strip that is 25' wide along the entire east property line. This accounts for roughly 8.4% of the property that will be landscaped, and therefore more than exceeds the 2% requirement in the M-1 zone. The applicant will need to submit a landscaping plan that shows how the landscape will be irrigated and planted (**Condition No. 11**)

Finding: As conditioned, 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 applicant has proposed fencing that will be on the property, and that has been addressed in the City's findings above and referenced in **Condition No. 8**.

Finding: As conditioned, 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 an M-1 zone, all areas for parking or maneuvering vehicles that are within 200 feet of a residence or residentially zoned property, or within 50 feet of commercially zoned property or a public street, 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. The applicant has proposed employee parking that will be located behind the main warehouse area. The applicant has 8 employees, and therefore will need to add another 3 parking spots, one of which shall be handicapped. **(Condition No. 4).** Because the parking area is located 140' back on the property, and is located behind the proposed storage building, the applicant will not need to pave the parking area. As conditioned, the application complies with the standards in HMC 18.85.

Finding: As conditioned, 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 26-ft. wide driveway approach onto S. 6th St. for their site vehicle access and will expand the width to 30'. There are no other access driveways on the subject site, and the proposed driveway is far more than 35 feet from a street intersection. The first 50' of the driveway is proposed to be hard surfaced, as required by this criterion. The remaining driveway will be gravel and must have the ability to support emergency vehicles weighing up to 50,000 pounds. **(Condition No. 3)**

Finding: As conditioned, 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: The location for refuse containers is not shown on the site plan. Therefore, prior to the issuance of a building permit, the applicant shall show where the refuse will be located on the property, and how it will be shielded from view from residential areas. **(Condition No. 8)**

In addition, the applicant proposes a fence for meeting the screening requirements, as well as for security purposes. As already conditioned in **Condition No. 9**, prior to the submittal or concurrently with a building permit application, the applicant shall file a fence permit with the City showing a sight obscuring and permanently maintained fence that is at least six feet in height, in order to shield the property from residential property located across S. 6th St.

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

Criterion: HMC 12.10 - Curbs, Gutters and Sidewalks

As a condition of the issuance of a building permit for new construction within the City of Harrisburg, there shall be included in the permit the requirement that applicants shall construct curbs, gutters and sidewalks along the property. In the event that there are no curbs, gutters or sidewalks within the block in which the new construction is taking place, then the applicant for the building permit shall sign a waiver of remonstrance as to the initiation of any of the aforesaid improvements to the real property, and will consent to the same upon initiation by the City or an adjoining property owner.

Discussion: S. 6th St. has curbs and gutters on the west side of the street, and only lacks sidewalks. In HMC 12.10, “**New construction**” is defined as follows:

1. The moving of a dwelling unit to a new location within a lot;
2. The placement of a manufactured home onto a lot;
3. The building of a new dwelling unit; and,
4. The placement of a dwelling unit that has previously been removed and/or adding to or increasing the number of dwelling units inside an existing building.

Because there is no contiguous sidewalk on this side of the street, let alone within a block of this property, the City shall have the applicant sign a Waiver of Remonstrance **(Condition No. 12)** for the provision of a sidewalk should property on either side of this parcel be developed in the future.

Finding: As conditioned, the application complies with the provisions in HMC 12.10. **This criterion has been met.**

Criterion: HMC 12.20 – Street Trees

7. **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: The only other property that has been developed on the west side of S. 6th St., has an easement access onto S. 6th St. They also had existing trees next to that access point. S. 6th St. is a Minor Arterial, and therefore, the City's Code specifies that it should have a 7' planter or utility strip, along with a 5 ½ foot sidewalk. As noted above, without a sidewalk, which is not required at this time, the addition of a planter or utility strip would be difficult at best. As such, the Waiver of Remonstrance shall include the requirement to install a 7' planter strip with Street Trees as required in HMC 12.20 (**Condition No. 12**).

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

HMC 15.05. – Building Codes; Excavation, grading, fill – Application procedures

Criterion: HMC 15.05.070 (5). If the fill permit involves 100 cubic yards or more of fill, the application shall be reviewed by the Planning Commission:

- a. Staff will mail a public notice to property owners within 100 feet of the involved property.
- b. The Planning Commission shall approve, approve with modifications, or deny the application after a public meeting.
- c. Conditions of approval may be imposed if deemed necessary to resolve drainage concerns or to protect surrounding properties.

Discussion: Public notices were mailed to property owners located within 100' of the involved property; and prior to this staff report, no notices were received by staff. The fill permit will affect the storm drainage on this property, and therefore, **Condition No. 6** includes that the engineered stormwater management and detention plan, shall include the details from the addition of 600 yards of fill on this property. This plan shall be approved by the City Engineer.

Findings: As Conditioned, the application complies with the provisions in HMC 15.05. The criterion is met.

HMC 18.40.010 Uses permitted outright.

Criterion: In an M-1 zone, the use proposed is subject to the site plan review standards and procedures of Chapter [18.95](#) HMC. These are addressed above.

Findings: The applicant has applied for a site plan and HMC Chapter 18.95 has been addressed. **This criterion is met.**

HMC 18.40.030 Setback requirements.

Criterion: 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.

Findings: The applicant has set the construction warehouse 75' from the road, and therefore, has met the requirements of HMC 18.40.030. **This criterion is met.**

HMC 18.40.040 Lot coverage.

Criterion: In an M-1 zone, buildings shall not occupy more than 80 percent of the lot area.

Findings: At 3.5 acres, this property is quite large. The proposed buildings only come to 7% of the total lot area, and therefore, have met the requirements of HMC 18.40.040. **This criterion has been met.**

HMC 18.45 – M-2 Zoning Standards

Criterion: Uses permitted -In an M-2 zone, the following uses and their accessory uses are permitted, subject to the site plan review standards and procedures of Chapter 18.95

HMC:

1. A use permitted outright in a M-1 zone.
2. Any other industrial use, except a use listed in HMC [18.45.020](#) or which has been declared a nuisance by statute, by action of the County, or by a court of competent jurisdiction.
3. 3. Uses that were legally in existence or approved prior to July 10, 2013, shall not be classified as nonconforming uses unless they have been discontinued for a period of at least one year, in which case the requirements of HMC [18.100.030](#) shall apply. Expansions and enlargements shall comply with all other applicable code requirements

Findings: The proposed use is permitted outright in a M-1 zone, therefore, this **criterion has been met.**

Criterion: Setback requirements - In an M-2 zone, setback requirements shall comply with HMC [18.40.030](#).

Findings: There are no buildings located in the M-2 zone, which is approximately 290' back on the property. **Therefore, these standards do not apply.**

HMC 18.45.040 Lot coverage.

Criterion: In an M-2 zone, lot coverage requirements shall comply with HMC [18.40.040](#).

Findings: There are no buildings located in the M-2 zone, **therefore, these standards do not apply.**

HMC 18.90.050 (2) Exceptions to yard requirements.

Criterion: To permit or afford better light, air and vision on more heavily traveled streets and on streets of substandard width; to protect arterial streets; and to have the location of structures compatible with the need for the eventual widening of streets, a yard shall be provided abutting the streets and portions of streets hereinafter named which shall be greater than the required yard dimension specified in the zone. The building setback line, from the property line, will be as follows:

<u>Street, or Portion of Street</u>	<u>Setback</u>
S. 6 th St. (Smith St. south to City limits.)	25'

Findings: The applicant has placed their structure 75' back from the road and has proposed no structures within the setback area. **Therefore, this criterion has been met.**

CONCLUSIONS

The applicant requests approval of a site plan for a new 7,200 sq. ft. building, a 2,160 sq. ft open sided storage structure, and the addition of 600 cubic yards of granular fill. 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 430-2021. The proposed motion is at the top of this staff report, as well as in the agenda.

RECOMMENDED CONDITIONS OF APPROVAL

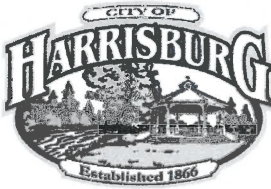
1. **Consistency with Plans** – Development shall comply with the plans and narrative in the applicant’s proposal, except where modified or added to by the following conditions of approval.
2. **Building Permits** – Prior to construction, the applicant shall obtain all necessary building permits for the construction of the proposed additions.
3. **Access Driveway** - 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. Applicant shall apply for a right-of-way permit prior to paving the access driveway.

4. **Parking** – With the submission of the building permit, the applicant will show 9 parking spaces, one of which will be an ADA space. Spaces will be marked clearly on the gravel surface.
5. **DEQ 1200-C Stormwater Permit** - Prior to the Building Permit being submitted, the applicant must show that he has complied with DEQ regulations, by showing the City the approved the 1200-C Stormwater permit, which regulates storm water run-off, and is required for any property more than 1-acre in size.
6. **Storm Drainage** – Prior to the Building Permit being submitted, the developer shall submit an engineered stormwater management and detention plan, showing no impact on neighboring properties beyond historical storm water flow. The plan shall include the details from the addition of 600 cubic yards of granular fill. This plan must be approved by the City Engineer.
7. **Wetlands** – Because this property is adjacent to wetlands located in the City of Harrisburg, the applicant shall obtain approval from the Department of State Lands (DSL) for the development of this property, prior to the Building Permit being submitted. No further construction, grading, excavation, fill/removal shall be permitted prior to submission of an acknowledgement from DSL.
8. **Refuse Disposal** - Prior to the issuance of a building permit, the applicant shall show where the refuse will be located on the property, and how it will be shielded from view from residential areas.
9. **Fence Permit** - Prior to the issuance of a building permit, the applicant shall file a fence permit with the City showing a sight obscuring and permanently maintained fence that is at least six feet in height, in order to shield the property from residential property located across S. 6th St.
10. **Erosion & Sediment Control Plan** – Prior to the submittal 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.
11. **Landscaping** – Prior to the issuance of the building permit, the applicant shall submit for review and approval a landscaping plan, showing how the landscape will be maintained and irrigated.
12. **Waiver of Remonstrance** – Prior to the issuance of a Building Permit, the applicant shall sign a Waiver of Remonstrance for 5 ½' wide sidewalks, and a 7' planter strip, with Street Trees. If either neighboring property is developed, the work will likely need to be completed at that time.

DEADLINE: MAY 18
JUNE 15 PC MEETING.

3.



City of Harrisburg
120 Smith Street
Harrisburg, OR 97446

Phone (541) 995-6655
www.ci.harrisburg.or.us/planning

LAND USE APPLICATION

MAY 18 2021

STAFF USE ONLY

File Number: 450-2021 Date Received: RECEIVED
Fee Amount: \$450 - 2,015.784

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* |
| *A Pre-Application Conference with City Staff is Required | <input type="checkbox"/> Zoning Ordinance Text Amendment* |
- ✓ FILL PERMIT \$425-\$250

PLEASE PROVIDE A BRIEF SUMMARY OF THE PROPOSAL



Project Description

We're proposing two buildings. One to operate storage out of and two, to run a business out of.

Project Name

VINCENT FERRIS CONSTRUCTION BUILDING

PRIMARY CONTACT AND OWNER INFORMATION

Applicant's Name	Vincent Ferris		
Phone	541-272-1434	Email	Vincentaferris@yahoo.com
Mailing Address	893 Smith St Harrisburg OR 97446		
Applicant's Signature			
	Date	05/18/2021	
Property Owner Name	Orin Lehr / Shannon Goodpasture-Lehr		
Phone	831-915-7013	Email	Orinlehr@yahoo.com
Mailing Address	893 Smith St Harrisburg OR 97446		
Owner Signature			
	Date	05/18/2021	
*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	1070 S. 6 th Street Harrisburg OR. 97446		
General Location Description	6TH ST-ON THE WEST SIDE OF THE STREET, ADJACENT TO TB RV STORAGE		
Assessor's Map Number(s)	Related Tax Lot(s)		
Map #	15S04W10D000213	Tax Lot(s) #	000213
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 http://linn-web.co.linn.or.us/propertywebquerypublic/			
Lot Area	3.05 ACRES		

LAND USE AND OVERLAY ZONES

Existing Zone(s)

M-2 - M-1

Existing Comprehensive Plan Designation(s)

M-2 - M-1

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

☒

Narrative* (address all applicable HMC review criteria)

☐

Assessor's Map with Applicable Tax Lots Highlighted

☒

Site Plan

☐

Survey / ALTA

☐

Aerial Photograph / Existing Land Use(s) Map

☐

Zoning Map (if applicable, show proposed change(s))

☐

Comprehensive Plan Map(s) (if applicable, show proposed changes))

☐

Subdivision or Partition Plat

☐

Architectural Elevations

☐

Architectural Floor Plans

☒

Utilities Plan

☐

Geotechnical Report/Site

☐

Assessment

☐

Electronic Versions of Exhibits

☐

Application Fee

☐

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

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

Storage Wood shop

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

Months

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.

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.

To whom this may concern

NARATIVE

05/21/2021

At the property located at 1070 S 6th street we are proposing building an enclosed 60x120 building and roof only storage cover. The property is zoned m1 and m2. There are no wetland areas on the property. Our use will be to operate a mid-size contracting business out of it. There will be trailer, equipment and materials stored on site. Down the road there may be a part time office area. Our access will be from S 6th st by way of existing curb cut and concrete pad. We plan on landscaping the east 25 feet with trees, shrubs, lawn and some decorative boulders. The building will have a wood shop area to be used on a part time basis. There is an overabundance of off-street parking due to the size of lot and area we want to rock but primary employee parking will be on west side of building. In the future some parking will be added to the front (east) of the building also. This area would be paved. Our business is a residential and light construction business which seems to fit in well in this community. We have obtained electrical permit to install a temp 200-amp pole for construction and plan to install a 400-amp service on building once built. There is water service stubbed out on east lot line we intend to attach on to service ground and building. We are thinking a ¾ or 1" meter will be needed to be installed to cover our use. We plan to have 2 bath rooms. The sewer is located in the center of S 6th street. We intend to tap this and bring into the building so we can have on site restroom and wash facility. Storm water from roofs will be collected in a rain garden to collect the sediment and then continue to the drainage at north property line. The general grounds will sheet drain where applicable and have basins where needed. We have an engineer beginning a storm design along with completing a 1200c application. Fill material will be contained with silt fence and depending on duration of project piles will be covered this coming fall and winter. We would like to get rock down to control mud dust and dirt as soon as possible. This would also help control any mess from traffic in and out. Security measurements in place are dealt with by having a fence around property and off-street parking to handle our daily operations. Added as per email request on May 24, 2021, in relation to Erosion Control: *Any unforeseen drainage issues during construction pre-storm system can be felt will be by silt fence control, temp ditching, hay bays as needed.*

The property to the south is used for farming, the property across the street to the east is residences. The property along the north west diagonal side is the home of Jb mini storage.

Added as per email request on May 25, 2021, in relation to fill permit criteria: *In the event of an abnormal or excessive rain event any unforeseen run off or blockage caused by our granular fill can be remedied by enlarging our swale area in depth and or length to control run off. We also have the immediate means (our own excavator) and ability to add a ditch to direct run off or alleviate any blockage that may arise.*

Vince

Untitled Map

Write a description for your map.

Legend

📍 1070 6th St

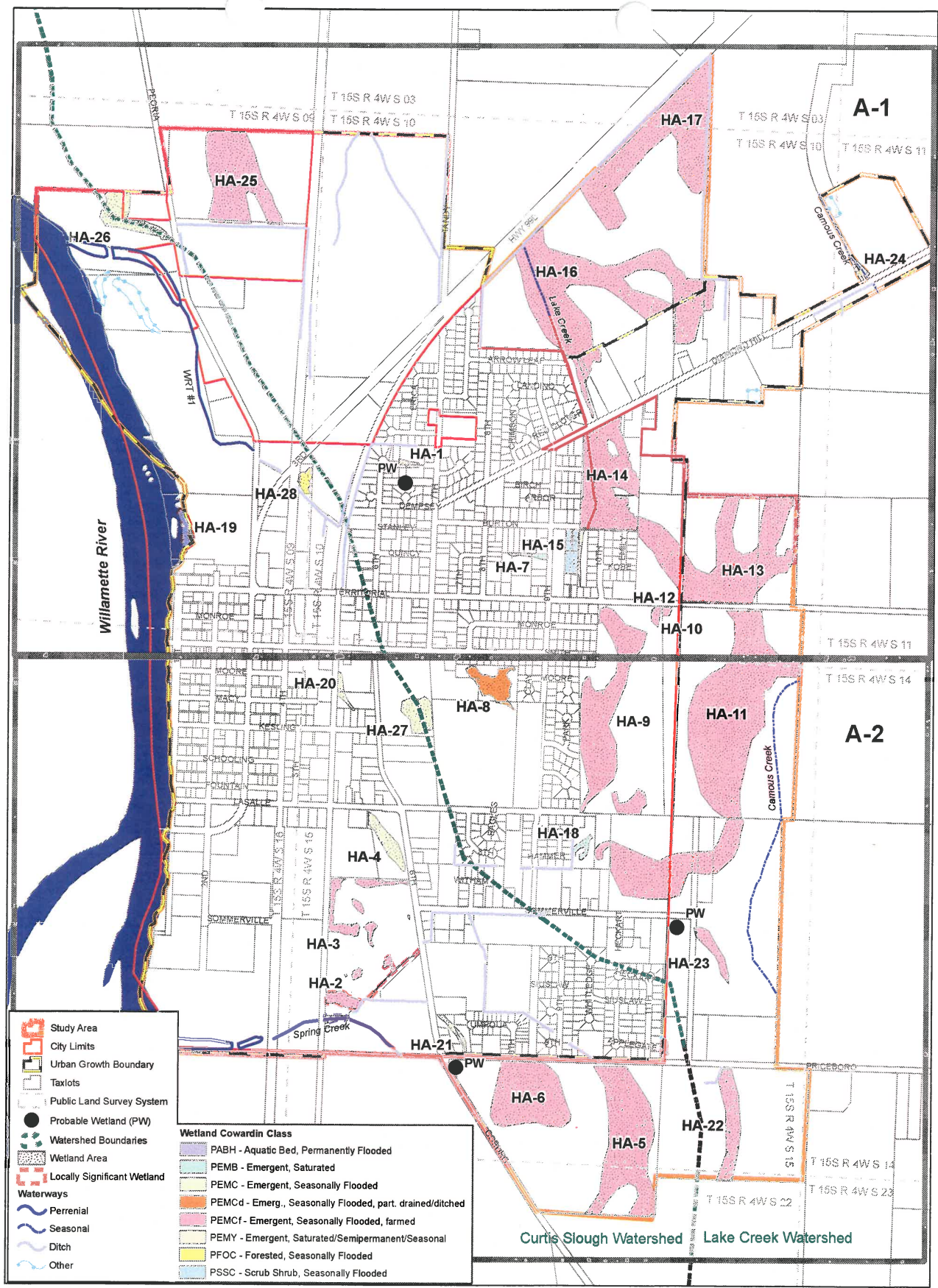
🏠 Springbrook Mobile Home Park



Google Earth

Google





1 inch = 900 feet

0 1,000 2,000 4,000 Feet

Sheet 1 -- City of Harrisburg Local Wetlands Inventory -- Index Map

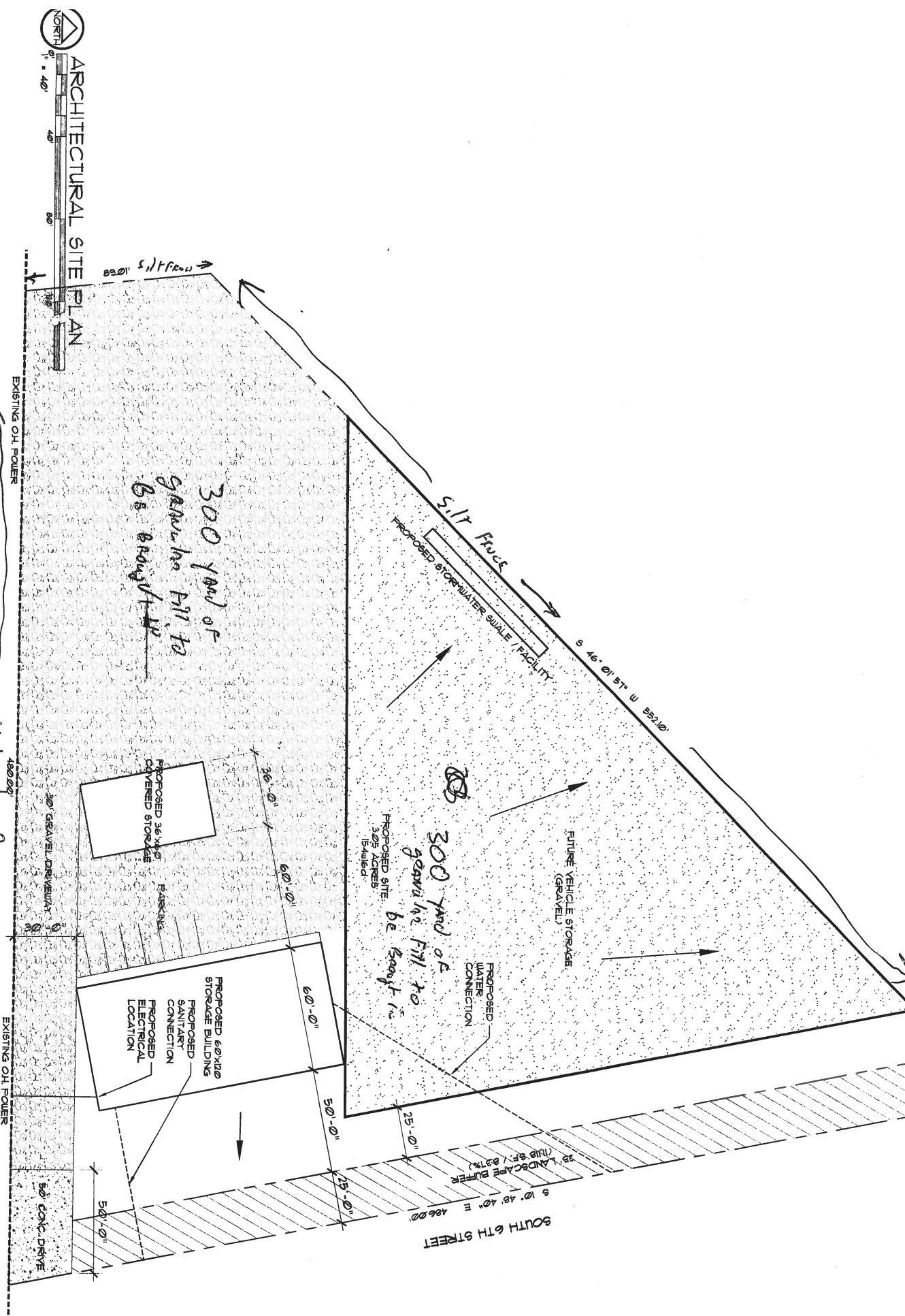
Information shown on this map is for planning purposes, represents the conditions that exist at the map date, and is subject to change. The location and extent of wetlands and other waters is approximate. There may be unmapped wetlands and other waters present that are subject to regulation. A current Oregon Department of State Lands-approved wetland delineation is required for state removal-fill permits. You are advised to contact the Department of State Lands and the U.S. Army Corps of Engineers with any regulatory questions.

WETLAND DATA PROVIDED BY:
SWCA
ENVIRONMENTAL CONSULTANTS
Sound Science. Creative Solutions.

MAP PRODUCED BY:
LCOG
LAND COUNCIL OF GOVERNMENTS
400 WILLAMETTE STREET, SUITE 500
EUGENE, OREGON 97401-2018
www.lcog.org (541) 682-4284

Date of Map preparation: 11/11/10





ARCHITECTURAL
TITLE SITE PLAN
JOB# 1446/0512/01
DRAWN JSD
DATE 05-18-10
SCALE 1/8" = 1'-0"

STORAGE BUILDINGS:
VINCENT FERRIS CONSTRUCTION
18710 S. 6TH STREET
HARRISBURG, OREGON

RODNEY ARCHITECT, LLC
1351 Oak Street Suite A
Eugene, Oregon 97401
Phone: (541)-681-1800
Fax: (541)-681-1200
E-Mail: rodney@architectural.com

STATE OF OREGON
COUNTY OF JEFFERSON
NOTARIAL PUBLIC
My Comm. Expires 12/31/11
I hereby certify that the foregoing is a true and correct copy of the original as the same appears of record in my office.