

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:

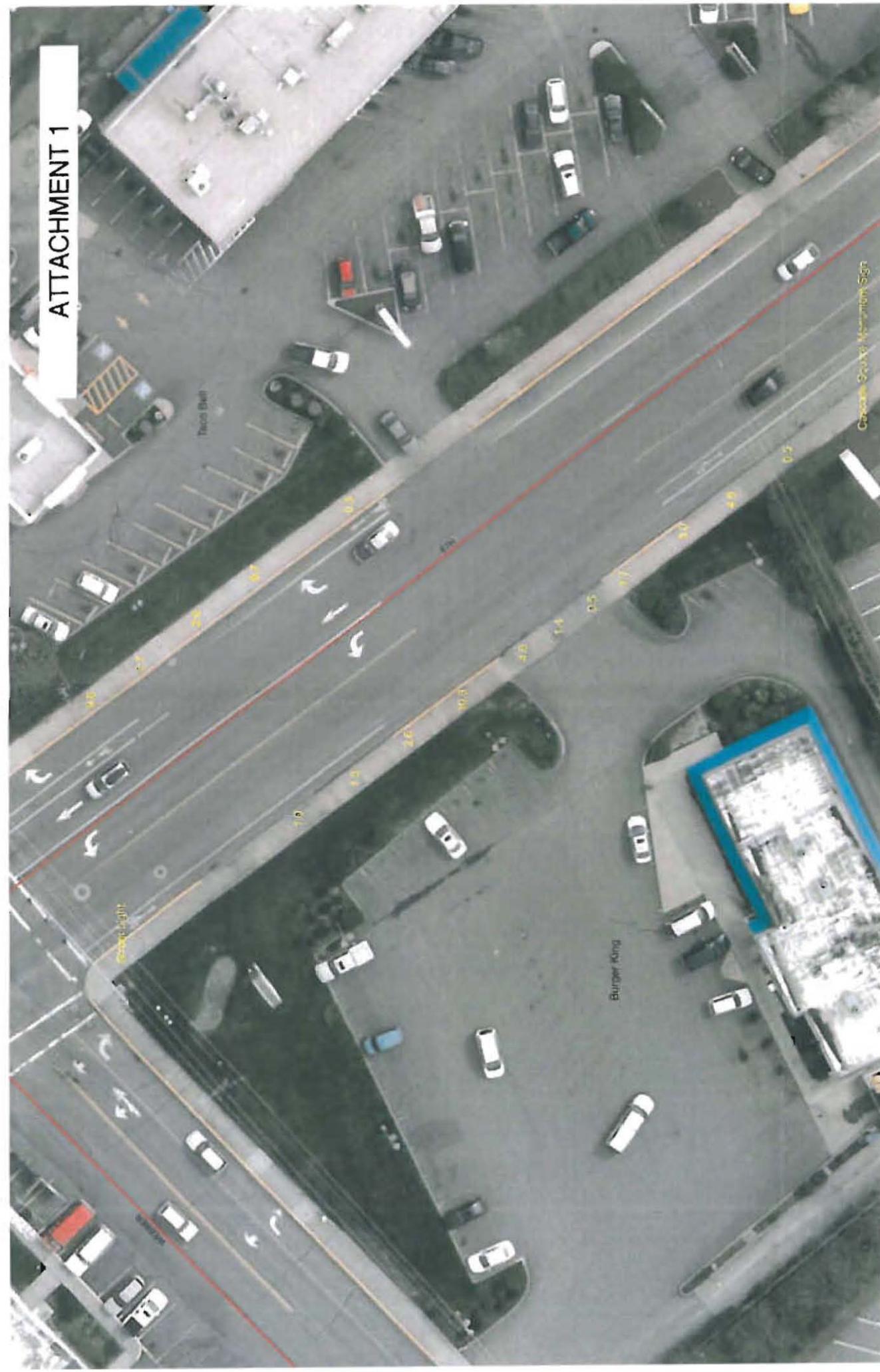
Chair Lavier adjourned the meeting at 7:12 PM.

Respectfully submitted by Administrative Secretary Carole Trautman



Bruce Lavier, Chairman

ATTACHMENT 1

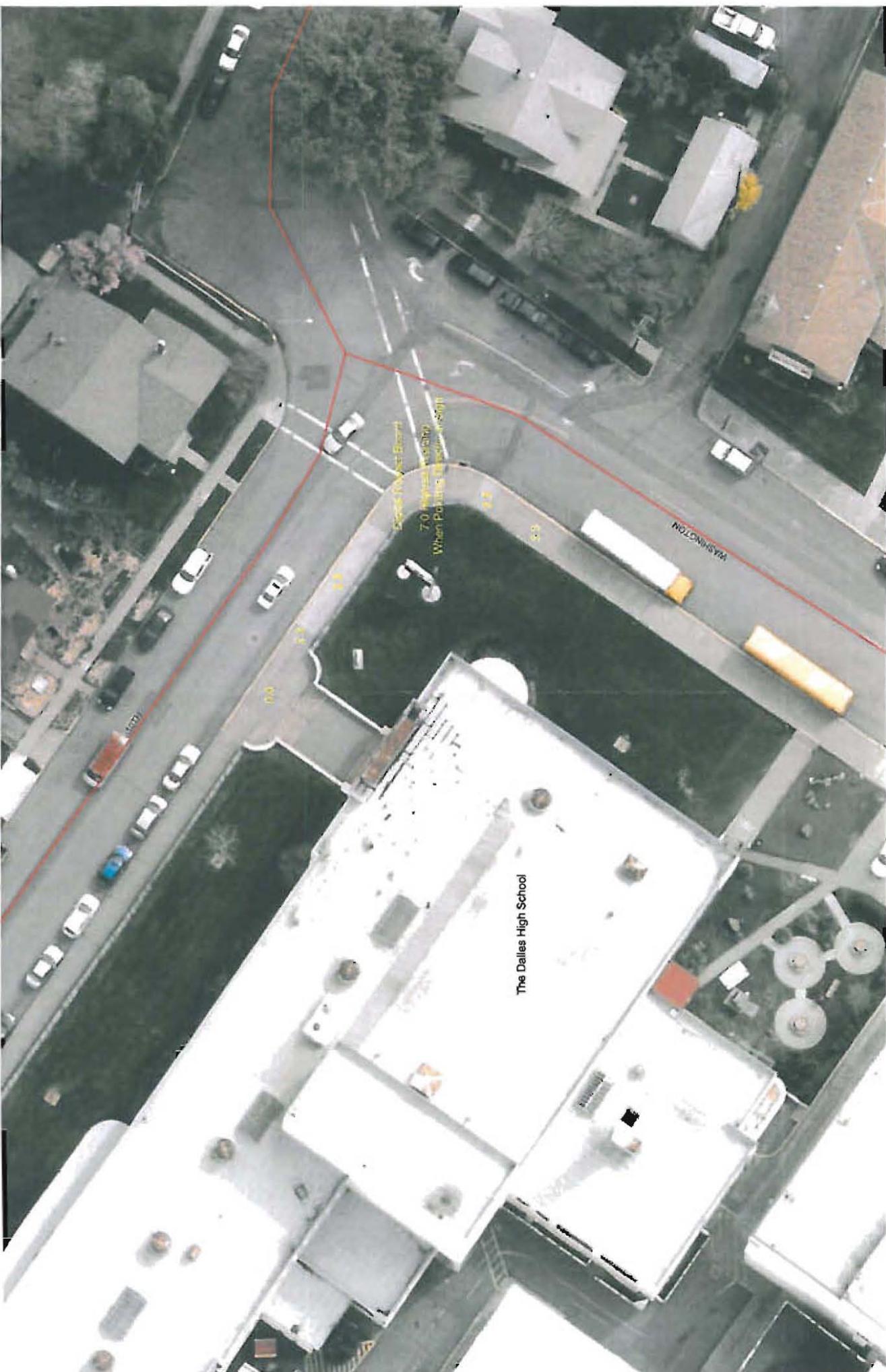


Capacities: Sound Measurement Sign





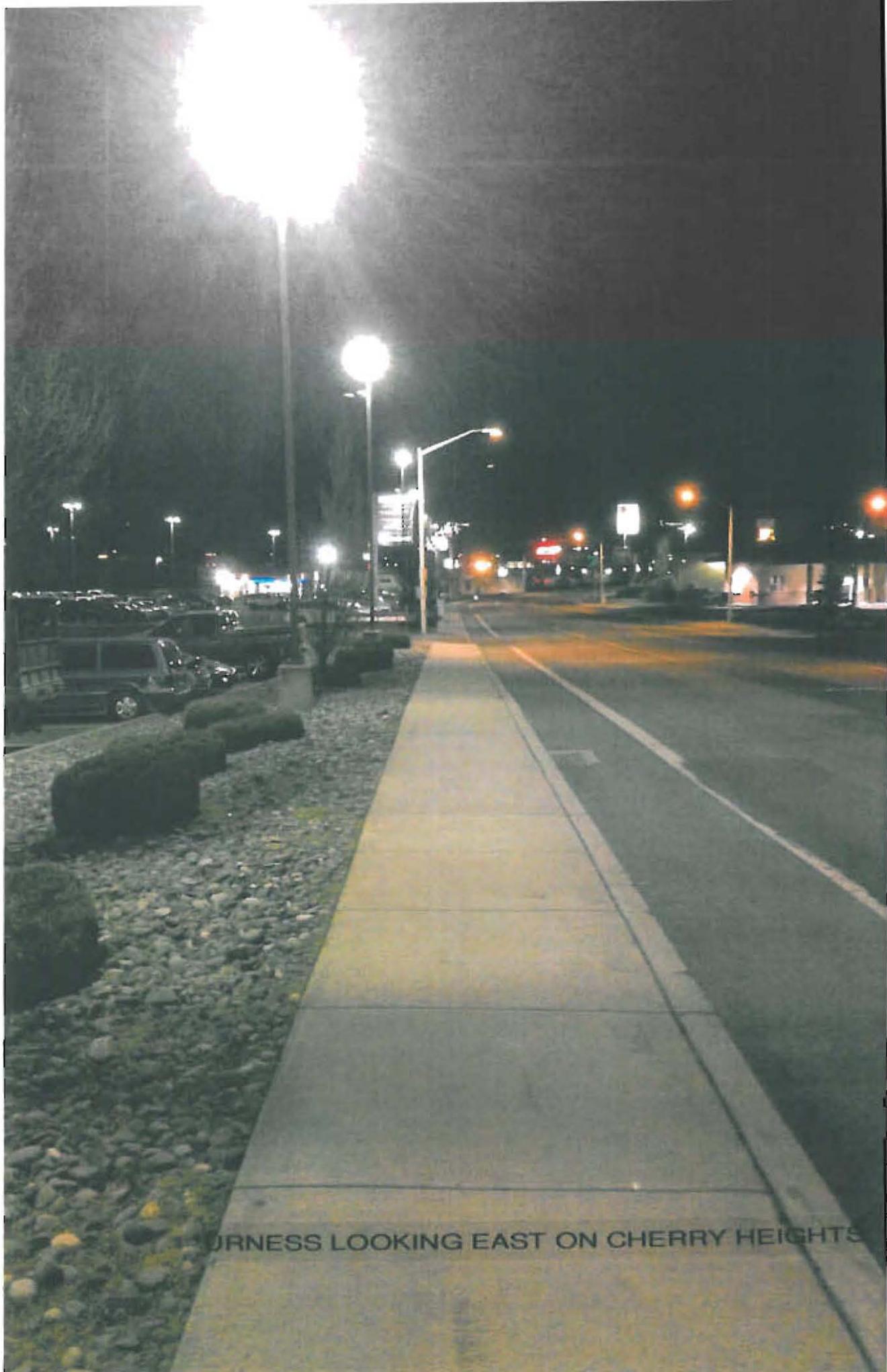




The Dalles High School

Excess 70 Feet Buffer
70 Foot Buffer Required
When Plotting 20 Feet Buffer

MOLONGUEVA



JURNESS LOOKING EAST ON CHERRY HEIGHTS



GRIFFITH LOOKING WEST ON 6TH



GRIFFITH LOOKING EAST ON 6TH



GRIFFITH LOOKING SOUTH ON WALNUT



MONUMENT SIGN 4TH AND COM