



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
Planning Department

AGENDA
CITY OF THE DALLES PLANNING COMMISSION

CITY HALL COUNCIL CHAMBERS

313 COURT SREET

THE DALLES, OREGON 97058

CONDUCTED IN A HANDICAP ACCESSIBLE MEETING ROOM

THURSDAY, APRIL 2, 2015

6:00 PM

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF MINUTES – March 5, 2015
- V. PUBLIC COMMENT (Items not on the Agenda)
- VI. ACTION ITEM - Amendments to the Land Use and Development Ordinance regarding sign codes
- VII. STAFF COMMENTS
- VIII. COMMISSIONER COMMENTS/QUESTIONS
- IX. FUTURE MEETING – April 16, 2015
- X. ADJOURNMENT

CITY OF THE DALLES PLANNING COMMISSION MINUTES

Thursday, March 5, 2015
City Hall Council Chambers
313 Court Street
The Dalles, OR 97058
Conducted in a handicap accessible room
6:00 PM

CALL TO ORDER:

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

BOARD MEMBERS PRESENT:

Bruce Lavier, Mark Poppoff, Chris Zukin, John Nelson, Jeff Stiles, Dennis Whitehouse, Sherry DuFault

BOARD MEMBERS ABSENT:

None.

STAFF MEMBERS PRESENT:

Planning Director Richard Gassman, City Attorney Gene Parker, Administrative Secretary Carole Trautman

APPROVAL OF AGENDA:

It was moved by Whitehouse and seconded by Zukin to approve the agenda as submitted. The motion carried unanimously.

APPROVAL OF MINUTES:

Nelson noted on page 2, paragraph 2 of subsection "Downtown District, the word "approved" should be changed to "approve."

It was moved by DuFault and seconded by Zukin to approve the February 5, 2015 minutes as amended. The motion carried unanimously.

PUBLIC COMMENT:

None.

LEGISLATIVE HEARING (continued):

Application Number: ZOA 87-14; City of The Dalles; Request: Amendments to the Land Use and Development Ordinance regarding sign codes.

Director Gassman distributed photos taken at various places in town showing parking lot and property line lighting, lighting measurements, and the effects of signage lighting to surrounding areas (Attachment 1). He gave a brief explanation of the findings. He said the measurements varied

depending on whether the meter measurement took place at the sign location or from the property line. Some signage lighting crossed across property lines onto the street (in commercial areas), and Gassman said he felt it was good to have additional lighting on the street. Chair Lavier stated extra lighting to the street in residential areas would not be good.

After the Commission reviewed the photographs, Gassman suggested having separate sign lighting standards for residential zones and commercial zones.

It was the general consensus of the Commission to create two separate sign lighting standards, one for residential zones and one for commercial zones. Gassman pointed out that the Neighborhood Center overlay was found in residential zones, and internally-lit signs were not allowed with the NC overlay areas.

Chair Lavier closed the public hearing at 6:23 PM.

LEGISLATIVE HEARING (continued):

Application Number: ZOA 90-14; City of The Dalles; Request: Amendments to the Land Use and Development Ordinance regarding medical marijuana dispensaries

City Attorney Parker explained the revised map of the city that identified the buffered areas (blue color) that would not allow medical marijuana dispensaries. The allowed areas were identified in pink. Parker explained that a considerable amount of the downtown area was buffered, mostly due to the Lewis and Clark Festival Area and the City Park. If the park buffer was lifted, it would open up quite a bit of the downtown area, Parker said.

Nelson asked what would need to be done to open up the downtown area as an allowed area. Parker said if the Festival Park and the City Park buffers were lifted, it would open up a large portion of the downtown area. He clarified that the parks buffer was not required by the State; the buffers were modeled after other city land use requirements for adult businesses. Director Gassman said another option would be to reduce the 1,000 foot buffer down to 500 or 200 feet.

Chair Lavier asked what issues had come up in other cities with the misuse of medical marijuana dispensaries. City Attorney Parker said he had heard of some dispensaries that were also dispensing illegal drugs. One dispensary was operating without a license. Portland had a few dispensaries that did not obtain licenses.

DuFault said she thought the 1,000 foot parks buffer was appropriate. She said she did not envision the downtown area being used for that type of retail. Zukin stated he wanted strict restrictions on medical and recreational dispensaries. He felt the proposed restrictions were consistent with other adult business restrictions. Stiles agreed and pointed out that 2nd and 3rd Street businesses were typically closed on the weekends anyway with the exception of restaurants and bars. Poppoff wanted to see the dispensaries limited to pharmacies, because pharmacies were set up for other restricted drugs. Stiles said there could be potential legal issues with restricting medical marijuana to pharmacies if the state allowed stand-alone dispensaries. Whitehouse said he saw the dispensaries as a business, and if a building was vacant, and dispensaries were not allowed, it seemed unfair. DuFault said adjacent property owners would see property values decrease if a dispensary came in. Zukin emphasized that these buffers historically had been in place in The Dalles for many years. The proposed restrictions were consistent, he said. Nelson said the proposed restrictions had allowed areas in most parts of town, which would be defensible.

It was moved by Zukin and seconded by DuFault to recommend to the City Council to adopt the same restrictions for medical marijuana dispensaries as found in the current Land Use and Development Ordinance for other adult businesses; and in addition, restrict the hours of operation for medical marijuana dispensaries from 10 AM to 6 PM Monday through Friday.

DuFault asked if medical marijuana usage was restricted to adults. Parker said the age restriction was 21.

Chair Lavier called for the vote. The motion carried unanimously.

STAFF COMMENTS:

City Attorney Parker clarified that the current land use definition for adult businesses did not include bars.

COMMISSIONER COMMENTS:

None.

NEXT MEETING:

March 19, 2015

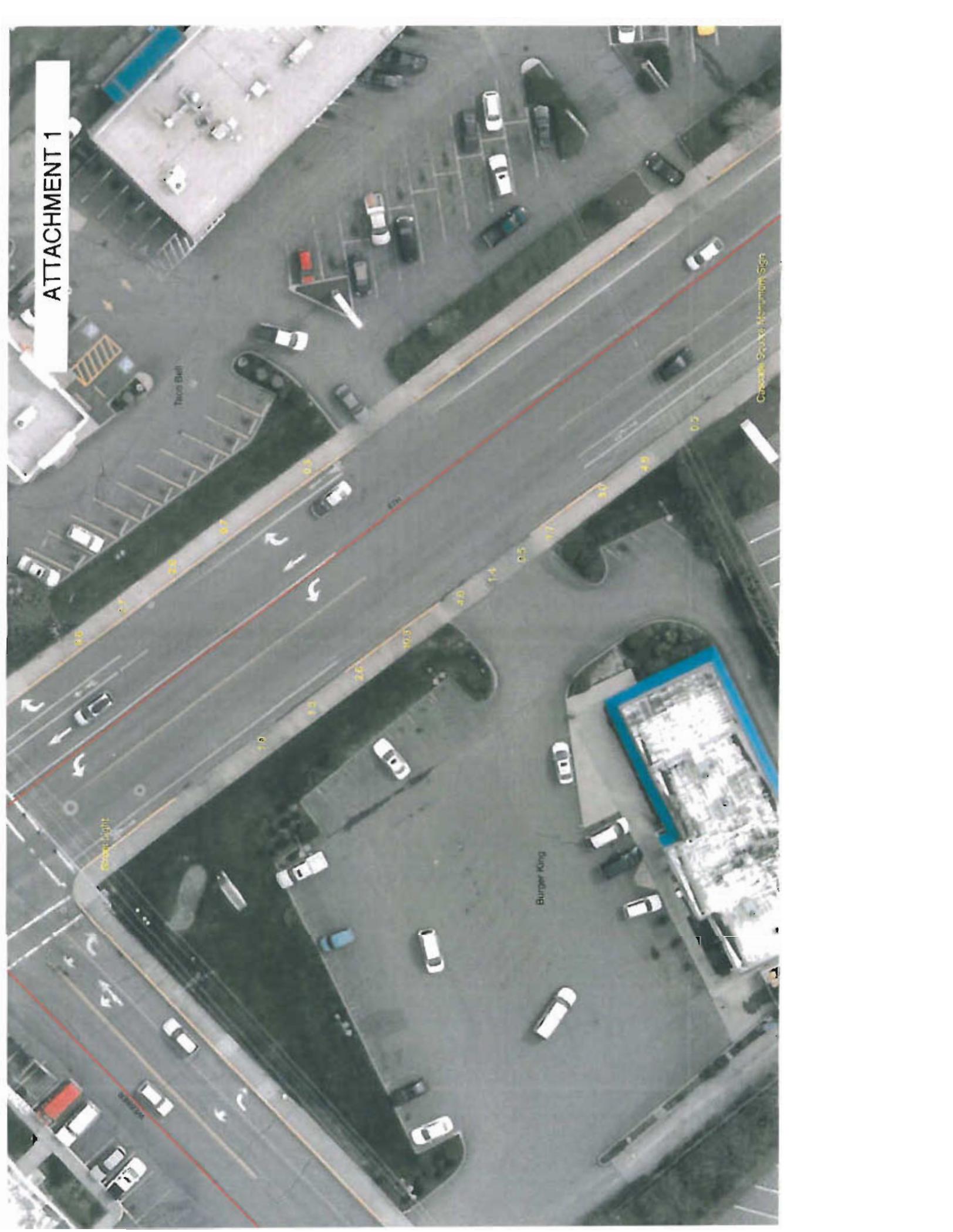
ADJOURNMENT:

Chair Lavier adjourned the meeting at 7:12 PM.

Respectfully submitted by Administrative Secretary Carole Trautman

Bruce Lavier, Chairman

ATTACHMENT 1

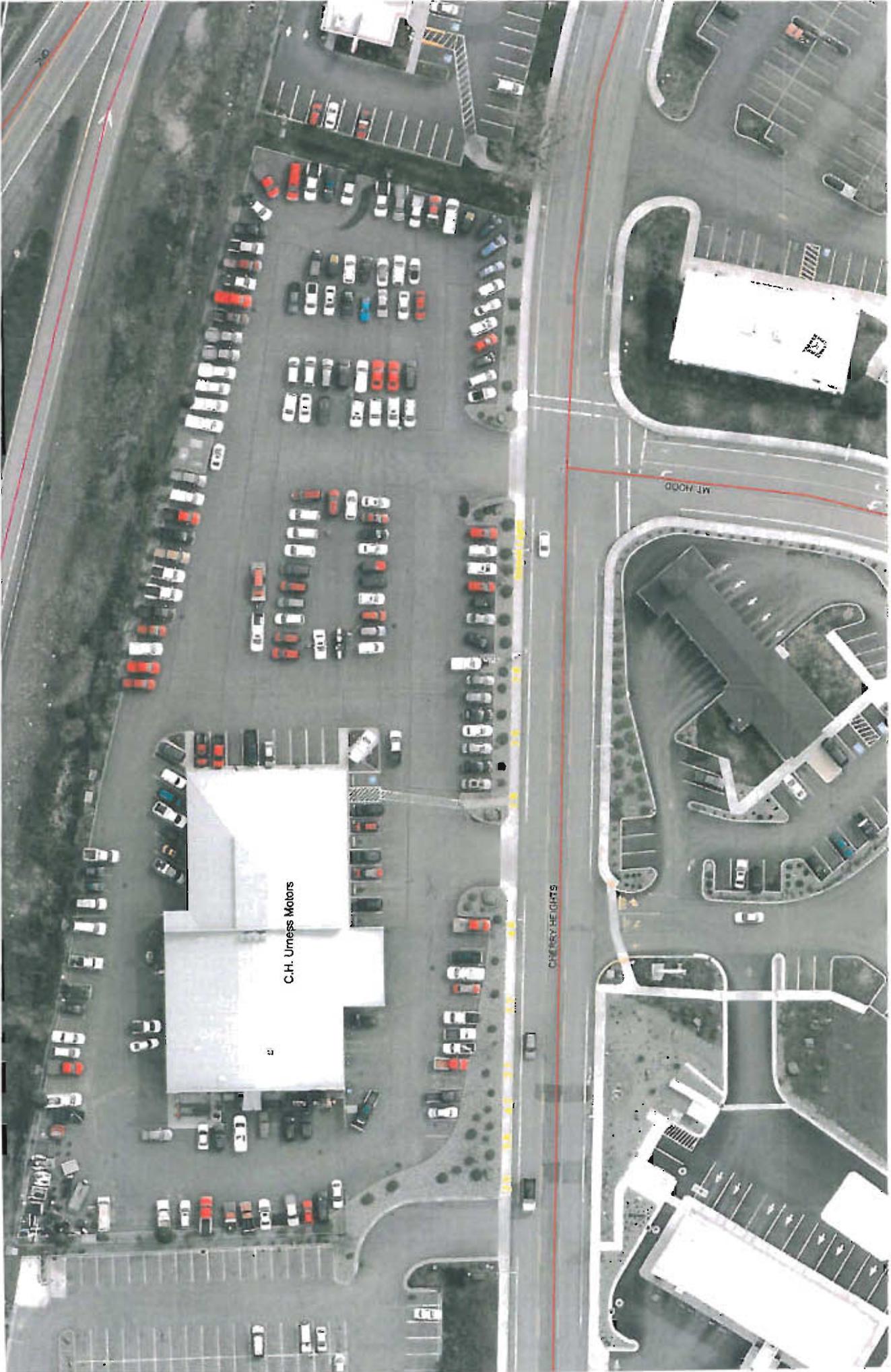


Street Light

Tacos Bell

Burger King

Crescent Ground-Memorial Sign



C.H. Urness Motors

CHERRY HEIGHTS

MT. HOOD



100 W
100 E

500
400
300
200
100
50
20

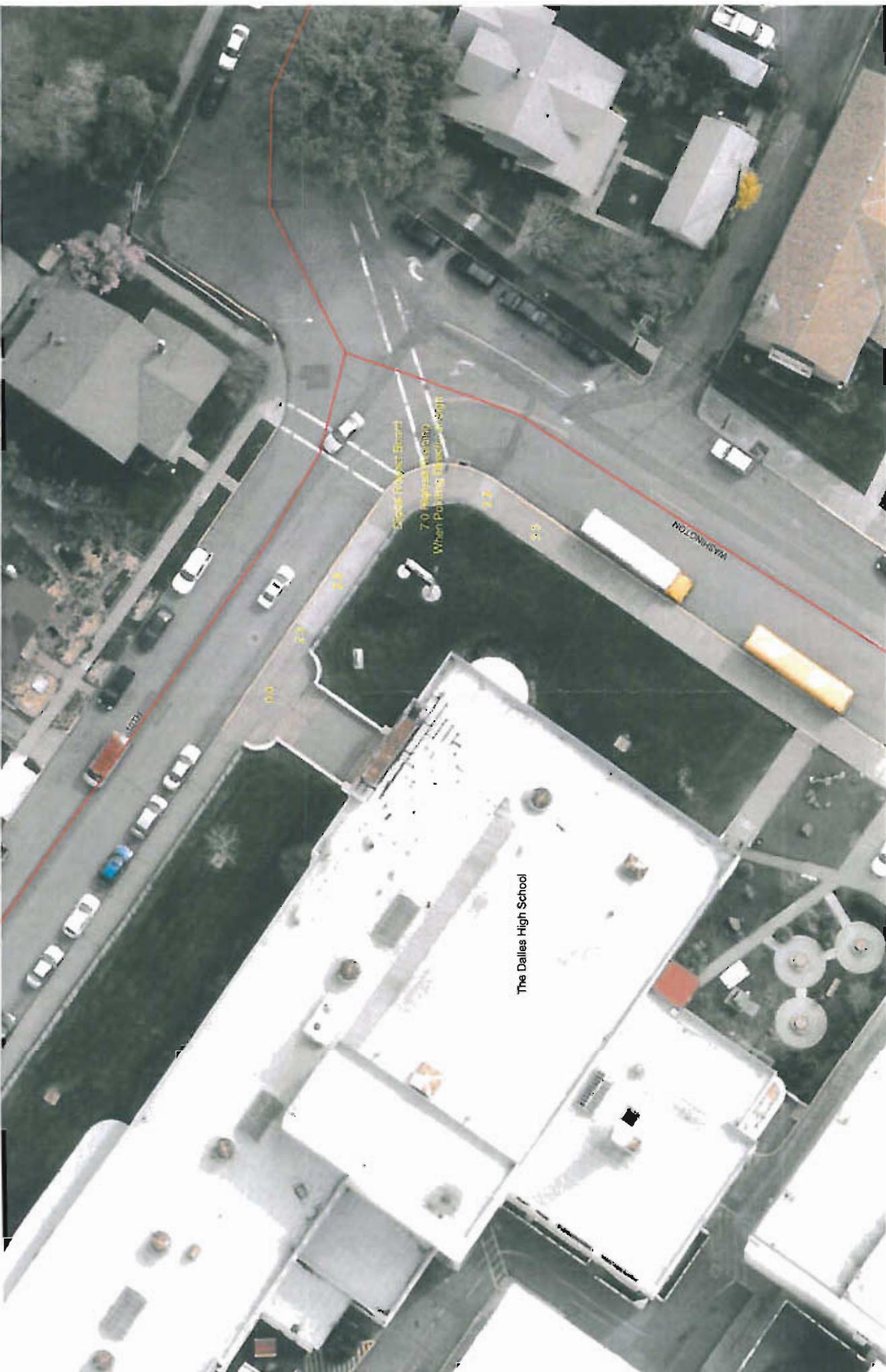
Griffith Motors

Griffith Motors

WALTON

100





The Dalles High School

Specify Pavement Material
7.0' Radius (existing)
When Polishing (to match existing)

2.5'

2.5'

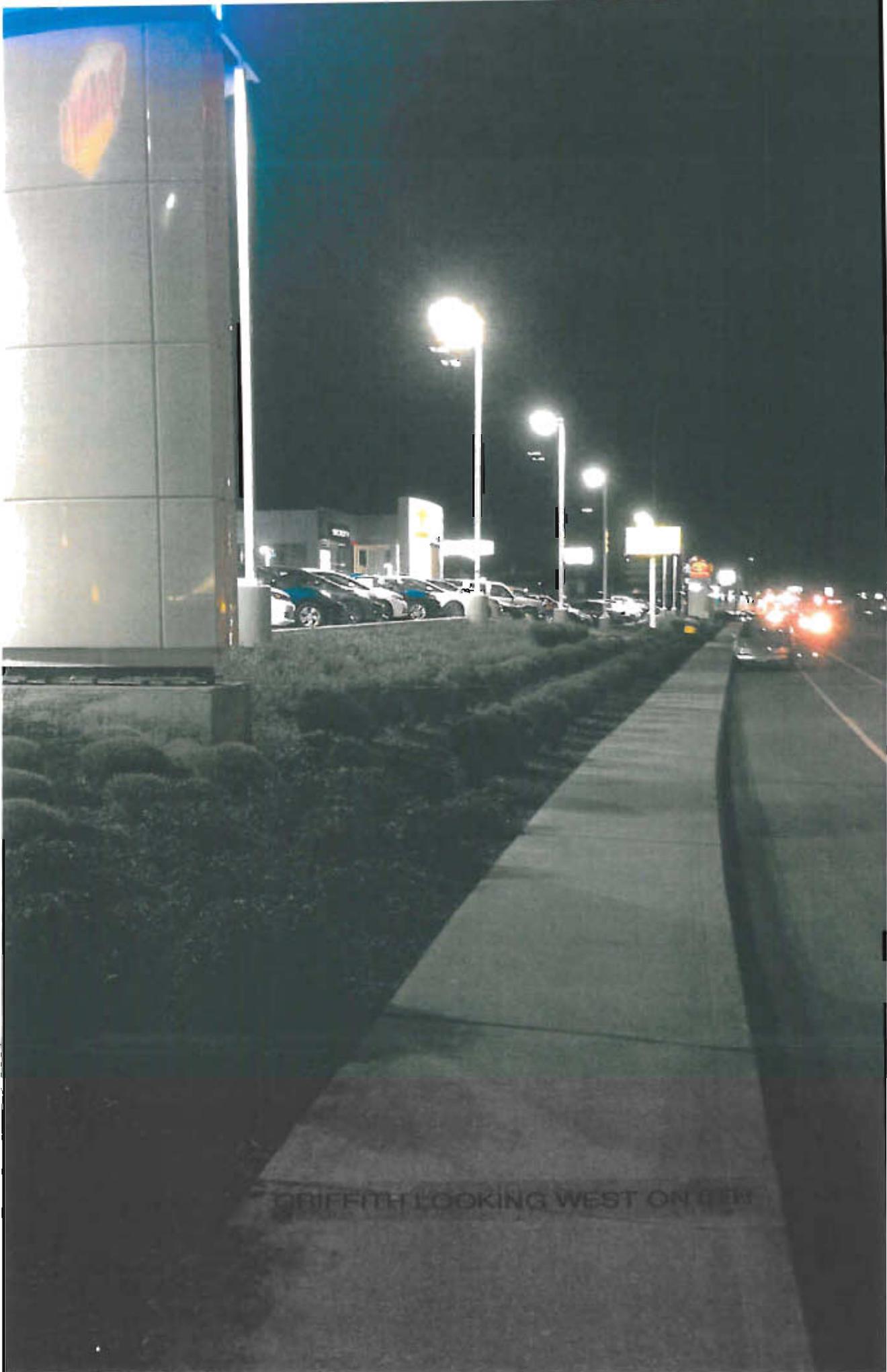
5.0'

WASHBURN

W. 1ST



BURNESS LOOKING EAST ON CHERRY HEIGHTS



GRIFFITH LOOKING WEST ON CITY



GRIFFITH LOOKING EAST ON 6TH



GRIFFITH LOOKING SOUTH ON WALNUT



MONUMENT SIGN 4TH AND COM

**City of The Dalles
Staff Report**

Sign Code

Prepared by: Richard Gassman, Planning Director
Procedure Type: Legislative
Hearing Date: April 2, 2015
Issue: To consider proposals to change the City's Sign Code

BACKGROUND INFORMATION

Over a year ago the City Council formed an Advisory Committee to review the City's Sign Code as found in the Land Use and Development Ordinance (LUDO) Chapter 13. The Advisory Committee met approximately 20 times. They reviewed and discussed a wide variety of ideas. After due deliberation, the Committee proposed a series of amendments and sent those proposals to the Planning Commission. The Commission has reviewed those proposals, and staff has prepared a final list of proposed changes for their review.

PROCEDURE

This is an action item, no public hearing is necessary. The Planning Commission's role is to review the language, make changes as appropriate, and make a recommendation to the City Council. The Council will also hold a public hearing, and any recommendations adopted by the Council would be formalized in an ordinance and become part of the LUDO.

NOTIFICATION

These proposed code changes require a 35 day notice to the Department of Land Conservation and Development. That notice was sent on October 7, 2014, at least 35 days before the first hearing. A notice was also published in The Dalles Chronicle on November 9, 2014. This hearing was originally set for November 20, 2014. Due to other

business on that date, this hearing was opened on November 20, 2014, and continued to December 4, 2014. The Commission also continued the hearing to February 5, and March 5, 2015. The hearing was closed on March 5, 2015.

COMMENTS

As of the date of the preparation of this report, no comments have been received from the public since March 5.

RECOMMENDATIONS

Below is a list of recommendations from the Advisory Committee as modified by the Commission. The proposed changes are listed in order by LUDO code number. The Commission may approve, delete, or modify these recommendations as they deem appropriate. The *italics* signify existing code language, ~~lined-out~~ signifies a proposed deletion, and **bold** signifies proposed new language.

A. Definitions: 13.010.030

1. 13.010.030. Delete the word “arterial” from the definition of shopping center. *Shopping Center means a building or group of buildings planned and developed as a center on land with two or more retail business occupancies existing or planned. A “shopping center” shall not include a business which fronts on an ~~arterial~~ or collector street and which has a marked segregated parking or use area separate from the shopping center parking.*
2. 13.010.030. Add a definition for mural to read as follows: “**Mural means any depiction, other than a business logo, not using words. A depiction which is a combination of scenes and words can be divided so that the sign area is limited to the area around the words. Mural also means those murals and words showing historic scenes.**”
3. 13.010.030. Add a definition for “ghost sign”: “**Ghost sign is any sign, at least 50 years old, on a wall or other portion of a building which advertises a business, service, or product no longer found at that location.**”
4. 13.010.030. Add a Definition for window sign to read, “**A sign located on the outside of a building, but affixed to the window and within the boundaries of the window frame**”.
5. 13.010.030. Add a definition for framed sign to read, “**A sign placed within a rigid border which prevents the sign from moving. A framed sign may be allowed within the total sign allowance, if possible. If not, then it is treated as a temporary sign and is allowed for up to 90 days.**”

B. Exempt Signs 13.030.010

1. 13.030.010. Add a new provision to exempt **one 20 square foot name sign in the CFO zone.**
2. 13.030.010. Add a new provision to exempt **window signs.**
3. 13.030.010. I. Change heading to “garage/yard sale signs”. *Garage/Yard Sale Signs.*
4. 13.030.010 L. Rewrite this section to read: **Historic murals and murals not containing words or logos.** *Murals which are mounted or painted upon an existing building or structure and which do not advertise a product or service for sale.*
5. 13.030.010 T. Rewrite this section to read as follows: *A temporary “For Sale” sign not exceeding 6 square feet in area with a maximum height of 4 feet, may be erected upon private residential property, provided that it advertises the sale, lease, or rental of the property upon which it is erected. One additional “For Sale” or “Open House” sign limited to the same size.* **On commercial property one “For Sale” sign not exceeding 32 square feet may be erected upon the property for sale.**
6. 13.030.010 V. Delete the last two sentences of this section and add language. Such signs shall not exceed 42 square feet in area. *The sign shall be reduced in size by 6 square feet for each lot less than 7 lots in the subdivision.* **Allow 32 square foot maximum for subdivision signs.**
7. 13.030.010 X. 6: add “**similar to ODOT regulations**” for number of signs.
8. 13.030.010 Y. **Ghost signs.**

C. Temporary Signs 13.030.020

1. 13.030.020. Add a new provision to read as follows: **D. One temporary sign per street frontage is allowed in addition to the regular sign allowance, up to 90 days in duration. A no fee permit is required.**
2. 13.030.020 Add a new provision to read as follows: **E. Balloons and other inflatable devices, except during community events, are allowed only for a period of 7 days, and are allowed in addition to any other temporary sign.**

D. Prohibited Signs 13.030.030

1. 13.030.030 A. Delete provisions regarding “~~indecent~~” or “~~obscene~~” signs.
2. 13.030.030 C. Add at the end of the sentence, **or signs that resemble traffic signs.**
3. 13.030.030 E. Delete “~~tree or rock~~”.
4. 13.030.030 H. Renumber H to I and add a new paragraph H as follows: **sign that exceeds an average horizontal foot candle of .3 at an adjacent property line of a residentially zoned property.**

E. Others

1. 13.040.020 NC zone. Add a new C. **No sign shall be internally lit.**
2. 13.040.050 CBC District. Add a new provision as follows: **One maximum 48 square foot sign, either flush mount or freestanding in the CBC zone. Freestanding sign limited to 8 feet in height.**
3. 13.040.080. Highway District. Change the distance from “~~land within 100 feet of Right of Way~~” to “**any parcel within 100 feet of each right of way line of, etc.**”
4. 13.040.100. **Historic Districts. Notwithstanding other provisions of this code, signs in historic districts must meet the historic district guidelines for signs, or seek approval from Historic Landmarks Commission.**
5. 13.050.030. **Allow each property one free standing sign per street frontage, up to a maximum of 100 square feet, in the CBC and CG, and CR zones, separate from other allowances.**
6. 13.050.040 A 7. CR zone. Amend maximum from ~~25%~~ to **50%** of building front in the CR zone.
7. 13.050.040 add a new paragraph C to read as follows: C. **Minimum Area Each property in a zone listed in paragraph A is entitled to a minimum allowance of 20 square feet.**
8. 13.050.040 B 2. Amend this section to read as follows: ~~Flush signs may be erected on the face of a building, marquee, canopy, or roof overhang in a place parallel to such face and not extending more than 12 inches there from, except that:~~ a. a flush sign may be erected against supporting or ornamental columns located under an overhanging roof in a place generally parallel to the nearest building face. ~~b. A flush sign may be attached to the surface of an awning without further projection there from.~~ **Flush signs, up to the maximum allowed square footage, may be erected on any wall, marquee, canopy, or roof overhang. Each separate flush sign shall require a permit.**
9. 13.050.080. Home Occupation Signs. Add the word **Non-illuminated** at the beginning of the sentence.

Amendments to sections outside of Chapter 13

10. Amend 3.050.050 C. Conditional Uses by adding a new section **4. Digital signs in residential zones or overlay zones.**