

# CITY OF THE DALLES PLANNING COMMISSION MINUTES

**Thursday, March 15, 2012**

City Hall Council Chambers

313 Court Street

The Dalles, OR 97058

*Conducted in a handicap accessible room*

## **CALL TO ORDER:**

Chair Lavier called the meeting to order at 6:00 PM.

## **BOARD MEMBERS PRESENT:**

Bruce Lavier, Mark Poppoff, John Nelson, Dennis Whitehouse, Chris Zukin

## **BOARD MEMBERS ABSENT:**

Ron Ahlberg, Nan Wimmers

## **STAFF MEMBERS PRESENT:**

City Attorney Gene Parker, Community Development Director Dan Durow, Codes Enforcement Officer Nikki Lesich, and Administrative Secretary Carole Trautman

## **APPROVAL OF AGENDA:**

It was moved by Zukin and seconded by Whitehouse to approve the agenda as submitted. The motion carried unanimously; Ahlberg and Wimmers were absent.

## **APPROVAL OF MINUTES:**

It was moved by Whitehouse and seconded by Nelson to approve the minutes as submitted. The motion carried unanimously; Ahlberg and Wimmers were absent.

## **PUBLIC COMMENT:**

None

## **LEGISLATIVE PUBLIC HEARING:**

**Application ZOA 80-12, City of The Dalles**, requesting approval to recommend to City Council to adopt General Ordinance No. 12-1319, amending Section 13.070.040(C) of General Ordinance No. 98-1222 concerning enforcement of provisions prohibiting placement of signs in the public right-of-way or on City-owned real property.

Chair Lavier asked the Commissioners if they had any conflict of interest because of possible financial gain. None were noted.

Chair Lavier opened the public hearing at 6:03 PM.

City Attorney Parker presented the staff report and gave a summary history of City Ordinance 10-1303. Parker explained that the proposed ordinance amendment would simplify the code enforcement process in the following manner: 1) a change in the 30-day storage time period for confiscated yard/garage sale signs to seven days; 2) staff would be required to notify the sign owner either on the day the sign would be confiscated or within a reasonable amount of time thereafter; 3) the owner would have seven days to

retrieve the sign or to request a hearing if he/she chose to challenge the impoundment; 4) staff would not be required to notify sign owners if there was insufficient contact information on the sign; 5) Municipal Court would enforce the ordinance and make a determination on whether or not the impoundment was correct; 6) fines would be fairly minimal; and 7) the implementation of proposed central sign locations. Parker stated the two proposed sign locations are St. Vincent DePaul and the Senior Center, and the signs would be located outside the establishments for easy viewing. There would be up to 48 sign spaces available to advertisers, Parker said. Parker also brought up the point that the proposed amendment would free up stopped traffic from drivers who stop to gather sign information posted in the right-of-way (ROW), and the central sign locations would allow people to compare advertising all in one spot. In closing, Parker stated staff recommended that the Planning Commission recommend this proposed ordinance amendment to the City Council.

Commissioner Zukin asked if the City would probably not enforce the fines unless there were repeat violators. City Attorney Parker answered that was his intention, that fines would probably be imposed on repeat violators.

Commissioner Nelson asked if a list of violators would be kept on record to determine those who were repeat violators. City Attorney Parker said a list would probably be kept, not all of the details had been decided at this point.

Commissioner Whitehouse asked if an eastside site would be considered for a central sign location. Commissioner Nelson stated he believed a central sign in the downtown area might attract more people to the business district. City Attorney Parker said other locations had not been determined, but if the sign system proved to work well, locations could be added.

Commissioner Zukin asked if the provision that signs were allowed on private property had always been part of the original ordinance, and did it apply to any kind of sign. Parker answered that the provision was part of the original ordinance, but only pertained to garage sale signs specifically. Parker said the wording of the ordinance may need to change to “temporary signs” on private property to include all signs.

Commissioner Zukin asked if all three elements of identification on signs were necessary, i.e. name, address and telephone number, for the owner to be notified by the City. City Attorney Parker said that was the intent. Commissioner Lavier made the point that yard sale sign owners may not want to put a telephone number on a sign. City Attorney Parker said the City may take the initiative to contact the owner when only a name and address appeared on the sign. Codes Enforcement Officer Lesich explained that staff has found that, other than cardboard box signs, a majority of signs in the ROW were real estate or estate sale signs that were of some expense to the owners. Her typical process, Lesich said, was to pick up the signs and make contact with the owners, rather than impound the signs up, and to educate the sign owners on the sign code. Lesich also stated that by making an early contact to the owners, it allowed them the opportunity to relocate the signs which, in some cases, contained time-sensitive material. Lesich explained that, last year, staff sent letters to owners of confiscated yard sale signs to educate the people on the sign code. Commissioner Nelson asked if that procedure would continue this year. City Attorney Parker affirmed that process would continue this coming year, because the City needed to give people a chance to become educated on the ordinance.

Chair Lavier closed the public hearing at 6:26 PM.

It was moved by Zukin and seconded by Poppoff that the Planning Commission recommend to City Council to adopt General Ordinance No. 12-1319 as presented. The motion carried unanimously, Ahlberg and Wimmers were absent.

**RESOLUTION:**

It was moved by Zukin and seconded by Whitehouse that the Planning Commission adopt Resolution P.C. 519-12 as presented. The motion carried unanimously; Ahlberg and Wimmers were absent.

**STAFF COMMENTS:**

Director Durow presented an update on the Urban Growth Boundary work. One of the upcoming tasks, Durow stated, is to develop a technical advisory committee of staff members to include DLCD, the Gorge Commission, County, and City members. Durow explained that a series of meetings will be formulated, the first of which will involve a joint meeting with the City and County Planning Commissions, to lay out the schedule. The committee's objective is to deal with the Cultural Resources Management Plan, Durow said, and to gain an understanding that the content of the plan is understandable as staff and consultants begin to meet with the four tribes. The joint planning commission meeting could be scheduled for April 5, 2012, or some other date when both commissions would be available, Durow advised.

**COMMISSIONER COMMENTS/QUESTIONS:**

Commissioner Zukin asked if any action had been taken on the parking problem at the corner of River Road and Bargeway Road (at Riverside Gymnastics). Commissioner Nelson said the issue was taken to the Traffic Safety Committee, and Planning representative Dawn Hert was going to talk to the business clientele whom she knew personally. Nelson said he would take it back to the Traffic Safety Committee for further discussion.

Commissioner Poppoff asked why the City allows parking in the vision clearance zones because parked cars block vision, for instance, at the corner of 4<sup>th</sup> and Court streets. After further discussion, Commissioner Nelson said he would take the vision clearance issue of 4<sup>th</sup> and Court streets back to the Traffic Safety Committee.

**NEXT MEETING:**

April 5, 2012

**ADJOURNMENT:**

The meeting was adjourned at 6:43 PM.

Respectfully submitted by Carole J. Trautman, Administrative Secretary.

  
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Bruce Lavier, Chairman