



*This meeting is being recorded for public review on the City of Millersburg website.*

**Rules of Conduct for Public Meetings**

No person shall be disorderly, abusive, or disruptive of the orderly conduct of the meeting. Microphones will be muted and webcams will be turned off for remote participants unless called upon to speak or during public comment period.

Persons shall not comment or testify without first receiving recognition from the presiding officer and stating their full name and city of residence.

During public hearings no person shall present irrelevant, immaterial, or repetitious testimony or evidence.

There shall be no audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive of the meeting. If online participant(s) disrupt the meeting, the participant(s) microphone and webcam will be turned off. If disruption continues, the participant(s) will be removed from the meeting.

**PLANNING COMMISSION PUBLIC HEARING  
ELECTRONIC MEETING**

October 19, 2021 @ 6:00 p.m.

This meeting will be held remotely. Instructions for joining the meeting can be found at <https://www.cityofmillersburg.org/bc-pc/page/planning-commission-meeting>. If you do not have access to a phone or computer, or need additional support, please contact City Hall prior to 5:00 p.m. on Monday, October 18.

Meeting link to join via computer:

<https://aspenuc.accessionmeeting.com/j/1167491335>

Phone number to join meeting: 503-212-9900

Meeting ID: 116 749 1335

A. CALL TO ORDER

B. ROLL CALL

C. MEETING MINUTE APPROVAL

- 1) Approval of September 21, 2021 Planning Commission Work Session Minutes  
Action: \_\_\_\_\_

D. QUASI-JUDICIAL PUBLIC HEARING

- 1) File No: SP 21-04 & SIGN 21-03, Palm Harbor Homes

The application requests to approve an expansion to a permitted manufactured home sales center at the end of Palm Harbor Drive. The expansion has been operating without the benefit of permits; this permit seeks to rectify this. The permit will allow a sales center on (portions of) three parcels, an on-site office (in 2 structures), up to 26 home displays, 13 parking spaces, and landscaping. The site uses the 26 displays as model homes as well as direct sales of units and inventory as it rotates. Additionally, the applicant is requesting to permit a series of existing signs up and down Palm Harbor Drive.

Action: \_\_\_\_\_

E. ADJOURNMENT

Upcoming Meeting(s):

<https://www.cityofmillersburg.org/calendar>



## CITY OF MILLERSBURG PLANNING COMMISSION WORK SESSION MEETING

Electronic Meeting  
Tuesday, September 21, 2021  
6:00 pm

### Minutes

A. CALL TO ORDER: Commission Chair Anne Peltier called the meeting to order at 6:01 pm.

B. ROLL CALL:

Members Present: Commissioners Monte Ayers, Connie Lepin, Anne Peltier, Mark Raum, and Caryl Thomas

Members Absent: Mike Hickam, Ryan Penning

Staff Present: Matt Straite, Community Development Director; Kimberly Wollenburg, City Recorder; Kevin Kreitman, City Manager; Assistant City Manager/City Engineer Janelle Booth; and Forrest Reid, City Attorney

C. MEETING MINUTE APPROVAL

1) Review and acceptance of August 17, 2021 meeting minutes.

**Action: Motion to accept the minutes as presented made by Commissioner Raum; seconded by Commissioner Ayers.**

Chair Peltier: Yes

Commissioner Ayers: Yes

Commission Hickam: Absent

Commissioner Lepin: Yes

Commissioner Penning: Absent

Commissioner Raum: Yes

Commissioner Thomas: Yes

**Motion Passed: 5/0**

D. CODE UPDATE WORK SESSION

1) Community Development Director Straite reviewed the staff report for DC 21-01, the Development Code update. He went over the proposed changes, including those requested by the Planning Commission in the August 17, 2021 meeting.

There was specific discussion regarding using any inflatables within the City. After lengthy discussion, the Commission clarified that the reference to inflatables in the Code refers to business but not holiday inflatables. Community Development Director Straite will craft new language based on the discussion for the Commission to review.

There was also lengthy discussion regarding temporary signs and the duration of temporary signs, particularly the proposed revision to allow temporary signs 30 days on; 30 days off. Community Development Director Straite will craft new language based on the discussion for the Commission to review.

E. ADJOURNMENT: Meeting adjourned by Commission Chair Peltier at 8:08 pm.

Respectfully submitted:

Reviewed by:

Kimberly Wollenburg  
City Recorder

Matt Straite  
Community Development Director

DRAFT



**Proposal:** The application requests to approve an expansion to a permitted manufactured home sales center at the end of Palm Harbor Drive. The expansion has been operating without the benefit of permits; this permit seeks to rectify this. The permit will allow a sales center on (portions of) three parcels, an on-site office (in 2 structures), up to 26 home displays, 13 parking spaces, and landscaping. The site uses the 26 displays as model homes as well as direct sales of units and inventory as it rotates. Additionally, the applicant is requesting to permit a series of existing signs up and down Palm Harbor Drive.

## I. BACKGROUND

- A. Applicant: Palm Harbor Homes
- B. Location: 3737 NE Palm Harbor Drive
- C. Review Type: The applicant is requesting two separate permits, a Site Development Review Land Use Permit, and a Sign Permit. The proposed Site Development Review requires a hearing before the Planning Commission because it is a Type III action. The Sign Permit request is a Type I permit, which is normally processed at the staff level; however, because the Site Design Review and the Sign Permit were submitted together, Development Code Section 5.16.010 explains that both are processed at the highest 'type' level, which would be the Type III. So, while the Planning Commission does not normally review sign permits, in this case it does have the requirement to do so. The Planning Commission is scheduled to hold a hearing on the application on October 19, 2021. The Planning Commission decision can be appealed to the City Council. 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: Notice was mailed to all property owners within 200 feet of the proposed location, posted in City Hall on September 24, 2021, and posted on the City's website here – <https://www.cityofmillersburg.org/planning/page/land-use-matters-application>
- E. Review Criteria: Chapter 5.05.060 Site Development Review Criteria and Standards from Chapter 3.06 for the Signs.
- F. Current Zoning: Commercial Office (CO) and General Industrial (GI)

G. Proposed Zoning: N/A

H. Property Size: The proposed project is generally located on one tax lot, a 4.41-acre parcel near the freeway, tax lot 00800. However, a few of the home displays and signs are located the 16.23-acre tax lot 00700. Lastly the factory for Palm Harbor homes is located on the 39.78-acre tax lot 00100. The only portion of that property that is involved with this permit request are some signs located on the north side of Palm Harbor Drive. Technically, these signs are all located within the right-of-way (more on that further in the report) and therefore they are not actually on that property, but the applicant included this tax lot in the application and narrative, so they are included here for that purpose. The applicant has indicated that the actual area of use for the signs and home sales center is approximately 4.88 acres.

I. Background: Palm Harbor Homes has a permitted factory and sales center<sup>1</sup>. The sales center was permitted originally for 9 model homes. Over time the sales center has grown from 9 to 26 model homes. Millersburg is thrilled to see the business doing well, but wants to be sure the land uses are current. The City reached out to Palm Harbor and requested that they update their land use permits to reflect the current uses. This includes the signs lining Palm Harbor Drive.

## II. AFFECTED AGENCY, PUBLIC NOTICE, AND PUBLIC COMMENTS

### Agencies:

The applicant's Site Development Review materials were transmitted to the following agencies/departments on September 23, 2021: City of Albany, Albany Fire Department, City of Millersburg Engineer, PacificCorp, and Northwest Natural Gas. To date, the following comments have been received:

- Albany Fire Department letter dated September 27, 2021
- City of Millersburg Engineering comments dated October 6, 2021

### Public:

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<sup>1</sup> Technically the sales center property is leased to a vendor, Homes Direct, though Palm Harbor is processing this permit for them as the property owner.

Notice of the October 19, 2021 hearing was mailed to all property owners within 200 feet of the property on September 24, 2021. To date, no written comments from the public have been received by staff.

### III. CRITERION

#### CITY OF MILLERSBURG DEVELOPMENT CODE

The applicable Site Development Review criterion are from Code section 5.05.060 and standards for signs are from Chapter 3.06. All analysis and findings are in addition to those provided by the applicant, which are included here by reference.

#### 5.05.060 Site Development Review Decision Criteria

**The review of the Site Development Review 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:** The project site is located on more than one parcel. The sales center is mostly located within the GI Zone. The applicant's narrative explains that five of the display homes are within the CO Zone. 'Manufactured home sales' is not directly listed as an approved use in the GI Zone. However, the sales of manufactured homes is considered to be a use that is ancillary to the primary use which would be considered as the manufactured home factory next to the sales center. The two are often considered a campus. The property for the sales center is leased from Palm Harbor to Homes Direct who runs the sales center. Uses that are ancillary to a primary use are considered an allowable use. An example of this would be a cafeteria within an industrial complex. While a restaurant may not be permitted, a cafeteria is an 'ancillary' use to the primary use. Therefore, because the primary use, the manufacturing of homes, is a permitted use (it's listed as use N in Section 2.10.020(1)), the sales center is considered an ancillary use and permitted).

It should be noted



that if the sales center were to be proposed as a standalone use in the GI Zone, it would not be permitted because it's not listed and it's not ancillary to a primary use.

Additionally, some of the proposed use is located on a parcel with CO zoning. This zone also does not specifically list manufactured home sales as a permitted use.

The intent of the CO Zone is to allow business office uses; more specifically the types of businesses that do not generate a large amount of retail traffic. The use proposed by the applicant is mostly a home-ordering business. The applicant has indicated that they occasionally sell a home directly off the lot, but the primary business is people touring the homes to pick a model then ordering a home to be made for them specifically. As such, the use meets the intent of the zone because home sales is similar to an office-like function.

Section 2.02.010(2) explains that the City Manager shall interpret any question concerning uses, including those not identified in the Code, based on similarity with other uses listed in the zone. Staff, acting as the designee for the City Manager, has determined that the 5 display homes in the CO zoned property are part of the larger permitted use and similar to other uses permitted in the CO Zone, and the use is thereby allowed in the CO Zone.

Regarding the zoning standards, the GI Zone does not have a minimum lot size requirement. There are only side and rear setbacks if the property is adjacent to residentially-zoned property. This property is not located adjacent to any residentially-zoned property. There is no height limit requirement or lot coverage requirement. All other development standards are reviewed in the next section of the staff report. The CO Zone has no front, rear or side yard setbacks, so all display homes in that zone meet Code requirements.

**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 project site is located at the end of Palm Harbor Drive which is a cul-de-sac between Old Salem Road and the freeway. As the name implies, all of the businesses on this road are related to manufactured homes. The factory buffers the use to the north, with an open field between the factory and the next closest business. To the west are large open fields

buffering the use from the homes on the west side of Old Salem Road. To the east is I-5 which is not affected by the home sales in any way. To the south is a trucking business. The home sales use is not anticipated to have any impacts on the trucking business. In general, the home sales use does not generate significant amounts of traffic, noise, dust, or odors. The windows from the display homes may generate some glare along I-5, but not amounts that would be in excess of typical industrial buildings.

**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;**

**ANALYSIS:** The sales center was previously permitted and built with all required building permits. All infrastructure is located on the property and has been in use for many years. The street contains a 12" water line and an 8" sewer line that serve the property. These have capacity to serve the proposed use expansion.

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

**b. Parking, traffic safety, and connectivity of internal circulation to existing and proposed streets, bikeways, and pedestrian facilities;**

**ANALYSIS:** As stated above, the project was originally built with all required building and land use permits. The increase of 17 additional display units could generate more traffic than was originally envisioned for the sales center; however, the existing street and parking area have sufficient capacity to accommodate the increase in traffic anticipated by the additional display units. The site is accessed by Palm Harbor Drive which primarily serves only the factory and the sales center, again, acting like a campus for the factory, tours, and home sales. Additionally, Albany Fire has required that a firetruck turnaround be added within the center of the display area, to assure adequate fire access to all structures within the sales area. See Albany Fire letter for details. This has been added as a condition of approval.

**FINDING:** Based on the analysis above, with conditions of approval, the project meets the required criteria.

**c. Provision for adequate noise and/or visual buffering from non-compatible uses including using site and landscaping design to provide needed buffering; and**



**ANALYSIS:** The project is not located near any residentially-zoned property. All required landscaping is existing; no additional landscaping is required.

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

**d. Protections from any potential hazards.**

**ANALYSIS:** The project site is not located near any sources of potentially hazardous emissions, nor does the project propose any uses that generate any hazardous emissions.

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

**IV. STANDARDS**

The proposed design complies with all the specifications and design requirements of Chapter 2, specifically the GI & CO Zone setbacks and siting requirements, and Chapter 3 General Provisions as shown below. The following analysis is a summary of only the applicable standards or items that required additional explanation and/or additional conditions of approval to show clear consistency:

**CHAPTER 3.03 OFF-STREET PARKING AND LOADING**

This chapter includes requirements for parking and loading.

**ANALYSIS:** Table 14 in Chapter 3.03 of the Code shows the number of parking stalls required based on the use. However, the use is very unique in its parking needs. Table 14 does not list requirements for manufactured home sales. Section 3.03.050(2) explains that the City can base parking needs on similar uses. The shared parking with the Palm Harbor facility provides more opportunities for parking. The use is similar to an office use. The offices for the sales area are about 4,500 square feet total (2 offices: one 2,500 square foot and the other is 2,000 square feet). Table 14 explains that offices require 1 space for every 400 square feet of floor area plus 1 space per employee. The narrative explains there are about 6 employees. That would require about 18 parking spaces total for the use. The applicant's narrative states:

*The Retail Display Center provides 13 parking spaces and 2 handicap parking spaces on its property. With the business being located at the end of a cul-de-Sac adequate room is available for any overflow parking and poses no issue with Chapter 3.03 requirements. If for any reason additional parking is required beyond this, the Palm Harbor Manufacturing parking lot is available for business and customer use.*

Staff counted 15 parking spaces in the main lot near the sales center, and an additional 16 striped and paved off-street parking spaces just inside the driveway (on the right) fronting the display homes. The total constructed parking appears to be about 31 spaces, well in excess of the requirement.

The project is also required to provide 1 bike parking space for every 20 vehicle spaces. The project requires a total of 18 parking spaces. Therefore, the project requires a total of 1 bike parking space. The sales area features sample room for bicycle parking and complies with this requirement.

Loading spaces are required only for buildings greater than 10,000 square feet. None of the structures proposed are larger than 10,000 square feet.

All parking areas are existing and paved. All parking stalls are required to be at least 9 feet wide and 20 feet deep. The existing spaces are 9 feet wide but only 15 feet deep. The stalls should be re-striped to meet the requirement of 20 feet.

The internal drive aisles are required to be at least 26 feet wide for two-way traffic. The existing parking area fronting the sales office is 70 feet wide. If the stalls were re-striped to be 20 feet deep on each side of the parking lot, that would leave 30 feet between them for a drive aisle, which exceeds the requirement. This conforms with the Code requirements.

**FINDING:** Based on the analysis above, with conditions of approval, the project meets the standards.

**CONDITION OF APPROVAL:** Within 6 months of project approval, the parking area shall be re-striped to feature parking stalls that are 9 feet wide and 20 feet deep.

## **CHAPTER 3.04      STORM DRAINAGE AND GRADING**

This chapter includes requirements for proper drainage of the site and treatment of stormwater.

**ANALYSIS:** As outlined above, the applicant has not provided a drainage study. The applicant has responded to this in the narrative by stating that the site currently has no drainage issues; however, the expansion of sales center has resulted in an increase in impervious area such that appropriate drainage features are required. The City Engineer has added a condition of approval requiring that additional information be provided to show that the site meets the current storm drainage standards. Conditions of approval have been added to assure development matches the requirement of the Code.

**FINDING:** Based on the analysis above, with conditions of approval, the project meets the standards.

**CONDITION OF APPROVAL:** Applicant shall provide stormwater calculations demonstrating existing stormwater system has capacity to accommodate additional impervious surface created by display units in accordance with Millersburg engineering standards.

## CHAPTER 3.06 SIGNS

### BACKGROUND

The site features several signs lining both sides of Palm Harbor Drive—23 in total. These signs were built before the new Code took effect. The City explained to the applicant that they were not permitted. In response, the applicants have included a request for the approval of the existing signs with this application. Because signs require a separate permit, these have been assigned a sign permit number and are treated as a separate entitlement.

Traditionally signs are a Type I permit, addressed at the staff level. However, the Code explains that when different permits are submitted at the same time, that require different levels of review; they are to be bundled and follow the 'highest level' of the different permits. In this case the Site Development Review is a Type III, so the sign permit has been elevated to a Type III review with the Planning Commission providing the review.

There are no criteria for signs. Most Type I permits do not have criteria, only standards. The sign standards are reviewed below.

#### 3.06.050 Nonconforming Signs

**ANALYSIS:** The applicant stated in their narrative that the new code requirements for signs should not apply to the several signs lining Palm Harbor Drive. The applicant cited Section 3.06.030(2) which explains:

*Owners of conforming or nonconforming signs existing as of the date of adoption of this Code are not required to obtain a permit.*

The signs were built in 2016. The term non-conforming here applies to a sign that was built that met the regulations, but no longer does based on the new Code. That provision is not applicable to the existing signs on Palm Harbor Drive because they were not allowed in 2016 based on the Code that existed at that time. Signs that did not meet the Code previously are not considered non-conforming.

Signs in 2016 would have been regulated by Section 5.136 of the old Code. All of the signs would have been considered 'free standing signs.' Section 5.136(5)(c) explains that a business is allowed to have one free standing sign per street frontage. A further section requires that the aggregate number of signs for any business cannot be more than 3.

Additionally, while it may be hard to see in the image, all of the signs are located within the street right-of-way, which was not permitted in the old Code without a specific permit, and is not permitted at all in the new Code. Section 5.136 of the old Code further explains that all signs must be on the property of the use they are advertising for. These signs are all in the street right-of-way which is not part of the lots containing the business.



In summary, the signs were not allowed when they were installed, they are not protected because they were installed prior to the new Code adoption, and they are beholden to the current Code, which also does not permit the signs.

**FINDING:** Based on the analysis above, the sign permit request cannot meet the Code requirements and should be denied. All signs will need to be removed.

### 3.06.070 Prohibited Signs

This section lists signs that are prohibited.

**ANALYSIS:** 3.06.070(14) explains that any signs in the public right-of-way are not permitted. All of the signs in question are located within the right-of-way, and are thereby not permitted.

**FINDING:** Based on the analysis above, the sign permit request cannot meet the Code requirements and should be denied. All signs will need to be removed.

### 3.06.110 Commercial and Industrial Signs

This section lists signs standards for Commercial and Industrial zones.

**ANALYSIS:** 3.06.110(1)(a) *Total Sign Area* explains that the total sign area is based on lineal building distance with a maximum of 150 square feet. Each sign is 4 by 2 feet and a square footage of 8' for each sign. The total for all signs along the street alone is therefore 180 feet, which exceeds the 150 square feet total allowed. 3.06.110(1)(b) *Type, Number, and Sign Size* explains that one freestanding sign per street frontage is permitted. The site features 23 signs, which exceed the required total. 3.06.110(1)(d) *Sign Location* reiterates that signs are not permitted within the right-of-way. Even if the signs were moved out of the right-of-way, they would still not be permitted.

It should also be noted that the only tool that could possibly allow the additional signs would be a variance; however, the project could not meet the criteria requirements for a sign variance because the parcel is flat, would be a special privilege over neighbors, and is self-imposed.



**FINDING:** Based on the analysis above, the sign permit request cannot meet the Code requirements and should be denied. All signs will need to be removed.

#### V. RECOMMENDATION

Based on the above findings of fact, and the conditions of approval, the proposed project satisfies the applicable criteria and standards, and staff recommends the Planning Commission approve Application No. SP 21-04 and deny SIGN 21-01.

#### VI. PROPOSED MOTION

For this project staff proposes two separate motions:

1. First, I make a motion that, based on the findings of fact in the staff report and the conditions of approval, the proposed Site Development Review project satisfies the applicable criteria and standards, and the Planning Commission approves Site Development Review SP 21-04 with the conditions of approval.
2. I make a second motion, based on the findings of fact in the staff report, that the signs proposed along Palm Harbor Drive do not meet the standards from the Development Code and the Planning Commission denies sign permit SIGN 21-03.

## **VII. ALTERNATIVE RECOMMENDATION**

Should the Planning Commission not elect to approve/deny the proposed development, they could continue the item for further discussion or deny the application citing the specific criteria not satisfied by the application.

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## **VIII. 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. The applicant shall submit evidence to the City that they have fully complied with the requirements in the letter from Albany Fire dated September 27, 2021, to the satisfaction of the Fire Department.
3. Applicant shall provide stormwater calculations demonstrating existing stormwater system has capacity to accommodate additional impervious surface created by display units in accordance with Millersburg engineering standards.
4. All freestanding signs lining Palm Harbor Drive must be removed within 2 months of the Site Development Review approval.
5. Copies of any required federal or state permits that may be required shall be filed in the Record File of this application.
6. 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.
7. No home displays, open to the public, are permitted on the street or within the City right-of-way.
8. Within 6 months of project approval, the parking area shall be re-striped to feature parking stalls that are 9 feet wide and 20 feet deep.

## **IX. NOTICES TO THE APPLICANT**

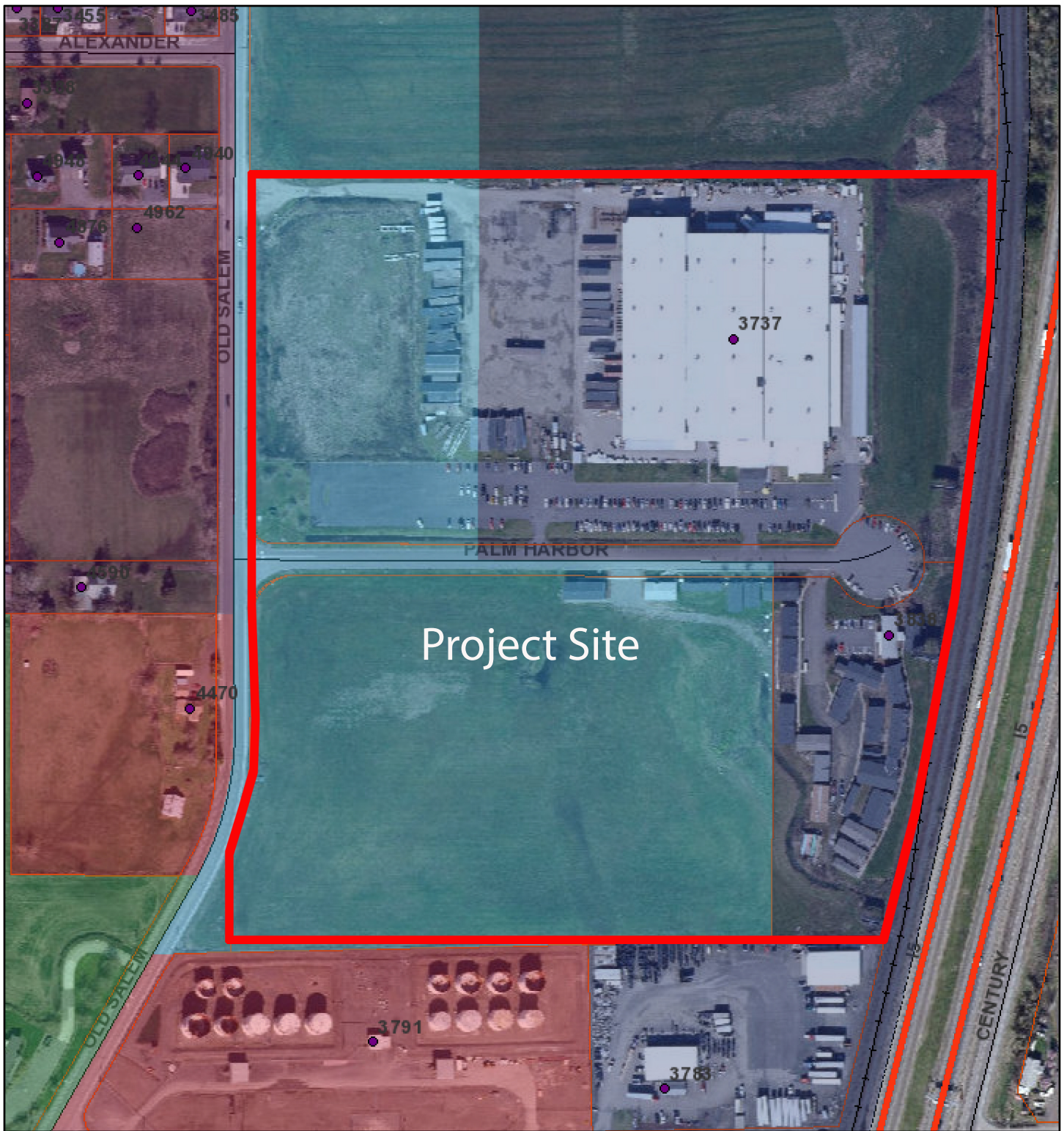
The applicant should also be aware of the following standards and processes that are required for development. These are not part of the decision on this land use case and are provided as a courtesy to the applicant. Please contact City Hall with any questions.

1. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.
2. All required street signage and street lighting shall be approved by the City Engineer and installed.
3. Dust shall be controlled within the development during construction and shall not be permitted to drift onto adjacent properties.
4. Approvals are generally valid for a period of one (1) year from the date of the decision notice. This means that the developer of an approved, un-built, project has 1 year to start the use. In this case, the use is existing and the approval will last as long as the site keeps operating.
5. The continual operation of the property shall comply with the applicable requirements of the Millersburg Development Code.
6. 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.
7. 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.

## **X. EXHIBITS**

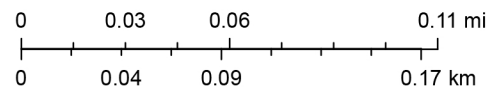
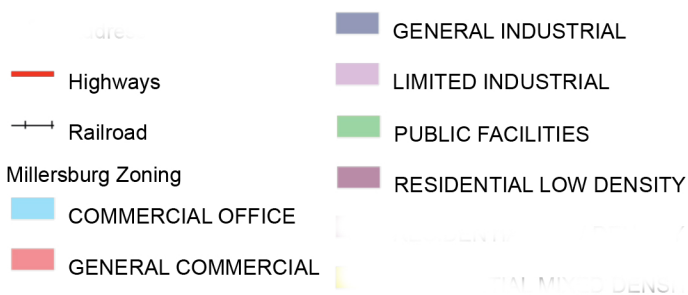
- A. Zoning Map
- B. Vicinity Map
- C. Applicant's Site Plan dated August 21, 2021
- D. Millersburg City Engineer Comments dated October 6, 2021
- E. Albany Fire Department Comment Letter dated September 27, 2021
- F. Public Hearing Notice

# SP 21-04/SIGN 21-03 Zoning



9/13/2021, 2:50:44 PM

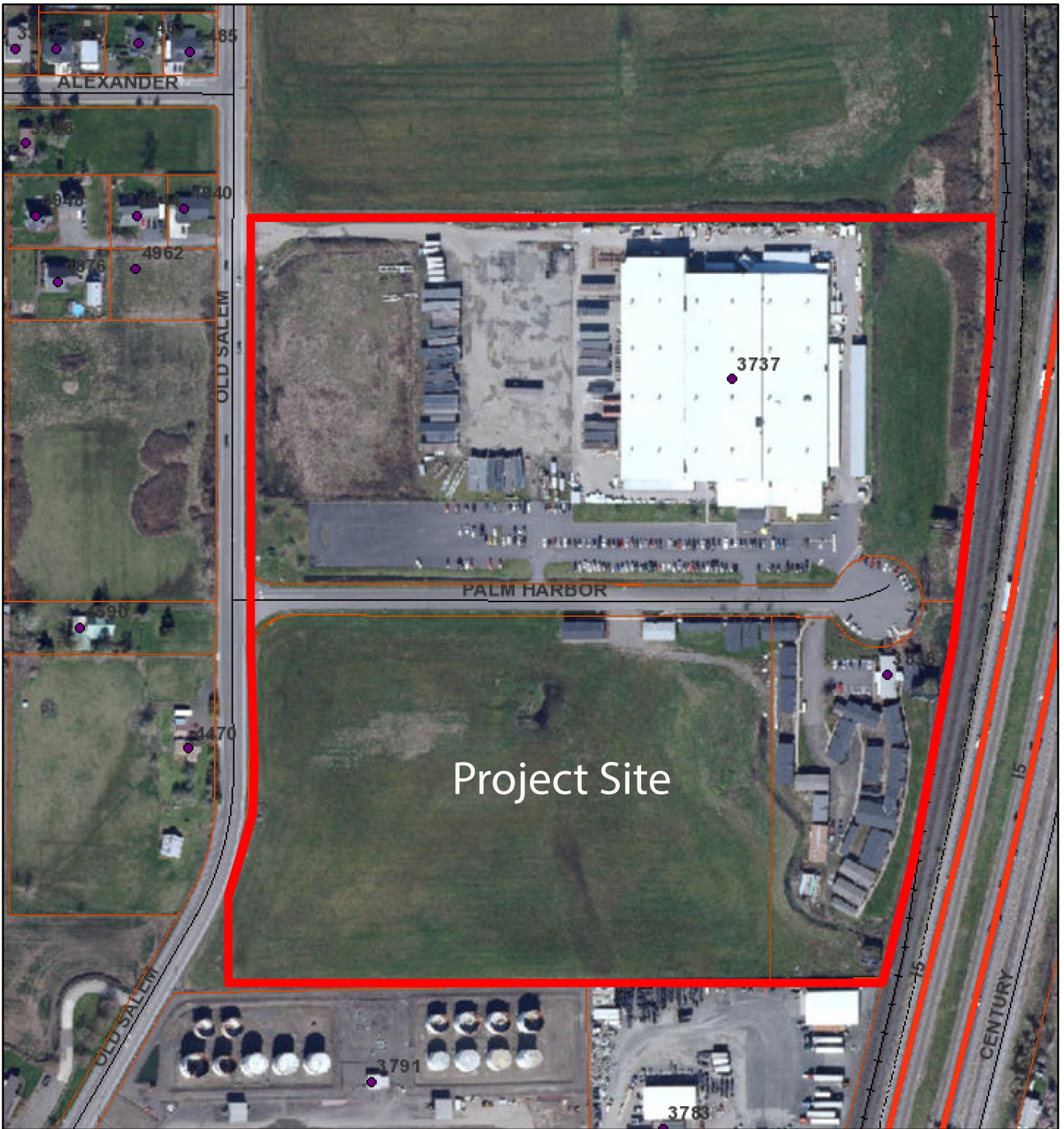
1:4,514



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, EPA, USDA, Linn County GIS, GeoTerra, 2021

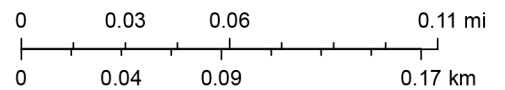


# SP 21-04/SIGN 21-03 Vicinity



9/13/2021, 2:52:26 PM

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- Address
- Tax Lots
- Highways
- Roads
- City Boundary
- Railroad

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, EPA, USDA, Linn County GIS, GeoTerra, 2021





TO: Matt Straite, Planner  
FROM: Lora Ratcliff, Fire Marshal  
DATE: September 27, 2021  
SUBJECT: SP-21-04 – Palm Harbor Home Sales – Fire Department Comments

The fire department has reviewed the above project for conformance to the 2019 Oregon Fire Code (OFC) per your request and has the following comments, which are based on limited information provide for the pre-application meeting and are subject to change.

**\*\* NOTE: Addition of a private fire line will result in a quarterly Fire Line Fee\***

1. Approved fire apparatus roadways must extend to within 150 feet of all exterior portions of any structure that will be built on the property as measured by an approved route of travel around the exterior of the structure. (OFC 503.1.1)
2. Dead-end fire apparatus roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus (OFC 503.2.5 and D103.4)

**A turnaround is required due to the length of the access road. Future plans shall indicate where the turnaround will be located.**

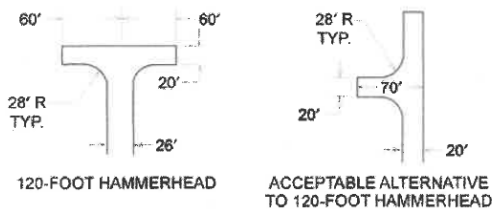


FIGURE D103.1  
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

3. The fire apparatus roadways for this project are required to be provided and maintained at a minimum of 20 feet wide of improved surface. (OFC 503.2.1)
4. Private fire apparatus access roadways shall be permanently marked “NO PARKING—FIRE LANE” using a combination of “YELLOW” painted curbing and approved signs spaced along the road edge as follows: (OFC 503.3 & Appendix D 103.6)
  - Roads 20 to 26 feet in width – Posted both sides at 50-foot intervals.

**Future plans shall identify all private fire apparatus access roads and the marking to be provided.**

5. This proposed project is located within a “Protected Area” as defined by Oregon Fire Code (OFC) Appendix B, Section B102 and this area is currently served by a public water system. The Fire Flow required for shall be as specified in Appendix B of the fire code. (OFC 507.3)

**Existing hydrants appear to be adequate. If additional structures are placed further south, additional hydrants may be required.**

LAR/lar

Lora Ratcliff  
[Lora.ratcliff@cityofalbany.net](mailto:Lora.ratcliff@cityofalbany.net)  
541-917-7728

TO: Matt Straite, City Planner  
FROM: Janelle Booth, Millersburg City Engineer  
DATE: October 6, 2021  
SUBJECT: SP 21-04 – Palm Harbor Engineering Comments

Engineering has reviewed the above project and has the following comments:

1. No public utility improvements or extensions are required.
2. Applicant shall provide stormwater calculations demonstrating existing stormwater system has capacity to accommodate additional impervious surface created by display units in accordance with Millersburg engineering standards.



**NOTICE OF PUBLIC HEARING**  
**October 19, 2021, 6:00 p.m.**  
**Hearing will be in person,**  
**by phone/computer, or both.**  
**See Agenda for details**

The **MILLERSBURG PLANNING COMMISSION** will hold a public hearing either in person, by phone and online only, or both to consider the request described below. If anyone needs any special accommodations, please let the City know in advance of the hearing. The hearing item may be heard later than the time indicated, depending on the agenda schedule. Interested parties are invited to send in written comment or may testify by phone or online during the hearing. Failure of an issue to be raised in the hearing, in person or by letter, or failure to provide sufficient specific information to allow the Commission an opportunity to respond to the issue will preclude your ability to appeal the decision to the Land Use Board of Appeals based on that issue.

The application, all documents and evidence submitted by or on behalf of the applicant, and the applicable criteria are available for inspection at no cost or copies are available for a minimal cost. Any document request can be made in person, by phone or email, or can be viewed at the following web location- <https://www.cityofmillersburg.org/planning/page/current-planning-applications>. A staff report relating to the applicant's proposal will be available seven days prior to the public hearing at the same web location. For further information, contact Millersburg City Hall at (458)-233-6300.

**APPLICANTS:** Palm Harbor Homes

**LOCATION:** The site address is 3737 NE Palm Harbor Drive, which is located easterly of Old Salem Road. The project area may also include some portions of the property surrounding the site.

**TAX LOT:** Township 10 South; Range 3 West; Section 21D; Tax Lots 0800, 0700, and 100

**PARCEL SIZE:** The proposed project is generally located on one tax lot, a 4.41-acre parcel near the freeway, tax lot 00800.

**ZONING:** Commercial Office (CO) and General Industrial (GI)

**REQUEST:** The application requests to approve an expansion to a permitted manufactured home sales center at the end of Palm Harbor Drive. The expansion has been operating without the benefit of permits, this permit seeks to rectify this. The permit will allow a sales center on (portions of) three parcels, an on-site office, 13 parking spaces, landscaping and up to a maximum of 26 home displays. The site uses the 26 displays for homes as model homes as well as direct sales of units and inventory as it rotates. Additionally, the applicant is requesting to permit a series of existing signs up and down Palm Harbor Drive.

**CRITERIA:** Chapter 5.05.060 Site Development Review Criteria and Standards from Chapter 3.06 for the Signs.

**FILE No.:** SP 21-04 & SIGN 21-03

If you need any special accommodations to attend or participate in the hearing, please notify City Hall twenty-four hours before the meeting. For further information, please contact City Hall at (458)-233-6300.

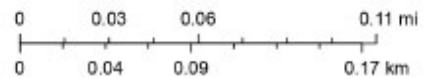
# SP 21-04/SIGN 21-03 Vicinity



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- Address
- Tax Lots
- Roads
- Highways
- City Boundary
- Railroad



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, EPA, USDA, Linn County GIS, GeoTerra, 2021