



Planning Commission Meeting Minutes November 19, 2024

Vice-Chairperson: Jeremy Moritz, Presiding
Commissioners Present: Kurt Kayner, Joe Neely, Susan Jackson, and Youth Advisor Nolan Malpass.
Commissioners Absent: Chairperson Todd Culver, Rhonda Giles, and Kent Wullenwaber
Staff Present: City Administrator/Planner Michele Eldridge, Finance Officer/Deputy City Recorder Cathy Nelson, and Public Works Director Chuck Scholz
Meeting Location: Harrisburg Municipal Center located at 354 Smith St.

CALL TO ORDER AND ROLL CALL: Order was called at 7:00pm by Vice-Chairperson Jeremy Moritz.

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

PUBLIC HEARING

THE MATTER OF APPROVING A SITE PLAN REQUEST FOR AKINS TRAILER SALES AT 640 N 3RD ST., LU 460-2024.

Vice-Chairperson Jeremy Moritz read aloud the order of proceedings, and noted the procedures for continuance, and the process to keep the record open.

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

Moritz asked if there were any Conflicts of Interest or any Ex Parte contacts.
None reported.

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

Moritz then read aloud the criteria that were relied upon for this land use hearing and noted 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 gave a summary of the application. The business started in 2006 and

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are wanting to split the current lot into 3 separate parcels. This request is covered under a legal non-conforming use and can be applied to the current zoning. This property is not within the 300-foot requirement of existing public facilities that would make them connect to public facilities. They are currently running on a well and septic system, and these systems would remain on parcel #1. Eldridge highlighted the following conditions and requirements:

- Requirement 19.20.020 (1) and (2) – Met.
- Requirement 19.20.020 (3) - Met with Condition 1: Underground Utilities and Condition 2: Waiver of Remonstrance.
- Requirement 18.85.010 – Met.
- Requirement 18.85.040 – Met.
- Requirement 18.85.050 (5) – Met with Condition 3: Easements.
- Requirement 18.85.070 (1-3) – Met with Condition 3: Easements.
- Requirement 18.85.070 (4) – Met.
- Requirement 18.70.030 – Met.
- Requirement 19.20.040 (4) – Met with Condition 4: Access Easement and Condition 5: Maintenance Agreement.
- Requirement 19.20.050 – Met.
- Requirement 19.20.060 (A & B) – Met.
- Requirement 19.20.060 (C) – Met with Condition 6: Public/Private Facilities.
- Requirement 19.20.060 (D) – Met with Condition 7: Storm Water Drainage.
- Requirement 19.20.060 (E & F) – Met.
- Requirement 19.20.080 (1) – Met with Condition 8: Final Plat.
- Requirement 18.60.020 – Met.

Staff feel that all requirements are met and recommend approval.

APPLICANTS TESTIMONY: Laura LaRoque of Udel Engineering & Land Surveying, LLC asked for Conditions 1, 5 & 6 to be removed. She also stated that Condition 4 would be shared in the future and that the easement would not be necessary until the lot was sold. They asked if this could be made into a future condition and removed at this time, and asked for the requirement to have a pedestrian walkway marked in paint waived. Owner Thad Akins said that the requirement of access easement being paved is higher than the state law and that they already have 50ft paved in the back. They asked for the additional requirement to be waived.

- Kayner stated he had an issue with the paving of entrances and easements. Eldridge said is required and the area is shown on pg. 35 of the application. Kayner then stated that this is a minor partition, and the paving requirements feel excessive.

TESTIMONY IN FAVOR WAS ASKED FOR.

- None given.

TESTIMONY IN OPPOSITION WAS ASKED FOR.

- None given.

NUETRAL TESTIMONY WAS ASKED FOR.

- None given.

The public hearing was closed at the hour of 7:35pm.

- Moritz asked why there were so many conditions and information for a minor partition. Eldridge clarified that we are following the new code. The Planning Commission can make changes but that would set a precedent. Moritz asked if the paving was not done now, would

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it need to be paved later, and future building would trigger that requirement?

- Kayner asked why all the requirements with no development happening. He understands that zoning makes the difference, but didn't agree with all the requirements.
- Moritz asked the Planning Commission if they agreed with Condition 4: Access Easement. The Planning Commission decided to delete the last two (2) sentences to read: Condition No. 4: Access Easement: On the Final Plat, the applicant must provide for a 30' wide access easement. The driveway/access easement shall allow joint use of cross access between adjacent properties.
- Neely **motioned to approve the Akins Trailer Sales Minor Partition Request (LU 460-2024), subject to the conditions of approval as amended contained in the November 11, 2024 Staff Report. This motion is based on findings contained in the November 11, 2024 Staff Report to the Planning Commission and findings made by the commission during deliberations on the request at the November 19, 2024 Public Hearing. The motion was seconded by Kayner. The Planning Commission then voted unanimously to approve the Akins Trailer Sales Minor Partition Request (LU 460-2024), subject to the conditions of approval as amended contained in the November 11, 2024 Staff Report. This motion is based on findings contained in the November 11, 2024 Staff Report to the Planning Commission and findings made by the commission during deliberations on the request at the November 19, 2024 Public Hearing.**

WORK SESSION

THE MATTER OF A WORK SESSION TO CONSIDER MODIFICATIONS TO THE TRANSPORTATION STANDARDS OF THE HARRISBURG MUNICIPAL CODE 18.85.020.

STAFF REPORT: Eldridge gave summary of previous discussions on skinny streets that the Planning Commission had during the Sommerville Loop development. The table is on page 37 & 41 of the agenda packet. Streets fall under city authority and design. We will be having future discussions on this topic due to the upcoming TSP and FEMA Flood Regulations. Staff is looking for directions from the Planning Commission. Commission decided they liked wider streets.

- Kayner **motioned to table discussion until the January Meeting. The motion was seconded by Jackson. The Planning Commission then voted unanimously to table discussion until the January meeting.**

OTHERS

- Eldridge said the City of Harrisburg is starting an Ad Hoc Facilities Committee starting in January. They will be looking at the HART and Senior Center buildings that need replaced and the design of a new community center by City Hall.
- FEMA is requiring a Flood Ordinance to address the Special Flood Hazard Area (SFHA). This ordinance is very restrictive and very new. It is all due to a biological opinion and allowing no net loss of fish habitat. The City does not have a choice to comply. Staff will bring more information in January or February.
- Congratulations to Nolan Malpass for receiving the Distinguished Youth Award from the Tri-County Chamber of Commerce. The youth advisors will switch places in January.

With no further discussion, the meeting was adjourned at the hour of 9:02 pm.

Chairperson

City Recorder

City of Harrisburg

PLANNING COMMISSION

NOTICE OF DECISION

REQUEST: The applicant requests approval of a proposed Preliminary Minor Partition Plat (LU 460-2024) to create 3 new parcels

LOCATION: The subject site is located on the north side of town, abutting the City limits. The address is 640 N. 3rd St., and is otherwise known as 15S-04W-9, Tax Lot No. 1300

HEARING DATE: November 19, 2024

ZONING: M-1 (Limited Industrial)

APPLICANT: Udell Engineering & Land Surveying, LLC

OWNER: Lost Cattle Company, LLC/Thad Akins
34075 Mount Tom Drive
Harrisburg, OR 97446

APPEAL DEADLINE: December 5, 2024 @ 5:00pm

DECISION: The Harrisburg Planning Commission conducted a public hearing on November 19, 2024, and voted to approve the request, subject to the attached conditions of approval. The Planning Commission adopted the findings contained in the Staff Report of the November 19, 2024, Planning Commission meeting, and portions of the minutes from the meeting that demonstrate support for the Planning Commission's actions.

APPEALS: People with legal standing to appeal are the applicant or owner of the subject property, and any person who testified orally or in writing during the subject public hearing before the close of the public record. The decision may be appealed by filing a Notice of Appeal with the City Recorder at 120 Smith Street. The Notice of Appeal should be filed by the Appeal Deadline date listed above. Specific information on the requirements for an appeal or a copy of the complete file of this land use action may be obtained at Harrisburg City Hall. There is a fee of \$1,000.00.

EFFECTIVE DATE: December 6, 2024, unless an appeal has been filed with the City Recorder.

EFFECTIVE PERIOD: A Final Plat must be provided to the City within two years after the preliminary plat is approved, and is considered a Type I Application.

If the applicant has not submitted the final plat for approval within two years of the approval of the preliminary plat as provided by HMC 19.20.090, then the approval shall lapse, and the applicant will need to refile for the preliminary plat process.

MODIFICATIONS & EXTENSIONS:

The applicant may request changes to the approved preliminary plat or the conditions of approval following the procedures and criteria provided in Chapter 19.30 HMC. The Planning Commission may, upon written request by the applicant and payment of the required fee, grant written extensions of the approval period of a Type III Procedure not to exceed one year per extension, provided that the applicant follows all criteria as required in HMC 19.20.030(3).

Jeremy Moritz
Planning Commission Vice-Chair

APPROVED CONDITIONS OF APPROVAL

Condition No. 1: Underground Utilities – Any further development of this property will require that the existing power lines are constructed underground.

Condition No. 2: Waiver of Remonstrance – Prior to the Final Plat, the owner shall sign a waiver of remonstrance that indicates that any further development of the property in the future will require that if City services (water, sewer, or storm utilities) are within 300' of the property, that they must extend them to their property, and connect to them within a six month period.

Condition No. 3: Easements: On the Final Plat, a 5' public utility easement (PUE) will be required on the full northern, eastern, and southern lines of the original plat. This will cover the location of the waterway shown in the City of Harrisburg Local Wetlands Inventory, as well as the northern power and gas lines.

Condition No. 4: Access Easement: On the Final Plat, the applicant must provide for a 30' wide access easement. The driveway/access easement shall allow joint use of and cross access between adjacent properties.

Condition No. 5: Maintenance Agreement: If any of the proposed parcels are sold in the future, a joint maintenance agreement shall be filed with the deed. The agreement will define the maintenance responsibilities of property owners. A fully executed copy of the agreement shall be provided to the City for its records, but the City is not responsible for maintaining the driveway or resolving any dispute between property owners.

Condition No. 6: Public/Private Facilities: If the applicant sells any of the future parcels, they must 1). Extend the well water and septic access through a recorded easement and maintenance agreement, or 2). Must disclose to future buyers that they must construct their own services for their own development needs.

Condition No 7: Final Plat - The Final Plat shall be submitted within two years of final approval of the preliminary plat and must be consistent with the approved preliminary plat including required conditions of approval.