

**CITY OF NORTH PLAINS PLANNING COMMISSION
REGULAR SESSION MINUTES
DECEMBER 12, 2012, 7:00 P.M.
JESSIE MAYS COMMUNITY HALL
30975 NW HILLCREST STREET**

1. Chairman King called the meeting to order at 7:01 pm.
2. Chairman King led the pledge of allegiance.

3. **ROLL CALL**

Commission: Chairman Stewart King, Vice-Chairperson Heather LaBonte, Commissioners Jeff Low and Doug Nunnenkamp present. Commissioner Ethan Hagar arrived at 7:18. Commissioner Daryl Olson excused absence and Ex-Officio Glen Warren unexcused absence.

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

Visitors: Niki Munson of Riverside Homes present.

4. **PUBLIC COMMENTS**

No comments were received.

5. **CONSENT AGENDA**

September 12, 2012, Regular Session Minutes, and November 14, 2012, Regular Session Minutes Approval. LaBonte approved the September 12, 2012, and the November 14, 2012, Regular Session Minutes as written. Low seconded the motion and they were approved unanimously.

6. **NEW BUSINESS**

A. Applicant Stewart King requesting a Variance for property located at 31525 NW Cottage Street. King asked that the agenda be amended with this request being a Public Hearing item instead of New Business. DeBry noted that the Public Hearing Notice had been done and conditions had been met. King also wanted elections to be added as item #10 and the Adjournment to become item #11.

PUBLIC HEARING

King opened the Public Hearing at 7:07 and the Quasi-Judicial Public Hearing Script was read. After asking for declarations of conflict of interest, ex-parte contact or personal bias and hearing none, King stepped down and LaBonte took over the meeting asking if anyone wished to challenge any remaining Commissioner. Hearing none, she asked Lehnert to read the staff report requesting a variance of an interior

side yard setback from ten foot to five foot on property located at 31525 NW Cottage Street. Lehnert noted the Planning Commission was in the process of revising the Code to permit five foot interior side yard setbacks in the R-5 Zone. With no further discussion, LaBonte inquired whether there would be a quorum without King's vote and DeBry said it would stand unless appealed. LaBonte closed the Public Hearing at 7:10. Nunnenkamp approved the adoption of the findings within the Staff Report and approved the variance request for File #12-010-01-VAR. The motion was seconded by Low and unanimously approved.

King retook the chair at 7:11, and asked Lehnert about the new numbering system on the files. Lehnert told the Commission files were now identified by a project number so the numbering system had changed to reflect that.

B. Planning Commissioner Applicant Interview. King asked if the Commission felt the need to interview candidate Low or Olson. Neither Nunnenkamp nor LaBonte had questions for either of the candidates. King asked for a recommendation. Nunnenkamp approved Low and Olson for recommendation to City Council for additional four year terms on the North Plains Planning Commission. LaBonte seconded the motion and it was unanimously approved.

C. Sunset Terrace Division Extension Request. Lehnert told the Commission an email had been received from Riverside Homes requesting an extension approval of the Sunset Terrace Subdivision, File #SD/FPP 06-009. King asked if the new expiration date would be from tonight's meeting date or from the anniversary date of the original request, which was July 12, 2006. DeBry said it would be from today's date. Lehnert stated the City found no significant changes since the original application and recommended approval for a two year extension. (Hagar arrived at 7:18).

Niki Munson, Riverside Homes, 17933 NW Evergreen Parkway spoke to the Commission on the plan to develop the existing plat beginning in March 2013 and ending in June 2013.

Nunnenkamp stated that traditionally the original application date was used for extensions. Lehnert noted the original applicant was not the owner of the property at this time and the property was now owned by the bank.

King asked how the Commission felt about the two different dates, July 12, 2012, and December 12, 2012. Nunnenkamp thought the Commission should be consistent in approving extensions. King asked the applicant if she felt the date of July 12, 2014, would give sufficient time to finish the work. N. Munson agreed that date would allow Riverside Homes enough time. Nunnenkamp moved to grant approval of a two year

extension of File #SD/FPP 06-009 from the original application date to expire July 12, 2014. Low seconded the motion and it was unanimously approved.

D. Jennifer Marsicek, representing the North Plains Senior Center, Extension Request. A request was received for a one year extension on File #DR 10-005/CUP 10-006. The original expiration date was December 8, 2012. With Phase I completed, Phase II will encompass remodeling the kitchen storage area and the applicant was waiting for funding to come through. King wondered why the applicant hadn't asked for the extension while the original application was still valid. Lehnert felt the extension request would be fine to approve with the expiration date so close. Low moved to grant a one year extension of File #DR 10-005/CUP 10-006 from the original application date to expire December 8, 2013. Nunnenkamp seconded the motion and it was unanimously approved.

7. **UNFINISHED BUSINESS**

Zoning and Development Code Amendment: File #ZDA 12-005. Lehnert opened the discussion and suggested going over changes made from discussion at the prior meeting.

Lehnert asked to confirm with LaBonte the Lot Line Adjustment definition correction she wanted to see. LaBonte suggested removing the second line of the definition. King noted that line is about a process and should not be a part of the definition. Lehnert stated that line would be removed.

Lehnert noted she couldn't find anything about video signs so removed item #DD from Section 16.80-Sign Standards, and will renumber the section. She also removed the line "Video signs are not included in this definition." from Section 16.80 item #J. Nunnenkamp asked if the word "videos" shouldn't be included somewhere under item #J. DeBry and Lehnert thought item #J.4. covered videos. It was agreed to add the word "videos" to item #J.4.

The discussion about Temporary Signs continued with Lehnert describing how all temporary signs would be allowed on private property in Commercial and Industrial zones. DeBry related this would allow businesses to put up these signs without the need for permits. Nunnenkamp asked about the time frame for temporary signs. DeBry noted it would not regulate temporary signs unless the signs were in the public right-of-way and were not for City or community events, in which case a permit would be required and the City would regulate the six month time frame. Nunnenkamp reminded that we do regulate signs to which DeBry said we only regulate permanent signs. Nunnenkamp would like to see temporary signs regulated to allow for an uncluttered and clean look in town. King agreed that it would be easier to enforce if

the code were clear. DeBry preferred not to have a restrictive code if the City was not going to actively enforce it. Nunnenkamp questioned why it would not be enforced. DeBry stated temporary signs were not a priority when there were limited resources available for enforcement.

DeBry restated we should not regulate temporary signs on private property, only those in the public right-of-way for events other than City or community events. Those would require permits and be held to the six month time frame period. She noted an exception might be needed for temporary signs in the downtown right-of-way area limiting size and placement. Lehnert noted the code didn't specify what does or does not require permits. King thought all temporary signs should require a permit except those for City or community events. LaBonte asked for confirmation that temporary signs in the right-of-way, which are not about City or community events, would be the only ones requiring permits. DeBry confirmed and reminded the commission that no permits would be required for temporary signs on private property. The Temporary Sign information appears under all four Zones listed in Section 16.80. Lehnert agreed to rework the Temporary Sign information and bring it back to the Commission.

Lehnert noted she had made the changes from the prior meeting's discussion and asked if there were any questions or further discussion.

King asked about the types of Design Review Approval Procedures under Chapter 16.175.010, wondering if item #A should have been Type I. Lehnert noted that there were no Type I Land Use Design Reviews and she would make item #B a subcategory under item #A.

DeBry requested the language in Chapter 16.185 be revised to allow either the City Manager or City Planner leeway to administratively do minor variance changes on a case by case basis to save costs.

DeBry asked whether all extensions needed to go before Planning Commission or if they could be approved administratively in some cases. King liked Planning Commission being given the opportunity to check for zone or code changes, etc. It was agreed extensions for minor items could be approved administratively but major extensions would go in front of Planning Commission. Lehnert will revise Chapter 16.00.080 to reflect the change.

King noted a typing omission in 16.30.015, leaving out the "Foot symbol" and period. He also noted the double word "increases" in 16.175.010, item #A.2. King thought 16.175.020 should identify the criteria determining the requirement of a Pre-Application Conference.

The commission had questions about some of the fees and Lehnert said she could put the fee schedule in the drop box for all Commissioners.

The following is a list of **new** changes to be made after the Commission was finished with the discussion. New changes noted in italics:

- 16.05 – *Remove last sentence* for the definition for Lot Line Adjustment.
- 16.80 – Item J, second sentence. *Strike the line* "Video signs are not included in this definition."
- 16.80 – Item J.4, *add the words* "to include videos." (Wording to be specifically corrected by Planner.)
- 16.80 – *Remove item DD. Video Signs*
- 16.80.010, 16.80.015, 16.80.020, 16.80.025 *Clarification* of the Temporary Signs section in each zone.
- 16.175.010 - *Move item B. "Type II Limited Land Use Design Review Approval Criteria"* to become a subsection under item A, and *renumber section.*
- 16.00.080 *New wording* regarding minor changes being allowed to be made administratively for variances.
- 16.00.080 – Third paragraph, new wording "*Extensions will be considered by Planning Commission.*"
- 16.00.080 - *Add wording* allowing administrative decisions on some extensions.
- 16.30.015 – Item H, *add foot symbol and period.* "Buildings....not exceed a height of 35'."
- 16.175.010 - Item A.2. *Remove the second "increases."*
- 16.175.020 – *Identify the specific criteria* determining the requirements of a Pre-Application Conference.

8. **STAFF REPORTS**

DeBry related things were moving forward with both Sunset Terrace and McKay Creek. Lehnert noted Highland Court hopes to close this week. LaBonte thought this might be a good time to fix some of the lots illegally divided previously in the McKay Creek subdivision. King agreed it would be a good time to straighten it out. DeBry suggested having the City Attorney look into that. DeBry said three acres were to be dedicated to the city for a park which would become part of the trail system.

9. **COMMISSION REPORTS**

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

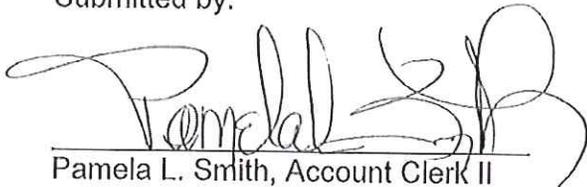
10. **ELECTION OF OFFICERS FOR 2013**

LaBonte nominated King for Chairman. Nunnenkamp seconded the motion and it was approved unanimously. Nunnenkamp nominated LaBonte for Vice Chair. Low seconded the motion and it was approved unanimously.

11. **ADJOURNMENT**

King adjourned the meeting at 8:40 and let the commission know they would meet next month on January 9, 2013, not 2012 as incorrectly stated on the agenda.

Submitted by:



Pamela L. Smith, Account Clerk II

Minutes Approved:

1/9/13