

# Millersburg City Council Meeting

February 11, 2025

6:30 PM

For those online, the meeting will  
begin shortly



# Consent Agenda

1. Approval of January 14, 2025 Minutes

Approved

Take no action, pull one or more items; or, suggested motion to approve:

I move for the adoption of the Consent Agenda as presented OR with item #\_\_\_ removed.



# Guest Presentations



# Linn County Sheriff's Office Report

FOR THE MONTH OF:

January, 2025



TRAFFIC CITATIONS	8
TRAFFIC WARNINGS	7
TRAFFIC CRASHES	2
ARRESTS MADE	9
COMPLAINTS/INCIDENTS INVESTIGATED	129

**Michelle Duncan**  
**Sheriff**

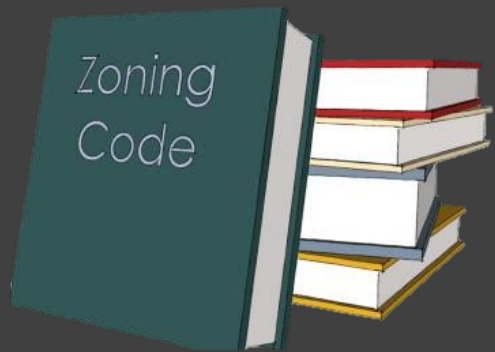
Phone: 541-967-3950  
linnsheriff.org

TOTAL HOURS SPENT: MILLERSBURG 155

CONTRACT HOURS= 153 HOURS



# Public Hearing





# 5. Subdivision Regulations

- ORS 92.040(2)(3)
- Local regulations stay frozen for new subdivisions for 3 years
- Does not extend lifespan to 3 years
- Council did not change
- Was discussed



# 17. Accessory Structures

- Fixed text “any lot”
- Added more detail RE; can’t be taller
  - Proposed minor edit – “as measured from the lowest grade **adjacent to the foundation** to the tallest point”
- Could implement a new max height for Accessory Structures instead



5. No accessory structure can be taller than the primary structure on the property as measured from the lowest grade to the tallest point.



# 20. Commercial Design Guidelines

- Changed 'finishes' to 'materials'



# 27. Ground Mounted Solar



- Not permitted in non-residential
- May want to allow in GI, LI, Commercial, and Public if:
  - Accessory
  - Only in parking areas
  - Pole Mounted above vehicles





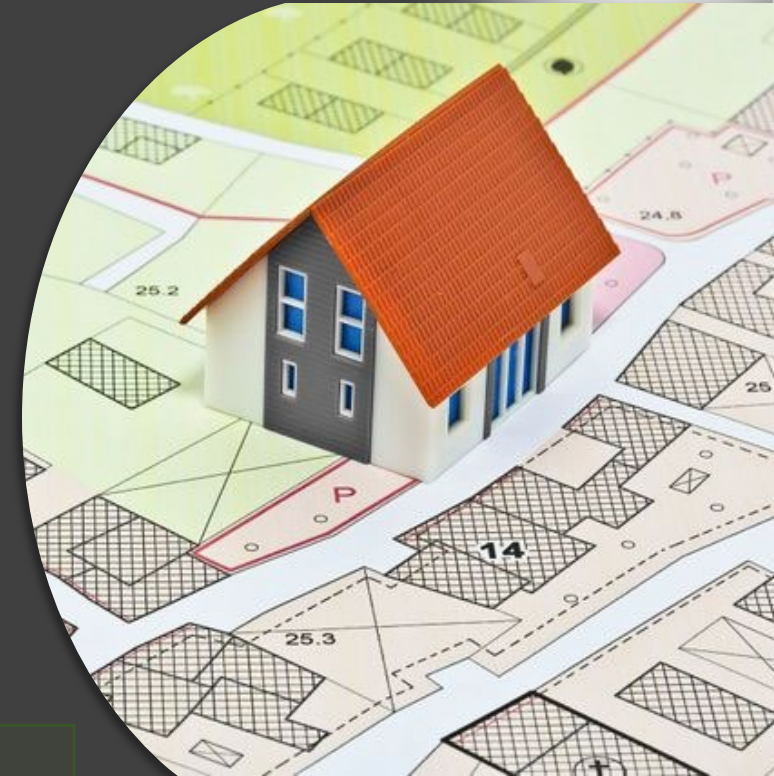
# Code Update

*Approved with  
modifications*

- All criterion met
- All State requirements met
- DLCDC notification complete

Take no action, pull one or more items; or, suggested motion to approve:

*I move for the approval of DC 24-02 and the adoption of Ordinance No. 213-25 (as modified by the Council)*





# Public Comment





# Council Member and Staff Comments





# City Manager's Report





# Project Updates

- Transition Parkway Update
  - Sch A retaining wall completed
  - Waterline for Sch B completed
  - Sch A water line in progress
  - Work to slow
  - Sch C timing



# Project Updates

- Waverly Drive/ Cox Creek Bridge
  - State approved full project funding Jan 29
  - Working with ODOT on documents
  - Yet to execute contract with David Evans





# Project Updates

- Old Salem Road Water Service Transfer Project
  - Transfer Industrial water services from old AC main to DI main
  - Ad scheduled for Feb 18<sup>th</sup>
  - Construction in the summer



# Project Updates

- Project DeLorean
- Earthwork Started







# Project Updates

- Timberlab
- Access Drive & Storm Culverts Started





# Solar for City Facilities

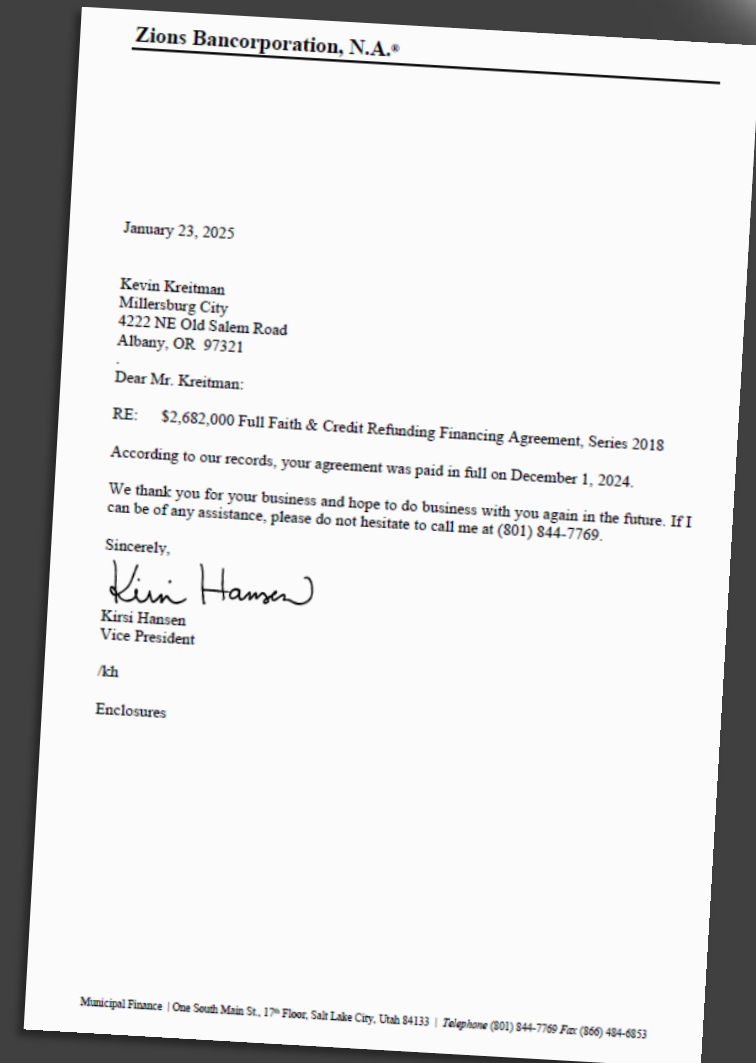
- Exploring solar opportunities
- Consultant meeting





# Final Loan Water Payment

- Water Treatment Plant Loan through SPWF
- 2000, \$6,044,000, 5.52%
- Refinanced in 2018, \$2,682,000, 2.9%
- Paid off in December 2024





# Recycling Modernization Act

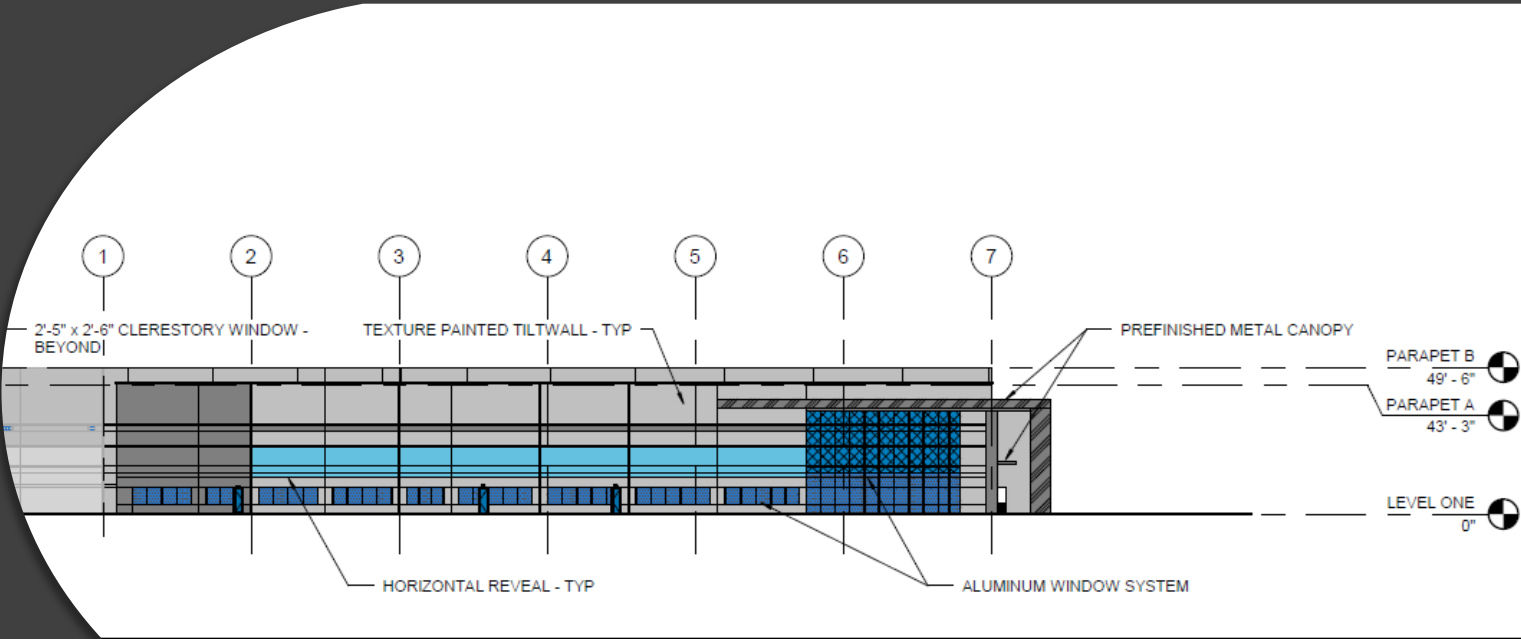
- New requirements
- Responsibilities for waste collectors
- Funding to cities
- Designating Republic to receive funds for Millersburg
- Can still request funds for certain projects





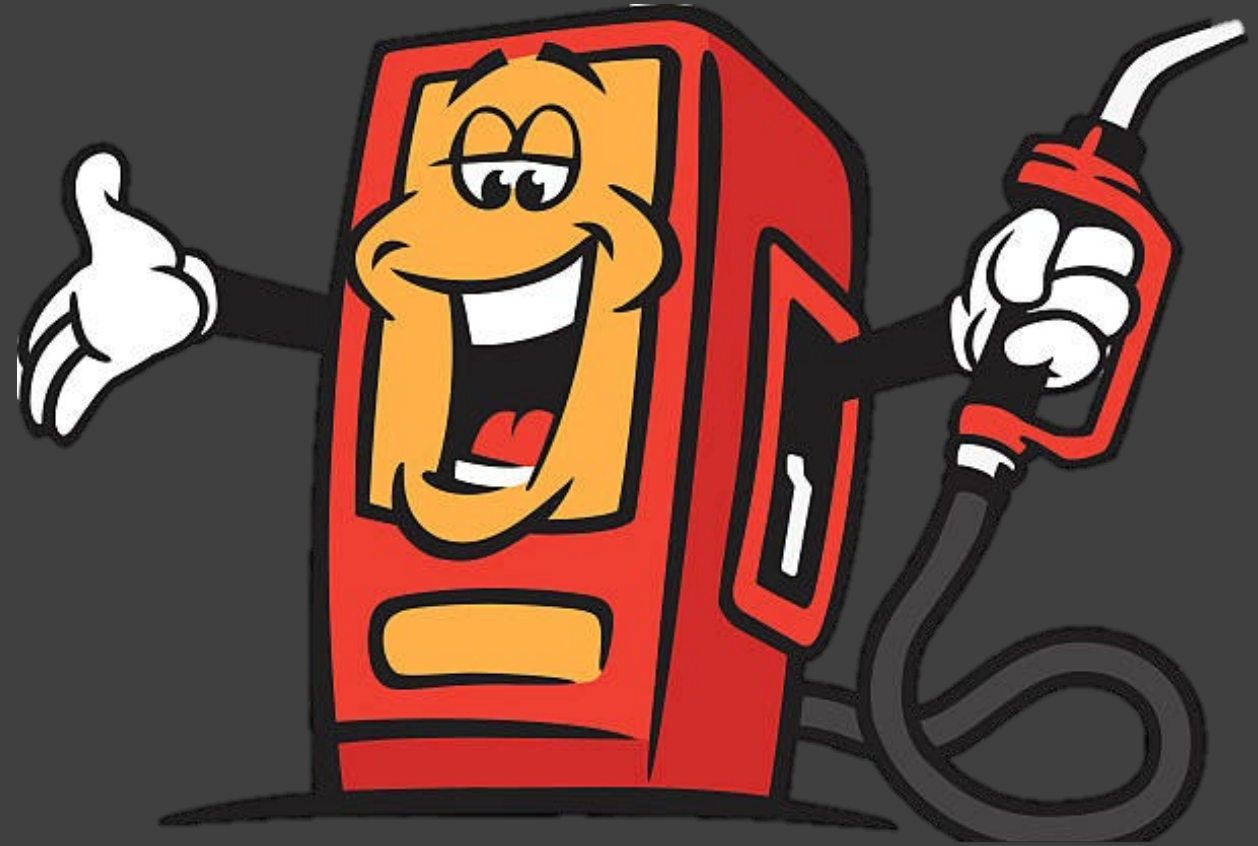
# License Agreement NE RE LLC

- Negotiating use of City Property
- Removal of house
- Removal of some vegetation and trees
- More usable site when done



# Fuel Tax Information

- Info to be provided at next Council meeting
- SB 687





# City Attorney's Report





# Unfinished Business





# New Business







# Request for Refund

- Resolution 2016-11 (Zuhlke Lane) street frontage fees
- Judgment did *not* affect fees being held

Refund?



Rescind Resolution

Do nothing

**MILLERSBURG TSP**

Table 5. Summary of Aspirational Improvements

ID	Improvement	Description <sup>1</sup>	Purpose	Planning-Level Cost Opinion (2016 Dollars) <sup>2</sup>
S1	Zuhlke Ln Extension	Two phases (to be determined by need): (1) extend Zuhlke Ln west to connect to Woods Rd and (2) extend Zuhlke Ln west to connect to Old Salem Rd	Multimodal connectivity, development, and access	I: \$1 mil II: \$400,000



# Committee/Commission Vacancies

- Events Committee appointment
  - Wendy Bales

Approved



I motion that the City Council appoint Wendy Bales to the Events Planning Committee

# Events Committee Size

- Change min size from 8 to 6

Approved



I motion that the City Council adopt  
Resolution 2025-01



# Muni Code - Trees, Temp Signs, Shipping Con

Goes with Dev Code Update

1. Closes loophole for trees
2. Move Temp Signs
3. Shipping containers

*Approved*



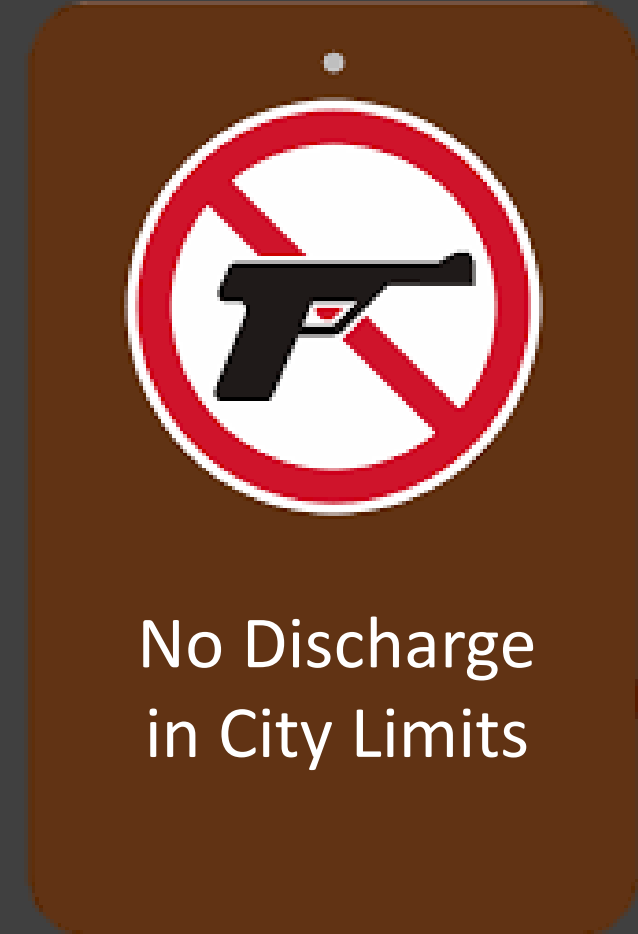
I motion that the City Council  
adopt Ordinance 214-25

# Muni Code - Weapons

- ORS 166.220
- Fold into Muni Code
- 7.28.070(2) says not in Parks

*Tabled until  
next meeting*

I motion that the City Council  
adopt Ordinance 215-25





# Closing Council Comments



# Agenda

- CALL TO ORDER
- PLEDGE OF ALLEGIANCE
- ROLL CALL
- CHANGES AND ADDITIONS TO THE AGENDA
- CONSENT AGENDA
- GUEST PRESENTATIONS
- HEARING
- COUNCIL MEMBER & STAFF COMMENTS
- CITY MANAGER'S REPORT
- CITY ATTORNEY'S REPORT
- UNFINISHED BUSINESS
- NEW BUSINESS
- PUBLIC COMMENT
- CLOSING COUNCIL COMMENT
- ADJOURNMENT



## 2. Garages

- OAR 660-012-0005(30)
- Remove any requirement for a garage
- Propose to require a paved access area for each home
- Doesn't outlaw garages



# 3. Limited Land Use Decisions

- ORS 197.015(12)
- New, expanded definition includes Site Dev Review
- Must be staff level decision
- Can't use rules *other* than State rules
- CC Call-up





# 4. Mass Timber/Prefabricated

- ORS 197.478
- Wasn't against our rules before
- Clarified that its allowed
- Assembled on-site
- These and Manufactured homes must have same design rules as SFR



# 6. Commercial Office Zone Standards

- Typo that seemed to bypass requirements of the CO Zone

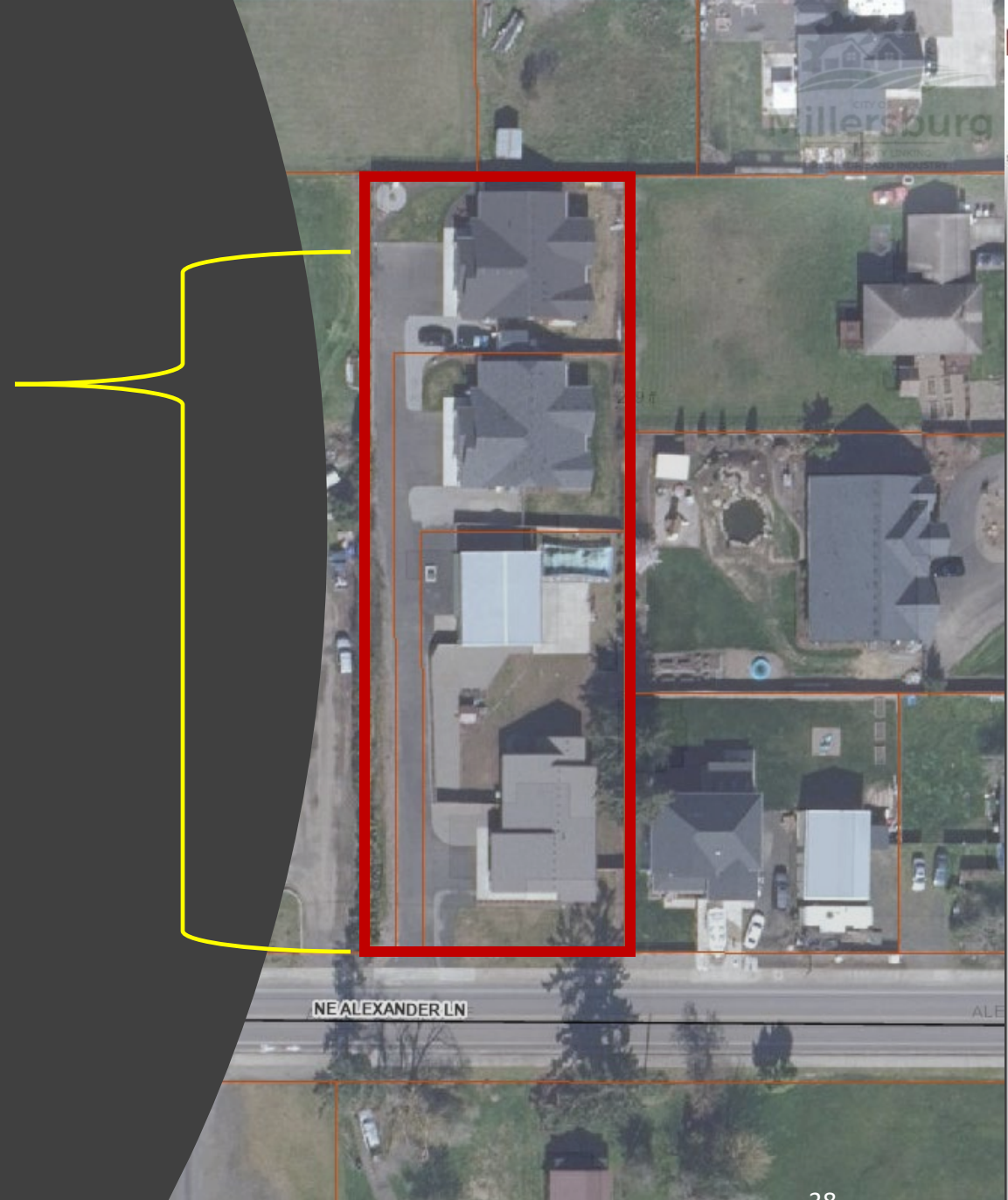


- 1) Any permitted uses listed in the General Commercial (GC) zone or Light Industrial (LI) zone, assuming all development standards of these zones are met, **as modified by the standards listed below for the CO Zone.**



# 7. Access Easement Length

- Delete 200-foot max



# 8. Off Street Loading

- Deletes specific dock sizes per sq ft
- Changed to require screening for Commercial only (not industrial)





# 9. Temp Signs

- Remove from Development Code
- Move to Municipal Code
- Some revisions to the section



# 10. Trash Enclosures

- Trash Collection area standards scattered
- This proposes one code location
- Requires standards in Commercial and Office (not industrial)





# 11. Patio Covers

- Code did not address attached patio covers, only detached
- Added Attached. Same rules.



## **3.08.070 Decks, Porches, Patios, and Similar Features.**

### *(4) Detached & Attached Patio Cover or Pergola.*

- a. The County may require a building permit for patio covers or pergolas over 200 square feet.

# 12. Planter Bays

- Code requires Planter Bays every 12 spaces
- No minimum # to trigger
- Update adds less than 5 spaces doesn't need a Bay





# 13. Shade Coverage Parking

- Clarify requirements are for passenger parking areas only
- Not truck parking areas



# 14. Triplexes

- The City does not allow triplexes
- 3.09.040 mentions them
- Delete this typo

## 3.09.040 - Landscape Plans.

(1) With the exceptions noted below, all development applications involving buildings and parking areas must include landscape plans. The following uses are required to meet the landscaping requirements of this Code but are not required to submit landscape plans:

- a. Single-family dwellings, ~~and~~ duplexes, ~~and~~ ~~triplexes~~.
- b. Accessory buildings.
- c. Changes internal to an existing structure.
- d. Building additions involving less than 500 square feet.



# 15. Trim

- Clarify 4" trim on façade and street facing sides only



# 16. RV Covers

- REMOVED by the PC
- To be addressed later





# 17. Accessory Structures

- Many complaints about Mega-Accessory structures



# 18. Shipping Containers

- Code says they are not permitted
- Adding clarification- can be used for moving
- Added more detail in the Muni Code

Accessory structures shall comply with the following standards:

(4) Prohibited Structures. The use of metal shipping containers or semi-truck trailers as an accessory structure shall be prohibited, **except for moving purposes as regulated by the Municipal Code section 13.36.25.**





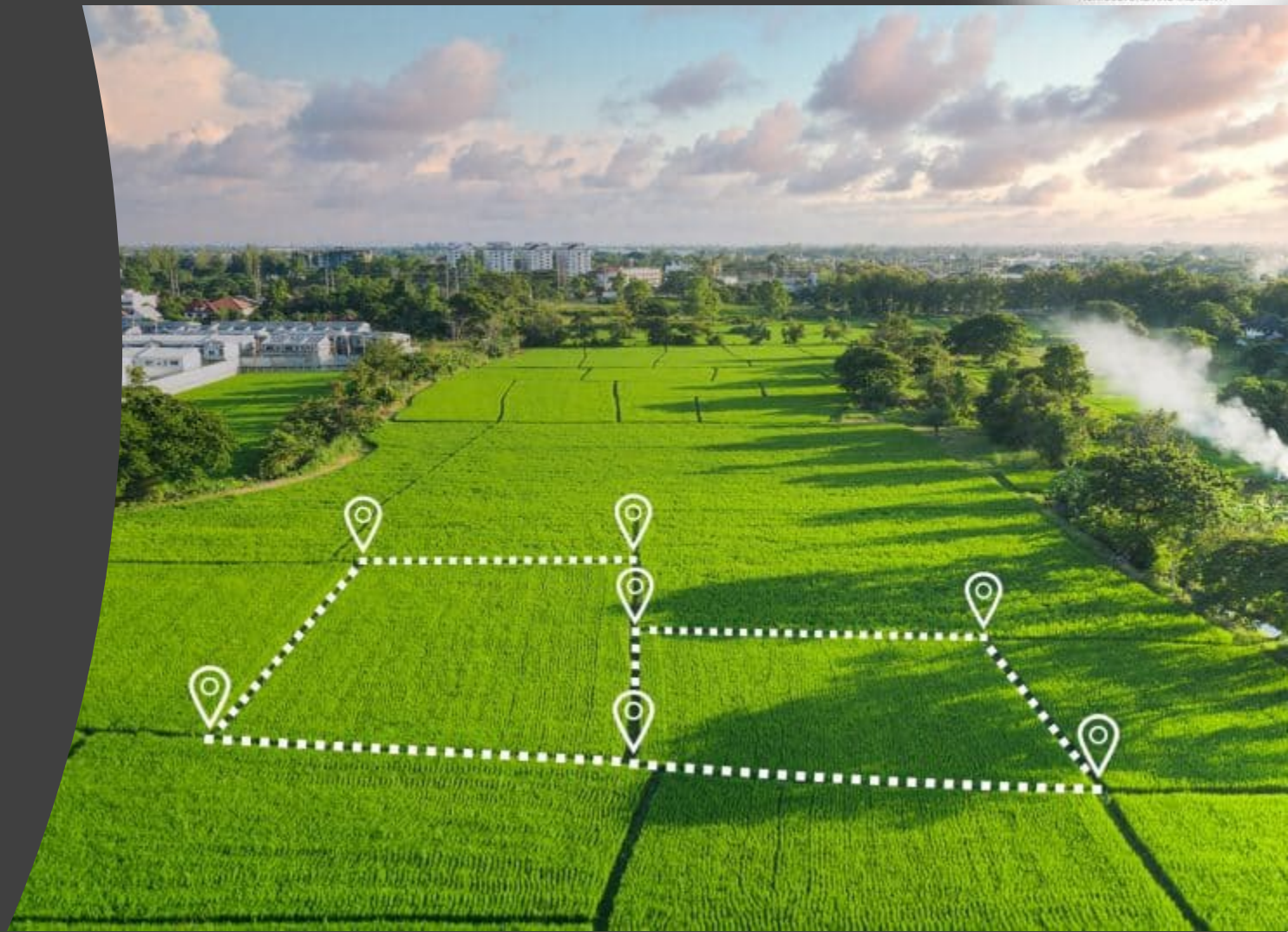
# 19. Nonconforming details

- Adds clarity on nonconformity
- Code called out uses, not standards
- Added requirements for nonconforming standards



# 21. Serial Partitions

- Code says if a lot can be re-divided, use Subdivision criteria
- Never meant to apply to commercial/industrial partitions.
- This clarifies- residential only.





# 22. RU Map Improvements

- Proposes to exempt partitions (only) in the RU Zone from improvements
- May require improvements for Subdivisions in the RU Zone
- Both still require ROW dedications



# 23. SDR Review Criteria

- Criteria is not worded like criteria
- Revised criteria that acts like criteria
- Essentially same outcome, different approach

(3) Provisions shall be made to conform to all development standards in this Code. The City may impose conditions of approval intended to mitigate potential impacts related to any development standard. These include including, but are not limited to:



# 24. Subdivision Criteria

- Simply broke up criteria
- No content changes
- Will make staff reports easier to draft



# 25. Appeal Standing

- LUBA requirements in Code
- Non-LUBA appeals aren't the same
- This makes them the same, adds standing requirements
- Raise-it-or-waive-it





# 26. Recycling Centers

- Standards proposed to:
  - Address drainage and seepage
  - Address screening



# Temporary Signs

- Moved from the Dev Code
- Clarified standard on offsite signs for special events





# Shipping Containers

- Builds on Dev Code
- Adds moving and renovation use
- Not allowed in front yards



# Trees

- Fixing a loophole
- Was no criteria for tree removal on Land Use
- Land Use action now requires same criteria





# Next Steps

- Land Use training
- City Council Hearing February 11
- Can adopt the same day
- 30 days to take effect (unless...)

