



Planning Commission Meeting Agenda
September 23, 2021
7:00 PM

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

PUBLIC NOTICES:

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

CALL TO ORDER AND ROLL CALL

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

APPROVAL OF MINUTES

- 1. MOTION TO APPROVE THE MINUTES FROM THE AUGUST 25, 2021, PLANNING COMMISSION MEETING**

OLD BUSINESS

- 2. THE MATTER OF APPROVING THE TIME LIMIT ON THE SHADOWOOD SUBDIVISION (LU 421-2021) FOR A PERIOD NOT TO EXCEED ONE YEAR**

STAFF REPORT/EXHIBITS:

Exhibit A: Notice of Decision for Shadowood Subdivision

Exhibit B: Timeline Extension Request dated September 13, 2021

ACTION: MOTION TO APPROVE/MODIFY/DENY THE SHADOWOOD SUBDIVISION LAND USE APPROVAL TIME-LINE EXTENSION REQUEST (LU 421-2021) FOR A YEAR WITH A NEW EXPIRATION DATE OF MARCH 3, 2022. THIS MOTION IS BASED ON FINDINGS PRESENTED IN THE SEPTEMBER 23, 2021 STAFF REPORT TO THE PLANNING COMMISSION AND FINDINGS MADE BY THE COMMISSION DURING DELIBERATIONS ON THE REQUEST.

APPLICANT: Rich Wood/Wood Construction & Development LLC

PUBLIC HEARING

- 3. THE MATTER OF A HISTORIC RESOURCE ALTERATION REVIEW**

STAFF REPORT/EXHIBITS:

Exhibit A: Application Materials

Exhibit B: Historic Inventory Form

ACTION: MOTION TO APPROVE AS CONDITIONED, THE HISTORICAL ALTERATION OF THE W.L.TYLER HOUSE (LU 433-2021)

APPLICANT: Robert & Donna Duncan

WORK SESSION

- 4. THE MATTER OF REVIEWING SECTION 5 – DEFINITIONS, AND FINALIZING THE REVIEW OF THE DRAFT CODE IN ITS ENTIRETY**

STAFF REPORT & EXHIBITS:

Exhibit A: Section 5 - Definitions

Exhibit B: The current copy of the revised model code, current through changes discussed on August 25, 2021, will be provided at the meeting.

ACTION: NONE. FOR REVIEW ONLY

OTHERS

ADJOURN



Planning Commission Meeting Minutes August 25, 2021

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

CALL TO ORDER AND ROLL CALL: Order was called at 7:00pm by Chairperson Rhonda Giles.
CONCERNED CITIZEN(S) IN THE AUDIENCE. Everyone present were there for items on the agenda.

APPROVAL OF MINUTES

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

WORK SESSION

THE MATTER OF REVIEWING CHAPTER 2.2 AND ARTICLE 3 OF THE DRAFT CODE.

STAFF REPORT:

Hitt asked if the Planning Commission would consider moving next month's meeting to Thursday September 23rd. The Planning Commission agreed to the request. Hitt handed out replacement copy for agenda pages 50-57 (Addendum 1) and a larger zoning map of Harrisburg to each Board Member. Hitt summarized his memo to the Planning Commission found on page 7 of the agenda packet. He highlighted page 9 – 17. Page 9 is a chart showing the development standards from both the current code and the proposed code for comparison. Pages 10-17 gives the proposed standards in detail.

- Moritz asked when we change to the new code, will existing buildings be held to new code if remodeled, and can the Planning Commission still give variances, for example – height? Hitt replied a yes to both. Planning Commission will still give conditional permits and variances.

Hitt pointed out that R-1 is the largest zone in Harrisburg, followed by the R-2 zone and R-3 being the smallest. Hitt explained the difference in zoning areas regarding building single family dwellings

August 25, 2021

versus duplex or multi-dwellings. The TSP and other development plans go by the amount of different R zones.

Hitt highlighted the difference in R-zones from new to old code. R-1: Landscaping will be increased to 30% or as fitting the area. The required irrigation will depend on landscaping. This change allows for more spacing between homes. R-2: will have a min of 5000 ft². R-3: will have a min of 3000 ft². The purpose for the change is keep R-1 more country like with a tradeoff for more density in the R-3 zone. Hitt also pointed out that the Coverage Bonus on page 12 allows the City Administrator to approve an increase to the lot coverage standard.

Hitt highlighted the difference in the C and M-zones from new to old code. C-1: Landscaping is 15%. Pages 42-44 details specific parking requirements dependent on use. M-1/M-2: height restrictions.

- Kayner asked why we were putting a height restriction on industrial zones? Hitt said we can waive the restriction. Kayner **motioned to change max building height for M-1 and M-2 zones to N/A and was seconded by Wullenwaber. The Planning Commission then voted unanimously to change max building height for M-1 and M-2 zones to N/A.**

Hitt stated that the parking goes by footage and not employees like the old code. The R-3 zone also increased parking from 1.5 to 2.5.

Hitt summarized Chapter 3 and highlighted the following:

Pages 18-41 in the agenda have more detail on specifics than the matrix provides. A lot is like current code.

Pages 42-44 is a parking matrix with more specific details found on pages 45-48 of the agenda. The new code allows for larger parking spots.

Pages 50-57 (Addendum 1) is on transportation standards.

Page 58 in the agenda is Public Use.

Pages 59-62 in the agenda is on utilities, water, sewer, or easements.

Eldridge noted on page 29 of the agenda, the engineer will need to look at driveway regulations for firetrucks along with the approach dimensions for the new code. The Fire code requires a turn around for longer driveways over 48ft. We are working with the Fire District to make sure we meet their needs. We have also switched to e-permitting, and we are using Junction City for our Planning Inspector.

- Moritz asked for flagship properties if we were increasing widths for the driveways and easements. Hitt said yes. The current requirement is 10 ft. The new code increases to 15 ft for one way or 20 ft for dual use. Moritz then asked if we had the new code would flag lots on Sommerville been approved? Hitt stated they would not.

Hitt reminded the Planning Commission that this is still only in review. There are many more steps before adopting the new code. The only section left to review is Section 5 – Definitions, and a few smaller portions. He will bring back the revisions for the next meeting. He also stated that he will change the street widths to reflect the standard widths which he will have to research and bring back for the next meeting.

OTHERS

- None presented.

With no further discussion, the meeting was adjourned at the hour of 8:16 pm.

Chairperson

City Recorder

UNAPPROVED

Staff Report
Harrisburg Planning Commission
Harrisburg, Oregon

THE MATTER OF APPROVING THE TIME LIMIT ON THE SHADOWOOD SUBDIVISION (LU 421-2021) FOR A PERIOD NOT TO EXCEED ONE YEAR

STAFF REPORT/EXHIBITS:

- Exhibit A: Notice of Decision for Shadowood Subdivision
- Exhibit B: Timeline Extension Request dated September 13, 2021

ACTION: MOTION TO APPROVE/MODIFY/DENY THE SHADOWOOD SUBDIVISION LAND USE APPROVAL TIME-LINE EXTENSION REQUEST (LU 421-2021) FOR A YEAR WITH A NEW EXPIRATION DATE OF MARCH 3, 2022. THIS MOTION IS BASED ON FINDINGS PRESENTED IN THE SEPTEMBER 23, 2021 STAFF REPORT TO THE PLANNING COMMISSION AND FINDINGS MADE BY THE COMMISSION DURING DELIBERATIONS ON THE REQUEST.

- APPLICANT:** Rich Wood/Wood Construction & Development LLC
 - LOCATION:** Adjacent and to the east of 995 Sommerville Loop, and also known as tax lot 3000 of Linn County Assessor’s Map 15S04W15
 - MEETING DATE:** September 23, 2021
 - ZONING:** R-2 (Multi-Family Residential) and R-3 (High Density Residential)
 - OWNER:** William R. Wood, PO Box 3500-130, Sisters, OR 97759
-

BACKGROUND

Applicant Rich Wood/Wood Construction & Development LLC successfully applied for a Subdivision for the property that is located at the end of Sommerville Loop in February 2021. The approval of LU 425-2021 allows a subdivision with 13 lots to be developed for property located on the northeastern corner of Sommerville Loop.

CRITERIA AND FINDINGS OF FACT

18.125.050 Time limit on an approved land use application.

A land use approval shall expire one year after the date of approval of the application, or such lesser time as the authorization may specify, unless a building permit has been issued and substantial construction pursuant thereto has taken place, or unless a use not involving construction has been initiated in some substantial manner. However, upon written request, the Planning Commission may extend approval for an additional period not to exceed one year. [Ord. 882 § 10.030, 2010.]

DISCUSSION: The effective date of the decision (**Exhibit A**) was March 3, 2021. The final plat was required to be submitted to the City within six months after the subdivision was approved by the Planning Commission. Due to negotiations with the City, the applicant desires an extension of time in which to file a final subdivision plat. Subject to HMC 18.125.050, applicants are allowed a one-time extension for a period not to exceed one additional year from the initial approval date.

FINDING: The extension request (**Exhibit B**) was submitted on September 13, 2021. The City did not receive the 2nd submission of plans until August 26, 2021, and City Staff and the City Engineer were still reviewing the plans past the date of September 3, 2021. Therefore, the City Planner will allow the request to proceed and deems it in compliance with this criterion; this approval extension may be allowed.

CONCLUSIONS

The applicant requests a 1-year approval extension for Land Use Application file LU-425-2021. As demonstrated by the above finding, the request complies with the applicable criterion from the Harrisburg Municipal Code.

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.

RECOMMENDED MOTION(S)

Consistent with the Planning Commission and Staff deliberations at the February 16, 2021 Public Hearing, the motion at the top of this staff report and in the agenda is recommended.

City of Harrisburg

PLANNING COMMISSION

NOTICE OF DECISION

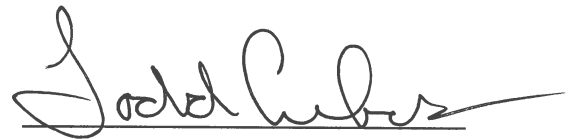
- REQUEST:** The applicant requests approval of a proposed subdivision entitled Shadowood Subdivision (LU 425-2021) to create a 13-parcel subdivision.
- LOCATION:** The subject site is located adjacent and to the east of 995 Sommerville Loop, and is also known as tax lot 3000 of Linn County Assessor's Map 15S04W15.
- HEARING DATE:** February 16, 2021
- ZONING:** R-2 (Medium Density Residential) and R-3 (High Density Residential)
- APPLICANT** Wood Construction & Development LLC
Richard Wood
5125 NW Greenwood Ave
Redmond, OR 97756
- OWNER:** William R. Wood
PO Box 3500-130
Sisters, OR 97759
- APPEAL DEADLINE:** March 2, 2021, at 5:00 p.m.
- DECISION:** The Harrisburg Planning Commission conducted a public hearing on February 16, 2021, and voted to approve the request, subject to the attached conditions of approval. The Planning Commission adopted the findings contained in the Staff Report of the February 16, 2021, Planning Commission meeting, and portions of the minutes from the meeting that demonstrate support for the Planning Commission's actions.
- APPEALS:** The decision may be appealed by filing a Notice of Appeal with the City Recorder at 120 Smith Street. The Notice of Appeal should be filed by the Appeal Deadline date listed above. Specific information on the requirements for an appeal or a

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

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

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

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

A handwritten signature in black ink, appearing to read "Todd Culver", written over a horizontal line.

Todd Culver
Planning Commission Chairperson

CONDITIONS OF APPROVAL

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

OTHER DEVELOPMENT CONSIDERATIONS:

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

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

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

From: [RICHARD WOOD](#)
To: [Michele Eldridge](#)
Subject: Re: Shadowood Subdivision - Administrative Request for Extension of Time
Date: Monday, September 13, 2021 11:14:18 AM

Good morning Michele, at this time I would like to formally and respectfully request an extension for the Shadowood subdivision. I would hope that in the future we can work together in resolving any delays associated with Shadowood subdivision !

Regards: Rich Wood

Sent from my iPad

On Sep 11, 2021, at 6:58 PM, Michele Eldridge <meldridge@ci.harrisburg.or.us> wrote:

Hi Rich,

After you checked with us on August 18, we did not receive any response or revisions from the first review of your preliminary plat (provided to you and your engineer on June 22, 2021) until August 26, 2021. My assumption with the late date of revisions is that you do want to ask for an extension of time for providing the final plat; the original deadline was September 3rd. There is no cost involved for an extension of time, nor any formal type of paperwork. The City's code allows you to request a one time only extension, which provides you with an additional year of time if it is needed. You do not need to be present for this administrative request, nor does it require any notification to citizens near your proposed subdivision.

To request this, please simply reply to this email, and let me know that you would like to ask for this extension of time. Please reply by September 15, 2021. I will take the request to the Planning Commission at the meeting being held on September 23rd. Following approval, I will provide you with another Notice of Decision with the dates included. It is similar to the one that you received after approval of your application in February.

Redacted Paragraph

Please provide me with the request for additional time by Wednesday, and I will be in touch with you next week.

Best Regards;

<image001.jpg>

*Michele Eldridge, CMC
City Administrator
PO Box 378
120 Smith St.
Harrisburg, OR 97446
541-995-2200*

Any mail to and from this address may be subject to Public Records Disclosure Laws

Staff Report Harrisburg Planning Commission Harrisburg, Oregon

THE MATTER OF A HISTORIC RESOURCE ALTERATION REVIEW

STAFF REPORT/EXHIBITS:

Exhibit A: Application Materials

Exhibit B: Historic Inventory Form

ACTION: **MOTION TO APPROVE AS CONDITIONED, THE HISTORICAL ALTERATION OF THE W.L.TYLER HOUSE (LU 433-2021)**

APPLICANT: Robert & Donna Duncan

LOCATION: 185 N. 4TH St., 15S04W16AA01100

HEARING DATE: September 23, 2021

ZONING: C-1/H-1

OWNER: Robert & Donna Duncan

BACKGROUND

There is no land use history for the subject site; only the Oregon Inventory of Historic Properties Historic Resource Survey Form from a study done in 1988 and 1989 in Harrisburg.

INTRODUCTION

The applicant requests approval of a Historic Alteration Permit to alter a house by replacing siding material. The W.L. Tyler Home is listed as a historic resource in the local register of historic places. Its historical significance is both in the style of home, as well as the importance of the person for which it was likely built. W.L. Tyler was a merchant in 1901, where he was a member of the firm Tyler and Bennett. The business was located in a one-story brick building, noted as being adjacent to the International Order of the Oddfellows building, which was likely on the property now occupied by the Voo. Business ads in 1902 show the sales of hardware, stoves, groceries and tinware.

Mr. Tyler owned the W. L. Tyler home until 1920, when it was sold to a D.G. Clark, who had a degree in medicine. Dr. Clark had a thriving practice in Harrisburg, with the two south rooms downstairs likely being his office and waiting room. He also served as the Harrisburg City Treasurer and Health Officer for a time. The house underwent several more owners over the years.

The house is noted as being altered, with one ‘detracting’ alteration being the addition of a carport. Since the historical report was created, someone in the past added carriage doors to the carport and sided it in the same materials as the home. The report notes that the house is distinctive in the characteristics of a Queen Anne Style House. The owners are in the process of replacing the siding on the home, which are not historically accurate, and was referred to as a reversible alteration in the historical report. While it isn’t really relevant to this particular review, it’s interesting to know that the home was originally located on Smith St. and was moved to its current location in 1953.

CRITERIA AND FINDINGS OF FACT

HMC 18.105.070 – Review Criteria for an Alteration Application

- 1. Criterion: The removal or alteration of any historical marker of distinctive architectural features shall be avoided when possible.**

Discussion: The applicant proposes to replace the current shingles on the home with lap siding in the same dimensions as the original siding, which still exists under the current shingle siding. The lap siding on the bottom of the home is wider, than that of the upper siding. Below the dripline, the owner is installing 1x10’ redwood lap siding. Above the dripline, the owner is installing 1x6’ cedar lap siding. Page 6 has the style of siding circled. The new and old siding can be seen next to each other on page 9, while page 8 only shows the new siding.

The old siding will remain on the home, and care is being shown to maintain the original siding without modifying it. The owner has also recently uncovered more of a decorative scalloped siding, (page 10) which he is planning on exposing and protecting, as it creates more interest and was integral to the Queen Anne Style of the time.

Finding: The applicant’s proposal will not remove or alter any historic markers or architectural features of the resource, and in fact exposes one of the more decorative architectural features that are indicative of the Queen Anne Style. The criterion is met.

- 2. Criterion: Alterations that include materials or a design not in keeping with the historic appearance of the building or structure shall be discouraged.**

Discussion: Alterations being made include replacing the cedar shake siding that is not original to the home. This brings it into compliance with the recommendations made by the historical study on the home.

Finding: The proposed alterations do use materials that are historically consistent with those used at the time of construction and are roughly compatible with the same styling and pattern as the original siding, which is still visible and being kept intact under the new siding. The new siding is compatible with the historic resource. Therefore, this criterion is met.

3. **Criterion: Alterations that have taken place over the course of time are part of the history and development of the building or structure. These alterations may be significant in their own right and shall be preserved if possible and appropriate.**

Discussion: Staff recommendations from the historical report show that the original house was altered, with detracting elements of both the addition of a carport, and the cedar shake siding. The carport was updated, and carriage doors added matching the style of the home. While the carport wasn't original to the home, it is not being changed at this time, other than having its siding replaced with more historically significant siding that matches the siding used originally on the home. The owner is not changing any other architectural feature on the home, other than replacement of siding, and therefore is not required to update any other architectural features on the home at this time.

Finding: As noted in the historical report, the cedar shake siding featured currently on the W.L. Tyler house that is not original to the home is being replaced with siding that is in the same style and pattern as the original siding. The criterion is met.

4. **Criterion: Distinctive stylistic features or examples of skilled craftsmanship should be treated carefully and retained whenever possible.**

Discussion: The owner has uncovered scalloped decorative trim that the owners did not realize was underneath the cedar shake siding. The proposed alterations will not change any distinctive stylistic features or skilled craftsmanship, and in fact, exposes craftsmanship original to the home to view.

Finding: All proposed distinctive architectural features will be retained. The criterion is met.

5. **Criterion: Deteriorated architectural features shall be repaired, rather than replaced, whenever possible.**

Discussion: As noted in the application the owners are retaining all architectural features original to the home and are covering the original lap siding with cedar or redwood lap siding in the same pattern as the original. Architectural gems, such as the scalloped siding discovered on the home, will be exposed, rather than remain covered.

Finding: As proposed, deteriorated architectural elements will be repaired, and exposed, while lap siding in the same materials and patterns as the original lap siding will replace the inconsistent cedar shakes. The criterion is met.

6. **Criterion: If it is necessary to replace deteriorated architectural features, new materials should match in terms of composition, design, color and texture.**

Discussion: As noted above, the applicant is replacing historically inaccurate cedar shakes with lap siding matching the original siding still existing on the home. The new lap siding is a material of a compatible composition, design, and style. The applicant is also restoring the scalloped siding discovered on the home.

Finding: As proposed, replacement architectural features will be historically compatible in terms of material composition, design and style. The criterion is met.

7. **Criterion:** Repair or replacement of missing architectural features shall be based on accurate duplications of features substantiated by historic, physical or pictorial evidence rather than on availability or architectural elements from other buildings or structures. The design shall be compatible with the size, scale, and material of the historic building or structure and shall be compatible with the character of the neighborhood.

Discussion: The applicant does not propose to replace any missing architectural features from the original construction. **Development Related Concern A** requires the applicant to verify with the City Planner if they find any other historical siding features uncovered during the project. If historical siding (other than the scalloped siding) accurate to the Queen Anne Style are discovered, the planner will encourage the applicant to expose it, unless it is deteriorated beyond repair.

Finding: As proposed and conditioned, any new architectural features uncovered during the project will require review by the City Planner. The criterion is met.

CONCLUSIONS

The applicant requests approval of a historical resource alteration to the W.L.Tyler home located on 185 N. 4th St. As demonstrated by the above discussion, analysis and findings, the application, as conditioned, complies with the applicable criteria from the Harrisburg Municipal Code.

PLANNING COMMISSION ACTION

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

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

Based upon the criteria, discussion, and findings of facts above, Staff recommends the Planning Commission Approve with Conditions, the historical resource review of the W.L. Tyler Home, LU 433-2021.

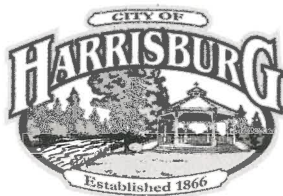
RECOMMENDED MOTION(S)

Consistent with staff's recommendation to the Planning Commission, the motion is located at the top of this staff report.

RECOMMENDED CONDITIONS OF APPROVAL

- A. **Consistency with Plans** – Development shall comply with the plans and narrative in the applicant's proposal.

- B. **Discovery of Additional Historical Architectural Features** - If the applicant finds any other types of historically accurate siding not already uncovered during this project, then they will be required to verify with the City Planner whether or not it is historically accurate. If it is in the style of Queen Anne, the applicant will be encouraged to expose and repair it, unless it is deteriorated beyond repair.



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

LAND USE APPLICATION

STAFF USE ONLY	
File Number: <u>LU 433-2021</u>	Date Received: <u>9-3-21</u>
Fee Amount: <u>\$100 -</u>	

NO FEE
PAID
YET.

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

*A Pre-Application Conference with City Staff is Required

PLEASE PROVIDE A BRIEF SUMMARY OF THE PROPOSAL	
Project Description	Remove existing rake shake siding and replace with original looking pattern 105 cedar siding.
Project Name	DUNCAN HISTORICAL HOME RE-SIDING PROJECT

PRIMARY CONTACT AND OWNER INFORMATION

Applicant's Name Robert & Donna DuncanPhone 541-954-1804 Email rduncans@msn.comMailing Address PO Box 324 Hamsburg 97446Applicant's Signature Date 8/23/21Property Owner Name Robert & Donna DuncanPhone Same Email Mailing Address Owner Signature Date 8/23/21

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

PROPERTY DESCRIPTION

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

Street Address 185 north 4th stGeneral Location Description WESTSIDE OF N. 4TH ST.
W.L. TYLER HOUSE - 1890

Assessor's Map Number(s)

Related Tax Lot(s)

Map # 15S04W16AATax Lot(s) # 1100

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 .26 ACRE

LAND USE AND OVERLAY ZONES

Existing Zone(s) C-1Existing Comprehensive Plan Designation(s) C-1

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

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

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

CHECK THE BOX NEXT TO INCLUDED EXHIBITS

- | | |
|---|---|
| <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 checked="" type="checkbox"/> Electronic Versions of Exhibits |
| <input type="checkbox"/> Comprehensive Plan Map(s) (if applicable, show proposed changes)) | <input checked="" type="checkbox"/> Application Fee |
| <input type="checkbox"/> Subdivision or Partition Plat | <input checked="" 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: N/A

PLEASE TELL US MORE ABOUT THE PROPOSAL AND ITS SITE

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

residence with attached garage

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

dwelling

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

as needed

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

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

DNA

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.

18.105.070 Review criteria for an alteration application.

In reviewing an application to alter a historic building and to preserve the historical and architectural integrity of historical resources, and to provide for public safety, Planning Commission decisions shall be based on applicable State and local codes and ordinances related to building, fire and life safety, and the following criteria:

1. The removal or alteration of any historical marker or distinctive architectural features shall be avoided when possible. *none are being removed*

2. Alterations that include materials or a design not in keeping with the historic appearance of the building or structure shall be discouraged.

All material will be cedar or redwood

3. Alterations that have taken place over the course of time are part of the history and development of the building or structure. These alterations may be significant in their own right and shall be preserved if possible and appropriate.

All preserved or returned to original

4. Distinctive stylistic features or examples of skilled craftsmanship should be treated carefully and retained whenever possible.

All retained

5. Deteriorated architectural features shall be repaired, rather than replaced, whenever possible.

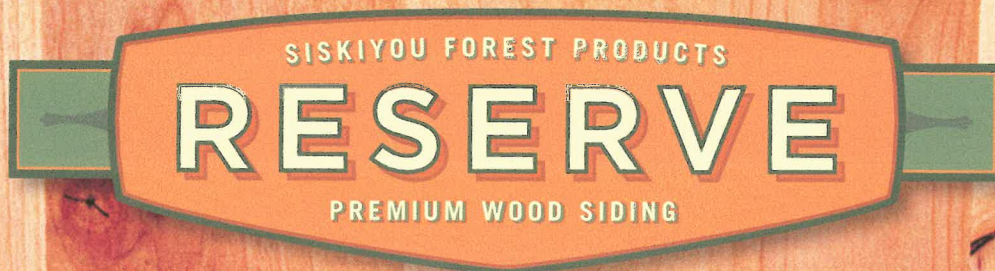
All replaced or retained

6. If it is necessary to replace deteriorated architectural features, new materials should match in terms of composition, design, color and texture.

All materials as to original

7. Repair or replacement of missing architectural features shall be based on accurate duplications of features substantiated by historic, physical or pictorial evidence rather than on availability or architectural elements from other buildings or structures. The design shall be compatible with the size, scale, and material of the historic building or structure and shall be compatible with the character of the neighborhood. [Ord. 882 § 5.260, 2010.]

complied



Siskiyou RESERVE Premium Wood Siding

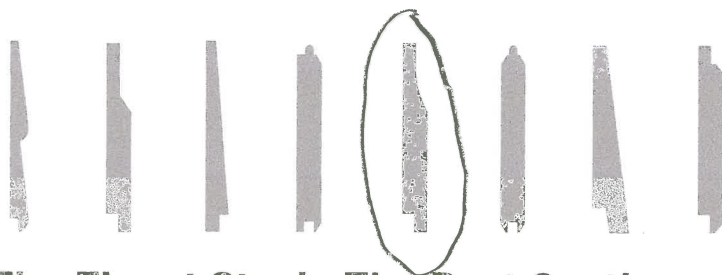
Reserve now comes in many siding patterns to suit your area. Our two coat priming system combined with the exterior rated Western red cedar and Redwood makes Reserve the only choice for exterior wood sidings.

Superior Wood

All **RESERVE** products have been specifically formulated to be the ultimate in siding, fascia and trim. Being made of quality, clear, finger-jointed Western Red Cedar or Redwood, these products are naturally designed for exterior use—both species are ideal for enduring extreme weather.

Surfacing + Sizes + Lengths

RESERVE products come in a wide range of patterns, both custom and standard. We offer custom lengths as well as standard 16' and 20'.



The Finest Stock, The Best Coating

Our Siskiyou Forest Products RESERVE line is specially manufactured and treated to create the highest quality product available. Using state-of-the-art application and curing equipment, our premium Western Red Cedar and Redwood stock is made to last for many generations. We are proud to offer a beautiful, durable product that is ready for installation and final painting the moment it reaches the craftsmen.



SISKIYOU FOREST PRODUCTS

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covers original siding. Concrete block chimney rear. Original rear wrap around porch enclosed and enlarged as two story addition. One porch post replaced by square post with simple capital. Shed roof dormer probably replaced open porch. 1980's alterations include bathroom window rear elevation shortened. Window bay on north elevation boarded up. Northeast upstairs window boarded up. Porch railing is recent.

NOTEWORTHY LANDSCAPE FEATURES: Old grape arbor in rear yard. Probably originally associated with house on front lot.

ASSOCIATED FEATURES: None observed.

KNOWN ARCHEOLOGICAL FEATURES:

SETTING: Currently located in a residential neighborhood with nearby industrial buildings. The house fronts east, facing former Oregon Electric Railroad tracks. Across the street is a grain elevator and loading dock for railroad. Historically, the house was located on Smith Street fronting south on same block.

STATEMENT OF SIGNIFICANCE (HISTORICAL AND/OR ARCHITECTURAL IMPORTANCE, DATES, EVENTS, PERSONS, CONTEXTS). USE ADDITIONAL SHEETS IF NECESSARY:

This house was probably built for William Tyler in 1903. In December of 1902, Emma F. Love sold a parcel of land on the north side of Smith Street, near the intersection of what is today 4th Street, to W.L. Tyler. Assessor records suggest that a house was built the following year. W.L. Tyler was born in Missouri in 1871. He married in 1895. W.L. Tyler was a merchant. In 1901, he was a member of the firm Tyler and Bennett. In the one story brick building adjacent to the Oddfellows building, owned by Mr. Tyler, Tyler and Bennett sold hardware and stoves. Later in 1901, the company was known simply as W.L. Tyler and sold groceries, stoves, and tinware. Advertisements dating to 1902 for Mr. Tyler's store include reference to a vertical mower, Shillings best spices, and hop-picking supplies. Mr. Tyler owned this commercial building until 1907. In 1910, William and Bertha Tyler sold their house on Smith Street to D. G. and Rozanna Clark. D.G. Clark graduated from Cooper College of Medicine (later Leland Stanford University) with a degree in medicine in 1899 and in 1903, he married Roxanna Thompson. In 1910, the year he purchased the current house, he moved to Harrisburg from Silverton, Oregon where he had practiced medicine for a number of years. Dr. Clark had a thriving practice in Harrisburg, with his office located in this house. Supposedly, the two south rooms downstairs were his office and waiting room. He also served for a time as city treasurer and city health officer. D.G. and Roxana Clark sold the house to J.L. and Lucy Gardner in 1924 and in 1942, the property was sold to Roy G. and Irene Quinn. In 1953, the Quinns wished to have a new house built so they moved the house to the current site. The current owners purchased the house from Ross Fox.

STAFF RECOMMENDATIONS: The Tyler-Clark House has been altered. The most detracting alteration is the addition of the carport on the north elevation. The carport and the current siding are both reversible alterations.

The Tyler-Clark House may meet Criteria B of the Harrisburg Historic Resources Provisions. The house is associated with W.L. Tyler, a Harrisburg merchant, and D.G. Clark, a Harrisburg Doctor.

The Tyler-Clark House meets Criteria C of the Harrisburg Historic Resources Provisions. The house embodies distinctive characteristics of a Queen Anne Style House.

SOURCES:

- (1) Gaston, Joseph, History of Oregon, Pioneer Historical Publishing Co., Portland, Oregon, 1922.
- (1) Linn County Assessor Records.
- (2) Linn County Deed Records.
- (3) Lucas, Glenda, Personal Communication, 11-88
- (4) Sanborn Fire Insurance Maps.
- (5) United States Census Records, Linn County, Oregon, 1900.

NEGATIVE NO.: I 3, 4

RECORDED BY: Mary Gallagher and May Dasch

SLIDE NO.: 15 4W 16/36

DATE: 11-07-88

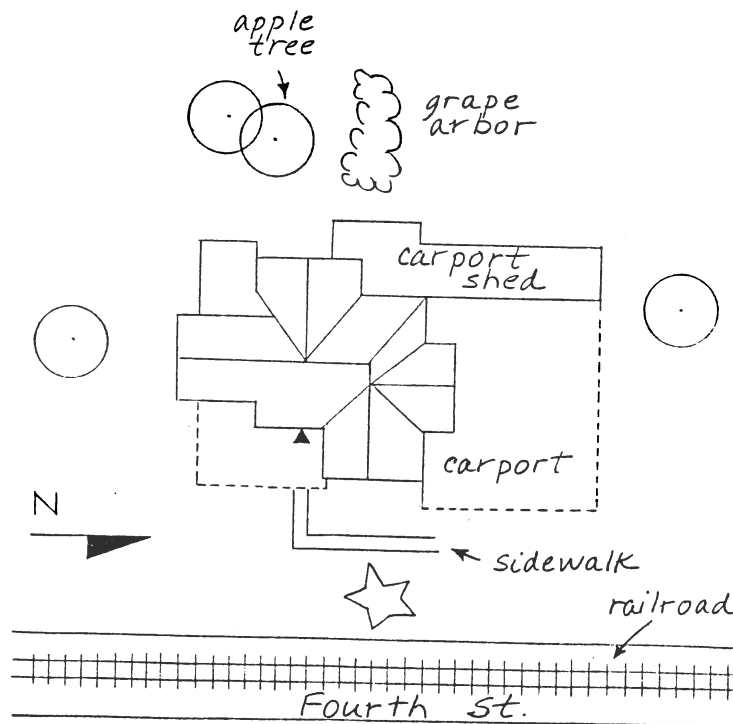
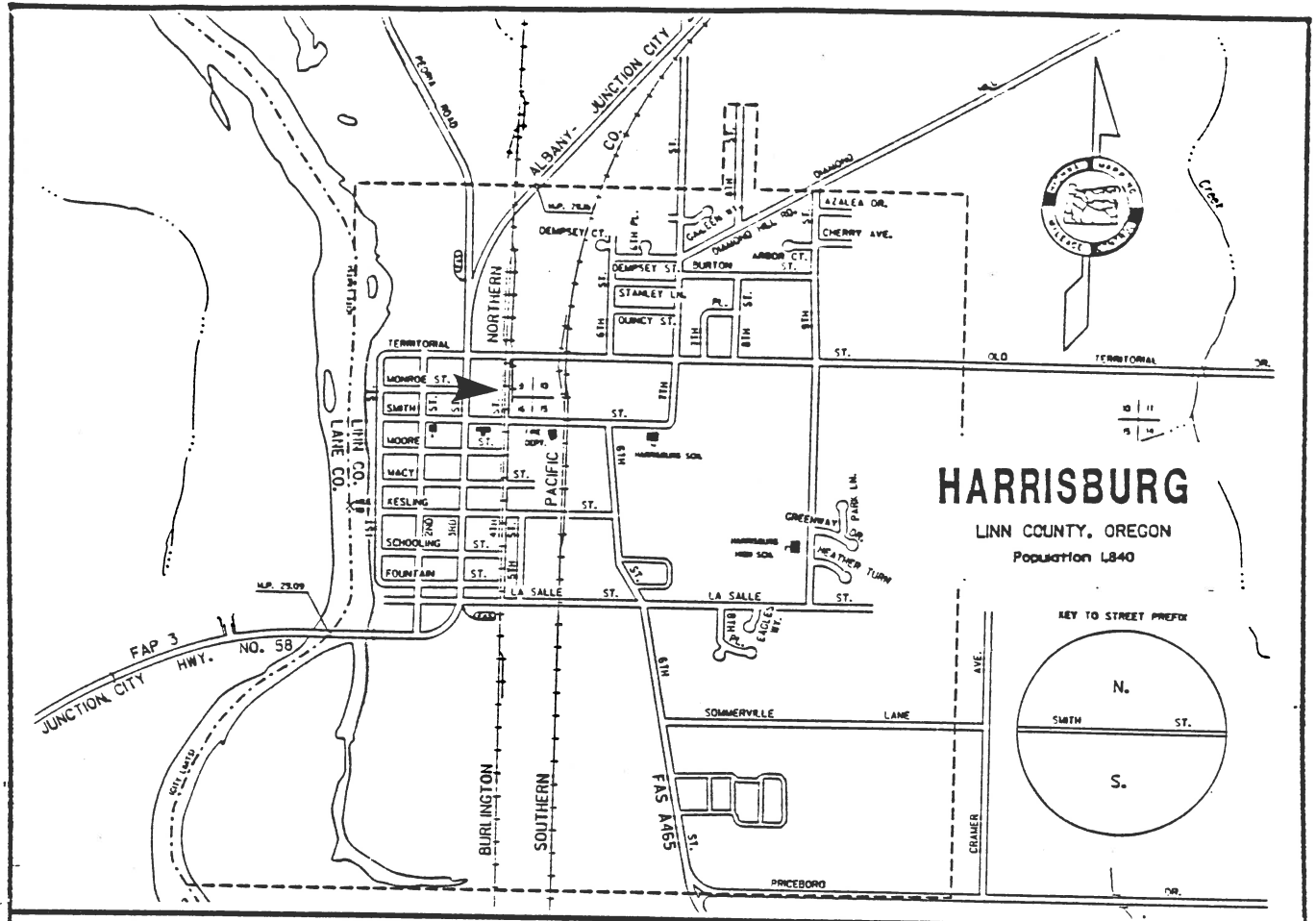
SHPO Number: _____
HR Number: Harrisburg HR-36-88/89
Address: 185 N. 4th Street, Tyler House



Negative Number: I 3
View to: Northwest



Negative Number: I 4
View to: West-southwest



SHPO Number: _____
 HR Number: Harrisburg HR-36-88/89
 Address: 185 N. 4th Street, Tyler House

Staff Report

Harrisburg Planning Commission

Harrisburg, Oregon

THE MATTER OF REVIEWING SECTION 5 – DEFINITIONS, AND FINALIZING THE REVIEW OF THE DRAFT CODE IN ITS ENTIRETY

STAFF REPORT & EXHIBITS:

Exhibit A: Section 5 - Definitions

Exhibit B: The current copy of the revised model code, current through changes discussed on August 25, 2021, will be provided at the meeting.

ACTION: NONE. FOR REVIEW ONLY

MEETING DATE: September 23, 2021

BACKGROUND

Our consultant, John Hitt, had planned on being at this meeting, and had something unexpectedly come up that prevented him from being here. He spoke with Staff and communicated that after reviewing his notes, that the last set of design code reviewed in August was actually the last bit of code that he had as being left to review, with the exception of Section 5 - Definitions.

Staff will review Section 5 at this meeting (**Exhibit A**), and the current copy of the revised model code (**Exhibit B**) will be brought to the meeting. Because the Planning Commission has now reviewed all the sections of the new model code, we want to bring the code to the Planning Commission for one last review, before we start the public hearing process in the new year. Staff and the Planning Commission are now being asked to review the code in its entirety, and to bring any remaining concerns or suggested changes to an early meeting in November. After this meeting, we will be scheduling the public hearings, and setting up meetings in January and February 2022.

We will be discussing the possibility of changing the November meeting dates, or adding a new one to the schedule, based on John's future schedule.

If you have any questions, or something specifically you see in your review that you have concerns about, or one you'd like to discuss with me, please contact me. I'm happy to meet outside of normal business hours if that works better for any Planning Commission member.

Article 5 – Definitions

Chapter 5.1 — Definitions

Sections:

- 5.1.010 Purpose
- 5.1.020 Applicability
- 5.1.030 Definitions

5.1.010 Purpose

The purpose of Chapter 5.1 is to define terms that are used in the City of Harrisburg Development Code and other terms that may arise in interpreting the Code, particularly those that may be uncommon or have more than one meaning.

5.1.020 Applicability

- A. Definitions.** The definitions in Chapter 5.1 apply to all actions and interpretations under the City of Harrisburg Development Code. The meanings of some terms in this chapter may, in certain contexts in which they are used, be clearly inapplicable. In such cases the context in which a term is used will indicate its intended meaning, and that intent shall control.
- B. When a Term is Not Defined.** Terms not defined in this Code shall have their ordinary accepted meanings within the context in which they are used. [*Webster's Third New International Dictionary of the English Language, Unabridged,*] shall be considered a standard reference.
- C. Land Use Categories.** Chapter 5.1 defines the land use categories used in Article 2.
- D. Conflicting Definitions.** Where a term listed in Chapter 5.1 is defined by another section of this Code or by other regulations or statutes referenced by this Code, the term is not redefined herein for purposes of that other code.

5.1.030 Definitions

The following definitions are organized alphabetically.

A

Abutting. Contiguous or adjoining.

5.1 – Definitions

Access. A way or means of approach to provide pedestrian, bicycle, and/or motor vehicular entrances or exits to a property.

Access Control. Where the right of access between a property abutting the highway and the highway has been acquired by a roadway authority, or eliminated by law, pursuant to access or approach spacing standards.

Access Easement. An easement conveyed for the purpose of providing vehicle, bicycle, and/or pedestrian access from a public street to a lot or parcel across intervening property under separate ownership from the parcel being provided access. **Cross access easement** is an easement providing vehicular access between two or more separate sites, so that the driver need not enter the public street system between sites.

Access Management. The systematic control of the location, spacing, design, and operation of driveways, median openings interchanges, and street connections to a roadway to minimize conflicts between turning and through vehicles, bicyclists, and pedestrians. The purpose of access management is to provide vehicular access to land development in a manner that preserves the safety and efficiency of the transportation system. Public facility measures to support access management include roadway design applications, such as median treatments and auxiliary lanes, and the appropriate spacing of traffic signals. Measures that may be included as conditions of approval for development decisions include, but are not limited to, 1) standards such as minimum spacing of driveways and onsite vehicle storage requirements; 2) mitigations related to site conditions such as right-in-right-out only approaches, medians, dedicated turn lanes, and shared driveways; and 3) provision for future opportunities for mitigation by land dedication or easement.

Access Management Plan. A plan adopted by the City, or jointly by the Oregon Transportation Commission (OTC) in coordination with the City, for managing access on a designated section of an arterial street or highway[, or within the influence area of a highway interchange.]

Access Way. A walkway or multi-use path connecting two rights-of-way to one another where no vehicle connection is made.

Alternate Access. The right to access a property by means other than the proposed approach or access connection. It may include an existing public right-of-way, another location on the subject street or highway, an easement across adjoining property, a different street, a service road, a local road, or an alley, and may be in the form of a single or joint approach.

Access, Reasonable. Access that does not require excessive out-of-direction travel or pose a safety hazard.

Access Point. A connection providing for the movement of vehicles between a lot or parcel and a public roadway.

Access Spacing / Intersection Spacing. The minimum required distance from an intersection of a public or private street to the nearest driveway or other access connection, measured from the closest edge of the pavement of the intersecting street to the closest edge of the pavement of the connection along the traveled way.

5.1 – Definitions

Access Way. A walkway providing a through connection for pedestrians between two streets, between two lots, or between a development and a public right-of-way. It may be an access way for pedestrians and bicyclists (with no vehicle access), or a walkway on public or private property (i.e., with a public access easement); it may also be designed to accommodate emergency vehicles. See also, Walkway.

Accessible. Two meanings are possible depending on the specific code provision. In general, accessible means approachable by pedestrians, vehicles, or other transportation modes, as applicable. Accessible may also mean approachable and useable by people with disabilities, in conformance with the federal Americans with Disabilities Act. Either or both definitions may apply in a particular situation.

Accessory Dwelling. An accessory structure to a single family dwelling used as a separate residence on the same parcel of land as the single family dwelling it is accessory to.

Accessory Structure. A structure of secondary importance or function on a site. In general, the primary use of the site is not carried on in an accessory structure. Accessory structures are detached from the primary structure. Examples of accessory structures include, but are not limited to, garages, decks, fences, arbors, gazebos, heat pumps, workshops, and other structures. See also, Primary Structure.

Accessory Use. A use or activity that is a subordinate part of a primary use and that is clearly incidental to a primary use on a site. See also, Primary Use.

Adjacent. Abutting or located directly across a street right-of-way or easement.

Alter/Alteration. A change in use or occupancy or physical change to a structure or site. Alteration does not include normal maintenance and repair. Alterations may or may not require land use approval, but property owners should check with the City of [name] before preparing project plans or commencing development. Alterations include, but are not limited to, the following:

- Changes in use or occupancy;
- Changes to the exterior of a building;
- Changes to the interior of a building;
- Increases or decreases in floor area of a building;
- Changes to other structures on the site, or the development of new structures;
- Changes to exterior improvements;
- Changes to landscaping; and
- Changes in the topography of the site.

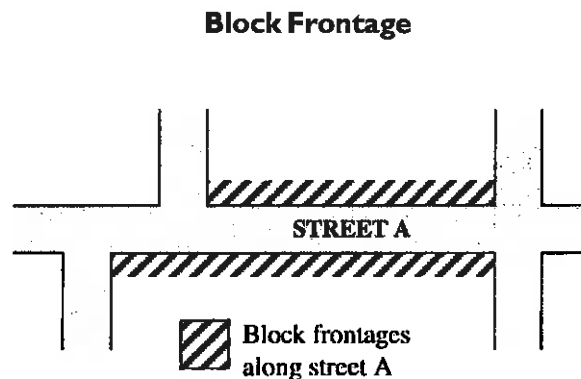
Applicant. A person who applies for a permit or approval under this Code. An applicant can be the owner of the property, a contract purchaser, or someone who is legally authorized to represent the owner, such as a builder, developer, or contract purchaser.

B

Bed and Breakfast Inn. Any establishment located in a structure designed for a single-family residence and structures appurtenant thereto, providing limited overnight lodging and meals for guests pursuant to the special use requirements for bed and breakfast inns.

Block. All of the property bounded by streets, rights-of-way (pedestrian or vehicle ways), water features, or any combination thereof, but is not divided or separated in any way by streets or water features.

Block Face / Street Frontage. All of the property fronting on one side of a street that is between intersecting or intercepting streets, or that is between a street and a water feature, or end of a dead end street. An intercepting street determines the boundary of the block frontage only on the side of the street that it intercepts. See figure, below.



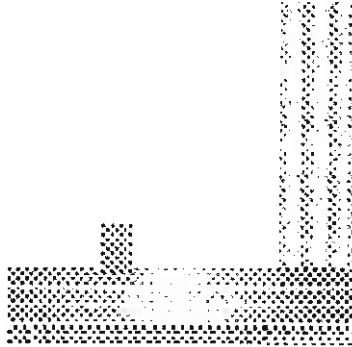
Building. See applicable building code.

Building Footprint. The outline of a building, as measured around its foundation.

Building/Structure Height. The vertical distance from the grade plane to the average height of the highest roof structure.

Building Line. A line running parallel to a lot line that is the same distance from the lot line as the closest portion of a building on the site, typically used in reference to required setback yards. See figure, below.

Building Lines



Building Official. The person certified by the State of Oregon who enforces the building ordinances and regulations for the City, and other ordinances and regulations as assigned.

Building Inspector. The person certified by the State of Oregon to perform various types of building, electrical, plumbing, and mechanical inspections.

Bulb-out. A concrete traffic structure intended to make pedestrian street crossings safer and to reduce traffic speeds. They involve extending the curb and walkway a few feet into the street area, and are located at intersections or in the middle of long blocks.

C

Capacity. Maximum holding or service ability, as used for transportation, utilities, parks, and other public facilities. See also, definition of “Occupancy” in applicable building codes.

Carport. A stationary structure consisting of a roof, its supports, and not more than one wall or storage cabinets substituting for a wall, used to shelter motor vehicles, recreational vehicles, or boats; does not include temporary shelters or canopies not affixed to a permanent foundation per applicable building codes.

Change of Use. Change in the primary [or basic](#) type of use(s) on a site.

Child Care Facility. Facilities that provide care and supervision of minor children for periods of less than 24 hours that do not otherwise meet the definition of Family Daycare.

City. The City of [\[name\] Harrisburg](#), Oregon.

City Planner. The person designated by the City of Harrisburg to deal with land use matters on behalf of the City, or that person’s designee.

Clearing (as in clearing and grading). Any activity that removes existing vegetation or strips surface material from any portion of the site and exceeding typical yard maintenance for a single-family dwelling.

Clear and Objective. Decision criteria and standards that do not involve substantial discretion or individual judgment in their application.

Club. Any organization, group, or association supported by the members thereof, the purpose of which is to render a service customarily rendered for members and their guests, but shall not include any organization, group, or association, the chief activity of which is to render a service customarily carried on as a business.

Commercial. Land use involving buying/selling of goods or services as the primary activity. See also, Retail Sales and Services.

Commercial Outdoor Recreation (Land Use). Includes firing ranges, golf courses, and driving ranges, etc.

Commission. The Planning Commission of the City of Harrisburg, Oregon.

Common Area. Land jointly owned to include open space, landscaping, or recreation facilities (e. g., may be managed by a homeowners' association).

Community or Public Interest(s). Those activities or development proposals that provide a tangible benefit(s) to the quality of life of City residents, including greater safety, educational opportunities, recreation, professional or commercial services, employment, transportation, or other public services.

Community Services (Land Use). Community Services are uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community, except for Schools, which are categorized separately. Generally, they provide the service on the site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Private lodges, clubs, and non-profit organizations that have membership provisions may be considered a Community Service. Uses providing mass shelter or short term housing where tenancy may be arranged for periods of less than one month, when operated by a public or non-profit agency, may also be considered a Community Service. The use may also provide special counseling, education, or training of a public, nonprofit, or charitable nature. See also, Religious Institutions, and Parks and Open Spaces.

Comprehensive Plan. The current adopted Comprehensive Plan of the City of ~~name~~ Harrisburg.

Comprehensive Plan Amendment. An amendment to the text or map of the current comprehensive plan which has been adopted.

Conditional Use. A use that requires a Conditional Use Permit. See Chapter 4.4.

Condominium. Ownership of a single unit in a multi-unit structure that may contain common areas and facilities; includes both residential and commercial condominiums. See ORS 100 for applicable requirements.

Corner lot. See Lot, Corner lot.

Corner Radius. The radius of a street corner, as measured around the curb or edge of pavement, except as otherwise specified by applicable engineering design standards.

Council/City Council. The City Council of ~~fname~~ Harrisburg, Oregon.

County. ~~fname~~ Linn County.

D

Days. Calendar days, unless specifically stated as working days. Working days include Monday through Friday, excluding federal [or state](#) holidays.

Dedication. The designation of land by its owner for any public use as shown on a subdivision plat or deed. The term may also be used for dedications to a private homeowners' association.

Density(ies). A measurement of the number of dwelling units in relationship to a specified amount of land based on the minimum lot size per dwelling unit required by the applicable zone.

Develop. To construct or alter a structure or to make a physical change to the land, including excavations, clearing, and fills. [See also, Alteration, but excluding structures of less than 200 square feet or temporary structures.](#)

Development. All improvements on a site, including alterations to land and new or remodeled structures, parking and loading areas, landscaping, paved or graveled areas, and areas devoted to exterior display, storage, or activities.

Discontinued Use. A use that physically left the land it was on, a permitted use that ceased, or a use terminated at the end of a lease or contract. See Chapter 1.4 Non-Conforming Situations.

Discretionary. A permit action or decision that involves substantial judgment or discretion.

Drive-Through/Drive-Up Facility. A facility or structure that is designed to allow drivers to remain in their vehicles before and during an activity on the site. Drive-through facilities may serve the primary use of the site or may serve accessory uses. Examples are drive-up windows; automatic teller machines; coffee kiosks and similar vendors; menu boards; order boards or boxes; gas pump islands; car wash facilities; auto service facilities, such as air compressor, water, and windshield washing stations; quick-lube or quick-oil change facilities; and drive-in theaters. All driveways queuing and waiting areas associated with a drive-through/drive-up facility are similarly regulated as part of such facility.

Driveway. The area that provides vehicular access to a site from a street, or the area that provides vehicular circulation on a site.

Driveway Apron. The edge of a driveway where it meets a public right-of-way. Note: The design standards of the applicable roadway authority apply.

Driveway Approach. A driveway connection to a public street or highway where it meets a public right-of-way. Note: The design standards of the applicable roadway authority apply. See also, Oregon Administrative Rules 734, Division 51, for definitions specific to state highways.

Driveway, Shared. When land uses on two or more lots or parcels share one driveway. An easement or tract (owned in common) must be created and recorded for this purpose.

Dwelling. A structure conforming to the definition of a dwelling under applicable building codes and providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. If the individual units are self-contained, assisted living facilities for the elderly or disabled as defined by the State of Oregon, having common food preparation, dining, social, recreational, and/or housekeeping facilities are included in this definition. Typical accessory uses include: accessory storage buildings; private garage and parking areas; storage of not more than one commercial vehicle per dwelling unit; common area buildings for residents, guest houses, and guest quarters not in the main building, provided such houses and quarters are and remain dependent upon the main building for either kitchen or bathroom facilities, or both, and the guest facilities are used for temporary lodging only and not as a place of residence; and the taking of boarders or leasing of rooms by a resident family, providing the total number of boarders and roomers does not exceed *[two]* in any dwelling unit. For the purposes of this Code, the following types of dwelling units are defined:

- **Accessory Dwelling.** A secondary dwelling unit on a lot where the primary use is a single-family dwelling.
- **Attached, Single-Family (Townhome).** A dwelling unit located on its own lot that shares one or more common or abutting walls with one or more dwelling units on adjacent lot(s).
- **Duplex Dwelling.** A structure that contains two primary dwelling units on one lot. The units must share a common wall or common floor/ceiling.
- **Dwelling Unit.** A building, or a portion of a building, that has independent living facilities including provisions for sleeping, cooking, and sanitation, and that is designed for residential occupancy by ~~a group of people~~ one or more persons. Buildings with more than one set of cooking facilities are considered to contain multiple dwelling units or accessory dwelling units, as applicable, unless the additional cooking facilities are clearly accessory to the primary use, ~~such as an outdoor grill or wet bar.~~
- **Manufactured Home.** A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities; that is intended for human occupancy; that is being used for residential purposes; and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.
- **Mobile Home.** A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities; that is intended for human occupancy; that is being used for residential purposes; and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.

- **Multifamily Development.** A structure or grouping of structures containing three or more dwellings on the same lot.
 - **Multifamily Structure.** A structure containing three or more dwelling units. The land underneath the structure is not divided into separate lots.
 - **Residential Trailer.** A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities; that is intended for human occupancy; that is being used for residential purposes; and that was constructed before January 1, 1962.
 - **Recreational Vehicle (RV).** A vehicle, with or without motive power, that is designed for human occupancy and to be used temporarily for recreational, seasonal, or emergency purposes and is further defined by state law and/or administrative rules.
 - **Residential Home** is a residential treatment or training or adult foster home licensed by or under the authority of the Department of Human Services, under ORS 443.400 to 443.825, a residential facility registered under ORS 443.480 to 443.500, or an adult foster home licensed under ORS 443.705 to 443.825 that provides residential care alone or in conjunction with treatment or training or a combination thereof for five or fewer individuals who need not be related. (See also, ORS 197.660.).
 - **Residential Facility** is defined under ORS 430.010 (for alcohol and drug abuse programs), ORS 443.400 (for persons with disabilities), and ORS 443.880; residential facilities provide housing and care for 6 to 15 individuals who need not be related. Staff persons required to meet state licensing requirements are not counted in the number of facility residents and need not be related to each other or the residents.
- Senior Housing.** Housing designated and/or managed for persons over a specified age. Specific age restrictions vary, and uses may include assisted living facilities, retirement homes, convalescent or nursing homes, and similar uses not otherwise classified as Residential Homes or Residential Facilities.
- **Single-Family, Detached Dwelling.** A detached dwelling unit located on its own lot.

E

Easement. A grant of rights by a property owner that allows others to use the owner's land for a specific purpose, such as access, or to locate utilities. Recorded and on record at ~~{name}~~ Linn County.

Emergency Apparatus Lane or Fire Lane. Unobstructed area or driveway, including a turn-around, meeting Uniform Fire Code requirements, typically not to be used for parking or loading area.

Floodplain/Hazard Area. Area as so indicated by the federal Flood Insurance Rate Map, as amended.

F

Family Daycare. Care for not more than 16 children in a home. See ORS 657A.440(4) for applicable licensing and other requirements.

Fence, sight-obscuring. A fence or evergreen planting arranged in such a way as to obscure vision.

Final Plat. The diagrams, drawings, and other writing containing all the descriptions, locations, dedications, provisions, and information concerning a land division, pursuant to ORS 92 and Chapter 4.3 of this Code.

Flooding. The rise of waters of a natural stream which periodically covers an area of land that is not usually under water.

Floor Area. Area of building, which may be described in terms of gross (overall) square feet, or net marketable/leasable space.

Front yard planting area. A minimum planting area of three feet in width, and/or a maximum of three feet in height. Plants are to be maintained, as to height and width, by the property owner.

G

Garage. A covered permanent structure designed to provide shelter for vehicles, and which is accessory to a dwelling or other primary use. Carports are considered garages.

Grade. The lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line or, when the property line is more than five feet from the building, between the building and a line five feet from the building. This is the definition used in the Oregon Structural Specialty Code (the International Building Code as amended by the State of Oregon).

Grading. All cuts, fills, embankments, stockpile areas, and equipment maneuvering areas associated with development.

Ground Cover. Living or processed plant material (e. g., mulch, bark chips), river rock, and cinders used for aesthetic purposes and to prevent erosion (i.e., cover bare ground) in designated landscape areas. See Chapter 3.4 Landscaping.

Group Living. Group Living is characterized by the long-term (i.e., more than 28 days) residential occupancy of a structure by a group of people. The size of the group typically is larger than the average size of a household. Group Living structures do not include self-contained units but rather have common facilities for residents, including those for dining, social and recreational activities, and laundry. Group Living is divided into two subcategories based on whether or not residents receive any personal care, training, and/or treatment:

Room and board facilities are group living establishments where no personal care, training, and/or treatment is provided. Examples include dormitories, fraternities, sororities, boarding houses, monasteries and convents, residential hotels, lodging houses operated by organizations for members only, and similar uses.

convents, residential hotels, lodging houses operated by organizations for members only, and similar uses.

Long-term care facilities are group living establishments where personal care for children, the aged, and special categories of persons with some limits on ability for self-care is provided. In addition to the provision of room and board, services such as supervision; protection; assistance while bathing, dressing, grooming, or eating; management of money; transportation; and recreation are provided. Medical care may or may not be a major element. Examples include hospice, nursing and personal care facilities, homes for the deaf or blind, and similar uses.

H

Hard Surfaced. Concrete or asphalt or, if approved by the City, alternatives such as brick or paving stones.

Hazardous Substances. Any substance, material, or waste listed below:

- Nuclear or radioactive materials or waste
- Chemicals subject to reporting under Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986, published July 1987, U. S. Environmental Protection Agency
- Hazardous Materials Table, in the Code of Federal Regulations (CFR), Title 49, Part 172.101
- Other substances as determined by applicable state or federal agency
- [Biological waste](#)

Height of Building. The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof.

High Security Area. A designated area needed by business or industry to protect equipment or materials on the premises from any exterior intrusion.

Home Occupation, Home Occupation Site. A business activity that is carried out on the same site as a dwelling unit, and which is accessory to the residential use on the site, subject to the special use provisions of Chapter 2.3.

Hospital. An establishment which provides sleeping and eating facilities to persons receiving medical, obstetrical or surgical care and nursing service on a continuous basis.

Hotel/Motel. A building or portion thereof designed and used for occupancy of transient individuals lodged with or without meals for a continuous period not to exceed 29 days. (See ORS 446.310.)

Household. An individual or two or more persons who live together in a dwelling unit.

Household Day Care Provider. A day care provider who regularly provides day care at the provider's home to fewer than 13 children, including children of the provider, regardless of full- or part-time status.

Incidental and Subordinate to. Secondary to, and less apparent than, the primary use or other portion of the development.

Intersection. An at-grade connection of a public or private approach road to the highway.

Industrial Service Uses. Industrial Service firms are engaged in the repair or servicing of industrial, business, or consumer machinery, equipment, products, or by-products. Examples include welding shops; machine shops; tool repair; electric motor repair; sales, repair, salvage, or wrecking of heavy machinery, metal, building materials, autos, or trucks (does not include junk yards); towing and temporary vehicle storage; heavy truck servicing and repair; tire re-treading or recapping; truck stops; building, heating, plumbing, or electrical contractors; printing, publishing, and lithography; exterminators; recycling operations; janitorial and building maintenance services; fuel oil distributors; solid fuel yards; research and development laboratories; industrial laundry, dry-cleaning, and carpet cleaning plants; photofinishing laboratories; and similar uses.

J

Junk Yard. (1) Any property or establishment on which one or more persons are engaged in breaking up, dismantling, sorting, storing, distributing, buying, or selling scrap or waste materials. (2) Any establishment or place of business on which two or more inoperable motor vehicles or an equivalent volume of waste or refuse are maintained, stored, bought, or sold. Includes wrecking yards, automobile graveyards, garbage dumps, and scrap metal processing facilities.

K

Kennel. Any lot or premises where three or more dogs or cats aged six months or older are boarded or bred for compensation. Establishments where animals are offered for sale as the primary use, such as pet stores, are not classified as kennels.

L

Land Division. The process of dividing land to create parcels or lots. See Chapter 4.3.

Landscaping. Any combination of living plants such as trees, shrubs, plants, vegetative ground cover, or turf grasses, and may include structural features such as walkways, fences, benches, plazas, works of art, rock or stone work, reflective pools, fountains, or the like. Also includes irrigation systems, mulches, topsoil, and re-vegetation or the preservation, protection, and replacement of trees.

Land Use. The activity or activities that occur on a piece of land. Activities may be individually identified as primary or accessory uses.

Land Use Decision. A final decision or determination made by the City of [\[name\] Harrisburg](#) (or other agency with jurisdiction) that concerns the adoption, amendment, or application of the Statewide Planning Goals, the Comprehensive Plan, or any land use regulation (i.e., this Code) where the decision requires the interpretation or exercise of policy or legal judgment (ORS 197.015). Note: All decisions requiring Quasi-Judicial review by the City of [\[name\] Harrisburg](#) are Land Use Decisions. Decisions subject to Administrative

review are considered Limited Land Use Decisions, pursuant to ORS 197.015.

Legislative. A legislative action or decision is the making of law, as opposed to the application of existing law to a particular use (e. g., adoption of, or amendment to, a comprehensive plan or development regulation). See also, Section 4.1.050.

Level of Service ("LOS"). A quantitative standard for transportation facilities describing operational conditions. See City of Harrisburg Transportation System Plan.

Loading Area. The area available for the maneuvering and standing of vehicles engaged in delivering and loading goods, freight, or other articles. See also, Chapter 3.5 Parking and Loading.

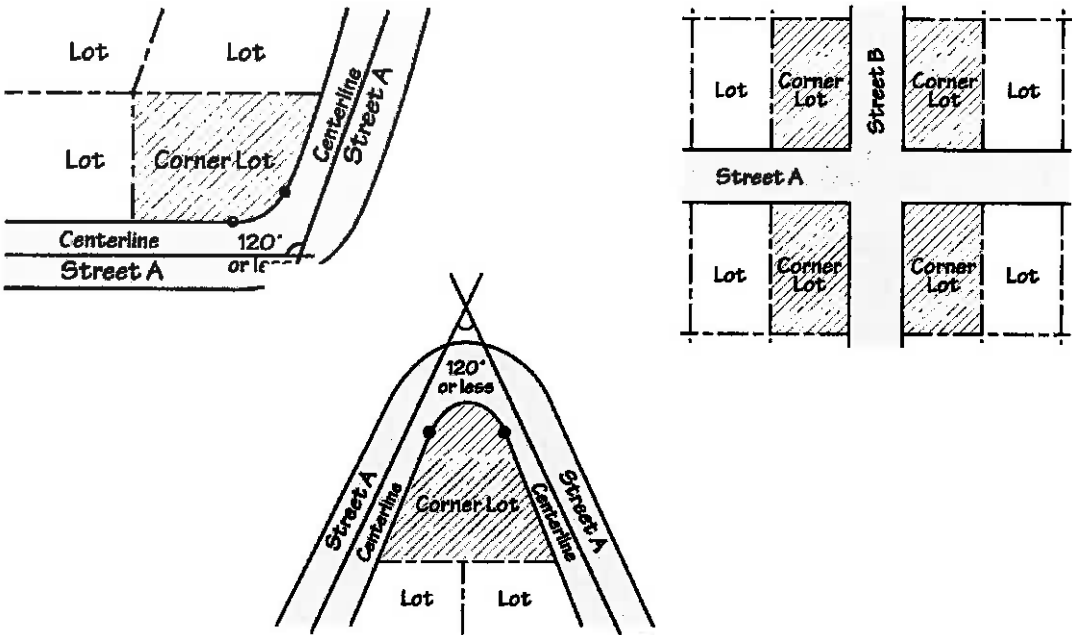
Lot. A lot is a legally defined piece of land other than a tract that is the result of a land division. The following definitions for "lot" apply to the state definition of both lot (result of subdividing) and parcel (result of partitioning). See figures, below.

- **Corner Lot.** A lot that has frontage on more than one intersecting street. A street that curves with angles of 120 degrees or less, measured from the center line of the street, is considered two intersecting streets for the purpose of evaluating whether a lot is a corner lot. See figures, below.
- **Flag Lot.** A lot with two distinct parts:
 - The flag, which is the only building site and is located behind another lot; and
 - The pole, which connects the flag to the street, provides the only street frontage for the lot, and at any point is less than the minimum lot width for the zone.
- **Through/Reverse Frontage Lot.** A lot that has frontage on two parallel or approximately parallel streets.

Lot Lines / Property Lines. The property lines along the edge of a lot or site. See figures, below.

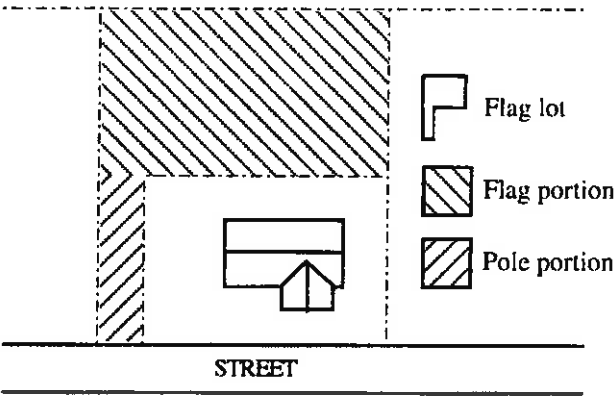
- **Front Lot Line.** A lot line, or segment of a lot line, that abuts a street. On a corner lot, the front lot line is the shortest of the lot lines that abut a street. ~~If two or more street lot lines are of equal length, then the~~ The applicant or property owner can choose which lot line is to be the front lot line for the purpose of determining required setbacks. However, a through lot has two front lot lines regardless of whether the street lot lines are of equal or unequal length. See figures, below.
- **Rear Lot Line.** A lot line that is opposite a front lot line. A triangular lot has two side lot lines but no rear lot line. For other irregularly shaped lots, the rear lot line is all lot lines that are most nearly opposite the front lot line. See figures, below.
- **Side Lot Line.** A lot line that connects front and rear lot lines. ~~On a corner lot, the longer lot line that abuts a street is a side lot line. See figures, below.~~
- **Side Street Lot Line.** A lot line that is both a side lot line and a street lot line. See figures, below.
- **Street Lot Line.** A lot line, or segment of a lot line, that abuts a street. Street lot line does not include lot lines that abut a dedicated alley. On a corner lot, there are two (or more) street lot lines. Street lot line can include front lot lines and side lot lines, however, both are considered front yards for the

Corner Lots

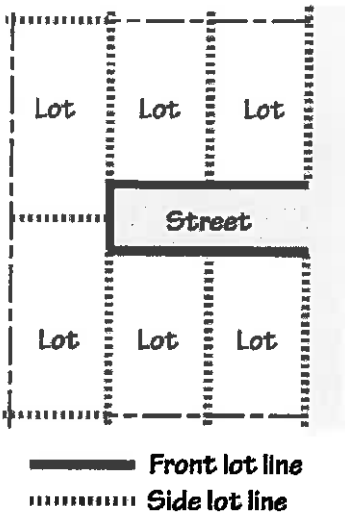


5.1 – Definitions

Flag Lot

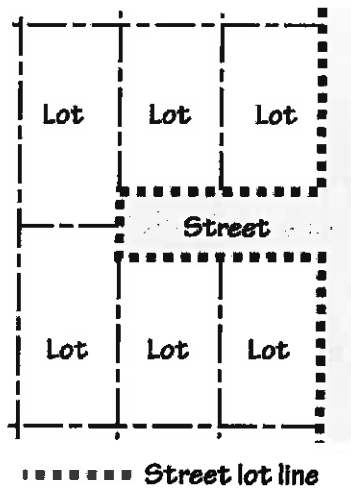


Front and Side Lot Lines

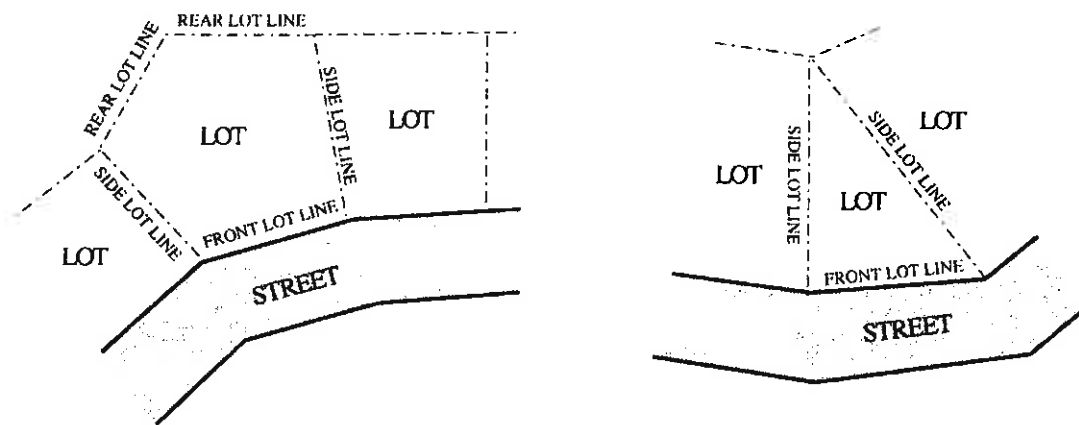


5.1 – Definitions

Street Lot Lines



Lot Lines on Irregular Lots



- **Lot of Record.** A legally created lot or parcel meeting all applicable regulations in effect at the time of creation and held in separate ownership, or any other lot deemed a legal lot under Chapter 1.3.

5.1 – Definitions

Lot, Double-Frontage. See Lot, Through/Reverse Frontage Lot.

Lot Area. The total surface area (measured horizontally) within the boundary lines of a lot.

Lot Consolidation. The reduction in the number of lots, i.e., the creation of one lot from two or more existing lots.

Lot Coverage. The total area of a lot covered by building(s) or impervious surfaces, as provided by the applicable land use district development standards.

Lot Line Adjustment. See Property Line Adjustment.

M

Main/Primary Building Entrance. A main entrance is the entrance to a building that most pedestrians are expected to use. Generally, each building has one main entrance; however, some buildings may have more than one primary entrance or may have entrances that open directly into the building's lobby or principal interior ground level circulation space.

Ground Floor. Building floor closest to street level and within four feet of finished grade.

Major Remodeling. Projects where the floor area or the developed area of the site increases by ~~10~~ 10 percent or more.

Maneuvering Area/Aisle. The driving area in a parking lot where motor vehicles are able to turn around and access parking or loading spaces.

Manufactured and Mobile Homes. See definitions under Dwelling.

Manufactured Dwelling and Mobile Home Park (Land Use). Any place where four or more manufactured dwellings are located within 500 feet of one another on a lot, tract, or parcel of land under the same ownership, the primary purpose of which is to rent or lease space, or keep space for rent or lease, to any person for a charge or fee paid, or to be paid, for the rental or lease or use of facilities, or to offer space free in connection with securing the trade or patronage of such person. Manufactured dwelling park does not include a lot or lots located within an approved subdivision being rented or leased for occupancy by one manufactured dwelling per lot. See also, ORS Chapter 446.

Manufacturing and Production (Land Use). Manufacturing and Production firms are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Examples include processing of food and related products; breweries and distilleries when not accessory to a commercial use; slaughter houses or meat packing; taxidermist; lumber mills, pulp and paper mills, and other wood products manufacturing; woodworking, including cabinet makers; production of chemical, rubber, leather, clay, bone, plastic, stone,

5.1 – Definitions

or glass materials or products; concrete batching and asphalt mixing; production or fabrication of metals or metal products, including enameling and galvanizing; manufacture or assembly of machinery, equipment, vehicles, appliances; sign making; production of prefabricated structures, including mobile homes; and the production of energy.

Mixed-Use. The combination of residential uses with commercial (e.g., office, retail, or services), civic, or light industrial uses on a site.

Multifamily Development and Structure. See definitions under Dwelling.

N

New construction. A new structure constructed for the purpose of human occupancy, employment, recreation, etc., including placement of a manufactured dwelling or other similar dwellings.

Nonconforming Development. An element of a development, such as lot area, setback, height, lot coverage, landscaping, sidewalk, or parking area, or lack thereof, that was created in conformance with development regulations but which subsequently, due to a change in the zone or applicable Code standards, is no longer in conformance with the current applicable development regulations. See Chapter 1.4.

Nonconforming Situation. A Nonconforming Development or Nonconforming Use. A situation may be nonconforming in more than one aspect. For example, a site may contain a nonconforming use and also have some nonconforming development. See also, Nonconforming Development and Nonconforming Use. See Chapter 1.4.

Nonconforming Use. A use that was allowed by right when established or a use that obtained a required land use approval when established, but that subsequently, due to a change in the zone or zoning regulations, the use or the amount of floor area of the use is now prohibited in the zone. See Chapter 1.4.

O

Office (Land Use). Office uses are characterized by activities conducted in an office setting and generally focusing on business, government, professional, medical, or financial services.

Off-street Parking. All off-street areas designed, constructed, used, or required, or intended to be used, for the parking of motor vehicles. See Chapter 3.5 for parking standards.

On-street Parking. Parking in the street right-of-way, typically in parking lanes or bays, when allowed by the applicable roadway authority. See Chapter 3.5 for parking standards.

Orientation. To cause to face toward a particular point of reference (e.g., “A building oriented to the street”).

Owner. The owner of the title to real property or the contract purchaser of real property of record, as shown on the latest assessment records in the Office of the County Assessor. Owner also includes a deed holder or contract purchaser whose name does not appear in the latest assessment records, but who presents to the City a copy of a deed or contract of sale signed by the owner of record.

P

Parcel. A legally defined area of land created through a partition.

Parks and Open Space (Land Use). Parks and Open Space Areas are public parks or private common areas consisting mostly of recreational facilities, community gardens, or natural areas.

Parking Area. A parking area is all the area devoted to the standing, maneuvering, and circulation of motor vehicles. Parking areas do not include driveways or areas devoted exclusively to non-passenger loading or fire apparatus lanes.

Parking Lot Perimeter. The boundary of a parking lot area that usually contains a landscaped buffer area.

Parking Space. An improved space designed to provide standing area for a motor vehicle. See Chapter 3.5 for parking space standards.

Parking Versus Storage. Parking is to leave a motor vehicle for a temporary time. Storage is to place or leave in a location for storage, maintenance, repair, future sale, or rental, or future use for an indefinite period of time.

Partition (Minor). To divide an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year. See ORS 92.010(8).

Partition (Major). To divide an area or tract of land into four or five parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year. See ORS 92.010(8).

Partition Plat. A final map and other writing containing all the descriptions, locations, provisions, and information concerning a major or minor partition.

Pathway. A walkway, bikeway, or access way conforming to City standards and separated from the street right-of-way, that may or may not be within a public right-of-way.

Paving or Paved. Any natural surface covered with concrete, asphalt, brick, paving stones, or other hard surface materials, including semi-permeable materials.

Pedestrian Way. A right-of-way for pedestrian traffic.

Person. Every natural, firm, partnership, association, social or fraternal organization, corporation, estate, trust, receiver, syndicate, branch of government, or any other group or combination acting as a unit.

Planned Road or Street. A highway, road, street, or alley identified in an adopted corridor plan, comprehensive plan or transportation system plan in accordance with administrative procedures of OAR 660-012 and ORS Chapter 197, but that has not been constructed.

Planning Commission. The Planning Commission of the City.

Planter Strip. A landscape area for street trees and other plantings within the public right-of-way, usually a continuous planter area between the street and a sidewalk.

Plat. Diagrams, drawings, and other writing containing all the descriptions, locations, dedications, provisions, and information concerning a land division. This term includes the state law definitions of “partition plat” and “subdivision plat.” See also, Chapter 4.3, Land Divisions.

Posted Speed. The statutory speed established by ORS 811.105 or ORS 811.180, or the designated speed established by ORS 810.180.

Practicable. Capable of being done after taking into consideration reasonable cost, existing technology, and logistics in light of overall project purposes.

Primary Structure. A structure or combination of structures of chief importance or function on a site. In general, the primary use of the site is carried out in a primary structure. The difference between a primary and accessory structure is determined by comparing the size, placement, design, appearance, and the orientation of the structures on a site.

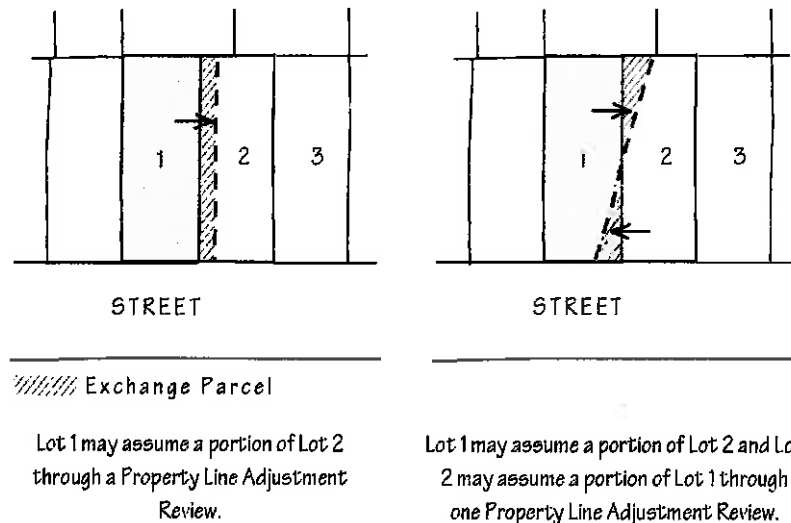
Primary Use. An activity or combination of activities of chief importance on the site. One of the main purposes for which the land or structures are intended, designed, or ordinarily used. A site may have more than one primary use.

Project. An existing or proposed use or development subject to one or more land use approvals.

Property Line. The division of land between two units of land.

Property Line Adjustment. The relocation of a single common property line between two abutting properties not resulting in an increase in the number of lots, pursuant to Chapter 4.3. See figure, below.

Property Line Adjustment



Public Access Easement. A public access easement is an easement granted to the public for vehicular and pedestrian access, or for non-motorized access.

Public Improvements. Development of public infrastructure, as required by the City, a special district, or road authority, as applicable. See Chapter 3.6.

Q

Quasi-judicial. An action or decision that requires substantial discretion or judgment in applying the standards or criteria of this Code to the facts of a development or land use proposal, and requires a public hearing. See Section 4.1.040.

R

Radio Frequency Transmission Facilities (Land Use). Radio Frequency Transmission Facilities includes all devices, equipment, machinery, structures, or supporting elements necessary to produce non-ionizing electromagnetic radiation within the range of frequencies from 100 KHz to 300 GHz and operating as a discrete unit to produce a signal or message. Towers may be self supporting, guyed, or mounted on poles or buildings.

Recreational Vehicle. A vacation trailer or other unit with or without motive power which is designed for human occupancy and to be used temporarily for recreational, seasonal, or temporary purposes, and has a gross floor space of less than 400 square feet. "Recreational vehicle" includes camping trailers, camping vehicles, motor homes, park trailers, bus conversions, van conversions, tent trailers, travel trailers, truck campers and any vehicle converted for use or partial use as a recreational vehicle. The unit shall be

identified as a recreational vehicle by the manufacturer or converter.

Recreational Vehicle Park (Land Use). A commercial use providing space and facilities for motor homes or other recreational vehicles for recreational use or transient lodging. There is no minimum required stay in a recreational vehicle park, however, the City may establish the maximum length of stay. Uses where unoccupied recreational vehicles are offered for sale or lease, or are stored, are not included as Recreational Vehicle Parks.

Religious Institutions and Places of Worship (Land Use). Uses primarily providing meeting areas for religious activities; may include schools as an accessory use.

Residential Facility. Defined in ORS 443.400 to include the terms “residential care facility,” “residential training facility,” residential treatment facility,” residential training home,” and “residential treatment home,” and includes a facility licensed under ORS 443.400 through 443.460, for six or more physically or mentally handicapped persons or elderly persons who need not be related. Staff persons required to meet Department of Human Resources licensing requirements shall not be counted in the number of facility residents and need not be related to each other or to any resident of the residential facility.

Residential Home. A residence for five or fewer unrelated physically or mentally handicapped persons and for staff persons who need not be related to each other or to any other home resident.

Residential Trailer. A structure constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, and that was constructed before January 1, 1962.

Residential Use (Land Use). Long-term (i.e., more than 28 days) occupancy of a dwelling unit, which may be owner-occupied or rented. Occupancy of a dwelling unit for shorter periods of time is considered an overnight accommodation.

Retail Sales and Service Uses (Land Use). Retail Sales and Service uses sell, lease, or rent new or used products, goods, or services. They include services such as barber/salon, accountant, restaurant, bar, repair service, and similar uses. See also, Vehicle Servicing.

Right-Of-Way. Real property or an interest in real property owned by a roadway authority for the purpose of constructing, operating, and maintaining public facilities.

Roadway. The portion of a right-of-way that is improved for motor vehicle and bicycle travel, subject to applicable state motor vehicle licensing requirements. Roadway includes vehicle travel lanes and on-street parking areas. Roadway does not include area devoted to curbs, parking strips, or sidewalks.

Road/Roadway Authority. The City or other agency (e. g., Oregon Department of Transportation, City of Harrisburg, or Linn County) with jurisdiction over a road or street.

S

Schools (Land Use). Public and private schools, secular or parochial, at the primary, elementary, middle,

junior high, or high school level.

Self-Service Storage. Mini-storage or other storage areas for individual or business uses. The storage areas are designed to allow private access by the tenant for storing personal property.

Setback / Setback Yard. The minimum distance required between a specified object, such as a building, and another point, measured from lot lines to a specified object. Typically, a setback refers to the minimum distance (yard dimension) from a building to a specified property line.

Shared Driveway. A driveway used to access two or more parcels.

Shared Parking. Required parking facilities for two or more uses, structures, or lots or parcels, which are satisfied jointly with the same facilities. See Chapter 3.5.

Sidewalk. A paved walkway within a public street right-of-way that is generally located adjacent to and separated from the roadway by a curb[, *drainage facility (e.g., ditch or swale),*] or planter strip.

Sight Distance. The unobstructed viewing distance measured from one object or location to another object or location, usually required for the purpose of traffic safety (e.g., a length of street or highway that a driver can see with an acceptable level of clarity, pursuant to the standards of the applicable roadway authority).

Sign. Any outdoor device, or device visible from outdoors, providing identification, advertising, or directional information for a specific business, group of businesses, service, product, brand, person, organization, place or building. included in this definition of signs are: graphic devices such as logos and trademarks; attention-attracting objects such as wind-driven spinners, portable sign devices, logo sculptures, banners, balloons, streamers, strobe lights, flags, inflatable structures, projected picture signs, holographic projection signs, and laser projected designs/images/copy; and other attention attracting media and devices.

Site. For land divisions, property line adjustments, and lot consolidations, the site is the lots, lots of record, parcels, or tracts proposed to be divided or reconfigured. For all other purposes, the site is an ownership except as follows:

- If a proposed development includes multiple ownerships, then the site is the combined area of all contiguous ownerships.
- If a proposed development includes only a portion of an ownership, and the balance of the ownership is vacant, then the applicant may choose to define the site as the portion of the ownership that is proposed for development.
- If a proposed development includes only a portion of an ownership, and there is other development on the ownership, then the applicant may choose to define the site as the portion of the ownership that is currently developed plus the portion proposed for development.

Site Frontage. The part of a site that abuts a street. See also, Block/Street Frontage.

Spacing Standards. The minimum distance required between a proposed street or driveway connection, as applicable, and the center of the nearest existing street or driveway connection on the same side of the highway in both directions, as set forth by the standards of the applicable roadway authority. Spacing standards for state highways are contained in OAR 734-051-4020.

Street. A right-of-way that is intended for motor vehicle, pedestrian, or bicycle travel; or for motor vehicle, bicycle, or pedestrian access to abutting property. For the purposes of this Code, street does not include alleys and rail rights-of-way that do not also allow for motor vehicle access, or freeways and their ramps.

Street Connectivity. Expressed as the number of street and/or access way connections within a specific geographic area. Higher levels of connectivity provide for more direct transportation routes and better dispersion of traffic, resulting in less traffic on individual streets and potentially slower speeds through neighborhoods.

Street-Facing / Oriented to Street. A wall plane of a structure that faces or is oriented within 45 degrees or less from a street lot line.

Street Stub. A temporary street ending where the street will be extended through adjacent property in the future, as those properties develop. Not a permanent street-end or dead-end street.

Structural Alteration. A change to the supporting members of a structure, including the supporting parts of foundations, bearing walls or partitions, columns, beams, girders, or the roof.

Structure. Except as provided by applicable building codes, any object constructed in or on the ground. Structure includes buildings, decks, fences, towers, flag poles, signs, utility vaults, and other similar objects. Structure does not include paved areas or vegetative landscaping materials.

Subdivider. A person who undertakes the subdividing of a parcel of land, including changes in street or lot lines, for the purpose of transfer of ownership or development.

Subdivision. To divide land into six or more lots within a single calendar year. See also, Chapter 4.3 Land Divisions, and ORS 92.010.

Subdivision Plat. A final map and other supplemental information containing all the descriptions, locations, specifications, dedications, provisions and other information concerning a subdivision.

T

Through Street. A street that connects to other streets at both ends or is planned to do so in the future, pursuant to a comprehensive plan, transportation system plan, access management plan, or land use approval.

Topographical Constraint. Where existing slopes, landforms (e.g., streams, canals, rock outcropping, etc.) or existing man-made feature (e.g., embankment or berm) make conformance with a Code standard impracticable.

Townhome. Three or more attached single-family dwellings or row houses that are individually owned.

Tract. A piece of land within a platted subdivision reserved for open space, utility corridor, recreation facilities, sensitive lands, or other purpose; may be dedicated to a homeowner's association or other entity for maintenance.

Traffic Impact Analysis. A report prepared by a professional engineer that analyzes existing and future roadway conditions, and which may recommend transportation improvements and mitigation measures.

Turnaround. A vehicle maneuvering area at the end of a dead-end street (e.g., hammerhead, cul-de-sac, or other configuration) that allows for vehicles to turn around.

Travel Trailer. A vacation structure or self-propelled vehicle equipped with wheels for street or highway use; intended for human occupancy; equipped with plumbing, sink, or toilets; used for vacation and recreational purposes; and not used as a residence. See ORS 446.003(5), (24), and Recreational Vehicle.

U

Use (Land Use). The purpose for which land or a structure is designed, arranged, intended, occupied, or maintained.

Utilities. For the purposes of this Code, there are two types of utilities: 1) Private: telephone, electric, telecommunication, and similar franchise facilities; and 2) Public: water and wastewater conveyance and treatment facilities.

Utilities (Land Use). Utilities are infrastructure services, which need to be located in or near the area where the service is provided. Basic Utility uses may or may not have regular employees at the site. Services may be public or privately provided. Examples include water and sewer pump stations; sewage disposal and conveyance systems; electrical substations; water towers and reservoirs; water quality and flow control facilities; water conveyance systems; stormwater facilities and conveyance systems; telephone exchanges; suspended cable transportation systems; public safety facilities; district heating and cooling systems; solar, wind, or geothermal power generation facilities that are not accessory to a primary use; and emergency communication broadcast facilities. Larger-scale utility facilities, and those that do not conform to the above definition (e.g., biomass power generation), may be classified as Industrial uses or “Other” uses (e.g., Utility Corridor) as applicable.

V

Variance. A Planning Commission decision to lessen or otherwise modify the requirements of this Code. See Chapter 4.7.

Vehicle Areas. All of the areas on a site where vehicles may circulate or park, including parking areas, driveways, drive-through lanes, and loading areas. See also, Driveway and Parking Area.

Vehicle Repair. Repair of passenger vehicles, trucks or other motor vehicles such as motorcycles, boats and recreational vehicles.

Vehicle Servicing. Gas stations, unattended card key stations, car washes, commercial vehicle maintenance and/or oil and lubrication services, and similar uses.

Vision Clearance Area. Areas near intersections of roadways and motor vehicle access points where a clear field of vision is required for traffic safety and to maintain adequate sight distance. See Chapter 3.3.

W

Walkway. A sidewalk or path, including any access way, improved to City standards, or to other roadway authority standards, as applicable. See also, Access Way, Pathway, and Sidewalk.

Waste/Trash Collection Areas. Waste collection areas include areas set aside or designed to be used for garbage collection and collection of materials for recycling. Waste collection areas include areas occupied by dumpsters and other solid waste receptacles.

Waste-Related Use. Waste-related uses are characterized by uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the biological decomposition of organic material. Waste-related uses also include uses that receive, store, sort, and distribute post-consumer recyclable materials; and those that receive hazardous wastes from others and are subject to the regulations of OAR 340-100-110, Hazardous Waste Management.

Warehouse, Freight Movement and Distribution. The storage or movement of goods, except as accessory to a primary permitted use on the subject site.

Wireless Communication Equipment. Cellular towers, antennae, monopoles, and related facilities used for radio signal transmission and receiving.

Y

Yard. The area defined by setbacks (i.e., between the setback line and nearest property line).

Yard, front. A yard between side lot lines and measured horizontally at right angles to the front lot line to the nearest point of the building.

Yard, rear. A yard extending between side lot lines and measured horizontally at right angles to the rear lot line, from the rear lot line to the nearest point of the building.

Yard, side. A yard between the front and rear yards measured horizontally and at right angles to the side lot line, from the side lot line to the nearest point of the building.

Z

Zoning Official. An individual or committee designated by the City of Harrisburg with the duties and authority to enforce the provisions of this title.