



Planning Commission Meeting Minutes

June 20, 2023

Chairperson:	Todd Culver, Presiding
Commissioners Present:	Jeremy Moritz, Joe Neely, and Kent Wullenwaber
Absent:	Rhonda Giles, Kurt Kayner, and Susan Jackson (Arrived at 7:57pm)
Staff Present:	City Administrator/Planner Michele Eldridge, and Finance Officer/Deputy City Recorder Cathy Nelson
Meeting Location:	Harrisburg Municipal Center located at 354 Smith St.

CALL TO ORDER AND ROLL CALL: Order was called at 7:00pm by Chairperson Todd Culver.

CONCERNED CITIZEN(S) IN THE AUDIENCE. Everyone present was there for items on the agenda.

APPROVAL OF MINUTES

Moritz motioned to approve the minutes for January 17, 2023, and was seconded by Neely. The Planning Commission then voted unanimously to approve the Minutes for January 17, 2023.

PUBLIC HEARING

THE MATTER OF AN ANNEXATION AND ZONE MAP CHANGE FOR 31.2 ACRES OF PROPERTY OWNED BY THE CITY OF HARRISBURG, AND OTHERWISE KNOWN AS EAGLE PARK.

Chairperson Todd Culver read aloud the order of proceedings, and noted the procedures for a continuance, and the process to keep the record open.

At the hour of 7:03PM, the Public Hearing was opened.

Culver asked if there were any Conflicts of Interest or any Ex Parte contacts.
None stated.

There were no rebuttals in relation to Conflicts of Interest, or Ex Parte Contacts.

Culver then read aloud the criteria that were relied upon for this land use hearing and noted

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additional copies of criteria near the door. He also directed the audience on how they would need to direct testimony towards the applicable criteria, and how an appeal could be made.

STAFF REPORT: Eldridge advised the Planning Commission to refer to the new staff report that was handed out and not the one in the agenda packet. Several maps were also handed out, the UGB Area, GIS Map of 31.2 acres, GIS Map of Eagle Park, and concept map. Eldridge gave a brief background on the property.

- Culver asked if any farmland being currently farmed would be affected. Eldridge stated that it was a rock quarry for the last 80 years, so no farmers would be affected.

Eldridge referred to the Harrisburg Comprehensive Plan that covers the Oregon Statewide Planning Goals. We must address all 19 goals even though they don't apply to this property. The comprehensive plan is available on the website.

- Moritz asked if the city bought property or was it donated. Eldridge said it was done in a trade. This allowed the city to use the purchase price as matching grant funds.
- Wullenwaber asked if there was higher liability on the pond and if we were adding a boat ramp. Eldridge stated that "use at your own risk" is posted and that recreational immunity falls under this area. Yes, we are putting in a boat ramp.
- Moritz asked if this would create a strain on the city work crew. Eldridge said we will need to hire more when we get the water bond completed anyway; we are currently hiring. Once the park is developed, we will address maintenance. She reminded the commission that not all the 132 acres were being developed.

Eldridge highlighted the following criteria and statutes:

- 1 – does not apply.
- 2 – change from R-1 to Public Use Zone (PUZ). Criteria met
- 3 – Public facilities apply as pointed out on the conceptual map. The dog park will be larger than shown. Criteria met.
- 4 – Originally planned to be a (PUZ) and was included in the Park System Plan. Criteria met.
- Statute 222.111 – City boundary is along the annexed property. Criteria met.
- Statute 222.125 – Owners must agree. Criteria met.

APPLICANTS TESTIMONY: The City of Harrisburg is the applicant.

TESTIMONY IN FAVOR, IN OPPOSITION, AND NEUTRAL TESTIMONY WAS ASKED FOR.

- No testimony of any kind supplied for in favor.
- No testimony of any kind supplied for in opposition.
- Testimony letter on record from Philpot who is concerned about misuse of parkland and trespassing on his land.

There were there not any rebuttals on testimonies given.

(Commissioner Susan Jackson arrived at 7:57pm)

The public hearing was closed at the hour of 8:03 pm.

- Moritz moved to recommend to the City Council that they approve the Annexation (LU 448-2023) and Comprehensive Plan Map change (LU-449-2023) for 31.2 acres of property owned by the City of Harrisburg and otherwise known as Eagle Park, and was seconded by Wullenwaber. The Planning Commission then voted unanimously to recommend to the City Council that they approve the annexation (LU 448-2023) and Comprehensive Plan Map change (LU-449-2023) for 31.2 acres of property owned by the City of Harrisburg and otherwise known as Eagle Park.

WORK SESSION**THE MATTER OF RECONSIDERING SIZE LIMITATIONS IN HMC 18.50.150 – ACCESSORY STRUCTURES.**

STAFF REPORT: Eldridge shared that two (2) homeowners have asked for bigger accessory dwellings that are above the 500 sq. ft. limit we currently have. Staff would like the Planning Commission to review the 18.50.150 portion of code and increase the limit to a minimum of 750 sq. ft.

- Culver said it makes sense to clarify what is an accessory structure.
- Neely asked why a detached garage was considered an accessory structure. Eldridge said it applies to an attached or detached garage as per our code.
- Wullenwaber asked what if someone wants to go bigger than 750 sq. ft. Eldridge stated they would need a variance.
- Mortiz asked since accessory dwellings and accessory structures are different could someone have both. Jackson clarified that they are allowed three (3) accessory structures, one (1) primary residence and one (1) accessory dwelling if the setbacks and area required are met.
- Neeley asked if we could define a garage specifically. Eldridge said the definition of an accessory structure in the code is anything detached from the primary dwelling such as a garage, deck, or pumphouse. Neeley asked for further clarification on what makes a structure a garage. Eldridge stated that the state code defines a garage as an accessory structure.
- Moritz asked if they could go up to 1,000 sq. ft. Eldridge confirmed that they could.
- Wullenwaber **motioned to direct the City Administrator/Planner to amend HMC 18.50.150(3) to allow for an accessory structure up to 1,000 sq. ft. in size and was seconded** by Jackson. **The Planning Commission then voted with everyone in favor except for Neely. Motion passed to direct the City Administrator/Planner to amend HMC 18.50.150(3) to allow for an accessory structure up to 1,000 sq. ft. in size**

With no further discussion, the meeting was adjourned at the hour of 8:59 pm.

Chairperson

City Recorder

City of Harrisburg

CITY COUNCIL

NOTICE OF DECISION

REQUEST: The applicant requests approval of a Zoning Ordinance Map Amendment to apply the City's Public Use zone to the subject site upon annexation.

LOCATION: A portion of Tax Lot 300 of Linn County Assessor's Map 15S 04W 21, commonly known as Eagle Park

HEARING DATE: June 20, 2023

APPLICANT: City of Harrisburg

APPEAL DEADLINE: July 26, 2023

DECISION: The Harrisburg Planning Commission conducted a public hearing on June 20, 2023, and voted to recommend the City Council approve the request. The City Council held a de novo hearing on June 27, 2023, and voted to approve the request.

APPEALS: This decision may be appealed by filing an appeal with the State Land Use Board of Appeals.

EFFECTIVE DATE: July 27, 2023 unless an appeal has been filed with the State Land Use Board of Appeals.

Mayor _____
Robert Duncan