

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.

