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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**

November 16, 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, November 15.

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 October 19, 2021 Planning Commission Public Hearing Minutes

Action: _____

D. QUASI-JUDICIAL PUBLIC HEARING

1) File No: SP 21-05 & CUP 21-03 Storage Building

The applicant is proposing to demolish a nursery building and add a 33,600 gross square foot, three (3) story self-storage facility building to an established public storage facility. The building will be without public restrooms. The building color will match the same buildings to the south of the property that belong to All Secure Mini Storage. Parking and landscaping are proposed as well.

Action: _____

2) File No. DC 21-01 Development Code Update

Staff is proposing to make 16 different Code text revisions. In October of last year, the City adopted the new Development Code. As staff has been implementing the all-new Code the need for small revisions have become apparent. These include clarifications to setbacks, some uses in the Commercial Zone, performance standards in the General Industrial Zone, restaurant parking, temporary signs, single-family home standards, lot standards, land use approval modification standards, subdivision and partition standards, caretakers' requirements, floodplain development requirements, driveway standards, and name-only changes to two zones.

Action: _____

E. PLANNING UPDATE

F. ADJOURNMENT

Upcoming Meeting(s):

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

If you have a disability that requires accommodation to attend or participate, please notify the Millersburg City Hall in advance by calling 458-233-6300.



Proposal: The applicant is proposing to demolish a nursery building and add a 33,600 gross square foot, three (3) story self-storage facility building to an established public storage facility. The building will be without public restrooms. The building color will match the same buildings to the south of the property that belong to All Secure Mini Storage. Parking and landscaping are proposed as well.

I. BACKGROUND

- A. Applicant: Albany Self Storage, LLC dba Creations NW
- B. Location: 1190 NE Old Salem Road
- C. Review Type: The proposed Site Development Review and Conditional Use Permit require a hearing before the Planning Commission. The Planning Commission is scheduled to hold a hearing on the application on November 16, 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 October 19, 2021, and posted on the City's website here - <http://cityofmillersburg.org/planning-commission/>
- E. Review Criteria: Chapter 5.05.060 Site Development Review Criteria and 5.04.050 Conditional Use Permit Criteria.
- F. Current Zoning: Commercial Office (CO) and General Industrial (GI)
- G. Proposed Zoning: N/A
- H. Property Size: The lot for the proposed building is 1.51 acres, though the area of disturbance is only 19,000 square feet.
- I. Background: The applicant currently has a business that provides public self-storage on the property. There was a nursery building located in front of most of the storage buildings and Old Salem Road. The applicant is proposing to tear down the old nursery buildings and replace them with a three-story storage building.

However, the City changed the zoning on the property last year from General Industrial (GI) to Commercial Office (CO) as part of a City-wide re-zoning for a new development code. The zone change affected a large section of Old Salem Road, about 100 feet in on the west side. The change was not only on this property. The City wanted to have a more aesthetically appealing look along Old Salem Road, so the plan was to have businesses place good-looking office buildings in the front of the sites and industrial uses to the rear. The change in zones meant that storage uses were not permitted near Old Salem Road.

The applicant feels that they can make a three-story storage building look as good as an office building, and therefore meet the intent of the Code change. They filed an application for an official 'interpretation' of the Code that could clarify the issue. Staff agreed and approved the Interpretation in early October of 2021; the decision is attached for reference. That official determination by staff has allowed this application to proceed, because it found that the storage use could be permitted in the zone, IF the building could be designed to meet the higher standard. To clarify, the interpretation is not before the Planning Commission to decide. That determination has already been made. It is critical that the Planning Commission review this application for a Site Development Review with the understanding that the applicant also has to meet the requirements of the Interpretation in order to approve the project. The Interpretation approval was specific to this property and this project.

II. AFFECTED AGENCY, PUBLIC NOTICE, AND PUBLIC COMMENTS

Agencies:

The applicant's Site Development Review materials were transmitted to the following agencies/departments on October 14, 2021: City of Albany, Albany Fire Department, City of Millersburg Engineer, PacificCorp, Linn County Planning and Building Department, Linn County GIS, and Northwest Natural Gas. To date, the following comments have been received:

- Linn County Road Department email dated October 19, 2021
- Albany Fire Department letter dated October 21, 2021
- City of Millersburg Engineering comments dated October 25, 2021

Public:

Notice of the November 16, 2021 hearing was mailed to all property owners within 200 feet of the property on October 19, 2021. To date, no written comments from the public have been received by staff.

III. CRITERION

CITY OF MILLERSBURG DEVELOPMENT CODE

The applicable CUP criterion are from Code section 5.04.050; the Site Development Review criteria are from section 5.05.060. All analysis and findings below are in addition to those provided by the applicant, which are included by reference.

5.04.050 Conditional Use Decision Criteria

A conditional use shall be approved if the applicant provides supporting evidence that all the requirements of this Code relative to the proposed use are satisfied, and demonstrates that the proposed use also satisfies the following criteria:

- (1) The use is listed as a conditional use in the underlying zone and complies with the development requirements of the underlying zone.**

ANALYSIS: For the purposes of this staff report, while the actual area of disturbance is within two different zones, the analysis only reviews consistency with the CO Zone. Only a small corner of the structure will be in the GI Zone; almost all of the project will be in the CO Zone.

The proposed storage use is not listed specifically in the CO Zone. As previously explained, Interpretation 20-01 (attached) walked through the rationale of how the proposed storage use could be consistent with the Zone. The approval of the Interpretation relied on two elements. First, the actual storage use is similar to uses permitted in the Commercial Office Zone. Second, the approval of the Interpretation was dependent on the look of the structure. Again, the intent is to assure that the structure will bring a higher level of aesthetics to the site that would be similar to that of an office building (or better). Normally, the look of a structure does not play into a determination of zoning consistency; however, the intent of the Code change on that parcel was to meet a City Council request to address the aesthetics of Old Salem Road in the southern part of the City.

Therefore, it is the responsibility of the Planning Commission to determine if this critical benchmark is met by the design of the proposed structure. Staff would argue that the threshold has been met. The structure generally resembles an office building in a number of ways.

- There are many different materials used on the façade to break up the massing of the three-story structure.
- Windows are used facing the public right-of-way.

- The structure features human scale architectural features like pedestrian walkway covers for weather protection of patrons, man doors, and windows.
- The mechanical roof equipment is screened.
- There are no features on the façade that would reveal the storage uses within, specifically there are no bay doors or roll up doors on the side that faces the public view of the building.
- The massing of the structure is up front near the right-of-way, which serves the intent of the zone change well because it screens the uses to the rear of the structure (though some can be seen through the windows).
- The project proposes landscaping in front the structure, identical to what would be required in front of an office building.
- The three-story massing is designed in a way that mirrors the massing that would be used for an office building. In other words, a three-story industrial structure may feature pipes, cooling towers, and other industrial apparatus. The proposed building looks like a structure that is intended to be occupied by people for a non-industrial use.

The proposed building will not actually have features inside that an office building would have, there are no restrooms proposed in the building (they are available in the nearby, existing leasing office). However, the key is to assure the façade resembles an office use. Staff feels this is achieved. The applicant has really gone a long way to address this issue and make the structure meet this requirement. From early design concepts to the one in this staff report, the project has really changed a lot to meet the intent of the Zone.

Regarding development standards, the CO Zone does not have front, side, or rear setbacks unless the property is adjacent to residentially zoned property, which it is not. The minimum lot size is 5,000 square feet; the proposed lot area exceeds this. The maximum height is 35 feet. The structure is 34'-10" to the top of the parapet. There is roof mounted mechanical equipment that features a parapet screen to shield it from view. With the screen the height is 37'-2"; however, the screen is allowed to exceed the height limit¹. Therefore, the structure is compliant.

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

¹ See Section 3.21.050- General Exceptions to Building Height Limitations which allows projections of non-habitable features up to 1.25 times the height limit for the zone, which would be 43 feet.

(2) The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, and location of improvements and natural features.

ANALYSIS: The property currently features an abandoned nursery business. The site is generally flat. The nursery was surrounded on two sides by the slowly expanding storage business. The proposed project will match the pattern of development to the rear in terms of the storage use. The site features all utilities that will be required. The site is outside of flood plains or any other hazard zones.

The site is within the Airport Approach Area Overlay Zone (AAO). This zone features many different areas (or zones) of potential impact, they include the Visual Approach Zone, the Transitional Zone, the Horizontal Zone, and the Conical Zone. Each has a different height requirement for structures. The project site is located within the Visual Approach Zone and the Horizontal Zone, the zones work together. See attachment D for the location of the project within the zones. The Visual Approach Zone extends 5,000 feet past the runway area, extending up 20 feet for every lineal foot from the start of the runway area. The Horizontal Zone is a flat 150 feet tall². As stated before, the two zones work together because the most restrictive applies. The height limit for the Visual Approach Zone at the project site³ would be 178 feet, but the Horizontal Zone has a height limit of 150 feet. Therefore, the Horizontal Zone height limit of 150 feet prevails.⁴ The project at the tallest point is 37 feet 2 inches tall. Therefore, the proposed project is fully consistent with the AAO Zone.

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

(3) The proposed development is timely, considering the adequacy of transportation systems, public facilities, and services, existing or planned for the area affected by the use.

ANALYSIS: The site is located along Old Salem Road, which is a County facility. The street was recently improved by the County with new sidewalks and driveway aprons. The street is designated as an Arterial. No additional right-of-way is required, and no street improvements are required, though the applicant will be responsible for filling in two driveway curb cuts that will no longer be used and constructing sidewalks where the driveways once were.

² The 150 feet is from the sea-level elevation of the runway, which is 222'.

³ The Project site is 3,555 feet from the runway area.

⁴ The project site is 210 feet above sea level, therefore, the height limit is technically 150' plus the difference between the height of the runway and the project site, $150' + (222' - 210') = 162'$.

The project will be timely because all required services and utilities are available at the site. Old Salem Road fronting this property is a Linn County Road. Applicant shall comply with all requirements of the Linn County Road Department.

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

- (4) The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying zone.**

ANALYSIS: The area surrounding the site is an eclectic mix of existing uses, all in various states of maintenance and repair. To the north are various warehouses; to the south is a truck fuel and wash facility; to the west is more storage structures (owned by the applicant); and to the east is I-5. The applicant explains further:

The new building will be entirely on the parcel and the entrance to the site will be from an existing shared driveway to the south. By replacing the dilapidated plant nursery buildings with a new three-story self-storage building with new landscaping and architecture, local real estate commercial viability should improve as it will be a visible sign of prosperity in the area.

Staff agrees with this analysis. The structure will not alter access for the site or neighbors, and will not have any impact on the ability of neighbors to use their property in accordance with zoning regulations. No new access will be needed from Old Salem Road; access will be taken from the existing driveway for the storage center. The proposed structure will benefit the character of the area.

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

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: See the discussion above in the analysis for 5.04.050(1). The project complies.

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 will generate less traffic than a commercial office project on the same property. Two existing driveways for the old nursery will be filled in which will also help traffic. The parking area will be paved, therefore dust will not be significant. Most of the storage units are internal to the structure and will not generate any noise. Those outside will not be located near any residential uses. No odors should result from the operation of a storage facility. The project will feature some windows which may produce glare; however, the impacts would be less than most office projects because there are fewer windows.

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 site already features a host of utility connections. The street contains two water lines a 20" and a 10" water line and an 8" sewer line that serve the property. These have capacity to serve the new project. No restrooms are proposed in the structure, but landscaping irrigation and fire suppression sprinklers will be installed. Regarding stormwater and erosion control, the applicant has explained:

The storm drainage for the new building and new parking area will drain to the west into an existing private storm system already installed under a previous permitted use. This system drains even further to the northwest north of Building B, into an existing 25 feet by 85 feet long infiltration water quality swale. A storm drainage and erosion control plan has been submitted as well as a grading plan. A Grading permit will be required for any site preparation and excavation. After a building permit has been issued, a final grading inspection will be required prior to issuance of a certificate of occupancy. A NPDES permit will be obtained prior to Building Permit Issuance for construction activities that disturbs one or more acres of land. Storm drainage sizing calculations will be submitted with the Site Development permitting. As discussed, no flood hazards or natural channels have been identified within the site area or parcel. Catch basins will capture pollutants as

well as will the infiltration swale. No private stormwater will be outlet into the public storm system or road right-of-way.

Conditions of approval have been added to assure all improvements match the Code requirements.

FINDING: Based on the analysis above, with conditions of approval, 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: The applicants narrative explains:

Per Chapter 3.03 Off-Street Parking and Loading Vehicle and Bicycle Parking Space Requirements Table, using the Warehouse and storage distribution land use activity for the 13,240 SF building, 1 space per 5,000 SF is required (5 parking stalls) and one bicycle parking space is required. Six parking stalls have been provided on the south side of the building, which includes one stall for "loading space" as the building is over 10,000 SF per MDC 3.03.070. Each stall will be 9 feet wide and 20 feet in length and one stall is ADA compliant. The entrance, drive areas and parking stalls will be asphalted and striped per the City's requirements and will match the west adjacent self-storage development asphalted drive areas.

All parking is located internal to the site and designed so that there will not be any backing or maneuvering into any road right-of-way. The access aisles will be a minimum width of 20 feet to accommodate emergency vehicles. The circulation pattern is designed to facilitate traffic flow through the facility and provide maximum safety for vehicles and pedestrians. The access drive will continue along the south side of the property, past Building D, and through a gated entrance. Then vehicles will turn right past the north side of Building D and continue to the west side of the new storage building to access the ground floor units. There will be an emergency only access gate between Building D and the southwest corner of the new building. The front entrance can be seen from the adjacent self-storage office building to the south and there will be CCTV installed on the building for higher security.

Staff concurs with this analysis. The Linn County Road department has provided a letter that explains the two old driveways for the nursery center will need to be filled in, new curbs created, and sidewalks constructed along the Old

Salem Road frontage. Conditions of approval have been added to assure compliance.

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

CONDITIONS OF APPROVAL:

- Prior to final inspection there should be an easement between property owners to utilize the shared access unless the ownership is the same.
- The proposed fence shall be placed outside of the Linn County right-of-way.
- All irrigation and landscape maintenance for areas within the County right-of-way shall be the responsibility of the property owner for the storage use.
- The shared driveway access shall be a minimum 24' wide concrete approach with a 24' wide asphalt driveway that extends at least to the right-of-way, or signage shall be added to clarify the two existing driveways as one way in and one way out.
- Prior to final inspection the two existing accesses to tax lot 800 (1190 NE Old Salem Road) shall be removed. This will require removal of the curb, gutter, and driveway and installing curb, gutter and sidewalk.
- The proposed silt fence should be adequate for erosion control, but the inlets in Old Salem may need additional erosion control measures, if necessary.
- An access permit shall be obtained from the Linn County Road Department prior to performing work within the right-of-way.

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: As mentioned previously, most operations will take place within the new structure, which will limit noise. There are no residential areas near the property.

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

d. Protections from any potential hazards.

ANALYSIS: No hazards are anticipated on or near the property. No additional protections are needed.

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 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 3.09 LANDSCAPING STANDARDS

SECTION 3.09.030(1)b NON RESIDENTIAL LANDSCAPING

Landscaping is required in all setback areas. Standards are included in this section of the Code which explain how the landscaping is supposed to be designed. All required setbacks must be landscaped. This must include:

- i. One tree at least six feet tall when planted for every 30 feet of street frontage.
- ii. Five 5-gallon or eight 1-gallon shrubs, trees, or accent plants.
- iii. The remaining area treated with suitable living ground cover, lawn, or decorative treatment of bark, rock, or other attractive ground cover.
- iv. When the yard adjacent to a street of an industrially zoned property is across a right-of-way (excluding Old Salem Road right-of-way) from other industrially or commercially zoned property, only 30% of such setback area must be landscaped.

ANALYSIS: The site does not abut any residential property; no screening is required. The applicant provided a landscape and irrigation plan. Landscaping is proposed along the frontage with Old Salem Road. The landscape plans include a series of notes that detail how the requirements of this code section are specifically met.

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

SECTION 3.26 COMMERCIAL DESIGN STANDARDS

Commercial Design Standards are intended to create an attractive vista, enhancing the ability to attract business investment and livability. Requirements include:

(1) Buildings with exterior walls greater than 50 feet in horizontal length shall be constructed using the installation of a combination of architectural features and a variety of building materials. Walls that can be viewed from adjacent public streets including Interstate 5 shall be designed with windows totaling a

minimum of 10 percent of the wall area and using architectural features and landscaping (abutting the building) for at least 50% of the wall length. Other walls shall incorporate architectural features and landscaping for at least 30% of the wall length.

ANALYSIS: The wall facing Old Salem is longer than 50 feet. The glass included on the façade is 15% of the wall surface according to the applicant's narrative. Landscaping will be planted along the entire street-facing façade frontage and include trellises.

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

(2) Architectural features shall include at least three of the following: recesses, projections, wall insets, arcades, window display areas, awnings, balconies, window projections, landscape structures, or other features that complement the design intent of the structure and are approved in the Site Design Review process.

ANALYSIS: The applicant explains:

The glass will be highlighted with a projected metal frame and a traditional canopy below which wraps the corner. Other architectural features include landscape trellis structures on the east elevation in between each of the wood and metal sunshades (which span the length of the east side of the building) covering at least 50% of the east wall length. Windows will be installed along the CMU stone wall to lend interest on the east side. The building will be clad in glass and corrugated metal with a one-story base of tinted & textured concrete masonry. The exterior design utilizes varying textures to create a contemporary expression. The metal panels are composed with variety of rib spacing to add texture. The first story forms a base to the building and is clad in tinted concrete masonry units. The CMU will transition from a rough and irregular split face texture at the ground to a smooth semi-polished ground face block as it meets the metal panel at 11'-0". The slightly sloping roof is having a 4'-10" parapet on the low side. Exterior colors will be of low reflectance in earth tones will be selected to meet the Commercial design standards in terms of color (blue, gray, brown) as well as compliment the self-storage complex.

As shown above the structure features many architectural elements in full compliance with the standard.

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

(3) The predominant building materials shall be brick, wood, stone, and tinted/textured concrete masonry units, or glass products, or a combination thereof. Other materials such as smooth-faced concrete block, undecorated tilt- up concrete panels, or prefabricated steel panels shall not exceed 25% of the material used for walls adjacent to the street or 75% of any other wall. All roof types are allowed including metal roofs; however, flat roofs shall be surrounded by a vertical extension of the adjacent wall.

ANALYSIS: As explained above, the structure features several different materials on the façade. More than 25% of the façade is metal fabricated panels. However, Standard 5 in this section allows alternative design proposals with a Conditional Use Permit. See item 5 below for more detail.

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

(4) Exterior colors shall be of low reflectance and shall be earth tone or dark shades of primary or secondary colors. The use of high intensity colors such as black, neon, metallic, or fluorescent for the facade and/or roof of the building is prohibited except as approved for building trim.

ANALYSIS: The applicant has not provided color elevations, but has provided a color guide that shows blues and grays that are earth tone and not overly bright or flashy.

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

(5) As an alternative, an applicant who wishes to use a design that differs from these requirements may apply for a Conditional Use Permit.

ANALYSIS: The applicant is proposing the use of metal fabricated panels for a portion of the façade that exceeds the 25% requirement listed in 3 above. Staff contends that the design of the building is more modern than the Code is prescribing in the design requirements. The look is more like the approved Ti-Squared building. Though the predominance of metal surfaces is a more decidedly modern look, it blends well with the rest of the structures on the property that were all built before the design standards existed. The use of metal fabrication here is appropriate and attractive. The use of wood or concrete tilt up for this building would actually make it clash with the surrounding development. The Conditional Use Permit requirement is intended to trigger the need for additional CUP criterion. While the Site Development Review criteria generally addresses the site specifically, the CUP criteria requires a broader analysis of how well the project blends with the surrounding environment. The applicant has submitted a CUP application and addressed the additional criteria. With that, staff feels this requirement is

met and the additional percentage of steel panel usage should be supported.

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

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 21-05 and CUP 21-03.

VI. PROPOSED MOTION

I make a motion that, based on the findings of fact in the staff report and the conditions of approval, the proposed project satisfies the applicable criteria and standards, and the Planning Commission approves Site Plan SP 21-05 and CUP 21-03 with the conditions of approval.

VII. ALTERNATIVE RECOMMENDATION

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

VIII. CONDITIONS OF APPROVAL

General Conditions:

1. This land use approval shall substantially comply with the submitted preliminary plans included as Exhibit C (a-d), 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.
4. Applicant shall comply with all requirements of the Linn County Road Department.
5. The proposed fence shall be placed outside of the Linn County right-of-way.
6. All irrigation and landscape maintenance for areas within the County right-of-way

shall be the responsibility of the property owner for the storage use.

7. The shared driveway access shall be a minimum 24' wide concrete approach with a 24' wide asphalt driveway that extends at least to the right-of-way, or signage shall be added to clarify the two existing driveways as one way in and one way out.
8. The proposed silt fence should be adequate for erosion control, but the inlets in Old Salem may need additional erosion control measures if necessary.
9. An access permit shall be obtained from the Linn County Road Department prior to performing work within the right-of-way.
10. A Private Construction of Public Infrastructure (PCPI) is required for the new fire water connection to the City's main in Old Salem Road. The new connection shall be from the 20" ductile iron water main, not the 10" asbestos cement water main. The new 4" DDC assembly and vault shall be located at least 10 feet from the existing public sanitary sewer line.
11. Old Salem Road: Old Salem Road fronting this property is a Linn County Road. Applicant shall comply with all requirements of the Linn County Road Department.
12. Stormwater:
 - a. Obtain a 1200C Erosion Control Permit and a City of Millersburg Erosion Prevention and Sediment Control Permit for all the disturbed ground, both on and off site that is in excess of one acre. The applicant shall follow the latest requirements from DEQ for NPDES 1200-C Permit submittals.
 - b. Stormwater facilities shall be designed and constructed in accordance with the City of Millersburg Engineering Standards. A grading permit is required for earthwork in excess of 50 cubic yards; a storm drainage report and grading plan shall be submitted for review. A final grading and stormwater inspection will be required prior to issuance of a certificate of occupancy.

Prior to Building Permit Issuance:

13. Stormwater detention and water quality facilities shall be designed as required to meet City standards. Stormwater calculations shall be submitted to the City Engineer for review and approval. Maintenance of detention basin and water quality facilities shall be the responsibility of the City.
14. 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 approval of the Final Plat.

15. Prior to the issuance of any building permits the applicant shall provide evidence to the City that all requirements of the Albany Fire Department letter dated October 21, 2021 have been met to the satisfaction of Albany Fire.

16. All applicable System Development Charges (SDCs) will be due at the time of building permits.

Prior to Grading:

17. The applicant must obtain a City of Millersburg Erosion Control Permit and Grading Permit prior to construction.

18. Stormwater:

- Obtain a 1200C Erosion Control Permit and a City of Millersburg Erosion Prevention and Sediment Control Permit for all the disturbed ground, both on and off site that is in excess of one acre. 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. A City of Millersburg Grading Permit is required for this work.

19. 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.

20. Prior to the issuance of any grading permits the applicant shall provide evidence to the City that all requirements of the Albany Fire Department letter dated October 21, 2021 have been met to the satisfaction of Albany Fire.

Prior to Final Inspection:

21. Prior to final inspection the applicant shall provide evidence to the City that all requirements of the Albany Fire Department letter dated October 21, 2021 have been met to the satisfaction of Albany Fire.

22. Prior to final inspection there should be an easement between property owners to utilize the shared access unless the ownership is the same.

23. Prior to final inspection the two existing accesses to tax lot 800 (1190 NE Old Salem Road) shall be removed. This will require removal of the curb, gutter, and driveway and installing curb, gutter, and sidewalk.

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. All applicable Connection Charges will be due at the time of building permits.
2. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.
3. All required street signage and street lighting shall be approved by the City Engineer and installed.
4. Dust shall be controlled within the development during construction and shall not be permitted to drift onto adjacent properties.
5. The developer is responsible for all costs associated with any remaining public facility improvements and shall ensure the construction of all public streets and utilities within and adjacent to the tentative map as required by these conditions of approval to the plans, standards, and specifications of the City of Millersburg.
6. **This approval is valid for a period of one (1) year from the date of the decision notice.** Extensions may be granted by the City as afforded by the Millersburg Development Code.
7. The continual operation of the property shall comply with the applicable requirements of the Millersburg Development Code.
8. 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.
9. Noise shall be kept at the minimum level possible during construction. The developer shall agree to aggressively ensure that all vehicles working in the development shall have adequate and fully functioning sound suppression devices installed and maintained at all times.

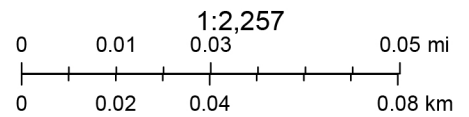
10. All construction sites shall be maintained in a clean and sanitary condition at all times. Construction debris includes food and drink waste. All waste shall be contained on-site in proper containers or construction fencing enclosures and shall leave the construction site in proper disposal containers. 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:
 - a. Site Plan dated June 2021
 - b. Elevations dated 6/20/21
 - c. Landscape Plans dated 6/20/21
 - d. Color Sheet (no date)
- D. Airport Influence Area Map
- E. INT 21-01 Interpretation Decision
- F. Linn County Road Department email dated October 19, 2021
- G. Millersburg City Engineer Comments dated October 25, 2021
- H. Albany Fire Department Comment Letter dated October 21, 2021
- I. Public Hearing Notice



10/14/2021, 11:16:48 AM



- GENERAL COMMERCIAL
 - GENERAL INDUSTRIAL
 - LIMITED INDUSTRIAL
 - MIXED USE
 - PUBLIC FACILITIES
 - RESIDENTIAL LOW DENSITY
 - COMMERCIAL OFFICE
 - Railroad
- Millersburg Zoning

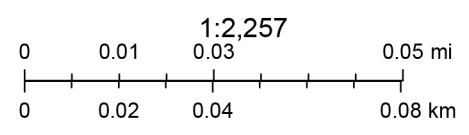
City of Albany, County of Linn, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, Linn County GIS, GeoTerra, 2021

ArcGIS Web AppBuilder

SP 21-05 & CUP 21-03



10/14/2021, 11:17:37 AM



- Address
- Tax Lots
- FEMA Floodway
- 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

DRAWINGS FOR:

**ALL SECURE MINI STORAGE (NORTHEAST)
1190 OLD SALEM ROAD NE
ALBANY, OR 97321**

PROJECT
LOCATION

FOR:

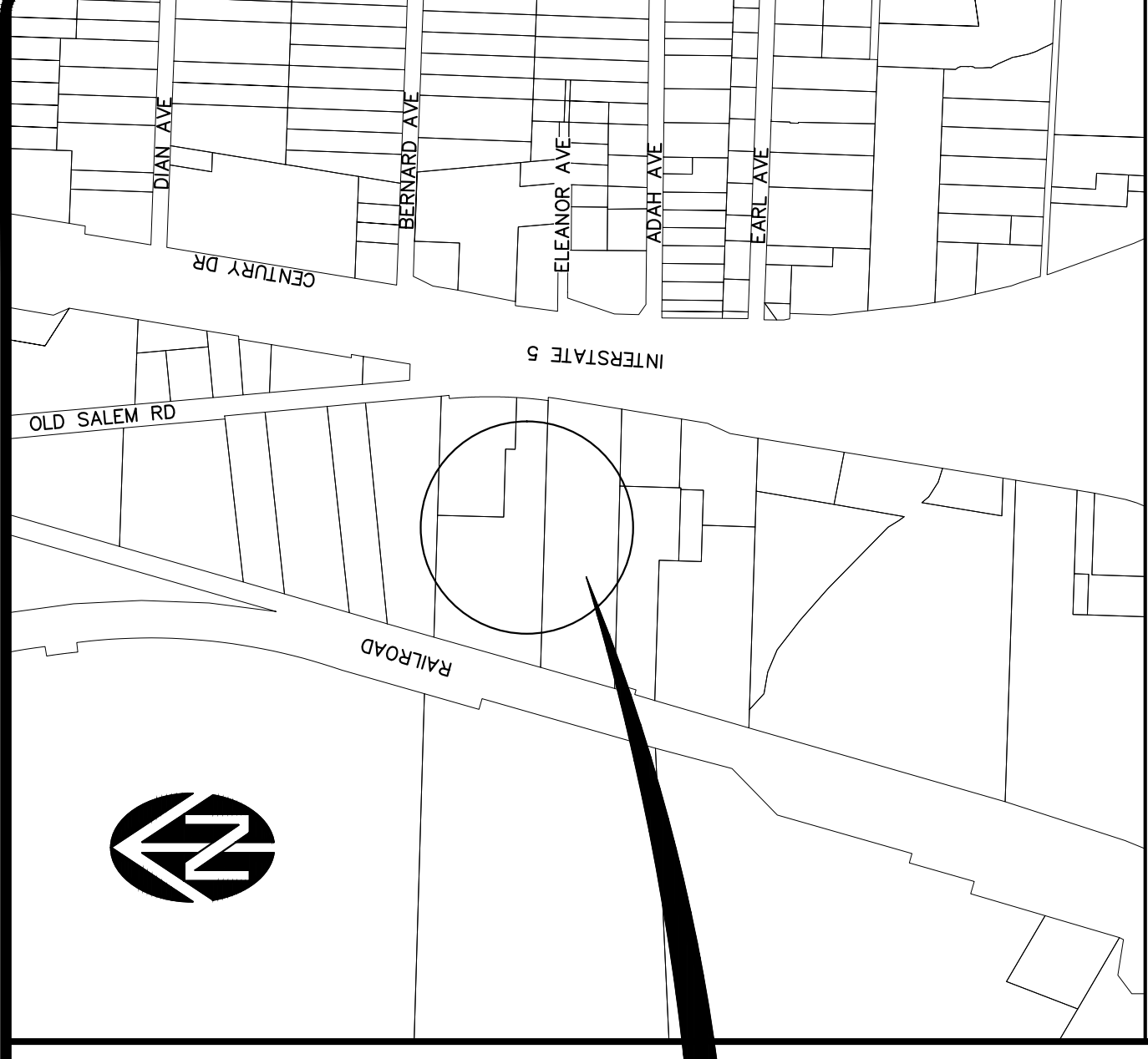
**CREATIONS NORTHWEST, LLC.
14020 SE JOHNSON RD, SUITE 102
MILWAUKIE, OR 97267**

DRAWING INDEX

DWG	TITLE
C0.0	COVER SHEET, VICINITY & LOCATION MAPS, DRAWING INDEX
C0.1	CONSTRUCTION NOTES
C0.2	CONSTRUCTION NOTES
C1.0	EXISTING CONDITIONS, EROSION CONTROL, & DEMOLITION PLAN
C1.1	EROSION CONTROL NOTES & DETAILS
C1.2	EROSION CONTROL NOTES & DETAILS
C2.0	OVERALL SITE PLAN
C3.0	GRADING & DRAINAGE PLAN, NE CORNER
C3.1	SURFACING PLAN
C4.0	OVERALL UTILITY PLAN
C5.0	CIVIL DETAILS



Know what's below.
Call before you dig.



VICINITY MAP

GENERAL LEGEND

ITEM	PROPOSED	EXISTING
SANITARY SEWER	—	SS
STORM DRAIN	—	SD
WATER	—	W
GAS	—	G
TELEPHONE	—	T
POWER	—	P
FENCE	X — X	X — X
BARRICADE	□	□
TELEPHONE MANHOLE	□	□
TELEPHONE PEDESTAL	□	□
SANITARY SEWER MANHOLE	⊙	⊙
STORM DRAIN MANHOLE	⊙	⊙
CATCH BASIN	⊙	⊙
FIRE HYDRANT AND VALVE	⊙	⊙
WATER METER	⊙	⊙
WATER VALVE	⊙	⊙
POWER POLE	⊙	⊙
POWER POLE W/ANCHOR	⊙	⊙
POLE W/LUMINAIRE	⊙	⊙
LIGHT POLE	⊙	⊙
SIGN POST	⊙	⊙
MAILBOX	⊙	⊙
HEDGE OR BRUSH	⊙	⊙
TREES	⊙	⊙

STREET OR ALLEY RIGHT OF WAY R/W

PLATTED LOT LINE

OWNERSHIP LINE

EASEMENT OR TEMPORARY RIGHT OF WAY

PROJECT CENTERLINE AND

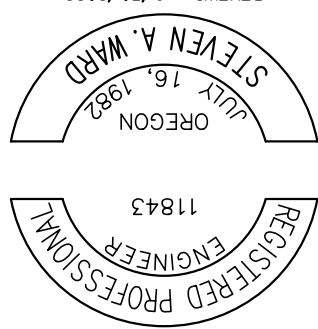
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CREATIONS NORTHWEST LLC.
ALL SECURE STORAGE
COVER SHEET,
VICINITY & LOCATION MAPS,
& DRAWING INDEX

DRAWING
CO.0

JOB NUMBER
3250.0000.0

WESTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
Phone: (503) 585-2474 Fax: (503) 585-3986
E-mail: westech@westech-eng.com



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DRN. AR			
DSN. SAW			

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REVISIONS	
BY	

GENERAL NOTES

- Contractor shall procure, pay all costs for, and conform to all construction permits required by the City of Millersburg. Contractor shall coordinate and pay all fees and costs, including services and inspections by the Approving Agency. Costs shall include as applicable but not be limited to fees for connection, tapping, inspection, testing, chlorination, System Development Charges, or other similar or related costs.
- Oregon law requires the Contractor to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth in OAR 952-001-0010 through OAR 952-001-0090. Obtain copies of the rules by calling the center. (Note: the telephone number for the Oregon Utility Notification Center is 503-232-1987).
- Contractor to notify City and all utility companies a minimum of 48 business hours (2 business days) prior to start of construction, and comply with all other notification requirements of the Approving Agency with jurisdiction over the work.
- Contractor shall provide all bonds and insurance required by public and/or private agencies having jurisdiction. Where required by public and/or private agencies having jurisdiction, the Contractor shall submit a suitable maintenance bond prior to final payment.
- Unless otherwise approved by the Public Works Director, construction of all public facilities shall be done between 7:00 a.m. and 6:00 p.m., Monday through Saturday.

- The Contractor shall perform all work necessary to complete the project in accordance with the approved construction drawings including such incidents as may be necessary to meet the Approving Agencies' requirements and provide a completed project.
- Any inspection by the City or other Approving Agency shall not, in any way, relieve the Contractor from any obligation to perform the work in strict compliance with the contract documents, applicable codes, and Approving Agency requirements.
- Contractor shall maintain one complete set of approved drawings on the construction site at all times whereon he will record all approved deviations in construction from the approved drawings, as well as the station locations and depths of all existing utilities encountered. These field record drawings shall be kept up to date at all times and shall be available for inspection by the Approving Agency or Owner's Representative upon request. Failure to conform to this requirement may result in delay in payment and/or final acceptance of the project.
- Upon completion of construction of all new facilities, Contractor shall submit a clean set of field record drawings containing all as-built information to the Engineer. All information shown on the Contractor's field record drawings shall be subject to verification. If significant errors or deviations are noted, an as-built survey prepared and stamped by a registered professional Land Surveyor shall be completed at the Contractor's expense.

- A.C. Contractor shall procure and conform to DEQ stormwater permit No. 1200C for construction activities where 1 acre or more are disturbed.

- The contractor shall retain and pay for the services of a registered Civil Engineer and/or Land Surveyor licensed in the State of Oregon to establish construction control and perform initial construction surveys to establish lines and grades of improvements as indicated on the drawings. Staking for buildings, structures, curbs, gravity drainage pipes/structures and other critical improvements shall be completed using equipment accurate to 0.04 feet horizontally and 0.02 feet vertically, or better. Use of GPS equipment for final construction staking of these critical improvements is prohibited. The registered professional surveyor shall provide the design engineer with copies of all grade sheets for construction staking performed for the project.

TESTING AND INSPECTION:

- For public and private improvements, the Contractor shall be responsible to ensure that all required or necessary inspections are completed by authorized inspectors prior to proceeding with subsequent work which covers or that is dependent on the work to be inspected. Failure to obtain necessary inspection(s) and approval(s) shall result in the Contractor being fully responsible for all problems and/or corrective measures arising from uninspected work.

- Unless otherwise specified, the attached "Required Testing and Frequency" table outlines the minimum testing schedule for private improvements on the project. This testing schedule is not complete, and does not relieve the Contractor of the responsibility of obtaining all necessary inspections or observations for all work performed, regardless of who is responsible for payment. Cost for retesting shall be borne by the Contractor.

EXISTING UTILITIES & FACILITIES:

- The location and descriptions of existing utilities shown on the drawings are compiled from available records and/or field surveys. The Engineer or utility companies do not guarantee the accuracy or the completeness of such records. Contractor shall field verify locations and sizes of all existing utilities prior to construction.

- Contractor shall field verify location and depth of all existing utilities where new facilities cross. All utility crossings marked or shown on the drawings shall be pathlotted using hand tools or other non-invasive methods prior to excavating or boring. Contractor shall be responsible for necessary grade or alignment for enough ahead of construction to make it possible for necessary grade or alignment modifications. Contractor shall notify the Design Engineer and the Design Engineer in charge of the project of any utility crossings. The Design Engineer or the Owner's Representative shall obtain approval from the Approving Agency prior to construction.

- The Contractor shall be responsible for locating and marking all existing survey monuments of record (including but not limited to property and street monuments) prior to construction. If any survey monuments are removed, disturbed or destroyed during construction of the project, the Contractor shall retain and pay for the services of a Registered Professional Surveyor licensed in the State of Oregon to reference and replace all such monuments prior to final payment. The monuments shall be replaced within a maximum of 30 days, and the County Surveyor shall be notified in writing as required by per ORS 209-150.

- All facilities shall be maintained in-place by the Contractor unless otherwise shown or directed. Contractor shall take all precautions necessary to support, maintain, or otherwise protect existing utilities and other facilities at all times during construction. Contractor to leave existing facilities in an equal or better-than-original condition and to the satisfaction of the Approving Agency and Owner's Representative.

- Utilities or interfering portions of utilities that are abandoned in place shall be removed by the Contractor to the extent necessary to accomplish the work. The Contractor shall plug the remaining exposed ends of abandoned utilities after appropriate verification procedures have taken place.

- Contractor shall remove all existing signs, mailboxes, fences, landscaping, etc., as required to avoid damage during construction and replace them to existing or better condition.

- The Contractor shall be responsible for managing construction activities to ensure that public streets and right-of-ways are kept clean of mud, dust or debris. Dust abatement shall be maintained by adequate watering of the site by the Contractor.

GRADING, PAVING & DRAINAGE:

- Unless otherwise noted, all grading, rocking and paving to conform to Oregon Standard Specifications for Construction (OSSC/ODOT/APWA), 2021 edition.
- Clear and grub within work limits all surface vegetation, trees, stumps, brush, roots, etc. Do not damage or remove trees except as approved by the Owner's Representative or as shown on the drawings. Protect all roots two inches in diameter or larger.
- Strip work limits, removing all organic matter, which cannot be compacted into a stable mass. All trees, brush, and debris associated with clearing, stripping or grading shall be removed and disposed of off-site.

- For public and private improvements, except as otherwise allowed by the specifications, drawing details, notes, and/or schedules, following striping and grading operations, impact subgrade to 92% of the maximum dry density per AASHTO T-180 test method (Modified Proctor). Subgrade must be inspected and approved by the Owner's authorized representative before placing engineered fills or fine grading for base rock.

- Granular base rock shall conform to the requirements of OSSC (ODOT/APWA) 02630.10 (Dense Graded Base Aggregate), with no more than 10% passing the #40 sieve and no more than 5% passing the #200 sieve.

- Compact granular base rock to 92% of the maximum dry density per AASHTO T-180 test method (Modified Proctor). Written base rock compaction test results from an independent testing laboratory must be received by the Owner's authorized representative before placing AC pavement, and a finished rock grade proof-roll (witnessed by the Owners authorized representative) must be performed.

- A.C. pavement shall conform to OSSC (ODOT/APWA) 00745 (Hot Mixed Asphalt Concrete Pavement) for standard duty mix. Unless otherwise specified or shown on the drawings, base fits shall be 3/4" dense graded mix, while wearing courses shall be 1 1/2" dense graded mix. Unless otherwise specified or shown on the drawings, A/CZ overlay shall be 1 1/2" dense graded mix. All AC Pavement shall be compacted to a minimum of 91% of maximum density as determined by the Rice standard method. Written AC pavement compaction test results from an independent testing laboratory must be received by the Owner's authorized representative before final payment.

- Pavement surface shall be a smooth, well-sealed, tight mat without depressions or bird baths. Bony or open graded pavement surfaces shall be repaired to the satisfaction of the Owner's authorized representative, prior to final acceptance of the work.

- HMAC mixtures shall be placed only when the surface is dry and weather conditions are such that proper handling, finishing and compaction can be accomplished. In no case shall bituminous mixtures be placed when the surface temperature is below the minimum established under 2021 OSSC (ODOT/APWA) 00744.40 (AC - Season and Temperature Limitations) or the project specifications, whichever is more stringent.

- Contractor shall protect new pavement against traffic as required, until it has cooled sufficiently to avoid tracking.

- Unless otherwise shown on the drawings or details, straight grades shall be run on all finish elevations and/or finish surface line grade excavation; where grades are shown across sidewalks, slopes shall be adjusted to ensure that maximum allowable sidewalk cross slopes are not exceeded).

- Finish pavement grades at transition to existing pavement shall match existing pavement grades or be feathered past joints with existing pavement as required to provide a smooth, free draining surface.

- All existing or constructed manholes, cleanouts, monument boxes, gas valves, water valves and similar structures shall be adjusted to match finish grade of the pavement, sidewalk, landscaped area or median strip wherein they lie. Verify that all valve boxes and risers are clean and centered over the operating nut.

- Contractor shall seed and mulch (uniformly by hand or hydrosseed) all exposed slopes and disturbed areas which are not scheduled to be landscaped, including trench restoration areas. If the Contractor fails to apply seed and mulch in a timely manner during periods favorable for germination, or if the seeded areas fail to germinate, the Owner's Representative may (at his discretion) require the Contractor to install sod to cover such disturbed areas.

PIPED UTILITIES:

- The Contractor shall have appropriate equipment on site to produce a firm, smooth, undisturbed subgrade at the trench bottom, true to grade. The bottom of the trench excavation shall be smooth, free of loose materials or tooth grooves for the entire width of the trench prior to placing the granular bedding material.

- All pipes shall be bedded with minimum 6-inches of 3/4"-0 crushed rock bedding and backfilled with compacted 3/4"-0 crushed rock in the pipe zone (crushed rock shall extend a minimum of 12-inches over the top of the pipe in all cases). Unless CDF or other backfill is shown or noted on the drawings, crushed rock trench backfill shall be used under all improved areas, including pavement, sidewalks, foundation slabs, buildings, etc.

- Granular trench bedding and backfill shall conform to the requirements of OSSC (ODOT/APWA) 02630.10 (Dense Graded Base Aggregate), 3/4"-0. Unless otherwise shown on the drawings, compact granular backfill to 92% of the maximum dry density per AASHTO T-180 test method (Modified Proctor).

- Contractor shall arrange to abandon existing sewer and water services not scheduled to remain in service in accordance with approving agency requirements.

- All piped utilities abandoned in place shall have all openings closed with concrete plugs with a minimum length equal to 2 times the diameter of the abandoned pipe.

- The end of all utility service lines shall be marked with a 2"-x-4" painted white and wired to pipe stub. The pipe depth shall be written on the post in 2" block letters.

- All non-metallic water, sanitary and storm sewer piping shall have an electrically conductive insulated 12 gauge solid core copper tracer wire for storm length of the installed pipe using blue wire for water and green wire for storm and sanitary piping. Tracer wire shall be extended up into all valve boxes, catch basins, manholes and lateral cleanout boxes. Tracer wire penetrations into manholes shall be within 18 inches of the rim elevation and adjacent to manhole steps. The tracer wire shall be tied to the top manhole step or otherwise supported to allow retrieval from the outside of the manhole. All tracer wire splices shall be made with waterproof splices or waterproof/corrosion resistant wire nuts.

- No trenches in sidewalks, roads, or driveways shall be left in an open condition overnight. All such trenches shall be closed before the end of each workday and normal traffic and pedestrian flows restored.

- Before mandrel testing, or final acceptance of gravity pipelines, all trench compaction shall be completed and all sewers and storm drains flushed & cleaned to remove all mud, debris & foreign material from the pipelines, manholes and/or catch basins.

- Future extensions are shown upstream of new manholes (sewer or storm), catch basins or junction boxes, pipe stubs (with gasketed caps) shall be installed at design grades to a point 2' minimum outside of the structure.

STORM DRAIN SYSTEM:

- Storm sewer pipe materials shall conform to the construction drawings and Approving Agency's requirements. Unless otherwise noted or shown on the drawings, storm sewer pipe materials with watertight joints shall conform to the attached "Storm Pipe Table". Contractor shall use uniform pipe material on each pipe run between structures unless otherwise directed or approved. Jointed HDPE pipe shall not be used for slopes exceeding ten percent (10%). All materials and workmanship for all private storm drains, including storm drains located within any building envelope, shall be installed in conformance with Uniform Plumbing Code requirements.

- Contractor shall designate the pipe material actually installed on the field record drawings and provide this information for inclusion on the as-built drawings.

- Catch basins and junction boxes shall be set square with buildings or with the edge of the parking lot or street where they lie. Storm drain inlet structures and paving shall be adjusted so water flows into the structure without ponding water.

- Unless otherwise approved by the Engineer, all storm drain connections shall be by manufactured tees or saddles.

- Unless otherwise shown on the drawings, all storm pipe inlets & outfalls shall be beveled flush to match the slope wherein they lie.

- Sweep (deflect) storm sewer pipe into catch basins and manholes as required. Maximum joint deflection shall not exceed 5 degrees or manufacturers recommendations, whichever is less.

- Unless otherwise shown or directed, install storm sewer pipe in accordance with manufacturer installation guidelines.

- After manhole channeling and prior to mandrel testing or final acceptance, flush and clean all sewers, and remove all foreign material from the manlines, manholes and catch basins.

- Mandrel Testing. Contractor shall conduct deflection test of flexible storm sewer pipe by pulling approved mandrel through the completed pipeline following trench compaction. The diameter of the mandrel shall be 95% of the initial pipe diameter. Test shall be conducted not more than 30 days after the trench backfilling and compaction has been completed.

- Prior to acceptance, the Owner's Representative may lamp storm lines upstream & downstream of structures to verify that the pipes are clean and there is no grout or concrete in the manlines, and that there are no observable bellies in the line. When necessary, sufficient water to reveal low areas shall be discharged into the pipe by the Contractor prior to any such inspection by the Owner's Representative or the Approving Agency.

FRANCHISE & PRIVATE UTILITIES:

- Contractor shall notify and coordinate with franchise utilities for removal or relocation of power poles, vaults, pedestals, manholes, etc. to avoid conflict with Public utility structures, fire hydrants, meters, sewer or storm laterals, etc.

CONSTRUCTION NOTES

CREATIONS NORTHWEST LLC.
ALL SECURE STORAGE

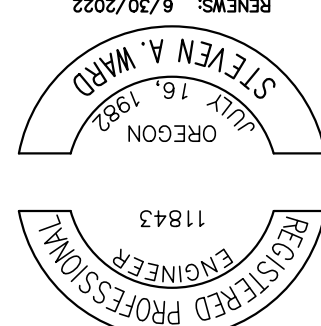
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WESTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS



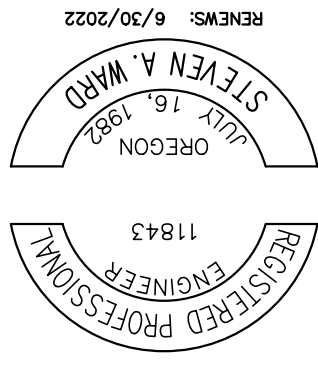
3841 Fairview Industrial Dr., S.E., Suite 100, Salem, OR 97302
Phone: (503) 585-2474 Fax: (503) 585-2986
E-mail: westech@westech-eng.com



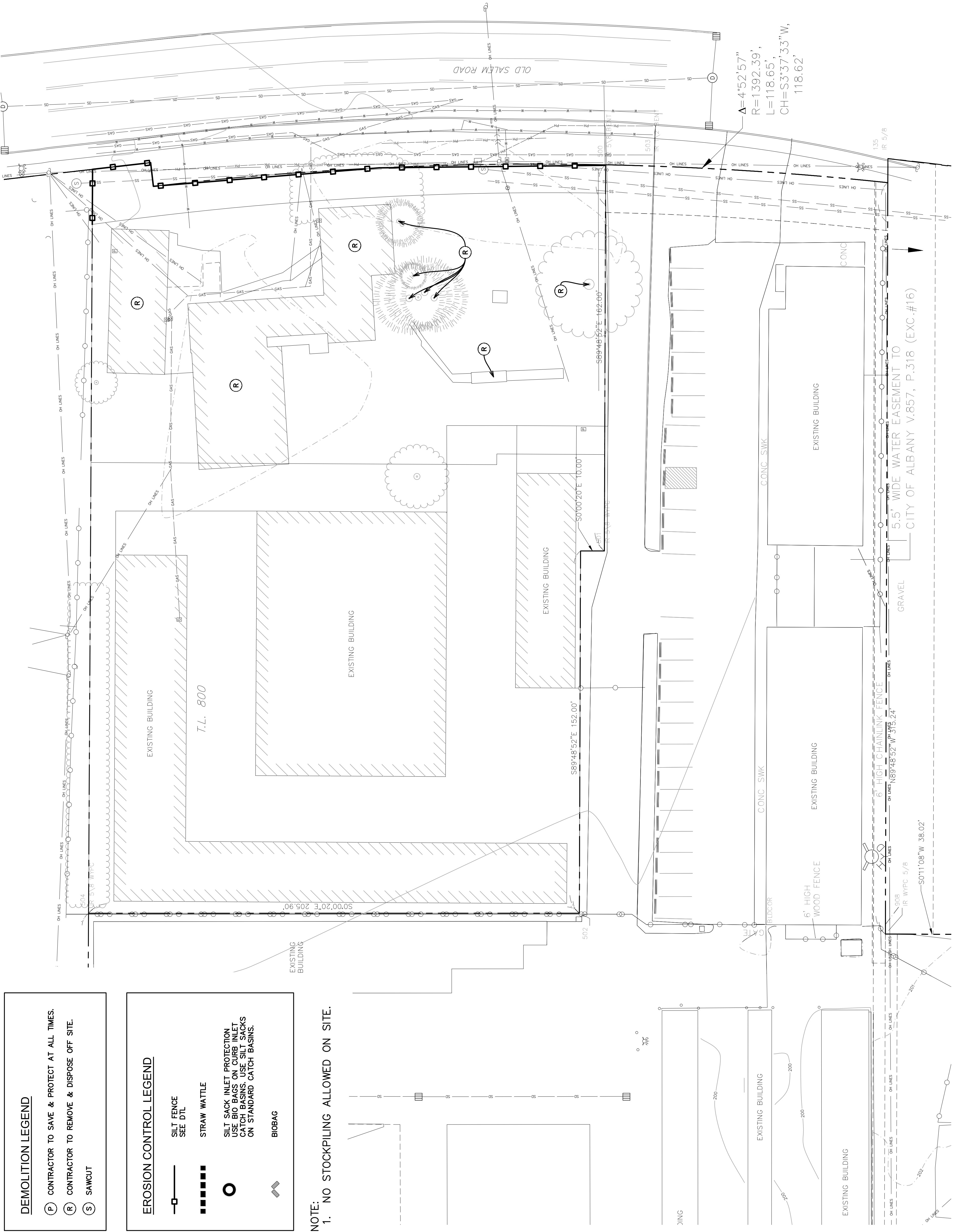
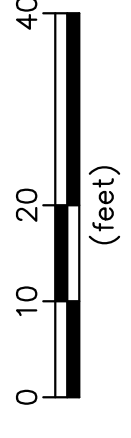
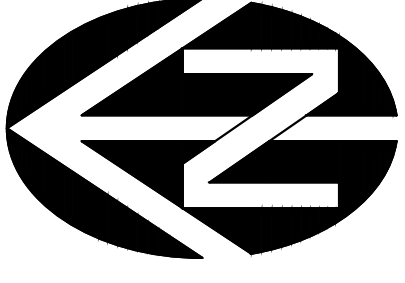
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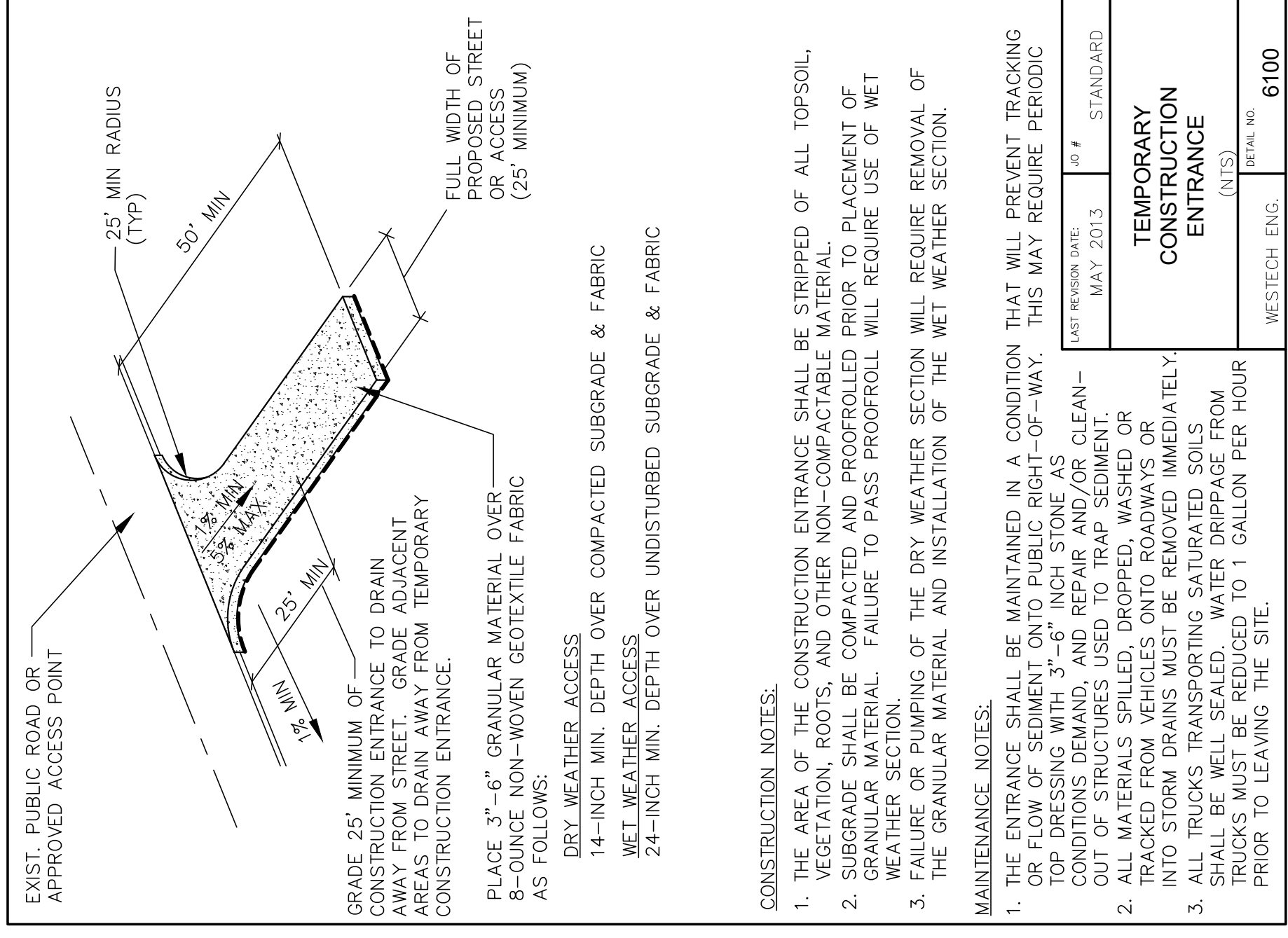
DEMOLITION LEGEND

- (P) CONTRACTOR TO SAVE & PROTECT AT ALL TIMES.
- (R) CONTRACTOR TO REMOVE & DISPOSE OFF SITE.
- (S) SAWCUT

EROSION CONTROL LEGEND

- SILT FENCE
SEE DTL
- ▬ STRAW WATTLE
- SILT SACK INLET PROTECTION
USE BIO BAGS ON CURB INLET
CATCH BASINS. USE SILT SACKS
ON STANDARD CATCH BASINS.
- ◊ BIOBAG

NOTE:
1. NO STOCKPILING ALLOWED ON SITE.



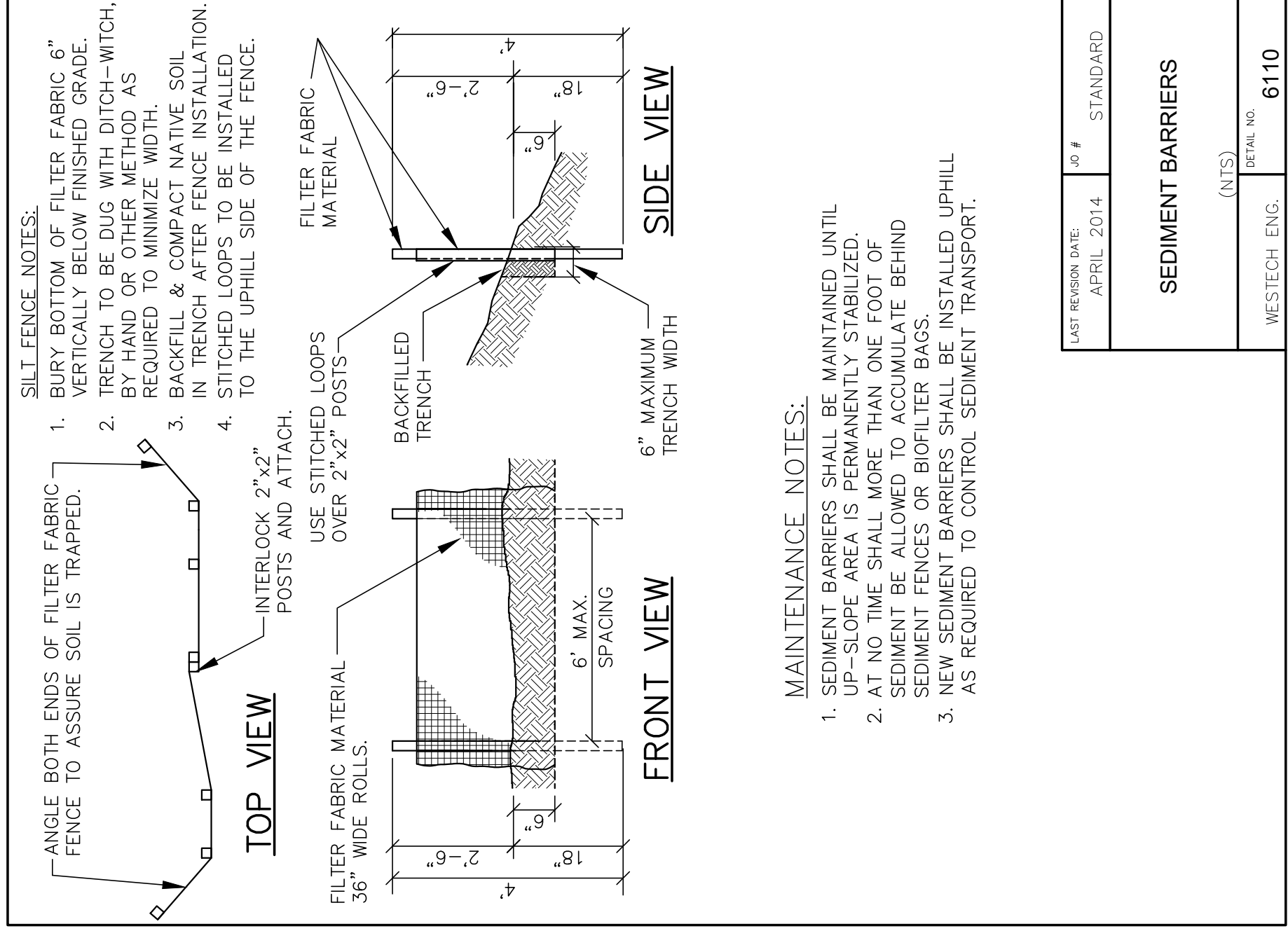
CONSTRUCTION NOTES:

1. THE AREA OF THE CONSTRUCTION ENTRANCE SHALL BE STRIPPED OF ALL TOPSOIL, VEGETATION, ROOTS, AND OTHER NON-COMPACTABLE MATERIAL.
2. SUBGRADE SHALL BE COMPACTED AND PROFFERED PRIOR TO PLACEMENT OF GRANULAR MATERIAL. FAILURE TO PASS PROFFERROLL WILL REQUIRE USE OF WET WEATHER SECTION.
3. FAILURE OR PUMPING OF THE DRY WEATHER SECTION WILL REQUIRE REMOVAL OF THE GRANULAR MATERIAL AND INSTALLATION OF THE WET WEATHER SECTION.

MAINTENANCE NOTES:

1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOW OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH 3"-6" INCH STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEAN-OUT OF STRUCTURES USED TO TRAP SEDIMENT.
2. ALL MATERIALS SPILLED, DROPPED, WASHED OR TRACKED FROM VEHICLES ONTO ROADWAYS OR INTO STORM DRAINS MUST BE REMOVED IMMEDIATELY.
3. ALL TRUCKS TRANSPORTING SATURATED SOILS SHALL BE WELL SEALED. WATER DRIPPAGE FROM TRUCKS MUST BE REDUCED TO 1 GALLON PER HOUR PRIOR TO LEAVING THE SITE.

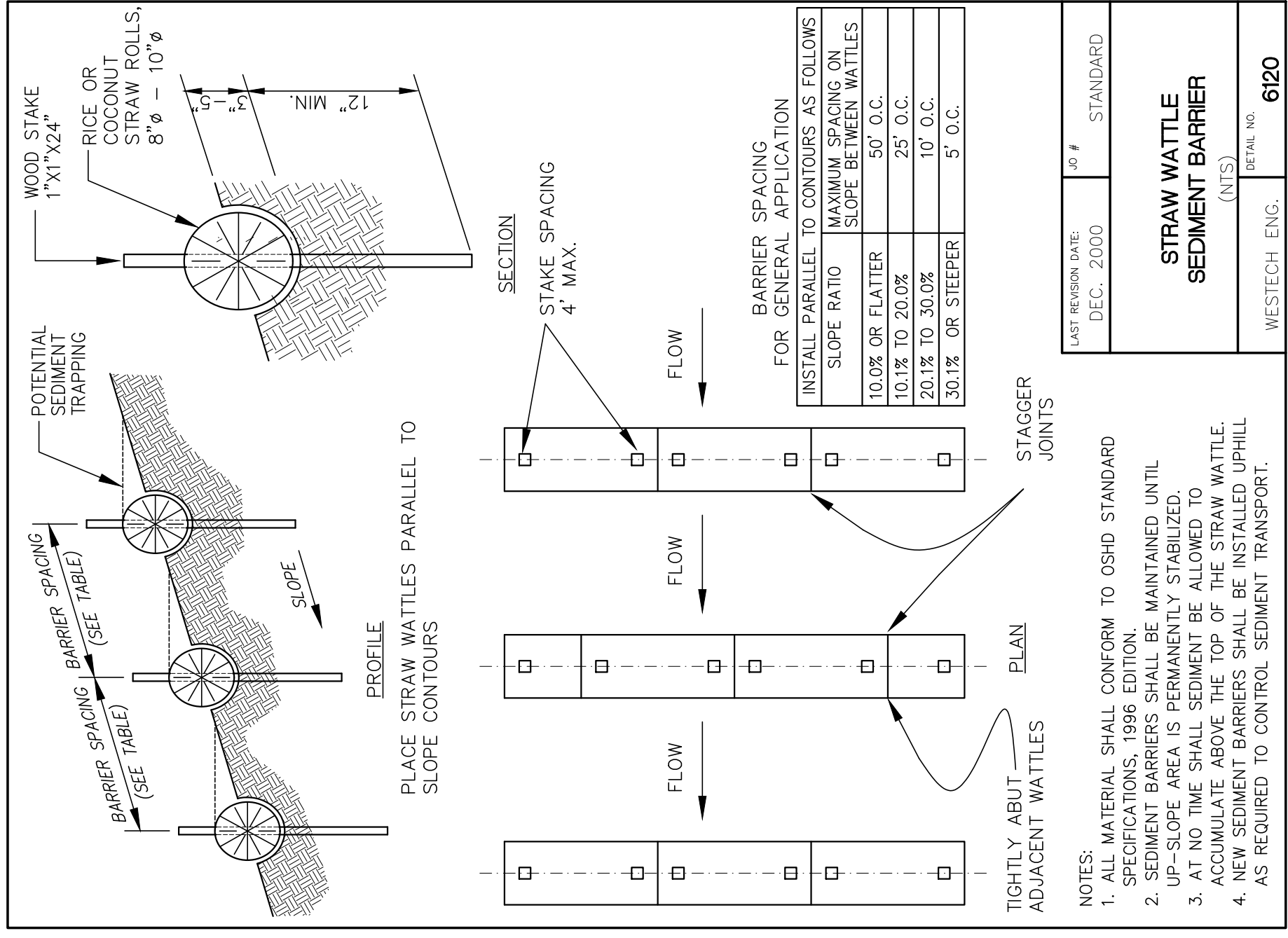
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MAY 2013		
TEMPORARY CONSTRUCTION ENTRANCE		
WESTTECH ENG.	DETAIL NO.	6100



MAINTENANCE NOTES:

1. SEDIMENT BARRIERS SHALL BE MAINTAINED UNTIL UP-SLOPE AREA IS PERMANENTLY STABILIZED.
2. AT NO TIME SHALL MORE THAN ONE FOOT OF SEDIMENT BE ALLOWED TO ACCUMULATE BEHIND SEDIMENT FENCES OR BIOFILTER BAGS.
3. NEW SEDIMENT BARRIERS SHALL BE INSTALLED UPHILL AS REQUIRED TO CONTROL SEDIMENT TRANSPORT.

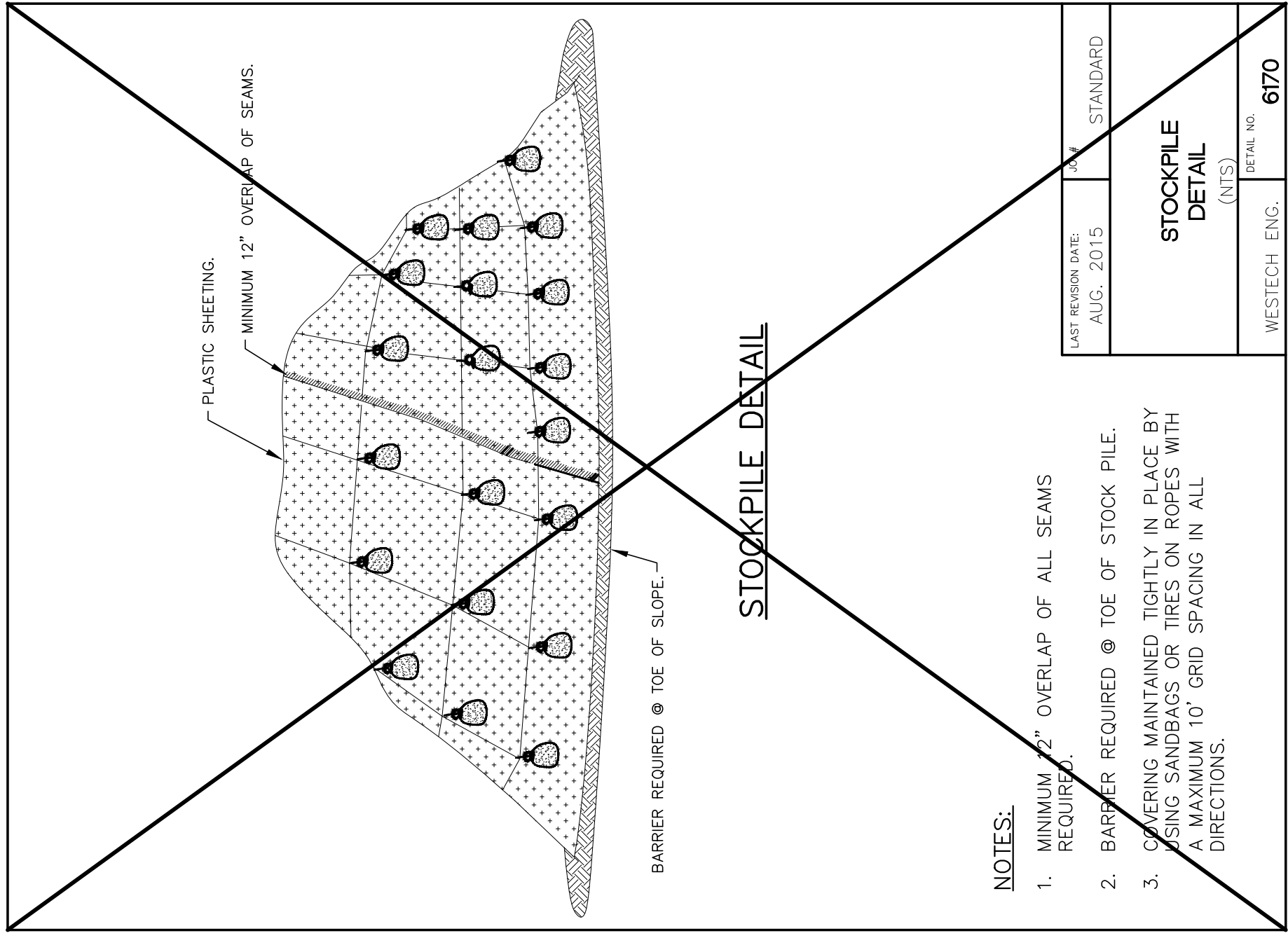
LAST REVISION DATE:	NO. #	STANDARD
APRIL 2014		
SEDIMENT BARRIERS		
WESTTECH ENG.	DETAIL NO.	6110



NOTES:

1. MATERIAL SHALL CONFORM TO OSDH STANDARD SPECIFICATIONS, 1996 EDITION.
2. SEDIMENT BARRIERS SHALL BE MAINTAINED UNTIL UP-SLOPE AREA IS PERMANENTLY STABILIZED.
3. AT NO TIME SHALL SEDIMENT BE ALLOWED TO ACCUMULATE ABOVE THE TOP OF THE STRAW WATTLE.
4. NEW SEDIMENT BARRIERS SHALL BE INSTALLED UPHILL AS REQUIRED TO CONTROL SEDIMENT TRANSPORT.

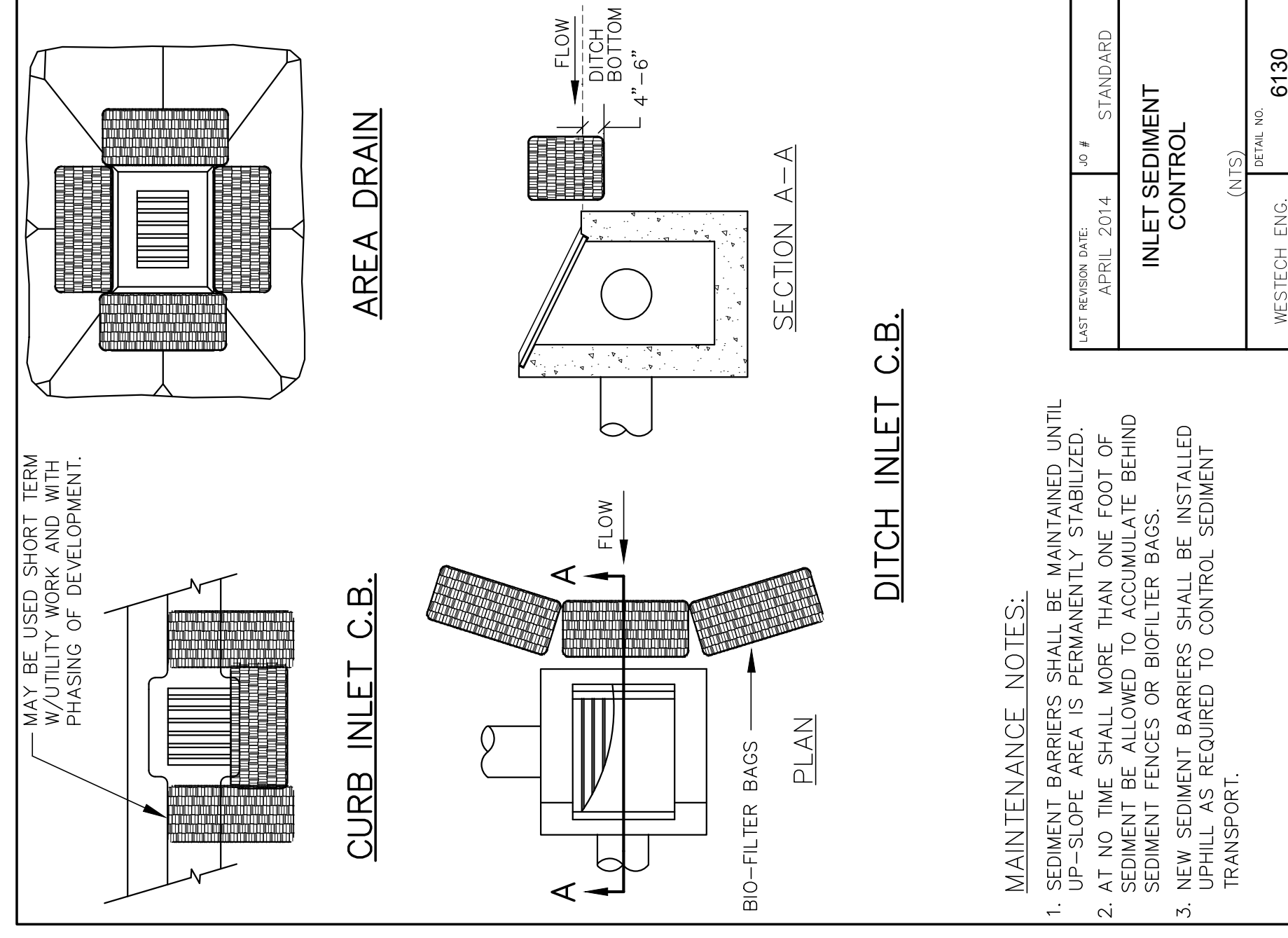
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DEC. 2000		
STRAW WATTLE SEDIMENT BARRIER		
WESTTECH ENG.	DETAIL NO.	6120



NOTES:

1. MINIMUM 2" OVERLAP OF ALL SEAMS REQUIRED.
2. BARRIER REQUIRED @ TOE OF STOCK PILE.
3. COVERING MAINTAINED TIGHTLY IN PLACE BY USING SANDBAGS OR TIRES ON ROPES WITH A MAXIMUM 10' GRID SPACING IN ALL DIRECTIONS.

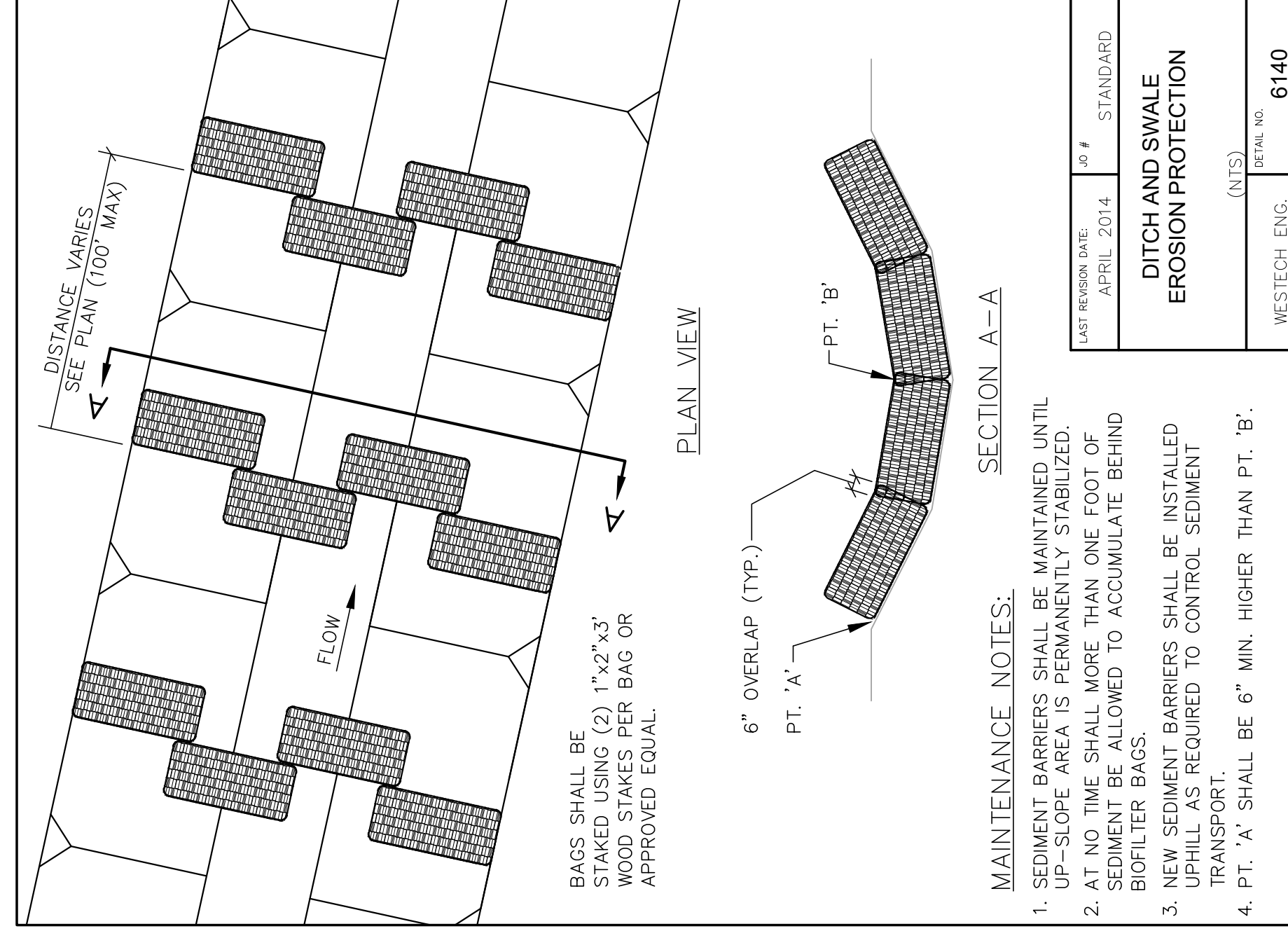
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AUG. 2015		
STOCKPILE DETAIL		
WESTTECH ENG.	DETAIL NO.	6170



MAINTENANCE NOTES:

1. SEDIMENT BARRIERS SHALL BE MAINTAINED UNTIL UP-SLOPE AREA IS PERMANENTLY STABILIZED.
2. AT NO TIME SHALL MORE THAN ONE FOOT OF SEDIMENT BE ALLOWED TO ACCUMULATE BEHIND SEDIMENT FENCES OR BIOFILTER BAGS.
3. NEW SEDIMENT BARRIERS SHALL BE INSTALLED UPHILL AS REQUIRED TO CONTROL SEDIMENT TRANSPORT.

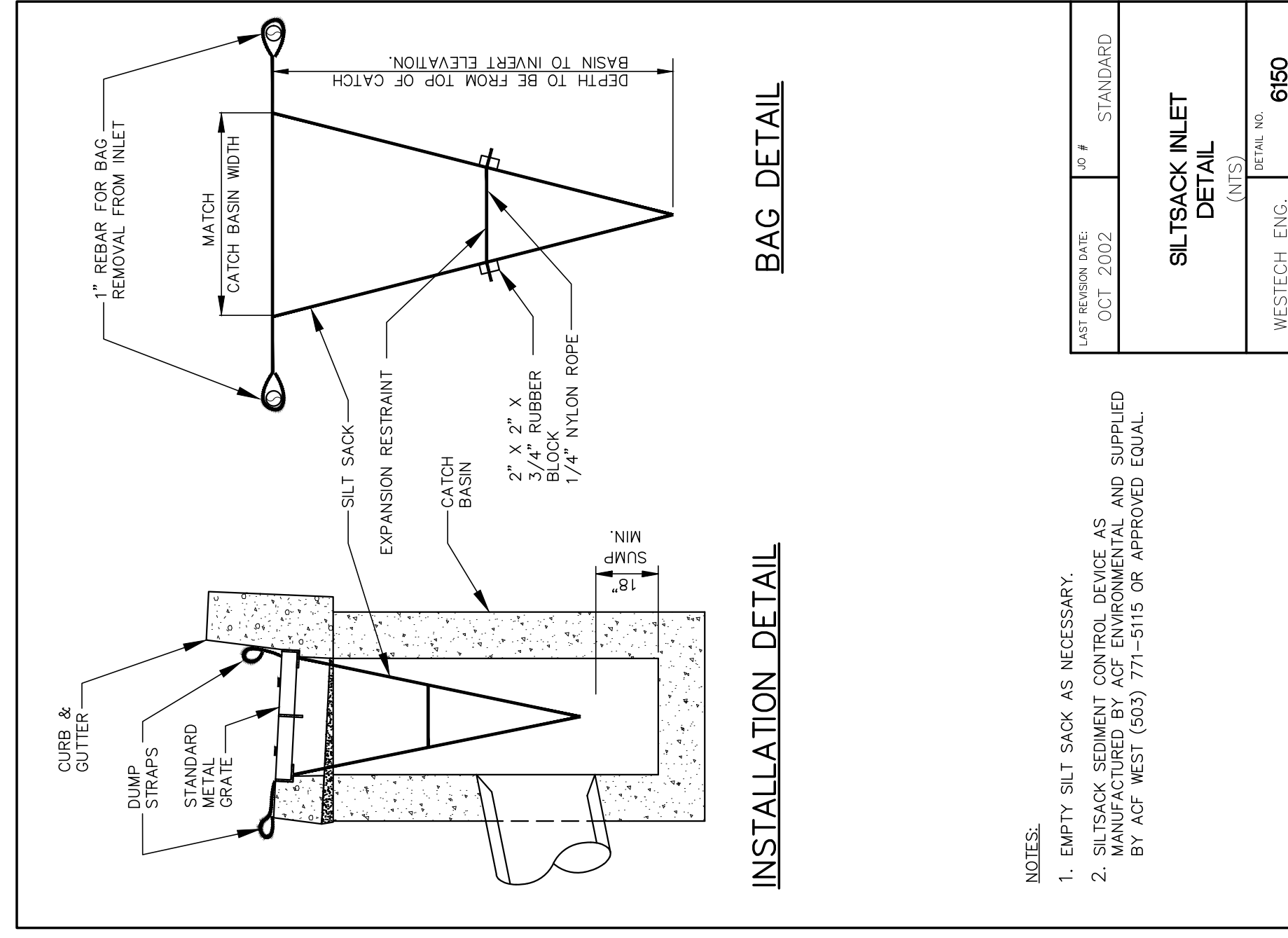
LAST REVISION DATE:	NO. #	STANDARD
APRIL 2014		
INLET SEDIMENT CONTROL		
WESTTECH ENG.	DETAIL NO.	6130



MAINTENANCE NOTES:

1. SEDIMENT BARRIERS SHALL BE MAINTAINED UNTIL UP-SLOPE AREA IS PERMANENTLY STABILIZED.
2. AT NO TIME SHALL MORE THAN ONE FOOT OF SEDIMENT BE ALLOWED TO ACCUMULATE BEHIND BIOFILTER BAGS.
3. NEW SEDIMENT BARRIERS SHALL BE INSTALLED UPHILL AS REQUIRED TO CONTROL SEDIMENT TRANSPORT.
4. PT. 'A' SHALL BE 6" MIN. HIGHER THAN PT. 'B'.

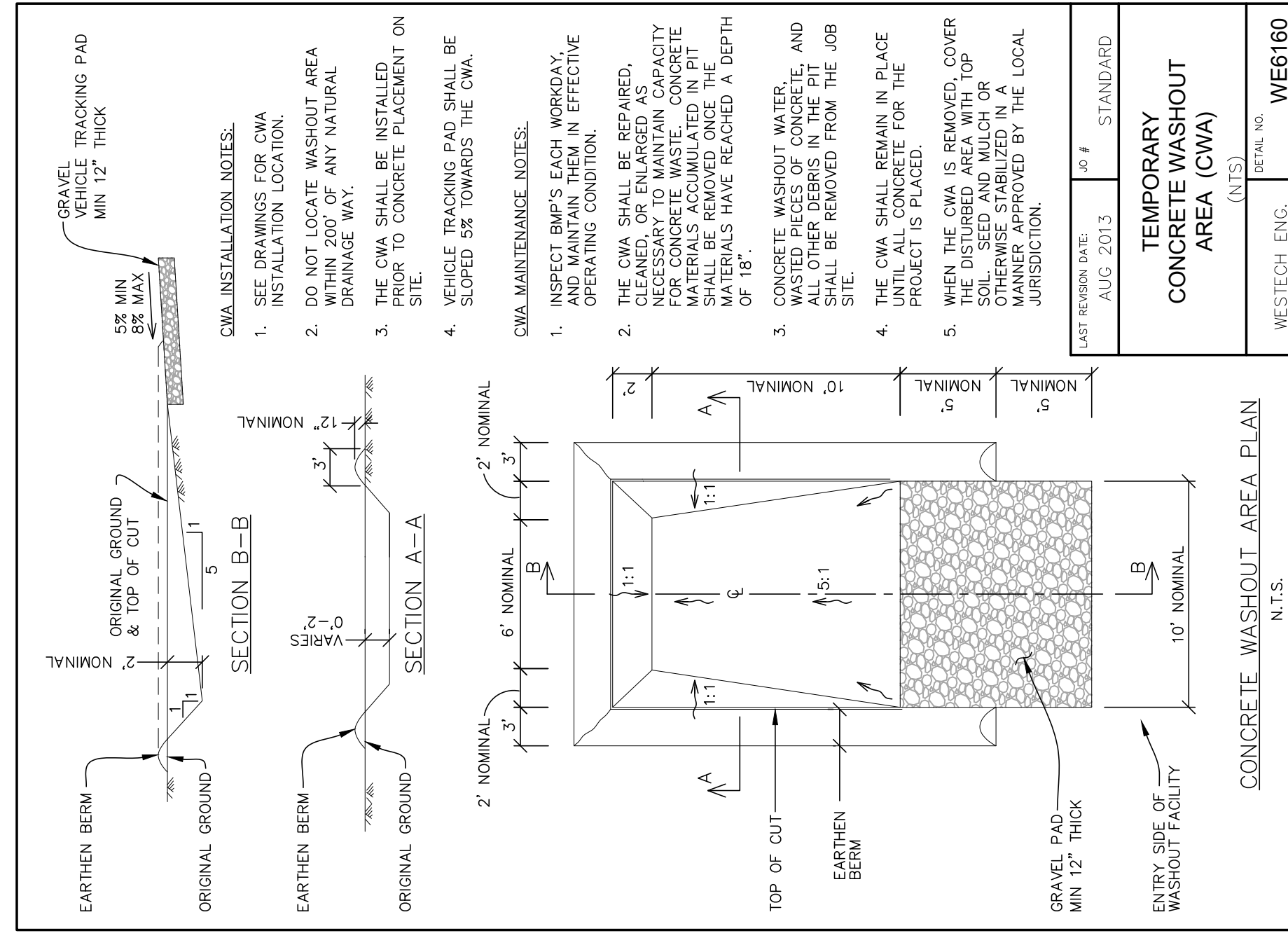
LAST REVISION DATE:	NO. #	STANDARD
APRIL 2014		
DITCH AND SWALE EROSION PROTECTION		
WESTTECH ENG.	DETAIL NO.	6140



NOTES:

1. EMPTY SILT SACK AS NECESSARY.
2. SILTSACK SEDIMENT CONTROL DEVICE AS MANUFACTURED BY ACF ENVIRONMENTAL AND SUPPLIED BY ACF WEST (805) 771-5115 OR APPROVED EQUAL.

LAST REVISION DATE:	NO. #	STANDARD
OCT 2002		
SILTSACK INLET DETAIL		
WESTTECH ENG.	DETAIL NO.	6150



CWA MAINTENANCE NOTES:

1. INSPECT BMP'S EACH WORKDAY, OPERATING CONDITION.
2. THE CWA SHALL BE REPAIRED, CLEANED OR ENHANCED AS NECESSARY TO MAINTAIN CAPACITY FOR CONCRETE WASTE. CONCRETE WASTE SHALL BE REMOVED ONCE THE MATERIALS HAVE REACHED A DEPTH OF 18".
3. CONCRETE WASHOUT WATER, WASTED PIECES OF CONCRETE, AND ALL OTHER DEBRIS IN THE PIT SHALL BE REMOVED FROM THE JOB SITE.
4. THE CWA SHALL REMAIN IN PLACE UNTIL ALL CONCRETE FOR THE PROJECT IS PLACED.
5. WHEN THE CWA IS REMOVED, COVER THE DISTURBED AREA WITH TOP SOIL, SEED AND MULCH OR OTHERWISE STABILIZED IN A MANNER APPROVED BY THE LOCAL JURISDICTION.

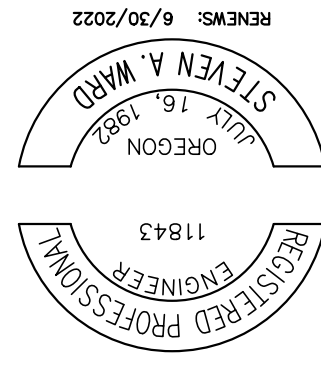
LAST REVISION DATE:	NO. #	STANDARD
AUG 2013		
TEMPORARY CONCRETE WASHOUT AREA (CWA)		
WESTTECH ENG.	DETAIL NO.	WE6160

OVERALL SITE PLAN

CREATIONS NORTHWEST LLC.
ALL SECURE STORAGE



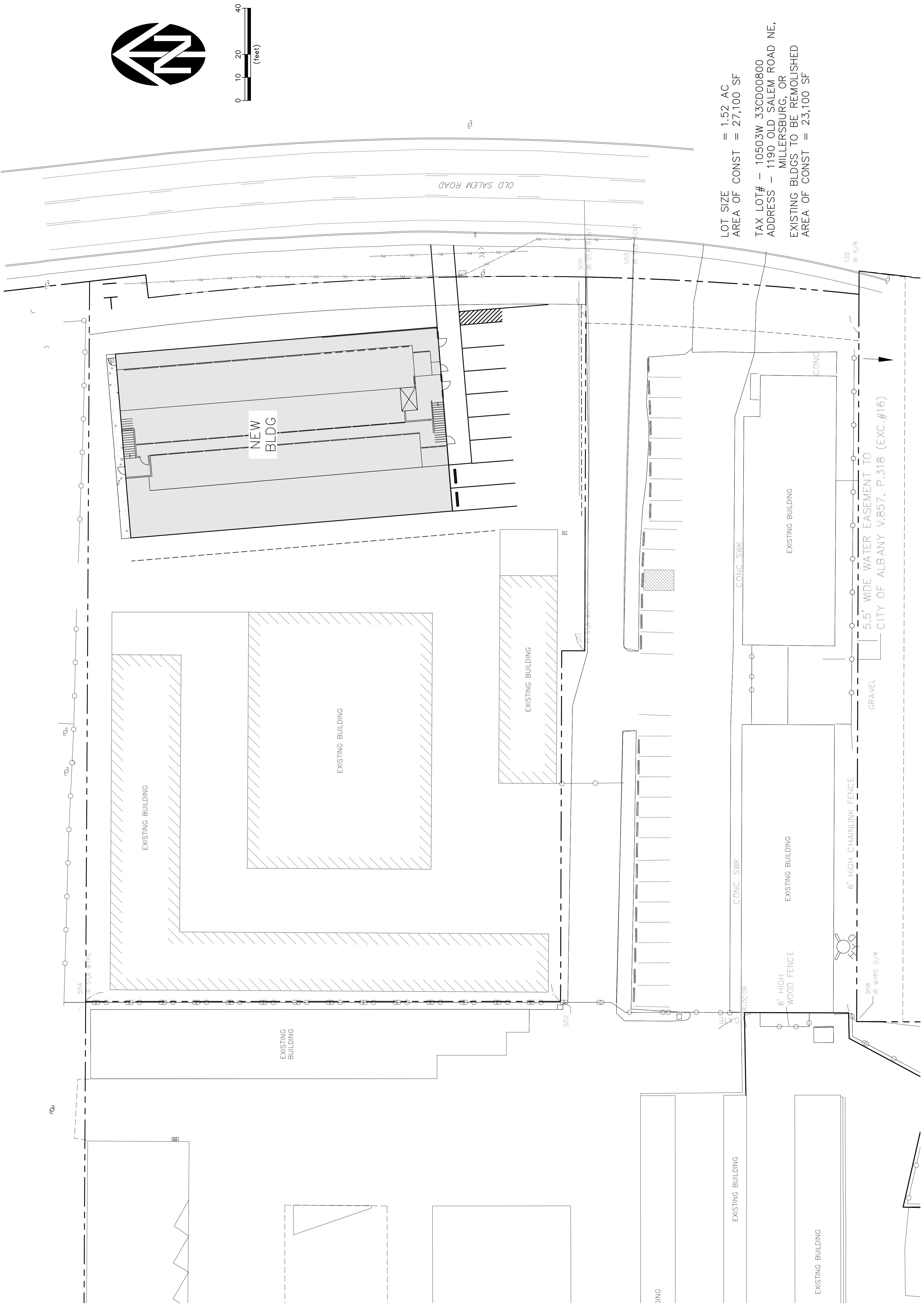
WESTTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
Phone: (503) 585-2474 Fax: (503) 585-3986
E-mail: westtech@westtech-eng.com



REVISIONS: 6/30/2022
DATE: JUN 2021
CKD: SAW
DRN: AR
DSN: SAW
VERIFICATION SCALE: 1" = 40'
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.
BAR IS ONE INCH ON ORIGINAL DRAWING.

NO.	DATE	DESCRIPTION	BY
1			

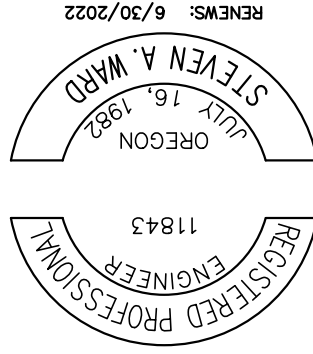
LOT SIZE = 1.52 AC
AREA OF CONST = 27,100 SF
TAX LOT# - 10503W 33CD00800
ADDRESS - 1190 OLD SALEM ROAD NE,
MILLERSBURG, OR
EXISTING BLDGS TO BE REMOLISHED
AREA OF CONST = 23,100 SF





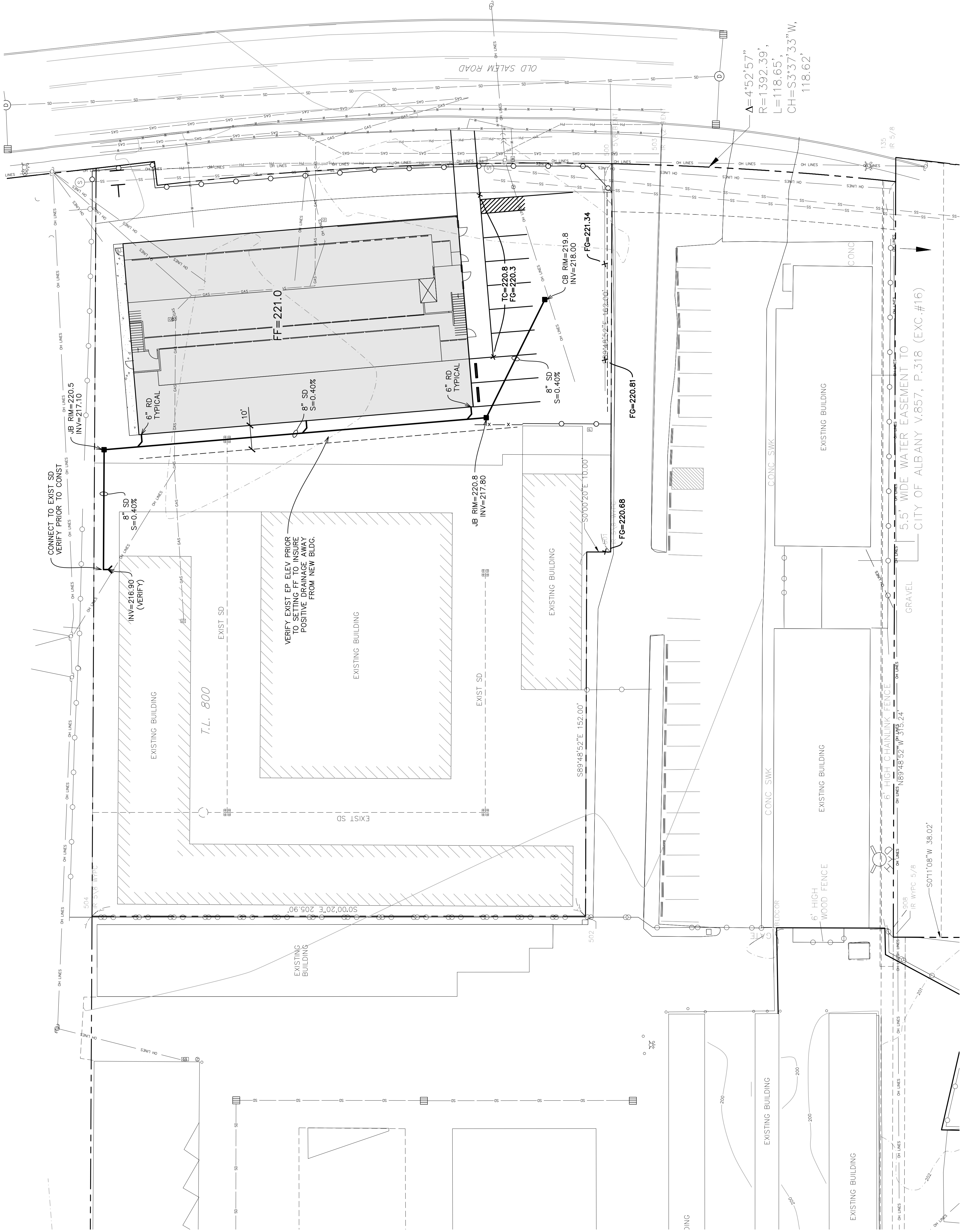
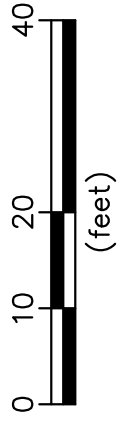
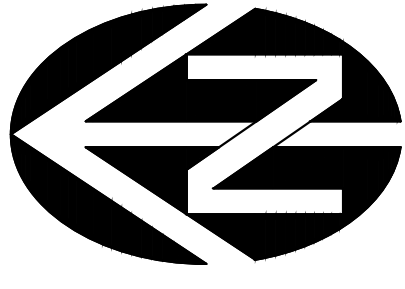
WESTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS

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E-mail: westech@westech-eng.com



VERIFY SCALE
BAR IS ONE INCH ON
THIS SHEET. ADJUST
SCALES ACCORDINGLY.
IF NOT ONE INCH ON
ORIGINAL DRAWING.

NO.	DATE	DESCRIPTION	BY
1			



$\Delta = 4'52.57"$
 $R = 1392.39'$
 $L = 118.65'$
 $CH = S3°37'33"W,$
 $118.62'$

5.5' WIDE WATER EASEMENT TO
CITY OF ALBANY V.657, P.318 (EXC.#16)

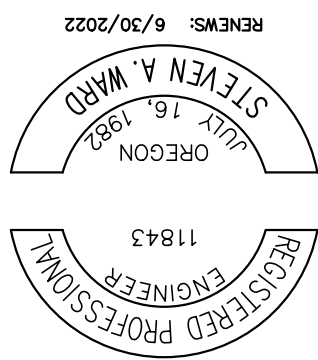
VERIFY EXIST. EP. ELEV. PRIOR
TO SETTING FF TO INSURE
POSITIVE DRAINAGE AWAY
FROM NEW BLDG.

CONNECT TO EXIST. SD
VERIFY PRIOR TO CONST.



WESTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS

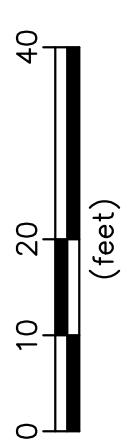
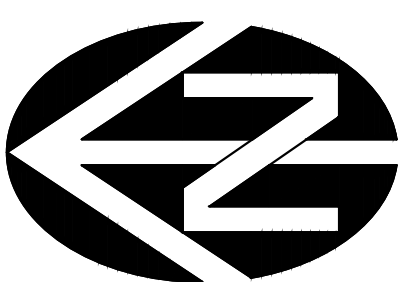
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
Phone: (503) 585-2474 Fax: (503) 585-2986
E-mail: westech@westech-eng.com



REVISIONS: 6/30/2022

DATE:	JUN 2021
CKD:	SAW
DRN:	AR
DSN:	SAW
NO.	1
DATE	
DESCRIPTION	
REVISIONS	
BY	

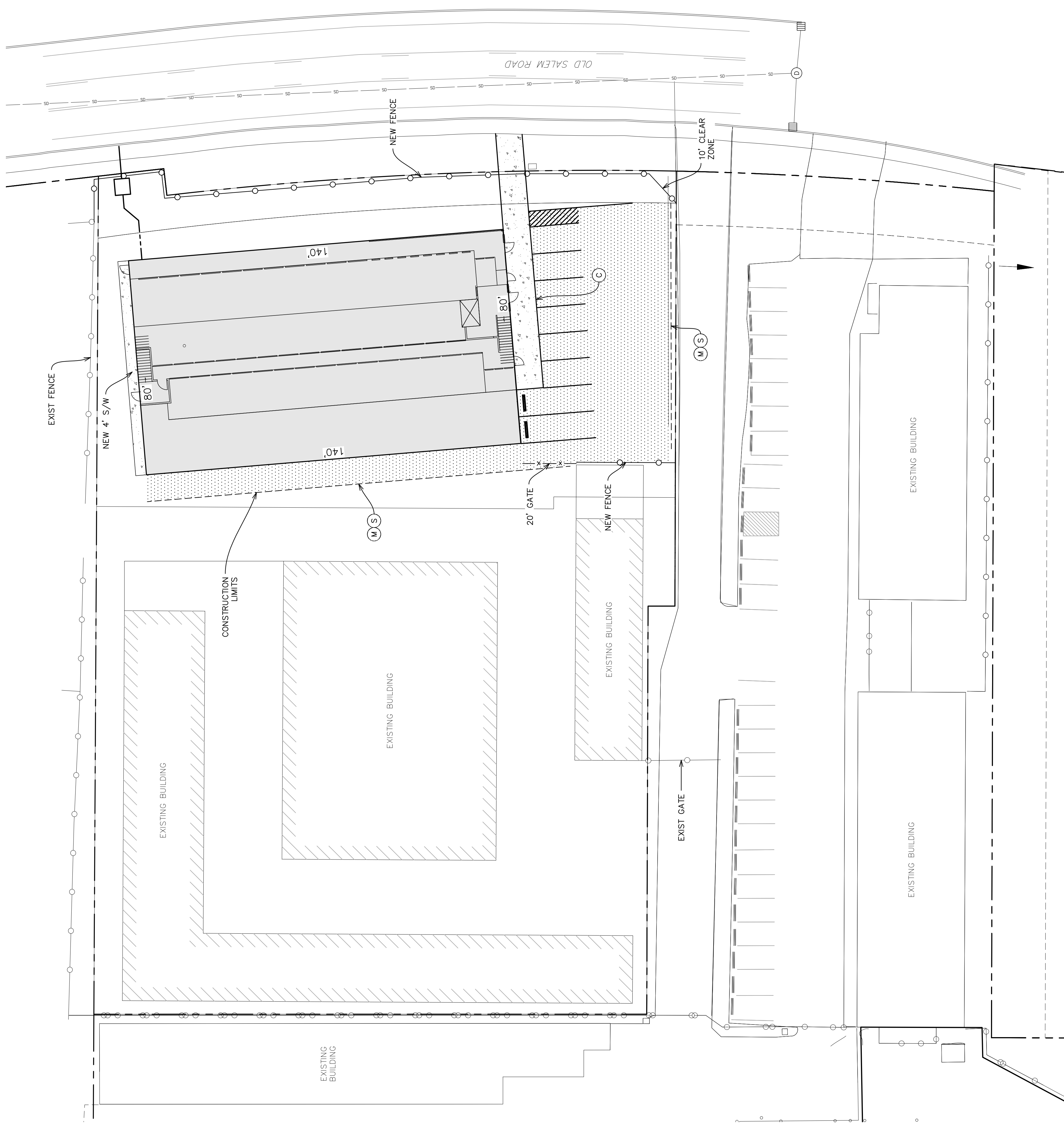
VERIFY SCALE
BAR IS ONE INCH ON
ORIGINAL DRAWING
IF NOT ONE INCH ON
THIS SHEET, ADJUST
SCALES ACCORDINGLY



SURFACING LEGEND

- A.C. PAVEMENT
2 1/2" OF 1 1/2" DENSE GRADED H/MAC
OVER 8" OF 3/4" CR ROCK
OVER COMPACTED SUBGRADE
- 4" 3300 PSI PCC OVER 2" CR BASE
OVER COMPACTED SUBGRADE.

- CURB
- EDGE OF PAVEMENT
- MATCH
- SAWCUT
- WHEELSTOP



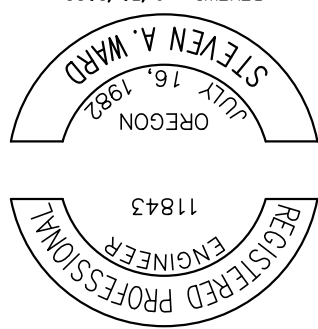
OVERALL UTILITY PLAN

CREATIONS NORTHWEST LLC.
ALL SECURE STORAGE

DRAWING
C4.0

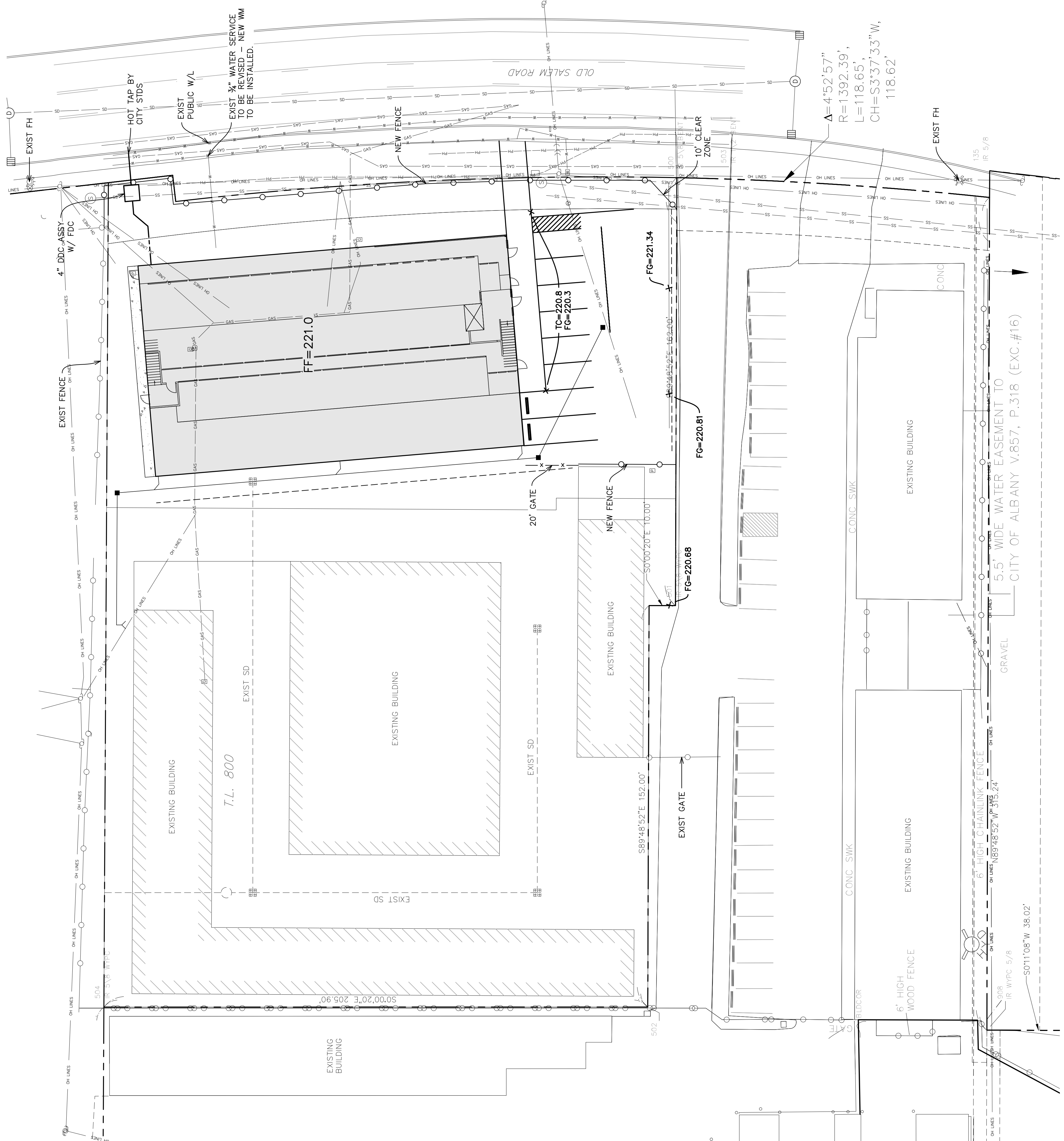
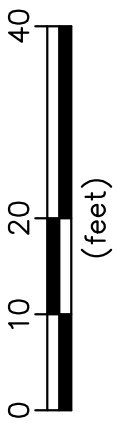
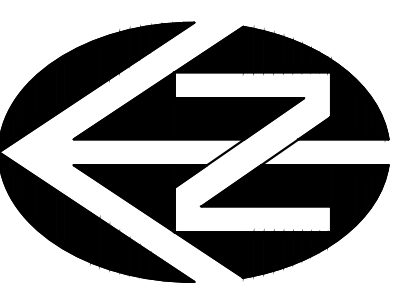
JOB NUMBER
3250.0000.0

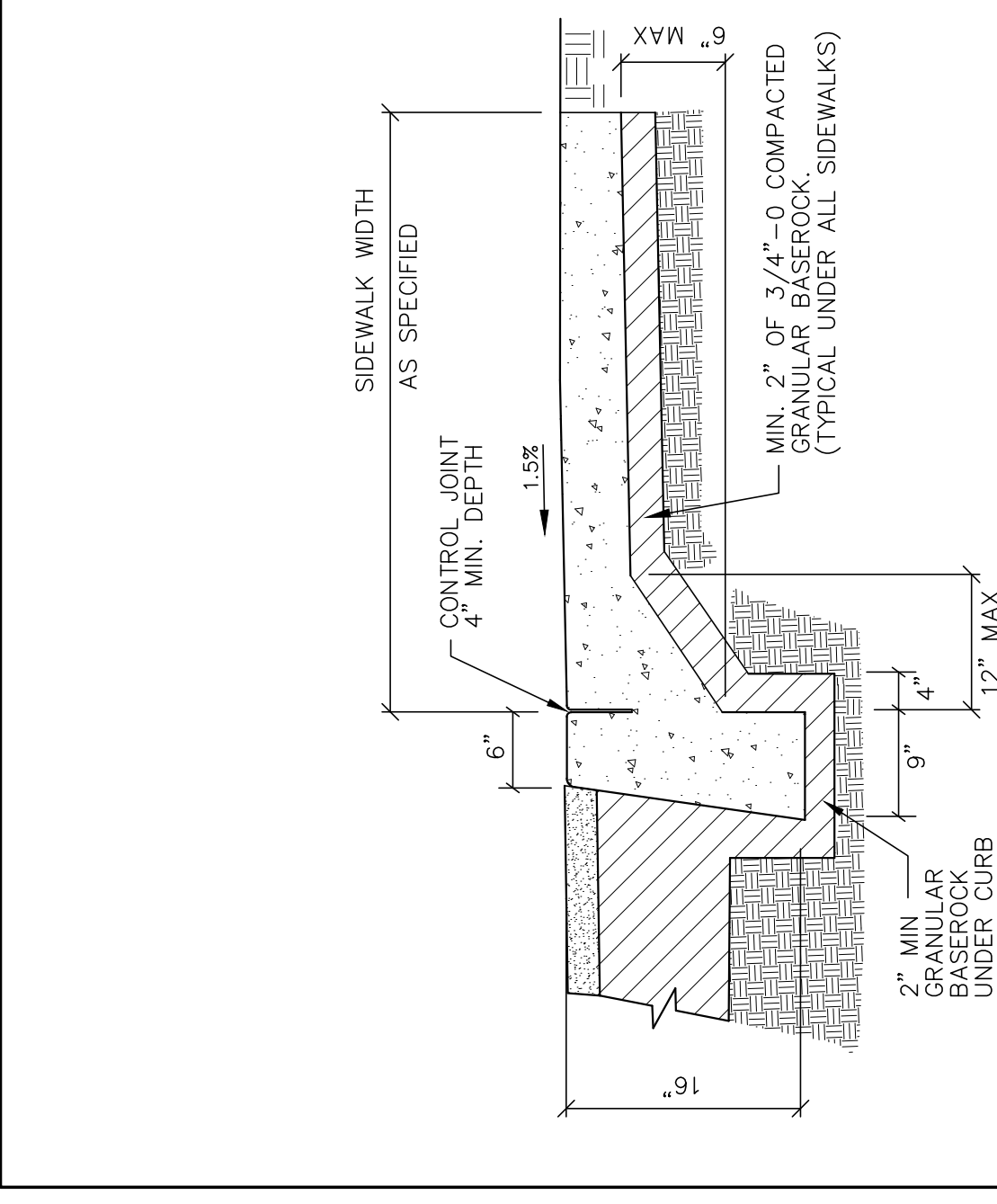
WESTTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
Phone: (503) 585-2474 Fax: (503) 585-2986
E-mail: westech@westech-eng.com



VERIFY SCALE
BAR IS ONE INCH ON ORIGINAL DRAWING
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY
DATE: JUN 2021
CKD: SAW
DRN: AR
DSN: SAW
NO. 1
DATE
DESCRIPTION
REVISIONS
BY

- NOTES:
1. BUILDING TO BE SPRINKLED
 2. NO SS TO BUILDING.

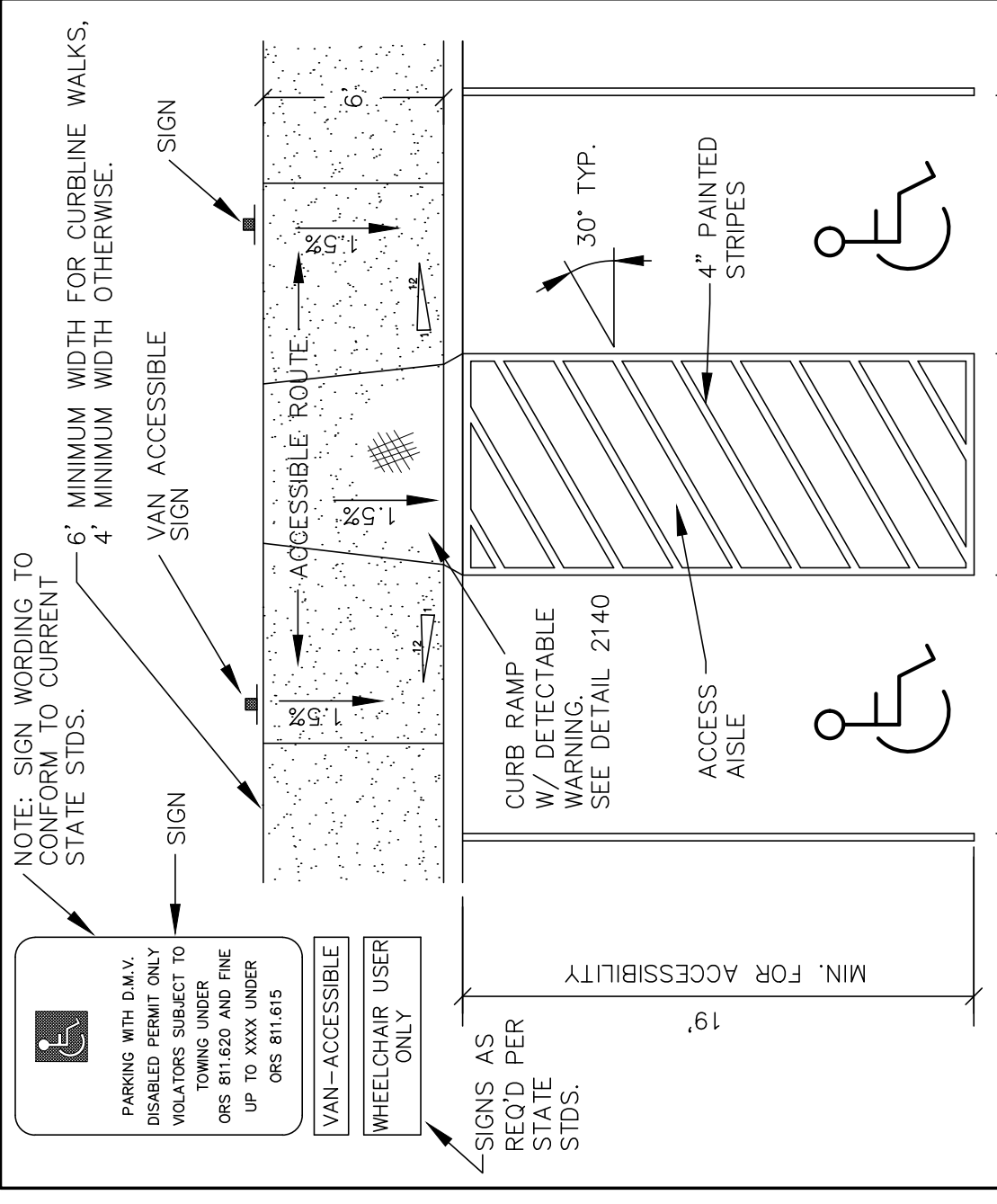




TYPICAL SECTION
NTS

- NOTES:
1. CONCRETE DEPTH FOR STANDARD SIDEWALKS SHALL BE 4" MIN.
 2. CONCRETE SHALL BE 3300 PSI @ 28 DAYS.
 3. INSTALL TOOLED CONTRACTION JOINTS AT 5' INTERVALS. SIDEWALKS 10' & WIDER SHALL HAVE A LONGITUDINAL CONTRACTION JOINT AT 5' ON CENTER.

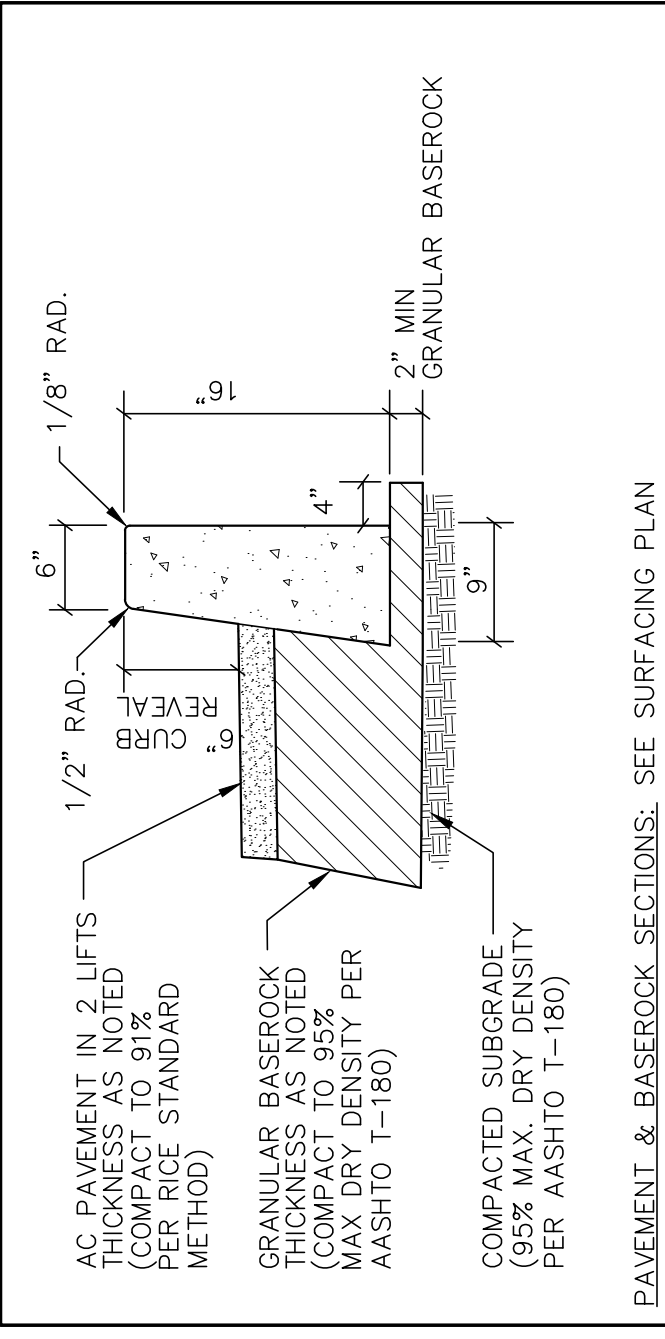
LAST REVISION DATE:	NOV 2013	JO #	STANDARD
MONOLITHIC CURB AND SIDEWALK			
WESTTECH ENG.	DETAIL NO.	2112	



DOUBLE ACCESSIBLE PARKING SPACE
NTS

- NOTES:
1. ONE ACCESSIBLE PARKING SPACE MUST BE DESIGNATED "VAN ACCESSIBLE". THE OTHER SPACE CAN BE EITHER "VAN ACCESSIBLE" OR STANDARD PARKING SPACE.
 2. VAN ACCESSIBLE OR WHEELCHAIR ONLY SPACES SHALL HAVE AN ADDITIONAL SIGN MOUNTED BELOW THE STANDARD PARKING SPACE MARKING SIGN.
 3. VAN ACCESSIBLE SPACE CAN BE USED BY ANY VEHICLE WITH A DMV DISABLED PERMIT.
 4. MAXIMUM 2% CROSS SLOPE ALLOWED IN PARKING SPACES.
 5. POST MOUNTED SIGNS SHALL HAVE 7' (+3") CLEARANCE FROM SIGN BOTTOM TO GROUND.

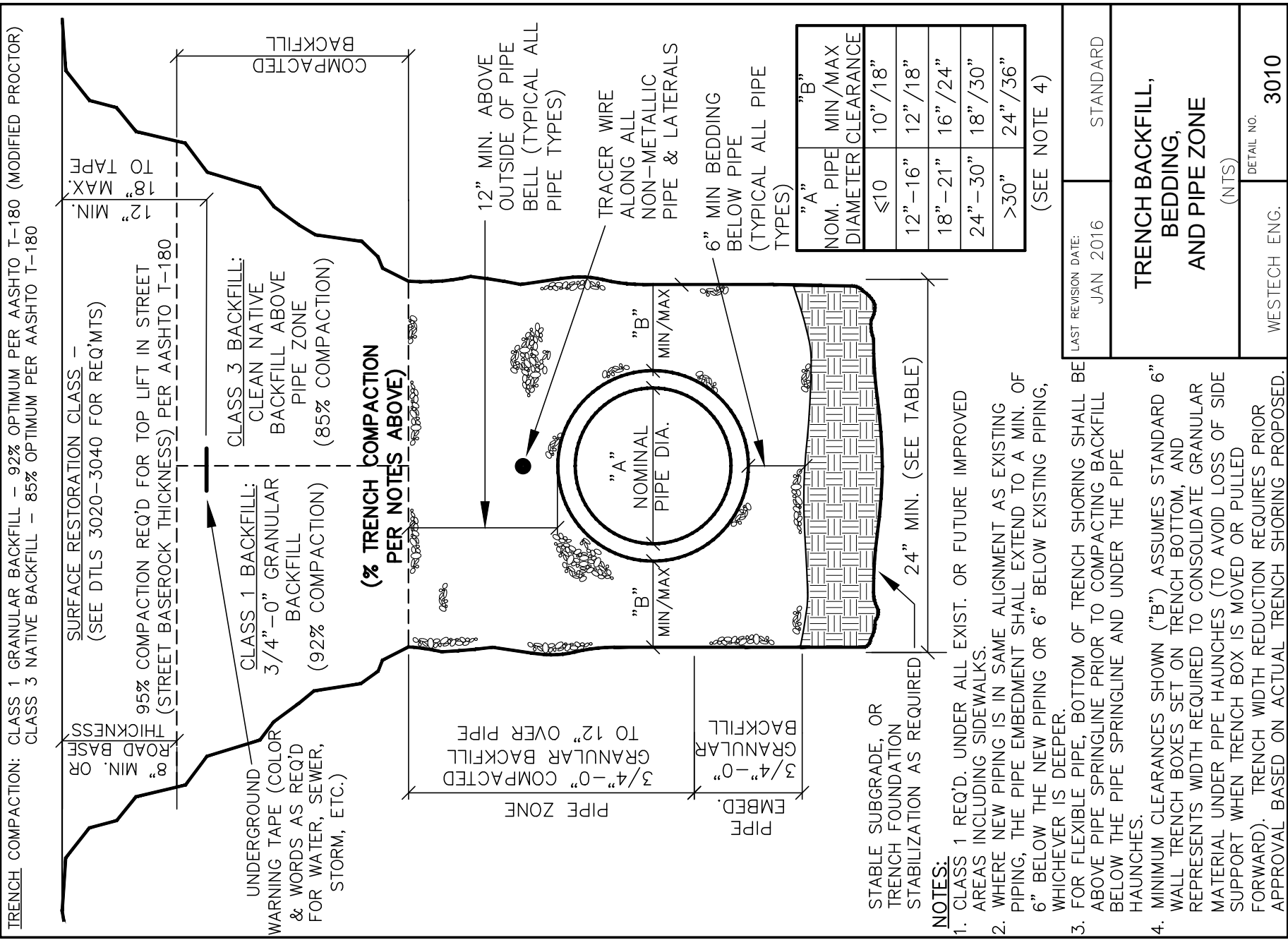
LAST REVISION DATE:	NOV 2013	JO #	STANDARD
DOUBLE ACCESSIBLE PARKING SPACE			
WESTTECH ENG.	DETAIL NO.	2370	



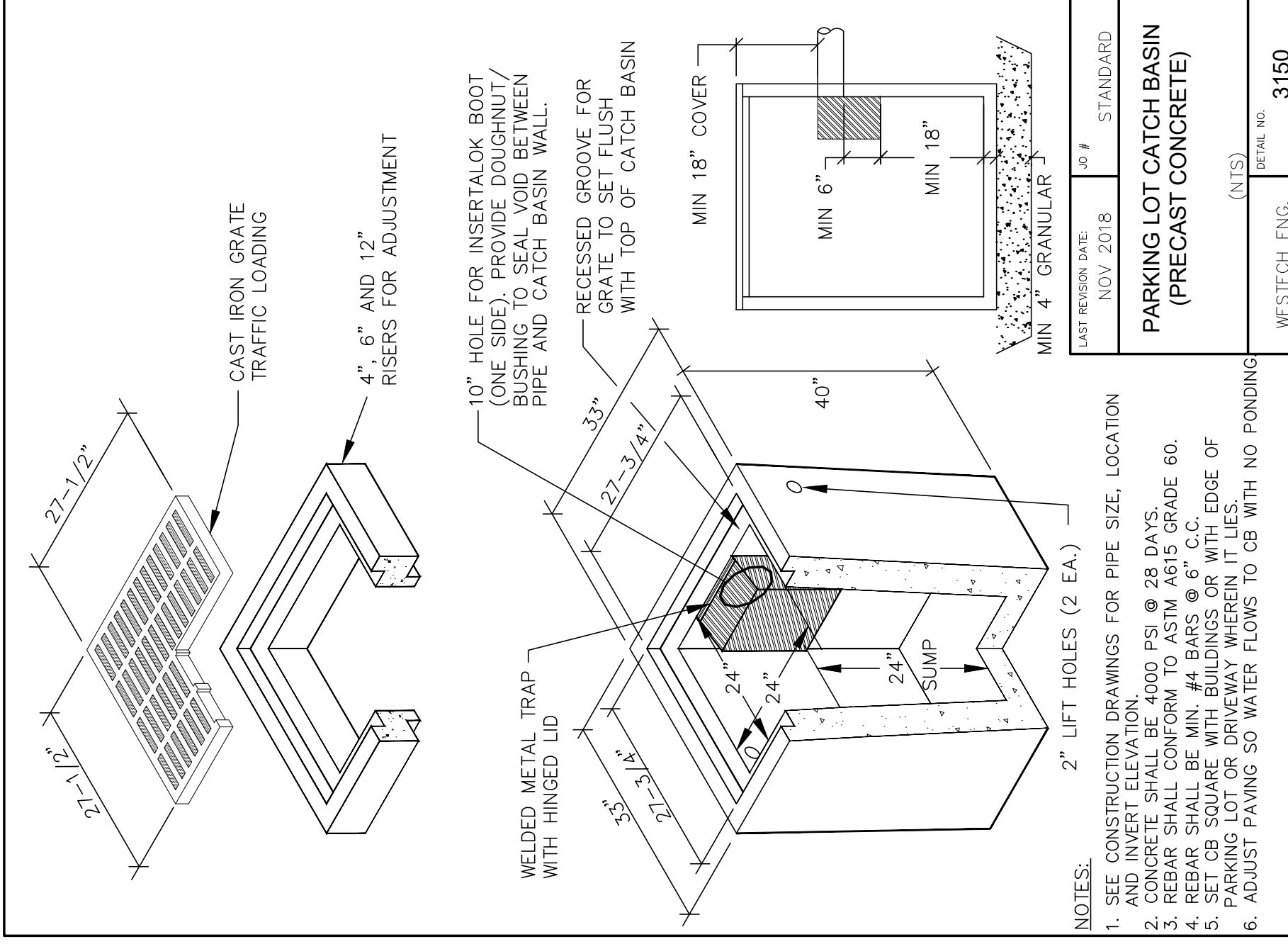
PAVEMENT / TYPE "C" CURB DETAIL
NTS

- NOTES:
1. SEE SURFACING PLAN FOR LOCATION OF LIGHT AND HEAVY DUTY PAVEMENT.
 2. DESIGN SUBGRADE SHALL BE COMPACTED AND PROOF-ROLLED PRIOR TO PLACEMENT OF BASE ROCK. IF SUBGRADE PASSES PROOF-ROLL BUT FAILS DENSITY TESTING, MIN. 4.5 02 NON-WOVEN GEOTEXTILE FABRIC SHALL BE PLACED ON SUBGRADE PRIOR TO PLACEMENT OF BASE ROCK. FAILURE OF PROOF-ROLL WILL REQUIRE OVEREXCAVATION.
 3. IF SUBGRADE FAILS THE PROOF-ROLL, SUBGRADE SHALL BE OVEREXCAVATED TO UNDESIRABLE SOILS, REPAIRED WITH PROVEN EQUIPMENT TO MAINTAIN STRUCTURAL INTEGRITY OF NATIVE SUBGRADE SOILS. FABRIC IS REQUIRED TO ALLOW COMPACTION OF UPPER (DESIGN) BASE ROCK SECTION AND TO MAINTAIN STRUCTURAL INTEGRITY OF NATIVE SUBGRADE SOILS. TYPICAL MIN. OVEREXCAVATION REQUIRED IS 12-INCHES. NO RUBBER TIED EQUIPMENT ALLOWED ON SUBGRADE FOLLOWING OVEREXCAVATION.
 4. SUBGRADE TO BE PROOFROLLED IMMEDIATELY PRIOR TO PLACING BASE ROCK. BASE ROCK TO BE PROOFROLLED IMMEDIATELY PRIOR TO CONTRACTOR JOINTS SHALL BE PLACED AT 15' MIN INTERVALS AND SHALL EXTEND AT LEAST 50% THROUGH THE CURB SECTION.
 5. ALL CONCRETE SHALL BE 3300 PSI @ 28 DAYS.
 6. CURBS TO CURE A MINIMUM OF 7 DAYS PRIOR TO PLACING FINAL BASE ROCK AND PAVING.
 7. USE TYPE 1 OR 1-D CLEAR CURING COMPOUND.

LAST REVISION DATE:	DEC 1999	JO #	X
PAVEMENT AND TYPE 'C' CURB DETAIL			
WESTTECH ENG.	DETAIL NO.	2390	



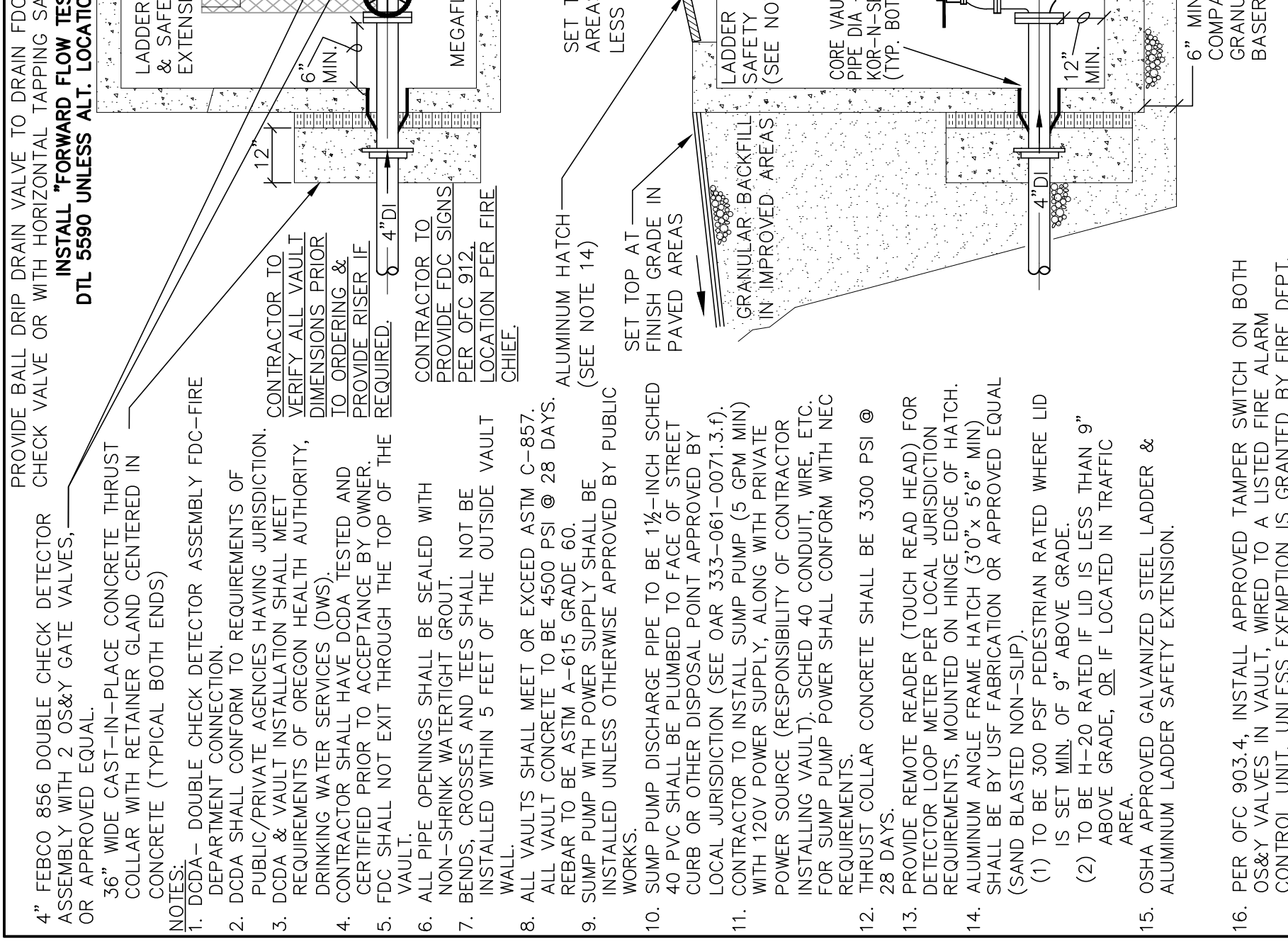
LAST REVISION DATE:	JAN 2016	STANDARD
TRENCH BACKFILL, BEDDING AND PIPE ZONE		
WESTTECH ENG.	DETAIL NO.	3010



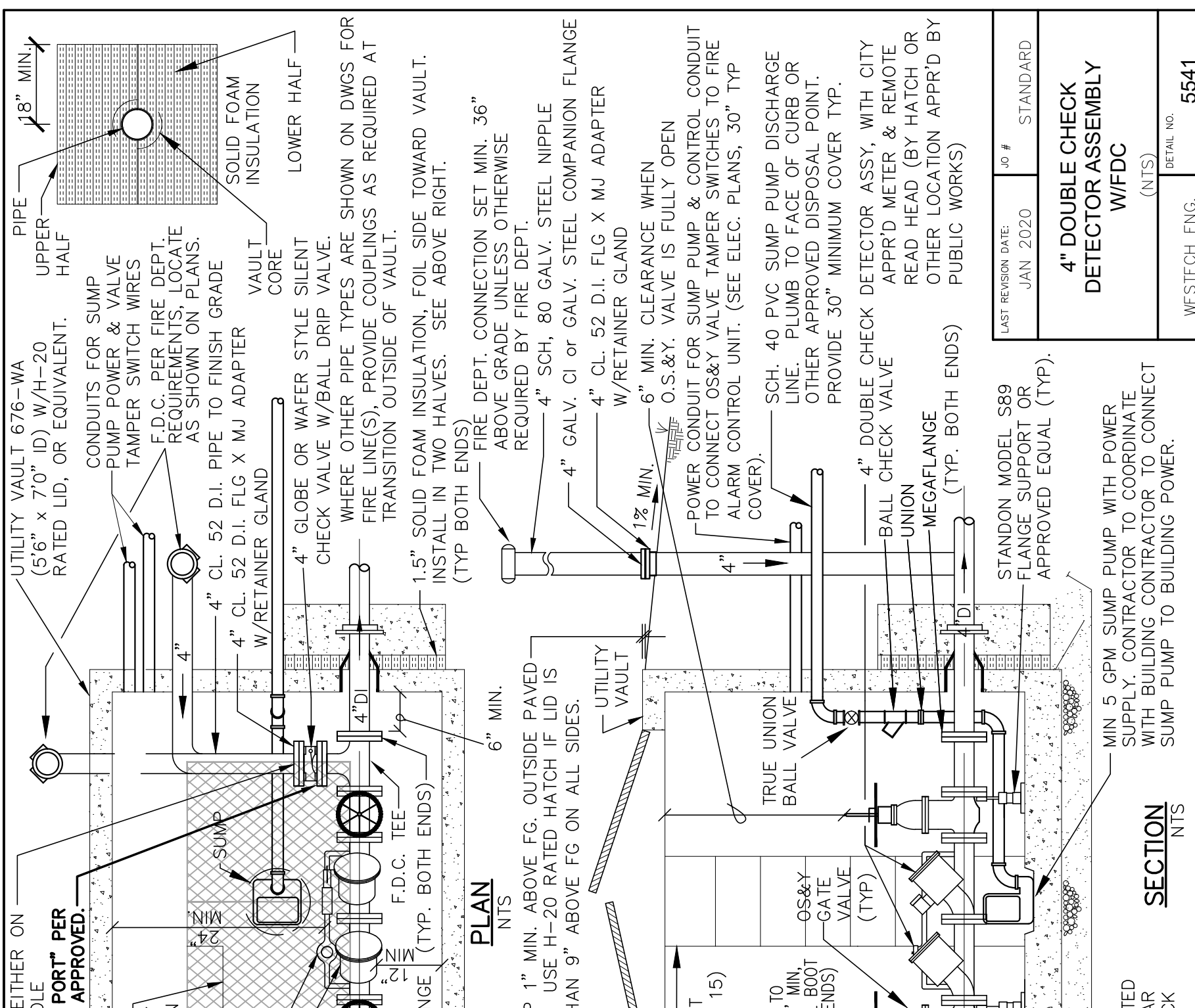
PARKING LOT CATCH BASIN (PRECAST CONCRETE)
NTS

- NOTES:
1. SEE CONSTRUCTION DRAWINGS FOR PIPE SIZE, LOCATION AND INVERT ELEVATION.
 2. CONCRETE SHALL BE 4000 PSI @ 28 DAYS.
 3. REBAR SHALL CONFORM TO ASTM A615 GRADE 60.
 4. REBAR SHALL BE MIN. #4 BARS @ 6" C.C.
 5. SET CB SQUARE WITH BUILDINGS OR WITH EDGE OF DRIVEWAY. SET CB SQUARE WITH BUILDINGS OR WITH EDGE OF DRIVEWAY. SET CB SQUARE WITH BUILDINGS OR WITH EDGE OF DRIVEWAY. SET CB SQUARE WITH BUILDINGS OR WITH EDGE OF DRIVEWAY.
 6. ADJUST PAVING SO WATER FLOWS TO CB WITH NO PONDING.

LAST REVISION DATE:	NOV 2018	JO #	STANDARD
PARKING LOT CATCH BASIN (PRECAST CONCRETE)			
WESTTECH ENG.	DETAIL NO.	3150	



LAST REVISION DATE:	JAN 2020	JO #	STANDARD
4" DOUBLE CHECK DETECTOR ASSEMBLY W/DC			
WESTTECH ENG.	DETAIL NO.	5541	



LAST REVISION DATE:	JAN 2020	JO #	STANDARD
4" DOUBLE CHECK DETECTOR ASSEMBLY W/DC			
WESTTECH ENG.	DETAIL NO.	5541	



LAST REVISION DATE:	JAN 2016	STANDARD
TRENCH BACKFILL, BEDDING AND PIPE ZONE		
WESTTECH ENG.	DETAIL NO.	3010

DATE:	JUN 2021
CKD:	SAW
DRAWN:	AR
DESIGNED:	SAW
SCALE:	AS SHOWN
REVISIONS:	
BY:	

DATE:	6/30/2022
REVISIONS:	
DESIGNED:	SAW
DRAWN:	AR
CKD:	SAW
DATE:	JUN 2021

DATE:	JUN 2021
CKD:	SAW
DRAWN:	AR
DESIGNED:	SAW
SCALE:	AS SHOWN
REVISIONS:	
BY:	

DATE:	JUN 2021
CKD:	SAW
DRAWN:	AR
DESIGNED:	SAW
SCALE:	AS SHOWN
REVISIONS:	
BY:	

DATE:	JUN 2021
CKD:	SAW
DRAWN:	AR
DESIGNED:	SAW
SCALE:	AS SHOWN
REVISIONS:	
BY:	

DATE:	JUN 2021
CKD:	SAW
DRAWN:	AR
DESIGNED:	SAW
SCALE:	AS SHOWN
REVISIONS:	
BY:	

CREATIONS NORTHWEST LLC. ALL SECURE STORAGE. CIVIL DETAILS. DRAWING C5.0. JOB NUMBER 3250.0000.0

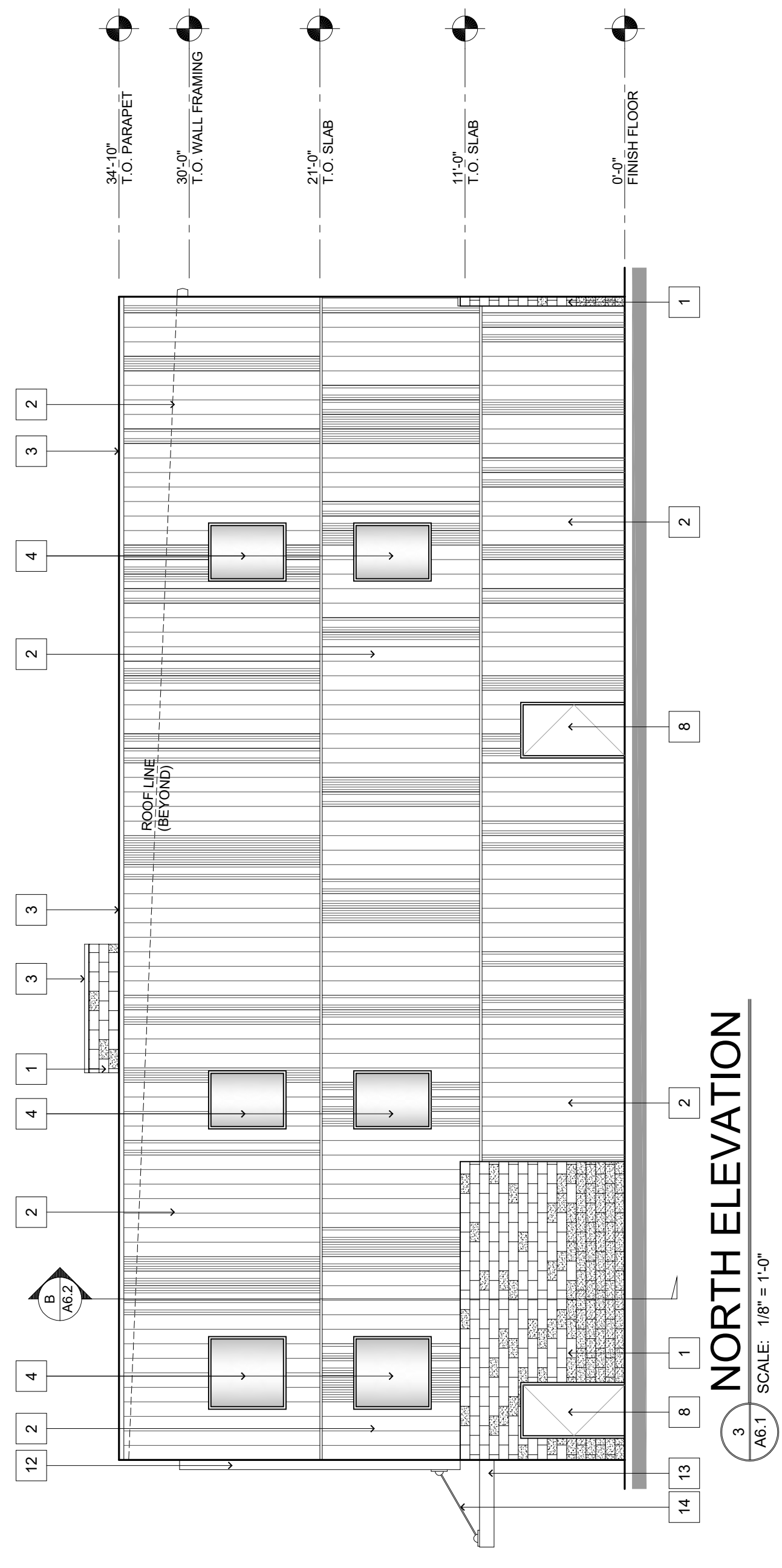
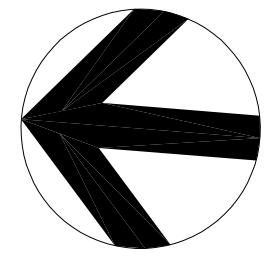
WESTTECH ENGINEERING, INC. CONSULTING ENGINEERS AND PLANNERS. 3841 Fairview Industrial Dr., S.E., Suite 100, Salem, OR 97302. Phone: (503) 585-2474. Fax: (503) 585-2986. E-mail: westtech@westtech-eng.com

REGISTERED PROFESSIONAL ENGINEER. STEVEN A. WARD. JULY 16, 1982. OREGON. 11843. WESTTECH ENGINEERING, INC. CONSULTING ENGINEERS AND PLANNERS. 3841 Fairview Industrial Dr., S.E., Suite 100, Salem, OR 97302. Phone: (503) 585-2474. Fax: (503) 585-2986. E-mail: westtech@westtech-eng.com

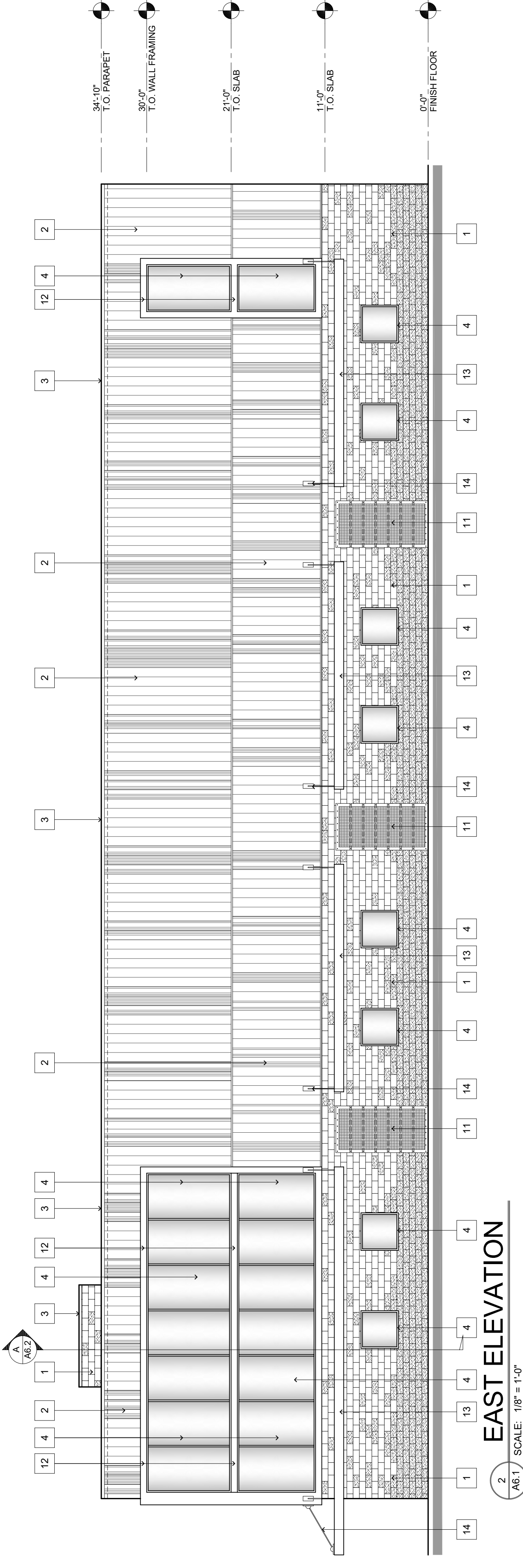
REGISTERED PROFESSIONAL ENGINEER. STEVEN A. WARD. JULY 16, 1982. OREGON. 11843. WESTTECH ENGINEERING, INC. CONSULTING ENGINEERS AND PLANNERS. 3841 Fairview Industrial Dr., S.E., Suite 100, Salem, OR 97302. Phone: (503) 585-2474. Fax: (503) 585-2986. E-mail: westtech@westtech-eng.com

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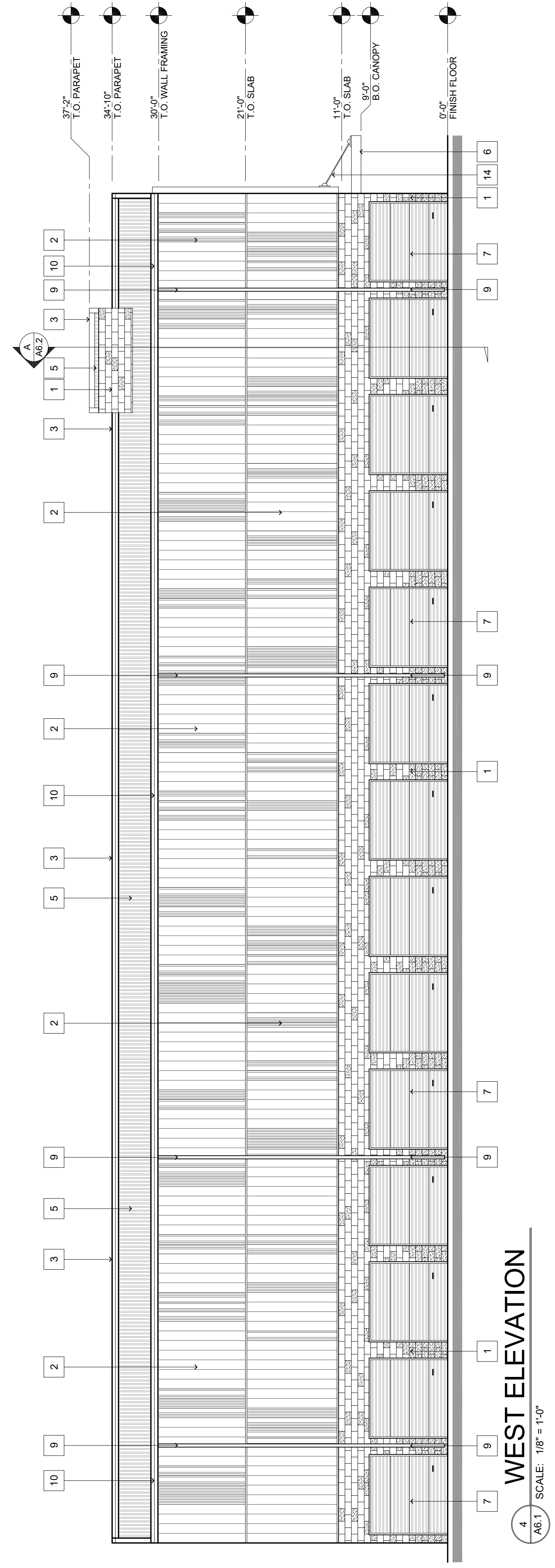
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3 NORTH ELEVATION
A6.1 SCALE: 1/8" = 1'-0"



2 EAST ELEVATION
A6.1 SCALE: 1/8" = 1'-0"



4 WEST ELEVATION
A6.1 SCALE: 1/8" = 1'-0"

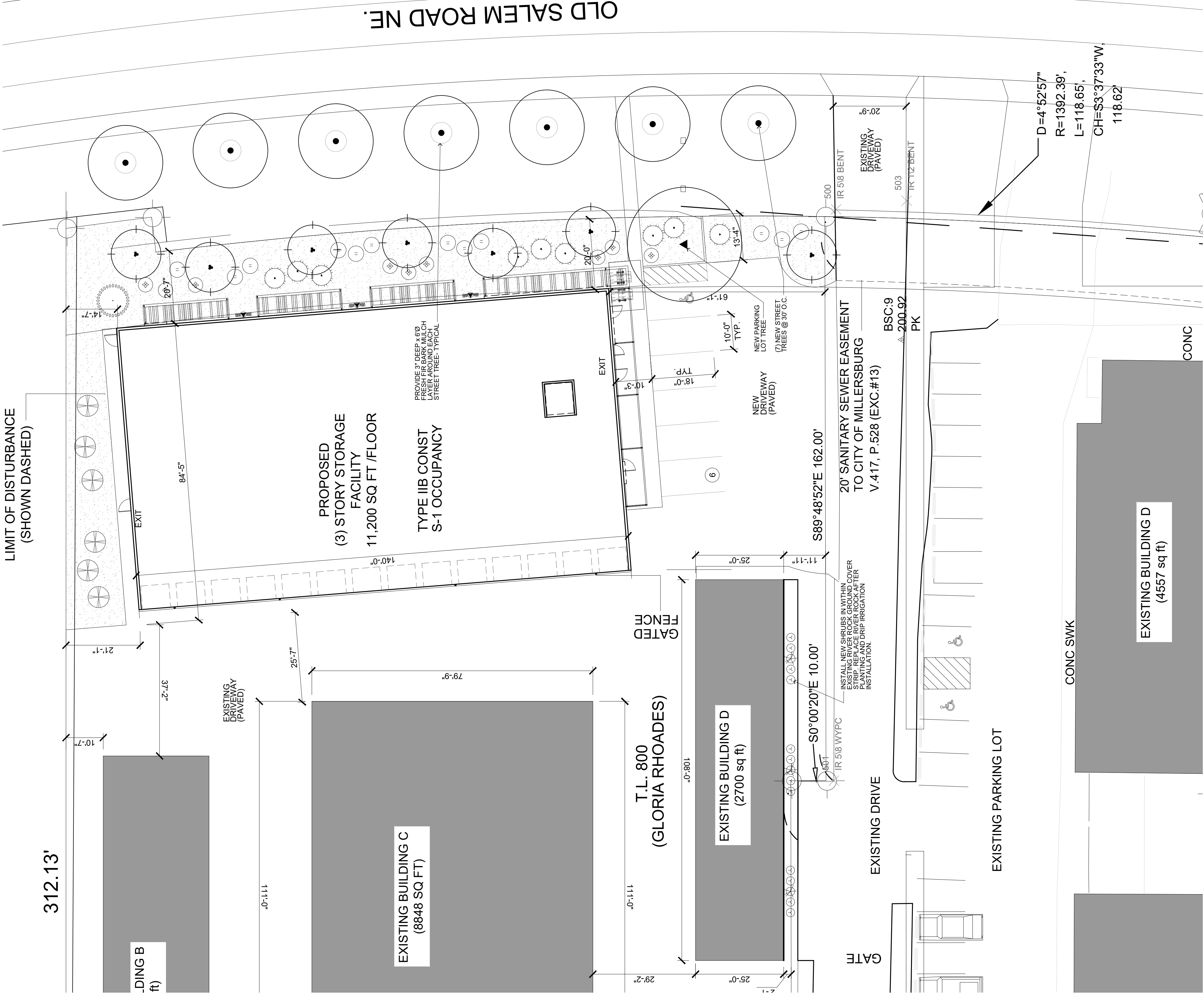
KEY NOTES / COLORS

1	= C.M.U. 8x8x16 BLOCK COLOR: TBD; SPLIT FACE PATTERN: RANDOM - SEE ELEVATIONS	8	= METAL DOOR COLOR: TBD (SEE DOOR SCHEDULE A-X)
2	= VERTICAL METAL PANEL PATTERN: RANDOM - SEE ELEVATIONS COLOR: TBD	9	= SHT. MTL. DOWNSPOUT. COLOR TO MATCH WALL FINISH
3	= SHEET METAL FLASHING COLOR: TBD	10	= SHT. MTL. GUTTER. COLOR TO MATCH WALL FINISH
4	= ALUMINUM STOREFRONT COLOR: TBD SUSPENS. COLOR: TBD	11	= MTL. TRELIS COLOR: TBD
5	= STANDING SEAM METAL ROOFING MFR.: TBD COLOR: TBD	12	= 22 GA SHT. MTL. FIN. / 8" WIDE FEATURE COLOR: TBD (MATCH STOREFRONT)
6	= METAL CANOPY COLOR: TBD	13	= METAL CANOPY / WOOD SCREEN MTL. COLOR: TBD WD. SPECIES: TBD
7	= OVER-HEAD DOOR COLOR: TBD	14	= MTL. TIE ROD & CLEVIS COLOR: BLACK
		MJ	= MASONRY JOINT (SEE A-X-X)

**MORIN PANEL NOTE:
SEE NUMBERED CALL-OUTS ON ELEVATIONS.**

1	MATRIX 1.0	3	MATRIX 3.0	4	MATRIX 4.0	6	MATRIX 6.0
---	------------	---	------------	---	------------	---	------------

312.13'



SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	TYPE	REMARKS
PLANTING SCHEDULE						
Note: all tree symbols are reduced in scale in Planting Schedule.						
DECIDUOUS SHADE TREES						
7		Acer glaberrimum	Street Tree	1.5" caliper	BBB	Standard form-limbed at 7 ft.
7		Acer glaberrimum	Street Tree	6-7 ft.	BBB	Multiple-trunk / natural form
1		Syriza japonica	Japanese Snowbell (OK: power lines)	2" cal. x 10' ht.	BBB	Standard form-limbed at 7 ft.
SHRUBS						
12		Arctostaphylos	Emerald Carpet	1 gal.	Container	Low spreading shrub
3		Berberis thunbergii	Helmold Pillar	5 gal.	Container	Tall accent shrub
9		Chrysothamnus x claudonensis	Dark Knight	1 gal.	Container	Medium accent shrub
9		Escallonia	Newport Dwarf	5 gal.	Container	Medium accent shrub
12		Eucalyptus japonicus	Green Spire	5 gal.	Container	Tall accent shrub
6		Mitella aquiloides	Oregon Chape	5 gal.	Container	Tall accent shrub
1		Viburnum plicatum tomentosum	Manisell	5 gal.	Container	Large accent shrub
VINES						
3		Trachelospermum jasminoides	Star Jasmine	5 gal.	Container	Stakes-train on trellises
GROUND COVER						
			River rock or river pebble selected by Owner			100% coverage 2-3" layer

- Notes:
- An automated drip irrigation system shall be provided. Refer to Sheet L1.2 Irrigation Plan.
 - Landscape Contractor shall obtain Erosion/Encroachment Permit for all work within the Public right-of-way if required.
 - Adjust plant locations as necessary where utilities, equipment or other obstructions occur, do not omit any plants.
 - Refer to Sheet L.C.1 for Landscape Details.

ARTICLE III DEVELOPMENT REQUIREMENTS
Section 3.09 Landscaping Standards

3.09.030

(1) b. Landscaping Required - Mixed-Use and Non-Residential Zones

(exclusive of access-ways and other permitted areas) shall be landscaped in accordance with the Code before an occupancy permit will be issued. Minimum landscaping shall be provided in all commercial/industrial zones as follows:

- Planting shall be a minimum of 15% of the lot area for every 30 feet of street frontage.
 - Five (5) gallon shrubs, trees, or accent plants.
 - Living ground cover, lawn, or decorative attractive ground cover, or some combination thereof.
 - Decorative ground cover, or some combination thereof.
- Parking Lot Landscaping. The purpose of parking lot landscaping is to provide shade, reduce stormwater runoff and direct pedestrian movement. Landscaping in landscaped areas is encouraged. Parking lot landscaping shall be done in accordance with the following minimum standards:
 - Planter Bays. Parking areas shall be divided into bays of not more than 100 square feet. All bays of more than 100 square feet shall be curbed planters at least five feet wide and shall be landscaped in accordance with the following minimum standards. Each planter shall contain one (1) tree at least 1.5" caliper in diameter and two (2) shrubs at least 100 square feet of their contents may impede access on the part of a person using a wheelchair or other handicapped-accessible parking spaces.

(2) Landscaping Required - Mixed-Use and Non-Residential Zones

(exclusive of access-ways and other permitted areas) shall be landscaped in accordance with the Code before an occupancy permit will be issued. Minimum landscaping shall be provided in all commercial/industrial zones as follows:

- Planting shall be a minimum of 15% of the lot area for every 30 feet of street frontage.
 - Five (5) gallon shrubs, trees, or accent plants.
 - Living ground cover, lawn, or decorative attractive ground cover, or some combination thereof.
 - Decorative ground cover, or some combination thereof.
- Parking Lot Landscaping. The purpose of parking lot landscaping is to provide shade, reduce stormwater runoff and direct pedestrian movement. Landscaping in landscaped areas is encouraged. Parking lot landscaping shall be done in accordance with the following minimum standards:
 - Planter Bays. Parking areas shall be divided into bays of not more than 100 square feet. All bays of more than 100 square feet shall be curbed planters at least five feet wide and shall be landscaped in accordance with the following minimum standards. Each planter shall contain one (1) tree at least 1.5" caliper in diameter and two (2) shrubs at least 100 square feet of their contents may impede access on the part of a person using a wheelchair or other handicapped-accessible parking spaces.

(3) Landscaping Required - Mixed-Use and Non-Residential Zones

(exclusive of access-ways and other permitted areas) shall be landscaped in accordance with the Code before an occupancy permit will be issued. Minimum landscaping shall be provided in all commercial/industrial zones as follows:

- Planting shall be a minimum of 15% of the lot area for every 30 feet of street frontage.
 - Five (5) gallon shrubs, trees, or accent plants.
 - Living ground cover, lawn, or decorative attractive ground cover, or some combination thereof.
 - Decorative ground cover, or some combination thereof.
- Parking Lot Landscaping. The purpose of parking lot landscaping is to provide shade, reduce stormwater runoff and direct pedestrian movement. Landscaping in landscaped areas is encouraged. Parking lot landscaping shall be done in accordance with the following minimum standards:
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(4) Landscaping Required - Mixed-Use and Non-Residential Zones

(exclusive of access-ways and other permitted areas) shall be landscaped in accordance with the Code before an occupancy permit will be issued. Minimum landscaping shall be provided in all commercial/industrial zones as follows:

- Planting shall be a minimum of 15% of the lot area for every 30 feet of street frontage.
 - Five (5) gallon shrubs, trees, or accent plants.
 - Living ground cover, lawn, or decorative attractive ground cover, or some combination thereof.
 - Decorative ground cover, or some combination thereof.
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(5) Landscaping Required - Mixed-Use and Non-Residential Zones

(exclusive of access-ways and other permitted areas) shall be landscaped in accordance with the Code before an occupancy permit will be issued. Minimum landscaping shall be provided in all commercial/industrial zones as follows:

- Planting shall be a minimum of 15% of the lot area for every 30 feet of street frontage.
 - Five (5) gallon shrubs, trees, or accent plants.
 - Living ground cover, lawn, or decorative attractive ground cover, or some combination thereof.
 - Decorative ground cover, or some combination thereof.
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(6) Landscaping Required - Mixed-Use and Non-Residential Zones

(exclusive of access-ways and other permitted areas) shall be landscaped in accordance with the Code before an occupancy permit will be issued. Minimum landscaping shall be provided in all commercial/industrial zones as follows:

- Planting shall be a minimum of 15% of the lot area for every 30 feet of street frontage.
 - Five (5) gallon shrubs, trees, or accent plants.
 - Living ground cover, lawn, or decorative attractive ground cover, or some combination thereof.
 - Decorative ground cover, or some combination thereof.
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Creations Northwest, LLC
2500 Westmore Park Drive
West Linn, Oregon
Office: 503-908-0563
CEN#181981

Lenity Architecture, Inc.
2310 Kettie Court SE, Salem, Oregon 97301
#503 399 1090 #503 399 0565
Wenly@lenityarch.com

NEW BUILDING
ALL SECURE MINI
STORAGE
1910 OLD SALEM RD, N.E. ALBANY, OREGON

LANDSCAPE PLAN

DATE: 06/20/2021
REVISED DATE:
SHEET
L1.1

REGISTERED
521
Brian D. Lind
ARCHITECT
11/08/02
9/15/2021

LANDSCAPE PLAN
Date: 9/15/2021
SCALE: 1" = 16'
0 8 16 32 48

Oregon 811

LANDSCAPE PLAN

Registered Professional Engineer
No. 1172
Date: 9/15/2021

312.13'

EXISTING BUILDING B (8848 sq ft)

EXISTING BUILDING C (8848 SQ FT)

EXISTING BUILDING D (2700 sq ft)

EXISTING BUILDING D (4557 sq ft)

LIMIT OF DISTURBANCE (SHOWN DASHED)

PROPOSED (3) STORY STORAGE FACILITY 11,200 SQ. FT. /FLOOR

TYPE IIB CONST S-1 OCCUPANCY

EXISTING 3/4" WATER METER TO REMAIN AND SERVE AS IRRIGATION SERVICE METER. EXISTING DOUBLE-CHECK VALVE ASSEMBLY. IN PLACE AND TO REMAIN. VERIFY OPERATION, TESTED AND OF FUNCTIONING PROPER. VALVE SERVED AS CROSS-CONNECTION PROTECTION. ALTERNATE FOR PERMIT AND INSTALLATION OF NEW 3/4" DOUBLE-CHECK VALVE ASSEMBLY.

INSTALL IRRIGATION CONTROLLER ON WALL IN EQUIPMENT ROOM. 120VAC POWER PROVIDED BY OTHERS. COORDINATE CONDUIT AND SWEEP TO EXTERIOR GENERAL CONTRACTOR.

ATTACH WEATHER SENSOR TO BUILDING CANOPY OR CORNER WITH OWNER & GENERAL CONTRACTOR. SENSOR SHOULD RECEIVE FULL SUN AND BE POSITIONED SOUTHWEST (AWAY FROM CANOPY OR ROOF).

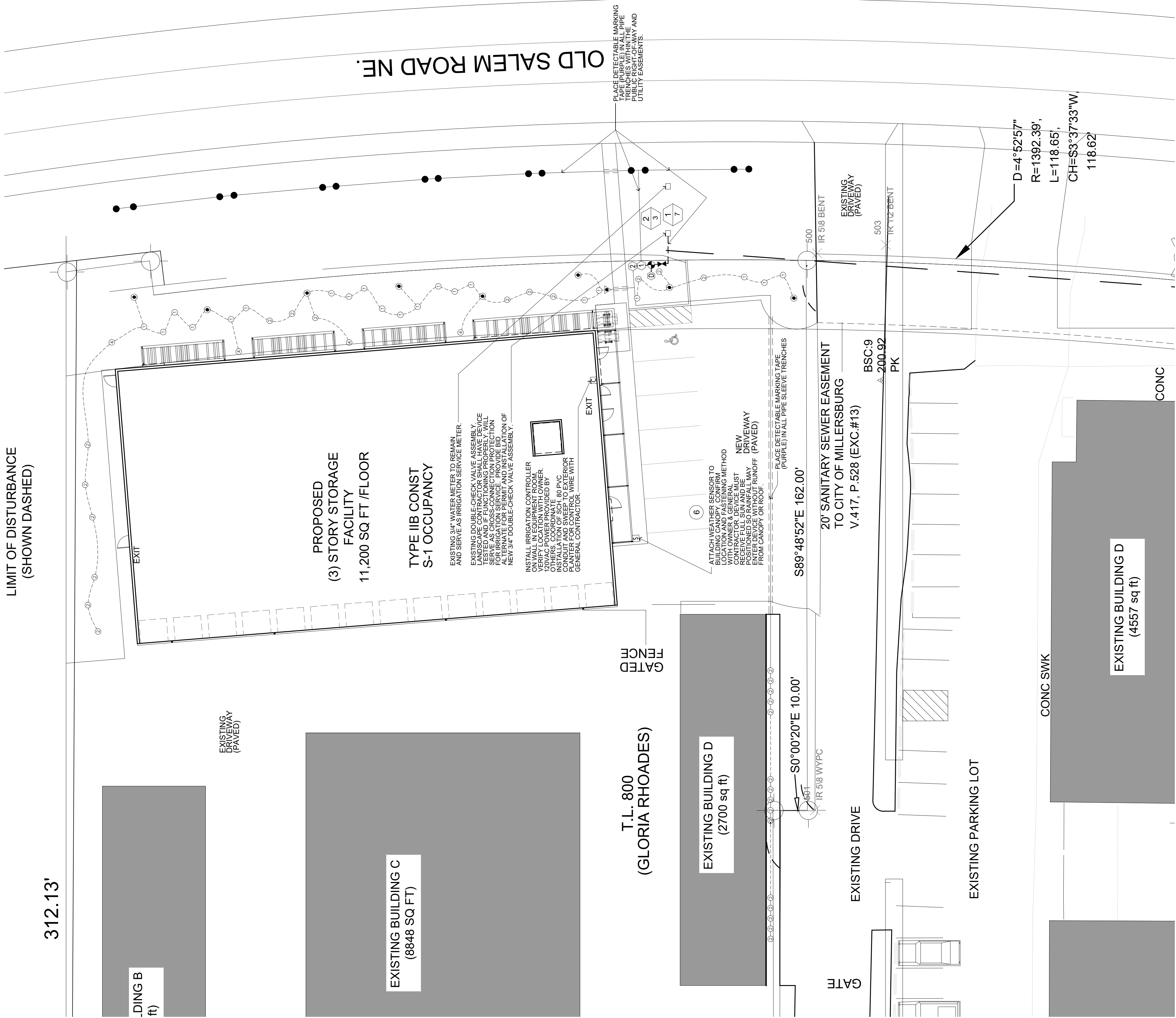
PLACE DETECTABLE MARKING TAPE (PURPLE) IN ALL PIPE SLEEVE TRENCHES

20' SANITARY SEWER EASEMENT TO CITY OF MILLERSBURG V.417, P.528 (EXC.#13)

BSC-9 200.92 PK

CONC. SWK

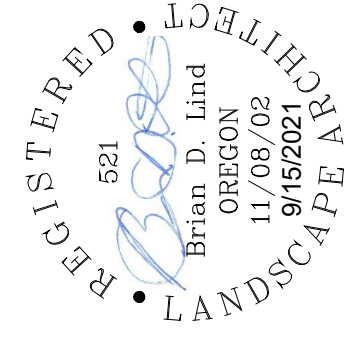
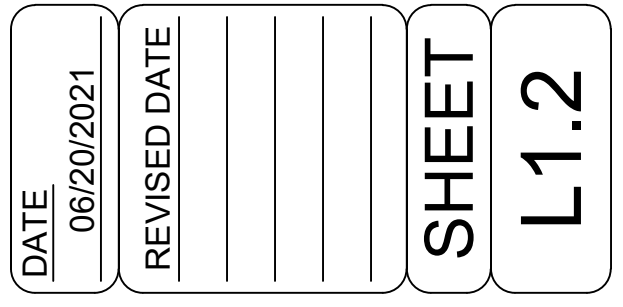
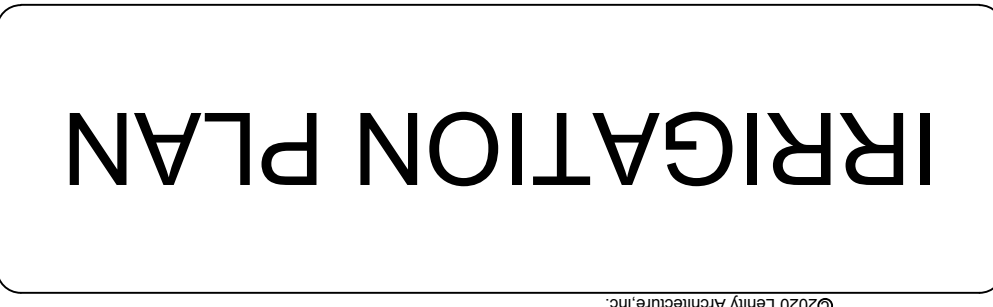
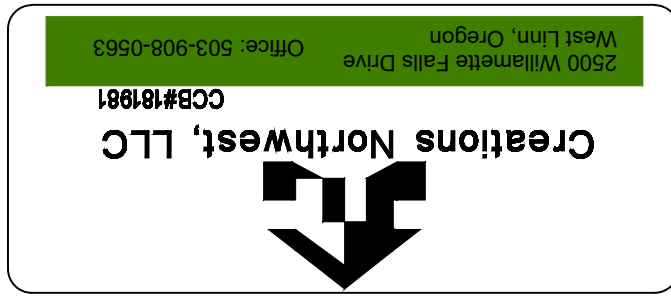
CONC



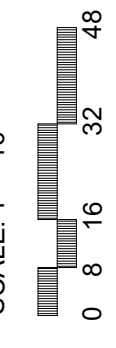
IRRIGATION LEGEND

Table with columns: SYMBOL, MANUFACTURER / MODEL, PSI, GPH, NOTES. Lists various irrigation components like drippers, valves, and controllers.

NOTES: 1. INSTALLER SHALL VERIFY AVAILABLE STATIC WATER PRESSURE PRIOR TO COMMENCEMENT OF IRRIGATION SYSTEM INSTALLATION. NOTIFY GENERAL CONTRACTOR AND LANDSCAPE ARCHITECT IF STATIC WATER PRESSURE IS NOT SUFFICIENT. 2. REFER TO SHEET L.2.1 FOR IRRIGATION DETAILS.

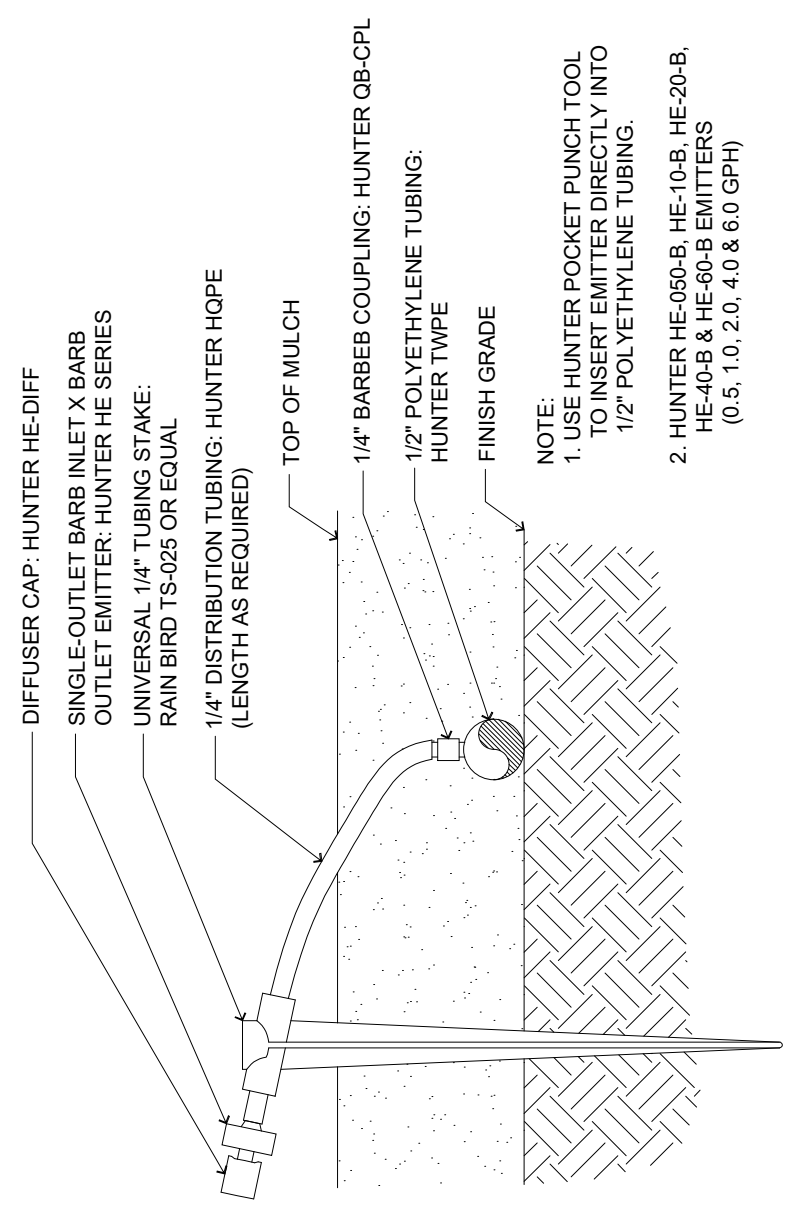


IRRIGATION PLAN

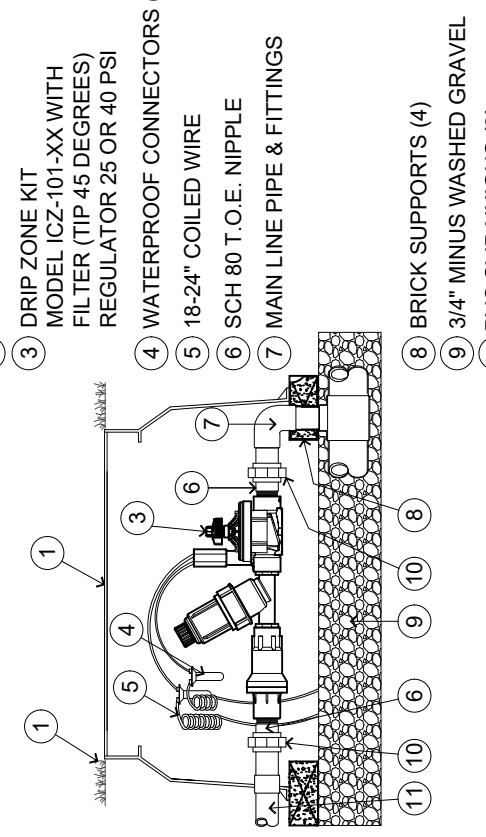


Date: 9/15/2021

17 ECO-INDICATOR (FLEX TUBING)
 SCALE: NOT TO SCALE

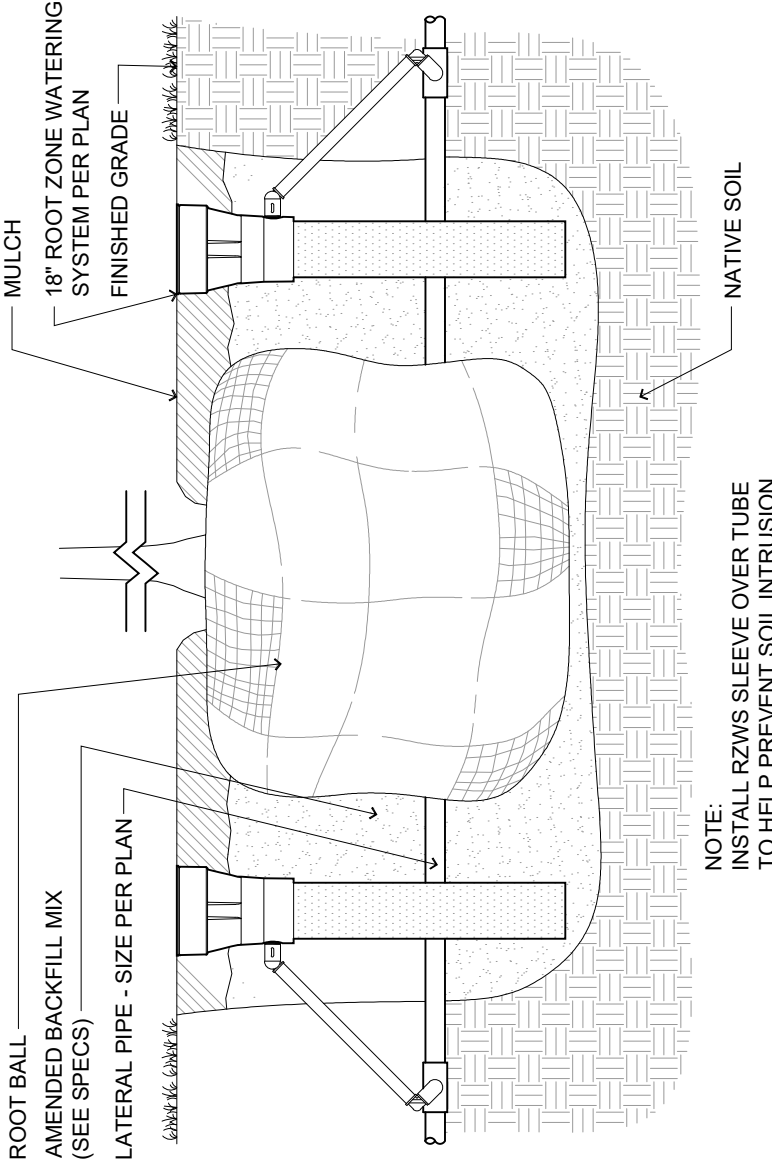


16 DRIP EMITTER INTO 1/2" TUBING WITH 1/4" TUBING, STAKE AND DIFFUSER CAP
 SCALE: NOT TO SCALE

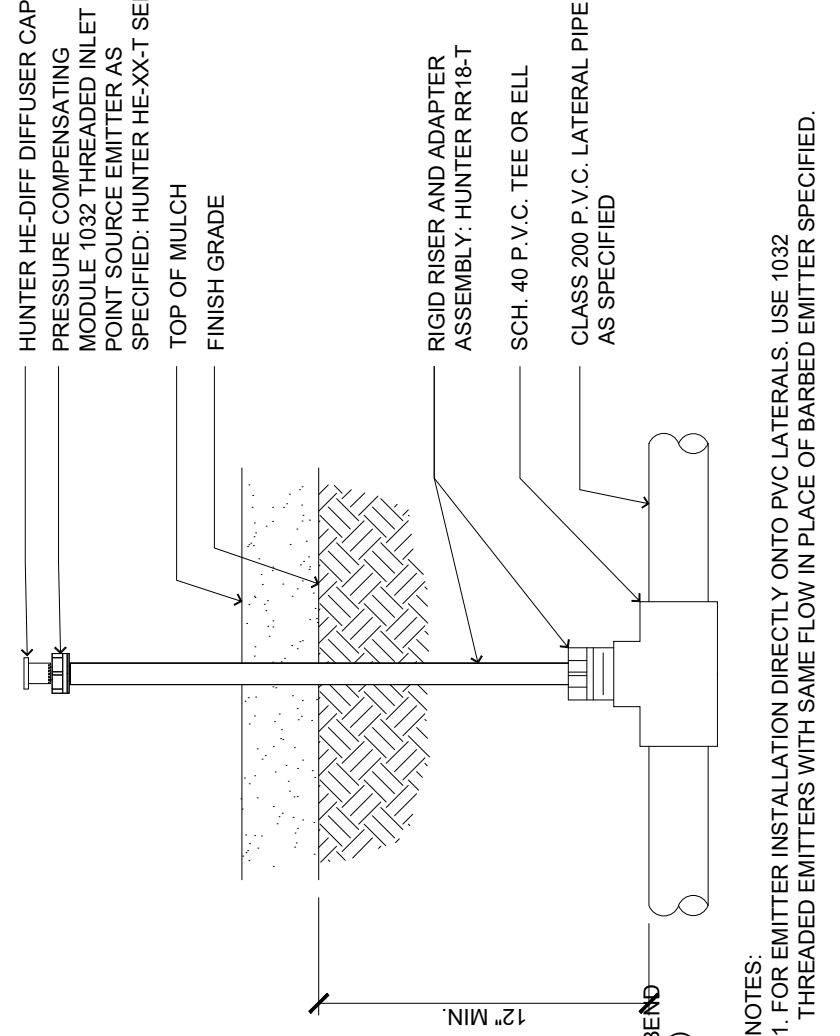


12 DRIP CONTROL ZONE (HUNTER ICZ-101)
 SCALE: NOT TO SCALE

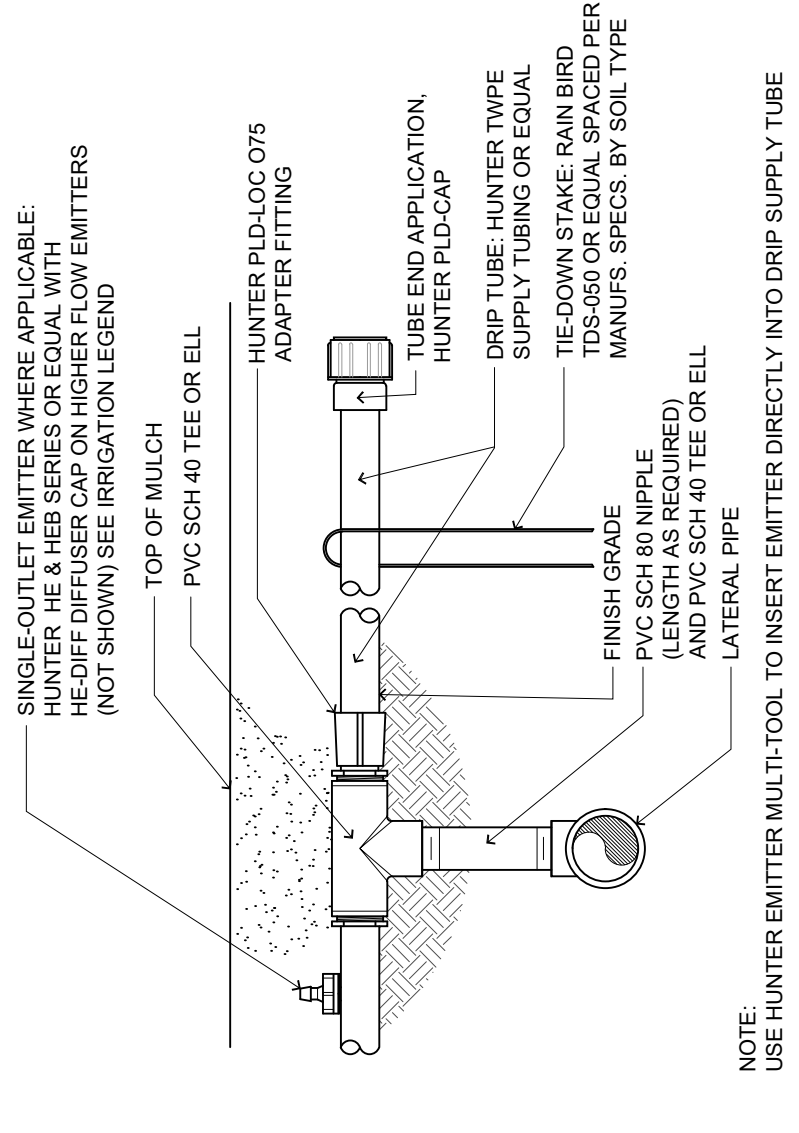
13 ROOT ZONE WATERING SYSTEM-18"
 SCALE: NOT TO SCALE



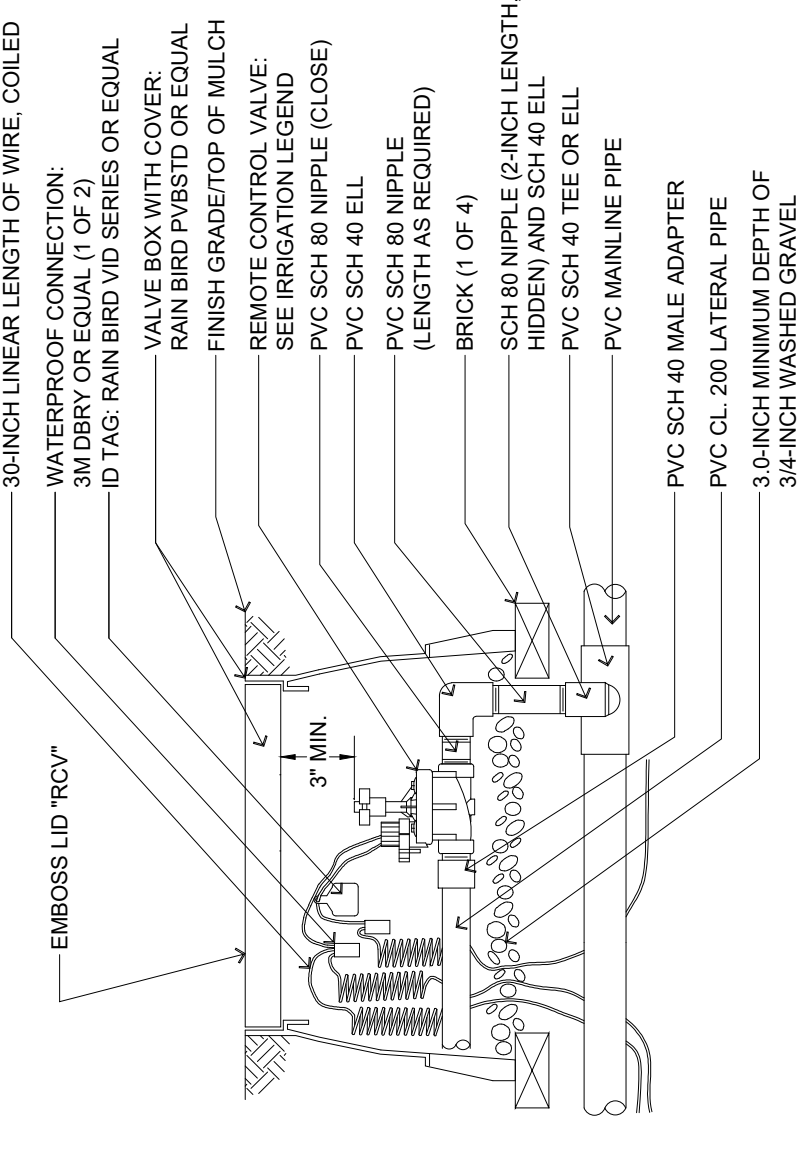
14 EMITTER ON RIGID RISER (1032 THREADED EMITTER-RIGID P.V.C. LATERAL)
 SCALE: NOT TO SCALE



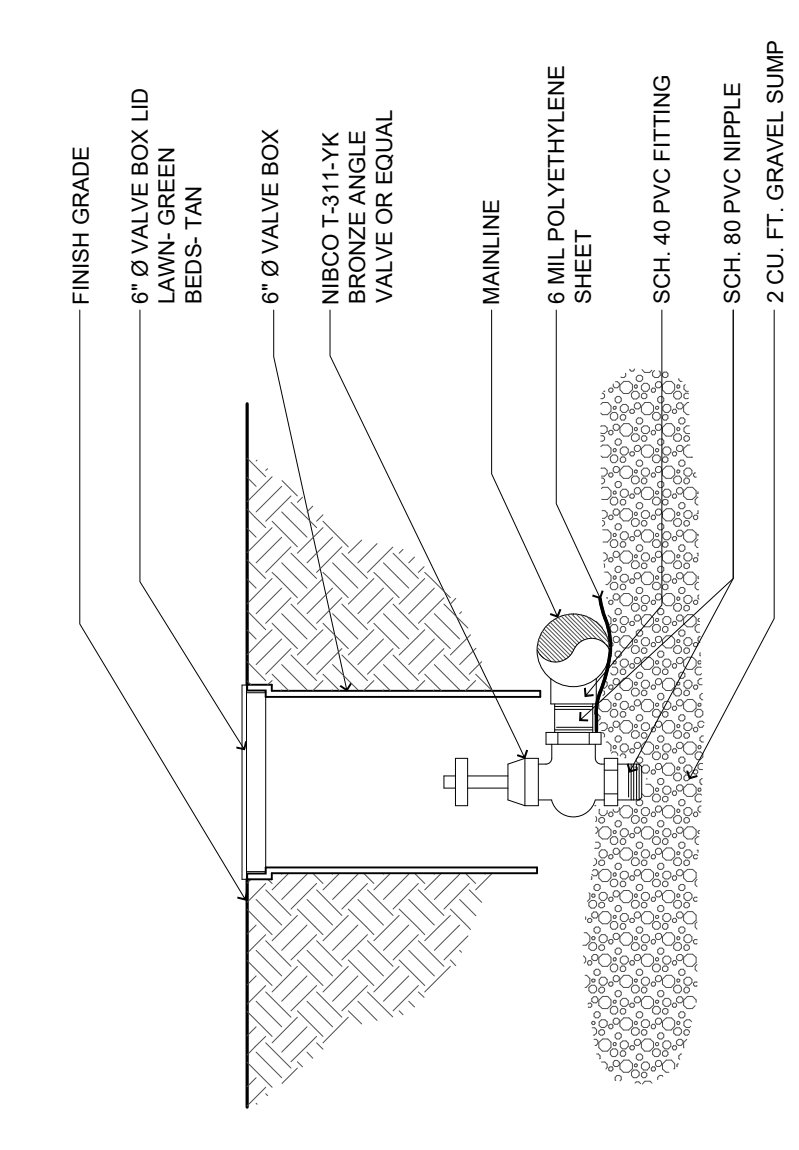
15 PVC TO DRIP TUBE CONNECTION
 SCALE: NOT TO SCALE



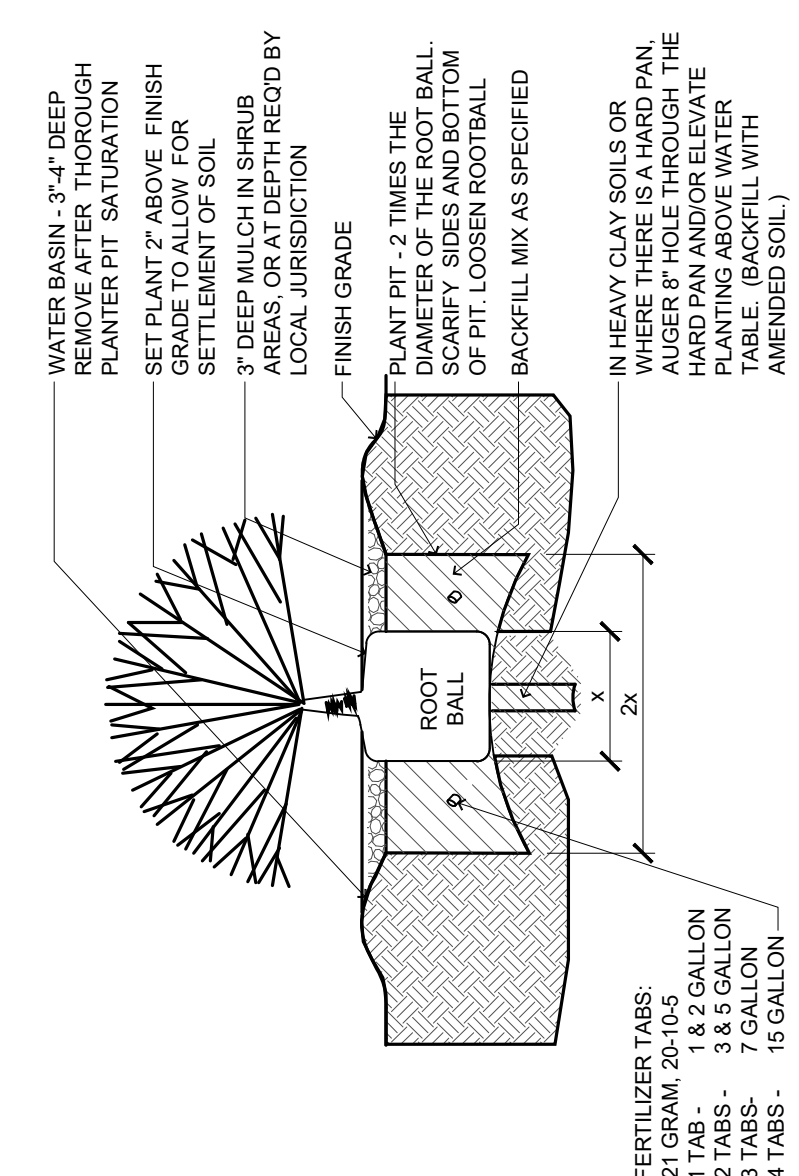
11 ELECTRIC VALVE ASSEMBLY (IRRIGATION DETAIL)
 SCALE: NOT TO SCALE



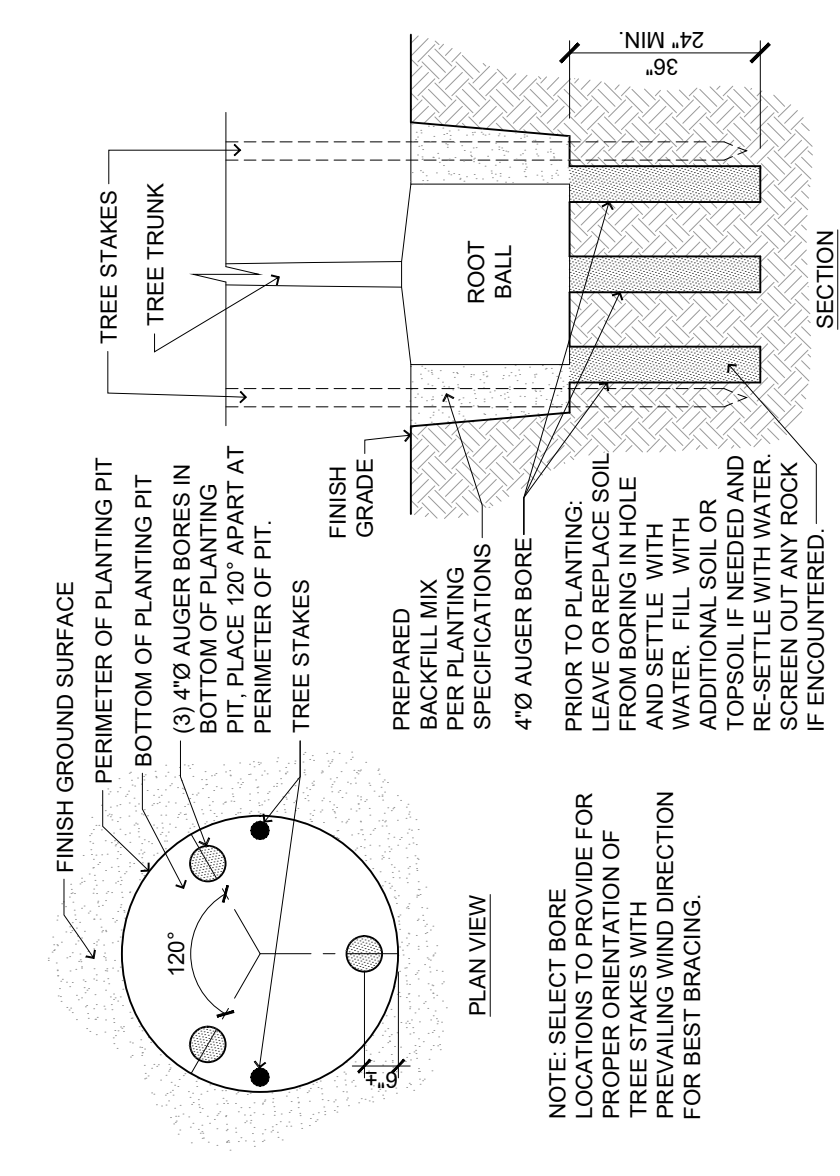
7 MANUAL DRAIN VALVE (IRRIGATION DETAIL)
 SCALE: NOT TO SCALE



3 SHRUB/GROUNDCOVER PLANTING (SECTION)
 SCALE: NOT TO SCALE



2 TREE PLANTING PIT WITH ROOT BORES (SECTION)
 SCALE: NOT TO SCALE

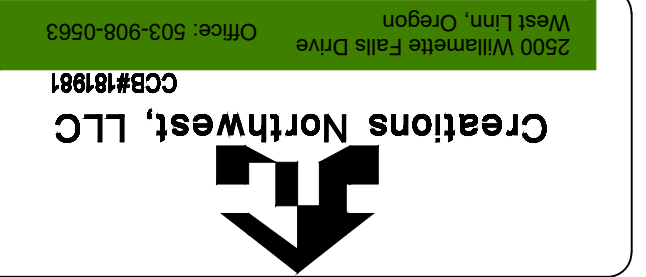
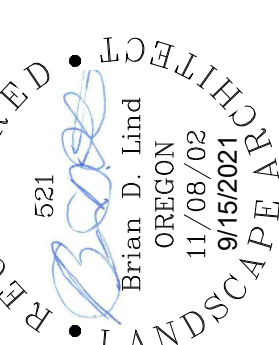


2 TREE PLANTING PIT WITH ROOT BORES (SECTION)
 SCALE: NOT TO SCALE

NEW BUILDING ALL SECURE MINI STORAGE
 1900 OLD SALEM RD., N.E. ALBANY, OREGON

LANDSCAPE DETAILS

DATE: 06/20/2021
 REVISED DATE:
 SHEET: L2.1



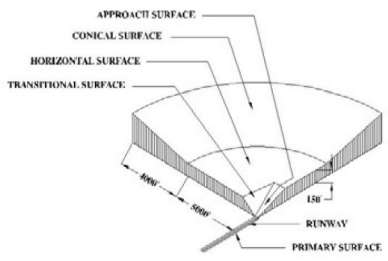
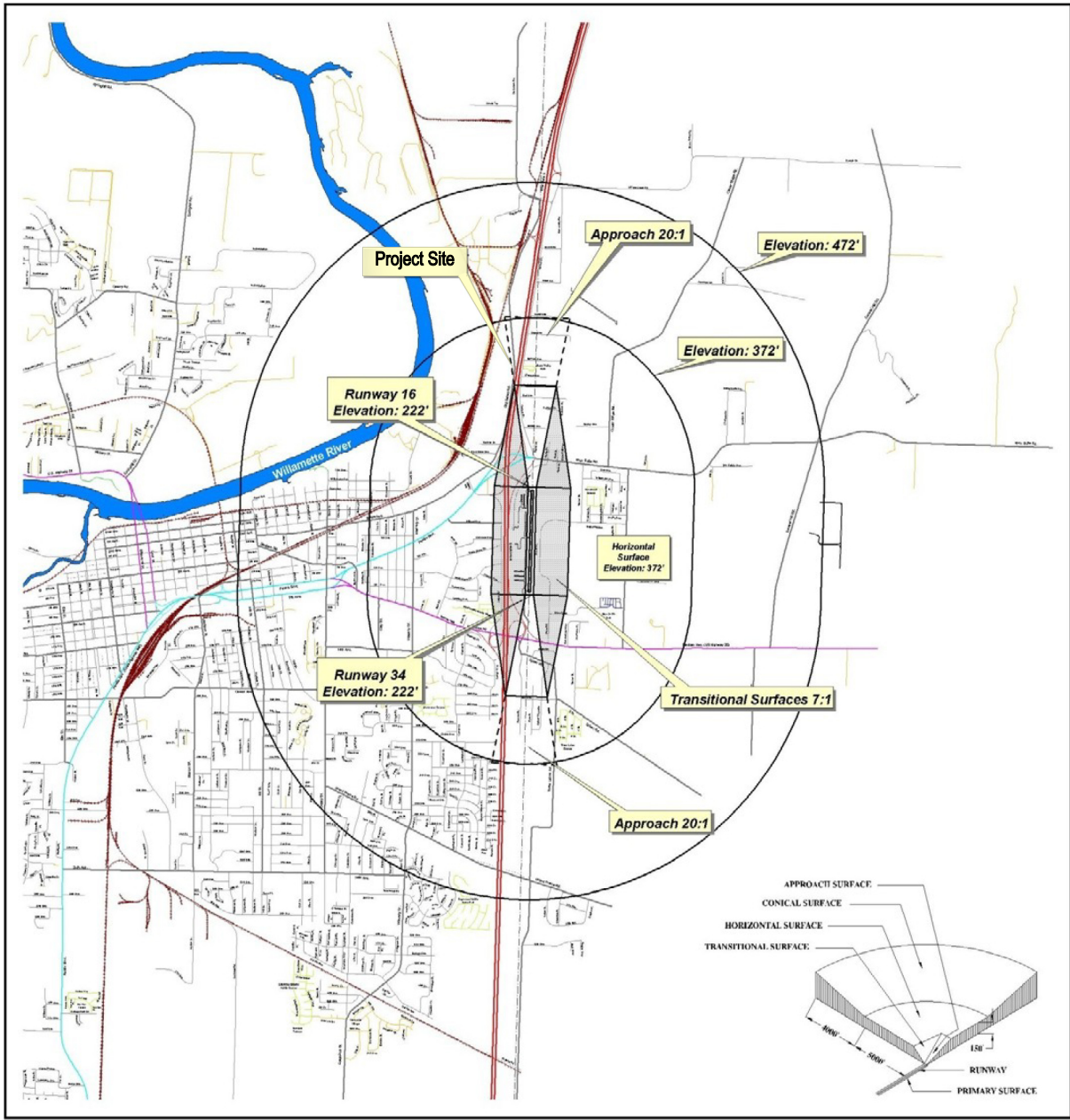
Z:\20-Development\ALB3D Self-Storage Frontage Building 2021 COLORS



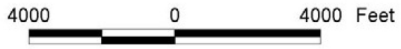
iColorpalette <https://icolorpalette.com/p/132493>

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#b6c4c9	#a7c6e1	#b8c2d0	#b0c3d8	#a8c7e0
#abb2b9	#8cb5d8	#a2b0c2	#98b0cc	#8eb5d6
#98a0a8	#72a4cf	#8d9db4	#809ec0	#73a5cd
#848e98	#5792e5	#778ba6	#698cb4	#5994e4
#717c87	#3f82ba	#527996	#527aa7	#4182b8
#516b74	#366f9f	#546881	#47668f	#38709e
#515961	#2d5c85	#46566b	#3b5777	#2e5d83
#41474d	#244a6a	#384556	#2f455f	#254a69
#30353a	#1b374f	#2a3440	#233447	#1c384f
#202326	#122535	#1c222b	#17222f	#122534

ARTICLE II ZONES AND ZONING REGULATIONS
 Chapter 2.15 Airport Approach Area Overlay Zone (AAO)



**Albany Municipal Airport
 Approach and Clear Zone Plan**



The City of Albany's infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All the information we provided represents the current information we have in a readily available format. While the information we provide is generally believed to be accurate, occasionally this information proves to be incorrect, and thus we do not warrant its accuracy. Prior to making any property purchases or other investments based, in full or in part, upon the information provided, we specifically advise that you independently verify the information contained within our records.

**Geographic Information Services 917-7676
 Planning Division 917-7550**



Figure 29 - Airport Approach and Clear Zones



Summary: The Tentative Decision was distributed for public review between September 30, 2021 and October 14, 2021. The City did not receive any comments.

Staff has approved the Interpretation, finding that all criteria and standards based on the accepted facts shown below. Staff relied on facts from the Staff Report, the applicant's materials, the City's Comprehensive Plan, State Rules and Statutes, City Codes and Ordinances provisions for the basis of the decision. This final decision can be appealed within 15 days to the Planning Commission.

Matt Straite
City Planner

Proposal: The applicant is requesting a Code Interpretation to allow storage as a use in the Commercial Office (CO) Zone for 1190 NE Old Salem Road. Storage is currently not listed in the Zone as a permitted use.

I. BACKGROUND

- A. Applicant: Albany Self Storage, LLC
14020 SE Johnson Road, Suite 102
Milwaukie OR 97267
- B. Project Location: 1190 NE Old Salem Road
10S 3W 33CD Tax Lot 0800
- C. Review Type: Table 5.01.030 of the Millersburg Development Code explains that an interpretation requires a Type II review, which is a staff level review, with a 14-day notice provided to the neighbors.
- D. Public Notice: Notice has been provided pursuant to Chapter 5.07 and 5.18 of the Millersburg Development Code. Notice was provided to all neighbors within 200 feet and all responsible agencies on September 30, 2021. The notice provided 14 days to respond.
- E. Review Criteria: Chapter 5.15.040 Interpretations
- F. Current Zoning: Commercial Office (CO)
- G. Proposed Zoning: N/A

H. Property Size: Area of proposed storage facility- 1.46 Acres

I. Background: The City recently changed the zoning on several properties along the west side of Old Salem Road near the southern edge of the City from General Industrial (GI) to Commercial Office (CO). The zone change only revised the zoning along the frontage of the street to a depth of about 100 feet. The CO Zone was intended to address a continued request by the City Council to beautify Old Salem Road in the lower portion of the City. The intent was that any industry developing in this part of the City would place their offices up front and the industry behind. This development style matched most of the development that already existed at the time the City changed the zone.

Shortly after the zone change was adopted, the City had an applicant with an existing storage facility request to expand their use into a property that fronted Old Salem, which was now zoned CO. However, the CO Zone does not allow self-storage uses on the property. The City re-zoning created a split-zone on the applicant's parcel, allowing self-storage units only on the western portion of the parcel, in the GI Zone.

The applicant filled for a pre-application review. Staff explained at the time that three options existed: a zone change from CO to GI, a text change for CO to add storage, or an interpretation to clarify the intent of the zone. The applicant opted for the last because it was the fastest option.

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

Agencies:

This interpretation was not transmitted to any agencies for review because the uses within a zone are the sole discretion of the City. The Site Development Review that will follow will be transmitted to responsible agencies.

Public:

Notice of this tentative decision was sent out to neighbors of the site on September 30, 2021. The notice was mailed to all property owners within 200 feet of the property. Any comments received will be addressed in the final decision.

III. **CRITERION**

CITY OF MILLERSBURG DEVELOPMENT CODE

Chapter 5

Section 5.15.040 Interpretation Decision Criteria

The following analysis is in addition to any analysis included in the applicants' narrative, which is included here by reference. Approval of an Interpretation shall be subject to the following decision criteria:

(1) The interpretation is consistent with the purpose of the Code and any appropriate purpose statement in an underlying zoning district or development requirement.

ANALYSIS: The CO Zone is administered by Chapter 2.07 of the Development Code. The criteria above is broken into two elements - the purpose of the Code and the purpose of the zone.

The purpose of the Development Code is generally to assure that uses are harmonious with the neighboring uses and the environment, and to assure prosperity for all. As stated above, the intent of the zoning code change was to promote a higher level of aesthetics along Old Salem Road. This was considered an economic development change because a better-looking stretch of road along our southern entry would make the City more appealing to residents and businesses. The applicant is proposing a self-storage use on 1190 Old Salem Road. A storage use is traditionally not a use that would achieve a higher level of aesthetics along Old Salem, in fact, most storage facilities are fairly drab and include large expanses of walls that can be un-attractive. However, the applicant for this specific location is proposing a three-story building that is clad with windows and several different kinds of building materials that will have the structure resemble an office building. Landscaping is proposed for the stretch of the structure that fronts Old Salem, and all bay doors and storage lockers will be located on the west side of the structure, leaving the east, street facing, with the appearance of an office-like façade.

Because the structure proposed by the applicant specifically for this site meets the intent of the Code change, achieving a better-looking Old Salem Road, the proposed structure meets the purpose of the Code. This staff interpretation will allow the project to move forward with the self-storage use and structure proposed, pending approval of a Site Development Review and Conditional Use Permit.

Regarding the purpose of the zone, Commercial Office, the Code explains that the zone is intended to attract professional offices with limited supporting commercial retail activities. The individual proposed storage business on this specific site will meet this intent, and is similar to other permitted uses in the zone, because storage is not a retail use and because the proposed design will mimic a professional office building in appearance. Additionally, the frequency of visitors will be similar to uses proposed in the CO Zone, which is less than retail. Because the use will meet the two intents listed in the CO Zone, they meet the criteria.

It should be noted that this is being issued for this specific proposed project and is not intended to be a City-wide interpretation. This interpretation is being made on a case-by-case basis for this specific instance.

To address this in the future staff may propose a code text change that could allow additional uses in the CO Zone along Old Salem Road south of Conser Road subject to a Conditional Use Permit review and additional standards that would achieve the intent of the CO Zone in that part of the City, specifically that the

aesthetics are far more demanding than would typically be seen in the GI Zone. More specifically a proposed code text revision could look like this:

2.07.040 CO Conditional Uses

(3) Uses permitted in the Commercial Office Zone south of Conser Road may include those uses permitted in the General Industrial Zone subject to a Conditional Use Permit review. The following additional standards apply to any such Conditional Use:

- *Any structure shall be setback at least 35 feet from the right-of-way*
- *Parking shall not be placed between the structure and the right-of-way*
- *The area between the structure and the street right-of-way shall be landscaped in accordance with Chapter 3.09*
- *The façade of any primary structure (not including guard or gate houses) facing Old Salem Road shall meet all requirements of Chapter 3.26*

FINDING: Based on the analysis above, the project meets the criterion.

- (2) The resulting interpretation conforms to the applicable standards and limitations of the underlying zoning district. In approving an application for a similar use, the City may determine whether the use is prohibited or classified as permitted, special use or conditionally permitted in a specified zone.**

ANALYSIS: Applicable standards come from the CO Zone. The proposed structure does appear to conform to the Code requirements. A Site Development Review will carefully review all CO standards as part of that review process.

FINDING: Based on the analysis above, the project meets the criterion.

V. FINAL ACTION

Based on the above findings of fact, the proposed interpretation satisfies the applicable criteria and staff approves Interpretation No. 21-01, with the understanding that this interpretation only applies to the proposed storage building submitted as Site Design Review SP 21-05.

VI. EXHIBITS

- A. Applicant's Narrative

Matt Straite

From: Malone, Daineal <daineal.malone@co.linn.or.us>
Sent: Tuesday, October 19, 2021 3:46 PM
To: Matt Straite
Subject: RE: SP 21-05 & CUP 21-03 Additional Storage Building Review request

WARNING: This is an EXTERNAL email. Do not open attachments or click links unless you recognize the sender and know the contents are safe.

Matt,

Here are some comments regarding the All Secure Mini Storage Application:

- There should be an easement between property owners to utilize the shared access
- The proposed fence shall be placed outside of the Linn County ROW
- The irrigation and street trees are acceptable, with the understanding that the property owner will maintain this area
- The shared driveway access shall be a minimum 24' wide concrete approach with a 24' wide asphalt driveway that extends at least to the ROW
- The two existing accesses to this tax lot shall be removed. This will require removal of the curb, gutter and driveway and installing curb, gutter and sidewalk
- The proposed silt fence should be adequate for erosion control, but the inlets in Old Salem may need additional erosion control measures if necessary
- An access permit shall be obtained from the Linn County Road Department prior to performing work within the ROW

Let me know if you have any questions.

Thanks,

Daineal Malone, P.E.

County Engineer
Linn County Road Department
3010 Ferry St, SW
Albany, OR 97321

Phone: 541-967-3919

Fax: 541-924-0202

From: Matt Straite [<mailto:mstraite@cityofmillersburg.org>]

Sent: Thursday, October 14, 2021 4:35 PM

To: Shelton, Sarah (SO) <sshelton@linnsheiff.org>; Sterling, Derrick <dsterling@co.linn.or.us>; Billers@nwnatural.com; d6b@nwnatural.com; Bonn, Christopher <cbonn@co.linn.or.us>; Scott.Seaton@pacificorp.com; jeff.r.lehmeyer@usps.gov; Chris.LaBelle@cityofalbany.net; Janelle Booth <jbooth@cityofmillersburg.org>; planninglist@cityofalbany.net; Lora.ratcliff@cityofalbany.net; sshortes@co.linn.or.us; or.97208amsportland@usps.gov; Barnett, Steve <sbarnett@co.linn.or.us>; Taylor, Stephanie <staylor@co.linn.or.us>; jtim.mills@albany.k12.or.us; Knoll,

Chuck <cknoll@co.linn.or.us>; Mink, Wayne <wmink@co.linn.or.us>; Sue Forty <SForty@ocwcog.org>

Subject: SP 21-05 & CUP 21-03 Additional Storage Building Review request

Good afternoon. The City has received an application for a new-three story storage building in an existing public self-storage facility located on Old Salem Road. The address is 1190 Old Salem Road. The Project materials are located here- <https://www.cityofmillersburg.org/planning/page/sp-21-05-cup-21-03-additional-storage-building-albany-storage>

The project is tentatively scheduled for a hearing on November 16, 2021. Please have any comments back to me by October 28th. Let me know if you have any questions.

Matt Straite

Community Development Director

City of Millersburg

458-233-6306



TO: Matt Straite, City Planner
FROM: Janelle Booth, Millersburg City Engineer
DATE: October 25, 2021
SUBJECT: SP 21-05 - Engineering Comments

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

1. Copies of any required federal or state permits that may be required shall be filed in the Record File of this application.
2. 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 of the new building.
3. A Private Construction of Public Infrastructure (PCPI) is required for the new fire water connection to the City's main in Old Salem Road. The new connection shall be from the 20" ductile iron water main, not the 10" asbestos cement water main. The new 4" DDC assembly and vault shall be located at least 10 feet from the existing public sanitary sewer line.
4. Old Salem Road: Old Salem Road fronting this property is a Linn County Road. Applicant shall comply with all requirements of the Linn County Road Department.
5. Stormwater:
 - a. Obtain a 1200C Erosion Control Permit and a **City of Millersburg Erosion Prevention and Sediment Control Permit** for all the disturbed ground, both on and off site that is in excess of one acre. The applicant shall follow the latest requirements from DEQ for NPDES 1200-C Permit submittals.
 - b. Stormwater facilities shall be designed and constructed in accordance with the City of Millersburg Engineering Standards. A grading permit is required for earthwork in excess of 50 cubic yards; a storm drainage report and grading plan shall be submitted for review. A final grading and stormwater inspection will be required prior to issuance of a certificate of occupancy.

6. Dust shall be controlled within the development during construction and shall not be permitted to drift onto adjacent properties.
7. Noise shall be kept at the minimum level possible during construction. The developer shall agree to aggressively ensure that all vehicles working in the development shall have adequate and fully functioning sound suppression devices installed and maintained at all times.
8. All construction sites shall be maintained in a clean and sanitary condition at all times. Construction debris, including food and drink waste, shall be restricted from leaving the construction site through proper disposal containers or construction fencing enclosures. Failure to comply with this condition may result in a "Stop Work" order until deficiencies have been corrected to the satisfaction of the City.
9. All applicable System Development Charges (SDCs) will be due at time of building permits.



TO: Matt Straite, Planner

From: Lora Ratcliff, Fire Marshal

DATE: October 21, 2021

SUBJECT: SP-21-05 –1190 Old Salem Rd NE – New 3-Story Mini Storage – 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.

**** 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)
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) Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus at a minimum unobstructed width of 26 feet wide of improved surface. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building. (OFC D105)
4. 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)

LAR/lar

Lora Ratcliff

Lora.ratcliff@cityofalbany.net

541.917.7728



NOTICE OF PUBLIC HEARING
November 16, 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: Albany Self Storage, LLC dba Creations NW
LOCATION: 1190 NE Old Salem Road
TAX LOT: Township 10 South; Range 3 West; Section 33CD; Tax Lot 00800
PARCEL SIZE: 1.51 acres
ZONING: Commercial Office (CO) & General Industrial (GI)
REQUEST: The Applicant is proposing to demolish a nursery building and add a 33,600 gross SF square foot, three (3) story self-storage facility building to an established public storage facility. The building will be without public restrooms. The building color will match the same buildings to the south of the property that belong to All Secure Mini Storage. Parking and landscaping are proposed as well.
CRITERIA: Millersburg Development Code, Section 5.05.060 and 5.04.050.
FILE No.: SP 21-05 & CUP 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.



Proposal: Staff is proposing to make 16 different Code text revisions. In October of last year, the City adopted the new Development Code. As staff has been implementing the all-new Code the need for small revisions have become apparent. These include clarifications to setbacks, some uses in the Commercial Zone, performance standards in the General Industrial Zone, restaurant parking, temporary signs, single-family home standards, lot standards, land use approval modification standards, subdivision and partition standards, caretakers' requirements, floodplain development requirements, driveway standards, and name-only changes to two zones.

I. **BACKGROUND**

- A. Applicant: City of Millersburg
- B. Location: City Wide
- C. Review Type: The proposed Development Code Amendment (DC) 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. 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 September 29, 2021. Information related to the hearing is posted on the City's website here - <http://cityofmillersbrg.org/planning-commision/>. A Measure 56 notice was sent to every tax address in the City on September 30, 2021.
- E. Review Criteria: Section 5.11.030
- F. Current Zoning: All zones will have some effect from the proposed changes.
- G. Background: Last year an all-new Development Code was adopted. Anytime an all-new Development Code is drafted, it is anticipated that some small edits would be needed to address places where the Code did not fully address the City's needs, something was inadvertently left out, or something was not as clear as it should have been. Staff has been compiling a list of needed edits since the Code was adopted. At the time this staff report was written there are 16 different places where edits are proposed. Some are small, like changing the name of a zone; others are larger, such as adding a section for temporary signage.

A table is shown below to illustrate all changes proposed at a glance. The actual proposed changes are attached in a separate document.

Summary Table 1			
	Section	Topic	Proposed Update
1	2.03.060	Two-Story setback clarification	Clarify 8-foot setback to 2-story homes in 2 residential zones. We will also re-evaluate the definition of "story."
2	2.05 and throughout	Change the name of the Residential Mixed-Use Zone (RM) to Residential Medium (RM)	
3	2.09 and throughout	Change the name of the Limited Industrial Zone (LI) to Light Industrial (LI)	
4	2.08	Revised uses in the Commercial Zone	Remove some uses from the General Commercial Zone - no mini storage, auto paint uses, RV parks, or similar.
5	2.09.040 & 3.24.010	LI and PF Zone RV Park clarifications	The RV Park standards in Section 3.24 explain that LI permits RV parks with a CUP, but the LI Permitted Uses section does not state that. This clarifies that they would not be allowed in LI. Further, the PF zone permits them with a CUP, but Section 3.24 does not state that.
6	2.10.060(7)	GI Environmental Performance Standards	The environmental performance standards were removed as it is duplicative as it's listed in other sections.
7	3.03	Restaurant Parking	Re-visit restaurant parking.
8	3.06	Temporary Signs/ROW Signs	Add a new more detailed section on Temporary Signs & allow traffic signs in ROW.
9	3.06	Blade Banner Signs	Add details about Blade Banner signs.
10	3.12.020	Revised Single Family Home Design Standards	Revise SFR design requirements, including a requirement for 12" eaves and add more choices.
11	4.02.030	Additional Lot Standards	Add language for remainder lots, phased maps, re-divisions, and lot averaging.

12	5.01.060	Modifying Land Use Approvals	Clarify the difference between a land use permit 'reconsideration' and a 'modification.'
13	5.07.060	Additional Subdivision and Partition Criteria	Add more partition and subdivision criteria.
14	1.02 & 3.28	Caretakers' revisions	Add a definition for "caretakers" and add a new Section 3.28 with standards for caretakers' units in the Special Uses section of the Code.
15	2.12.120 & 5.01.030	Floodplain Development Permit details added	We have specified a process for the review of this State required application.
16	3.03.080	Driveway pavement	Add text to 3.03.080(1) to clarify that all residential driveways in all zones except the RU zone must be paved, including the full length of the driveway to the street apron.

II. CRITERION

CITY OF MILLERSBURG DEVELOPMENT CODE

5.11.030 Decision Criteria. Amendments to the Comprehensive Plan or Development Code text shall be approved if the evidence can substantiate the following:

- (1) There are no negative impacts of the proposed amendment on land use and development patterns within the city, as measured by:**
- a. Traffic generation and circulation patterns;**
 - b. Demand for public facilities and services;**
 - c. Level of park and recreation facilities;**
 - d. Economic activities;**
 - e. Protection and use of natural resources; and**
 - f. Compliance of the proposal with existing adopted special purpose plans or programs.**

ANALYSIS: Table 2 below contains an analysis for each of the 16 changes proposed.

Table 2- Criteria 1 Analysis		
	Topic	Analysis
1	Two-Story Setback Clarification	The revision to the text is not changing a requirement, just clarifying the existing provision. Therefore, the change will not impact a-f in any way.
2	Change the name of the Residential Mixed-Use Zone (RM) to Residential Medium (RM)	The revision is to the zone name only. No requirements are changing based on the name change. Therefore, the change will not impact a-f in any way.
3	Change the name of the Limited Industrial Zone (LI) to Light Industrial (LI)	The revision is to the zone name only. No requirements are changing based on the name change. Therefore, the change will not impact a-f in any way.
4	Revised uses in the Commercial Zone	This change proposes to remove some uses from the General Commercial Zone, specifically mini storage, auto paint uses, cabinet manufacturing, and RV Parks. Removing the uses will not affect traffic or circulation patterns, demand for utilities or economic activities, the level of protection for resources or compliance with special programs. The removed uses are similar to other permitted uses as far as possible impacts to these categories. Park facility uses are not set by commercial activity, so there is no impact to RV Park facility levels.
5	LI and PF Zone RV Park clarifications	The revision to the text is not changing a requirement, just clarifying the existing provisions. Therefore, the change will not impact a-f in any way.
6	GI Environmental Performance Standards	The environmental performance standards were duplicative. No standards are changing, so there will be no negative impacts on categories a-f above.
7	Restaurant Parking	The reduced parking for restaurants will make us consistent with Albany's requirements. The new provisions should still allow enough parking for the

		use, because it has not created any issues in Albany. The change will have no effect to b-f because the amount of parking has does not dictate the demand for public facilities, park levels, protection for resources, or compliance with plans. Existing rules for each of these would still be applicable. Economic activity may increase, so there is no negative impact to the economy.
8	Temporary Signs/ROW Signs	The new rules for temporary signs will reduce clutter and influence the aesthetics and safety for the motorists in the City. This may require additional public services in terms of enforcement of the rules and removal of the signs, but it is for the betterment of the City, which is not a negative effect. Park facilities, natural resources, and compliance with special plans will not be effected by temporary signs. The economy could be impacted as there would be less advertising which could hurt sales; however, the lack of clutter may make the City a more desirable location for businesses, thus helping the economy.
9	Blade Banner Signs	See above.
10	Revised Single Family Home Design Standards	These changes add more flexibility and higher levels of design requirements for new homes. This will have no impact on a-f with the exception of possibly the economic activity. The way a home looks has no impact on a-f. Regarding economic activity, the higher standard will help home sales.
11	Additional Lot Standards	The change adds additional requirements for remainder lots, phased maps, re-divisions, and lot averaging. This change will result in better subdivision design by assuring there are no unmaintained and forgotten lots within the City. This change will not affect traffic patterns except that there will need to be access provided to all remainder areas now. This is not a negative effect. There will be less demand for public services because the City could be stuck with maintaining abandoned areas left over in poor subdivision designs. There will be no effect to park needs. The

		economy will improve because abandoned lots act as a deterrent to development (similar to the broken windows theory- better maintained areas perform better economically). Natural resources will be better protected because often developers who leave small portions of land in a subdivision do so to avoid responsibilities related to the protection of natural resources. Special plans in this City would include master plans, such as drainage plans, transportation system plans, and other such specialty master plans. This change will better implement these plans by assuring that every portion of a subdivision complies with the plans (rather than having the developer try to argue they are not part of the project and therefore need not comply).
12	Modifying Land Use Approvals	The revision to the text is not changing a requirement, just clarifying the existing provision. Therefore, the change will not impact a-f in any way.
13	Additional Subdivision and Partition Criteria	This change is moving an existing standard to the criteria section. The revision to the text is therefore, not changing a requirement, just clarifying the existing provision. Therefore, the change will not impact a-f in any way.
14	Caretakers' revisions	This revision has added some additional regulations for caretaker's units. These will have no impacts to the location or siting of caretaker's units, and will therefore not affect most of the items a-f.
15	Floodplain Development Permit details added	This change now specifies a process for the review of this State required application. This does not change any of the regulations, and will therefore have no effect on a-f.
16	Driveway pavement	The material of the driveways will not impact traffic, the economy, City plans, or the demand for Park space. This will improve the longevity of the street pavement as gravel is minimized on City streets, which will reduce demands of public services and make streets last longer. There will

		likely be no impact to natural resources because runoff from driveways will be similar for gravel as it is for pavement, both are hard packed surfaces that do not allow percolation.
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FINDING: Based on the analysis above, the project meets the required criteria.

(2) A demonstrated need exists for the proposed amendment.

ANALYSIS: Staff has been tracking many small revisions that were needed to address places where the new Code did not fully address the City's needs, something was inadvertently left out, or something was not as clear as it should have been. The need for the change is clear. These were all places where the Code was underperforming in some way and needed to be fixed. Staff decided to bring this forward now for several reasons. Some of these changes are needed sooner than others. In general though, the change is proposed now because we had amassed a large enough number of changes to justify the time needed to change the Code.

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

(3) The proposed amendment complies with all applicable Statewide Planning Goals and Administrative Rule requirements.

ANALYSIS: The State Planning Goals act as the foundation for land use planning in the State of Oregon. State Goals are implemented by City Comprehensive Plans, and Comprehensive Plans are implemented by Zoning Codes. When the current Development Code was adopted, it was found to be fully consistent with the State Goals and the City's Comprehensive Plan.

Table 3 below contains an analysis for each of the 16 changes proposed.

Table 3- Criteria 3 Analysis		
	Topic	Analysis
1	Two-Story Setback Clarification	Applicable goals would be Goal 10 Housing, and 14 Urbanization. This complies with both because the clarification of the setback does not affect the cost or availability of housing.
2	Change the name of the	Zone names have no relevance to the State Goals

	Residential Mixed-Use Zone (RM) to Residential Medium (RM)	and are therefore not inconsistent.
3	Change the name of the Limited Industrial Zone (LI) to Light Industrial (LI)	Zone names have no relevance to the State Goals and are therefore not inconsistent.
4	Revised uses in the Commercial Zone	Applicable goals would be Goal 9 Economy of the State and 14 Urbanization. This complies with both because the uses that are proposed to be removed would not result in the highest and best use of the property, thereby negatively impacting the economy of the State. Removing the uses brings the Code more in line with Goal 9.
5	LI and PF Zone RV Park clarifications	Applicable goals would be Goal 2 Land Use Planning, Goal 10 Housing, Goal 9 Economy of the State, and 14 Urbanization. This complies with these Goals because it makes the Code internally consistent and assures that any new RV parks are built in a location that is more compatible with the surrounding communities. This assures proper implementation of each zone using its highest and best use.
6	GI Environmental Performance Standards	Applicable goals would be Goal 6 Air, Water and Land Resources Quality and 13 Energy. This complies with both because the clarification will help align the standards with other existing State requirements.
7	Restaurant Parking	The applicable goal would be Goal 9 Economy of the State. This complies with the Goal because it makes Millersburg's requirements more closely aligned with Albany's and makes property in the City more attractive to restaurant businesses.
8	Temporary Signs/ROW Signs	Applicable goals would be Goal 2 Land Use Planning, 9 Economy of the State, and 12 Transportation. This complies with these Goals because the rules regarding temporary signs are currently confusing. These will align better with Goal 2 when they are clear. The code revision is intended to curtail a problem the City is having with a plethora of temporary signs littering the

		streets. Stronger regulations will create a cleaner streetscape which will help attract more business, thus helping the economy. Lastly, many of the illegal signs are placed within the right-of-way which could impact safety. Removing them will address Goal 12 concerns regarding safety.
9	Blade Banner Signs	See above.
10	Revised Single Family Home Design Standards	Applicable goals would be Goal 10 Housing, and 14 Urbanization. This complies with both. It is popular to argue that higher standards could raise the cost of housing. However, the additional requirements are structured so there are several options that would comply, many of which are not expensive, and most of which are standard features on many of the homes that are currently built in the City. These would pertain only to single-family homes, not multi-family. This complies with Goal 10.
11	Additional Lot Standards	Applicable goals would be Goal 10 Housing and 14 Urbanization. This complies with both because the change only assures that small remnant lots are not created through the partition or subdivision process. These may become maintenance issues for the City. Developers also may use this loophole as a or creative way to sidestep required processes, like wetlands or frontage fees. Therefore, this will help implement State Goals.
12	Modifying Land Use Approvals	The revision to the text is not changing a requirement, just clarifying the existing provision. Therefore, the change will implement land use modifications and is fully consistent with State Goals.
13	Additional Subdivision and Partition Criteria	This change is moving an existing standard to the criteria section. The revision to the text is therefore, not changing a requirement, just clarifying the existing provision. Therefore, the change will be fully consistent with the State Goals because it was consistent when the Code was adopted.
14	Caretakers' revisions	The applicable goal would be Goal 10 Housing and to a small extent Goal 9 Economy of the Sate.

		<p>The change does not change where they can be placed but clarifies that a caretaker's unit must have some relationship to the business and cannot just be a residential use that happens to be on a commercial property. An example would be a caretaker in a storage facility. While this revision has added some additional regulations for caretaker's units, it should not play a significant role in limiting the use of caretaker's units. Especially given that caretaker's units are not very common, so this change will not impact a significant amount of housing stock in the community. Thus, the change is consistent with Goal 10. Regarding Goal 9, the use of caretaker's units may help some business come to Millersburg, and therefore help the economy. This change is consistent with this Goal as well.</p>
15	Floodplain Development Permit details added	<p>The applicable Goal for this revision would be Goal 7 Areas Subject to Natural Disasters and Hazards. This change did not alter any regulations. Our Flood Code section was taken almost directly from the FEMA regulations (as required by the State) with little deviation. Floodplain Development Permits were required in the Code, but there was no process for how to apply for Floodplain Development Permits. This was added. This does not change any of the regulations. A clear process for the application will better implement the intent of the Goal.</p>
16	Driveway pavement	<p>The applicable Goals for this revision are Goal 10 Housing and Goal 12 Transportation. This revision clarifies that driveways need to be paved unless they are rural in nature (on large lots). This will reduce maintenance needs on roads because gravel on the roadways will be reduced, and gravel damages streets. The change will also help urban homes be more consistent, helping to implement Goal 10.</p>

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

(4) The amendment is appropriate as measured by at least one of the following criteria:

- a. It corrects identified error(s) in the provisions of the Plan.
- b. It represents a logical implementation of the Plan.
- c. It is mandated by changes in Federal, State, or local law.
- d. It is otherwise deemed by the City Council to be desirable, appropriate, and proper.

ANALYSIS: There are 16 revisions proposed. The table below shows details.

Table 4- Criteria 4 Analysis		
	Topic	Analysis
A	1, 4, 5, 6, 10, 11, 12, 13, 15, 16	These revisions are all correcting some kind of error identified in the Code
B	1, 2, 3	These changes are proposed to better implement the Code.
C	15	This revision will better implement State requirements for floodplains.
D	1, 7, 8, 9, 14	These changes are intended to better implement the direction of the City Council.

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

III. STAFF RECOMMENDATION TO THE PLANNING COMMISSION

Based on the above findings of fact, the proposed text code amendment satisfies the applicable criteria. Staff recommends that the Planning Commission recommend approval of Application No. DC 21-01 to the City Council.

IV. SUGGESTED MOTION FOR PLANNING COMMISSION

I motion that the Planning Commission recommend approval of DC 21-01 to the City Council because all applicable criteria are met and all findings of fact are included in the staff report.

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

Based on the above findings of fact the proposed amendment satisfies the applicable criteria. The Planning Commission and staff recommend that the City Council approve Application No. DC 21-01 and adopt Ordinance No. 2021-XX

including an emergency provision to make the Ordinance effective immediately upon adoption.

VI. EXHIBITS

- A. Proposed text changes
- B. Ordinance No. 2021-XX
- C. Public Hearing Notice

DC 21-01 CODE UPDATE PROPOSED CHANGES (as of October 21, 2021)

Summary Table 1			
	Section	Topic	Proposed Update
1	2.03.060	Two Story Setback Clarification	Clarify 8 foot setback to 2 story homes in 2 residential zones. We will also re-evaluate the definition of "story"
2	2.05 and throughout	Change the name of the Residential Mixed-Use Zone (RM) to Residential Medium (RM)	
3	2.09	Change the name of the Limited Industrial Zone (LI) to Light Industrial (LI)	
4	2.08	Revised Uses in the Commercial Zone	Remove some uses from the General Commercial zone - no ministorage, auto paint uses, RV Parks or similar.
5	2.09.040 & 3.24.010	LI and PF Zone RV Park clarifications	The RV Park standards in Section 3.24 explain that LI permits Parks with a CUP, but the LI Permitted Uses section does not state that. This clarifies that they would not be allowed in LI. Further, the PF zone permits them with a CUP but section 3.24 does not state that.
6	2.10.060(7)	GI Environmental Performance Standards	The environmental performance standards were removed, it is duplicative as its listed in other sections.
7	3.03	Restaurant Parking	Re-visit restaurant parking.
8	3.06	Temporary Signs/ROW Signs	Add a new more detailed section on Temporary Signs & allow traffic signs in ROW.
9	3.06	Blade Banner Signs	Add details about Blade Banner signs.
10	3.12.020	Revised Single Family Home Design Standards	Revise SFR design requirements, including a requirement for 12" eaves and add more choices.
11	4.02.030	Additional Lot Standards	Additional lot standards. Add language for remainder lots, phased maps, re-divisions, and lot averaging.
12	5.01.060	Modifying Land Use Approvals	Clarify the difference between a land use permit 'reconsideration' and a 'modification.'
13	5.07.060	Additional Subdivision and Partition Criteria	Add more partition and subdivision criteria.
14	1.02	Caretakers revisions	Add a definition for "caretakers" and add a new section 3.28 with standards for caretakers units in the Special Uses section of the code.

15	2.12.120 & 5.01.030	Floodplain Development Permit details added	We have specified a process for the review of this State required application.
16	3.03.080	Driveway pavement	Add text to 3.03.080(1) to clarify that all residential driveways in all zones except the RU zone must be paved, including the full length of the driveway to the street apron.

Proposed Text Changes

1. 2 Story Setback (changes shown in redline)-

1.02.20 Definitions

Story. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the top-most story shall be that portion of a building included between the upper surface of the top-most floor and the ceiling or roof above. If the finished floor level directly above a basement or cellar is more than six feet above grade as defined herein, such basement or cellar shall constitute a story. **For industrial or commercial applications, a 'story' shall be considered 14 feet. For example, a 28-foot tower would be considered a two story structure.**

2.03.060 Dimensional Standards

Table 2 - RL Dimensional Standards

RL Zone Dimensional Standards	
Side Yard – two or more stories Any second story (or more) shall be at least 8 feet from the property line (Interior)	8 feet

2.05.060 Dimensional Standards

Table 4 - RM Dimensional Standards

RM Zone Dimensional Standards	
Side Yard – two or more stories Any second story (or more) shall be at least 8 feet from the property line (Interior)	8 feet

2. Change the name of the Residential Mixed-Use Zone (RM) to Residential Medium (RM).

The text changes are not shown here, as they are found in numerous places throughout the code and would be too voluminous to list here.

3. Change the name of the Limited Industrial Zone (LI) to Light Industrial (LI).

The text changes are not shown here, as they are found in numerous places throughout the code and would be too voluminous to list here.

4. Revised Uses General Commercial Zone (changes shown in redline)-

CHAPTER 2.08 GENERAL COMMERCIAL (GC)

2.08.010 Purpose

The General Commercial Zone is applied to areas suitable to meet a wide range of commercial activities to serve the community. ~~All uses should be a service-type use, meaning they should be uses like restaurants, offices, and retail. Uses should not be those which see very little customer interaction such as light manufacturing uses.~~

2.08.020 Permitted Uses

The following uses, when developed under the applicable development standards in the Code, are permitted in the GC zone:

- (1) Retail trade establishments engaged in selling goods or merchandise to the general public for personal or household consumption such as retail groceries, hardware stores, department stores, and sporting goods stores.
- (2) Retail service establishments offering services and entertainment to the general public for personal or household consumption such as eating and drinking establishments, motels and hotels (but excluding recreational vehicle parks and campgrounds), personal instructional facilities (instructional classes), banks, real estate, and financial services.
- (3) Business service establishments engaged in rendering services to other businesses on a fee or contract basis such as building maintenance, employment services, and consulting services.
- (4) Professional offices and clinics for medical, dental, legal, engineering, and other professions.
- (5) Banks, credit unions, investment firms; real estate offices, mortgage companies, title companies, and similar financial-related offices.
- (6) Automobile service station, including towing service and vehicle washing and polishing facilities and services.
- (7) Automobile, truck, motorcycle, trailer, agricultural equipment, recreational vehicle and boat sales, lease, and rentals.
- (8) Vehicle repair and maintenance, including electric motor repair, ~~paint and body shop~~, tire recapping, and similar automotive repair facilities.
- (9) Construction businesses such as floor laying, building equipment, masonry and stone, plumbing, electrical, metal work, or painting.
- (10) Part and accessory sales for automobiles, trucks, motorcycles, trailers, agricultural equipment, recreational vehicles, and boats, which include the installation, repair or modification of such parts and accessories; but specifically prohibiting junk yards, wrecking yards, or auto salvage and restoration yards.

Part and accessory sales which do not include the installation, repair, or modification of such items are allowed as a permitted activity.

- (11) Retail tire sales.
- (12) Laundry or dry cleaning.
- ~~(13) Warehouse for short term storage, including mini-warehouses.~~
- ~~(14)~~ (13) Lumber yard and contracting supplies for lumber, stone, masonry, or metal.
- ~~(15) Cabinet shop.~~
- ~~(16)~~ (14) Interim farm use, subject to the provisions in Chapter 3.21.040, except crops may be cultivated for commercial sales or use.
- ~~(17)~~ (15) Utility substations or pumping stations, excluding outdoor storage of equipment or materials.

2.08.030 Special Uses

The following uses, when developed under the applicable development standards of this Code and special development requirements, are permitted in the GC zone:

- (1) Partitions, subject to the provisions in Chapter 4.02.050.
- (2) Subdivisions, subject to the applicable provisions of Chapter 4.02.060.
- (3) Home occupations within a pre-existing residence, subject to the provisions of Chapter 3.13.
- (4) Temporary uses, subject to provisions in Chapter 3.17.
- (5) Bed and breakfast, subject to provisions in Chapter 3.18 and located within a preexisting residence.
- (6) House of worship, subject to provisions in Chapter 3.19.
- ~~(7) Recreational vehicle park, subject to provisions in Section 3.24.~~
- ~~(8)~~ (7) Wireless communication facilities, subject to provisions in Section 3.27.

2.08.040 Conditional Uses

The following uses require approval of a Conditional Use Permit and are subject to a Site Development Review:

- (1) Dwelling units shall be permitted subject to one of the following provisions:
 - a. A dwelling unit may be established if it is necessary and clearly accessory and subordinate to a permitted commercial use.
 - b. A dwelling unit not accessory and subordinate to a permitted commercial use may be established on the second or upper floors of a permitted commercial use.
- ~~(2) All manufacturing, warehousing, wholesaling, compounding, assembling, processing, storing, researching, or testing uses provided all operations except off-street parking and temporary activities, with or without outdoor storage.~~
- ~~(3)~~ (2) Public and private utility buildings and structures, including but not limited to electric substations, telephone exchanges, and communications antennas or towers.

- ~~(4)~~ (3) Publicly owned and operated facilities or structures, including government offices and stations, fire stations, public use buildings, and recreation sites excluding water and sewage treatment facilities.
- ~~(5)~~ (4) Houses of worship, subject to provisions in Chapter 3.19.

5. LI and PF Zone RV Park clarifications (changes shown in redline)-

The removal of the use from the GC Zone is shown above in section 5.

CHAPTER 3.24 RECREATIONAL VEHICLE PARK STANDARDS

3.24.010 Purpose

Oregon Revised Statutes Chapter 446 and Oregon Administrative Rules Chapter 918, Division 650 specify the standards and regulations for Recreational Vehicle (RV) use in the State of Oregon.

3.24.015 Standards

Approved RV parks shall comply with the State of Oregon Standards and the standards of this Section:

- (1) Where Permitted: RV Parks may be permitted in the ~~Limited Industrial Zone~~ ~~LI~~ **Public Facilities Zone (PF) zone** adjacent to a City Arterial Street in accordance with the Conditional Use procedures of Section 5.04.
- (2) Each RV space shall be not less than 1,000 square feet exclusive of any common park areas.
- (3) Roadways shall be paved and designed to permit easy access to each RV space. Road widths shall meet the requirements for local residential streets. All other design features shall meet fire apparatus access road requirements
- (4) Each RV space shall be paved and designed to provide runoff of surface water. All unpaved areas shall be landscaped, and the Park shall be screened on all sides by a 6-foot-high sight-obscuring hedge or fence.
- (5) The total number of parking spaces in the Park shall be equal to 1.25 spaces per RV space. All parking spaces shall be paved.
- (6) Each RV space shall be provided with electrical service, piped potable water, and sewage disposal service. All RVs with service connections staying in the Park shall be connected to these services.
- (7) The Park shall be maintained in a neat appearance at all times. There shall be no outside storage of materials or equipment. Trash receptacles shall be provided at

convenient locations and in adequate number and capacity.

(8) RVs are limited to a stay of no more than six months in any 12-month period.

(9) The Park shall provide toilets, lavatories, and showers for each sex in ratios specified by the State of Oregon for each recreational vehicle space. The toilets and showers shall afford privacy, and the showers shall be provided with private dressing rooms. Facilities for each sex shall be located in separate buildings, or, if in the same building, shall be separated by a soundproof wall.

(10) The Park shall provide one utility building or room containing three clothes washing machines, one clothes drying machine, and 50 square feet of space for each 50 recreational vehicle spaces.

(11) Public building spaces shall be lighted at all times of night and day; shall be ventilated; shall be provided with heating facilities which shall maintain a room temperature no lower than 65° F; shall have a floor of waterproof material; shall have sanitary ceiling, floor, and wall surfaces; and shall be provided with adequate floor drains to permit easy cleaning.

6. GI Environmental Performance Standards (changes shown in redline)-

CHAPTER 2.10 GENERAL INDUSTRIAL ZONE (GI)

2.10.040 Conditional Uses

The following uses require approval of a Conditional Use Permit:

- (1) Extraction and processing of minerals, rock, or other earth products.
- (2) Recycling centers greater than 5,000 feet of enclosed area, automotive dismantling, wrecking and salvage yard, and refuse transfer facility.
- (3) Petroleum products storage and distribution, including asphalt plants.
- (4) Manufacturing, processing, storage of explosives, or EPCRA Section 302 - Extremely Hazardous Substances **when located within 300 feet of residentially zoned land.**
- (5) Feed and seed facilities, grain elevators and storage; including agricultural chemical, fertilizer, insecticide storage and distribution, excluding ammonium nitrate.
- (6) Wholesale and distribution involving these activities.
- (7) A caretaker's residence, either free-standing or incorporated into another building, for an established or concurrently being developed industrial use, **subject to the provisions of Chapter 3.27.**

2.10.060 Development Standards

All development in the GI zone shall comply with the following specific standards:

~~(7) Environmental performance standards may limit placement of certain uses in the zone if the site is located within 300 feet of residentially zoned land.~~

CHAPTER 2.09 LIMITED INDUSTRIAL ZONE (LI)

2.09.040 Conditional Uses

The following uses require approval of a conditional use permit and are subject to Site Development Review:

- (1) Publicly owned and operated facilities or structures, including government offices and stations, public use buildings, and recreation sites excluding water and sewage treatment facilities.
- (2) Agricultural chemical, fertilizer, insecticide storage, and distribution, excluding ammonium nitrate.
- (3) Lumber yard and contracting supplies for lumber, stone, masonry, or metal.
- (4) A caretaker's residence, either free-standing or incorporated into another building, for an established or concurrently being developed industrial use, **subject to the provisions of Chapter 3.27.**
- (5) **Manufacturing, processing, storage of explosives, or EPCRA Section 302 - Extremely Hazardous Substances when located within 300 feet of residentially zoned land.**

7. Restaurant Parking (changes shown in redline)-

Section 3.03.060 Off-Street Vehicle and Bicycle Parking Requirements

Table 14- Vehicle and Bicycle Parking Space Requirements

M	Eating and drinking establishments including food pods	Greater of 1 space per 4 seats, or, 1 space per 400 sq ft 1 per 800 sq ft for carryout and 1 per 200 for sit down of gross floor area
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8. Temporary Signs (changes shown in redline)-

Chapter 1.02.020 Definitions

Sign (Sign). Any writing, including letter, word, or numeral; pictorial presentation, including illustration or decoration; emblem, symbol, or trademark; banner or pennant; or any other device, figure, or similar thing which is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a

building, structure, or device; and is used to announce, direct attention to, or advertise; and is visible from any **City or County** public right-of-way.

Portable Sign (Sign). Any sign that is not originally designed to be permanently affixed to a building, structure, or the ground; a sign originally designed, regardless of its current modification, to be moved from place to place. These signs include, but are not limited to, A-frame or sandwich board signs, signs attached to wood or metal frames and designed to be self-supporting and movable, and also including trailer reader boards. Portable signs are ~~also not to be~~ considered temporary signs ~~as defined and used in this Code.~~

Temporary Sign. A sign not permanently affixed to a structure on a property. These signs primarily include, but are not limited to, canvas, cloth, or paper banners or posters hung on a building wall or on a permanent pole such as on a free-standing sign support. ~~Also see Portable Sign (Signs).~~

Chapter 3.06 SIGNS

3.06.020 Definitions

Portable Sign (Sign). Any sign that is not originally designed to be permanently affixed to a building, structure, or the ground; a sign originally designed, regardless of its current modification, to be moved from place to place. These signs include, but are not limited to, A-frame or sandwich board signs, signs attached to wood or metal frames and designed to be self-supporting and movable, and also including trailer reader boards. ~~Portable signs are not to be considered temporary signs as defined and used in this Code.~~

Temporary Sign. A sign not permanently affixed to a structure on a property. These signs primarily include, but are not limited to, canvas, cloth, or paper banners or posters hung on a building wall or on a permanent pole such as on a free-standing sign support. ~~Also see Portable Sign (Signs).~~

3.06.070 Prohibited Signs

The following signs are prohibited in all zones:

- (1) Balloons or similar types of tethered objects.
- (2) Portable ~~or temporary~~ signs, except where allowed ~~as a part of a permitted temporary business or otherwise permitted~~ by ~~Municipal Code Section 3.06.130.~~
- (3) Roof signs.
- (4) Signs that emit odor, visible matter, or sound; however, an intercom system for customers remaining in their vehicles, such as used in banks and "drive through" restaurants, shall be allowed.
- (5) Signs that use or employ side guy lines of any type.
- (6) Signs that obstruct any fire escape, required exit, window, or door opening used as a means of egress.

- (7) Signs closer than 36-inches horizontally or vertically from any overhead power line or public utility guy wire.
- (8) The use of a vehicle or trailer parked on a public right-of-way or public property, or on private property so as to be visible from a public right-of-way which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity. This provision applies where the primary purpose of the vehicle is for advertising purposes and is not intended to prohibit any form of vehicular sign, which is primarily used for business purposes other than advertising.
- (9) Rotating/revolving signs, except by conditional use permit per Section 3.06.120.
- (10) Flashing signs, except by conditional use permit per Section 3.06.120.
- (11) Private signs that project into or over driveways and public rights-of-way, except signs under a canopy that project over a public sidewalk and the bottom of the sign is at least 8-feet above the sidewalk.
- (12) Signs that obstruct a required vision clearance area, obstruct a vehicle driver's view of official traffic control signs, or which present a traffic hazard.
- (13) Signs that interfere with, imitate, or resemble any official traffic control sign, signal or device, emergency lights, or appear to direct traffic.
- (14) Signs attached to any pole, post, utility pole, or placed on its own stake and placed into the ground in the public right-of-way. **This does not include traffic control or other City/County/State signs within the right-of-way.**
- (15) Message signs, except by conditional use permit per Section 3.06.120.
- (16) Any sign on unimproved property, unless as an incidental sign.
- (17) Signs mounted on fences in accordance with Section 3.07.080.
- (18) **Inflatable advertising signs including animal shaped inflatables and air-dancers (aka. wacky flailing arm inflatable tube men) in all non-residential zones.**

3.06.130 Temporary Signs

Temporary signs are prohibited except as permitted by this section. The following signs shall comply with all provisions and regulations of this chapter; however, no fee, permit, or application is required. Registration for all temporary signs is required. Registration must occur at the Millersburg City Hall and be completed and filed prior to erecting the temporary signs. These include portable signs such as A-frame or sandwich board signs.

1. Generally.

- a. Illumination: No temporary sign shall be internally or externally illuminated.
- b. Location:
 - i. No temporary sign shall be placed within, extend into, or over the public right-of-way of any street except allowed temporary traffic control signs.
 - ii. Signs allowed in the right-of-way for temporary traffic control shall provide a minimum of 5 feet of clear passage for pedestrians on the

sidewalk where a sidewalk exists and shall come no closer than 2 feet from areas subject to vehicular travel.

- iii. No temporary sign shall extend into the vision clearance area.
- c. Maintenance: Temporary signs shall be kept neat, clean and in good repair. Signs which are faded, torn, damaged or otherwise unsightly or in a state of disrepair shall be immediately repaired or removed.
- d. Placement: Temporary signs shall not be attached to trees, shrubbery, utility poles, or traffic control signs or devices. They shall not obstruct or obscure primary signs on adjacent premises.
- e. All temporary signs in non-residential zones must be registered with the Community Development Department prior to placement in order to track the duration of the placement. Residential properties are not required to register temporary signage.
- f. Each non-residential property shall be limited to no more 90 days for any combination of temporary signage per calendar year. This can be used in smaller intervals or all at once, at the applicant's discretion. This does not apply to election signs, pennants/streamers, or real estate signs.

2. Allowed Temporary Signage.

- a. In a residential zone, limited temporary signage is permitted pursuant to the following standards. This signage shall not be restricted by content, but is typically used to advertise real estate sales, political or ideological positions, garage sales, home construction or remodeling, farm stands, etc. Standards for residential temporary signs include:
 - i. Election signs shall not be erected more than 90 days prior to an election and removed within five days following the election.
 - ii. Real Estate signs shall be removed no more than 15 days from the sale (close of escrow), lease or rental of the property.
 - iii. Contractor signs shall be removed within seven days of completion of any construction or remodeling.
- b. In any commercial, public, or industrial zone, limited temporary signage is permitted pursuant to the following standards. This signage shall not be restricted by content, but is typically used to advertise real estate, political or ideological positions, construction or remodeling, help wanted, or temporary activities. Standards include:
 - i. There shall be no more than one temporary sign per property even if more than 1 business is located on the property.
 - ii. Signs shall not exceed six square feet per side.
 - iii. Signs intended to advertise commercial services are prohibited, unless related to fund-raising for a non-profit organization or institution.
 - iv. Election signs shall not be erected more than 90 days prior to an election and removed within five days following the election.

- v. Real Estate shall be removed no more than 15 days from the sale, lease or rental of the property.
 - vi. Contractor signs shall be removed within seven days of completion of any construction or remodeling.
 - vii. An additional sign of the same size may be erected if the property borders a second street and the signs are not visible simultaneously.
 - viii. Temporary uses such as Christmas tree sales, pumpkin sales, etc. are permitted two signs not to exceed 32 square feet per side each. The signage shall be allowed for the same duration as the temporary use; however, these signs do count towards the 90-day maximum permitted by Section 3.06.130.1.f.
 - ix. Pennants and Streamers may be used as part of an opening or promotional event only and are not counted as a temporary sign for purposes of the 90 day duration maximum permitted by Section 3.06.130.1.f..
 - x. Blade Banner signs are considered temporary signs and shall meet all regulations herein. In no case shall blade banner signs be taller than 7 feet.
- c. Fair/Market Vendor Signs. In addition to any other temporary sign requirement, the following additional requirements apply: (For purposes of this subsection, "vendor" includes persons selling or displaying information or products)
- i. The fair or market is a temporary activity which does not require permanent site improvements.
 - ii. The fair or market shall have no more than 3 offsite or onsite signs advertising the event, individual vendors are not permitted to use any additional off site signage (including yard signs on private property).
 - iii. There are no regulations for signs within the event area, except that no sign shall be higher than 10 feet from the ground surface.
 - iv. All temporary signage (except those within the event space) are limited by the 90 days permitted by Section 3.06.130.1.f. These are considered cumulative and not separate regarding the accumulation of the 90 days permitted by Section 3.06.130.1.f.
- d. Temporary Signs Requiring Permit. The City Manager may allow temporary signs larger than those allowed by this Section (but not additional signs or to allow a sign to be posted for a longer duration than the times listed in this section) with a sign permit. This signage shall not be restricted by content, but is usually and customarily used to advertise special events and store openings on banners. The City Manager shall allow the placement of such signs only if the City Manager finds that the proposed sign will not materially impair the purposes of the Sign Code.

e. Additional Duration. Additional duration of temporary sign placement cannot be added through a sign variance process.

3. Sign Collection and Retrieval. Signs determined to be in violation will be removed and disposed of.

9. Blade Banner Signs (changes shown in redline)-

Chapter 3.06 Signs

3.06.020 Definitions

Blade Banner Signs: aka Feather Flag, or Feather Blade signs are signs often of a temporary nature, that consist of fabric attached to a pole. The pole is typically about 6-8 feet in height where the sign mounts in a vertical nature.

10. Single Family residential Design Changes (changes shown in redline)-

CHAPTER 3.12 DESIGN STANDARDS FOR HOMES ON INDIVIDUAL LOTS

3.12.020 General Standards – All Single-family and Duplex Homes

All new site-built single-family and duplex homes and modular homes constructed or located within the City shall ~~have~~ include:

- (1) ~~At least~~ a two-car garage for each dwelling unit
- (2) ~~Eaves that project at least 12"~~
- (3) ~~No garage shall be more than 65% of the façade width.~~
- (4) ~~All trim shall be at least 4 inches~~
- (5) ~~and shall also utilize at least two of the following design features~~ A garage up to 50% of the length of the facade shall meet at least 4 of the following design standards. A garage more than 50% of the facade must meet at least 5 of the following design standards to provide visual relief along the front of the dwelling:
 - a. ~~Dormers, which are projecting structures built out from a sloping roof housing a vertical window~~
 - b. ~~Gables, which is a roof sloping downward in two parts from a central ridge, so as to form a gable at each end~~
 - c. ~~Recessed entries (minimum 2 feet)~~
 - d. ~~Covered porch entry (minimum 48 square feet)~~
 - e. ~~Cupolas~~
 - f. ~~Wrapped Decorative~~ Pillars or posts
 - g. ~~Bay or bow windows~~
 - h. ~~Eaves greater than (minimum 12" projection)~~
 - i. ~~Off-set on building face or roof (minimum 16")~~

- j. Windows and doors represent a minimum of 15% of the façade, not including the roof or gables
- k. Stone, brick or other similar material used on the façade
- l. Garage doors designed to resemble 2 smaller garage doors
- m. A third garage door (or second door of a 3 car garage) that is recessed a minimum of 2 feet
- n. Decorative roofline elements including roof brackets
- o. Exterior chimney of brick, stone, composite masonry or similar materials (viable from the façade)
- p. Tower, either square, rectangular, circular or polygonal in form
- q. Lintel, arch, or similar decorative header casing on windows, the main entry door, portico, garage door(s), or other opening in the wall plane
- r. Variation in wall cladding, wall-surface pattern, or decorative materials such as shakes, shingles, brick, stone or other similar

11. Additional Lot Standards (changes shown in redline)-

4.02.030 Standards for Lots or Parcels

The following standards shall apply to all Partitions and Subdivisions.

- (8) Re-Division.** When subdividing or partitioning into large lots which may be re-subdivided, the City shall require that the design of the lots be of a size and shape to allow for the subsequent division of any parcel into lots of smaller size and the creation and extension of future streets.
- (9) Remainder areas.** When subdividing or partitioning property, any area within the tentative/final plat that is not proposed to be part of a lot, parcel, or tract is a remainder area. Tracts must serve a function. Any such remainder area must meet the minimum requirements of this Code, including any requirements by the zone such as lot size or the requirement to connect to public water and/or sanitary sewer.
- (10) Lot Averaging.** Lot averaging is not permitted. All lots must meet the minimum lot size requirements of the zone.
- (11) Phased Development.**
 - 1. The Approval Authority may approve a time schedule for developing a subdivision in phases, but in no case shall the actual construction time period for any phase be greater than two years without reapplying for a tentative plat. All phasing must be approved with the entitlement. Phasing proposed after entitlement approval requires a project modification regulated by section 5.16.060.
 - 2. The criteria for approving a phased subdivision (in addition to all standard subdivision criteria) review proposal are:

- a. The public facilities shall be scheduled to be constructed in conjunction with or prior to each phase to ensure provision of public facilities prior to building occupancy;
 - b. The development and occupancy of any phase shall not be dependent on the use of temporary public facilities:
 - i. For purposes of this subsection, a temporary public facility is an interim facility not constructed to the applicable City or district standard; and
 - ii. The phased development shall not result in requiring the City or other property owners to construct public facilities that were required as a part of the approval of the preliminary plat.
3. The application for phased development approval shall be reviewed concurrently with the preliminary plat application and the decision may be appealed in the same manner as the preliminary plat.

12. Modifying a land use decision (changes shown in redline)-

5.01.060 **Modifying Reconsideration of a Land Use Decision**

- (1) A reconsideration of an approved project is used when a project has been recently approved by a decision body, and is found to have a glaring error (applicant or City error) that requires the decision body to re-review the approval. Alternatively, an applicant requesting to substantially change a site plan, building size, or other aspect of the project after the project is approved, but is not the result of an error in the processing of the project, would use the process outlined in Section 5.16.060. ~~Conditions of approval imposed in a land use decision may be modified by using the process outlined in 5.15.060.~~
- (2) The applicant shall have the legal right to represent all undeveloped land within the original area subject of the application.
- (3) Applications for ~~modification~~ reconsideration shall only be used in cases in which the applicant requests reconsideration of a specific condition(s) of approval. Only those conditions shall be considered for change by the decision-making body.
- (4) A reconsideration must be submitted prior to the end of the appeal period and be treated as an appeal to the approval.
- ~~(4)~~(5) Any other change requested may only be considered by filing a new application.

13. Additional Partition and Subdivision Criteria (changes shown in redline)-

5.07.060 Decision Criteria

Approval of a partition shall be subject to the following decision criteria:

- (1) Each parcel shall satisfy the dimensional standards of the applicable zone, unless a variance from these standards is approved.
- (2) The parcels shall meet the Development Standards for Land Division of Chapter 4.02.
- (3) Existing **dwelling structures** and accessory structures shall comply with the setback requirements of the applicable zone, including accessory structures which have a setback established by the building size, unless a variance from the requirements is approved.
- (4) Adequate public facilities, including access, shall be available to serve the existing and newly created parcels. If adjacent properties are undeveloped or landlocked, extending appropriate access to those properties will be required in accordance with adopted City policy.
- (5) **Adjoining land can be developed or is provided access that will allow its development in accordance with this Code.**

5.08.060 Decision Criteria

Approval of a Subdivision or PUD shall be subject to the following decision criteria:

- (1) Each parcel shall satisfy the dimensional standards of the applicable zone, unless a variance from these standards is approved.
- (2) The parcels shall meet the Development Standards for Land Division of Chapter 4.02.
- (3) Existing buildings shall comply with the setback requirements of the applicable zone, unless a variance from the requirements is approved.
- (4) Adequate public facilities, including access, shall be available to serve the existing and newly created parcels. If adjacent properties are undeveloped or landlocked, extending appropriate access to those properties will be required in accordance with adopted City policy. Adequate means the development will not cause streets (including sidewalks, intersections, and traffic control devices), sewer facilities, water facilities, and storm drainage facilities to exceed the relevant capacity for each type of facility established in the most recently adopted, Sewer Master Plan, Water Master Plan, Storm Water Master Plan, and the Transportation System Plan development in accordance with the State Transportation Planning Rule for which the determination will be made in accordance with Section 3.02.120. Adequacy can be established in three ways:
 - a. Professional Engineering analysis determining the subdivision will not exceed the capacity of existing and future public facilities as projected in the most recently adopted water, sewer, and stormwater master plans and transportation system plan;
 - b. Professional Engineering analysis determining what improvements will be required to increase the capacity of public facilities to adequately accommodate the subdivision and how those will be financed; or
 - c. A combination of both a and b.

(5) Adjoining land can be developed or is provided access that will allow its development in accordance with this Code.

- ~~(5)~~(6) PUD. Approval of a planned unit development shall require compliance with the following in addition to the criteria listed above:
- a. Conformance with provisions of 4.02.010 (Purpose Statement).
 - b. The proposal shall comply with the applicable development and layout provisions contained in Section 4.02.030 of this Code.
 - c. Infrastructure shall be available and appropriate to serve the proposed development.

14. Caretakers Units (changes shown in redline)-

Note: In all zones where a caretaker's use is permitted, clarify that it is a special use that has standards in the new Chapter 3.28 shown below.

CHAPTER 1.02 Definitions

Caretaker/ Caretakers unit. A caretaker is a person or persons employed principally on the lot for purposes of care and protection of plants, buildings, equipment, or other facilities on- site or on contiguous lots under the same ownership. A dwelling unit for a caretaker is a structure on the premises being cared for or guarded and is occupied exclusively by a caretaker and his/her family.

CHAPTER 3.28 CARETAKERS UNITS

3.28.010 Introduction and Purpose

The purpose of this Chapter is to establish the regulations, standards and circumstances under which a dwelling unit accessory to the main business on a lot may be established for the purpose of providing continuous on- site care for property.

3.28.020 General Standards

Caretaker units may be allowed subject to a Conditional Use Permit in designated zones subject to the following standards:

- (1) **Number allowed.** Only 1 caretaker unit per lot shall be allowed.
- (2) **Nature of structure.** Caretakers units may be detached, attached (to a primary use structure, such as in storage units), or a HUD approved manufactured home. Use of a travel trailer is not permitted. Unless set on a

ground level foundation, any manufactured home shall have skirting that in design, color, and texture appears to be an integral part of the adjacent exterior wall of the manufactured home.

- (3) **Employment.** The caretaker shall be employed principally on the lot for purposes of care and protection of persons, plants, animals, equipment, or other facilities on-site or on contiguous lots under the same ownership. Caretaker housing shall be allowed only where the principal commercial, industrial, or institutional use of the site involves operations, equipment or other resources that require twenty-four (24) hour oversight.
- (4) **Permitted Use.** The caretaker unit shall be on a lot or building site with an approved, permitted use and occupied exclusively by a caretaker and his/her family.
- (5) **Sewer.** All caretakers' units shall be served by public sewer.
- (6) **Floor Area.** The maximum floor area for a caretaker unit shall be 1,200 square feet.
- (7) **Parking.** A minimum of 1 covered off-street parking space shall be provided for the caretaker unit.
- (8) **Rentals.** The caretaker unit shall not be separately rented let, or leased to other than the caretaker whether compensation be direct or indirect.
- (9) **Subdivisions.** Subsequent subdivisions which divide a separate lot or parcel for a caretaker unit shall not be permitted.
- (10) **Deed Restrictions.** The applicant shall record a deed restriction as a condition of project approval, stating that the caretaker unit shall not be rented to other than the caretaker.
- (11) **Removal of Housing Unit.** A caretaker or employee housing unit shall be used no longer than the existence of the principal use of the site that justifies the caretaker or employee unit. Upon termination of the principal use, the unit shall be removed (or in the case of a site-built or apartment-type unit, converted to another approved use) within forty-five (45) days after ceasing the principal use.

15. Floodplain Development Permits (changes shown in redline)-

2.12.120 Establishment of a Development Permit

- (1) Floodplain Development Permit Required. A development permit shall be obtained before construction or development begins, **more specifically before building permits are issued** within any area horizontally within the special flood hazard area established in Section 2.12.040. The development permit shall be required for all structures, including manufactured dwellings, and for all other development, as defined in Section 2.12.030, including fill and other development activities.
- (2) Application for a Development Permit. Application for a development permit **is a Type I process, maybe** made on forms furnished by the Floodplain Administrator and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and

elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

- a. In riverine flood zones, the proposed elevation (in relation to mean sea level), of the lowest floor (including basement) and all attendant utilities of all new and substantially improved structures; in accordance with the requirements of Section 2.12.100(b)2.
- b. Proposed elevation in relation to mean sea level to which any non-residential structure will be flood proofed.
- c. Certification by a registered professional engineer or architect licensed in the State of Oregon that the flood proofing methods proposed for any non-residential structure meet the floodproofing criteria for non-residential structures in Section 2.12.180(C).
- d. Description of the extent to which any watercourse will be altered or relocated.
- e. Base Flood Elevation data for subdivision proposals or other development when required per Sections 2.12.100(B)1, and 2.12.140.
- f. Substantial improvement calculation for any improvement, addition, reconstruction, renovation, or rehabilitation of an existing structure.
- g. The amount and location of any fill or excavation activities proposed.

5.01.030 Table of Land Use Application Procedures

Table 22 - Land Use Application Procedures

Land Use Application Procedures				
Land Use Action	Type	Staff	Planning Commission	City Council
Floodplain Development Permit	Type - I	Final Decision	No Role	No Role

16. Residential Driveway Paving (changes shown in redline)-

3.02.040 Access Standards

1. Single-family Residence and Duplex Access Standards:
 - a. For the frontage of a lot of at least 10,000 square feet and abutting a residential street: Two 20-foot parking spaces must be available on the street frontage. Driveways & aprons must be set back at least five feet from the side property line.

Driveways ~~and aprons~~ must be set back 20 feet from the tangent of the property lines as they intersect adjacent to a corner lot. Driveways ~~and aprons~~ shall be at least 10 feet in width, ~~and no more than 26 feet in width~~. All other frontage may be used for driveways ~~and aprons~~.

- b. For the frontage of a lot less than 10,000 square feet or abutting a collector or arterial street: One ~~26-foot~~ driveway ~~apron no more than 26 feet wide~~ or a circular driveway with the lane 12-15 feet wide.
- c. Driveways shall be limited to off-street parking and the parking and storage of recreational vehicles.
- d. Driveway grades shall not exceed 15%.

3.03.080 Parking, Driveway, and Loading Area Development Requirements

All parking and loading areas shall be developed and maintained as follows:

(1) Surfacing. All driveways (~~full length of the driveway~~), parking, and loading areas, ~~for all uses including single family residential (except in the RU Zone)~~, shall have a durable hard surface of asphaltic cement, ~~concrete pavers, or concrete, or other concrete materials~~. Surface improvements shall conform to the following:

- a. Paving Improvements. Paving shall comply with adopted Engineering Standards of the City of Millersburg.
- b. Timing. Unless modified by a variance or a site development review, or bonded per City requirements, all driveways and off-street parking and loading areas shall be improved prior to occupancy of the primary structure.
- c. Surfacing Options for Industrial Zone. The City Engineer may allow the use of a graveled parking area in the industrial zones, provided all customer and employee parking areas are paved and provided surface drainage is addressed per Engineering Standards and at least 20-feet of each access driveway connecting with a public street is paved.

ORDINANCE NO. XXX-21

AN ORDINANCE AMENDING THE MILLERSBURG LAND USE DEVELOPMENT CODE BY REVISING SECTIONS 1.02.20, 2.03.060, 2.05.060, 2.08, 3.24.010, 2.10.040, 2.10.060, 2.09.040, 2.12.120, 3.02.040, 3.03.060, 3.03.080, 3.06.020, 3.06.070, 3.12.020, 4.02.030, 5.01.030, 5.01.060, 5.07.060, 5.08.060, ALL REFERENCES TO TWO ZONE NAMES, AND ADDING NEW SECTION 3.06.130, 3.24.015, 3.28 OF THE MILLERSBURG LAND USE DEVELOPMENT ORDINANCE

WHEREAS, the City of Millersburg in October of 2020 adopted an all-new Land Use Development Code; and,

WHEREAS, the adopted Lane Use Development Code contained instances where the Code did not fully address the City's needs, something was inadvertently left out, or something was not as clear as it should have been; and,

WHEREAS, amendments are proposed to address sixteen such instances, including clarifications to setbacks, some uses in the Commercial Zone, performance standards in the General Industrial Zone, restaurant parking, temporary signs, single-family home standards, lot standards, land use approval modification standards, subdivision and partition standards, caretakers' requirements, floodplain development requirements, driveway standards, and name-only changes to two zones; and,

WHEREAS, the Department of Land Conservation and Development (DLCD) received hearing notice thirty-five days in advance of the hearing; and,

WHEREAS, public hearing notices were sent to all addresses in the City, in the form of a Measure fifty-six notice at least twenty days prior to the hearing; and,

WHEREAS, the Millersburg Planning Commission recommended to the Millersburg City Council on November 16, 2021 that the City Council approve the amendment to the sections listed in the title of this Ordinance; and,

WHEREAS, the Millersburg Planning Commission and City Council finds that the project meets all criteria requirements from Section 5.11 of the Millersburg Land Use Development Code and all findings are included in the staff report dated November 9, 2021;

NOW, THEREFORE, THE PEOPLE OF THE CITY OF MILLERSBURG DO ORDAIN AS FOLLOWS: the Millersburg Land Use Development Code is amended as follows:

The Millersburg Land Use Development Code shall be amended as shown in Exhibit A to this Ordinance. Exhibit A reflects all changes made during the Planning Commission and City Council review process.

PASSED by the Council and approved by the Mayor this 14^h day of December, 2021.

Jim Lepin,
Mayor

ATTEST:

Kimberly Wollenburg,
City Recorder



NOTICE OF PUBLIC REVIEW
November 16, 2021, 6:00 p.m.
And December 14, 2021, 6:30 p.m.

**Hearing will be in person,
by phone/computer, or both.**
see Agenda on the City website for details

**THIS IS TO NOTIFY YOU THAT THE CITY OF MILLERBURG HAS PROPOSED A
LAND USE REGULATION THAT MAY AFFECT THE PERMISSIBLE USES OF YOUR
PROPERTY AND OTHER PROPERTIES.**

The City of Millersburg will hold a **PLANNING COMMISSION** hearing on November 16, 2021 at the above time and place, and a **CITY COUNCIL** hearing on December 14, 2021 at the above time and place to consider the action described below. The action may be heard later than the time indicated, depending on the agenda schedule. Interested parties are invited to send written comment 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 Millersburg City Hall at (458) 233-6306.

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

APPLICANT: City initiated
LOCATION: City wide
CRITERIA: Millersburg Development Code; Section 5.11. 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 21-01
REQUEST: The City adopted an all new Development Code last year. As the new Code is being implemented, as is often the case with all-new development codes, the City noted several small changes that need to be made to the new Code. This Code Text Amendment proposes to make 16 needed changes. These include clarifications to setbacks, some uses in the Commercial Zone, performance standards in the General Industrial zone, restaurant parking, temporary signs, single-family home standards, lot standards, land use approval modification standards, subdivision and partition standards, caretakers' requirements, floodplain development requirements, driveway standards, and name changes to two zones. See this link for more detail and full Code text edits proposed: <https://www.cityofmillersburg.org/planning/page/dc-21-01-code-text-amendment-address-items-throughout-newly-adopted-development-code>