

**CITY OF NORTH PLAINS PLANNING COMMISSION
REGULAR SESSION AGENDA
WEDNESDAY, MARCH 13, 2013, 7:00 P.M.
JESSIE MAYS COMMUNITY HALL, 30975 NW HILLCREST STREET**

1. **CALL TO ORDER**

2. **FLAG SALUTE**

3. **ROLL CALL**

4. **PUBLIC COMMENTS**

(This time is provided for questions or statements by the persons in the audience on any item of Commission business, except those items which appear on this agenda. Comments shall be limited as determined by the Chairperson.)

5. **CONSENT AGENDA**

January 9, 2013, Regular Session Minute Approval.

6. **UNFINISHED BUSINESS**

Reconsideration of Amendment to Sign Ordinance 16.80.

7. **STAFF REPORT**

City Manager

8. **COMMISSION REPORTS**

Parks Advisory Committee (PAC)

Primary - Heather LaBonte

Alternate - Aeron Braukman

9. **ADJOURNMENT**



Pamela L. Smith, Account Clerk II

City Planning Commission Meetings are scheduled for Jessie Mays Community Hall, 30975 NW Hillcrest Street, North Plains, Oregon, on the following dates at 7:00 p.m.:

Wednesday, April 10, 2013

Wednesday, May 8, 2013

Wednesday, June 12, 2013

**CITY OF NORTH PLAINS PLANNING COMMISSION
REGULAR SESSION MINUTES
JANUARY 9, 2013, 7:00 P.M.
JESSIE MAYS COMMUNITY HALL
30975 NW HILLCREST STREET**

1. Chairman King called the meeting to order at 7:02 pm.

2. Chairman King led the pledge of allegiance.

3. **ROLL CALL**

Commission: Chairman Stewart King, Vice-Chairperson Heather LaBonte, Commissioners Jeff Low, Doug Nunnenkamp and Daryl Olson present. Ex-Officio Teri Lenahan present and Commissioners Ethan Hagar and Aeron Braukman excused absence.

Staff: City Manager Martha DeBry, City Planner Angie Lehnert, and Account Clerk II Pam Smith present.

4. **PUBLIC COMMENTS**

No audience so no comments were received.

5. **CONSENT AGENDA**

December 12, 2012 Regular Session Minute Approval. LaBonte moved to approve the December 12, 2012 Regular Session minutes as written, Nunnenkamp seconded the motion and it was approved unanimously.

6. **UNFINISHED BUSINESS**

Zoning and Development Code Amendment; ZDA-12-005. Lehnert went over the new changes with the Commission to verify everything was correct. She noted where she had fixed numbering, cleaned up wording, or corrected typos.

LaBonte questioned item "d." under 16.80.010 which referred to Homeowner Association Meeting announcements (sign size). She felt the size stated for a sign was not big enough. Lehnert suggested changing it to six square feet per side on a 2-sided sign, which was agreed on.

Lehnert asked the Commission if the Temporary Sign sections were clear now and they confirmed they were.

Under 16.170.000, item "D." King asked that the words "Type IV" be added to the front of the title and a space be added after the ampersand.

Some of the Commissioners felt the words "may be" in the first sentence under 16.170.001, Pre-application Conference, were too ambiguous but Lehnert liked them

left in since each situation would be different. She noted it would depend on the complexity of the application and whether input by Public Works, engineers, etc. were required. The individual situations would be decided by the City Manager or City Planner. King asked for a definition of a pre-application Conference and thought one should be included in the code. He thought it should say that a Pre-application Conference meeting would be required before a formal application if it involved x, y, z. It was agreed that each instance of "may be" in this section would be replaced with "shall be" noting that the City Manager could waive the Pre-application Conference.

King inquired about the 10% limit on Minor Variances, asking if it were realistic. DeBry stated it was just an arbitrary number and noted there were not many variances. She thought it would be fine to leave that percentage unless the Commission found that it needed to be changed at a later date.

King noted the Planning Commission would need to make a recommendation to City Council and asked if there were any questions or comments. DeBry noted the changes would be taken in front of City Council in February for the first reading. There was some discussion about mineral rights and whether there was anything in our code about it. Nunnenkamp thought that was covered under state statutes. DeBry noted the City was only concerned with what happens above ground. Olson noted that environmental issues could be huge.

Olson moved to recommend Zoning and Development Code Amendment ZDA-12-005 to City Council for approval. LaBonte seconded the motion and it was approved unanimously.

7. STAFF REPORT

DeBry noted appointments to the Parks Advisory committee were routinely made in January and asked if a change were needed. King noted no change needed since no objections or comments were heard.

DeBry told the Commission that City Council approved the temporary reduction of some building fees at the Monday evening meeting to promote development of single family homes on vacant lots and partitioned properties in the city. The reduction would be 75% in calendar year 2013, 50% in 2014 and 25% in 2015. The reduced fees would include System Development charges for water, streets and parks as well as the street fee in lieu charge. King asked if this reduction could be used for the partitioning of lots. DeBry said it would not be applicable for subdivisions but would be okay for partitions of two lots. Nunnenkamp inquired if the building would need to be completed within the same year to get the discount. DeBry noted the discount would be figured on the date the application was submitted and the work would need

to be completed within the time frame on the permit. Olson asked what the average fees run. DeBry said \$30,000 is typical with the fees varying based on the street frontage of the individual property.

DeBry noted Highland Court is closed and the pre-design paperwork would be in the office soon. King inquired whether there was any information on the expansion. DeBry said no but LaBonte said Clean Water Services was done with their part.

King asked about the latest on Recology. DeBry noted the Washington County Board of Commissioners would meet on January 22, 2013, to consider the term for food waste. At this time, April 31, 2013, is the expiration date for acceptance of food waste. City Council is opposing any food waste being accepted at Recology. Nunnenkamp thinks they may get the extension they seek. DeBry noted the food waste doesn't have to come to North Plains. Lenahan said Washington County Board of Commissioners was happy North Plains City Council had taken a strong stand and noted the letter they sent was helpful. DeBry thought they would be able to redirect the food waste and noted the green waste is still scheduled to be brought to North Plains through 2015.

LaBonte asked if Oregon Department of Transportation (ODOT) could put reflectors on NW Glencoe Road from the overpass to Highland Court, noting it is hard to see the lanes in that area. DeBry said she would ask.

8. **COMMISSION REPORTS**

Parks Advisory Committee (PAC). No meeting held so nothing to report.

DeBry did note there would be a meeting of the Parks Advisory Committee this month. Lenahan let the Planning Commission know the Washington County Board of Commissioners meeting would be held January 22, 2013, at 6:30pm. DeBry noted the City Council meeting would be rescheduled for Thursday, January 24, 2013 at 7pm. King noted the Crab Feed would be held January 19, 2013 and DeBry reminded the Commission the Music Festival's first program would be January 26 and the new Playdate program would be January 27.

Lenahan shared that Charlynn Newton had taken her oath at the City Council meeting, taking the position of Ana Singh-Gill who retired from City Council after 4 years of service. City Council discussed the future of Garlic Festival, Recology, and their goals for the year at the last meeting.

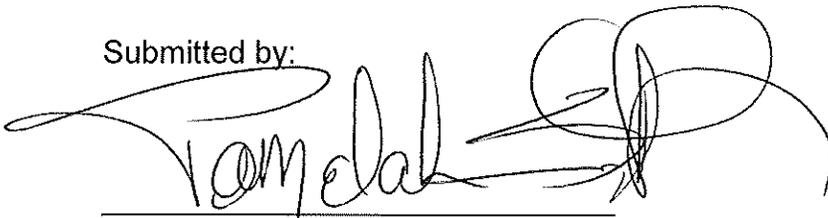
DeBry noted Planning Commission should work on their goals for the year too. She also talked with the Planning Commission about the need to find residential land for subdivisions and voiced that the commission might want to look at the Jackson School

Road area. LaBonte and King noted that area was a buffer and Nunnenkamp noted we might not want to have residential that close to Highway 26.

DeBry noted it would be a good time to update the Comprehensive Plan.

9. **ADJOURNMENT**

Submitted by:

A handwritten signature in black ink, appearing to read 'Pamela L. Smith', written over a horizontal line. The signature is stylized and cursive.

Pamela L. Smith, Account Clerk II

Minutes Approved: _____

M E M O R A N D U M

MARCH 13, 2013

TO: North Plains Planning Commission

FROM: Martha DeBry, City Manager

RE: Reconsideration of Amendment to Sign Ordinance 16.80

The Planning Commission has been in the process of reviewing many sections of the zoning ordinance, and recommended approval of changes to Council.

In the time between the Commission's and Council review an issue concerning an existing business has arisen, and the City Attorney has recommended the City consider changing its sign ordinance. Specifically, McDonald's has requested relief from the requirement to remove their pole signs, following the approval of the design review of the building.

City ordinance as written requires all non-conforming uses to be corrected into conformance upon the approval of a design review. McDonald's signs exceed the height limitation of 15 feet and pole signs in general do not conform with the code which now promotes lower profile monument signs.

Staff had advised McDonald's of the need to bring the sign into conformance when the design review was considered. At that time McDonald's advised it may not proceed with its project to invest several hundred thousands of dollars into the expansion of the store at Glencoe Road and Highland Court, if a condition was the removal of the highway sign that is approximately 80 feet high.

McDonald's recently requested that the City consider either a variance or non-conforming use permit to allow them to continue using the sign. The business has realized a decline in business while the Glencoe Interchange Project is under construction, and the business owner who is a local resident advises that the loss of the sign would present a long-term detriment to his business. The value of the sign itself was about \$100,000 when it was installed about 10 years ago.

The City Attorney reviewed the request and the code and advised staff that neither a variance or non-conforming use permit are appropriate in this instance. The Attorney recommended either enforcing the code as is or amending it to allow highway signs to be retained.

Staff is recommending the non-conforming use section of the sign code 16.80.045.A.1 be reviewed. The City Council approved all of the recommendations for changes to the code except for the section related to signs, and asked that the Planning Commission reconsider the ordinance section.

Specifically, the City can consider triggering code conformance when the sign itself requires a permit (for example for electrical work to repair or replace equipment). The existing code 16.85.A1 requires removal because there was design review on the same property. Staff recommends that the maximum threshold for repair/replacement of a non-conforming sign be set at the lower of 50% of the sign value or \$25,000. The current cost to install such as sign today is somewhere around \$150,000.

McDonald's is locally owned business, that reliably employs residents, and supports community organizations in a variety of ways. Improvement of the store would add to the other aesthetic improvements at North Plains' main entry from the highway.

Recommendation: The Planning Commission give further consideration to the amendment of the sign ordinance 16.80 as part of its review of 12-009-01-ZDA.