



CITY OF REDMOND
Community Development Department

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REDMOND URBAN AREA PLANNING COMMISSION

Conference Room A

716 SW Evergreen Avenue

Tuesday, November 6, 2012

6:30 PM

Agenda

UAPC Members	
Eric Porter, Chair	I. CALL TO ORDER
Anne Graham, Vice-Chair	II. CITIZEN COMMENTS
Bob Bleile	III. WORKSESSION 1. Dry Canyon Master Plan-Update, Perry Brooks, Parks Planner (Exhibit 1) 2. Residential Design Standards - Architectural Design Standards for Single Family Residence (Exhibit 2) - continued discussion from 10-16-2012 meeting 3. Fence Standards (Exhibit 3) 4. Development Code Text Amendment linking non- compliance with the Development Code to the nuisance code in Chapter 5 of the Redmond City Code (Exhibit 4)
Bea Leach	IV. COUNCIL LIASON COMMENTS (if present)
Katie McDonald	V. APPROVAL OF MINUTES (Exhibit 5) a. October 16, 2012
Vacant Position	VI. STAFF COMMENTS
Vacant Position	VII. COMMISSIONER COMMENTS
	VIII. ADJOURN

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EXHIBIT 1

DATE: November 6, 2012
TO: Redmond Urban Area Planning Commission
FROM: Perry Brooks, Parks Planner
SUBJECT: Dry Canyon Master Plan Update

Report in Brief:

This is a request for a planning commissioner to participate on a liaison committee as part of the effort to update the 1984 Dry Canyon Master Plan.

With the addition of a Park Planner to the Community Development Department (CDD) staff, a task of the Park Planner is to facilitate the community outreach to and update of the 1984 Dry Canyon Master Plan. This planning effort will include long-term strategies for park programming and development in the Dry Canyon as well as property ownership and an acquisition strategy.

As part of the public outreach strategy, staff would like to create a "Liaison Committee" which will include members from the Parks Commission, Planning Commission, Redmond Development Commission, Redmond Area Parks and Recreation District (RAPRD), the Redmond School District, and the Redmond Parks Foundation. The Liaison Committee will provide comments and advice on the development of the Dry Canyon Master Plan.

In regards to process, the Parks Commission will develop the Dry Canyon Master Plan update, and then deliver it to the Planning Commission for consideration and recommendation to the Redmond City Council for adoption and amendment to the Redmond Comprehensive Plan..

Background:

The City of Redmond recognized the unique character and importance of the Dry Canyon to the development pattern of the community in 1984 with adoption of Ordinance 596, the Redmond Canyon Plan. The master plan for the Canyon area identifies a diversity of uses related to location, linked by a pedestrian trail covering nearing 3.4 miles from north to south. The 281 acre city owned property has been divided into three areas, North, Central and the South Canyon.

In 2011, the Parks Commission worked on a Central and North Central Dry Canyon Near-Term Utilization Plans. The North Central Near-Term Utilization Plan was adopted by the Redmond City Council in August, with the dialogue that a comprehensive public process needed to occur to discuss long-term planning goals for the Dry Canyon.

The North Central Near-Term Utilization Plan identifies near-term development of the Dry Canyon from Antler Avenue to NW Fir Avenue, with the primary goal of providing near-term utilization of the property with minimum cost. The plan includes a designated parking area at the Weigand Family Dog Park, a disc golf course, picnic area amenities, a community garden area and the potential vendor/restroom/playground site off of Black Butte Road.

Discussion:

With the Redmond City Council's direction to engage a comprehensive public process to update the 1984 Dry Canyon Master Plan, a Parks Planner was contracted through Redmond Area Park and Recreation District to help facilitate the process.

The public outreach for the Dry Canyon Master Plan will include completing a community survey, several public meetings, meetings with a citizen stakeholder advisory committee as well regular meeting with the Liaison Committee and regular updates to the Parks Commission, the Redmond Area Parks and Recreation District Board, the Parks Foundation, the Planning Commission and the Redmond Development Commission.

The goal is to have an updated Dry Canyon Master Plan adopted by City Council and amended to the City's Comprehensive Plan by June, 2013.



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EXHIBIT 2

DATE: November 6, 2012
TO: Redmond Urban Area Planning Commission
FROM: James J. Lewis, Senior Planner, Long Range/Economic Planning
SUBJECT: Residential Design Standards – Architectural Design Standards for Single Family Dwellings and Duplexes – Work Session

Report in Brief:

This is a second work session to discuss draft text amendments for the regulation of residential design elements for new single family dwellings and duplexes. The residential design elements were first discussed with the Planning Commission during the review of proposed amendments to the Land Division Code over the past few months. Some of the impetus for developing these standards came from past discussions with the Planning Commission, via other projects, in which the Commission raised concerns in this regard. Additionally, community comment and criticism over some existing residential development in the City in the past decade has also prompted this review. The attached document is a first DRAFT of potential Residential Design Standards, specifically Architectural Design Standards for Single Family Residences and Duplexes. At the first work session, the planning commission reviewed these standards, along with a variety of examples of home designs from Redmond. They decided to further the discussion to their next meeting.

Background:

As part of the Land Division Code text amendment considerations, the residential designs standards listed in Attachment A were initially discussed by the Planning Commission and staff. The rationale for these draft standards was the same as those that prompted the amendments to the Land Division Code. That rationale being:

Over the past few years, as economic decline has plagued many communities, Redmond was hit especially hard with a large number of foreclosures, empty homes and undeveloped subdivisions. Many of the empty homes and undeveloped subdivisions are now in a state of disrepair and are undesirable for new development or rehabilitation for a variety of reasons – a primary reason being the lack of physical amenities and design elements that make neighborhoods attractive and desirable. A key component to ensuring that new development results in neighborhoods where people want to live, where property values are maintained and that become assets to the community, are the rules governing land divisions (including infrastructure design) and the attractiveness of the ensuing residential homes.

During the discussion with the Planning Commission on the Land Division Code, future administration of the requirements by City staff was a primary consideration. Both the Planning Commission and staff recognized that although the single family residential design elements were important in achieving overall neighborhood sustainability, attractiveness and desirability, the Land Division Code was not the

proper place for the inclusion of such regulations for appropriate future applicability related to their intent. Accordingly, single family residential construction occurs sometimes weeks, months or years after the subdivision is developed and platted, and there is no legal means to apply the provisions of the Land Division Code to the home construction at that time. Therefore, the Planning Commission directed staff to pursue the residential design standards through a separate amendment process following on the foot-heels of the Land Division Code. The Planning Commission made a formal recommendation on the revised Land Division Code to the City Council at their September 18th meeting, and the City Council has now had one work session on that recommendation. The Residential Design Standards as proposed in Attachment A are now being brought forward for Planning Commission consideration.

Planning Commission Discussion at October 16th Meeting - At the work session on October 16th, the Planning Commission reviewed the Draft Standards in Attachment A and made some initial recommendations. Those are not yet reflected in the attached draft (all changes directed by the Planning Commission will be included in their final recommendation), but are listed below:

- Section 8.0141 (1). The initial discussion debated whether or not to move this entire subsection to the “Fence” section of the Development Code. Ultimately, the direction was to leave this section, but to include additional text amending this section to clarify that the required screening (screened from view) shall be based on “ground level sight line on all sides.”
- Section 8.0141 (2)(C)(1)(p). There was discussion regarding what was intended by “decorative trellis or trelliswork.” The discussion included a suggestion that such trelliswork should be integral to the construction and not merely affixed as an element that can be removed. However, a final suggestion in this regard was not decided upon.
- Section 8.0141 (2)(E)(2). The Planning Commission recommended eliminating the text of this subsection which required that garage doors be setback a minimum of 5 feet from the front of the façade of the dwelling facing the primary access street. In turn, the Planning Commission recommended that new text be inserted at this location to reflect their recommendation to the City Council in a separate but related action (as related to street width provisions in the Land Division Code). The Planning Commission intended that the new text at this location would provide direction that no vehicular access shall be allowed to 24 foot wide streets. Notwithstanding this direction from the Planning Commission, the City Council adopted the revised Land Division Code with specific a provision that prohibits driveway access to any 24 foot wide streets (streets less than 28 feet wide) unless specific on-street parking requirements are met, except that all streets 300 feet or less in length are prohibited from having driveway access. Staff will require additional direction in regarding this subsection from the Planning Commission in light of the provisions adopted by the City Council.
- The Planning Commission noted at the October 16th meeting that were additional issues that they wanted to discuss regarding the draft text (without specificity), but indicated they would like to do so at their next meeting (at the November 6th meeting).

Discussion:

As stated above, at some of the initial work sessions with the Planning Commission on the Land Division Code, various residential design standards were discussed (i.e. landscaping, fences, screening of mechanical equipment, building architectural elements). These standards, which will include requirements for various elements mentioned above, are proposed to be addressed and added as a new section of the Development Code that immediately follows the existing Residential Design Standards - Section 8.0140, Table B, Minimum Design Standards – among others. The new section is proposed to be located and entitled as Section 8.0141, Architectural Design Standards for Single Family Dwellings and Duplexes (see Attachment A).

The primary elements of the proposed standards include:

- Mechanical Equipment Screening

- Residential (single family dwelling and duplex) Building Design (architectural elements)
- Site Landscaping
- Fences

While preparing the draft standards, staff reviewed a variety of existing codes from communities around Oregon as well as other states. The majority of the codes were drafted and titled as “Guidelines”, with varying degrees of specificity. Many required discretionary review which employs the subjectivity of the reviewer – in Oregon this constitutes a land use action (which requires public notice and is appealable). The standards included in the attached draft are intended as non-discretionary standards which are clear and objective – which are considered development actions and not subject to the requirements of land use actions under State land use law. The proposed standards have considered the concerns of the residents of Redmond, while attempting to employ many of the best elements obtained from staff research to address the resident concerns in a clear and objective manner.

Mechanical Equipment and Landscaping - The screening of mechanical equipment (Section 8.0141 (1)) and landscaping requirements (Section 8.0141 (3)), which are addressed in the draft code text, are very straightforward in their intent as written in the draft code.

Residential Building Design - As drafted, the proposed building design standards listed in the draft code (Section 8.0141 (2)) are somewhat more complex in their overall application to new single family dwelling and duplex design review. However, they have been drafted as, and are intended to be, clear and objective standards to achieve a desirable effect (as discussed earlier in this staff report), rather than as discretionary requirements. In this manner, the standards will be clear to the applicant as to what is necessary for approval.

The implementation of these standards will be done at the time building permits are applied for. It will be necessary for the applicant to submit the required information with the building permit application. The building design/architectural review process will be concurrent with the building/structural plan check process. Notwithstanding this review process, all fences, whether built in conjunction with a dwelling or separately, will be subject to the standards adopted for fences.

Fences - Although fencing standards are listed among the provisions integral to the overall design standards for single family dwellings and duplexes and are referenced in Attachment A as Section 8.0141 (4), the actual fence standards will be included in another more appropriate section of the Development Code as referenced therein. Those draft standards are being brought to the Planning Commission as part of a separate discussion.

Alternative Courses of Action:

Approve the draft standards as proposed by Staff or as modified by the Planning Commission, or continue to work with Staff to revise the draft text through subsequent work sessions while also beginning the public involvement process. Notwithstanding, the standards for fences will be part of this overall amendment process, but will be presented in a subsequent work session.

Recommendation/Suggested Motion:

Not applicable.

James J. Lewis, Senior Planner, Long Range/Economic Planning

I. RESIDENTIAL DESIGN STANDARDS – EXISTING / PROPOSED

8.0140 Table B, Minimum Standards. The following minimum standards apply in each of the Residential zones as follows:

Standard:	Zone:				
	R-1	R-2	R-3	R-4	R-5
Minimum Lot size - Square Feet					
Single Family	9,000	9,000	7,500	6,000	6,000
Duplex	NA	^D 10,000	^A 10,000	7,500	7,500
Duplex Lot			4,250	3,750	3,750
Townhouse				E	E
Multi-family Dwelling	NA	NA	NA	F	F
Multi-family Complex	NA	NA		F	F
Maximum Density (1 unit per # s.f.)_F				3,000	2,500
Minimum Setback Distance_{C F}					
Front	15	15	15	15	15
Interior Side	^B 5/10	^B 5/10	^B 5/10	^B 5/10	5
Street Side	15	15	15	15	15
Rear	20	20	20	20	5
Garage	20	20	20	20	20
Maximum Building Height_F	30	30	30	40,E	40,E
Minimum Street Frontage					
Standard Street	50	50	50	50	50
Cul-de-sac	30	30	30	30	30
Flag Lot	20	20	20	20	20
Duplex lot (non flag or cul de sac)	N/A	N/A	25	25	25
Townhouse				E	E
A Duplexes permitted only on corner lots					
B Interior side yards must provide a minimum of 5 feet on one side and 10 feet on the other side for single family and duplex residences. Where alley access is provided, both interior side yards may be reduced to 5'. Exceptions to this 10' setback are allowed (1) when the lot was created prior to the adoption of this standard (November 9, 2006); or (2) on cul de sac lots; or (3) on flag lots, or (4) parcels created by partition.					
C Does not include solar setbacks, which are calculated separately					
D Duplexes only allowed on legally created lots of adequate size / created prior to November 9, 2006, otherwise prohibited.					
E Pursuant to the Townhouse Development Standards in Chapter 8, Article IV Site and Design Review Standards, Section 8.3035.4.f.2, Table A.					
F Does not apply to development standards for Multi-family Dwellings and Multi-family Complexes which are located in Chapter 8, Article IV, Site and Design Review Standards, Section 8.3035.4.E.2., Table A					
N/A = "not allowed"					
All distances shown are measured in feet.					

8.0141 ARCHITECTURAL DESIGN STANDARDS FOR SINGLE FAMILY DWELLINGS AND DUPLEXES

1. Screening of Mechanical Equipment and Trash Storage Areas. All exterior mechanical equipment and trash storage areas shall be entirely screened from view by a sight obscuring fence or wall, with such fences or walls being maintained in perpetuity.
2. Building Design. Single family dwelling and duplex design on lots in subdivisions platted after the effective date of this ordinance shall promote design that will protect neighborhood character, protect property values, protect public and private investment and enhance the attractiveness and quality of life in Redmond. The residential design principles included herein are intended to ensure that new residential development contributes to the architectural and visual qualities of the neighborhood. Although specific architectural styles (i.e. craftsman, colonial) are not mandated, the following residential design principles shall be required for all new single family and duplex dwellings:
 - A. Architectural Design. In order to discourage the appearance of tract-type housing, a separation by at least three (3) lots on either side and across the street by 2 lots in each direction is required for single family dwellings and duplexes with the same or very similar design when viewed from the street frontages. The same or very similar designs are those which consist merely of mirror image floor plans, or exterior elevations of the same basic design which utilize different colors, materials or ornamentation.
 - B. Roof Design. A minimum of three (3) of roof design elements shall be used on all four elevations of the structure.
 1. Roof Design Elements include:
 - a. Pitched or sloping roof;
 - b. Variations in roof pitch, height of roof planes or roof orientation;
 - c. Dormer, such as hipped, gabled, shed or eyebrow dormer design
 - d. Eave of at least 12 inches;
 - e. Overhang of at least 6 inches with bargeboard or vergeboard; and
 - f. Gable end elements (window, decorative vent door, decorated verge boards, trusses, false beams, corbels, brackets, or other decorative elements in gable ends)
 - C. Wall Design. A minimum of five (5) of wall design elements shall be used on the side and rear elevations of the structure, and seven (7) elements on the front elevation. Multiple siding treatments are highly encouraged.
 1. Wall Design Elements include:
 - a. Recessed entry;
 - b. Covered porch at least 36 square feet, with a minimum 4 foot depth
 - c. Balconies enclosed by railing or parapet;
 - d. Vertical offsets, at least two, either projecting or recessed at least 6 inches deep and a minimum of 4 feet long;
 - e. Horizontal offsets, at least two, either projecting or recessed at least 5 inches deep;
 - f. Column or pilaster, either complete or engaged;
 - g. Engaged tower, with the design being square, rectangular, circular or polygonal in form;
 - h. Bay window, box window, or box bay that projects at least 6 inches outward from the wall plane;

- l. Window trim or surround (casing) at least 3.5 inches wide that completely surrounds the window;
 - j. Windows with grids, multi-paned sashes, or that are of elliptical, round, arched, semi-circular or similar design;
 - k. Shutters, as a matched pair for windows, either fixed or movable;
 - l. variation in wall cladding, wall surface pattern or decorative materials;
 - m. Decorative garage doors, with or without windows, including patterning relief at least 5/8" deep over the door surface;
 - n. Band course, band molding, belly band, belt course or similar horizontal element the entire length of the façade of relatively slight projection;
 - o. Exterior chimney of brick, stone, composite, masonry or other similar materials; and,
 - p. Decorative trellis or trelliswork
- D. Front Door. A front door that is visible from the public street frontage (front yard) and a sidewalk between the front door and the public sidewalk is required. Front porches, including covered front porches, are highly encouraged.
- E. Driveways and Garages.
1. A garage is required for each dwelling unit and shall be of adequate size to accommodate a minimum of one vehicle, and shall at a minimum meet the design requirements in Section 8.0515 (Parking Table and Diagram) of the City of Redmond Development Code.
 2. Garage doors shall be setback a minimum of 5 feet from the façade of the dwelling facing the primary access street, and shall be setback a minimum of 20 feet from the lot or parcel line.
 3. Driveways, whether accessed from a public or private street or alley, shall be of adequate size to accommodate a minimum of one vehicle, and shall at a minimum meet the design requirements in Section 8.0515 (Parking Table and Diagram) of the City of Redmond Development Code.
 4. Notwithstanding Section 8.0141 (2) (E) (1, 2 and 3) above, all garages and driveways accessed directly from public or private streets or alleys less than 36 feet in width shall be sized to accommodate a minimum of 2 cars based on the parking space design standards listed in Section 8.0515 (Parking Table and Diagram) of the City of Redmond Development Code.
 5. No garage as required by this subsection shall be converted to living or other space unless a replacement garage complying with the standards of this subsection is provided.
3. Site Landscaping. All single family dwelling and duplex residential lots shall have landscaping on all sides of the structure which consists of lawn, trees, shrubs, native vegetation (a combination thereof). Such landscaping shall be maintained in good condition, with irrigation provided as necessary, with dead and dying vegetation removed. Landscape plans which demonstrate compliance with this requirement shall be submitted with building plans for each individual lot.
4. Fences. Fences constructed in conjunction with any single family dwelling or duplex (including fences constructed by the developer of a subdivision as perimeter fences) shall be in accordance with the applicable provisions of Section 8.340 of the City of Redmond development Code.



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EXHIBIT 3

DATE: November 6, 2012
TO: Redmond Urban Area Planning Commission
FROM: James J. Lewis, Senior Planner, Long Range/Economic Planning
SUBJECT: Fence Standards – Work Session

Report in Brief:

This is a work session to discuss draft text amendments for the regulation of fences. This discussion was initiated as part of the overall discussion with the Planning Commission regarding residential design elements during the review of proposed amendments to the Land Division Code over the past few months. Part of the impetus for this discussion rose from community comment and criticism over some existing fences constructed in the City, specifically fences associated with new residential development. The attached document is a first DRAFT of potential amendments to the existing Fence Standards contained in Section 8.0340 of the City of Redmond Development Code.

Background:

As part of the Land Division Code text amendment considerations, the need for revised residential designs standards was discussed by the Planning Commission and staff. One of the discussion items in this regard was fences – specifically fences constructed with new residential development (either as part of the overall subdivision design by the developer, or individually by the builder/homeowner). It was specifically noted that fences have a very significant contributing effect to the overall character of the neighborhood, and, ultimately, how the neighborhood contributes to the character of the City.

During the discussion with the Planning Commission on the Land Division Code, future administration of the requirements by City staff was a primary consideration. Both the Planning Commission and staff recognized that although design elements such as fences were important in determining neighborhood character, the Land Division Code was not the proper place for the inclusion of such regulations for appropriate future applicability related to their intent. Accordingly, fences are many times constructed years after the lot is platted, and there is no legal means to apply the provisions of the Land Division Code to the fence construction at that time. Therefore, the Planning Commission directed staff to pursue these standards through a separate amendment process following on the foot-heels of the Land Division Code.

Discussion:

As stated above, at some of the initial work sessions with the Planning Commission on the Land Division Code, residential design standards were discussed – one of the included elements was fences. These standards include both new and amended provisions to the existing Code listed in Section 8.0340 (see Attachment A). The attached draft includes **proposed new text as red**, with ~~omitted text in strikethrough~~.

Some of the primary concerns with existing fence designs include: 1.) fences constructed as continuous, unbroken expanses along the City arterial and collector streets; 2.) fence materials and construction methods; and, 3.) fence size by location. The primary amendments included in Attachment A for each of the items listed above is described below.

1. Continuous, unbroken expanses - All fences constructed along the side and rear lot lines will be required to incorporate other architectural elements such as stone, brick, rock, or similar products every 16' in length. Generally this includes columns or posts spaced every two standard fence sections that are constructed with these materials.
2. Fence materials and methods – Fences constructed along public streets are required to be constructed of wood, vinyl or wrought iron only – chain link fences are not permitted. All fences are required to be constructed of solid materials that are able to be painted and maintained to be structurally sound, and are required to be maintained in a structurally sound condition and be free from exposed nails, screws, loose members, decaying materials or other similar conditions that can pose a hazard.
3. Fence size and location - Fences located in front yards will have a maximum height limit of 3 ½ feet.

The overall intent of these standards is to maintain a property owner's ability to construct a fence for the purpose of privacy, security, animal restraint, and other typical factors. However, the proposed amendments are intended to ensure that such fences compliment rather than detract from the character of the neighborhood and community. It places more stringent requirements for those property boundaries fronting public streets regarding materials and aesthetics, but less stringent restrictions on areas where fences are not readily visible to the public. Nonetheless, because specific standards have been added concerning construction and maintenance, the overall affect of fences on livability and neighborhood aesthetics will be enhanced.

Alternative Courses of Action:

Approve the draft standards as proposed by Staff or as modified by the Planning Commission, or continue to work with Staff to revise the draft text through subsequent work sessions while also beginning the public involvement process. Notwithstanding the alternatives for this amendment process, the architectural standards for single family residences and duplexes will be processed separately but concurrent as part of the overall amendment process for residential design standards.

Recommendation/Suggested Motion:

Not applicable.

James J. Lewis, Senior Planner, Long Range/Economic Planning

FENCE STANDARDS - EXISTING and PROPOSED**8.0340 Fences**

- ~~1. In any residential zone, a fence, lattice work, screen or wall, other than a retaining wall, not more than six feet in height may be located in any required front yard, and no more than eight feet in height in any required side or rear yard. Provided however, in those areas designated for clear vision, the restrictions set forth in Sections 8.0305-8.0310 shall apply. (Revised 6/98) (Note: the International Building Code indicates that fences in excess of six feet in height require a building permit, and may need to be professionally engineered).~~

All fences constructed after the time of the adoption of this ordinance shall comply with the following standards. For the purpose of these standards fences refers to fences, lattice work, screens or walls (other than a retaining wall).

The intent of these standards is to ensure that fencing contributes positively to the appearance of the community, and that the scale, location, and appearance of fencing does not adversely affect adjacent or nearby properties or public safety. With this intent, these standards are designed to minimize long, uninteresting, blank walls along streets and roadways.

1. In all Residential Zones and the Urban Holding Zone, all fences shall be developed to the following standards:
 - A. Fences abutting or adjacent to a public street shall comply with the following:
 1. Fences in front yards, and in that portion of side yards extending from the front property line to the front façade of the dwelling, shall be a maximum of 3½ feet tall and constructed of wood, vinyl or wrought iron only. Chain link fences are not permitted.
 2. Fences in that portion of side yards extending from the front façade of the dwelling to the rear property line, and all rear yards, shall be a maximum of 6 feet tall and constructed of wood, vinyl or wrought iron only. Chain link fences are not permitted.
 3. Fences located in side and rear yards shall incorporate other architectural elements such as stone, brick, rock, or similar products every 16' in length (See: *Examples*).
 4. Other types of fences (allowed to the 6 foot height limit) may be approved by and at the discretion of the Community Development Director subject to compliance with the intent statement above.
 - B. Fences not abutting or adjacent to a public street shall comply with the following:
 1. Fences located in the side or rear yards shall not exceed eight (8) feet in height. (Note: the International Building Code indicates that fences in excess of six feet in height require a building permit, and may need to be professionally engineered).
 - C. No fence in any residential zone, except as exempted by Section 8.0340 (5)

below, shall be constructed with barbed wire, razor wire, or similar apparatus.

2. In ~~a C-4~~ all Commercial Zones, except for the C-2, Central Business District Zone, any the PF-Public Facility Zone, the Park Zone, any Mixed Use Zone, and in both any Industrial Zones, all fences shall be developed to the following standards:
 - A. The maximum height of a fence shall not exceed 8 feet. (Note: the International Building Code indicates that fences in excess of six feet in height require a building permit, and may need to be professionally engineered). ~~Provided however, in those areas designated for clear vision, the restrictions set forth in Sections 8.0305-8.0310 shall apply. (Revised 6/98)~~
3. For any development undergoing land use review, any wood or vinyl fence bordering a street ~~exceeding a span of 25' in length~~ shall incorporate other architectural elements such as stone, brick, rock, or ~~varied usage of wood~~, similar products every 16' in length (See: *Examples*).
4. All fences, regardless of zone or location, shall comply with the following requirements:
 - A. Fences fronting public streets shall provide one gate, opening, or other site access for emergency services use. For corner lots, only one opening along the either the front or side yard frontage is required.
 - B. Fences shall not block the clear vision area and shall comply with the standards in RDC Section 8.0305.
 - C. Fences shall be constructed on private property, and shall not be located in public rights of way.
 - D. Fences shall be comprised of wood, vinyl, metal or other solid material that is able to be painted and/or maintained in structurally sound condition. All fences shall be maintained in a structurally sound condition and be free from exposed nails, screws, loose members, decaying materials or other similar conditions that can pose a hazard.
4. 5. The following fences shall be exempt from ~~height~~ the restrictions standards set forth herein, except for the requirement to comply with the clear vision standards in RDC Section 8.0305, as listed in Section 8.0340(4)(B) above.:
 - A. Any security fencing around a public or quasi-public utility or entity including the Airport perimeter.
 - B. Fences related to a park or school use including (but not necessarily limited to) tennis courts, driving ranges and ball fields.
 - C. Any fence exempted under (4) herein that is in excess of 20 feet in height shall require conditional use permit review and approval, and a public hearing.
5. ~~At no time shall fence heights exceed 4' when the fence fronts a public road or street.~~

6. ~~Fences fronting public streets shall provide one gate, opening, or other site access for emergency services use.~~

Examples:





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EXHIBIT 4

DATE: November 6, 2012
TO: Redmond Urban Area Planning Commission
FROM: Heather Richards, Community Development Director
SUBJECT: Development Code Text Amendment – Article I, II, III and IV, Enforcement

Report in Brief:

This is a work session to review proposed text amendments to Article I, II, III and IV to standardize enforcement processes for compliance with the code. Article V was amended in 2010.

Background:

Currently the code language for enforcement of the development code standards is not consistent throughout the different Articles and does not reference back to Chapter 5 of the Redmond City Code for enforcement processes. Code compliance staff reviewed the current language and is recommending the text amendments to enable better voluntary and non-voluntary compliance with the Code.

Recommendation/Suggested Motion:

This is a work session. Not applicable.

Heather Richards,
Community Development Director

Attachment A: Article I, II, III and IV: Enforcement

Development Code Amendments (new text is **red**; deleted text is ~~strikethrough~~, unless otherwise stated):

Article I: Zoning Standards

8.0805 Enforcement.

1. Administration. It shall be the duty of the City Manager or an authorized representative to enforce the provisions of these standards pertaining to land use and to the construction, erection, location or enlargement of any structure located within the City of Redmond under the jurisdiction of these standards.
2. Building Permits. No permit shall be issued by the building official for the construction, erection, location or enlargement or change of use of a building, structure or lot that does not conform to the requirements of these standards or any other ordinance, regulation, permit, or land use approval adopted or issued by the City of Redmond.
3. Authority. Whenever necessary to enforce the provisions of these standards, the City Manager or an authorized representative shall have recourse to every remedy provided by law.
4. Violation of these standards ~~as is~~ **is** a nuisance. The construction, erection, location, enlargement of use, change in use or use(s) of any structure or property in violation of these standards or those conditions and limitations approved pursuant to the provisions of these standards shall be deemed a nuisance and may be subject to abatement, removal, ~~penalty~~ or other remedy provided in the City of Redmond's nuisance code **under section 5.345.**
5. Revocation for False Statement. The City Manager or designee may revoke any permit granted pursuant to the provisions of these standards, if it is determined that the permit was issued on account of material false statements contained in the application form or material false representations made at a public hearing. A decision to revoke a permit shall be subject to the procedures established for a Development Action, with the corresponding right of appeal.
6. Revocation for Non-conformance. The City Manager or designee may revoke any permit granted pursuant to the provisions to these standards for failure to comply with those conditions and limitations placed upon the exercise of the permit. A decision to revoke a permit shall be subject to the procedures established for a Development Action, with the corresponding right of appeal. Failure to comply with applicable conditions and limitations may also be subject to abatement, removal, penalty or other remedy provided in the City of Redmond nuisance code.
7. Penalties of Violation.
 - A. **A violation of any provision of these standards shall be a Class A Infraction.** ~~A violation of the provisions of these standards is punishable upon conviction~~

by:

1. — ~~A fine of not more than \$100 for each day of violation where the offense is a continuing offense but such fine may not exceed \$1,000.~~
2. — ~~A fine of not more than \$500 where the offense is not a continuing offense.~~

- B. Violations shall be enforced under the provisions of the Redmond Civil Infraction Procedure.
- C. Each day that a nuisance continues to exist constitutes a separate violation, and a separate penalty may be assessed for each day the violation continues.

Article II: Land Use

8.1025 **Conditions of Approval.** The City may require conditions of approval to any application as are necessary to assure compliance with applicable criteria as provided under the Redmond Development Code and Comprehensive Plan where applicable. Violation of a condition of approval will be treated as a violation of the Redmond Development Code and is subject to enforcement under Section ~~8.0805~~ **8.1725**.

8.1725 Enforcement.

1. It shall be the duty of the Community Development Director or designated representative to administer and enforce the provisions of these standards in such a way as to carry out its intent and purpose.
2. Violation of any provision of these standards is a Class A Civil Infraction and shall be enforced through the Redmond Civil Infraction procedure.
3. Each day that a nuisance continues to exist constitutes a separate violation, and a separate penalty may be assessed for each day the violation continues.
4. Violation of these standards is hereby declared a nuisance and may be subject to abatement, removal or other remedy provided in the City of Redmond nuisance code under section 5.345
5. When any real property is or is proposed to be used, transferred, sold or disposed of in violation of these standards, the Community Development Director, designee, or any person whose interest in the property is or may be affected by the violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or other appropriate proceedings to prevent, temporarily or permanently enjoin, abate or set aside such use, transfer, sale, disposition, offer, negotiation or agreement.
6. If any section, subsection, sentence, clause or phrase of these standards is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of these standards.

Article III: Subdivision and Partition Standards

GENERAL PROVISIONS

- 8.2700** — ~~**Penalties.** Violation of any provision of these standards is a Class A Civil Infraction and shall be enforced through the Redmond Civil Infraction procedure.~~
- 8.2705** — ~~**Violation Declared a Nuisance.** A land division or use in violation of these standards is hereby declared a nuisance.~~
- 8.2710** — ~~**Civil Relief.** When any real property is or is proposed to be used, transferred, sold or disposed of in violation of these standards, the Community Development Director, designee, or any person whose interest in the property is or may be affected by the violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or other appropriate proceedings to prevent, temporarily or permanently enjoin, abate or set aside such use, transfer, sale, disposition, offer, negotiation or agreement.~~
- 8.2715** — ~~**Administration of Standards.** It shall be the duty of the Community Development Director or designated representative to administer and enforce the provisions of these standards in such a way as to carry out its intent and purpose.~~
- 8.2720** — ~~**Severability.** If any section, subsection, sentence, clause or phrase of these standards is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of these standards.~~

8.2700 Enforcement.

1. It shall be the duty of the Community Development Director or designated representative to administer and enforce the provisions of these standards in such a way as to carry out its intent and purpose.
2. Violation of any provision of these standards is a Class A Civil Infraction and shall be enforced through the Redmond Civil Infraction procedure.
3. Each day that a nuisance continues to exist constitutes a separate violation, and a separate penalty may be assessed for each day the violation continues.
4. Violation of these standards is hereby declared a nuisance and may be subject to abatement, removal or other remedy provided in the City of Redmond nuisance code under section 5.345
5. When any real property is or is proposed to be used, transferred, sold or disposed of in violation of these standards, the Community Development Director, designee, or any person whose interest in the property is or may be affected by the violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or other

appropriate proceedings to prevent, temporarily or permanently enjoin, abate or set aside such use, transfer, sale, disposition, offer, negotiation or agreement.

6. If any section, subsection, sentence, clause or phrase of these standards is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of these standards.

Article IV: Site and Design Review

8.3180 Enforcement.

1. It shall be the duty of the Community Development Director or designated representative to administer and enforce the provisions of these standards in such a way as to carry out its intent and purpose.
2. Violation of any provision of these standards is a Class A Civil Infraction and shall be enforced through the Redmond Civil Infraction procedure.
3. Each day that a nuisance continues to exist constitutes a separate violation, and a separate penalty may be assessed for each day the violation continues.
4. Violation of these standards is hereby declared a nuisance and may be subject to abatement, removal or other remedy provided in the City of Redmond nuisance code under section 5.345
5. When any real property is or is proposed to be used, transferred, sold or disposed of in violation of these standards, the Community Development Director, designee, or any person whose interest in the property is or may be affected by the violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or other appropriate proceedings to prevent, temporarily or permanently enjoin, abate or set aside such use, transfer, sale, disposition, offer, negotiation or agreement.
6. If any section, subsection, sentence, clause or phrase of these standards is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of these standards.



DRAFT

CITY OF REDMOND
Community Development Department

EXHIBIT 5
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REDMOND URBAN AREA PLANNING COMMISSION
Minutes

Tuesday, October 16, 2012

City Hall Conference Room A, 716 SW Evergreen Avenue, Redmond, Oregon

Commissioners Present: Chair Eric Porter, Vice Chair Anne Graham, Bob Bleile, Bea Leach
(absent: *Katie McDonald*; 2 positions vacant)

City Staff: Heather Richards, *Community Development Director*; James Lewis, *Long-Range Planner*;
Cameron Prow, *TYPE-Write II*

Visitors: Trish Pinkerton, *Redmond Spokesman*

*(scribe CP's note: The minutes were created from an audio record and notes taken at the meeting.
The three digits after the motion title shows the number of Commissioners voting in favor/against/abstaining.)*

I. CALL TO ORDER

Chair Porter opened the meeting at 6:30 p.m. with a quorum present.

II. CITIZEN COMMENTS (None)

III. WORK SESSION

A. Street Design Standards – Parking Restrictions

Mr. Lewis reported that City Council reviewed the street design standards at their October 9 work session on the subdivision code. Councilors requested that the Planning Commission resolve the potential for emergency service access being compromised by visitor parking in “No Parking” zones in neighborhoods with multiple 24-foot-wide streets. As directed by Council, Mr. Lewis has consulted with developers and is awaiting their feedback. He discussed options for resolving this issue and the rationale for more street variety.

Ms. Richards said that Redmond needs narrower street standards in order to be competitive with Bend and La Pine which allow 24-foot-wide streets.

Commissioners discussed alternate street design elements such as *alley access, on-site parking, turning radius, vehicular access, double-car garages, and driveways.*

Motion 1 (4/0/0): Commissioner Graham moved that the Planning Commission accept Option A (all streets less than 28 feet wide shall be no longer than 300 feet in length, with no lot having a front yard on a 24-foot-wide street) or Option B (all streets less than 28 feet wide shall include at least one (1) parking bay per lot, located along each lot frontage, for the entire length of such street) with the proviso that 24-foot-wide streets shall not intersect. Commissioner Leach seconded the motion which passed unanimously.

B. Residential Design Standards – Architectural Design Standards for Single-Family Residence

Mr. Lewis reviewed the proposed text for Sections 8.0140 and 8.0141 (Draft 1, 10-16-2012), noting that more objective draft standards were easier for staff to administer. He will be getting feedback on this draft from the Government Affairs Coordinators for both Central Oregon Builders Association and Central Oregon Realtors Association.

During discussion, Commissioners proposed changes to the sections on *Screening of Mechanical Equipment and Trash Storage Areas* and on *Driveways and Garages*.

Mr. Lewis said that he would present a revised draft at the next Planning Commission meeting.

IV. CITY COUNCIL LIAISON COMMENTS (None)

V. APPROVAL OF MINUTES

Motion 2 (4/0/0): Commissioner Graham moved to approve the August 21, 2012, minutes as written. Commissioner Leach seconded the motion which passed unanimously.

Motion 3 (4/0/0): Commissioner Leach moved to approve the September 18, 2012, minutes, subject to correcting Paragraph 1 under Section VII, COMMISSIONER COMMENTS, to read: “Chair Porter noted that Commissioner McDonald’s second child is due soon. He said he was glad to be back on solid ground after his vacation cruise. Smoke from the Pole Creek fire is horrible in Sisters, causing headaches and breathing difficulties for many people.” and adding Paragraph 2 to read: “Commissioner Bleile agreed to continue serving until the Planning Commission finishes reviewing the Residential Design Standards.” Commissioner Graham seconded the motion which passed unanimously.

Motion 4 (4/0/0): Commissioner Leach moved to amend Motion 3 to correct Sentence 7, Paragraph 1, under Section VI, STAFF COMMENTS, to read: “One application for the Planning Commission has been received, but cannot be acted on until Commissioner Bleile retires from the Commission, since only two realtors are allowed to serve at a time.” Commissioner Graham seconded the motion which passed unanimously.

VI. STAFF COMMENTS

Mr. Lewis said that Council has scheduled a public hearing on the subdivision code for October 23, 2012. He has revised the Planning Commission-recommended draft in response to feedback from the City Attorney and will send a copy to Commissioners.

Mr. Lewis reported that the City has hired Perry Brooks as a Parks Planner. This position is funded 60% by Redmond Area Park and Recreation District (RAPRD) and 40% by the City. One of Mr. Brooks’ first projects for the City will be to update the Dry Canyon Master Plan from 1984. Mr. Brooks will be working with a stakeholders advisory committee, composed of representatives from the Planning Commission, Parks Commission, Redmond School District, RAPRD, and Redmond Development Commission.

VII. COMMISSIONER COMMENTS

Chair Porter congratulated Commissioner McDonald on the birth of her second child.

Commissioner Leach asked if there was a residency requirement for the Redmond City Manager. She also questioned why nonresident owners of businesses being operated within the city limits were not eligible to serve on the Planning Commission.

Vice Chair Graham volunteered to represent the Planning Commission at the October 23 City Council hearing on the subdivision code. She requested an update on the City Manager replacement process and a status report on Planning Commissioner recruitment efforts.

Mr. Lewis said that he would ask Ms. Richards to e-mail a status report to Commissioners on the City Manager replacement process. One of the two applications for Planning Commission received by the City was for a realtor; the other application went directly to the Mayor.

VIII. ADJOURN

The next meeting is scheduled for Tuesday, November 6, 2012.

With no further business, Chair Porter adjourned the meeting at 8:26 p.m.

APPROVED by the Redmond Urban Area Planning Commission and SIGNED by me this _____ day of _____, 2012.

ATTEST:

Eric Porter, Chair