



Planning Commission Agenda  
November 19, 2024  
7:00 PM

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Chairperson: Todd Culver  
Commissioners: Rhonda Giles, Jeremy Moritz, Kurt Kayner, Kent Wullenwaber, Susan Jackson, Joe Neely and Youth Advisor Nolan Malpass  
Meeting Location: Harrisburg Municipal Center Located at 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. *Masks are not required currently. The City does ask that anyone running a fever, having an active cough or other respiratory issues, not to attend this meeting.*
8. *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.)

**PUBLIC HEARING**

- 1. THE MATTER OF APPROVING A SITE PLAN REQUEST FOR AKINS TRAILER SALES AT 640 N 3<sup>RD</sup> ST, LU 460-2024**

**STAFF REPORT:**

EXHIBITS: Application Packet Materials

**ACTION: MOTION TO APPROVE/MODIFY/DENY THE AKINS TRAILER SALES MINOR PARTITION REQUEST (LU 460-2024), SUBJECT TO THE CONDITIONS OF APPROVAL IN THE NOVEMBER 11, 2024, STAFF REPORT. THIS MOTION IS BASED ON FINDINGS PRESENTED IN THE NOVEMBER 11, 2024 STAFF REPORT TO THE PLANNING COMMISSION AND FINDINGS MADE BY THE COMMISSION DURING DELIBERATIONS ON THE REQUEST AT THE NOVEMBER 19, 2024 PUBLIC HEARING**

**WORK SESSION**

- 2. THE MATTER OF A WORK SESSION TO CONSIDER MODIFICATIONS TO THE TRANSPORTATION STANDARDS OF THE HARRISBURG MUNICIPAL CODE 18.85.020**

**STAFF REPORT:**

EXHIBITS: Exhibit A: HMC 18.85.020

**ACTION: TBD – MOTION TO TAKE MODIFICATIONS AS DISCUSSED TO THE CITY COUNCIL FOR CONSIDERATION OF CHANGES IN THE FUTURE**

**OTHERS**

**ADJOURN**

Staff Report  
Harrisburg Planning Commission  
Harrisburg, Oregon

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**THE MATTER OF THE AKINS TRAILER SALES MINOR PARTITION (LU460-2024)**

**STAFF REPORT- EXHIBITS:**

Exhibit A: Application Packet Materials

**ACTION:** 1. **MOTION TO APPROVE/MODIFY/DENY THE AKINS TRAILER SALES MINOR PARTITION REQUEST (LU 460-2024), SUBJECT TO THE CONDITIONS OF APPROVAL IN THE NOVEMBER 11, 2024, STAFF REPORT. THIS MOTION IS BASED ON FINDINGS PRESENTED IN THE NOVEMBER 11, 2024 STAFF REPORT TO THE PLANNING COMMISSION AND FINDINGS MADE BY THE COMMISSION DURING DELIBERATIONS ON THE REQUEST AT THE NOVEMBER 19, 2024 PUBLIC HEARING**

**APPLICANT:** Udell Engineering & Land Surveying, LLC on behalf of the  
Lost Cattle Company, LLC/Thad Adkins

**LOCATION:** 640 N. 3<sup>rd</sup> St., 15S-04W-09 Tax Lot No. 1300

**HEARING DATE:** November 19, 2024

**ZONING:** M-1 limited Industrial

**OWNER:** Lost Cattle Company, LLC, 34075 Mount Tom Drive, Harrisburg,  
OR 97446

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**BACKGROUND**

The applicant is seeking Planning Commission approval for a Preliminary 3-Parcel Minor Partition. The subject site is 6.91 acres, and therefore approximately 300,999.6 square feet and is located at 640 N. 3<sup>rd</sup> St. The property is abutting the City limits. It is

zoned M-1, Limited Industrial. The Site contains two existing structures, an Industrial Warehouse with office space, another, smaller industrial structure, and parking space for the current use of the property, which is Akins Trailer Sales. The Site Plan for Akins Trailer Sales was approved in 2006, and a previous fill permit approved in 2004 allowed for 3,000 cu yards of fill to be added to one side of the property.

**INTRODUCTION**

The applicant has submitted a Minor Partition Application for three new parcels to be created from one existing lot. The applicant intends on using the lots exactly as they are and does not have further development plans for the property. Under the current development code, this use of the property is legal, non-conforming, as the current development code would require a conditional use permit and site plan to be applied. The applicant is aware that any additional development of the property, including any additions of square footage to current structures, the addition of more structures, or any further development of the property would require both a site plan and conditional use permit at the time of development.

**EVALUATION**

The following findings demonstrate that the proposed development may not comply with all applicable approval criteria and related standards. The following evaluation includes findings of compliance with the applicable criteria and the Planning Commission has the ability to further modify, and require additional conditions and standards. The approval criteria and related standards are listed below in **bold**, with findings addressing each respectively.

**MINOR PARTITION CRITERIA AND FINDINGS**

**19.20.020 GENERAL REQUIREMENTS.**

**1. SUBDIVISION AND PARTITION APPROVAL THROUGH TWO-STEP PROCESS. APPLICATIONS FOR SUBDIVISION OR PARTITION APPROVAL SHALL BE PROCESSED BY MEANS OF A PRELIMINARY PLAT EVALUATION AND A FINAL PLAT EVALUATION, ACCORDING TO THE FOLLOWING TWO STEPS:**

**A. THE PRELIMINARY PLAT MUST BE APPROVED BEFORE THE FINAL PLAT CAN BE SUBMITTED FOR APPROVAL CONSIDERATION; AND**

**B. THE FINAL PLAT MUST DEMONSTRATE COMPLIANCE WITH ALL CONDITIONS OF APPROVAL OF THE PRELIMINARY PLAT.**

**DISCUSSION:** The applicant is required to first obtain approval for this preliminary plat, and must meet all conditions of approval from the preliminary plat prior before filing a final plat.

**FINDING:** By complying with the conditions of approval, the applicant will meet this criterion.

**2. COMPLIANCE WITH ORS CHAPTER 92. ALL SUBDIVISION AND PARTITION PROPOSALS SHALL CONFORM TO STATE REGULATIONS IN ORS CHAPTER 92, SUBDIVISIONS AND PARTITIONS.**

**DISCUSSION:** The Preliminary Minor Partition Proposal shall conform to state regulations in ORS Chapter 92.

**FINDING:** This Minor Partition shall comply with the City of Harrisburg Development Code, which complies with ORS Chapter 92 in relation to subdivisions and partitions. The criteria have been met.

**3. ADEQUATE UTILITIES. ALL LOTS CREATED THROUGH LAND DIVISION SHALL HAVE ADEQUATE PUBLIC UTILITIES AND FACILITIES SUCH AS STREETS, WATER, SEWER, GAS, AND ELECTRICAL SYSTEMS, PURSUANT TO CHAPTER 18.85 HMC. THESE SYSTEMS SHALL BE LOCATED AND CONSTRUCTED UNDERGROUND WHERE FEASIBLE.**

**HMC 18.85 PUBLIC FACILITIES:**

**DISCUSSION:** The parcels created through this preliminary plat process will not have access to City services, including storm, water and sewer utilities. The nearest City facilities to this property are located approximately 775’ south of these properties. State law requires that an applicant be connected to City facilities if they are within 300’ of the property being developed. The property currently has a well, which is located on the inside area of the existing warehouse structure. A separate septic tank and septic field is located on Parcels 1, and at the bottom of proposed parcel 2. There is also an existing gas line on the northern edge of proposed parcel 1 and 2, and 2 existing power poles extend power to both shop structures. If City facilities such as water, sewer, and storm lines become available to this property, then the owner(s) shall be required to connect to each type of service within 6 months, as required by HMC 18.85.040, HMC 13.05.050(1), and HMC 13.15.040(2). All utilities are required to be underground. The applicant is required to sign a Waiver of Remonstrance Further development of the 3 parcels will also require that the power lines be placed underground.

**Condition No. 1: Underground Utilities – Any further development of this property will require that the existing and future power lines are constructed underground.**

**Condition No. 2: Waiver of Remonstrance – Prior to the Final Plat, the owner shall sign a waiver of remonstrance that indicates that any further development of the property in the future will require that if City services**

(water, sewer, or storm utilities) are within 300' of the property, that they must extend them to their property, and connect to them within a six month period.

**FINDING:** As conditioned, this criterion has been met.

**18.85.010 Purpose and Applicability**

**1. Purpose.** The standards of this chapter implement the public facility policies of the City of Harrisburg comprehensive plan and the City’s adopted public facility master plans.

**2. Applicability.** This chapter applies to developments subject to land division (subdivision or partition) approval and developments subject to site design review where public facility improvements are required. All public facility improvements within the City shall occur in accordance with the standards and procedures of this chapter.

**3. Public Works/Engineering Design Standards.** All public facility improvements, including, but not limited to, sanitary sewer, water, transportation, surface water and storm drainage, and parks projects, whether required as a condition of development or provided voluntarily, shall conform to the City of Harrisburg “design manual.” Where a conflict occurs between this code and the manual, the provisions of the design manual shall govern.

**4. Public Improvement Requirement.** No building permit may be issued until all required public facility improvements are in place and approved by the Public Works Director and/or City Engineer, or otherwise bonded. The City may allow deferral of required public improvements and require the applicant to record certification of nonremonstrance in conformance with the provisions of this code and the design manual.

**5. Improvements required as a condition of development approval, when not voluntarily provided by the applicant, shall be roughly proportional to the impact of the development on public facilities. Findings in the development approval shall indicate how the required improvements directly relate to and are roughly proportional to the impact of development. [Ord. 987 § 1 (Exh. A), 2022.]**

**DISCUSSION:** As noted above, and as conditioned, a waiver of remonstrance shall be signed by the owner that will recognize that if City services are extended to within 300' of the property, that they will be required to bring those utilities to the parcels being created and must connect within a 6-month time period. This applies to all three parcels created by this minor partition.

**FINDING: As already conditioned, this criteria is met.**

**18.85.020 Transportation Standards.**

**DISCUSSION:** This partition application creates 3 lots, but the owner plans on no further development or changes to the types of use already existing on the parcels. As such, a traffic impact analysis shall not be required. Sidewalks are not required for this use, even though the grandfathered use of the property is commercial in nature. The City doesn't own the highway, and therefore, can't require that sidewalks be added to this property. The City also doesn't anticipate foot traffic to be a normal mode of traffic, and specifically, because this existing commercial business is for trailer sales, which are in relation to vehicular use. Future development of these properties will require notification to ODOT, as access management with future increase of traffic will require their approval.

**Finding: This criterion is not applicable.**

**18.85.030 Public Use Areas.**

**DISCUSSION:** This minor partition is not large enough to require the applicant to dedicate any property for public uses, nor is it large enough for the City to consider purchasing property for a public use.

**Finding: This criterion is not applicable to this Minor Partition**

**18.85.040 Sanitary Sewer and Water Service Improvements**

**1. Sewers and Water Mains Required. All new development requiring land use approval is required to connect to City water and sanitary sewer systems. Sanitary sewer and water system improvements shall be installed to serve each new development and to connect developments to existing mains in accordance with the adopted facility master plans and applicable engineering/public works design standards. Where streets are required to be stubbed to the edge of the subdivision, sewer and water system improvements and other utilities shall also be stubbed with the streets, except as approved by the City Engineer where alternate alignment(s) are provided consistent with the adopted public facility master plan.**

**DISCUSSION:** As already noted in previous discussion, the property is legal, non-conforming, and the applicant does not plan on future development or any changes of use than what is already present on the property. The nearest city services are located approximately 775' from the property. If City services are within 300' of the parcels being created, then the applicant will be required to extend utilities to their parcel(s) and will be required to connect to City services at that time. This has already been conditioned.

**Finding: As conditioned, the standards required by HMC 18.85.040 have been met.**

**HMC 18.85.050 Storm Drainage and Surface Water Management Facilities**

**1. General Provisions.** The City shall issue a development permit only where adequate provisions for storm water runoff have been made in conformance with a 25-year storm plan. All applications for developments that increase impervious surface must submit a specific storm water plan with their application unless waived by the City Engineer.

**2. Accommodation of Upstream Drainage.** Culverts and other drainage facilities shall be large enough to accommodate existing and potential future runoff from the entire upstream drainage area, whether inside or outside the development. Such facilities shall be subject to review and approval by the City Engineer.

**3. Effect on Downstream Drainage.** Where it is anticipated by the City Engineer that the additional runoff resulting from the development will overload an existing drainage facility, the City shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for retention of additional runoff caused by the development in accordance with City standards.

**DISCUSSION:** The applicant is not planning on further development or a change of use on any of the three parcels proposed by this land use request. The uses of the property do not include any increase of impervious surfaces; other than that of the access easement. This is addressed elsewhere in this staff report. Therefore, the requirement to provide storm water provisions is not otherwise applicable at this time. If further development is planned on any of these parcels in the future, then stormwater will be required to comply with the above standards.

**FINDING:** This criterion does not apply to the proposed development, and storm drainage in relation to the access easement is addressed further in this staff report.

**4. Over-Sizing.** The City may require as a condition of development approval that sewer, water, or storm drainage systems serving new development be sized to accommodate future development within the area as projected by the applicable facility master plan. In these instances, the City may authorize cost-recovery or cost-sharing methods as provided under State law.

**DISCUSSION:** As already discussed, there is no requirement to bring city services to this property, due to no changes being proposed to the type of use



that has already been at this site for the last 18 years. This property is on the edge of the City limits, and as such, there is also no need for services to be extended further than this property, even if it should be developed further in the future.

**FINDING: This criterion does not apply.**

**5. Existing Watercourse. Where a proposed development is traversed by a watercourse, drainage way, swale, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for conveyance and maintenance to protect the public health and safety. All applications for site plan review, subdivision, and partitions must submit a specific storm water plan with their application unless waived by the City Engineer. [Ord. 987 § 1 (Exh. A), 2022.]**

**DISCUSSION:** As previously discussed, the applicant is not planning on any future development for any of the three parcels being proposed in this minor partition request. A storm water plan is not required at this time. However, according to the City of Harrisburg Local Wetlands Inventory, there is a waterway located on the bottom southeast corner of the property. The waterway extends up the eastern line of the property almost to proposed Parcel No. 2, and also runs alongside the entire southern property line belonging to proposed Parcel No. 3. It is prudent for the applicant to provide a utility easement on these property lines in order to account for this waterway and likely drainage patterns. In addition, there is an existing wetland, identified as HA-28, located on the property adjacent to Parcel No. 3 and Parcel No. 1. It is the only forested wetland shown inside the City limits. This minor partition does not affect this area, but the applicant is put on notice that future uses of the property will require that care is taken with both the waterway and the adjacent forested wetland area. Condition of Approval No. 3, below, will allow for a 5' Public Utility Easement that will help protect the waterway on the southern and eastern property lines.

**FINDING: As conditioned in Condition No. 3 (below), this criterion has been met.**

**18.85.060 Utilities**

**The following standards apply to new development where extension of electric power, natural gas or communication lines is required:**

**1. General Provision. The Applicant of a property is responsible for coordinating the development plan with the applicable utility providers and paying for the extension and installation of utilities not otherwise available to the subject property.**

**2. Underground Utilities.**

**a. General Requirement.** The requirements of the utility service provider shall be met. All utility lines in new subdivisions, including, but not limited to, those required for electric, communication, lighting, and related facilities, shall be placed underground, except where the City Administrator or Planning Commission determines that placing utilities underground would adversely impact adjacent land uses. The City Administrator or Planning Commission may require screening and buffering of aboveground facilities to protect the public health, safety, or welfare.

**DISCUSSION:** The applicant is responsible for utilities being installed on private property. There is no further development planned for all three parcels, and as such, the applicant shall not be required to place the current power lines located on the north property line underground at this time. Further development of the property will trigger this requirement.

**FINDING:** This criterion is not applicable to this application.

**18.85.070 Easements.**

**1. Provision.** The Applicant shall coordinate with the City and applicable utility providers in meeting the needs of each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development.

**2. Standards.** Utility easements shall conform to the requirements of the utility service provider. All other easements shall conform to the City of Harrisburg engineering design standards/public works design standards.

**3. Recordation.** All easements for sewers, storm drainage and water quality facilities, water mains, electric lines, natural gas lines, or other utilities shall be recorded and referenced on a survey or final plat, as applicable. See Chapter [19.15](#) HMC, Site Design Review, and Chapter [19.20](#) HMC, Land Divisions and Property Line Adjustments. [Ord. 987 § 1 (Exh. A), 2022.]

**DISCUSSION:** The north property line of the original plat has both power, and gas lines, which both extend to proposed Parcels No. 1 and No. 2. With the waterway shown on the southern property line of Proposed Parcel No. 3, and which also extends northward on the eastern property line, it's prudent for the City to require that a public utility easement that is a minimum 5' wide apply to all three sides of the current parcel. No buildings shall be allowed to extend over the septic field that is present on proposed Parcel No. 1.

There is a suggested 30' wide utility and access easement that will be approximately 450' linear feet, that connects Hwy 99E with Proposed Parcel No.

2, as well as Parcel No. 3. This is required to be paved, and must also be recorded on the final plat. This is further conditioned in discussion with HMC 18.70.

**Condition No. 3: Easements: On the Final Plat, a 5' public utility easement (PUE) will be required on the full northern, eastern, and southern lines of the original plat. This will cover the location of the waterway shown in the City of Harrisburg Local Wetlands Inventory, as well as the northern power and gas lines.**

**FINDING: As conditioned, this criterion has been met.**

**4. ADEQUATE DRAINAGE. ALL SUBDIVISION AND PARTITION PROPOSALS SHALL HAVE ADEQUATE SURFACE WATER DRAINAGE FACILITIES THAT REDUCE EXPOSURE TO FLOOD DAMAGE AND IMPROVE WATER QUALITY. WATER QUALITY OR QUANTITY CONTROL IMPROVEMENTS MAY BE REQUIRED, PURSUANT TO CHAPTER [18.85](#) HMC.**

**DISCUSSION:** The site plan that was approved 18 years ago states that the drainage is adequate for the needs of the property. The current drainage from the lots and structures is to the north property line and the drainage ditch located there. It operates similarly to a swale, and becomes deeper as it approaches the main ditch that serves Hwy 99E, where it drains southwards to the current driveway. The first 50' of that driveway is paved, and that drainage also flows into the ditch on Hwy 99E. This is adequate for the current usage of the property, including the two buildings, and the packed gravel parking areas on both Proposed Parcel No. 1 and Parcel No. 3. Further development of the properties will require additional storm water controls. The Access Easement that allows for access to Parcels No. 2 and No. 3, is required to have storm water controls. This is addressed further in this staff report.

**FINDING: Unless further development of the property is created, and as conditioned further in this staff report, this criterion has been met.**

**5. ADEQUATE ACCESS. ALL LOTS CREATED OR RECONFIGURED SHALL HAVE ADEQUATE VEHICLE ACCESS AND PARKING TO CITY OR PRIVATELY OWNED STREETS, AS MAY BE REQUIRED, PURSUANT TO CHAPTER [18.70](#) HMC.**

**HMC 18.70 ACCESS AND CIRCULATION**

**HMC 18.70.030 (4). APPROACH AND DRIVEWAY DEVELOPMENT AND CIRCULATION STANDARDS. APPROACHES AND DRIVEWAYS SHALL CONFORM TO ALL OF THE FOLLOWING DEVELOPMENT STANDARDS:**

**A. THE NUMBER OF APPROACHES ON HIGHER CLASSIFICATION STREETS (E.G., COLLECTOR AND ARTERIAL STREETS) SHALL BE MINIMIZED; WHERE PRACTICABLE, ACCESS SHALL BE TAKEN FIRST FROM A LOWER CLASSIFICATION STREET.**

**B. APPROACHES SHALL CONFORM TO THE SPACING STANDARDS OF SUBSECTIONS (4)(E) AND (F) OF THIS SECTION , AND SHALL CONFORM TO MINIMUM SIGHT DISTANCE AND CHANNELIZATION STANDARDS OF THE ROADWAY AUTHORITY.**

**C. DRIVEWAYS SHALL BE PAVED AND MEET APPLICABLE CONSTRUCTION STANDARDS.**

**D. (1) PRIVATE OR PUBLIC DRIVEWAYS EXCEEDING 150 FEET AND/OR AS THE SOLE ACCESS FOR THREE OR MORE HOMES SHALL HAVE A PAVED DRIVING SURFACE OF AT LEAST 25 FEET (26 FEET IF ABUTTING A FIRE HYDRANT, WITH AN UNOBSTRUCTED WIDTH OF 20 FEET) AND AN UNOBSTRUCTED VERTICAL CLEARANCE OF NOT LESS THAN 14 FEET.**

**(2) PUBLIC OR PRIVATE DRIVEWAYS SERVING AS THE SOLE VEHICLE ACCESS TO ONE OR TWO HOMES AND/OR LESS THAN 150 FEET SHALL HAVE A PAVED DRIVING SURFACE OF AT LEAST 25 FEET, WITH AN UNOBSTRUCTED WIDTH OF 20 FEET, AND A TURNING RADIUS OF NOT LESS THAN 28 FEET AND A TURNAROUND RADIUS OF AT LEAST 48 FEET, AS MEASURED FROM THE SAME CENTER POINT.**

**(3) THESE REQUIREMENTS ARE SUBJECT TO AMENDMENTS BY THE OREGON FIRE CODE APPLICATION GUIDE AND UPON MUTUAL AGREEMENT OF THE CITY ENGINEER AND LOCAL FIRE MARSHAL OR THEIR AUTHORIZED REPRESENTATIVES.**

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**HMC 18.70.030 (5). INTERNAL, ON-SITE CIRCULATION OF CARS AND PERSONS ON DEVELOPMENT IN EXCESS OF 40,000 SQUARE FEET OR ONE AND ONE-HALF ACRES SHALL CONFORM TO THE FOLLOWING STANDARDS:**

**A. DRIVEWAY EGRESS AND/OR INGRESS SHALL NOT IMPEDE THE UNRESTRICTED ACCESS OF PEDESTRIANS TO THE PRIMARY BUILDING.**

**B. AT LEAST ONE CURBED PEDESTRIAN WALKWAY SHALL CONNECT THE PARKING LOT TO THE PRIMARY STRUCTURE.**

**C. THE DEVELOPMENT SITE PARKING PLAN WILL ALLOW SUFFICIENT VEHICLE TURNING RADIUS AND PARKING LOT SPACES TO ACCOMMODATE LARGE, FOUR-WHEEL DRIVE PERSONAL PICKUPS AND SUVs AS DETERMINED BY THE CITY ENGINEER.**

**D. THE DEVELOPMENT SITE PARKING PLAN WILL ALLOW SUFFICIENT, DEDICATED AREA(S) TO ALLOW LARGE TRUCK LOADING AND UNLOADING ZONE(S) THAT DO(ES) NOT INTERFERE WITH PASSENGER VEHICLE OR PEDESTRIAN CIRCULATION.**

**DISCUSSION:** There are no proposed streets for this minor partition request, and all lots have access from Hwy 99E, which is accessed by an existing 30'x50' driveway that has been paved. The 'parking area' shown in proposed parcel 1 is existing based on a previous site plan, and is approximately 41,340 sq. ft. Because this is an existing use of the property, and there are no changes or development being proposed in this minor partition request, there is no requirement to have a parking lot plan, or pedestrian walkway at this time. Because the commercial business is for utility trailers, the existing plan already compensates for longer trailers, and doesn't interfere with existing loading/unloading zones.

The fenced lot located on proposed parcel 3 is also an existing lot, approved by the original site plan. It is under 40,000 sq. ft., but it is further from the warehouses. Unless there is future development, there are no changes needed for this parking area.

**FINDING: HMC 18.70.030 (4) and (5) are not applicable to this land use request.**

**HMC 18.70.030 (10). JOINT USE ACCESS EASEMENT AND MAINTENANCE AGREEMENT. WHERE THE CITY REQUIRES AND APPROVES A JOINT USE DRIVEWAY, THE PROPERTY OWNERS SHALL RECORD AN EASEMENT WITH THE DEED ALLOWING JOINT USE OF AND CROSS ACCESS BETWEEN ADJACENT PROPERTIES. THE OWNERS OF THE PROPERTIES AGREEING TO JOINT USE OF THE DRIVEWAY SHALL RECORD A JOINT MAINTENANCE AGREEMENT WITH THE DEED, DEFINING MAINTENANCE RESPONSIBILITIES OF PROPERTY OWNERS. THE APPLICANT SHALL PROVIDE A FULLY EXECUTED COPY OF THE AGREEMENT TO THE CITY FOR ITS RECORDS, BUT THE CITY IS NOT RESPONSIBLE FOR MAINTAINING THE DRIVEWAY OR RESOLVING ANY DISPUTE BETWEEN PROPERTY OWNERS. [ORD. 987 § 1 (EXH. A), 2022.]**

**DISCUSSION:** There is a 30' Access Easement on this property, which allows access to proposed Parcels No. 2 and No. 3. This is further addressed in the code in HMC 19.20.040. The Conditions of Approval will require that the access easement be recorded on the final plat, and that a maintenance agreement be

filed with the City, and be recorded with the property deed, when and if future parcels are sold.

**FINDING:** As conditioned further in this staff report, this criterion has been met.

**6. OFF-SITE/PUBLIC IMPROVEMENT. THE CITY MAY IMPOSE OFF-SITE OR ON-SITE PUBLIC IMPROVEMENTS AS A CONDITION(S) OF APPROVAL OF THE PRELIMINARY OR FINAL PLAT PROCESS AS MAY BE NECESSARY TO FULFILL THE PURPOSES OF HMC [19.20.010](#). [ORD. 987 § 1 (EXH. A), 2022.]**

**DISCUSSION:** The design of Parcels 1, 2 and 3 exceed the minimum standards for the M-1 zone, and therefore meet the requirements of HMC 19.20.010. Off-site public improvements will not be required, and due to the fact that no City services are located within 750' of this property, on-site public improvements will not be required.

**FINDING:** This criterion is not applicable to this land use request.

**19.20.040 LOT SIZE AVERAGING, FLAG LOTS, AND INFILL DEVELOPMENT.**

**2. FLAG LOTS. FLAG LOTS MAY BE CREATED ONLY WHEN A THROUGH STREET CANNOT BE EXTENDED TO SERVE ABUTTING USES OR FUTURE DEVELOPMENT DUE TO A PHYSICAL OR LEGAL BARRIER. A FLAG LOT ACCESS DRIVEWAY (“FLAG POLE”) SHALL SERVE NOT MORE THAN FOUR FLAG LOTS TAKING ACCESS OFF THE SAME FLAG POLE, NOT INCLUDING ACCESSORY DWELLINGS. THE LAYOUT OF FLAG LOTS, THE PLACEMENT OF BUILDINGS ON SUCH LOTS, AND THE ALIGNMENT OF SHARED DRIVES SHALL BE DESIGNED SO THAT FUTURE STREET CONNECTIONS CAN BE MADE AS ADJACENT PROPERTIES DEVELOP, TO THE EXTENT PRACTICABLE, AND IN ACCORDANCE WITH THE TRANSPORTATION CONNECTIVITY AND BLOCK LENGTH STANDARDS OF HMC [18.70.030](#) AND [18.85.020](#). ALL FLAG LOT DRIVEWAYS SHALL BE PAVED FROM THE SERVING PUBLIC OR PRIVATE STREET TO THE PROPERTY LINE OF EACH LOT IN CONFORMANCE WITH THE REQUIREMENTS OF HMC [18.70.030](#)(4).**

**DISCUSSION:** Flag lots should only be allowed when a thorough street cannot be extended to serve abutting uses or future development. The owner is not planning on any further development of any of the parcels at this time; therefore, a new street will not be required to serve the existing uses. If in the future, any of these parcels are developed further, it could feasibly generate the requirement for a street to be added to the property.

**FINDING:** As designed, this criterion is not applicable to this application.

**4. EMERGENCY VEHICLE ACCESS. A DRIVE SERVING MORE THAN ONE LOT SHALL HAVE A RECIPROCAL ACCESS AND MAINTENANCE EASEMENT RECORDED FOR ALL LOTS IT SERVES. SAID EASEMENT SHALL BE AT LEAST 25 FEET WIDE AT ITS MOST NARROW POINT, PAVED, AND ABLE TO CARRY 75,000/SQUARE FOOT OF LOAD AND MEET THE REQUIREMENTS OF HMC [18.70.030](#). A FIVE-FOOT-WIDE PEDESTRIAN WALKWAY IS REQUIRED TO BE MARKED IN PAINT. NO FENCE, STRUCTURE, OR OTHER OBSTACLE SHALL BE PLACED WITHIN THE DRIVE AREA. EMERGENCY VEHICLE APPARATUS LANES, INCLUDING ANY REQUIRED TURNAROUND, SHALL CONFORM TO APPLICABLE BUILDING AND FIRE CODE REQUIREMENTS. FIRE SPRINKLERS MAY ALSO BE REQUIRED FOR BUILDINGS THAT CANNOT BE FULLY SERVED BY FIRE HYDRANTS DUE TO DISTANCE FROM HYDRANT, INSUFFICIENT FIRE FLOW, OR ADJACENCY TO WILDFIRE AREAS.**

**DISCUSSION:** The applicant has stated that an easement is a legal right to use another property owner's property for a limited use, and because the proposed parcels are planned on being held in common ownership, its suggested that it be added if Parcels No. 2 and No. 3 undergo a future ownership transfer. The proposed private 30' wide access lane meets the minimum 25' wide requirement, plus the 5' wide pedestrian walkway that is also required. The design of the access easement must be capable of holding a 75,000 lb. emergency vehicle. The 5' pedestrian walkway must be marked in paint. The access easement shall be recorded on the final plat, and it is acceptable to have the maintenance agreement recorded when any of the parcels are sold in the future. The access easement must be paved within six months from the date of the final plat being recorded.

Because there are no water lines that are available to this property, the Fire Marshal does not require a private fire hydrant to be added to this location, nor is there a requirement for sprinklers to be added to the current structures. Because the properties have large parking areas with compacted gravel, and are able to withstand heavier loads, he is also not requiring that any turn-around be added to the property at this time. As the applicant considers possible future uses of the property, they should consider that Oregon Specialty Building Code does require fire controls for larger structures, and any structures over a certain size will be required to have an architect of record. This applies for large metal buildings similar to what is already present on the site.

**Condition No. 4: Access Easement: On the Final Plat, the applicant must provide for a 30' wide access easement. The driveway/access easement shall allow joint use of and cross access between adjacent properties. It must be designed to support a 75,000 lb. emergency vehicle and must have a 5' pedestrian walkway marked in paint. The pavement of the access easement, and painting of the pedestrian walkway is required within six months from the date of the final plat being recorded.**

**Condition No. 5: Maintenance Agreement: If any of the proposed parcels are sold in the future, a joint maintenance agreement shall be filed with the deed. The**

**agreement will define the maintenance responsibilities of property owners. A fully executed copy of the agreement shall be provided to the City for its records, but the City is not responsible for maintaining the driveway, or resolving any dispute between property owners.**

**FINDING: As conditioned, the requirements of HMC 18.70 and HMC 19.20.040 have been met.**

**19.20.050 PRELIMINARY PLAT SUBMISSION REQUIREMENTS:**

**Discussion:** Under General Submission Requirements, this application is for a preliminary partition plat, which shall be processed as a Type III Review, requiring a public hearing, and notifications to all neighbors. All publications and notification requirements were completed. The applicant has provided the minimum requirements as per HMC 19.20.050(2). Because this is a minor partition application, the City Planner will not require a Public Facilities and Services Impact Study, nor will the City require a traffic impact analysis. Future development of these parcels will require notification to ODOT, who allowed the access from Hwy 99E, and who might have additional requirements.

**FINDING: The preliminary plat submission requirements have been met.**

**19.20.060 PRELIMINARY PLAT APPROVAL CRITERIA – PARTITION.**

**A. THE LAND DIVISION APPLICATION MEETS THE REQUIREMENTS OF HMC 19.20.020 AND THIS SECTION.**

**DISCUSSION:** As noted previously and as conditioned where required, the applicant has met the requirements of HMC 19.20.020. This preliminary plat must be approved before the applicant may apply for the final plat, and after the applicant has demonstrated compliance with all conditions of approval as provided in this staff report.

**FINDING: This criterion has been met.**

**B. THE PROPOSED LOTS CONFORM TO APPLICABLE PROVISION REQUIREMENTS OF CHAPTER 18.45 HMC FOR THE ASSIGNED ZONE(S).**

**DISCUSSION:** The M-1 zone does not require a minimum lot area, nor does it require a minimum lot width or depth. Therefore, the dimensions of proposed Parcels No. 1, No. 2 and No. 3, are sufficient to meet the code requirements. It appears that the setbacks required by the M-1 zone may not be sufficient to current standards, but the buildings present are legal, non-conforming, and are based on the previous site plan approval. Therefore, no changes are required at this time. Lot coverage is allowed at 90%, and there is more than sufficient room on all 3 proposed parcels for future structures. There is a requirement for 10% of the property to be landscaped, but again, this property is not undergoing any further development, and therefore is legal, non-



conforming. Any future development of these proposed parcels could trigger the requirements to apply to new structures being added.

**FINDING: This criterion has been met.**

**C. ALL LOTS ARE SERVED BY PUBLIC FACILITIES INCLUDING WATER, SEWER, ELECTRICITY, SURFACE WATER DRAINAGE, AND STREETS, OR PRIVATE FACILITIES IF APPROVED BY THE CITY ENGINEER.**

**DISCUSSION:** The proposed parcels in this minor partition are legal, non-conforming unless further development is made. This includes the addition of square footage to any structure, any additional structure, or a different type of use on any of the proposed parcels. If in the future, water, sewer, or storm lines are constructed within 300’ of this property, then the owners of the parcels will be required to bring these utilities to each property line, and to connect to services at that time. The applicant is allowed to keep the well, and the septic tank & field serving the septic system as it is at this time. If the applicant sells any of the parcels, they will need to 1) Extend these services to those parcels, with a recorded easement and maintenance agreement or 2) Must disclose to future buyers that they must construct their own services for their own development needs.

**Condition No. 6: Public/Private Facilities:** If the applicant sells any of the future parcels, they must 1). Extend the well water and septic access through a recorded easement and maintenance agreement, or 2). Must disclose to future buyers that they must construct their own services for their own development needs.

**FINDING: As previously conditioned, and by the addition of Condition No. 6, this criterion has been met.**

**D. THE PROPOSED SURFACE WATER DRAINAGE FACILITIES CONFORM TO APPLICABLE ENGINEERING STANDARDS.**

**DISCUSSION:** The applicant has existing structures and an approved site plan from 2006 which found that the property meets the standards for storm drainage at that time. The current drainage from the two warehouses drains to the north ditch, which then drains to the main drainage ditch on the east side of Hwy 99E. The existing drainage for the paved 50’ of access driveway also drains to this same drainage ditch. The required paved access easement of 30’ wide will also need to be drained, and therefore, the applicant must provide a 25-year storm drainage plan for the easement, that must show it is routed to a location on the property. If the applicant wishes to route drainage to the Hwy 99E location, then they will need to obtain approval from ODOT; a copy of that approval must be provided to the City. This must be provided prior to the applicant filing the Final Plat.

**Condition No. 7: Storm Water Drainage:** Prior to filing the final plat, the applicant must design a 25-year storm drainage plan for the 30’ paved easement, that must

be provided to the City Engineer for approval. Drainage must be routed to a location on the property. If the applicant wishes to route drainage to the Hwy 99E location, then they will need to obtain approval from ODOT; a copy of that approval must be provided to the City.

**FINDING:** As conditioned, this criterion has been met.

**E. ALL NECESSARY PUBLIC AND/OR PRIVATE EASEMENTS ARE IN PLACE TO BUILD/SERVICE AND MAINTAIN ALL UTILITIES, AND ANY PRIVATE ACCESS LANES OR STREETS.**

**DISCUSSION:** Condition No. 3 refers to a public utility easement that applies to the power, gas, and storm drainage, as well as a waterway located on the south and eastern property line of Parcel No. 3. Condition No. 6 refers to either extending private water and sewer services to the future buyers of Parcels No. 2 and 3, or the applicant must disclose that the buyers must develop their own. Condition No. 4 refers to the private Access Easement/Driveway that is required by this minor partition, and that must have a maintenance agreement created between the owners of future parcels if they are sold in the future.

**FINDING:** As conditioned, this criterion has been met.

**F. ALL LOTS DEMONSTRATE COMPLIANCE WITH PUBLIC FACILITIES MASTER PLANS INCLUDING ANY REQUIRED OFF-SITE IMPROVEMENTS, AND EASEMENTS FOR PLANNED TRAILS OR UTILITY IMPROVEMENTS, THAT ARE REQUIRED TO MITIGATE THE IMPACTS OF DEVELOPMENT.**

**DISCUSSION:** All lots demonstrate compliance with City public facilities master plans; there are no required off-site improvements, or easements made for planned trails or utility improvements, other than those needed for future development of the proposed parcels.

**FINDING:** As such, this criterion has been met.

**19.20.080 FINAL PLAT SUBMISSION AND APPROVAL CRITERIA FOR PARTITIONS.**

**1. Submission.** The applicant shall submit the final plat within two years of final approval of the preliminary plat by the City Administrator. The format of the plat shall conform to ORS Chapter [92](#).

**DISCUSSION:** A condition shall be that the final plat is submitted within a two-year period, and that the final plat must be consistent with the approved preliminary plat, including required conditions of approval.

**Condition No 7: Final Plat - The Final Plat shall be submitted within two years of final approval of the preliminary plat and must be consistent with the approved preliminary plat including required conditions of approval.**

**FINDING: As conditioned, this criterion has been met.**

**Chapter 18.60 DESIGN STANDARDS ADMINISTRATION:**

**18.60.020 Applicability**

**DISCUSSION:** Table 18.60.020 shows applicability of design standards to approvals and permits for Type III and Type IV decisions. In table 18.60.020, Applicability of Design Standards to Approvals and Permits, a minor partition of 1 to 3 lots must comply with the design standards in HMC 18.70, Access Circulation; HMC 18.75, Landscapes and Screening (for Flag Lots); HMC 18.80 Parking and Loading (if use exists), and HMC 18.85 Public Facilities.

**FINDING: As discussed further, these criteria will each be addressed, and will typically be a building development requirement, rather than a condition of approval. This criterion has been addressed and met.**

**HMC CHAPTER 18.75 LANDSCAPING, FENCES AND WALLS, OUTDOOR LIGHTING**

**18.75.020 Applicability.**

- 1. HMC [18.75.030](#) establishes design standards for landscaping and screening. Projects requiring site design review or land division approval shall meet the applicable landscape standards, including the standards in Tables 18.45.040.4 and 18.45.040.5 and any special use requirements under Chapter [18.55](#) HMC, and the requirements of this chapter. Property owners are required to maintain landscaping and screening pursuant to HMC [18.75.030\(7\)](#).
- 2. HMC [18.75.040](#) establishes design standards for when a fence or a wall not attached to a building is to be erected, extended, or otherwise altered. It also applies to situations where this code requires screening or buffering (e.g., outdoor or unenclosed storage uses). The standards of HMC [18.75.040](#) supplement the development standards in Tables 18.45.040.4 and 18.45.040.5 and any applicable special use requirements under Chapter [18.55](#) HMC.

**18.75.030 Landscaping and screening.**

**1. General Landscape Standard. All portions of a lot not otherwise developed with buildings, accessory structures, vehicle maneuvering areas, or parking shall be landscaped as required by Table 18.45.040.5. All developments requiring site plan review, subdivisions, or partitions shall include a formal landscape plan as part of their application.**

**2. Minimum Landscape Area.** All lots shall conform to the minimum landscape area standards of the applicable zoning district, as contained in Tables 18.45.040.4 and 18.45.040.5. The City Administrator, consistent with the purposes in HMC 18.75.010, may allow credit toward the minimum landscape area for existing vegetation that is retained in the development. The City Administrator may apply landscaping credits for features such as patios, large rocks, barked or mulched areas, decorative concrete, etc.

**DISCUSSION:** As noted in this section of the development code, projects that are considered land division must meet with applicable landscape standards. This is a previously approved site plan, and with no further development planned for this property at this time, there are no further requirements for landscaping to be provided. Future development of the parcels will result in landscaping plans being required to be submitted. Technically, there is quite a large amount of vegetation already present on the property, albeit on the fringes of the undeveloped portions of the lot.

**FINDING:** These design standards will apply to future development of Parcels No. 1, 2 and 3, and therefore aren't applicable to this minor partition.

**18.75.030.5 Parking Lot Landscaping**

**5. Parking Lot Landscaping.** All of the following standards shall be met for parking lots in excess of 5,000 square feet. If a development contains multiple parking lots, then the standards shall be evaluated separately for each parking lot.

- a. At a minimum, one tree per 15 parking spaces on average shall be planted over and around the parking area.
- b. Wheel stops, curbs, bollards, or other physical barriers are required along the edges of all vehicle maneuvering areas to protect landscaping from being damaged by vehicles. Trees shall be planted at least two feet from any such barrier.
- c. Trees planted in tree wells within sidewalks or other paved areas shall be installed with root barriers, consistent with applicable nursery standards.

**DISCUSSION:** The parking lots on this property are developed as per the site plan standards when first approved. If further development occurs on Parcels No's 1, 2 and 3 in the future, then these standards will apply at that time.

**FINDING:** This criterion is not applicable to this land use request.

**18.75.040 Fences and Walls**

**1. Purpose.** This section provides general development standards for fences, and walls that are not part of a building, such as screening walls and retaining walls.

**2. Applicability.** This section applies to all fences, and walls that are not part of a building, including modifications to existing fences and walls. This section supplements the development standards of Tables 18.45.040.4 and 18.45.040.5.

**18.75.050 Outdoor lighting.**

**1. Purpose.** This section contains regulations requiring adequate levels of outdoor lighting while minimizing negative impacts of light pollution.

**2. Applicability.** All outdoor lighting shall comply with the standards of this section.

**3. Standards.**

**a.** Light poles, except as required by a roadway authority or public safety agency, shall not exceed a height of 20 feet. Pedestal or bollard-style lighting is the preferred method illuminating walkways. This limitation does not apply to flag poles, utility poles, and streetlights.

**b.** Where a light standard is placed over a sidewalk or walkway, a minimum vertical clearance of eight feet shall be maintained.

**c.** Outdoor lighting levels shall be subject to review and approval as part of the site design review, subdivisions, or a Type II commercial or industrial application. Lighting levels shall be sufficient to provide for pedestrian safety, property or business identification, and crime prevention. (See also the City of Harrisburg Sign Code, Chapter [18.90](#) HMC.)

**DISCUSSION:** The development of fences, walls, and outdoor lighting is not required by this land use request. When Parcel No’s 1, 2, and 3 are further developed, outdoor lighting will be required as part of the site plan process.

**FINDING:** These standards are not applicable to this land use request, but will apply when future development occurs.

**HMC CHAPTER 18.80 PARKING AND LOADING**

**18.80.020 Applicability and General Regulations**

**DISCUSSION:** Parking and Loading requirements were designed according to the development standards present at the time of the first site plan approval. There is no development occurring on any of these parcels; therefore they are not applicable to this land use request.

**FINDING:** This requirement is not applicable to this minor partition request.

**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 modifications/conditions; or,
- 3. Deny the request.

**PLANNERS RECOMMENDATION:**

The Planner recommends that the Planning Commission review the materials submitted in response to direction and make a determination on the Akins Trailer Sales Minor Partition.

**RECOMMENDED CONDITIONS OF APPROVAL**

**Condition No. 1: Underground Utilities** – Any further development of this property will require that the existing power lines are constructed underground.

**Condition No. 2: Waiver of Remonstrance** – Prior to the Final Plat, the owner shall sign a waiver of remonstrance that indicates that any further development of the property in the future will require that if City services (water, sewer, or storm utilities) are within 300’ of the property, that they must extend them to their property, and connect to them within a six month period.

**Condition No. 3: Easements:** On the Final Plat, a 5’ public utility easement (PUE) will be required on the full northern, eastern, and southern lines of the original plat. This will cover the location of the waterway shown in the City of Harrisburg Local Wetlands Inventory, as well as the northern power and gas lines.

**Condition No. 4: Access Easement:** On the Final Plat, the applicant must provide for a 30’ wide access easement. The driveway/access easement shall allow joint use of and cross access between adjacent properties. It must be designed to support a 75,000 lb. emergency vehicle and must have a 5’ pedestrian walkway marked in paint. The pavement of the access easement, and painting of the pedestrian walkway is required within six months from the date of the final plat being recorded.

**Condition No. 5: Maintenance Agreement:** If any of the proposed parcels are sold in the future, a joint maintenance agreement shall be filed with the deed. The agreement will define the maintenance responsibilities of property owners. A fully executed copy of the agreement shall be provided to the City for its records, but the City is not responsible for maintaining the driveway or resolving any dispute between property owners.

**Condition No. 6: Public/Private Facilities:** If the applicant sells any of the future parcels, they must 1). Extend the well water and septic access through a recorded easement and maintenance agreement, or 2). Must disclose to future buyers that they must construct their own services for their own development needs.

**Condition No 7: Final Plat - The Final Plat shall be submitted within two years of final approval of the preliminary plat and must be consistent with the approved preliminary plat including required conditions of approval.**



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

**LAND USE APPLICATION**

STAFF USE ONLY	
File Number: <u>400-2024</u>	Date Received: <u>SEPT 26</u>
Fee Amount: <u>\$ 1,250</u>	<u>9/25/24</u> <u>8001257.0001</u>

APPLICATION TYPE	
<input type="checkbox"/> Annexation*	<input type="checkbox"/> Property Line Adjustment
<input type="checkbox"/> Comprehensive Plan Amendment*	<input checked="" type="checkbox"/> Partition/Replat*      Minor      Major
<input type="checkbox"/> Conditional Use Permit*	<input 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*

PLEASE PROVIDE A BRIEF SUMMARY OF THE PROPOSAL	
Project Description	3-parcel partition
Project Name	<u>AKINS TRAILER SALES MINOR PARTITION</u>



**PRIMARY CONTACT AND OWNER INFORMATION**

Applicant's Name

Phone  Email

Mailing Address

Applicant's Signature  Date

Property Owner Name

Phone  Email

Mailing Address

Owner Signature  Date

\*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

General Location Description

Assessor's Map Number(s)  Related Tax Lot(s)

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

6.90 PER LIS

**LAND USE AND OVERLAY ZONES**

Existing Zone(s)

Existing Comprehensive Plan Designation(s)

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

- Historic Overlay       Willamette River Greenway       Floodplain
- Riparian Corridors       Wetlands

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

**CHECK THE BOX NEXT TO INCLUDED EXHIBITS**

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

See application narrative

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

3-parcel partition

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

N/A

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.

See application narrative

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:

N/A

**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.






# Akins Trailer Sales Harrisburg Partition

Final Audit Report

2024-09-25

Created:	2024-09-25
By:	Laura Laroque (laura@udelleng.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAb72EjXG7fMO5oC59ij0y6HGM2rSdotAR

## "Akins Trailer Sales Harrisburg Partition" History

-  Document created by Laura Laroque (laura@udelleng.com)  
2024-09-25 - 8:48:09 PM GMT- IP address: 24.20.220.78
-  Document emailed to Thad Akins (akintrailers@yahoo.com) for signature  
2024-09-25 - 8:48:10 PM GMT
-  Email viewed by Thad Akins (akintrailers@yahoo.com)  
2024-09-25 - 9:00:48 PM GMT- IP address: 69.147.89.254
-  Document e-signed by Thad Akins (akintrailers@yahoo.com)  
Signature Date: 2024-09-25 - 9:01:22 PM GMT - Time Source: server- IP address: 98.97.38.60
-  Agreement completed.  
2024-09-25 - 9:01:22 PM GMT

# PARTITION APPLICATION

Submitted to: City of Harrisburg  
 Planning Department  
 120 Smith Street  
 Harrisburg, OR 97446

Property Owner: Lost Cattle Company LLC  
 c/o Thad Akins  
 34075 Mount Tom Drive  
 Harrisburg, Oregon 97446  
 (541) 335-9663 / [akinstrailers@yahoo.com](mailto:akinstrailers@yahoo.com)

Applicant's Representative: Udell Engineering and Land Surveying, LLC  
 63 E. Ash Street  
 Lebanon, OR 97355

Contact: Laura LaRoque  
 Email: [laura@udelleng.com](mailto:laura@udelleng.com)  
 Phone: (541) 990-8661

Site Location: 640 North Third Street, Harrisburg, Oregon 97446

Linn County Assessor's Map No.: 15S-04W-09 Tax Lot 1300

Site Size: ±6.91-Acres

Existing Land Use: Industrial Warehouse with Office Space

Comprehensive Plan Designation: Industrial

Zoning Designation: Limited Industrial (M-1)

Surrounding Zoning Designations:  
 North: Urban Growth Area, Limited Industrial (UGA-LI)  
 South: Limited Industrial (M-1)  
 East: Multi-Family Residential (R-2)  
 West: General Industrial (M-2), Commercial (C-1)

RECEIVED  
 SEP 1 2024

BY: .....



24-118 Akins  
 640 North 3rd St.  
 Partition Application

September 25, 2024  
 Page 1 of 6

**I. Proposal**

The applicant requests review and approval of a three-parcel partition of Linn County Tax Assessor’s Map No. 15S-04W-09 Tax Lot 1300. Parcels 1 - 3 to be 2.42-acres, 0.56-acres, and 3.93-acres, respectively.

The subject property is located between North Third Street/Highway 99E and South Pacific Railroad north of the Harrisburg city limits.

**II. Substantive Findings**

**a. Comprehensive Plan Map Designations**

The subject property is entirely within the Harrisburg’s Urban Growth Boundary with a Comprehensive Plan Designation of Industrial.

**b. Zoning and Surrounding Land Uses**

The subject property has a Harrisburg zone designation of Limited Industrial (M-1).

Zoning designation and surrounding land uses are as follows:

- Surrounding Zoning: North: Urban Growth Area, Limited Industrial (UGA-LI)  
 South: Limited Industrial (M-1)  
 East: Multi-Family Residential (R-2)  
 West: General Industrial (M-2), Commercial (C-1)
- Surrounding Uses: North: Industrial  
 South: Industrial  
 East: Railroad and Residential  
 West: Railroad, Public right-of-way, Commercial, Industrial - Vacant

**III. Preliminary Partition Plat - Review Procedure**

Per Title 19 of the Harrisburg Municipal Code (HMC), a Partition is a two-step process, including both a Preliminary Plat and a Final Plat. The Preliminary Plat is a Type III application process that is subject to Planning Commission review and decision. The subsequent Final Plat application is a Type I application. The Preliminary Plat is subject to the procedural requirements of HMC 19.20.030 and the approval criteria at HMC 19.20.060. Also, the proposed preliminary partition must comply with other applicable development standards of the M-1 zone.

**IV. Partition –Review Criteria:**

HMC 19.20.060 includes the following review criteria that must be met for a preliminary plat to be approved. Code criteria are written in **bold** and are followed by findings and conclusions.

**Criterion 1**

**22. HMC 19.20.060(a): The land division application meets the requirements of HMC 19.20.020 and this section;**



24-118 Akins  
640 North 3rd St.  
Partition Application

September 25, 2024  
Page 2 of 6

- a. The general requirements of Chapter 19.20.020 include the following:
  - i. Adequate Utilities. All lots created through land division shall have adequate public utilities and facilities such as streets, water, sewer, gas, and electrical systems, pursuant to Chapter 18.85 HMC. These systems shall be located and constructed underground where feasible.
  - ii. Adequate Drainage. All subdivision and partition proposals shall have adequate surface water drainage facilities that reduce exposure to flood damage and improve water quality. Water quality or quantity control improvements may be required, pursuant to Chapter 18.85 HMC.
  - iii. Adequate Access. All lots created or reconfigured shall have adequate vehicle access and parking to City or privately owned streets, as may be required, pursuant to Chapter 18.70 HMC.
  - iv. Off-Site/Public Improvement. The City may impose off-site or on-site public improvements as a condition(s) of approval of the preliminary or final plat process as may be necessary to fulfill the purposes of HMC 19.20.010.
- b. The applicable standards of Chapter 19.20.040 include the following:
  - i. *Emergency Vehicle Access. A drive serving more than one lot shall have a reciprocal access and maintenance easement recorded for all lots it serves. Said easement shall be at least 25 feet wide at its most narrow point, paved, and able to carry 75,000/square foot of load and meet the requirements of HMC 18.70.030. A five-foot-wide pedestrian walkway is required to be marked in paint. No fence, structure, or other obstacle shall be placed within the driving area. Emergency vehicle apparatus lanes, including any required turnaround, shall conform to applicable building and fire code requirements. Fire sprinklers may also be required for buildings that cannot be fully served by fire hydrants due to distance from hydrant, insufficient fire flow, or adjacency to wildfire areas.*
  - ii. *Maximum Drive Length. The maximum length of a drive serving more than one dwelling is subject to the requirements of the Uniform Fire Code, unless approved by the Fire Marshal and City Engineer.*

An easement is a legal right to use another property owner’s property for a limited use. In this case, the proposed parcels will be held in common ownership. A condition of approval may include a 30-foot-wide utility and access easement along the south property line of Parcel 1 benefiting



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Parcels 2 and 3 be recorded in association with future ownership transfer of any of the proposed parcels. A reciprocal access and maintenance easement will be recorded on or accompanying the final plat. Improvement of the vehicle accessway will be in accordance with the improved standards of the HMC and Oregon Fire Code.

- c. The preliminary plat submission requirements of Chapter 19.20.050 include general submission requirements and preliminary plat information.

The submitted application includes the supplemental submittal requirements outlined in HMC 19.20.050.

HMC 19.20.050(2)(c) states that applications for preliminary plat approval shall include proposed uses of the property. No development is proposed in association with this request. The subject properties will continue to be used by Akins Trailer Sales.

HMC 19.10.040(1)(b)(4) states that information should be submitted that demonstrating compliance with prior decision(s) and conditions of approval for the subject site, as applicable. The subject properties will continue to be used by Akins Trailer Sales in the way in which they were previously approved.

- d. The remaining requirements of Chapter 19.20 pertain to final plat submission, which will be addressed after preliminary approval is granted.

The remaining requirements of HMC 19.20 will be completed in association with the recording of the final plat.

**Criterion 2**

**23. HMC 19.20.060(b): The proposed lots conform to applicable provision requirements of Chapter 18.45 HMC for the assigned zone(s);**

- a. The applicable zoning district regulations of Chapter 18.45 are as follows:

*i. 18.45.030 Allowed Uses*

Parcel 1 is improved with a 104-foot by 75-foot structure occupied by Akins Trailer Sales and used for sales and service. Parcels 2 is improved with a 90-foot by 44-foot structure occupied by Akins Trailer Sales and used for service. Parcel 3 is unimproved.

According to HMC Table 18.45.030 the use category of commercial retail sales and service is permitted via Conditional Use Approval. Land use approval was previously granted for all existing uses. Therefore, this standard is met.

*ii. 18.45.040 lot size averaging, flag lots, and infill development*

Lot size averaging, flag lots, and infill development are not proposed in association with application; therefore, these standards are not applicable.

*iii. 18.45.070 lot coverage*



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According to Table 18.45.040.5 maximum lot coverage is 90% in the M-1 zoning district. According to HMC 18.45.070, lot coverage is defined as follows: *The maximum allowable lot coverage, as provided in Table 18.45.040.4, is calculated as the percentage of a lot or parcel covered by buildings and structures (as defined by the foundation plan area) at 30 inches or greater above the finished grade. It does not include paved surface-level developments such as driveways, parking pads, and patios that do not meet the minimum elevation of 36 inches above grade.*

Parcels 1 - 3 are to be 2.42-acres, 0.56-acres, and 3.93-acres, respectively. Lot coverage is as follows: Parcel 1 - 7 percent; Parcel 2 - 16 percent; and Parcel 3 - zero coverage. Therefore, none of the proposed parcels will exceed the maximum lot coverage standard of the M-1 zoning district.

**Criterion 3**

**24. HMC 19.20.060(c): All lots are served by public facilities including water, sewer, electricity, surface water drainage, and streets, or private facilities if approved by the City Engineer.**

- a. Findings pertaining to Chapter 18.70 access and circulation are included under Criterion 1, above, and incorporated herein by reference.
- b. Findings pertaining to Chapter 18.85 public facilities are discussed under Criterion 1, above, and incorporated herein by reference.
- c. As indicated on the tentative partition plat, development on Parcel 1 is served by a private well and septic system. Development on Parcel 2 does not necessitate water or sewer services. Parcel 3 is unimproved, and the adequacies and availability of public/private facilities will be reviewed in association with a development proposal.

**Criterion 4**

**25. HMC 19.20.060(d): The proposed surface water drainage facilities conform to applicable engineering standards;**

- a. The submitted partition application does not include a development proposal. Therefore, this criterion is not applicable.

**Criterion 5**

**26. HMC 19.20.060(e): All necessary public and/or private easements are in place to build/service and maintain all utilities, and any private access lanes or streets;**

- a. An easement is a legal right to use another property owner's property for a limited use. In this case, the proposed parcels will be held in common ownership. A condition of approval may include that a 30-foot-wide utility and access easement be recorded in association with future ownership transfer of any of the proposed parcels.



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**Criterion 6**

**27. HMC 19.20.060(f): All lots demonstrate consistency with public facilities master plans including any required off-site improvements, and easements for planned trails or utility improvements, that are required to mitigate the impacts of development.**

a. There are no known required off-site improvements and/or easements for public trails or utility improvements; therefore, this criterion is not applicable.

**V. Conclusion**

Based on the above analysis, the submitted application meets all the applicable review criteria as outlined above.

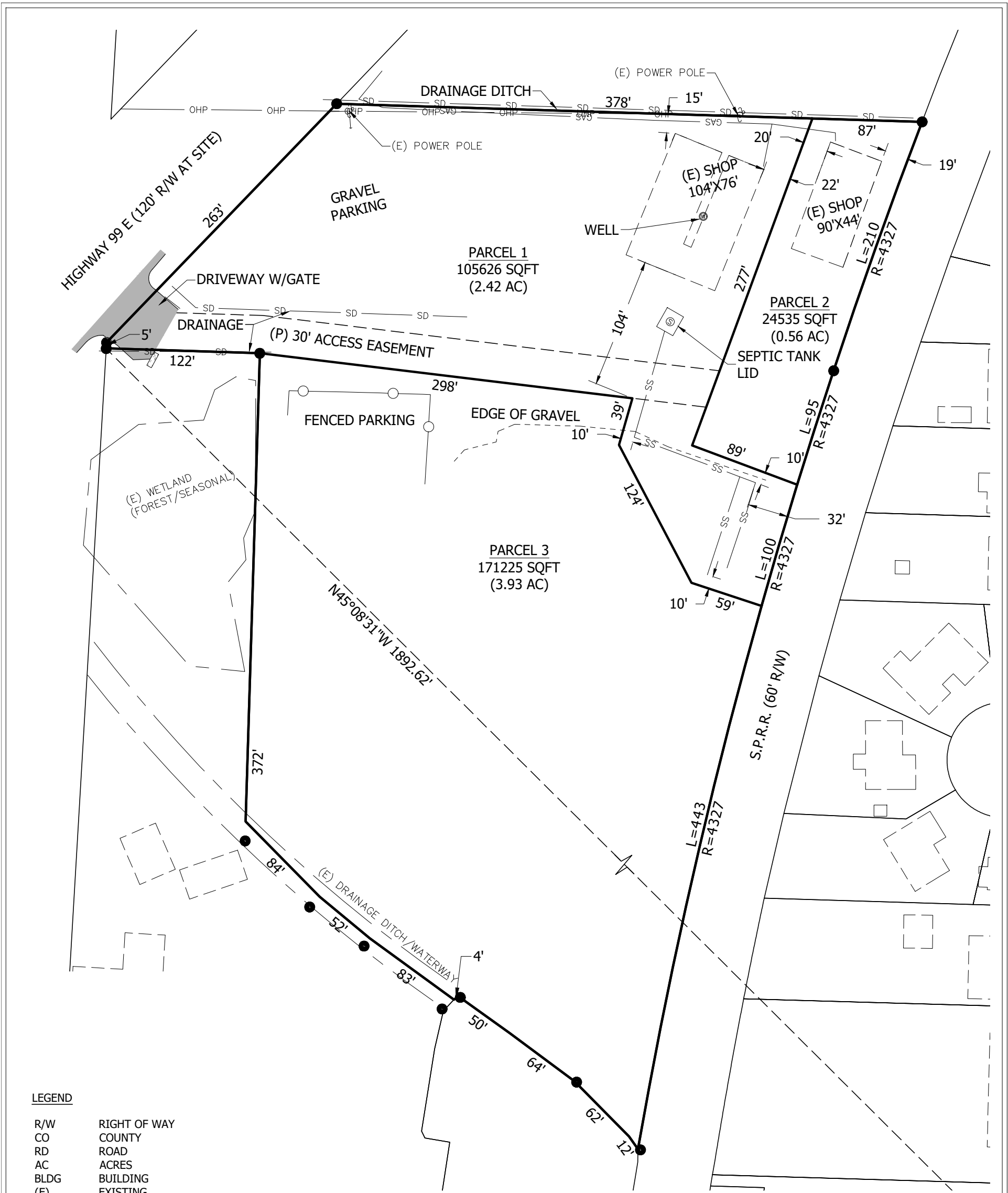
**VI. Exhibits**

A. Tentative Partition Plat



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**LEGEND**

- R/W RIGHT OF WAY
- CO COUNTY
- RD ROAD
- AC ACRES
- BLDG BUILDING
- (E) EXISTING
- LTD. LIMITED
- OHP OVERHEAD POWER LINES
- GAS GAS LINE
- SS SEPTIC LINE
- S.P.R.R. SOUTHERN PACIFIC RAILROAD

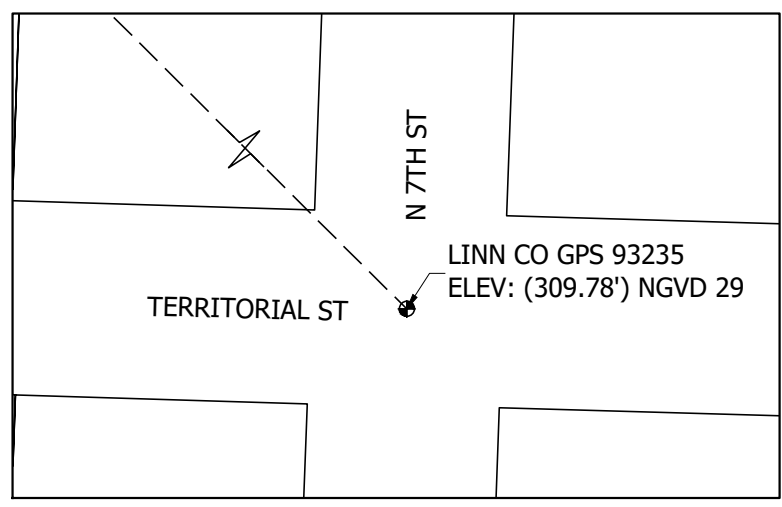
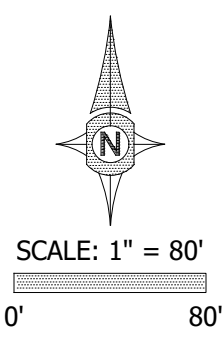
**PROPERTY INFORMATION**

PARCELS 1, 2 & 3 (TAX LOT 1300)

ZONE: M1 - LIMITED INDUSTRIAL  
 LAND USE: COMMERCIAL/ TRAILER SALES  
 OWNER: HAYWORTH FAMILY LTD. PARTNERSHIP  
 ASSESSORS MAP: 15S-04W-09&10  
 TAX LOT: 1300

**NOTE:**

WETLANDS LOCATED PER CITY PROVIDED MAP ALONG WITH ZONING INFORMATION.



Date 10/22/2024  
 Project 24-118  
 AKINS HWY 99  
 Drawn by CJB  
 Checked by KWL

**TENTATIVE PARTITION**  
**LOST CATTLE COMPANY, LLC**  
 640 N 3RD STREET  
 HARRISBURG, OR 97446

**UDELL ENGINEERING AND LAND SURVEYING, LLC**  
 63 EAST ASH ST.  
 LEBANON, OREGON, 97355  
 541-451-5125

# Staff Report Harrisburg Planning Commission Harrisburg, Oregon

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## THE MATTER OF A WORK SESSION TO CONSIDER MODIFICATIONS TO THE TRANSPORTATION STANDARDS OF THE HARRISBURG MUNICIPAL CODE 18.85.020

### STAFF REPORT

**EXHIBITS:** Exhibit A: HMC 18.85.020

**ACTION:** TBD – MOTION TO TAKE MODIFICATIONS AS DISCUSSED  
TO THE CITY COUNCIL FOR CONSIDERATION OF CHANGES IN THE FUTURE

**MEETING DATE:** November 19, 2024

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### BACKGROUND

At the meeting held on October 15, 2024, the Planning Commission talked briefly about the transportation standards, and concerns in relation to the width of streets, and parking areas. In particular, the safety of pedestrians was questioned when vehicular traffic is weaving around parked vehicles, garbage cans, and other traffic.

Staff is concerned that future developers will continue to focus on the smallest width of street as possible, due to the increased costs of infrastructure in today’s market. Harrisburg prefers to plan for the safety of our citizens, and the livability of our neighborhoods. This also encourages a higher valuation of the properties being developed.

### DISCUSSION

After discussion by the Planning Commission at the last meeting held in October, Commissioners were expressing some concern about the current transportation standards, and in particular the width of streets shown in Table 18.85.020.3, shown on page 4 of **Exhibit A**. As some of the Planning Commission members know, the City was forced by the state to be required to have what Harrisburg refers to as skinny streets. Harrisburg had originally planned on having 36’ wide streets, which allow for

two travel lanes of 10' each, with 2 parking lanes of 8'. This better accommodates the wider kinds of vehicles that typically are owned by citizens in Harrisburg. The State of Oregon refused to allow this and asked the City to modify for narrower lanes. The City offered (If staff remembers correctly), with 32' streets. The State then countered; requiring that the City allow a 28' minimum street width. The 1' R/W that you see under Neighborhood/Local columns, was added when we fought back against the skinny street, and finally won a 1' concession, resulting in our current minimum width of 29'. The State still focuses on narrow streets, as it results in higher urbanization, and reduces sprawl. The Oregon model code still lists a 28' street, and during the last development code update, we made sure to modify that back to the 29' that we had won concessions on.

Now that we are living with the consequences of the 29' minimum width requirements, the City is dealing with safety issues. Vehicular traffic is forced to weave its way down a narrower street, particularly with parked cars on both sides of the street, and especially when sharing the street with parked cars on garbage pickup day. When we are talking about the livability of our neighborhoods, and the safety of our children, it's difficult to maintain, even on a dead-end street.

**Table [18.85.020.3](#)**

Width of each of the following (in feet)	Alleys		Neighborhood/Local		Collector		Arterial		Transit/Rail Corridor		Recreational Street	
	R/W	Street	R/W	Street	R/W	Street	R/W	Street	R/W	Street	R/W	Street
Extra R/W	2	–	1	–	1	–	1	–	1	–	1	–
Planter or utility	–	–	<del>4-5</del>	–	6	–	6	–	–	–	6	–
Sidewalk	–	–	5	–	6	–	6	–	5	5	6	–
Bike lane	–	–	–	–	6	6	6	6	–	–	6	6
Parking lane	–	–	8	8	8	8	8	8	8	8	8	8
Travel or turn lane	–	12	10	10	11	11	12	12	14	14	–	11
Railroad corridor	–	–	–	–	–	–	–	–	14-20	14-20	–	–
Minimum street width	12		<del>29</del> <u>36</u>		<del>36</del> <u>38</u>		48		48		36	
Right-of-way	14		<del>45</del> <u>46</u> -50		<del>60</del> <u>62</u>		60-72		60-72		60	

We should discuss this issue again, and determine what kind of revisions we would prefer, and that can be recommended to the City Council. The table above is the same as that in HMC 18.85.020.3, but with a few changes that make sense based on the modifications we'd like to see. This table can be modified further by the Planning Commission.

We can try to make amendments when we look at the legislative amendments required by FEMA in January, or we can look at updating this part of the code when we modify it further in relation to the Transportation System Plan.

## 18.85.020 Transportation standards.

### 1. General Requirements.

- a. Except as provided by subsection (1)(e) of this section, existing substandard streets and planned streets within or abutting a proposed development shall be improved in accordance with the standards of this chapter as a condition of development approval.
- b. All street improvements, including the extension or widening of existing streets and public access ways, shall conform to this section, and shall be constructed consistent with the City of Harrisburg Engineering Design Standards Manual.
- c. All new publicly owned streets shall be contained within a public right-of-way. Public pedestrian access ways may be contained within a right-of-way or a public access easement, as required by the City Engineer.
- d. The purpose of this subsection is to coordinate the review of land use applications with roadway authorities and to implement Section 660-012-0045(2)(e) of the State Transportation Planning Rule, which requires the City to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities.

(1) When a Traffic Impact Analysis Is Required. The City or other road authority with jurisdiction may require a traffic impact analysis (TIA) as part of an application for development, a change in use, or a change in access. A TIA may be required by the City Administrator where a change of use or a development would involve one or more of the following:

- (a) A change in zoning or a plan amendment designation, as may be required to determine compliance with OAR 660-012-0060, Transportation Planning Rule;
- (b) Operational or safety concerns documented in writing by a road authority;
- (c) An increase in site traffic volume generation by 300 average daily trips (ADT) or more;
- (d) An increase in peak hour volume of a particular movement to and from a street or highway by 20 percent or more;
- (e) An increase in the use of adjacent streets by vehicles exceeding the 20,000-pound gross vehicle weights by 10 vehicles or more per day;
- (f) Existing or proposed approaches or access connections that do not meet minimum spacing or sight distance requirements or are located where

vehicles entering or leaving the property are restricted, or such vehicles are likely to queue or hesitate at an approach or access connection, creating a safety hazard;

(g) A change in internal traffic patterns that may cause safety concerns; or

(h) A TIA required by ODOT pursuant to OAR 734-051.

(2) Traffic Impact Analysis Preparation. A professional engineer registered by the State of Oregon, in accordance with the requirements of the road authority, shall prepare the traffic impact analysis.

e. The City Engineer or authorized representative may waive or allow deferral of standard street improvements, including sidewalk, roadway, bicycle lane, undergrounding of utilities, and landscaping, as applicable, where one or more of the following conditions in subsections (1)(e)(1) through (4) of this section is met. Where the City Engineer or authorized representative agrees to defer a street improvement, it shall do so only where the property owner agrees not to remonstrate against the formation of a local improvement district in the future.

(1) The standard improvement conflicts with an adopted capital improvement plan.

(2) The standard improvement would create a safety hazard.

(3) It is unlikely due to the developed condition of adjacent property that the subject improvement would be extended in the foreseeable future, and the improvement under consideration does not by itself significantly improve transportation operations or safety.

(4) The improvement under consideration is part of an approved minor partition in the R-1 or R-2 zone and the proposed partition does not create any new street.

(5) The City Administrator may accept development of a privately owned street in lieu of a standard public street improvement where the private street is designed to serve pedestrian, bicycle, and local automobile traffic and is not contrary to the City’s transportation systems plan or other development code standard.

2. Street Location, Alignment, Extension, and Grades.

a. All new streets, to the extent practicable, shall connect to the existing street network and allow for the continuation of an interconnected street network, consistent with adopted public facility plans and pursuant to subsection (4) of this section, Transportation Connectivity and Future Street Plans.

b. Specific street locations and alignments shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets.

c. Grades of streets shall conform as closely as practicable to the original (predevelopment) topography to minimize grading.

d. New streets and street extensions exceeding a grade of 15 percent over a distance more than 200 feet, to the extent practicable, shall be avoided. Where such grades are unavoidable, the Planning Commission may approve an exception to the 200-foot standard and require mitigation, such as a secondary access for the subdivision, installation of fire protection sprinkler systems in dwellings, or other mitigation to protect public health and safety.

e. Where the locations of planned streets are shown on a local street network plan, the development shall implement the street(s) as shown on the plan.

f. Where required local street connections are not shown on an adopted City street plan, or the adopted street plan does not designate future streets with sufficient specificity, the development shall provide for the reasonable continuation and connection of existing streets to adjacent developable properties, conforming to the standards of this code and approval of the Public Works Director and/or City Engineer.

g. Existing street-ends that abut a proposed development site shall be extended within the development, unless prevented by environmental or topographical constraints, existing development patterns, or compliance with other standards in this code. In such situations, the applicant must provide evidence that the environmental or topographic constraint precludes reasonable street connection.

h. Proposed streets and any street extensions required pursuant to this section shall be located, designed, and constructed to allow continuity in street alignments and to facilitate future development of vacant or redevelopable lands.

3. Rights-of-Way and Street Section Widths. The standards contained in Table 18.85.020.3 are intended to provide for streets of suitable location, width, and design to accommodate expected vehicle, pedestrian, and bicycle traffic; to afford satisfactory access to law enforcement, fire protection, sanitation, and road maintenance equipment; and to provide a convenient and accessible network of streets, avoiding undue hardships to adjoining properties. Where a range of street width or improvement options is indicated, the City Administrator or Planning Commission shall determine requirements based on the advice of a qualified professional and all of the following factors:

a. Street classification and requirements of the roadway authority, if different than the City's street classifications and requirements;

b. Existing and projected street operations relative to applicable standards;



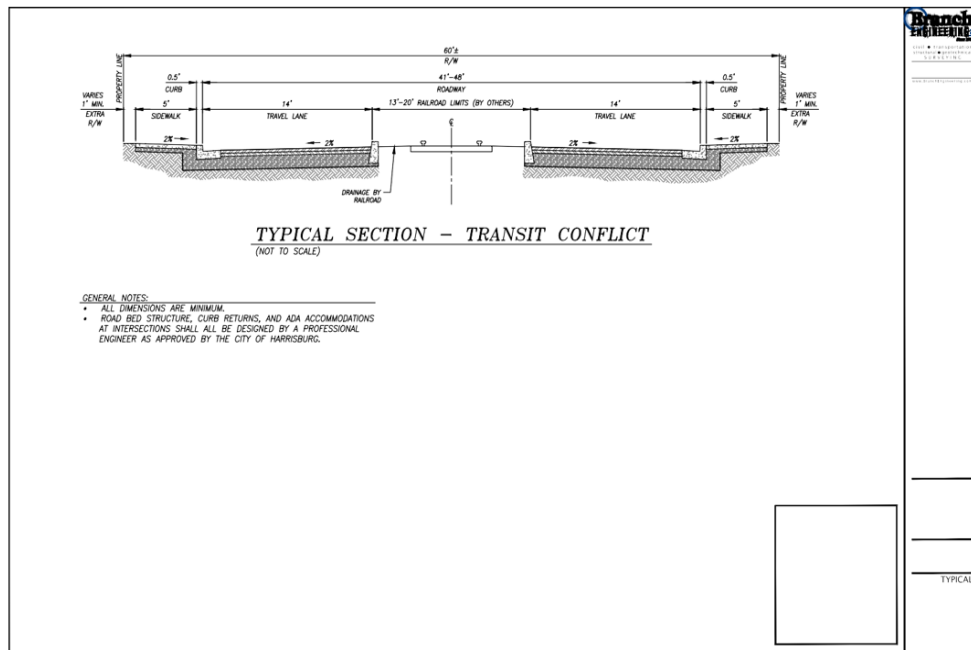
- c. Safety of motorists, pedestrians, bicyclists, and transit users, including consideration of accident history;
- d. Convenience and comfort for pedestrians, bicyclists, and transit users;
- e. Provision of on-street parking;
- f. Placement of utilities;
- g. Street lighting;
- h. Slope stability, erosion control, and minimizing cuts and fills;
- i. Surface water management and storm drainage requirements;
- j. Emergency vehicles or apparatus and emergency access, including evacuation needs;
- k. Transitions between varying street widths (i.e., existing streets and new streets); and
- l. Other factors related to public health, safety, and welfare.

**Table [18.85.020.3](#)**

Width of each of the following (in feet)	Alleys		Neighborhood/Local		Collector		Arterial		Transit/Rail Corridor		Recreational Street	
	R/W	Street	R/W	Street	R/W	Street	R/W	Street	R/W	Street	R/W	Street
Extra R/W	2	–	1	–	1	–	1	–	1	–	1	–
Planter or utility	–	–	5	–	6	–	6	–	–	–	6	–
Sidewalk	–	–	5	–	6	–	6	–	5	5	6	–
Bike lane	–	–	–	–	6	6	6	6	–	–	6	6
Parking lane	–	–	8	8	8	8	8	8	8	8	8	8
Travel or turn lane	–	12	10	10	11	11	12	12	14	14	–	11
Railroad corridor	–	–	–	–	–	–	–	–	14-20	14-20	–	–
Minimum street width	12		29		36		48		48		36	
Right-of-way	14		45-50		60		60-72		60-72		60	

\* All streets shall be improved in accordance with the construction standards and specifications of the applicable roadway authority, including requirements for pavement, curbs, drainage, striping, and traffic control devices. Where a parking strip is provided it shall consist of a planter/utility strip between the sidewalk and the curb or roadway. Where a swale is provided, it shall either be placed between the roadway and sidewalk or behind the sidewalk on private property, subject to City approval and recording of required public drainage way and drainage way maintenance easements. Streets with parking on one side only should be avoided. When used, they must be posted NO PARKING.

The schematic below is representative of a typical street section in relation to a transit conflict.



4. Transportation Connectivity and Future Street Plans. The following standards apply to the creation of new streets:

a. Intersections. Streets shall be located and designed to intersect as nearly as possible to a right angle. Street intersections shall have a minimum intersection angle of 75 degrees. All legs of an intersection shall meet the above standard for at least 100 feet back from the point of intersection. No more than two streets shall intersect, i.e., creating a four-legged intersection, at any one point. Street jogs and intersection offsets of less than 125 feet are not permitted. Intersections shall be designed to facilitate storm water runoff into City-approved storm water facilities.

b. Access Ways. The Planning Commission, in approving a land use application with conditions, may require a developer to provide an access way where the creation of a cul-de-sac or dead-end street is unavoidable, and the access way connects the end of the street to another street, a park, or a public access way. Access ways shall be contained within a public right-of-way or public access easement, as required by the City.

c. Connectivity to Abutting Lands. The street system of a proposed subdivision shall be designed to connect to existing, proposed, and planned streets adjacent to the subdivision. Wherever a proposed development abuts unplatted land or a future development phase of an existing development, street stubs shall be provided to allow access to future abutting subdivisions and to logically extend the street system into the surrounding area. Street ends shall contain turnarounds constructed to Uniform Fire Code standards, as the City deems applicable, and shall be designed to facilitate future extension in terms of grading, width, and temporary barricades.

d. Street Connectivity and Formation of Blocks. In order to promote efficient vehicular and pedestrian circulation throughout the City, subdivisions and site developments shall be served by an interconnected street network, pursuant to the standards in subsections (4)(d)(1) through (4) of this section. Distances are measured from the edge of street rights-of-way. Where a street connection cannot be made due to physical site constraints, approach spacing requirements, access management requirements, or similar restrictions, where practicable, a pedestrian access way connection shall be provided pursuant to Chapter 18.70 HMC.

(1) Residential zones: minimum of 200-foot block length and maximum of 750-foot length; maximum 2,000-foot block perimeter;

(2) Downtown/Main Street zone: minimum of 200-foot length and maximum of 400-foot length; maximum 1,200-foot perimeter;

(3) General commercial zone and light industrial zone: minimum of 100-foot length and maximum of 1,000-foot length; maximum 2,600-foot perimeter; and

(4) Not applicable to general industrial zone.

e. A Cul-De-Sac Street. Where the City determines that a cul-de-sac is allowed, all of the following standards shall be met:

(1) The cul-de-sac shall not exceed a length of 400 feet, except where the Planning Commission through a Type III procedure determines that topographic or other physical constraints of the site require a longer cul-de-sac. The length of the cul-de-sac shall be measured along the centerline of the roadway from the near side of the intersecting street to the farthest point of the cul-de-sac.

(2) The cul-de-sac shall terminate with a circular or hammerhead turnaround meeting the Uniform Fire Code and the standards of Table 18.85.020.3.

(3) The cul-de-sac shall provide, or not preclude the opportunity to later install, a pedestrian and bicycle access way between it and adjacent developable lands. Such access ways shall conform as specified in this chapter.

5. Engineering Design Standards. Street design shall conform to the standards of the applicable roadway authority; for City streets that is the Engineering/Public Works Design Standards Manual. Where a conflict occurs between this code and the manual, the provisions of the Engineering/Public Works Design Manual shall govern.

6. Fire Code Standards. Where fire code standards conflict with City standards, the City shall consult with the Fire Marshal in determining appropriate requirements. The City shall have the final determination regarding applicable standards.

7. Substandard Existing Right-of-Way. Where an existing right-of-way adjacent to a proposed development is less than the standard width, the Planning Commission may require the dedication of additional rights-of-way at the time of subdivision, partition, or site plan review, to mitigate the impacts of development pursuant to the standards in Table 18.85.020.3.

8. Traffic Calming. The City may require the installation of traffic calming features to mitigate the impacts of development and slow traffic in neighborhoods or commercial areas with high pedestrian traffic.

9. Sidewalks, Planter Strips, and Bicycle Lanes. Except where the City Administrator grants a deferral of public improvements, pursuant to Chapter 19.15 or 19.20 HMC, sidewalks, planter strips, and bicycle lanes shall be installed concurrent with development or widening of new streets, pursuant to the requirements of this chapter. Maintenance of sidewalks and planter strips in the right-of-way is the continuing obligation of the adjacent property owner.

10. Streets Adjacent to Railroad Right-of-Way. When a transportation improvement is proposed within 300 feet of a railroad crossing, or a modification is proposed to an existing railroad crossing, the Oregon Department of Transportation and the rail service provider shall be notified and City design standards required.

11. Street Names. No new street name shall be used which will duplicate or be confused with the names of existing streets in the City of Harrisburg or vicinity.

12. Survey Monuments. Upon completion of a street improvement and prior to acceptance by the City, it shall be the responsibility of the developer's registered professional land surveyor to provide certification to the City that all boundary and interior monuments have been reestablished and protected.

13. Street Signs. The City shall install all signs for traffic control and street names, which shall conform to existing City design standards and the MUTCD. The cost of signs required for new development shall be the responsibility of the developer. Street name signs shall be installed at all street intersections. Stop signs and other signs may be required. All required signs must be installed and paid for prior to the issuance of a CO.

14. Streetlight Standards. Streetlights shall be relocated or new lights installed, as applicable, with street improvement projects. Streetlights shall conform to City standards, or the requirements of the roadway authority, if different than the City.

15. Mailboxes. Mailboxes shall conform to the requirements of the United States Postal Service and the State of Oregon Structural Specialty Code.

16. Street Cross-Sections. The final lift of pavement shall be placed on all new constructed public roadways prior to final City acceptance of the roadway unless otherwise approved by the Planning Commission. [Ord. 987 § 1 (Exh. A), 2022.]