

Memorandum

To: City of The Dalles Planning Commission and City Council
From: Brenda Green, Administrative Secretary
Date: 10/1/2010
Re: Dinner on October 7, 2010

In consideration of our meeting being held at an earlier time, dinner will be provided for all Commissioners and Councilors beginning at 5:00pm in the upstairs conference room.



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
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Community Development Dept.

**AGENDA
CITY OF THE DALLES PLANNING COMMISSION
AND
CITY OF THE DALLES CITY COUNCIL
JOINT WORK SESSION
Periodic Review of the Comprehensive Plan**

CITY HALL COUNCIL CHAMBERS
313 COURT SREET
THE DALLES, OREGON 97058
CONDUCTED IN A HANDICAP ACCESSIBLE MEETING ROOM

THURSDAY, OCTOBER 7, 2010
5:30 P.M.

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. Approval of Minutes; September 16, 2010
- V. Public Comment (Items not on the Agenda)
- VI. Periodic Review of The Dalles Comprehensive Land Use Plan
- VII. Staff Comments
- VIII. Commissioner and Councilor Comments/Questions
- IX. Next scheduled Planning Commission meeting date: October 21, 2010
- X. Adjournment

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, September 16, 2010

City Hall Council Chambers

313 Court Streets

The Dalles, OR 97058

Conducted in a handicap accessible room

DRAFT

CALL TO ORDER:

Chair Lavier called the meeting to order at 6:30pm.

BOARD

MEMBERS PRESENT: Bruce Lavier
Mark Poppoff
Benjamin Hoey
Ted Bryant
John Nelson

BOARD

MEMBERS ABSENT: Ron Ahlberg
Chris Zukin

STAFF PRESENT:

City Attorney Gene Parker
Senior Planner Richard Gassman
Associate Planner Dawn Hert
Administrative Secretary Brenda Green

APPROVAL OF AGENDA:

It was moved by Bryant and seconded by Hoey to approve the agenda as submitted. The motion carried unanimously, Ahlberg and Zukin absent.

APPROVAL OF MINUTES:

It was moved by Bryant and seconded by Nelson to approve the minutes of August 19, 2010 as submitted. The motion carried unanimously, Ahlberg and Zukin absent.

PUBLIC COMMENT:

David Bandel-Ramirez (Bandel), 217 E 10th, The Dalles, expressed his extreme concern for safety in regards to the electronic reader board that was recently installed at the High School. He pointed out the dangers of the highly used intersection and stated how much more dangerous it will be now that drivers will be distracted looking at a moving sign. Bandel was frustrated that the sign had gone up without any notification to the neighbors and the public and wondered overall how it was approved. He also expressed concern that it's considered a community interest sign but that the information being shown had only been about the school and the play.

Associate Planner Hert explained to the Commission the history of the sign in question as well as the rules surrounding an electronic reader board. She stated that the sign had been approved. Hert shared that she had attended the Traffic Safety Committee meeting Wednesday morning where the sign had also been discussed.

Chair Lavier responded to Mr. Bandel that he understood his concern, but considering that the School District had gone through the proper permitting process, if it is determined to be a legal sign the Planning Commission could not reverse the decision. In consideration of Bandel's concerns, Lavier advised him to take his concerns to the School District Board. Lavier attempted to explain to Bandel that even if the Planning Commission decided to change the sign code immediately, the sign in question would still be grand-fathered in.

Mr. Bandel emphasized several times how dangerous it was to have the sign at that corner, with his concern being a child being hit by a vehicle.

Commissioner Nelson suggested that when the LUDO amendments are discussed, electronic reader board signs be added to that list.

The Commissioners and staff discussed how exempt status and community interest is determined.

The Commissioners and staff also discussed the safety of the intersection. Associate Planner Hert shared that Police Chief Waterbury had said he felt that the intersection by the High School was the second most dangerous intersection in the City.

Ann Coddling, 300 E 10th St, The Dalles stated that she was also there with concerns in regards to the new reader board sign installed at the High School. Coddling submitted a letter explaining her position; copies were distributed to the Commissioners. She pointed out that according to our sign code, before a sign can be labeled exempt it must be determined that the sign is not a traffic hazard. She questioned how the sign was approved and suggested that a better process for determining if a sign is a traffic hazard should be adopted. Coddling also explained that she had spent time driving around the area looking at all the intersections and suggested that there could have been a safer place for the sign to have been installed. Coddling shared that she lived directly across the street from the High School and that the sign illuminates all the rooms on that side of her house; which she felt should not be allowed in a residential area. She also explained that she had been told that the sign had been in the planning stage for three years and wondered why no one had known about it.

Commissioner Bryant drew attention to the last paragraph of Mrs. Coddling's letter that suggested alternate locations for the sign. He asked if she had taken that suggestion to the School District. Coddling replied that she had sent letters to the administration and to the school board but had only heard back from Principal Jupe. She shared that Jupe's response was essentially that they did not feel the need to survey the neighborhood; they were only replacing the existing reader board. Coddling pointed out the larger dimensions of the new sign, the electronic aspects of the new sign and the increased danger it presents concluding that it was not a simple replacement.

Associate Planner Hert clarified Mrs. Coddling's comment in regards to a traffic engineer. Hert explained the context of the original comment she had made at the Traffic Safety Committee. She had commented that a traffic engineer would be a person who could make an actual determination that the

sign was a traffic hazard. Mrs. Coddling suggested that a provision be added to the code that a traffic engineer be consulted in certain circumstances.

Commissioner Nelson asked what criteria Director Durow used to determine that it was not a hazard. City Attorney Parker stated that since Durow was not in attendance it would not be appropriate to respond for him, but that he would be willing to look into it for them.

Commissioner Nelson thanked Mrs. Coddling and Mr. Bandel for bringing the sign to the Planning Commission's attention.

Chair Lavier requested a report be brought back to the Commission and suggested that perhaps the Planning Commission and the Traffic Safety Committee could talk to the School District regarding the concerns surrounding the new reader board.

Randy Cole, 816 E 20th, The Dalles introduced himself as the chairman of the Traffic Safety Committee. Mr. Cole shared his concern that the new sign was a distraction to drivers. He did not feel that the sign was a community interest sign. Cole felt that the ball had been dropped and that more than one person should be responsible for deciding if a sign is community interest or not. He also shared his confusion as to how the sign had been planned for over the last three years, and no one knew about it. Cole's final thought was that the sign should not be allowed to be grand-fathered, and that the approval should be re-evaluated.

ACTION ITEM: Master Sign Plan for Icon Holdings / Lone Pine Village
Associate Planner Hert presented a Staff Report which explained Lone Pine's request, explained the City's code in regards to a special control district and gave an explanation of how sign requests would be processed if Lone Pine's request is approved. Hert stated that staff recommends approval of the request with the Planning Commission's role being to forward the request to City Council for adoption.

Commissioner Bryant asked for an explanation of the statement in Icon's Sign District Plan that compliance is solely at the discretion of Icon West Developments. Associate Planner Hert explained that the sign plan put together by Icon West is more strict than the City's sign code. Consequently applicants must first meet the city's code and then additional guidelines of Lone Pine Village; those additional guidelines are the guidelines of which compliance is solely at their discretion.

Robert Gilham, 1524 Sherman Ave, Hood River, 97031 introduced himself as the developer of Lone Pine Village.

Commissioner Bryant asked what a qualified sign builder was. Mr. Gilham replied that Lone Pine Village just wanted to make sure that signs are made by a hired professional, and that their end desire is for cohesiveness and a higher aesthetic quality.

Commissioner Hoey asked about the boundaries for the special district. Associate Planner Hert responded that it only applies to Lone Pine's property. Mr. Gilham shared that they are working with the neighbors and that if the neighbors want to join in on the sign style they are willing to work with them.

Commissioner Hoey inquired about the signage on the portion of the Riverfront Trail that goes through

the Lone Pine Property. Associate Planner Hert defined which signs are considered safety signs or traffic signs and explained that overall, if a sign type is not called out in the special district plan, then the control of the sign would fall back on the City of The Dalles' sign code. There was a general discussion in regards to signs on the trail and on the public right of way as well as which roads in the development were public versus private and which areas were commercial versus residential.

Motion:

Commissioner Bryant moved to forward the request and recommend adoption to establish a special district for special control of Lone Pine Village as shown in the attached document dated July 13, 2010 to City Council. The motion was seconded by Poppoff and approved unanimously; Ahlberg and Zukin absent.

Work Session: Proposed LUDO revisions

Senior Planner Gassman explained how potential LUDO amendments are put onto the list. He then went over each of the twenty-eight potential amendments giving a brief summary and staff's opinion as to how to proceed on each one. Gassman passed out a memo from Commissioner Zukin, who was not able to be in attendance, which outlined his preliminary comments regarding the proposed changes. The memo is attached as "Exhibit A".

Amendment #1 - Regarding the suggestion to require a developer to hold a neighborhood outreach meeting prior to quasi-judicial public hearings, Gassman explained that this amendment was suggested by Commissioner Nelson before he was appointed as a Commissioner. He stated that staff does not support the suggestion as a requirement but that they do support it as a recommendation.

Commissioner Nelson explained his intent behind the proposed change and stated that he would agree to it being a recommendation only. The Commissioners agreed to include the change as a recommendation, not a requirement and emphasized that it should occur prior to any public hearing.

Amendment #2 – Suggestion was submitted by Louise Longheinrich to add an Economic Impact Analysis for large scale developments.

Louise Longheinrich, 2108 Garrison St, The Dalles explained why she had brought the suggestion forward and explained how she thought it would benefit the community. Longheinrich cited an example of a similar program being utilized by the state of Maine.

Commissioner Nelson agreed that adding a similar process would provide more information to Commissioners and Council members as well as allowing a place for economic considerations to be heard.

The Commissioners showed interest in this item but felt it was too big of a project to discuss as a LUDO amendment. Senior Planner Gassman suggested taking it out of the amendment list and addressing it as a separate ordinance at a later time. The Commissioners agreed.

Amendment #3-7 – no comments

Amendment #8 – Staff and Commissioners discussed definitions and differences of Motor Homes versus Manufactured Homes and where they are allowed within the City. Senior Planner Gassman

explained the proposed LUDO change. There was a general discussion about being consistent with State Building Codes. The Commissioners agreed with staff's suggestion.

Amendment #9 – Commissioner Poppoff asked for it to be clarified that residential units allowed below street level must also meet all requirements set by State Building Codes.

Amendment #10 – Senior Planner Gassman explained that the Planning Department had recently received quite a few questions and comments in regards to residential living in the marina. After a general discussion the Commissioners agreed that recreational living should be allowed in the Marina subject to limitations on length of stay as set by the Port of The Dalles regulations. Commissioner Poppoff suggested creating a new zone to encompass the marina.

Amendment #11 – Senior Planner Gassman explained that the amendment was a result of the direction by City Council to allow Sky's Auto in the Industrial zone. Commissioner Nelson stated that he disagreed with City Council's decision and felt that allowing uses which are not industrial within an Industrial zone, takes away limited land for true Industrial purposes. Staff explained that they generally define a commercial operation to be one that has customers come to their location. Chair Lavier and Commissioner Bryant also voiced their concerns with non-industrial uses in industrial land as well as concern that processes were not followed. Nelson, Bryant and Lavier stated that they disagreed with the proposed amendment. Poppoff felt that an auto body shop was appropriate in an Industrial zone.

Amendment #12 – Senior Planner Gassman explained that the Commissioners had previously mentioned concerns about lighting that shines across property lines within residential neighborhoods. The original concern originated from a discussion about security lighting directed towards traffic. After a general discussion, the Commissioners agreed that they did want to restrict residential lighting to being within the property line; similar to what is required for surface parking lots.

Amendment #13 - 17 – no comments

Amendment #18 – Senior Planner Gassman informed the Commission that Police Chief Waterbury had requested that private streets have signs which indicate that the street is private. After a general discussion, the Commissioners showed agreement that it would be a good idea to clearly identify that a street is private.

Senior Planner Gassman pointed out that the entire sign code would need to be revised sometime soon, but also stressed that it would be a major undertaking due to the first amendment issues that a sign code touches on.

Amendment #19 - 23 – no comments

Amendment #24 – The Planning Commission and Staff discussed political signs. The Commissioners showed interest in limiting the size and the duration that signs are displayed but also showed understanding that legally it is difficult to restrict political signage. Staff pointed out that if restrictions are made, there needs to be adequate means to enforce those restrictions.

Amendment #25 – Regarding sign height in the Highway District, Senior Planner Gassman described a study that was being conducted. There was a discussion about where the Highway District is as well

as the regulations around the billboard signage along Sixth Street. Gassman stated that staff would have more information about the Highway District after the study is completed.

Amendment #26 – 28 – no comments

Chair Lavier asked if they should have a discussion about flashing signs. Senior Planner Gassman responded that staff would do an internal review looking at the approval of the High School sign and would bring back a report. Lavier suggested light intensity would be an important factor to consider in regards to safety. Commissioner Hoey suggested that the sign's hours of operation would be another overall factor to consider. The Commissioners agreed that electronic sign hours should be limited when in a residential area.

STAFF COMMENTS:

Senior Planner Gassman introduced Thomas Gilbertson as the new RARE planner who will be working with the Community Development Department until August of 2011.

RARE Planner Gilbertson informed the Commission that his assigned projects included working on the Main Street Application, downtown organizational projects, and updating the Vision Action Plan. Commissioner Nelson asked if he would be comparing the Vision Action Plan with the Comprehensive Land Use Plan to verify that the two are supporting each other. Gilbertson stated yes; he would be utilizing the comprehensive plan while doing his comparisons and updates.

COMMISSIONER COMMENTS:

Commissioner Bryant asked for an update on the fence at Tenth and Trevitt, the Dirt Huggers debris pile and the McDonald's lighting. Senior Planner Gassman responded that he had not received a report back yet on the fence or the McDonald's lighting. Regarding the Dirt Huggers pile Gassman replied that he had received a report back but would need to bring the details to the Commission next time. Gassman explained to the Commission that the Code Enforcement officer that handles those types of complaints only works two days a week.

Commissioner Bryant asked about the status of updating the Public Hearing procedure to include a time for general comments from the public; people who were neither for nor against an application. Chair Lavier volunteered to update the wording on the script.

NEXT MEETING: The next scheduled meeting is October 7, 2010. Senior Planner Gassman explained that it would be a joint work session with City Council to do a periodic review of The Dalles Comprehensive Land Use Plan.

ADJOURNMENT: The Planning Commission meeting was adjourned at 9:30 p.m.

Submitted by
Brenda Green, Administrative Secretary

Bruce Lavier, Planning Commission Chair