

## ORDINANCE NO. 211-24

### AN ORDINANCE AMENDING THE MILLERSBURG ZONING MAP CHANGING THE ZONING ON THE TRANSITION PARKWAY LINEAR PARK

**WHEREAS**, the State of Oregon Land Conservation and Development Commission acknowledged the City's first Comprehensive Plan, and the City adopted said plan in 1983, including a zoning map; and,

**WHEREAS**, the City is proposing to construct a linear park along the new NE Transition Parkway; and,

**WHEREAS**, the Zoning for the proposed park site (identified as 10S-03W-28-00100) as of January 2024 was General Industrial (GI); and,

**WHEREAS**, the General Industrial (GI) zone does not permit a public park; and,

**WHEREAS**, the City now wishes to amend the Zoning designation to Public Facilities (PF) which permits a city park; and,

**WHEREAS**, the proposed zoning of Public Facilities (PF) is consistent with the Industrial Comprehensive Plan Land Use Designation as shown on Table 9.500B of the Comprehensive Plan; and,

**WHEREAS**, the Department of Land Conservation and Development (DLCD) received hearing notice thirty-five days in advance of the first Planning Commission hearing on March 19, 2024; and,

**WHEREAS**, quasi-judicial public hearing notices were sent to all surrounding addresses in the City (200 feet), at least twenty days prior to the of the first Planning Commission hearing on May 7, 2024 and posted in the newspaper on April 16, 2024; and,

**WHEREAS**, the Millersburg Planning Commission recommended to the Millersburg City Council on May 7, 2024, that the City Council approve the Zone map amendment that is the subject of this Ordinance; and,

**WHEREAS**, the Millersburg City Council find that the proposal meets all criteria requirements from Section 5.09 of the Millersburg Development Code and all findings are included in the staff report dated April 30, 2024, which is attached hereto as Exhibit A and incorporated herein as the findings of fact and conclusions of law of the City Council.

**WHEREAS**, the Millersburg City Council held a duly noticed hearing on May 14, 2024

and adopted a motion to approve the Zone map amendment that is the subject of this Ordinance; and,

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF MILLERSBURG DO ORDAIN AS FOLLOWS:** the Millersburg Zoning Map is hereby amended to change the zoning designation for the property known as tax lots 10S-03W-28-00100, from General Industrial (GI) to Public Facilities (PF).

**PASSED by the Council and signed by the Mayor this 14<sup>h</sup> day of May, 2024.**



\_\_\_\_\_  
Scott Cowan,  
Mayor

ATTEST:



\_\_\_\_\_  
Sheena Dickerman,  
City Recorder



**File No: DC 24-01 & SP 24-02 Zone Change and Site Development Review**

**Proposal:** DC 24-01 proposes to change the zoning of Tract A of the Transition Parkway Industrial Park subdivision from General Industrial (GI) to Public Facilities (PF). SP 24-02 proposes a new linear park that will be located between the existing NE Conser Road and the new street, NE Transition Parkway (to be built in tandem with the park). The park will be a passive/active park comprised primarily of landscaping, a 12-foot-wide multi-use path, and sidewalk connections to nearby roadways. The park will include a retaining wall and a vegetated berm that will provide a buffer between residentially zoned lands to the north and industrial lands to the south. Most of the park is on a newly created tract of land, however some will be built within the right of way on the far western edge of the park, crossing over NE Conser Road to the intersection of NE Woods Road and NE Transition Parkway.

**I. BACKGROUND**

- A. Applicant: City of Millersburg
- B. Location: The site has no address. It is located southerly of NE Conser Road on section/township/range 10S-03W-28 Tax Lot 00100 and includes park improvements within the right-of-way between NE Woods Road and NE Conser Road (based on the revised ROW designs).
- C. Review Type: The proposed Development Code Amendment (DC) is a type IV review which requires a hearing before the Planning Commission whereby the Commission makes a recommendation to the City Council. A subsequent hearing before the City Council is required for a final action, including the adoption of an ordinance. The Site Development Review (SP) is a type III review which normally requires a hearing only before the Planning Commission, however, because this SP review is linked with the DC, the code states that the two should go through the process dictated by the highest-ranking case type.<sup>1</sup> It should be noted that the case is being processed as a quasi-judicial case type because the zone change is applied to only one property. Any appeal of the City Council's decision relating to this matter will be considered by the Oregon Land Use Board of Appeals (LUBA).
- D. Public Notice and Hearing: A notice was posted in City Hall. A separate notice was sent to the Department of Land Conservation and Development (DLCD) on March 19, 2024. A notice was also posted in the newspaper on April 16, 2024. Additionally, notices were sent by mail to those within 200 feet of the park property on April 17, 2024, because the case is being processed as a quasi-judicial case. Information related to the hearing is posted on the City's website here - <https://www.millersburgoregon.gov/planning/page/dc-24-01-sp-24-02-transition-parkway-linear-park>.
- E. Review Criteria: Millersburg Development Code Section 5.11.050 for the zone change and section 5.05.060 for the site development review.
- F. Current Zoning: General Industrial (GI)
- G. Proposed Zoning: Public Facilities (PF)

<sup>1</sup> See Millersburg Development Code Section 5.16.010

## H. Background:

### Concept

The City of Millersburg is proposing a new linear park that will be located between the existing NE Conser Road and the new street, NE Transition Parkway (to be built in tandem with the park). The park will be a passive/active park comprised primarily of landscaping, a 12-foot-wide multi-use path, and sidewalk connections to nearby roadways. The park will include a retaining wall and a vegetated berm and trees that will provide a buffer between residentially zoned lands to the north and industrial lands to the south.

Because of funding limitations and timing of the need for construction, the project is divided into Schedule A and Schedule C (Schedule B includes only utilities, not park facilities). Schedule A includes the eastern 1,300 feet of the park, from NE Castillo Drive to a point approximately 1,300 feet west. Schedule B is the balance of the project, from where Schedule A ends to the intersection with NE Woods Road, approximately 1,700 feet to the west.

### Design

The project is a long park. The shape of the park was dictated by the intended function, which includes acting as a buffer between zones, connecting a trail link for the community, providing additional recreational features, and providing space for special events in Millersburg. The initial design is intended to provide passive and active recreation opportunities with open space lawns, and seating for taking breaks or watching birds. The trail will be used for recreation and exercise, and while the first initial buildout is not planned to have playground equipment, it has been designed for play. The landscaping, the berms, the rocks, and the sidewalks (which cross over the berm) have all been designed so that children can play on all parts of the parks;. A second phase is planned that will introduce more specific built features, possibly playground and/or exercise equipment, or similar features. These will require additional public outreach to see what the people of Millersburg would like to see in the park.



The landscaping has also been designed to feature changing colors throughout the seasons. Sidewalks will be flanked by several colorful trees to create 'tree tunnels' filled with season-changing colors. Additionally, the park has been designed with electrical connection for events and Christmas displays, acting as a community gathering point and a point of pride for the community.

### Safety

The park includes several safety design features. First, it provides a multi-use trail off-street. This trail will accommodate bikes, pedestrians, joggers, and other compatible uses. All of these will be off-street which protects users from vehicles. All trails will include lighting for safe use at night. The landscaping has been designed to ensure that law enforcement can view all aspects of the park, night or day, from a patrol car on a street, there are no hiding places in the park. All trails and sidewalks are ADA accessible.



### Buffer

The proposed park will be located between the existing NE Conser Road and the proposed Transition Parkway. NE Conser Road is currently an important dividing line in the City because the zoning changes between residential zones to the north and industrial zones to the south. The City does not want to see industrial traffic using NE Conser Road, partially because it has homes that front on to the road. This is the reason why the new street, NE Transition Parkway, has been designed to parallel the existing NE Conser Road, allowing a downgrade of NE Conser Road from an Arterial.



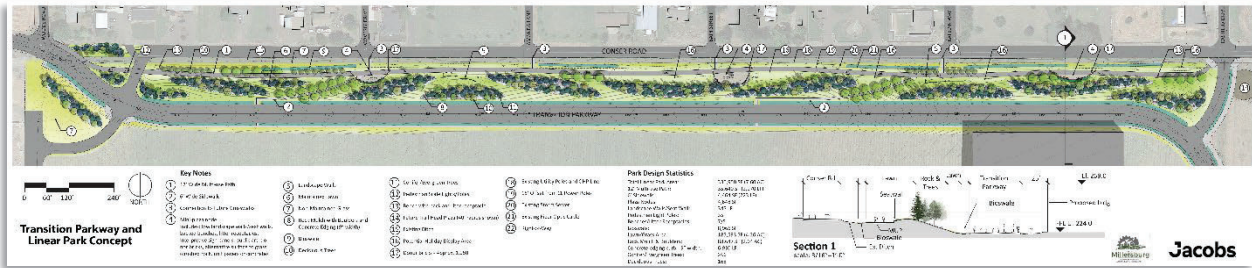
NE Transition Parkway will become an Arterial.

The park will include a visual buffer between these uses as well. The park will feature a berm that will be landscaped with deciduous and evergreen trees. These will visually buffer the residential and industrial uses throughout the year.

### Multi-Use Trail

The 12-foot multi-use trail will connect to another trail system currently in development along NE Woods Road, which spans most of the residential portion of the City north of NE Conser Road. The future Woods Road Trail will connect to this east-west trail which will allow people to walk to popular destinations including the local community store and City Hall. Additionally, a future YMCA is planned near City Hall, as is a future Elementary School. There are currently no sidewalks on NE Conser Road; however, the completion of this trail, and the Woods Road Trail System, will also allow people to

complete a loop around most of the residential area, from Woods Road, to NE Conser Road, to NE Old Salem Road, and then along NE Millersburg Drive.



## II. CRITERION

### CITY OF MILLERSBURG DEVELOPMENT CODE

**5.10.050 Decision Criteria. Zone change proposals shall be approved if the applicant provides evidence substantiating the following:**

- (1) The proposed zone is appropriate for the Comprehensive Plan land use designation on the property and is consistent with the description and policies for the applicable Comprehensive Plan land use classification.**

**ANALYSIS:** The property has a Comprehensive Plan Land Use designation of Industrial. The proposed zoning is Public Facilities (PF). Table 9.500B in the City’s Comprehensive Plan lists which zones are compatible with which Comprehensive Plan Land Use designations. The Industrial Comp Plan designation is compatible with the PF zone in the table.

Section 9.590 of the Comp Plan lists the policies specific to each designation. Policy 1 explains that all development in the designation shall be industrial. The park is not specifically listed, however, public facilities are specifically permitted in any designation as previously explained.

Policy 3 explains that development shall not result in disruptions to residential uses through traffic, noise and pollution, or otherwise detract from the livability of the community. The PF zone will permit the proposed park, which will specifically address compatibility issues and concerns. The park will provide a buffer between the uses. The trees, berm and landscaping will provide a natural barrier to limit (not totally prevent) noise and any visual concerns. Pollution is addressed by State rules and regulations. The park is part of a re-design of the streets in the area. The redesign will route through traffic away from the residential area fronting NE Conser Road.

Policy 7 states similar requirements, that all industrial development shall include

consideration of the relationship with other land uses and the adequacy of landscaping. This project helps address these concerns.

Policy 9 explains that industrial areas shall be protected from the encroachment of incompatible uses. The park helps address any concerns with compatibility by essentially hiding the industrial uses from the residential (and vice versa). The project creates a clear demarcation line between the two uses, one that is not just on paper or imaginary, rather one that is tangible and not temporary.

Policy 10 requires screening buffers. The project was designed for that specific intent.

All other policies are not applicable to the project, but are also not inconsistent with, the proposed park/ zoning designation. The proposed PF zone and public park fully implement, and are not inconsistent with, the Comp Plan Land Use designation.

**FINDING:** Based on the analysis above, the project meets the required criteria.

**(2) The uses permitted in the proposed zone can be accommodated on the proposed site without exceeding its physical capacity.**

**ANALYSIS:** The proposed zone is Public Facilities (PF). This zone permits a wide variety of potential uses, including schools, parks, playgrounds, and facilities like sewer lift stations and basins. Naturally, the shape of the parcel is such that schools would not fit. However, parks and other facilities could easily be accommodated. The proposed park has already been designed specifically for this property.

**FINDING:** Based on the analysis above, the project meets the required criteria.

**(3) Allowed uses in the proposed zone can be established in compliance with the development requirements in this Code.**

**ANALYSIS:** Most uses in a PF zone will have minimal setbacks or other regulations. The property can accommodate most smaller PF uses, again, clearly not larger ones like schools. The proposed park can be established in accordance with the regulations, see the Site Development Review criteria below for more details.

**FINDING:** Based on the analysis above, the project meets the required criteria.

**(4) Adequate public facilities, services, and transportation networks are in place or are planned to be provided concurrently with the development of the property.**

**ANALYSIS:** All public utilities front the site. The site is surrounded by public streets (though one is not yet constructed, but is planned to be built as part of the park project).

**FINDING:** Based on the analysis above, the project meets the required criteria.

- (5) **For residential zone changes, the criteria listed in the purpose statement for the proposed residential zone shall be met.**

**ANALYSIS:** The proposed zone change is not going from, or to, a residential zone.

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

**5.10.050 Decision Criteria. The review of a site plan shall be based upon the following criteria:**

- (1) **The proposed use is allowed in the zone and complies with the underlying zone development standards.**

**ANALYSIS:** Section 2.11.020 lists the permitted uses in the PF zone. Parks are specifically listed in subsection 2.11.020(2)h. Development standards for the PF zone are listed in section 2.11.050. They include the following:

Minimum lot area	Sufficient for the use	The lot area is 6.7 acres and is sufficient for the park and trail system proposed.
Front yard setback- non-residential	None	No structures are proposed.
Side yard setback non-residential	None	No structures are proposed.
Rear yard setback non-residential	None	No structures are proposed.
Maximum structure height	60 feet	No structures are proposed.
Maximum lot coverage	80%	The proposed park will include some hardscape in the form of trail and sidewalk surfaces. These will be far less than the 80% coverage requirement. The rest of the park will be landscaped.

Additionally, section 2.11.060 clarifies that all projects must still comply with the development standards found throughout the rest of the Development Code. Applicable standards from the rest of the code are addressed in section III of this staff report. In summary, all standards are met.

**FINDING:** Based on the analysis above, the project meets the required criteria.

- (2) **The proposed use will not create negative impacts on the surrounding area resulting**



**from traffic flow, noise, dust, glare, odor, potential incompatible adjacent uses such as parking lots, or other impacts identified in the public hearing process.**

**ANALYSIS:** The proposed park should not result in negative impacts on the surrounding area. Regarding traffic, the park is intended to be a neighborhood park, not a regional destination. As such, no parking is proposed. The City anticipates that most users of the park will come on foot from residential properties north of the park; in fact, the included multi-purpose trail is intended to connect to other sidewalks and trails partially for that reason. The park is proposed along with a new street, NE Transition Parkway. The new street is designed to accommodate the traffic from the industrial areas proposed south of the park. This project will allow Conser Road to be downgraded from an arterial in the future. The park alone will not result in less traffic on NE Conser Road, but the project as a whole (including the street) will.

Regarding other possible impacts, this park is proposed without a playground and without any sports fields. While parks can be noisy, the traditional noise generating features are absent in this park. Children can certainly play in the open lawns and in, and around, the tree areas (in fact, it was designed for them to), but there should be no single concentrated place where kids will play. This will cut down on noise. The entire park will be landscaped, so there should be no dust, glare, or odor impacts.

**FINDING:** Based on the analysis above, the project meets the required criteria.

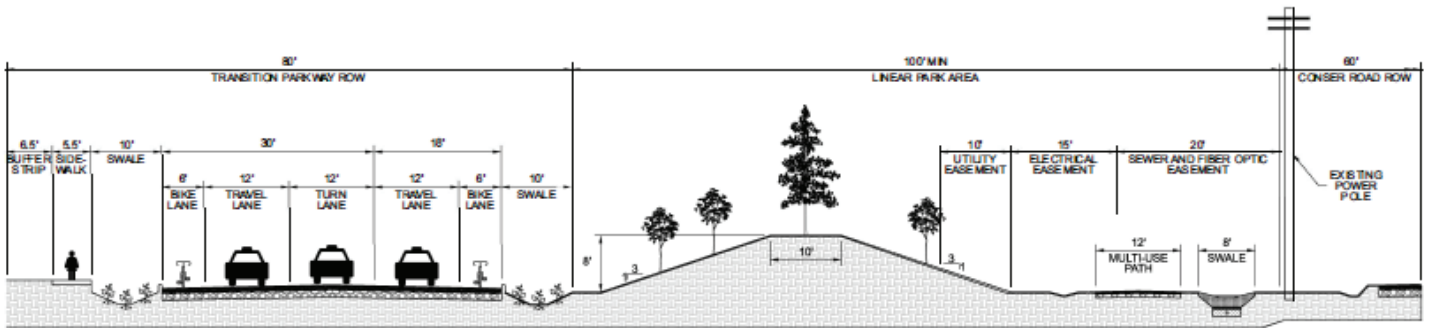
**(3) The City may impose conditions of approval intended to mitigate potential impacts including, but not limited to:**

- a. Provisions for public utilities, including drainage and erosion control needs;**
- b. Parking, traffic safety, and connectivity of internal circulation to existing and proposed streets, bikeways, and pedestrian facilities;**
- c. Provision for adequate noise and/or visual buffering from non-compatible uses including using site and landscaping design to provide needed buffering; and**
- d. Protections from any potential hazards.**

**ANALYSIS:** All drainage requirements are addressed in the design of the park. No parking is proposed, and all onsite internal circulation has been fully addressed in the design.

Item c above explains that the City can add mitigation for screening of non-compatible neighboring uses. It should be noted that bulk of the project is intended to be screening between residential and industrial uses. The park includes a berm, with both deciduous and evergreen trees included in the plantings. These are arranged in

a dense pattern, and arranged so that the screening should be viable through all seasons.



The park should present no hazards to the surrounding area. Part of the property features a zoning overlay to mitigate for radon gas in enclosed structures. No structures are proposed, therefore, no mitigation of any kind if required.

**FINDING:** Based on the analysis above, the project meets the required criteria.

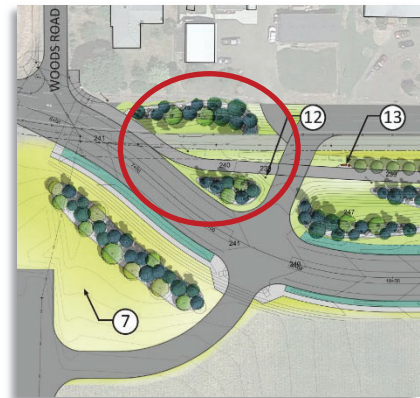
### III. STANDARDS

The Development Code includes standards for many kinds of development. Some are not applicable in every case or situation. Some are addressed in the design or do not require any explanation. Those that require explanation, or require conditions of approval in order to be consistent, are reviewed below.

#### CHAPTER 3.02- STREET STANDARDS

This section includes standards for new streets or improvements that are required when a project is taking access from a public street.

**ANALYSIS:** The park is part of a larger project that includes a new street to the south of the park site, NE Transition Parkway. There will be no vehicular access from the street required, because no parking is provided as part of the project. No street improvements are required for the street to the north, NE Conser Road. It should be noted that part of the park will be constructed within a right-of-way area, between NE Woods Road and NE Conser Road (as revised by the larger project which includes NE Transition Parkway). The route of NE Conser Road will change, turning southerly near the new intersection of NE Conser Road and NE Transition Parkway. All revisions with NE Conser Road will be made in accordance with the requirements of this section.



**FINDING:** Based on the analysis above, the project meets the standards.

#### **CHAPTER 3.04- STORM DRAINAGE**

This section includes standards for storm drainage.

**ANALYSIS:** All required storm drainage is addressed through the design of the project. A stormwater plan has already been provided and reviewed by the City Engineer for compliance with the Code. The site will require extensive grading. A 1200-C NDPES permit will be required for erosion and sediment control during construction. No easements are required because the entire property is owned by the City.

**FINDING:** Based on the analysis above, the project meets the standards.

#### **CHAPTER 3.06- SIGNAGE**

This section regulates signage.

**ANALYSIS:** No signage is proposed with this site development review. A separate sign permit would be required when signage is proposed.

**FINDING:** These standards do not apply.

#### **CHAPTER 3.07- FENCING AND SCREENING**

This section includes standards for fences and screening. Some of these requirements are applicable here because the berm provides screening.

**ANALYSIS:** Sub section 3.07.070 contains regulations for berms that provide the function of screening. This park does include such a berm; therefore, these apply. Standards 1 through 4 pertain to fences specifically. The only fencing in the park will be located at the top of the retaining walls to prevent people from falling. These will all fully conform to the code requirements; they will all be under 6 feet in height. Standard 5 requires the height of the berm to comply with the zone. The berm is well under the zoning height allowance. The berm at its highest point is only 8 feet tall. Standard 6 requires all berms to be fully landscaped. As discussed previously, the entire berm is planned to be fully landscaped, in accordance with this requirement.

**FINDING:** Based on the analysis above, the project meets the standards.

#### **IV. STAFF RECOMMENDATION TO THE PLANNING COMMISSION**

Based on the above findings of fact, the proposed Zoning Map Amendment and Transition Parkway Linear Park Site Development Review satisfies the applicable criteria.

Staff recommends that the Planning Commission recommend approval of Applications DC 24-01 and SP 24-02 to the City Council.

**V. SUGGESTED MOTION FOR PLANNING COMMISSION**

I motion that the Planning Commission recommend approval of DC 24-01 and SP 24-02 to the City Council because all applicable criteria are met and all findings of fact are included in the staff report and Ordinance 211-24.

**VI. STAFF RECOMMENDATION TO THE CITY COUNCIL** *(assuming the Planning Commission recommends approval)*

Based on the above findings of fact the proposed Zone Map Amendment and Site Development Review satisfy the applicable criteria. The Planning Commission and staff recommend that the City Council approve Applications DC 24-01 and SP 24-02 and adopt Ordinance No. 211-24.

**VII. CONDITIONS OF APPROVAL**

**General Conditions:**

1. This land use approval shall substantially comply with the submitted preliminary plans included as Exhibit C, except as indicated in the following conditions. Additional development or change of use may require a new development application and approval.
2. Copies of any required federal or state permits that may be required shall be filed in the Record File of this application.
3. This approval does not negate the need to obtain permits, as appropriate, from other local, state, or federal agencies, even if not specifically required by this decision.

**Prior to Building Permit Issuance**

4. Stormwater detention and water quality facilities shall be designed as required to meet City standards. Maintenance of detention basin and water quality facilities shall be the responsibility of the City.
5. The City Engineer shall approve all plans for all public improvements, including connections to public utilities (water, sewer, stormwater, and streets) to the City. The engineering plans shall conform to the Millersburg Engineering Design Standards, to the satisfaction of the City Engineer.

**Prior to Grading:**

6. Stormwater:

- Prior to the issuance of a grading permit the applicant must obtain a 1200C Erosion Control Permit and a City of Millersburg Erosion Prevention and Sediment Control (EPSC) Permit for all the disturbed ground, both on and off site. The applicant shall follow the latest requirements from DEQ for NPDES 1200-C Permit submittals.
- Stormwater facilities shall be designed and constructed in accordance with the City of Millersburg Engineering Standards.

7. All required public improvement plans shall be approved by the City prior to beginning construction. All utilities shall remain uncovered until inspected and approved by the City. All required public improvements shall be completed and approved by the City prior to occupancy.

### VIII. NOTICES TO THE APPLICANT

The applicant should also be aware of the following standards and processes that are required for development. These are not part of the decision on this land use case and are provided as a courtesy to the applicant. Please contact City Hall with any questions.

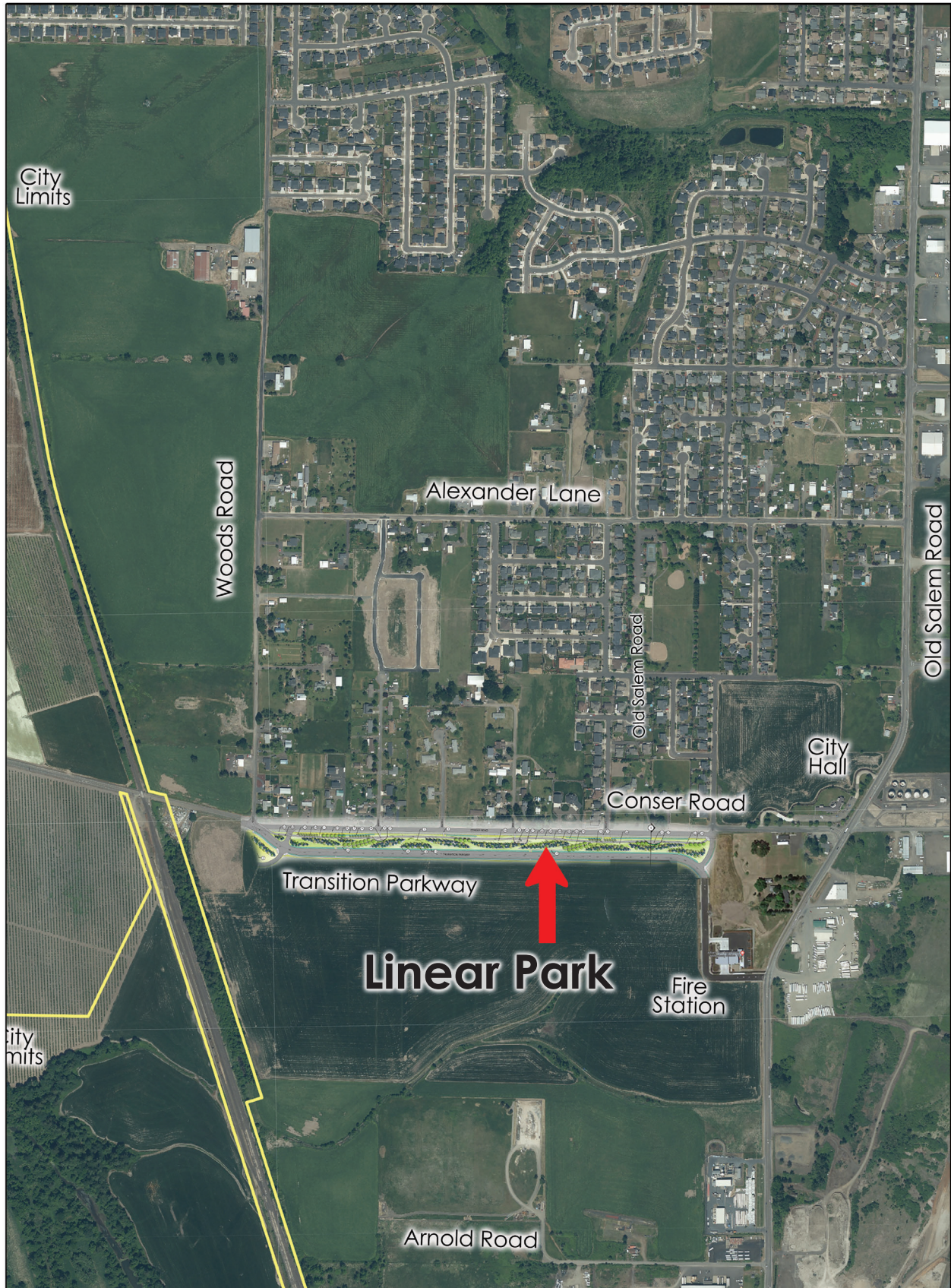
1. All required street signage and street lighting shall be approved by the City Engineer and installed.
2. Dust shall be controlled within the development during construction and shall not be permitted to drift onto adjacent properties.
3. **This approval of the Site Development Review is valid for a period of two (2) years from the date of the decision notice.** The zone change takes effect 30 days after the City Council adopts the ordinance. Extensions may be granted for the Site Development Review by the City as afforded by the Millersburg Development Code.
4. The continual operation of the property shall comply with the applicable requirements of the Millersburg Development Code.
5. Noise shall be kept at the minimum level possible during construction.
6. All construction sites shall be maintained in a clean and sanitary condition at all times. Construction debris includes food and drink waste. All waste shall be contained on site in proper containers or construction fencing enclosures and shall leave the construction site in

proper disposal containers. Failure to comply with this condition may result in a “Stop Work” order until deficiencies have been corrected to the satisfaction of the City.

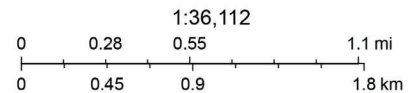
**IX. EXHIBITS**

- A. Vicinity Map
- B. Zoning Map
- C. Park Site Plan
- D. Draft Ordinance No. 211-24
- E. Public Hearing Notice

# Linear Park Vicinity Map



- Other City's UGBs
- Millersburg UGB
- Highways
- Railroad
- Tax Lots
- Roads



City of Albany, County of Linn, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA  
Linn County GIS

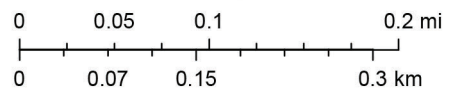
# DC 24-01 Zoning



3/19/2024, 10:21:01 AM

1:9,028

- |                           |                           |
|---------------------------|---------------------------|
| Highways                  | MIXED USE                 |
| Railroad                  | PUBLIC FACILITIES         |
| <b>Millersburg Zoning</b> | RESIDENTIAL LOW DENSITY   |
| COMMERCIAL OFFICE         | RESIDENTIAL MIXED DENSITY |
| GENERAL COMMERCIAL        | RURAL                     |
| GENERAL INDUSTRIAL        | LIGHT INDUSTRIAL          |
| LIMITED INDUSTRIAL        | Tax Lots                  |

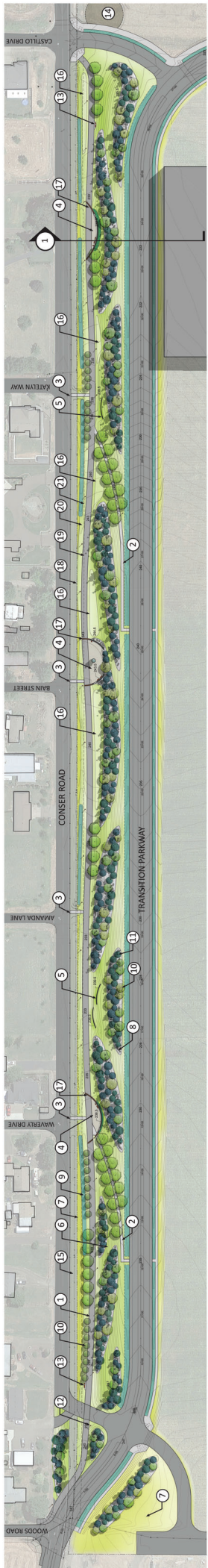


Linn County GIS, GeoTerra, 2021, City of Albany, County of Benton, County of Linn, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA

ArcGIS Web AppBuilder

City of Albany, County of Benton, County of Linn, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P,





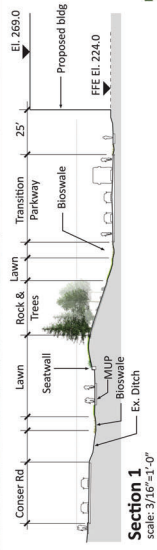
**Key Notes**

- 1 12' Wide Multi-use Path
- 2 6' Wide Sidewalk
- 3 Connection to Future Crosswalks
- 4 Multi-use path, landscape walk/crosswalk, includes low landscape walls/crosswalks, interpretive sign panels, public art, display area (crushed rock, unit pavers or concrete)
- 5 Landscape Walks
- 6 Maintained Lawn
- 7 Non-Maintained Grass
- 8 Rock Mulch with Boundaries and Concrete Edging (2' width)
- 9 Blotwalls
- 10 Deciduous Trees

**Park Design Statistics**

- 11 Corner/Overgreen Trees
- 12 Pedestrian Scale Lights/Poles
- 13 Bench with back and litter receptacle
- 14 Future Trail Head Panel (40' radius shown)
- 15 Existing Ditch
- 16 Potential Holiday Display Area
- 17 Donor Bricks - Approx. 1,050
- 18 Existing Utility Poles and Chip Line
- 19 15' Offset from CL Power Poles
- 20 Existing Storm Sewer
- 21 Existing Fiber Optic Cable
- 22 Right-of-Way

- 185,955 SF (4,261 AC)
- 35,440 SF (8,070 LF)
- 4,445 SF (102 LF)
- 4,948 SF
- 10 LF
- 35
- 7/6
- 185,955 SF (4,261 AC)
- 88,897 SF (2,044 AC)
- 269 LF
- 165



**Transition Parkway and Linear Park Concept**









**SHEET KEYNOTES**

- MULTIUSE PATH ALIGNMENT.
- CONCRETE SIDEWALK.
- RETAINING WALL.
- SEAT WALL DRAWINGS 06-L-2001 THROUGH 06-L-2004.
- LANDSCAPE CURB, TYPICAL.
- LIGHT FIXTURE AND POLE, TYPICAL. REFER TO DRAWINGS 06-L-2001 THROUGH 06-L-2004.
- EXISTING DITCH.
- ROW AND PLACEMENT AREAS FOR TYPICAL LAYOUT.

**GENERAL NOTES**

- REFER TO DRAWING 06-G-0021 FOR PLANTING LEGEND, SCHEDULE AND GENERAL NOTES.
- REFER TO DRAWINGS 06-L-2001 - 2005 FOR LAYOUT PLANS.
- REFER TO DRAWINGS 06-L-2101 - 2105 FOR GRADING PLANS.
- REFER TO STANDARD DRAWINGS AND IRRIGATION PLANS.
- 06-L-8000 - 8025 FOR PLANTING DETAILS.
- OMITTED SHEET KEY NOTE NUMBERS ARE NOT USED ON THIS SHEET.

**PLANTING LEGEND**

SYMBOL	COMMON NAME
(A)	ACER FRAXINUM / WHITE BIRCH
(B)	AMELANCHIER ALBA / REDBUD
(C)	CESTRUM LUTEUM / FLORIDA YEW
(D)	QUERCUS LAEVIS / WHITE OAK
(E)	QUERCUS LAEVIS / WHITE OAK
(F)	QUERCUS LAEVIS / WHITE OAK
(G)	QUERCUS LAEVIS / WHITE OAK
(H)	QUERCUS LAEVIS / WHITE OAK
(I)	QUERCUS LAEVIS / WHITE OAK
(J)	QUERCUS LAEVIS / WHITE OAK
(K)	QUERCUS LAEVIS / WHITE OAK
(L)	QUERCUS LAEVIS / WHITE OAK
(M)	QUERCUS LAEVIS / WHITE OAK
(N)	QUERCUS LAEVIS / WHITE OAK
(O)	QUERCUS LAEVIS / WHITE OAK
(P)	QUERCUS LAEVIS / WHITE OAK
(Q)	QUERCUS LAEVIS / WHITE OAK
(R)	QUERCUS LAEVIS / WHITE OAK
(S)	QUERCUS LAEVIS / WHITE OAK
(T)	QUERCUS LAEVIS / WHITE OAK
(U)	QUERCUS LAEVIS / WHITE OAK
(V)	QUERCUS LAEVIS / WHITE OAK
(W)	QUERCUS LAEVIS / WHITE OAK
(X)	QUERCUS LAEVIS / WHITE OAK
(Y)	QUERCUS LAEVIS / WHITE OAK
(Z)	QUERCUS LAEVIS / WHITE OAK

**GENERAL NOTES**

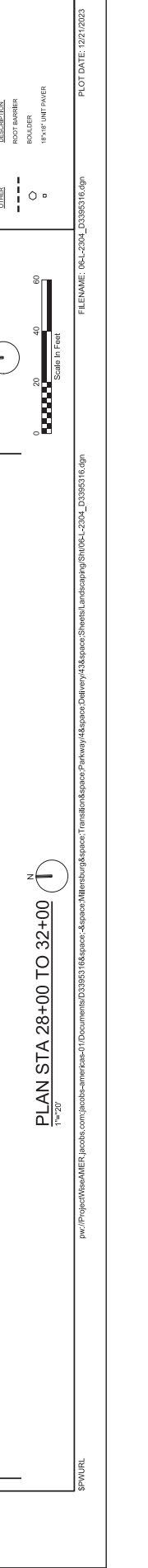
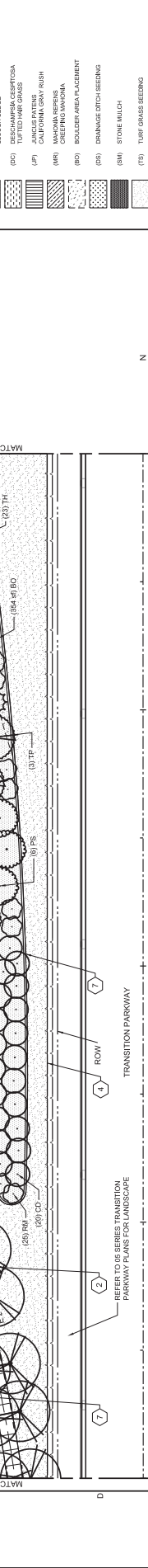
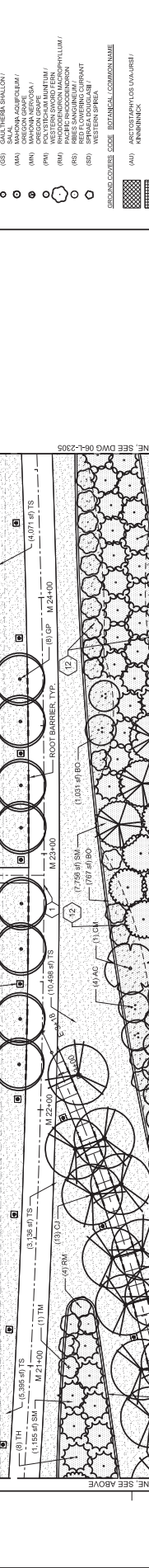
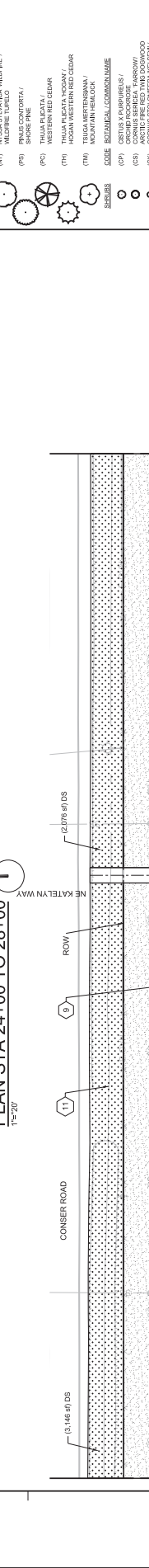
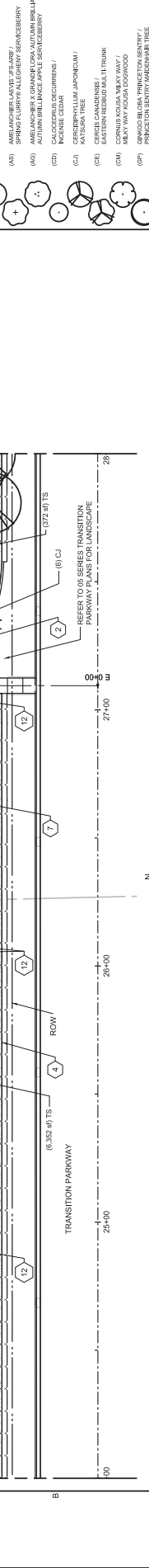
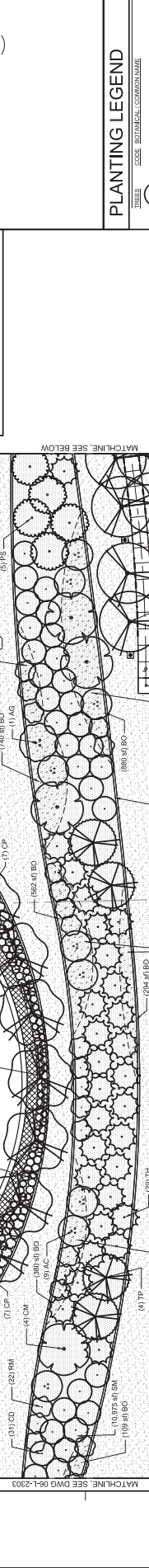
- REFER TO DRAWING 06-G-0021 FOR PLANTING LEGEND, SCHEDULE AND GENERAL NOTES.
- REFER TO DRAWINGS 06-L-2001 - 2005 FOR LAYOUT PLANS.
- REFER TO DRAWINGS 06-L-2101 - 2105 FOR GRADING PLANS.
- REFER TO STANDARD DRAWINGS AND IRRIGATION PLANS.
- 06-L-8000 - 8025 FOR PLANTING DETAILS.
- OMITTED SHEET KEY NOTE NUMBERS ARE NOT USED ON THIS SHEET.

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NO.	DATE	BY	APVD

NO.	DATE	BY	APVD

NO.	DATE	BY	APVD

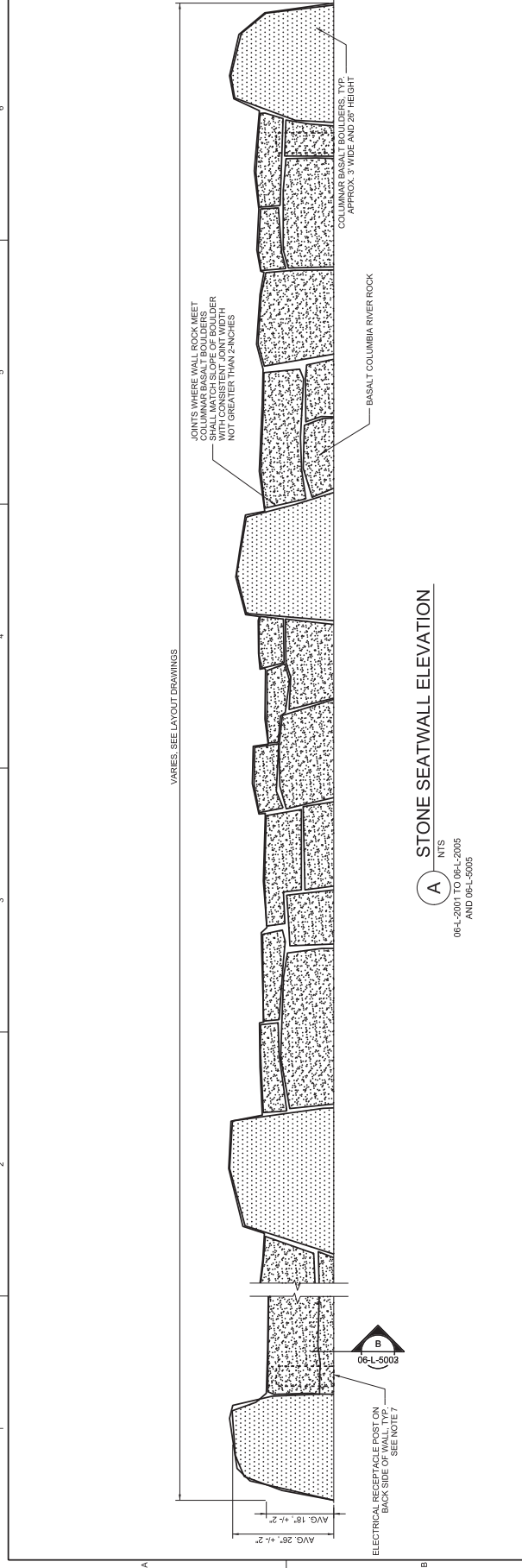
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**A** STONE SEATWALL ELEVATION

NTS  
06-L-2001 TO 06-L-2005  
AND 06-L-5005

VARIES, SEE LAYOUT DRAWINGS

JOINTS WHERE WALL ROCK MEET COLUMNAR BASALT BOULDERS SHALL MATCH SLOPE OF BOULDER WITH CONSISTENT JOINT WIDTH NOT GREATER THAN 2-INCHES

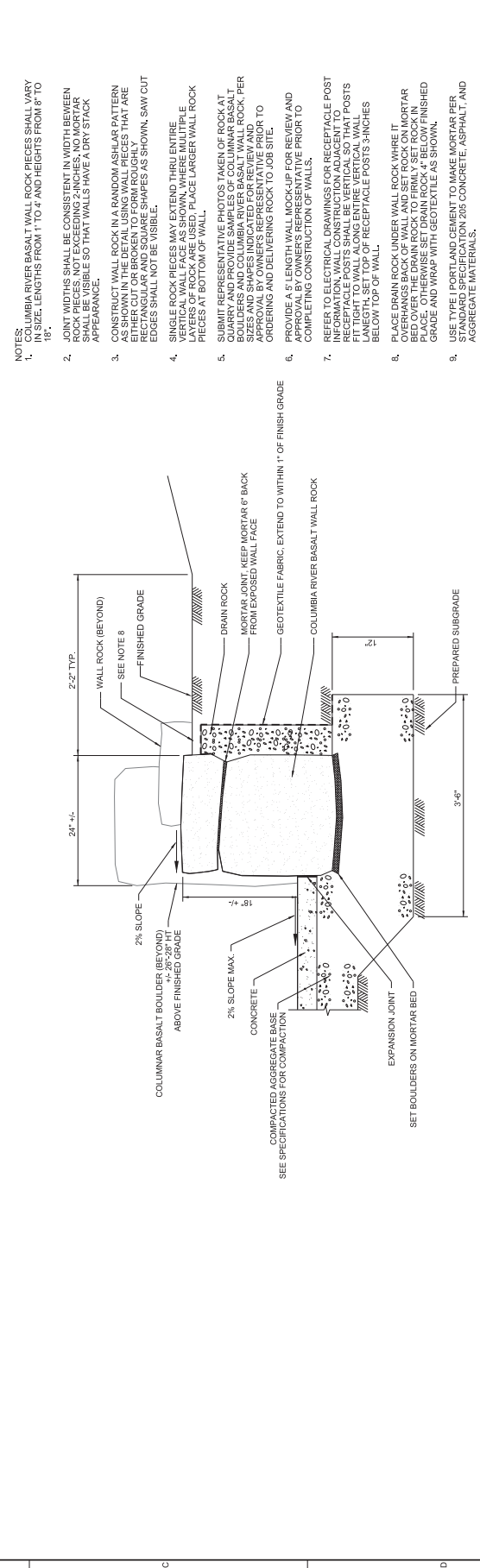
COLUMNAR BASALT BOULDERS, TYP APPROX. 3' WIDE AND 26" HEIGHT

BASALT COLUMBIA RIVER ROCK



**B**

NTS  
06-L-2001 TO 06-L-2005  
AND 06-L-5005



**B** STONE SEAT WALL - SECTION

NTS  
06-L-2001 TO 06-L-2005  
AND 06-L-5005, 06-L-2102, 06-L-2104

- NOTES:
- COLUMBIA RIVER BASALT WALL ROCK PIECES SHALL VARY IN SIZE, LENGTHS FROM 1' TO 4' AND HEIGHTS FROM 8" TO 18".
  - JOINT WIDTHS SHALL BE CONSISTENT IN WIDTH BETWEEN ROCK PIECES, NOT EXCEEDING 2-INCHES, NO MORTAR APPLICABLE SO THAT WALLS HAVE A DRY STACK APPEARANCE.
  - CONSTRUCT WALL ROCK IN A RANDOM ASH & B PATTERN CONSISTENT WITH THE DESIGN WALL ROCKS THAT ARE EITHER CUT OR BROKEN TO FORM ROUGHLY RECTANGULAR AND SQUARE SHAPES AS SHOWN. SAW CUT EDGES SHALL NOT BE VISIBLE.
  - SINGLE ROCK PIECES MAY EXTEND THRU ENTIRE WALL THICKNESS. IF NECESSARY, PLACE LARGER WALL ROCK PIECES AT BOTTOM OF WALL.
  - SUBMIT REPRESENTATIVE PHOTOS TAKEN OF ROCK AT QUARRY AND PROVIDE SAMPLES OF COLUMNAR BASALT BOULDERS AND COLUMBIA RIVER BASALT WALL ROCK, PER APPROVAL BY OWNER'S REPRESENTATIVE PRIOR TO ORDERING AND DELIVERING ROCK TO JOB SITE.
  - PROVIDE A 4' LENGTH WALL MOCKUP FOR REVIEW AND APPROVAL BY OWNER'S REPRESENTATIVE PRIOR TO COMPLETING CONSTRUCTION OF WALLS.
  - REFER TO ELECTRICAL DRAWINGS FOR RECEPTACLE POST INFORMATION. WALL CONSTRUCTION ADJACENT TO RECEPTACLE POST SHALL BE 12" LONGER THAN POSTS LENGTH. SET TOP OF RECEPTACLE POSTS 3-INCHES BELOW TOP OF WALL.
  - PLACE DRAIN ROCK UNDER WALL ROCK WHERE IT MEETS FINISHED GRADE. PLACE DRAIN ROCK TO FIRMLY SET ROCK IN PLACE. OTHERWISE SET DRAIN ROCK 4" BELOW FINISHED GRADE AND WRAP WITH GEOTEXTILE AS SHOWN.
  - USE TYPE I PORTLAND CEMENT TO MAKE MORTAR PER STANDARD SPECIFICATION 205 CONCRETE, ASPHALT, AND AGGREGATE MATERIALS.

		LANDSCAPE ARCHITECTURE HARDSCAPE DETAILS	
TRANSITION PARKWAY AND LINEAR PARK MILLENSBURG, OR CITY OF MILLENSBURG MILLENSBURG, OR			
NO. DATE DR	REVISION H MILLER L. CHAKKOSGARD S KIMMERER	DSGN M BALDWIN	APVD BY APVD
VERIFY SCALE BAR SCALE: 1"=10'-0" ORIGINAL DRAWING: 1"=10'-0"		DATE DECEMBER 2023	PROJ D3385316
DIVG 06-L-5005		SHEET 06-L-5005	OF 06-L-5005





## **ORDINANCE NO. 211-24**

### **AN ORDINANCE AMENDING THE MILLERSBURG ZONING MAP CHANGING THE ZONING ON THE TRANSITION PARKWAY LINER PARK**

**WHEREAS**, the State of Oregon Land Conservation and Development Commission acknowledged the City's first Comprehensive Plan, and the City adopted said plan in 1983, including a zoning map; and,

**WHEREAS**, the City is proposing to construct a linear park along the new NE Transition Parkway; and,

**WHEREAS**, the Zoning for the proposed park site (identified as 10S-03W-28-00100) as of January 2024 was General Industrial (GI); and,

**WHEREAS**, the General Industrial (GI) zone does not permit a public park; and,

**WHEREAS**, the City now wishes to amend the Zoning designation to Public Facilities (PF) which permits a city park; and,

**WHEREAS**, the proposed zoning of Public Facilities (PF) is consistent with the Industrial Comprehensive Plan Land Use Designation as shown on Table 9.500B of the Comprehensive Plan; and,

**WHEREAS**, the Department of Land Conservation and Development (DLCD) received hearing notice thirty-five days in advance of the first Planning Commission hearing on March 19, 2024; and,

**WHEREAS**, quasi-judicial public hearing notices were sent to all surrounding addresses in the City (200 feet), at least twenty days prior to the of the first Planning Commission hearing on May 7, 2024 and posted in the newspaper on April 16, 2024; and,

**WHEREAS**, the Millersburg Planning Commission recommended to the Millersburg City Council on May 7, 2024, that the City Council approve the Zone map amendment that is the subject of this Ordinance; and,

**WHEREAS**, the Millersburg Planning Commission and City Council find that the proposal meets all criteria requirements from Section 5.09 of the Millersburg Development Code and all findings are included in the staff report dated April 30, 2024.

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF MILLERSBURG DO  
ORDAIN AS FOLLOWS:** the Millersburg Zoning Map is hereby amended to change the

zoning designation for the property known as tax lots 10S-03W-28-00100, from General Industrial (GI) to Public Facilities (PF).

**PASSED by the Council and signed by the Mayor this 14<sup>h</sup> day of March, 2024.**

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Scott Cowan,  
Mayor

ATTEST:

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Sheena Dickerman,  
City Recorder

Draft



**NOTICE OF PUBLIC REVIEW**  
**May 7, 2024, 6:00 p.m.**  
**And May 14, 2024, 6:30 p.m.**  
**Hearing will be in person and**  
**by phone/computer.**  
**See Agenda on the City website for details.**

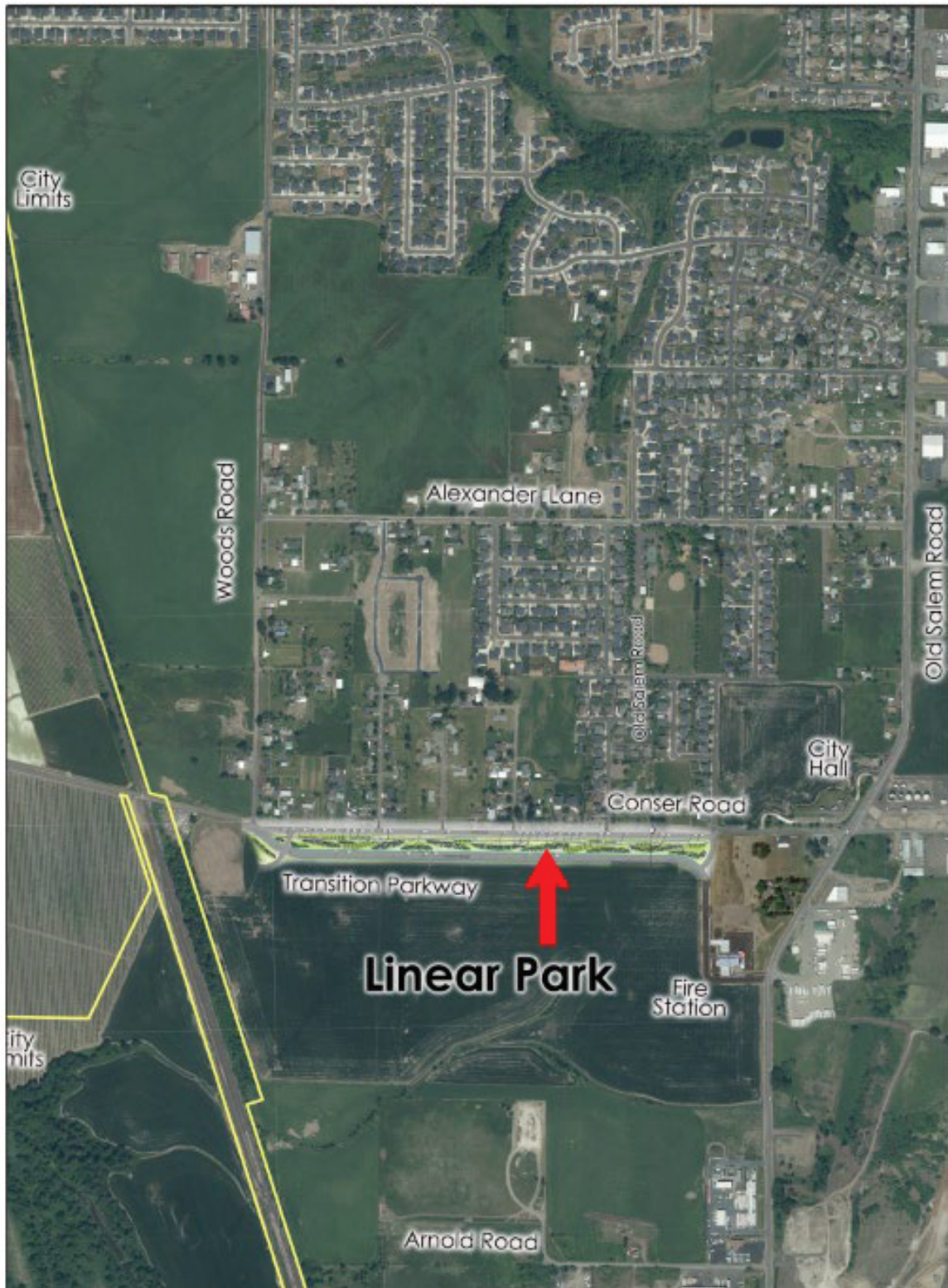
The City of Millersburg will hold a **PLANNING COMMISSION** hearing on May 7, 2024 at the above time and place, and a **CITY COUNCIL** hearing on May 14, 2024 at the above time and place to consider the actions described below. The actions may be heard later than the time indicated, depending on the agenda schedule. Interested parties are invited to send written comments or attend the hearing. A staff report relating to the proposal will be available seven (7) days prior to the first public hearing. For further information contact Matt Straite, Community Development Director, at Millersburg City Hall- (458) 233-6306.

The location of the meeting is accessible to the disabled. If you need any special accommodation to attend or participate in the meeting, please notify City Hall at least twenty-four (24) hours before the meeting.

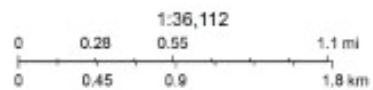
**APPLICANT:** City initiated  
**LOCATION:** Southerly of NE Conser Road between NE Woods Road and NE Castillo Drive.  
**CRITERIA:** Millersburg Development Code; Section 5.09.050 and 5.10.050. These criteria also require compliance with the applicable Statewide Planning Goals and Oregon Administrative Rules, 660-004, 660-012, 660-014, 660-015, 660-022, and Oregon Revised Statutes 197.732.  
**FILE No.:** DC 24-01 & SP 24-02  
**REQUEST:** DC 24-01 proposes to change the zoning Tract A of the Transition Parkway Industrial Park subdivision from General Industrial (GI) to Public Facilities (PF). SP 24-02 proposes a new linear park that will be located between the existing Conser Road and the all new street, Transition Parkway (to be built in tandem with the park). The park will be a passive/active park comprised primarily of landscaping, a 12-foot-wide multi-use path, and sidewalk connections to nearby roadways. The park will include a retaining wall and an 8-foot tall, vegetated berm that will provide a buffer between residentially zoned lands to the north and industrial lands to the south.

See this link for more detail and full Code text edits proposed:  
<https://www.millersburgoregon.gov/planning/page/land-use-applications-and-applications-under-review>

# Linear Park Vicinity Map



- Other City's UGBs
- Millersburg UGB
- Highways
- Railroad
- Tax Lots
- Roads



City of Albany, County of Linn, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri, Canada, Esri, HERE, Garmin, INCREMENT P, USGS, METNUSA, EPK, USDA, Linn County GIS

ArcGIS Web AppBuilder

City of Albany, County of Linn, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri, Canada, Esri, HERE, Garmin, INCREMENT P, USGS, METNUSA, EPK, USDA, Linn County GIS