



Harrisburg Planning Commission Minutes March 21, 2017

The Harrisburg Planning Commission met on this date at the Harrisburg Justice Center, located at 354 Smith St., at the hour of 7:00pm. Presiding was Chairperson Todd Culver. Also present were as follows:

- Charlotte Thomas
- Roger Bristol
- Rhonda Giles
- Kurt Kayner
- Kent Wullenwaber
- Youth Advisor Deziree Brock
- City Administrator/Planner Brian Latta
- City Recorder/Asst. City Administrator Michele Eldridge

Absent this evening was Commissioner David Smid Jr.

Concerned Citizens in the Audience: There was nobody present for this meeting, other than the applicant for the public hearing.

Approve the Minutes from February 21, 2017

- Kayner **motioned to approve the minutes, and was seconded** by Thomas. **The Planning Commission then voted unanimously to approve the minutes from February 21, 2017.**

Public Hearing: Harrisburg School District Reader Board Signs/Conditional Use Permit (LU 362)

The Planning Commission Chairperson read aloud the order of proceedings for tonight's Public Hearing. He described the process for requesting a continuance, and to request that the record remain open.

The Public Hearing was opened at the hour of 7:03pm.

- Chairperson Culver asked if there were any reports of conflicts of interest or ex parte contacts.

- Charlotte Thomas noted that she is on the Parent Club, and was one of the main fundraisers for the project. She had lots of involvement in putting the project together, and assisted with putting together the application for tonight's hearing. Therefore, she was recusing herself from the conversation as a Planning Commission member.
- Latta explained the difference between a conflict of interest, and an ex parte contact. He reminded the Planning Commission that they must be extremely careful that they don't come to any decisions before they come to a meeting. They need to be prepared, but wait for the opportunity to get more information from the staff report, discussion, and people testifying. You also never want to come to a meeting, and not disclose contact that you had. It can become very complex quickly.
- Chairperson Culver also wanted to claim ex-parte contact. His wife is the secretary at the elementary school, and those that know him know that it has absolutely no influence on his decisions. He asked if anyone wanted to rebut either his, or Charlotte's declarations. There were none.

Chairperson Culver continued with the script, declaring the applicable criteria used as stated in the staff report.

Applicant Presentation: Brian Starr was presenting for the Harrisburg School District. He noted that sign No. 1 is already in front of the grade school, and is in fact, the sign that caused the complaint that came to Brian in the City. He, the school, and the Parents Club were all unaware of the need to go this route, so he apologized on behalf of everyone. This was something he did not expect to add to his plate! Since they had to go through this process, he felt that they should go ahead and go through it for each of the schools so that they can be prepared for the future. They are planning on have reader boards at all three schools. The high school may not have plans in the near future for the addition of a reader board, but it's probably the one that would have the most impact, both in terms of brightness, and impact on neighboring residential areas. He felt that there would be less impact at the middle school, because residences are further away than they are for the high school. In actuality, that day, the teacher who is in charge of the sign, had meant to unplug it...it was running extremely fast, and was extremely bright. However, she didn't unplug it, and it continued as very bright, until the neighbors called the City. They've toned it way down from the way it was. He asked if the City had other complaints after they did that. (Latta indicated no, that the City hadn't.)

It's been operating for a couple of months now, and seems to be operating fine in terms of brightness. The middle school sign would be right where the old sign is now; the high school sign would also be near the original location of the original reader board sign from years ago. He was trying to come to terms with the City's requirement for landscaping. He was trying to determine why you would have a sign, if you plan on putting a tree in front of it? Those signs are high, but he's still not sure what kind of landscaping he would use that wouldn't block the sign. The one in front of the high school, in particular, will be located across the road, and a parking lot.

The Planning Commission started discussing the issue. Kayner asked when the sign was installed, in which Thomas answered from the audience, that it was October. Latta said the

initial complaint was from someone who was driving by, and drove by the sign on the way to work. Starr said that they were also finding out which of the bright colors, also affect brightness of the sign. He said that just like decibels, the lumens can be dimmed. He believes that they can put it on a timer. Wullenwaber wasn't a fan of turning it off overnight. There are people working many types of schedules that also need to know what's going on. He noted that they've already turned down the brightness, and removed some of the cool features. Giles said that when it first went up, everyone at the Fire Station could see it, and some of them were worried about the kids. But now, it's better; that first day it was really bright. Starr agreed, and said that they weren't running it the way they meant to right away. He added that now that we've done the right thing, we want to get permission for the other two schools. We have other Parent Clubs who want to raise the funds for the other signs in the future.

Staff Report: Latta said that the sign came to his attention, when he came to work and turned onto Smith St, and caught it right away in his rear view mirror. It was very bright, so he did know that it was there. So, for the City record, he should note that there are two crosswalks near the sign. The concern is for driver's approaching the sign and being distracted by it. There are two busy crosswalks and a distracted driver in this location is not a good thing. He thought that was a valid concern. The school did a good job of dimming the brightness of the sign. He had a hard time finding out how to address this from a land use perspective; because in actuality, these signs are not allowed in an R-1 zone. He decided that since a school is allowed to be in an R-1 zone, but only through a Conditional Use Permit (CUP), that the sign could go through the same procedure. He also stated that there was an issue with the size of the sign that was allowed. The R-1 zone only allows an illuminated sign that is not more than six square feet. However, it also says that a church can have a bulletin board not exceeding 25 square feet in area. He felt that with a CUP, the school should be treated comparatively to a church in this regard, especially when those are also allowed in R-z zones, and therefore, it was appropriate for a school to have this size of a sign. While he would never recommend that applicants do something, and then ask for forgiveness; in this case, it worked well for us. The sign has been there for a few months, and we know what it's been like as it's been operated. He does however feel that it's not good to have signs that flash, and take people's attention away from driving.

- Kayner asked how many crashes there had been on the highway with the City's reader board?
- Latta told him zero. He stated that the City reader board, does allow you to have flashing messages, but we chose not to do that because of its location on a state highway. That's something the Planning Commission should consider; whether they feel the sign could pull the attention of a driver away from a crosswalk, because of it flashing. The landscaping that he is suggesting, is to be 50' to 100' from the sign, and that can be a type of buffer, that would help shield the glare to the church or other buildings. The high school sign is set so far off the street that the light dissipates. So there again, they could plant a tree in the planter strip, and call it good. It's not meant to be the type of landscaping that had the potential of blocking the sign. He felt that staff could give their approval for the sign based on these conditions.

- Kayner was concerned about having the trees, or anything blocking the view from these areas. Maybe the school could make the sign solid when the kids are there being picked up/dropped off.
- Starr said that was his concern as well. They really don't have a safe pick up site for the elementary school kids; it's chaos in the mornings especially.
- Bristol said that he'd also be concerned, because if you put in landscaping, especially something like an arbor vita, particularly on planting strips, they would be cut across, and possibly blocking where a kid could jump through in an emergency. You'd probably have to cut them severely, or remove them, if the kids damaged the roots.
- Kayner asked if there wasn't something in the ordinance that applies to lighting. He would think it would be something like street lights, etc.
- Latta told him that we don't have a code that specifies that. He did some research into what other cities require. Some cities, especially those that are larger, have environmental controls, and they require so many lumens per square foot. He looked at the instruction manual the school provided, and they do have a definition on it. However, on a scale of 1 to 10, the rating is subjective. He's going on good faith with the school, because if they had a sign that was super bright, they would get complaints. He said that with the landscaping, trees do get taller as they get older, so you could have foliage above the sign. He didn't mean for landscaping to be right in front of the sign.
- Starr said that when he was a principal that he made sure he knew who the neighbors were near the school. We haven't done that here, but we can, and the district will work with him. He wishes the complaint had come to him, and they could have just decided to dim it. We aren't doing this to make people upset; our goal is to have a functional sign that people can enjoy. If the City could say the sign is approved without landscaping, that they can add verbiage that the school can work with neighbors to verify that it's not a problem with them. The school association could perhaps work with you on things that can be done to lessen the problem. They can tell you what things other districts have done to mitigate the distraction or the brightness of the signs.

Testimony in Favor of the Conditional Use Permit:

- Charlotte Thomas, 1145 S. 6th St., said that their parent group didn't realize that we needed a cup until they had the conversation with Brian on the City side. It was just an oversight on their part. She is strongly in favor of getting a permit for the sign. It's a great way for us to communicate with other parents, and teachers as well. They've just found the second sign too, at a really lower cost. She'd be worried about trees being planted as well, especially at that corner of Smith & 6th St. She'd be worried about kids using the trees to dart around.

There was nobody else in the audience to provide testimony in opposition, neutral testimony, or to rebut the testimony in favor. Therefore, Chairperson Culver closed the public hearing at 7:42pm.

- Chairperson Culver said that to answer your question earlier, through the church, we wouldn't have a problem with a sign there. Most of their night time activities are in the activity center on the other side of the church. He does appreciate the concern, whether it's a public institution, or a church, shown to residents. For him personally, he doesn't think that a buffer is necessary; especially in that corner, where it is so chaotic. He hears the stories about near misses, and he wouldn't want anything limiting visibility in that area. He can see how toned down the brightness is, when he leaves at 2:30 in the morning on the way to work. The only drawback he can think of is parents attending sporting events in the evening, that aren't used to the sign, could possibly be distracted by it. The fact that you've already done what you can to tone it down, has made the situation better.
- Latta said that one other reason he was looking at vegetation, was to soften the brightness of the sign from the nearby residences. It talks about vegetation in the planter strip, down the street. He mentioned landscaping, because the letter from the school mentioned landscaping. It was suggested by them. If they don't want to do that, then you don't have to impose that requirement. You can get rid of that.
- Bristol said that Condition of Approval No. 2 was too general. He thought that if they toned down, or eliminated the brightness, and the animation, that would help.
- Latta said that it was really bright, and moving really fast to start.
- Bristol asked if the concern was more from the fast movement. Isn't that what normally distracts people?
- Latta said that yes, it can distract someone who is driving, or riding a bike.
- Kayner asked who decides on this.
- Latta said that was something that we and the school had to weigh on the risks. What do you have to prove in order to bring litigation against the school, or the City? That person would have to prove that we didn't do enough to tone it down.
- Kayner asked if we didn't have specific ordinances that talked about that.
- Latta told him we are already making it a stretch to allow this sign in this location, in this City. So what's a good approach to allow them to operate the sign, and to be a good steward? The problem is that we don't have a condition, on how to keep the stewardship where it is. If someone else comes in, and changes the operation, and we say, hey wait, you can't do it; but they can, because we don't have specific enough requirements.
- Kayner asked if we could figure out what other cities do.
- Latta said that he didn't feel comfortable making a Condition of Approval about the lumens, or the difference between them. He thought Condition No. 2 was specific; the biggest problem is animation. Those are the things that can distract people. On our reader board on the highway, we don't do animation, because we don't want to distract people. You'll notice that the message is on the board for a certain amount of time, with no movement, or bouncing. We can do that with our sign, but there could be others that don't.
- Chairperson Culver asked if we could put in a kicker, that if the City receives an unusual amount of complaints, that we have the right to ask the school to put the limitation in Condition No. 2 into play?

- Latta said that those conditions are really hard to enforce. They are very subjective; conditions need to be black and white.

Bristol asked if we could add a time limit onto the Condition No. 2, of keeping a message on the board for at least five seconds? Thomas asked what the City does with its messages. Latta told her that he doesn't have a message up there for less than five seconds, unless it's been on the board for several weeks. He thinks that perhaps we would have a challenge with both Conditions No. 3 and No. 2; if you added five seconds; they seem at odds with each other. Bristol thought perhaps if we took out the word move, it would be better. It would be 'that flash, blink, flicker, or pulse'. The Planning Commission then talked about the time frame, and static display. Kayner asked about when the skate board park turns off the lights, and after finding out that its 9:00, thought that we could dim the brightness at 9:00. Kayner liked what Roger proposed for Condition No. 2. Bristol said that on Condition No. 3, we could say five seconds when viewing a static display. Kayner suggested that we could just get rid of No. 3. Latta said that the point of having that is so they don't put in a message that there is a basketball game tonight, and then rapidly run through ten displays with multiple messages. Kayner liked Bristol's suggestion; he felt that we could change No. 2, and get rid of 3, 4, and 5. He's ok with one and two, with the changes.

- Kayner then **motioned to approve the recommended Conditions of Approval, with the removal of Conditions No. 3, 4, and 5, and amending No. 2 to say 'The electronic reader board signs shall not use any message effects or animations that flash, blink, flicker or pulse'. He was seconded** by Bristol.
- Giles said that the only issue we didn't address is dimming the brightness in the evening. Perhaps another condition could be to dim it for the evening at 9:00.

The Planning Commission then debated the timeframes in the letter to the City, as well as the levels of brightness that were listed. Latta thought it would be easier to say a percentage of capacity, rather than the numbers the Planning Commission see's on the letter. Giles asked if she could then amend it to say that from 9:00pm to 7:30am that it should be at 20% capacity. Chairperson Culver thought that yes, we could, and we could refer to the 7:30am to 4:30pm time at 80% capacity, and the other at 40% capacity. He added that the 9:00 timeframe would change the 2nd line of time from 4:30pm to 9:00pm, rather than 8:00pm. Kayner asked if we should just say at nighttime, but Chairperson Culver liked the change to occur at 9:00, because it's consistent of when the lights go out at the skate park.

- Giles then **motioned that the reader board shall operate at 80% capacity between 7:30am and 4:30pm, at 40% from 4:30pm to 9:00pm, and at 20% from 9:00pm to 7:30am. She was seconded** by Kayner.
- Bristol noted that the first motion was already moved and seconded.
- Chairperson Culver said that we will first vote on the amendment to the original motion. He repeated the times and percentages of brightness as read by Giles. **The Planning Commission then voted unanimously to approve the amendment, which provided that 'The reader board signs shall operate from 7:30am to 4:30pm at 80% capacity, from 4:30 to 9:00pm at 40% capacity, and from 9:00pm to 7:30am at 20% of capacity'.**
- Chairperson Culver stated that the first **motion was to approve the Harrisburg School District Conditional Use Permit (LU #362), subject to the Conditions of Approval**

as amended in the March 14, 2017 staff report. The motion was based on findings contained in the March 14, 2017 staff report, and on findings made during deliberations on the request. He then asked for a vote on the original motion, which was to eliminate Conditions of Approval No's 3, 4, and 5, and to alter Condition No. 2, which would read that 'The electronic reader board signs shall not use any message effects or animations that rapidly flash, blink, flicker or pulse'. The Planning Commission then voted unanimously to approve the original motion.

- The Planning Commission thanked Bryan Starr for his time.

With the Conditional Use Permit concluded, Charlotte Thomas moved back to the Planning Commission table. At the hour of 8:13pm, Todd Culver, and Roger Bristol, both left the meeting. Charlotte Thomas, as the Vice-Chair, took over the Planning Commission meeting at this time.

Work Session: Zoning Code Update

Staff Report: Latta said that as he remarked in the last meeting, he had not had a chance yet to mark up the tables with how the present zoning code is allowing, or not allowing, these specific uses. He hasn't yet had time to compile the tables for the entire code. They will see that the letters in bold black text are how the current code regards the subject matter, and the red bold text shows what the Planning Commission did in the February meeting. We don't have to go back through those unless you wish to. He suggested that we start with pg. 58, and the Residential uses.

Single-Family Dwelling, Detached & Attached: Latta noted that attached single family dwellings are for townhomes, etc. You have homes on their own lots, but they are attached. It looks like duplexes, but each unit is individually owned. Right now, in an R-1 zone, you have special standards, where it's allowed on corner lots, and with 4,500 sq. ft. to each lot. Do you want to allow that in an R-1 zone, and if so, do you want it with a special standard. Thomas asked if it was the kind of units in the Kwake Estates II Subdivision, but then realized that there were more of them in the Spurlock Subdivision. Latta said yes. So do you want that kind of a home in an R-1 zone, or only single family detached homes? If you do want it in an R-1 zone, then do you want a special standard for it? Thomas said that in Salem, there are actually million dollar homes that are tandem, with a shared wall. The homes are owned by separate people. *The Planning Commission decided that they would like to keep the attached homes in the R-1 zone right now with special requirements.* In an R-2 zone, it allows attached homes, but there are special requirements. If it's 2 homes, then its special requirements, if it's 3 or more homes, then it's a site plan requirement. In a medium density zone, you'd expect to see duplexes, and maybe even town homes, 3 to 5 in a row. But having 20 in a row would be kind of silly, which is why you need site plans for that. It's appropriate in an R-2 zone to say that there is a limit of homes you can have in a row; the number is up to you. *The Planning Commission decided that they'd like the limit to be 4 attached homes in an R-2 zone.* In an R-3 zone, it's our highest density zone for homes. Giles asked if that's where the apartments are, and Latta told her that

yes, that's what that zone is designed for. Therefore, *they decided that it should be an outright allowed use in an R-3 zone.*

Accessory Dwellings: The Planning Commission talked about accessory dwellings for a few minutes. This applies to what is typically called a mother-in-law unit. It can be part of the house, or detached from the house. These are designed to have the main residential unit being owner occupied. You wouldn't be able to rent both the home and the accessory dwelling. Kayner asked about the difference between one of these, and what we allowed in a medical hardship. Latta said the case that came to the Planning Commission not too long ago, was very unusual. They don't normally last for a 20-year period. In this case, it was two sets of parents. Luckily, the property owner had enough land to do a partition, and could sell the other parcel with the manufactured home on it. The Planning Commission was worried about the fact that an accessory dwelling could easily be abused. They didn't want it to be a trailer, or something like that. Latta said that these are typically like a separate unit inside the home, sometimes with its own entrance. He recommended that if we allowed it, that it should be with special standards. The Planning Commission felt that it would easily be abused, and rather than a mother in law type of situation, people would likely rent the units out. *They decided that they'd rather not allow accessory dwellings, but they would still allow a medical hardship to exist.*

Boarding or Rooming House: Giles thought it seemed odd to have it in an R-1 zone. She wouldn't be happy with one of these in her neighborhood. *They decided to remove it from the R-1 zone. They decided that they would allow it in an R-2 and R-3 zone, but only with a Conditional Use Permit (CUP).*

Cottage Housing Cluster: After Latta explained what this typically was, the *Planning Commission decided that they didn't want to allow them in Harrisburg at all.*

Duplex Dwelling: *The Planning Commission decided to keep the current standards. It would not be allowed in the R-1 zone, and would be allowed in both the R-2 and R-3 zones.*

Manufactured Home: The Planning Commission talked briefly about this. They are allowed with special standards in both the R-1 and R-2 zones currently. Giles wanted to know what the standards were, and Eldridge told her that they had to be a minimum of 1,000 sq. ft., be a double wide, and had certain architectural requirements. There was more than that, having to do with other standards, such as footings, and they had the same requirements as a single family dwelling. (Garage, driveway, curbs, gutters & sidewalks.) Thomas said that in the R-1, she thinks of it as being nicer residential dwellings. A person who has a really nice home probably won't want someone arriving with a double wide trailer. Kayner thought we should say no. Thomas didn't want to turn her nose up at them. Latta said that in actuality, there are lots of cities that don't allow them in an R-1 zone, or on single lots. You can take a manufactured dwelling and put it in a Manufactured Home Park, in fact, you can put in a park, and they can allow single lots. Giles thought that *we should prohibit them in an R-1 zone, but would say its ok for the R-2 and R-3 zones. The others agreed.*

Manufactured Home Park: Thomas didn't want to have more of them in town. Latta said that there are special processes that apply to them. They have to have so much land, and private streets, etc. Thomas knew it was a big deal in some other cities when these are added, or removed. Latta remarked that the current code said no to one in an R-1 zone, but yes in an R-2 and R-3 zone. Thomas said that she'd be fine with those being special standards. She asked for a better explanation of what those were. Latta told her that special standards are something that would be allowed by administrative use, without it coming to the Planning Commission. In other words, if they met all the requirements, they wouldn't have to go through the more stringent requirements. A Conditional Use Permit or Site Plan Review were both processes that would come before the Planning Commission. He felt the administrative approval would be so much easier for everyone. The conditional use or site plan reviews are both issues in which it would have a greater impact on a neighbor, requiring notification. Latta said that an apartment in an R-2 zone may not make sense, because it has to make financial sense. You could easily do a 4-plex in an R-2 zone. He felt that the Site Plan requirement in the R-2 and R-3 zones was appropriate. Thomas asked if perhaps it becomes 12 units, we should bump it up to a conditional use permit? Latta said he'd look at it from a density perspective.

Family Daycare: The Planning Commission discussed family day care, which is different from a child daycare center. This is in a residential setting. Latta said we actually control this in our home occupation permit, because it addresses how many kids are in the practice. The state also has laws which apply to a commercial facility. Some do get state licensing for a home day care occupation, and that defines how much outdoor space you need, what kind of fences you install, and other types of regulations. Thomas said that as long as this doesn't include the types of things you typically do, such as reciprocal babysitting. *The Planning Commission decided to eliminate family daycare as being allowed in residential zones.*

Residential Care Home: Latta told the Planning Commission that this is defined as a group home setting, which currently is allowed in the R-1 and R-2 zones. The special settings allows up to 3 caretakers. Kayner wasn't sure that it should be something that is allowed in an R-1 zone, but Latta said it's actually more common in an R-1 zone. Giles agreed, and said it usually a regular house that they use. Thomas said that her only worry is the number of cars at the residence. Latta said that the R-1 zone typically has homes with more bedrooms; at least one caretaker resides on site, and some of those being cared for, don't have vehicles. *The Planning Commission decided to keep the standards the same, and decided that it should be allowed in an R-3 zone as well.*

Residential Care Facility: *The Planning Commission decided that they preferred for this use to be in an R-2 or R-3 zone, and rather than just being permitted, they'd like to apply a CUP to this use.*

Home Occupation: Latta remarked that this is where family day care would apply. There were no other changes.

Airport, Automobile Parking/Public Off-Street Parking, and Cemetery: *The Planning Commission did not want to allow any of these uses in residential zones.*

Child Daycare Center: Latta said that this is a facility that is licensed by the state. Kayner was confused as to why we are dealing with this again. Latta said that this is what our current code allows. Thomas questioned whether it should be allowed in an R-1 zone, and Kayner felt it shouldn't be. Latta said that it can be done if it meets state requirements. There is so much space required and employees required per child. He said that you could regulate them through a CUP. Kayner was concerned about screaming kids; perhaps that should be in an R-3 zone. Latta said that to his knowledge, most other cities have them allowed as a CUP in lower density residential zones. Giles said that she used to be living next to one of these. It was blended with the other homes, but still didn't look like a home. Kayner said that he felt it shouldn't be allowed in an R-1 zone. Giles said that she'd be ok with allowing it with a CUP. Latta said that we only have one of these right now in a high density zone; that's the Head Start program, which is in the low income housing. Kayner still felt it shouldn't be in an R-1 zone. Giles felt like it could be allowed with a CUP, but she wouldn't want something looking like a daycare facility. She was ok with it, if it had conditions to look like a residential property. *The Planning Commission decided to allow it with a CUP in R-2 and R-3 zones, and to not allow a daycare center in a R-1 zone.*

Club Lodge, Fraternal Organization, Community Service, Outpatient Clinic: All of these were covered at the last meeting, with no uses allowed in any of the residential zones.

Emergency Services: Latta said that we had said no to these in R-1 and R-2 at the last meeting. Do they want to allow this with a CUP? *Giles said that she liked it only in the C-1 and M-1 zones. The others agreed.*

Hospital and Mortuary: These were covered at the last meeting, no changes.

Non-Profit Member Organization Offices: *The Planning Commission felt that we shouldn't allow this use in any of the residential zones.*

Parks & Open Space, etc.: *The Planning Commission felt that this should be allowed in all zones as a CUP. Latta made note that we also now have a PUZ zone. That also is allowed in open spaces.*

Prison, PW Utility Storage Yards, etc., Railroad Facilities: *The Planning Commission felt that none of these should be allowed in residential zones.*

Religious Institutions and Houses of Worship: *The Planning Commission agreed that it should be allowed as a CUP in R-1 and R-2 zones.*

School, Pre-school/Kindergarten: Thomas said that some of these are in homes; and all of our schools are in an R-1 zone right now. *The Planning Commission felt it should be allowed as a CUP in all residential zones.*

School, College or Vocational School & Solid Waste Disposal Site: *The Planning Commission didn't want any of these being allowed in the residential zones.*

Transportation Facilities: *The Planning Commission decided that they would allow it in each of the residential zones, but that it should come to them as a CUP.*

Utility Structures & Facilities, etc.: *The Planning Commission said they could be allowed in residential zones, as long as they come to us as a CUP.*

Wireless Communication Facilities: *The Planning Commission decided that these shouldn't be allowed in residential zones.*

Commercial Uses; Amusement, etc., and Artisanal/Light Manufacturing Uses: *The Planning Commission didn't want to allow these to be in any of the residential zones.*

The Planning Commission adjourned at the hour of 9:00pm.

Planning Commission Chairperson

City Recorder

City of Harrisburg

PLANNING COMMISSION

NOTICE OF DECISION

REQUEST: The applicant requests approval of a Conditional Use Permit application to install three electronic reader board signs, one at each school site in Harrisburg.

LOCATION: 642 Smith Street (elementary); 201 S. 6th Street (middle); and, 400 S. 9th Street (high)

HEARING DATE: March 21, 2017

ZONING: R-1 Low Density Residential (high school) & R-2 Medium Density Residential (elementary & middle schools)

**APPLICANT/
OWNER:** Bryan Starr, on behalf of
Harrisburg School District
PO Box 208
Harrisburg, OR 97446

APPEAL DEADLINE: March 31, 2017, at 5:00 p.m.

DECISION: The Harrisburg Planning Commission conducted a public hearing on March 21, 2017, and voted to approve the requests. The Planning Commission adopted the findings contained in the March 14, 2017 Staff Report, and portions of the minutes from the meeting that demonstrate support for the Planning Commission's actions.

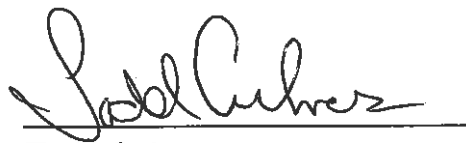
APPEALS: This decision may be appealed by filing a Notice of Appeal with the City Recorder at 120 Smith Street. The Notice of Appeal should be filed by the Appeal Deadline date listed above. Specific information on the requirements for an appeal or a copy of the complete file of this land use action may be obtained at Harrisburg City Hall. There is a fee of \$350 plus actual expenses for appealing a Planning Commission to the City Council.

EFFECTIVE DATE: March 31, 2017, unless an appeal has been filed with the City Recorder.

3/28/17

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 Conditional Use Permit approval will expire on March 31, 2018.

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

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. The electronic reader board signs shall not use any message effects or animations that rapidly flash, blink, flicker, or pulse.
3. The reader board signs shall operate at the following brightness levels:
 - a. 7:30 am – 4:30 pm: 80% capacity
 - b. 4:30 pm – 9:00 pm: 40% capacity
 - c. 9:00 pm – 7:30 am: 20% capacity