

Planning Commission Special Meeting Agenda
November 02, 2021
7:00 PM

Chairperson: Todd Culver
Vice Chairperson: Rhonda Giles
Commissioners: Roger Bristol, Jeremy Moritz, Kurt Kayner, Kent Wullenwaber and Susan Jackson.
Meeting Location: Harrisburg Municipal Center @ 354 Smith St.

PUBLIC NOTICES:

1. *This meeting is open to the public and will be tape-recorded.*
2. *Copies of the Staff Reports or other written documents relating to each item on the agenda are on file in the office of the City Recorder and are available for public inspection.*
3. *The City Hall Council Chambers are handicapped accessible. Persons with disabilities wishing accommodations, including assisted listening devices and sign language assistance are requested to contact City Hall at 541-995-6655, at least 48 hours prior to the meeting date. If a meeting is held with less than 48 hours' notice, reasonable effort shall be made to have an interpreter present. The requirement for an interpreter does not apply to an emergency meeting. ORS 192.630(5)*
4. *Persons contacting the City for information requiring accessibility for deaf, hard of hearing, or speech-impaired persons, can use TTY 711; call 1-800-735-1232, or for Spanish voice TTY, call 1-800-735-3896.*
5. *The City of Harrisburg does not discriminate against individuals with disabilities, and is an equal opportunity provider.*
6. *For information regarding items of discussion on this agenda, please contact City Administrator Michele Eldridge, at 541-995-2200.*
7. *The Municipal Center is disinfected prior to meetings. Seating is 6' apart, and only 50 people can be in the room, dependent upon adequate spacing.*
8. *Masks are required, and the City asks for anyone running a fever, having an active cough or respiratory difficulties to not attend the meeting.*
9. *If you would like to provide testimony, and are unable to attend, please contact the City Recorder. We can accept written testimony up until 5:00 on the day of the meeting and can also call someone during the meeting if verbal testimony is needed.*

November 02, 2021

CALL TO ORDER AND ROLL CALL

CONCERNED CITIZEN(S) IN THE AUDIENCE. (Please limit presentation to two minutes per issue.)

APPROVAL OF MINUTES

- 1. MOTION TO APPROVE THE MINUTES FROM THE SEPTEMBER 23, 2021 PLANNING COMMISSION MEETING**

OLD BUSINESS

- 2. THE MATTER OF CONSIDERING A REQUEST TO ALLOW A CHANGE FOR THE MAGNUSON LANDSCAPING REQUIREMENT**

STAFF REPORT & EXHIBITS:

Exhibit A: Signed Notice of Decision

Exhibit B: Landscaping Plan and Pictures

Exhibit C: Agreement to Defer Landscaping

ACTION: TBD

WORK SESSION

- 3. THE MATTER OF FINALIZING THE REVIEW OF THE HARRISBURG ZONING, DEVELOPMENT & LAND USE DRAFT CODE IN ITS ENTIRETY**

STAFF REPORT & EXHIBITS:

Exhibit A: Draft Code (Please bring your copy of the draft code to the meeting.)

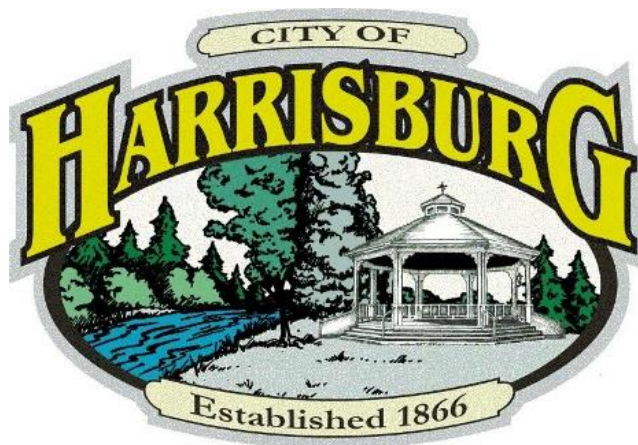
Exhibit B: Draft Code Revisions (The newest revision of the draft code, with staff changes, will be provide at the meeting.)

ACTION: NONE. FOR REVIEW ONLY

OTHERS

THERE WILL BE A PLANNING COMMISSION MEETING HELD ON NOVEMBER 16, 2021
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ADJOURN



Planning Commission Meeting Minutes September 23, 2021

Chairperson: Todd Culver, Presiding
 Commissioners Present: Jeremy Moritz, Susan Jackson, and Kurt Kayner (*attended via phone*)
 Absent: Rhonda Giles, Kent Wullenwaber, and Roger Bristol
 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 were there for items on the agenda.

APPROVAL OF MINUTES

Moritz motioned to approve the minutes for August 25, 2021 and was seconded by Jackson. The Planning Commission then voted unanimously to Approve the Minutes for August 25, 2021.

OLD BUSINESS

THE MATTER OF APPROVING THE TIME LIMIT ON THE SHADOWOOD SUBDIVISION (LU 421-2021) FOR A PERIOD NOT TO EXCEED ONE YEAR.

STAFF REPORT:

Eldridge gave a brief background on the previous subdivision applied for in February 2021. The developer, Rich Wood/Wood Construction & Development LLC asked for an extension to submit platt. They are asking for an additional year. The original conditions approved changed based on our engineer's decision. The streetlights no longer need to be provided and prior to the submission of a Final Plat the Applicant shall amend his application drawings, (sheet 5) to show a 5.5' wide sidewalk, a planter/utility area of approximately 5.5' wide showing the addition of street trees as required in HMC 12.20, and at least 7.5' feet of new asphalt adjacent to the existing paved surface. Trees must be from the approved street tree list and shall not be a maple tree. Submit to the city's Director of Public Works for his approval, prior to any excavating, grading or construction.

- Moritz asked if the changes were included in the agenda. Eldridge replied that they are not. She is verbally informing them of the changes. Moritz then asked if there was a protocol on the number of streetlights required. Eldridge stated there was.

September 23, 2021

The City's Engineer was the one who made the changes to the conditions after physically going and assessing the current lighting.

- **Moritz motioned to approve the Shadowood Subdivision Land Use approval time-line extension request (LU 421-2021) for a year with a new expiration date of March 3, 2022. This motion is based on the findings presented in the September 23, 2021 staff report to the Planning Commission and findings made by the Commission during deliberations on the request and was seconded by Kayner. The Planning Commission then voted unanimously to approve the Shadowood Subdivision Land Use approval time-line extension request (LU 421-2021) for a year with a new expiration date of March 3, 2022. This motion is based on the findings presented in the September 23, 2021 staff report to the Planning Commission and findings made by the Commission during deliberations on the request.**

PUBLIC HEARING

THE MATTER OF A HISTORIC RESOURCE ALTERATION REVIEW.

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 7:16PM, 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 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 brief background of the application highlighting that if any more historical features were found, the owner will notify the City Administrator and restoration will be on a case-by-case basis.

- Moritz asked if the owner was going to cover both layers of siding. Applicant Robert Duncan replied that he is going to use the original siding as sub-siding.

APPLICANTS TESTIMONY: Applicant Robert Duncan addressed the Planning Commission. He described some of the work already done in the interior of the historic home.

- Jackson asked how he would reproduce the scallop siding. Applicant stated that he was a woodworker by trade and felt confident that he could fix and reproduce what was needed to keep the historical integrity of the home.

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

In Favor:

None given.

In Opposition:

None given.

Neutral:

None given.

September 23, 2021

No rebuttal of testimony or additional questions for the public.

The public hearing was closed at the hour of 7:28 pm.

- **Moritz motioned to approve as conditioned, the historical alteration of the W.L. Tyler House (LU 433-2021). He was seconded by Kayner. The Planning Commission then voted unanimously to approve as conditioned, the historical alteration of the W.L. Tyler House (LU 433-2021) subject to conditions of approval contained in the September 23, 2021 Staff Report and after due consideration of written and oral public testimony and findings made by the commission during deliberations on the application.**

WORK SESSION

THE MATTER OF REVIEWING SECTION 5 – DEFINITIONS AND FINALIZING THE REVIEW OF THE DRAFT CODE IN ITS ENTIRETY.

STAFF REPORT:

Eldridge handed out the complete draft code. John Hitt could not make it to this meeting due to personal issues. He has asked to move the final review to Tuesday, November 2nd and we can tentatively cancel the meeting on November 16th, unless something comes up that needs to be addressed before the December meeting. The Planning Commission agreed to the new meeting date.

All definitions have been updated and discussed previously.

- Jackson asked if the landscaping in the new code was getting changed to the 30% requirement. Eldridge said that is correct.

The Planning Commission was asked to review the entire code before the November 2nd meeting and bring any issues back. If nothing is brought back, we will start working on the Public Hearing requirements.

- Moritz asked if the new code was available online. Eldridge clarified that the old code is on the website and is codified. When the new code is uploaded it will be watermarked as “draft” or “unapproved” so that residents do not get confused.

Eldridge noted that the biggest change is getting Harrisburg into compliance with State Code. The state and DLCDD will also have to review and approve the new code.

- Moritz stated that it will be nice to have a book on hand and a cleaner code available during meetings.

OTHERS

- Eldridge handed out an update on the Woodhill Subdivision. It is not a finished issue. They are losing two (2) more lots due to storm drainage and wetland issues. Because this is a radical change of more than ten (10) lots and losing one (1) street from the original application, she felt that it will have to come back to the Planning Commission for reapproval. She asked if the Planning Commission agreed with her decision. *The Planning Commission concurred with her and would definitely want to see the changes.* The previous engineer is no longer working on this project, so there is a new engineer now. In addition, the developer is possibly going to sell the project to a different developer.

With no further discussion, the meeting was adjourned at the hour of 7:58 pm.

Chairperson

City Recorder

UNAPPROVED

City of Harrisburg
PLANNING COMMISSION

NOTICE OF DECISION

REQUEST: The applicant requests a timeline extension for filing a final subdivision plat for the previously approved subdivision entitled Shadowood Subdivision (LU 425-2021), which creates a 13-parcel subdivision.

LOCATION: The subject site is located adjacent and to the east of 995 Sommerville Loop and is also known as tax lot 3000 of Linn County Assessor’s Map 15S04W15.

HEARING DATE: September 23, 2021

ZONING: R-2 (Multi-Family Residential) and R-3 High Density Residential)

APPLICANT Wood Construction & Development LLC
Richard Wood
5125 NW Greenwood Ave
Redmond, OR 97756

OWNER: William R. Wood
PO Box 3500-130
Sisters, OR 97759

APPEAL DEADLINE: October 7, 2021, at 5:00 p.m.

DECISION: The Harrisburg Planning Commission conducted a public meeting on September 23, 2021 and voted to approve the request to extend the time for submitting a final plat for the Shadowood Subdivision. The Planning Commission adopted the findings contained in the Staff Report of the September 23, 2021 Planning Commission meeting, and portions of the minutes from the meeting that demonstrate support for the Planning Commission’s actions. Conditions of Approval on the original Notice of Decision still apply to the proposed subdivision, with the exception of those that have been modified

by the City. Notes by the Planner have been included in the conditions below.

APPEALS:

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 \$750.00.

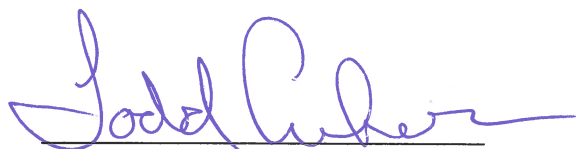
EFFECTIVE DATE:

October 8, 2021, unless an appeal has been filed with the City Recorder.

EFFECTIVE PERIOD:

The Final Plat for the Shadowood Subdivision must be provided to the City within a year of the original approval date. If the applicant has not submitted the final plat for approval within this year of approval, the preliminary plat shall be resubmitted to the Planning Commission for additional review (see HMC 17.25.010(1)). No further extensions are allowed.

Unless appealed, this Subdivision approval will expire on March 3, 2022.



Todd Culver
Planning Commission Chairperson

CONDITIONS OF APPROVAL

1. **Consistency with Plans** – Development shall comply with the plans and narrative in the applicant's proposal, and all applicable land use and building code requirements contained in HMC Chapters 15, 17 & 18, except where modified by the following conditions of approval.
2. **Street Lights** - Prior to the submission of a Final Plat, the Applicant shall submit a street light plan as directed and acceptable to the City's Director of Public Works. *(Planners note: Street Lights on Sommerville Loop are acceptable as they are, and the developer does not currently need to provide these.)*
3. **Public Infrastructure** - Prior to the submission of a Final Plat the Applicant shall comply with all of the public utilities, ROW and easement requirements of HMC Titles 12 & 13. All utilities shall be located underground.
4. **Fire Hydrants** - Prior to the submission of a Final Plat the Applicant shall meet with an officer of the Harrisburg Rural Fire District to determine the exact number, size and types of required fire hydrants and shall call out same on a Preliminary Plat Map, 12 x 17, or larger.
5. **Excavating and Grading** - Applicant shall comply with Excavating and Grading provision as required by HMC 15.05.030 and the permitting procedures of HMC 15.05.040-070.
6. **Revised Application Drawings:** Prior to the submission of a Final Plat the Applicant shall amend his application drawings, (sheet 5) to show a 5.5' wide sidewalk, a planter/utility area of approximately 5.5' wide showing the addition of street trees as required in HMC 12.20, and at least 7.5' feet of new asphalt adjacent to the existing paved surface. Trees must be from the approved street tree list and shall not be a maple tree. Submit to the city's Director of Public Works for his approval, prior to any excavating, grading or construction. *(Planners Note: This condition has been revised; the planter strip/landscape is omitted, curb and gutter are joined to the sidewalk in its current shown location and asphalt is extended to the gutter. The sentence in relation to trees is still valid at this time.)*
7. **Submission of Final Plat** - Applicant shall submit a Final Plat application consistent with HMC 17.25, within six months of this approval, unless an extension is timely requested and granted. *(Planners note: This condition is revised, as per the new expiration date of March 3, 2022.)*

OTHER DEVELOPMENT CONSIDERATIONS:

- a. If there are any wells on the property that will not be used, they shall be properly abandoned by a licensed well driller.

- b. A separate Development Agreement (DVA) between Applicant and the City of Harrisburg will be required before ANY construction begins. The Development Agreement will include bond and deposit requirements, as well as other engineering requirements.
- c. Applicant shall provide an acceptable plan for the installation of items provided in design specifications, including but not limited to the number, type and location of streetlights (type to be approved by the Public Works Director), fire hydrants, manholes, sidewalks, street signs and mail receptacles. These items shall be completed prior to any occupancy, except that sidewalks shall be installed prior to the occupancy of the lot.
- d. Requirements herein imposed upon the Applicant may be imposed upon a developer or builder if the developer or builder has accepted the responsibility in a written document, and the City of Harrisburg is satisfied that it will not have any adverse impact on bonding requirements or other guarantees of compliance.
- e. Applicant shall acquire all required building, electrical, mechanical, and plumbing permits before beginning construction as required by HMC 15.05.010 &.020.

City of Harrisburg

PLANNING COMMISSION

NOTICE OF DECISION

REQUEST: The applicant requests approval of a Historic Alteration Permit to modify the W.L. Tyler House. The applicant is removing cedar shakes that are not original to the home and is replacing them with redwood and cedar lap siding in the same dimensions as the original siding, which is still the bottom layer of siding on the home. Some architectural embellishments in the form of scalloped siding that were original to the home will be exposed and will be restored.

LOCATION: 185 N. 4th Street

HEARING DATE: September 23, 2021

ZONING: C-1 Commercial – Grandfathered Residential Use

APPLICANT: Robert & Donna Duncan

OWNER: Same as Applicant

APPEAL DEADLINE: October 7, 2021, at 5:00 p.m.

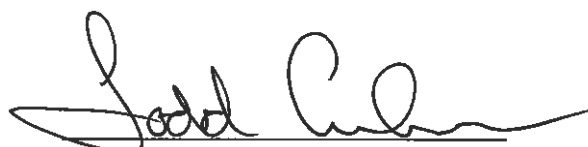
DECISION: The Harrisburg Planning Commission conducted a public hearing on September 23, 2021 and voted to approve the request. The Planning Commission adopted the findings contained in the Staff Report of the September 23, 2021, Planning Commission meeting, and portions of the minutes from the meeting that demonstrate support for the Planning Commission's actions.

APPEALS: This 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 \$750 plus actual expenses for appealing a Planning Commission decision to the City Council.

EFFECTIVE DATE: October 8, 2021, unless an appeal has been filed with the City Recorder.

EFFECTIVE PERIOD: Land use approvals shall be effective for one year from the date of approval. If the applicant has not begun the work or initiated the use associated with the approval within one year, all approvals shall expire. Where the Planning Commission finds that conditions have not changed, at its discretion and without a public hearing, the Commission may extend the period one time for a period not to exceed one additional year.

Unless appealed, the Historic Alteration Permit approval will expire on October 8, 2022.

A handwritten signature in black ink, appearing to read "Todd Culver", written over a horizontal line.

Todd Culver
Planning Commission Chair

CONDITIONS OF APPROVAL

- A. **Consistency with Plans** – Development shall comply with the plans and narrative in the applicant's proposal.
- B. **Discovery of Additional Historical Architectural Features** - If the applicant finds any other types of historically accurate siding not already uncovered during this project, then they will be required to verify with the City Planner whether or not it is historically accurate. If it is in the style of Queen Anne, the applicant will be encouraged to expose and repair it, unless it is deteriorated beyond repair.

Staff Report

Harrisburg Planning Commission

Harrisburg, Oregon

THE MATTER OF CONSIDERING A REQUEST TO ALLOW A CHANGE FOR THE MAGNUSON LANDSCAPING REQUIREMENT

STAFF REPORT & EXHIBITS:

- Exhibit A: Signed Notice of Decision
- Exhibit B: Landscaping Plan and Pictures
- Exhibit C: Agreement to Defer Landscaping

ACTION: **TBD**

MEETING DATE: November 2, 2021

BACKGROUND

Norman and Debby Magnuson, along with their son, Ryan, are the owners of Magnuson Dental, located at 205 Macy St. **Exhibit A** shows the original notice of decision in relation to this project. They finished their construction of the new building and submitted their landscaping plan to Brian Latta for approval in 2019. The site plan, applicants' narrative, and landscaping plan (**Exhibit B**) all show or mention a brick planter that was planned to be located along the west elevation of the new building. It would be a raised bed that would be approximately 72' in length. Because the City was in the midst of the street remodel when they were working on the landscaping, the City recognized that the sidewalk and street would likely change the elevations in this area, and it therefore wouldn't be fair to expect the Magnusons to install an accessory structure that would depend upon the street and sidewalk being present.

Based upon these circumstances, the City created an agreement to defer landscaping until the streetscape project was complete. Unfortunately, the streetscape project wasn't completed until later in 2020 and 2021. In fact, the City is still working on completing this project, and has been held up by the utility companies working on this project. The Magnusons were given 6 months from the finalization of the work on Macy St. and 2nd St. to add the deferred landscaping. Around the time that the City could finally determine that the project could be completed, and were planning on contacting the Magnusons, staff discovered that Norm Magnuson was unexpectedly dealing with

the aftereffects of a stroke. As such, the City decided to hold off on asking the Magnuson's to finalize and complete their landscaping as planned until later this winter.

Recently, Debby Magnuson contacted Staff, and was worried about the agreement, and the timing for installing the brick planter. She asked if it would be possible for the City to remove the requirement to install the brick planter. After reviewing the paperwork, Staff recognized that the brick planter was included in the site plan, the applicant's narrative and drawings, the City's staff report, and the landscaping plan. With this many referrals to the planter, along with the agreement to defer landscaping (**Exhibit C**), the City Administrator determined that any decision to allow the removal of the brick planter from the site plan would need to come from the Planning Commission.

While the brick planter is traditional, and ties into the historical appearance of this building, it wasn't required by the City's code. The code specifically requires 3% of the property, or in this case, 271 sq. ft. of the total lot, to be landscaped. The Magnuson's have a beautiful structure and property and provided 1,205 sq. ft. of landscaping. Not only is the entire area around the structure landscaped, but they also landscaped the parking lot. While the Magnuson's had started out with just rock along the western boundary of the property, they have since added plants, and bark o mulch to the side that the planter would have been located in.

Based upon the fact that the Magnuson's have planted far more landscaping than what is required by the City's Municipal Code, plus the fact that they further improved the area along the western boundary of their property, and are committed to the City's business community, Staff recommends that the Planning Commission consider the possibility of removing the requirement for the applicant to provide a brick planter, and instead, allow the applicant to keep the current landscaping. If the Planning Commission agrees with this recommendation, they can ***motion to 'remove the requirement for the applicant to install a brick planter, and thereby dissolve the agreement to defer landscaping from 2019.'***

If the Planning Commission decides that the brick planter needs to be completed; then please note that the planter will be shorter than shown in the plans, due to the location of the utilities on the northwest corner of the property. The City would also provide a deadline for the Magnuson's to complete the work.

City of Harrisburg

PLANNING COMMISSION

NOTICE OF DECISION

REQUEST: The applicant requests approval of Site Plan Review to construct a roughly 4,400 sq. ft. dental office building, and provide off-street parking, and landscaping. The applicant requests a Property Line Adjustment to adjust an east to west property line which divides the property evenly north and south, to a new property line dividing the property into two parcels east and west. The Historic Review application will ensure the proposed development is compatible with the historic structures in the H-1 (Historic) Zone.

LOCATION: 205 Macy Street, and identified as Tax Lots 8300 and 8400 of Linn County Assessor's Map 15S04W16AA

HEARING DATE: June 19, 2018

ZONING: C-1 (Commercial) with and H-1 (Historic Overlay)

**APPLICANT/
OWNER** Norm and Debby Magnuson
2745 Delta Oaks Drive
Eugene, OR 97408

APPEAL DEADLINE: July 2, 2018

DECISION: The Harrisburg Planning Commission conducted a public hearing on June 19, 2018, and voted to approve the requests, subject to the attached conditions of approval. The Planning Commission adopted the findings contained in the June 19, 2018 Staff Report to the Planning Commission, and portions of the minutes from the meeting that demonstrate support for the Planning Commission's actions.

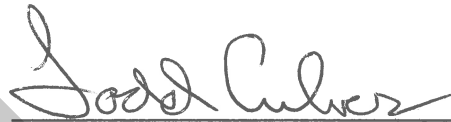
APPEALS: The decisions may be appealed by filing a Notice of Appeal with the City Recorder at 120 Smith Street. The Notice of Appeal should be filed by the Appeal Deadline date listed above. Specific information on the requirements for an appeal or a copy of the complete file of this land use action may be

obtained at Harrisburg City Hall. There is a fee of \$425.00 plus actual expenses for appealing a Planning Commission to the City Council.

EFFECTIVE DATE: December 4, 2017, unless an appeal has been filed with the City Recorder.

EFFECTIVE PERIOD: Site Plan Review, Property Line Adjustment and Historic Review approvals shall be effective for one year from the date of approval. Where the Planning Commission finds that conditions have not changed, at its discretion and without a public hearing, the Commission may extend the effective period one time for a period not to exceed one additional year.

Unless appealed, this Site Plan Review, Property Line Adjustment and Historic Review approval will expire on July 2, 2019.



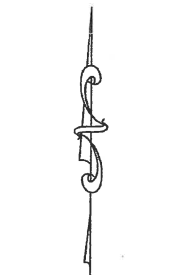
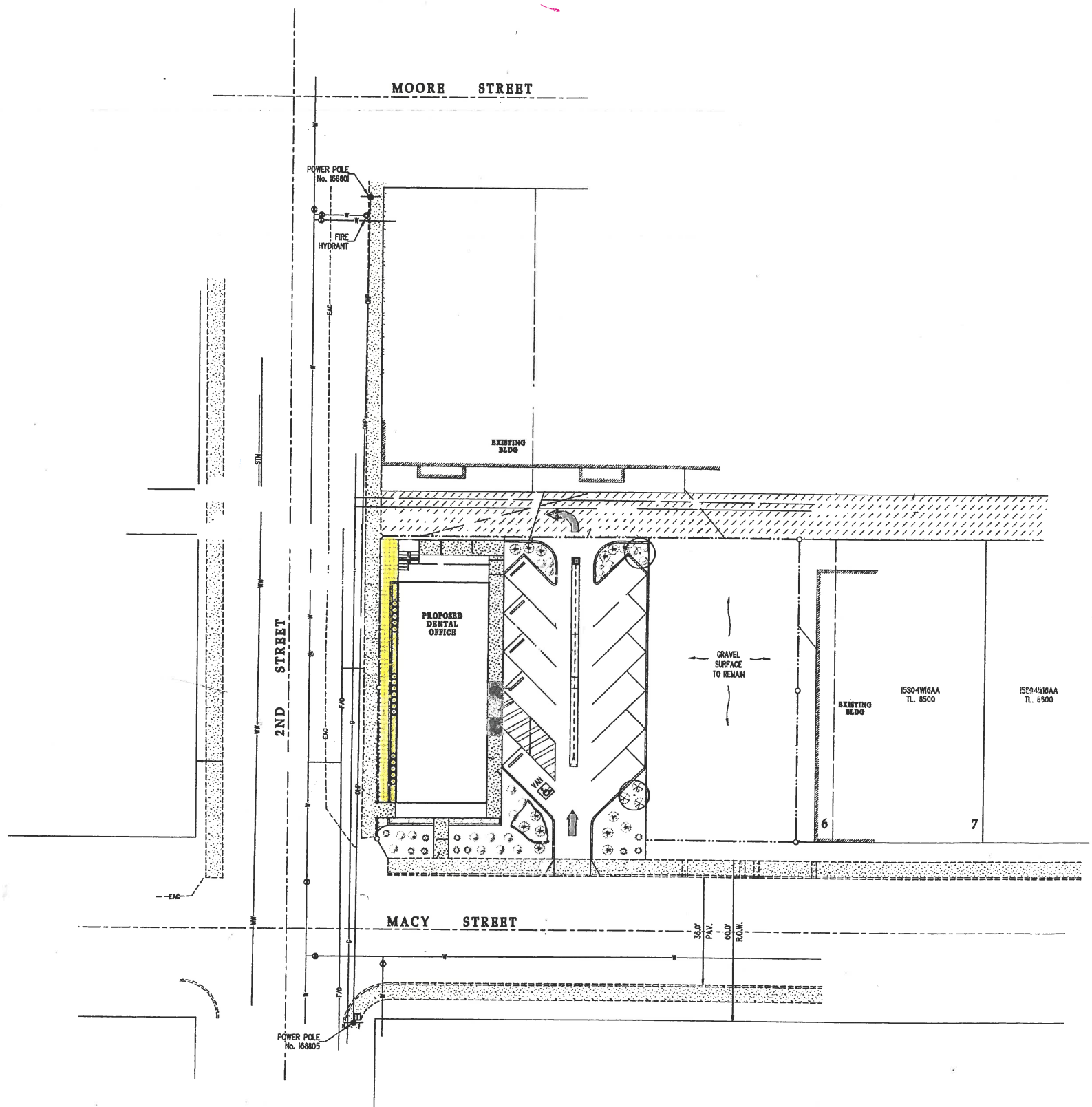
Todd Culver
Planning Commission Chair

CONDITIONS OF APPROVAL

1. **Consistency with Plans** – Development shall comply with the plans and narrative in the applicant's proposal, except where modified by the following conditions of approval.
2. **Deeds** – Prior to issuance of building permits for the dental clinic, deeds based on a metes and bounds legal description for all adjusted Tax Lots from the property line adjustment shall be recorded with Linn County Recorder's Office.
3. **Boundary Survey Map** – The Certified Boundary Map that reflects the approved property line adjustment shall be reviewed by the City and signed by the City Planner and the City Engineer. The map shall then be filed with the Linn County Surveyor.
 - a. The Certified Boundary Survey shall include signature blocks for the Harrisburg City Planner and City Engineer, and shall reference the City's land use case number LU 384.
 - b. The Certified Boundary Map shall include all easements affecting the proposed property.
 - c. Copies of the recorded deeds and filed survey map shall be provided to the City of Harrisburg by the applicant following recording.
4. **Utility Connections** – Prior to issuance of building permits, the applicant shall apply for water and sewer services and pay for any required connection charges.
5. **Erosion & Sediment Control Plan** – Prior to the issuance of building permits, the applicant shall submit for review and approval an erosion and sediment control plan that demonstrates how the applicant will prevent sediment and runoff from the earthwork from impacting the City's drainage system or other properties.
6. **Construction Security** – Prior to issuance of building permits, the applicant shall submit a plan identifying security measures that will be taken to prevent public access to areas of the site where potentially dangerous construction activities will be taking place.
7. **Demolition Permit** – Prior to or concurrent with submission of building permits, the applicant shall submit for review and approval a demolition permit for the demolition of the existing pump house building from the site.
8. **Landscape and Irrigation Plan** – Prior to the issuance of building permits, the applicant shall submit for review and approval a landscape and irrigation plan showing what type of landscaping will be provided and how the landscaped areas will be irrigated.
9. **Parking Spaces** – Prior to the issuance of building permits, the applicant shall reduce the provided parking to 9 spaces and shall ensure all parking complies with the 15-ft. setback requirement in HMC 18.95.100(4)(b).

10. **Bicycle Parking Spaces** – Prior to the issuance of building permits, the applicant shall include one off-street bicycle parking space on the building permit plans, consistent with the provisions in HMC 18.85.060. The bicycle parking space shall be installed prior to building occupancy.

EXHIBIT A



SCALE 1" = 20'
CONTOUR INTERVAL 0.5 FOOT
ELEVATION SHOWN HEREON ARE
BASED ON ASSUMED DATUM.
TEMPORARY BENCHMARK IS A
P.K. NAIL IN THE A.C. ON THE
WEST SIDE OF 2ND STREET
AS SHOWN HEREON.
ELEV: 100.00 (assumed)

Not To Scale

Plant Legend			
Trees			
Symbol	Qty	Common	Size
	2	Hornbeam Fastigiata	1.5" Cal.
Shrubs			
Symbol	Qty	Common	Size
	17	Candytaft Little Gem	1 Gal.
	10	Happy Returns Day Lily	1 Gal.
	3	Miscanthus Moring Light	3 Gal.
	14	Nandina Fire Power	3 Gal.
Groundcover			
Symbol	Qty	Common	Size
	21	Shore Juniper	1 Gal.
		Seasonal Flowers	

1 1/2" Round Rock

- IRRIGATION:**
1. All new landscaped areas are to receive an automatic underground drip irrigation system.
 2. Raised planters will be on a separate zone from the rest of the plant beds.

SITE PLAN PLANNING NARRATIVE

THE APPLICANT IS PROPOSING TO CONSTRUCT A DENTAL CLINIC WITH RESIDENTIAL UNIT ABOVE AS A MIXED USE DEVELOPMENT WITHIN A C-1 ZONED PROPERTY WHICH IS A USE PERMITTED OUTRIGHT IN A C-1 COMMERCIAL ZONE. THE SITE IS SURROUNDED BY PROPERTIES WITH A SIMILAR C-1 COMMERCIAL ZONING DESIGNATION. THE DEVELOPMENT AREA TOTALS 9020 SQUARE FEET. PER HMC 18.35.100(2)(a)(i), THE APPLICANT IS REQUIRED TO LANDSCAPE 3% OF THE GROSS PROPERTY AREA. FOR THIS SITE THE APPLICANT IS REQUIRED TO HAVE A MINIMUM OF 271 SQ. FT. OF LANDSCAPED AREA. UNDER THE PROPOSED SITE PLAN, THE APPLICANT IS PROPOSING TO CREATE 1205 SF. OF LANDSCAPED AREA.

THE PROPERTY IS SUBJECT TO THE STANDARDS OF CHAPTER 18.35 OF THE HARRISBURG MUNICIPAL CODE. THE APPLICANT IS PROPOSING A MIXED-USE DEVELOPMENT WITH A 2,216 S.F. DENTAL CLINIC ON THE GROUND FLOOR AND A RESIDENTIAL LIVING UNIT ABOVE. PER HMC 18.35.010(5) THE RESIDENTIAL UNIT REQUIRES 2 OFF-STREET PARKING SPACES. THE CLINIC IS INTENDED TO HAVE 6 EMPLOYEES. PER HMC 18.35.010(5) THE CLINIC PORTION OF THE MIXED-USE DEVELOPMENT REQUIRES 9 OFF-STREET PARKING SPACES. A TOTAL OF 11 PARKING SPACES ARE REQUIRED UNDER THIS DEVELOPMENT SCENARIO. THE SITE IS ALSO LOCATED WITHIN THE H-1 HARRISBURG HISTORICAL DISTRICT. PER HMC 18.35.190(4)(a), THE REQUIRED NUMBER OF PARKING SPACES SHALL BE ONE-HALF(ROUNDED UP TO THE NEAREST WHOLE NUMBER) OF THE NUMBER OF PARKING SPACES REQUIRED UNDER HMC 18.35.010. UNDER THIS DEVELOPMENT SCENARIO, THE REQUIRED NUMBER OF PARKING SPACES UNDER HMC 18.35.010 IS 11 OFF-STREET PARKING SPACES WHICH TRANSLATES TO 6 PARKING SPACES REQUIRED UNDER 18.35.190(4)(a). THE APPLICANT IS PROPOSING TO CREATE TEN (10) STANDARD PARKING SPACES AND ONE (1) VAN ACCESSIBLE HANDI-CAP PARKING SPACE.

Approved
BZ 12/10/18

RECEIVED DEC -6 2018

REVISIONS		
REV.	DATE	DESCRIPTION

IMPROVEMENT PLANS
FOR
MAGNUSON DENTAL
NE 1/4 SEC. 16, T 15 S, R 4 W W.M.
ASSESSOR'S MAP NO. 15504W16AA TL No. 8300 & 8400
HARRISBURG, LINN COUNTY, OREGON

PROJECT NO.
4526
DRAWN BY:
CHECKED BY:
CADD DRAWING:

REXIOUS
FOREST BY-PRODUCTS
1275 Bailey Hill Rd.
Eugene, OR 97402
(541)-342-1835

SHEET TITLE
Landscape Plan

SHEET NO.
1 of 1

205 Macy St. -

South Elevation View, including area on other side of DW

EXHIBIT B

Le 2.



205 Macy St. -

Proposed Brick Planter location on west elevation

EXHIBIT B

Le 2.



Google Earth

© 2021 Google

5.90 ft

205 Macy St. -

South Elevation View, including area where proposed planter would be located

EXHIBIT B

Le 2.



AGREEMENT TO DEFER LANDSCAPING

THIS agreement to defer required landscaping is made April 19, 2019, by Harrisburg Dental Property LLC, an Oregon limited liability company (“Landowner”) for the benefit of the City of Harrisburg, Linn County, Oregon (“City”).

RECITALS:

- A. Landowner owns that real property known as 205 Macy Street, Harrisburg OR 97446 (the "Property"), more specifically described as 15S04W16AA08300.
- B. Landowner is constructing a dental clinic at Property, and has undergone a site plan review through the City of Harrisburg. The Notice of Decision (Exhibit A) includes Conditions of Approval. Condition No. 8 on the Notice of Decision requires that the applicant submit for review and approval a landscape and irrigation plan showing what type of landscaping will be provided and how the landscaped areas will be irrigated.
- C. The Landscape and Irrigation Plan, approved by the City (Exhibit B) includes a raised brick bed of landscaping located on the western side of the commercial structure, surrounded by 1 ½" round rock. The lot line for tax lot 8300 abuts the City's right-of-way on S. 2nd St., which at the time of this agreement, is represented as an older concrete sidewalk.

AGREEMENT:

1. The City is granting the Landowner a deferral to construct the landscaping represented by the highlighted area on Exhibit B, until such time as City completes the Smith St., S. 2nd St., and Macy St. Street Improvement Project, which will be completed toward the end of calendar year 2019.
2. Terms: Landowner will complete the deferred landscaping as represented on Exhibit B within 6 months after the completion of the sidewalk abutting Property on S. 2nd St.

IN WITNESS WHEREOF, this Agreement has been duly signed by the Landowner as of the date hereinabove written; if a party is a corporate entity, it has caused its name to be signed by an officer or other person duly authorized to do so by order of its Manager(s), Director(s), Board or other person(s) with such authority.

HARRISBURG DENTAL PROPERTY, LLC

By: _____
Norman Magnuson, Owner Date _____

By: _____
 Debby Magnuson, Owner Date _____

CITY OF HARRISBURG, OREGON

Accepted by: _____
Michele Eldridge, City Recorder/Assistant City Administrator Date

EXHIBIT C

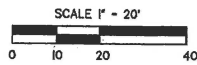
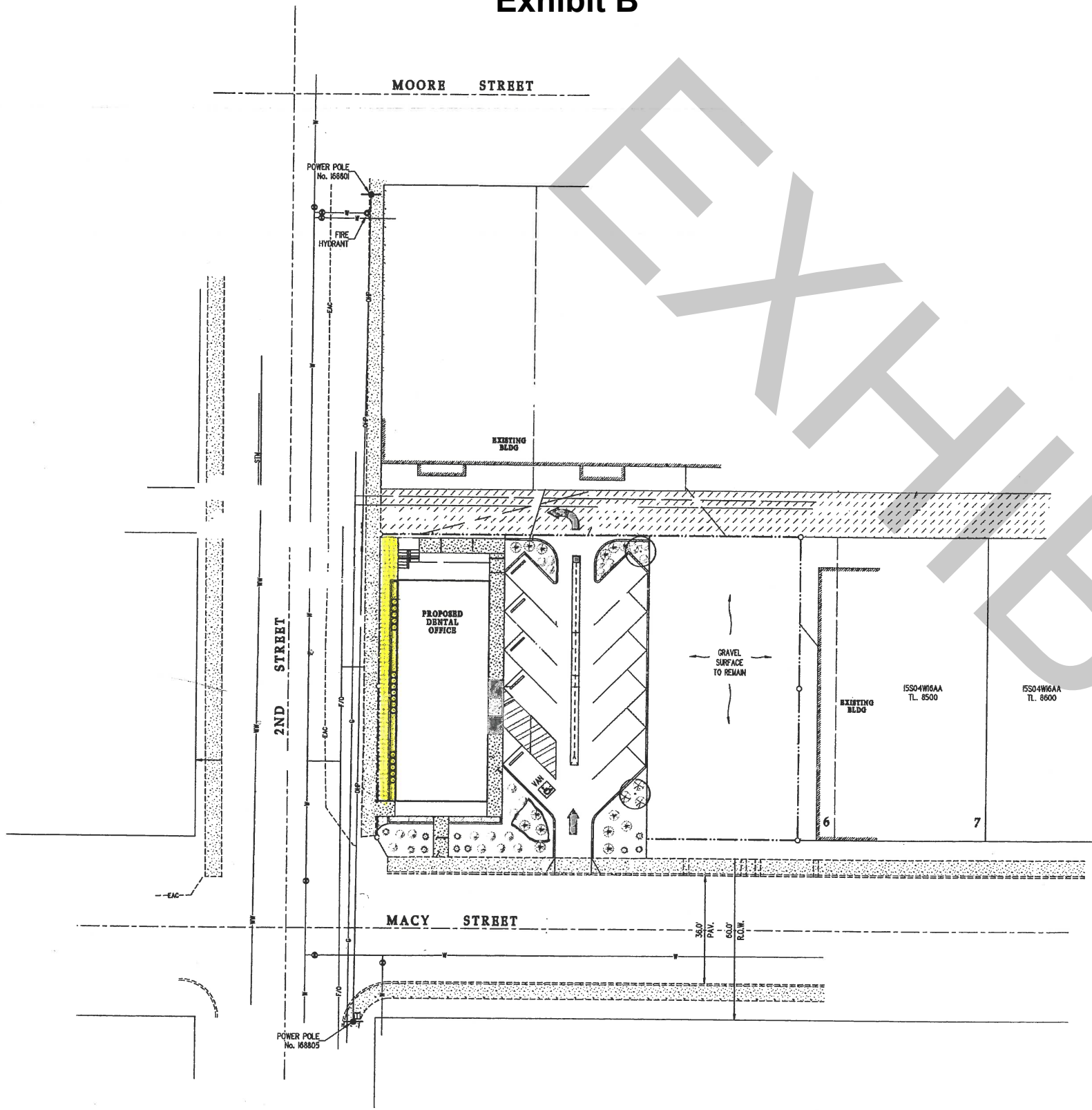
CONDITIONS OF APPROVAL

1. **Consistency with Plans** – Development shall comply with the plans and narrative in the applicant's proposal, except where modified by the following conditions of approval.
2. **Deeds** – Prior to issuance of building permits for the dental clinic, deeds based on a metes and bounds legal description for all adjusted Tax Lots from the property line adjustment shall be recorded with Linn County Recorder's Office.
3. **Boundary Survey Map** – The Certified Boundary Map that reflects the approved property line adjustment shall be reviewed by the City and signed by the City Planner and the City Engineer. The map shall then be filed with the Linn County Surveyor.
 - a. The Certified Boundary Survey shall include signature blocks for the Harrisburg City Planner and City Engineer, and shall reference the City's land use case number LU 384.
 - b. The Certified Boundary Map shall include all easements affecting the proposed property.
 - c. Copies of the recorded deeds and filed survey map shall be provided to the City of Harrisburg by the applicant following recording.
4. **Utility Connections** – Prior to issuance of building permits, the applicant shall apply for water and sewer services and pay for any required connection charges.
5. **Erosion & Sediment Control Plan** – Prior to the issuance of building permits, the applicant shall submit for review and approval an erosion and sediment control plan that demonstrates how the applicant will prevent sediment and runoff from the earthwork from impacting the City's drainage system or other properties.
6. **Construction Security** – Prior to issuance of building permits, the applicant shall submit a plan identifying security measures that will be taken to prevent public access to areas of the site where potentially dangerous construction activities will be taking place.
7. **Demolition Permit** – Prior to or concurrent with submission of building permits, the applicant shall submit for review and approval a demolition permit for the demolition of the existing pump house building from the site.
8. **Landscape and Irrigation Plan** – Prior to the issuance of building permits, the applicant shall submit for review and approval a landscape and irrigation plan showing what type of landscaping will be provided and how the landscaped areas will be irrigated.
9. **Parking Spaces** – Prior to the issuance of building permits, the applicant shall reduce the provided parking to 9 spaces and shall ensure all parking complies with the 15-ft. setback requirement in HMC 18.95.100(4)(b).

10. **Bicycle Parking Spaces** – Prior to the issuance of building permits, the applicant shall include one off-street bicycle parking space on the building permit plans, consistent with the provisions in HMC 18.85.060. The bicycle parking space shall be installed prior to building occupancy.

EXHIBIT C

Exhibit B



SCALE 1" = 20'
CONTOUR INTERVAL 0.5 FOOT
ELEVATION SHOWN HEREON ARE BASED ON ASSUMED DATUM. TEMPORARY BENCHMARK IS A P.I. NAIL IN THE A.C. ON THE WEST SIDE OF 2ND STREET AS SHOWN HEREON. ELEV: 100.00 (assumed)

Not To Scale

Plant Legend			
Trees			
Symbol	Qty	Common	Size
	2	Hornbeam Fastigiata	1.5" Cal.
Shrubs			
Symbol	Qty	Common	Size
	17	Candytaft Little Gem	1 Gal.
	10	Happy Returns Day Lily	1 Gal.
	3	Miscanthus Moring Light	3 Gal.
	14	Nandina Fire Power	3 Gal.
Groundcover			
Symbol	Qty	Common	Size
	21	Shore Juniper	1 Gal.
		Seasonal Flowers	

1 1/2" Round Rock

- IRRIGATION:**
1. All new landscaped areas are to receive an automatic underground drip irrigation system.
 2. Raised planters will be on a separate zone from the rest of the plant beds.

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Landscape Plan

SHEET NO.
1 of 1

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Staff Report

Harrisburg Planning Commission

Harrisburg, Oregon

THE MATTER OF FINALIZING THE REVIEW OF THE HARRISBURG ZONING, DEVELOPMENT & LAND USE DRAFT CODE IN ITS ENTIRETY

STAFF REPORT & EXHIBITS:

Exhibit A: Draft Code (Please bring your copy of the draft code to the meeting.)

Exhibit B: Draft Code Revisions (The revision of the draft code, with staff changes, will be provide at the meeting.)

ACTION: NONE. FOR REVIEW ONLY

MEETING DATE: November 2, 2021

BACKGROUND

The consultant for this project, John Hitt, will be present at this meeting. Staff have reviewed the code and will provide an overview of some of the changes that are being suggested. Some of the changes that are being suggested were simply to match information that was in a different location in the code. (Ex: Duplex Dwellings lot sizes shown on page 2-31 needed to match the minimum duplex lot sizes that were discussed and approved by the Planning Commission on page 2-17.) Others were changed to match code requirements that the City has dealt with for many years. (Ex: Fence heights allowed in front yards for 'sight-obscuring fences' are allowed at 3', rather than 4').

The Planning Commission will have reviewed the model code over the last month, and now have the opportunity to make changes to the proposed code. The code will then be updated based upon changes considered at this meeting. The proposed code will then be forwarded to Scot Siegel, who is the individual who wrote the model code for the State of Oregon. His company has been asked to provide a full legal review of the code, in relation to state and federal statutes. The proposed code will also be forwarded to DLCD (Department of Land Conservation & Development) for review at this time.

Any suggestions made by Scot, or by the DLCD will be reviewed at the meeting held on January 18, 2022. Depending upon the number and types of changes being suggested,

ideally, the City will hold the first Public Hearing at the Planning Commission meeting held in February, followed by a Public Hearing at the City Council meeting being held on March 8, 2022.

Staff will likely suggest a period of time prior to full implementation of the new code dependent upon the timeframe needed to revise printed, on-line materials and resources.