



MINUTES
PLANNING COMMISSION MEETING
1300 NE Village Street
Fairview, OR 97024
Tuesday, February 23, 2010

PRESENT: Ed Jones, Chair
Keith Kudrna, Vice Chair
Steve Kaufman
Jan Shearer
Jack McGiffin

ABSENT: Gary Stonewall
Julius Arceo

STAFF: John Gessner, Community Development Director
Lindsey Nesbitt, Senior Planner
Erika Rence, Assistant Planner
Chris Crean, City Attorney
Devree Leymaster, Admin. Program Coordinator

1. CALL TO ORDER

Chair Jones called the meeting to order at 6:30pm.

2. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS

Chair Jones called for any person wishing to speak on a non-agenda item. As there was none; moved to the regular session.

3. REGULAR SESSION

Adoption of 5-Yr. Road Priorities

Director Gessner provided brief background information regarding the Multnomah County Transportation Capital Improvement Plan and Program (CIPP). The public comment period on the CIPP had recently been extended until March 8. Staff was requesting a recommendation from the Commission for Fairview's road priorities. The Commission's recommendation would go to City Council for adoption. The adopted recommendation would be forward to Multnomah County.

Director Gessner provided a visual representation of the roadways located in Fairview that were under Multnomah County's jurisdiction and depend on county funding for improvements. He briefed the Commission on Staff's reasoning for tier 1, tier 2, and tier 3 recommended projects. Director Gessner relayed comments received during the Mayor's Business Meeting and recent Columbia Cascade River District meeting as part of Fairview's public outreach for feedback on road priorities.

Staff inquired if the Commission had questions. As there were none, Jane McFarland, Land Use & Transportation Planner, Multnomah County, addressed the Commission. Ms. McFarland briefed the Commission on the transportation system areas the CIPP was responsible for and the funding resources dedicated to transportation systems. The CIPP had 2 parts, plan and program. The plan portion scored needs based on criteria that created the priority list. The program portion was the financial document that linked the highest rated needs with funds. Ms. McFarland commented that

some funds were allocated to particular improvements, the state required 1% of funds be spent on sidewalks and bike lanes, and that resources for infrastructure were limited. She then cited the County's recent local infrastructure investments: the intersection improvements at 223rd and Sandy Blvd. and the current railroad overpass project.

Director Gessner reiterated that the Commission was recommending road priorities only. The City Council would be responsible for matching funds.

During Commission questions, Commissioner Shearer inquired if input could only be received and considered every 5 years for priority spending. Ms. McFarland responded that the plan could be updated and/or amended within the 5 years. The Commission requested clarification on how projects were ranked. Ms. McFarland reviewed the significance of scoring criteria and the accumulation of points. Commissioner Jones inquired if developers were allowed to pay for transportation improvements in lieu of actual development. Ms. McFarland responded yes, when it made sense to do so. The funds would be held in escrow and allocated to the specific project. Funds could be held for up to 10 years then would be renegotiated.

Chair Jones inquired if any person would like to speak in favor of, opposition of, or neutrally about the discussion item. Hearing none, Chair Jones opened the floor for Commission discussion. Hearing none, Commissioner Shearer moved to approve the resolution for recommendation of approval by the City Council; Vice Chair Kudrna seconded; and Chair Jones called for a roll call.

AYES: 5
NOES: 0
ABSTAINED: 0

Resolution recommending 5-year transportation improvement priorities to the City Council for adoption was approved.

4. WORK SESSION

a) Sign Code Amendment Update

Assistant Planner Rence presented a brief review of the February 9 discussion points and direction received from the Commission. Based on the Commission's feedback, Staff revised the sign code draft and was seeking approval and/or direction regarding the changes.

The Commission had requested language be inserted in the non-conforming sign section requiring seller disclosure for a non-conforming sign. Assistant Planner Rence reviewed the language, the Commission approved.

Assistant Planner Rence presented 3 options for the methodology in determining the total square feet allowed for free standing signs and the maximum allowed. Staff was recommending option 2. Following Commission discussion the Commission agreed option 2 was most favorable.

Assistant Planner Rence requested direction regarding electronic signage. Currently electronic signage was allowed, but flashing was not allowed. Assistant Planner Rence presented other community regulations for message intervals. The industry standard for message intervals was 8 seconds. Commissioner Shearer commented that the frequency of the message should be in relation to the speed limit of the area. Staff responded that for the zones in which electronic

signs would be allowed the speed limits were between 30 - 45mph. Following Commission discussion and the agreement that the industry standard of 8 second message intervals was reasonable the Commission directed Staff to include electronic sign regulations in the amendments.

Current A-board regulations prohibited their use in residential areas. As part of public outreach Staff had received public comment requesting A-board signs be allowed in residential zones, ie. realtor open house signs. The display time could be limited and the 5-foot clearance would still be required, but other persons for other uses could use A-board signs. Staff would provide more options and standards.

Assistant Planner Rence provided the Commission with letters and emails received in response to public outreach. The next step in the amendment process was the public hearings; Planning Commission on March 9 and City Council on March 17.

Chair Jones opened the discussion for public comment. Sue O'Hallaran, 15 NE 3rd Street, Gresham, Oregon 97030, addressed the Commission. Ms. O'Hallaran was a realtor and commented on the importance of sale signs and that the typical size for commercial sites was two 4ft x 4ft signs arranged in a 'V'.

John Hall, 1217 NE Burnside Suite 602, Gresham, Oregon 97030, spoke next. Mr. Hall was also a realtor and commented that realtors purchase pre-made signs. He presented for consideration the idea of a sign code variance as an option to address unique realty circumstances. Mr. Hall commented that the City of Gresham adopted a variance option for real estate signs.

Realtor Dolly Worshire, 215 SE 102nd, Suite 300, Portland Oregon, spoke next. Ms. Worshire requested consideration be given for broker tours that take place on a Tues. or Thurs. She commented that signs were vital in selling homes and sign regulations needed to be less restrictive to foster the sale of homes, not hinder them.

Chuck James, 1425 NE Village St., Fairview Oregon, commented on the 2 similar letters submitted by the Fairview Village Business Association. Mr. James remarked on the success of the mediation process between the City and Business Assoc. He was appreciative of the opportunity to work with Staff and the Commission.

b) Fairview Lake Riparian Buffer Discussion

Senior Planner Nesbitt provided background information on zones 1 and 2 within the riparian buffer. As part of the Title 13 project Staff had reviewed the history of creating the buffer and was requesting feedback as to the success of the buffer.

Senior Planner Nesbitt remarked the majority of the properties had a 35-foot riparian buffer; most homes were constructed to the buffer line, leaving no useable backyard; prior to development the agricultural use went to the water line; and county buffer regulations were adopted when the City annexed the property.

Senior Planner Nesbitt reviewed the elements of, and benefits of, a healthy buffer and inquired if the goal was to preserve or create a buffer. She presented a visual of what was currently along the eastern lake. The level of non-compliance could be indicative of the need for change. Another consideration was the fluctuating water levels and installation of rip-rap to prevent

erosion. The rip-rap had created a physical obstruction, hampering the success of a healthy buffer.

The Commission's response to Staff's inquiries was that a healthy buffer could be achieved. The lack of information being passed to property owners does not alleviate the owners of their obligations. The Commission understood the 2 zone system within the current 35-foot buffer to have been adopted and in practice.

Staff responded that the riparian review was part of the Title 13 project. The zone 1 and 2 system had been approved by the Commission and City Council, but had not been approved by ordinance. City Attorney Crean commented that a buffer could be achieved, but the buffer needed to be meaningful and that the regulations needed to reflect what the Commission wanted to see accomplished.

The Commission's direction to Staff was to definitely keep the buffer, but regulate with a balance between maintaining a healthy buffer and allowing property owners usable space. The Commission agreed to defer enforcement until the buffer regulations were clarified. Once adopted an education program should begin followed by enforcement.

5. STAFF UPDATES

- a) Economic Development
- b) Parks
- c) MCDD tour reminder

6. NEXT PLANNING COMMISSION MEETING – March 9, 2010

- a) Regular Session: Adoption of Sign Code Amendments
- b) Work Session: Title 13

7. ADJOURNMENT

Meeting adjourned by consensus at 8:50pm.

Ed Jones, Chair



Devree A. Leymaster
Administrative Program Coordinator
Community Development Dept.



Date: 5/25/10