



CITY OF REDMOND
Community Development Department

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Redmond, OR 97756

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www.ci.redmond.or.us

URBAN AREA PLANNING COMMISSION
City Hall Conference Rooms A and B
716 SW Evergreen Ave

Tuesday, January 18, 2011
7:00 PM

Agenda

UAPC
Members
Eric Porter,
Chair

Will
Van Vactor,
Vice Chair

Tory
Allman

Bob
Bleile

Stan
Clark

Katie
McDonald

John
Nastari

- I. CALL TO ORDER**
 - II. CITIZEN COMMENTS**
 - III. PRESENTATION:**
Deschutes County – Comprehensive Plan
 - IV. WORKSHOP:**
 - A. Ethics Discussion**
 - B. Development Code Amendment, Article II – Land Use Procedures, 8.1620. *(Exhibit 1)***
 - C. Development Code Amendment, Article V – Sign Standards, 8.4250 *(Exhibit 2)***
 - V. CITIZEN COMMENTS**
 - VI. STAFF COMMENTS**
 - VII. APPROVAL OF MINUTES**
 - a. December 7, 2010 *(Exhibit 3)***
 - VI. COMMISSIONER COMMENTS**
- ADJOURN**

*Please note that these documents are also available on the City's website www.ci.redmond.or.us; click on City Government, hover on Commissions and Committees, click on Urban Area Planning Commission. You may also request a copy from City Records Office 923-7751 or email KellyM@ci.redmond.or.us

Anyone needing accommodation to participate in the meeting must notify Mike Viegas, ADA Coordinator, at least 48 hours in advance of the meeting at (541) 504-3032, or through the Telecommunications Relay Service (TRS) which enables people who have difficulty hearing or speaking in the telephone to communicate to standard voice telephone users. If anyone needs Telecommunications Device for the Deaf (TDD) or Speech To Speech (STS) assistance, please use one of the following TRS numbers: 1-800-735-2900 (voice or text), 1-877-735-7525 (STS English) or 1-800-735-3896 (STS Spanish). The City of Redmond does not discriminate on the basis of disability status in the admission or access to, or treatment, or employment in, its programs or activities.



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EXHIBIT 1

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STAFF REPORT

DATE: January 18, 2011
TO: Redmond Urban Area Planning Commission Members
FROM: Heather Richards, Community Development Director
SUBJECT: Workshop: Development Code Amendments, 8.1620,
Land Use Approval Time Extension

Report in Brief:

This workshop will discuss a proposal to amend the Redmond Development Code, Section 8.1620, Article II – Land Use Procedures, that would automatically extend approved land use permits from July 1, 2011, to July 1, 2011, without requiring an application from the developer or owner. The time extension would not apply to land use permits which are regulated by a specific condition of approval that sets time frames different from the Code.

Background:

On August 9, 2009, the Redmond City Council amended the Redmond Development Code to allow an automatic land use approval extension to July 1, 2011, for those land-use applications that were due to expire. This action was taken with the knowledge that Central Oregon was experiencing a significant economic downturn and development opportunities had essentially ground to a halt due to the lack of available financing and severe market depreciation. City staff has been asked to consider a second automatic land use approval extension to expiring land use approvals to July 1, 2012, since the economic downturn has continued and has not shown any evidence of recovery in Central Oregon in the near-term. .

Discussion

Typically, the City's land use approvals are valid for a period of two years from the date the approval is no longer appealable. Property owners may apply for time extensions for up to two additional years and such applications may be approved by the Community Development Director.

It is evident that the current recession has severely curtailed construction activity in Redmond and the entire Central Oregon region; however, there are several outstanding land use permits that were approved a couple of years ago when the economy was much better. An example of land use permits that could expire without this Code amendment would be the Planned Unit Development for Jim Neal on Badger Road.

One complicating factor which could affect a time extension is that some properties are in foreclosure and the City cannot determine whether the property owner/developer or the bank is in actual ownership of the property. In some cases, the ownership issue may be contested. Granting a legislative time extension for land use permits will give property owners, the banks developers and the City time to sort everything out. Generally, it appears that the long-range forecast is for the national economy to turn around in late 2011 or 2012; however, the Central Oregon economy will probably take longer because we are so overbuilt compared to other jurisdictions that did not experience the high growth rate that we had.

An application for a time extension for an approved land use permit costs \$884.68 and the Planning Department receives less than one application per month. Forgoing the application costs will not mean a great difference in the Community Development Department's revenue picture over the next year; however, passing this Code amendment could create some good will for developers who are currently strapped for cash. Staff recommends that this amendment, or some modified version, be adopted by the City of Redmond.

Alternative Courses of Action:

- 1) Recommend that the City Council adopt the Ordinance.
- 2) Continue the public hearing to date and time certain and get more testimony and evidence.
- 3) Recommend that the City Council not adopt the Ordinance.

Staff Recommendation:

The Planning Commission should recommend that the City Council adopt the Ordinance which would allow an automatic extension of time for land use permits.

Heather Richards,
Community Development Director

Attachment A: Article II, Land Use Procedures – Development Code Amendments

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

LIMITATIONS ON APPROVALS

- 8.1600 Limitations on Approvals.** The following limitations on approvals are applicable.
- 8.1605 Duration of Approval.** All land use approvals shall be valid for a period of two years, unless a longer duration is granted as part of the approval. The two year period shall run from the date a land use approval is no longer appealable.
- 8.1610 Approval Extension.** Extensions beyond two (2) years may be approved by the Community Development Director or designee, or Hearings Body for periods of one (1) year, up to an aggregate of two (2) additional years provided that; no code changes which may be contrary to the original decision have occurred relative to that proposal, and there has been no new development since the original approval on any adjacent property. Such extensions shall be administrative, in writing, and not subject to appeal. (3/99)
- 8.1620 Additional Approval Time Extension.** Notwithstanding sections 8.1605 and 8.1610, all City approved land use permits, including permits that have received an extension of time, that were due to expire after ~~July 1, 2010~~ **July 1, 2011**, are hereby extended to ~~July 1, 2011~~ **July 1, 2012**. Land use permits that are approved and take effect after ~~July 1, 2009~~ **July 1, 2010**, shall comply with section 8.1605 (i.e. a two year approval) unless the applicant applies for and receives an extension of time granted in accordance with section 8.1610. Permits which have been automatically extended by this regulation may apply for an additional extension of time in accordance with section 8.1610. Sign permits, building permits, temporary permits, Measure 37 permits, Measure 49 permits, a land use permit to which a specific condition of approval that regulates the duration and terms of approval has been attached, or any other City issued permit that is not a land use permit are hereby excluded from this automatic extension of time.



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EXHIBIT 2

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STAFF REPORT

DATE: January 18, 2011
TO: Redmond Urban Area Planning Commission Members
FROM: Heather Richards, Community Development Director
SUBJECT: Workshop: Development Code Amendments, 8.4240,
Daily Display Signs Insurance Provisions

Report in Brief:

This workshop will discuss a proposal to amend the Redmond Development Code, Section 8.4240, Article V – Signage Standards, that would remove the additional insured provisions required for Daily Display Signs.

Background:

Current City Code details insurance requirements for daily display signs which include a City additional insured provision. This process has added extra insurance costs for some businesses and requires a great deal of staff time to process applications to ensure the insurance requirements are met. Business owners are required to modify their liability policies to obtain the additional insured provision.

Discussion

The City's insurance broker and insurance consultant have recommended the additional insured provision be removed from daily sign display requirements. Businesses using daily display signs will still be required to carry general liability insurance and sign City hold harmless agreements, thereby providing insurance for any unforeseen claim, holding the City harmless from any liability associated with the display sign and providing a more streamlined system to process applications and support businesses drawing customers to their location.

Heather Richards,
Community Development Director

Attachment A: Article V, Sign Standards – Development Code Amendments

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

SIGNS REGULATED BY CLASS

8.4250 Daily Display Signs. Daily display signs shall require a daily display sign permit from the Community Development Department and shall conform to the following standards.

1. One allowed per 25 feet of street-facing frontage.
2. One allowed per business.
3. Sign dimension shall not exceed a maximum width of three (3) feet and a maximum height, from ground level, of four (4) feet, but in no case shall exceed nine (9) square feet.
4. Set back behind the curb so as not to interfere with on-street parking, or, a minimum of ten (10) feet from the edge of the nearest street travel lane where curbs are not in place.
5. Signs may be located either on private property or in the public right-of-way, shall comply with the Americans with Disabilities Act (ADA), and shall not interfere with pedestrian movement of wheelchair access to, through, and around the site. A minimum access width of five (5) feet shall be maintained along all sidewalks and building entrances accessible to the public. Signs should be placed either next to the building / business or at the curbside by a street tree or other public amenity so as not to block on-street parking accessibility.
6. A City right-of-way permit must be obtained prior to approval of a sign permit. The sign permit and City right-of-way permit shall be revocable in case of noncompliance.
7. Shall not be placed in the clear vision triangle.
8. Shall not encroach into required off-street parking areas, public roadways, or alleys.
9. Shall be utilized only during regular business hours and shall be removed during non-business hours.
10. Shall be adequately supported and shall have a weighted based capable of keeping the sign upright.
11. Materials shall be of a permanent nature and not be subject to fading or damage from weather. Paper or cloth is not permitted unless located within a glass or plastic enclosure. A wood base is recommended.
12. No lighting is permitted as a part of the sign.
13. Sign shall appear professionally designed, manufactured, and be continuously maintained. All lettering shall be fixed. 40% of the sign may be chalk/white board.
14. ~~Owner shall provide city with copy of insurance certificate prior to approval of a Sign Permit, and insurance company shall notify the City no less than 10 business days~~

- ~~prior to cancelling the insurance policy.~~
15. ~~A sign permit application for a Daily Display Sign to be located on public property and/or public right-of-way shall be accompanied by a certificate of insurance showing the owner to have the following coverage amounts:~~
- ~~(1) Commercial General Liability insurance in an amount not less than \$500,000 per occurrence naming the City of Redmond, its officers, directors, agents, employees and volunteers as an additional insured by endorsement. Additional insured insurance shall be provided on a primary, non-contributory basis; and,~~
 - ~~(2) the Commercial General Liability insurance shall provide property damage coverage in an amount not less than \$100,000 per occurrence for any property damage.~~
16. The sign owner shall assume all liability for incidents involving the sign by signing a document exempting the city from liability.

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**REDMOND URBAN AREA PLANNING COMMISSION
Minutes**

Monday, December 7, 2010
City Hall, Conference Room A
716 SW Evergreen Avenue, Redmond, Oregon

COMMISSIONERS PRESENT: Chair Stanley Clark, Vice Chair Bob Bleile, Margie Dawson, Katie McDonald, and Will Van Vactor

GUESTS PRESENT: John Schimmoller and Jon Stark, *Redmond Economic Development, Inc.*

CITY STAFF: Sean Cook, *Senior Planner*, and Cameron Prow, *TYPE-Write II*

(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 members voting in favor/against/abstaining.)

I. CALL TO ORDER

Chair Clark opened the meeting at 7 p.m. with a quorum present.

II. CITIZEN COMMENTS (None)

III. SITE AND DESIGN REVIEW FOR MIXED USE LIVE/WORK (MULW) ZONE (cont.)

Mr. Cook presented the November 30, 2010, staff report (Exhibits A and B) including changes recommended by Commissioners at their November 2, 2010, meeting and review the tentative schedule for completion and adoption of the MULW zone.

Commissioner discussion points included *zone definitions, threshold triggers, building transparency standard, prohibited materials list, cargo container conversions, purposes of the new zone, allowed uses, and accuracy of the existing uses inventory.*

By consensus, Commissioners suggested the following changes:

- * Replace all references to “commercial” with the word “business.”
- * Replace all references to “beyond a licensed home occupation” with “more intensive than a licensed home occupation.”
- * Add a definition for “transparency” that includes windows and glass blocks.
- * 8.3120(2) should read: “The change of use or building addition to add a residential use to a business property.”
- * 8.3120 (exemptions) should read: “Exemptions to Site and Design Review for Modified Live/Work Units may be allowed if the City Manager or Designee determines with findings that the proposed development will have a negligible impact on the neighborhood.”
- * 8.3170(3)(d) – Calculate the “transparency” standard on a square-footage percentage of the street-facing façade of the first floor in the business portion and include an example.

- * 8.3170(3)(f) and 8.3170(6)(d)(d4): Use the “corrugated metal” reference in 8.3170(5)(c)(c8).
- * 8.3170(3)(g): Add a new subsection to allow the Community Development Director some discretion in applying new live/work unit standards.
- * 8.0275(f): Add a new subsection to ensure that the “uses in place” when the MULW zone is adopted remain outright permitted uses.
- * 8.0280(Table G/Uses Permitted): Change reference under *Residential Uses* from “prior to December 2010” to “date the ordinance is adopted.” Specify what “distribution center” under *Industrial Uses* will include.

Staff will research and write draft standards for converting metal cargo containers to residential units, provide illustrations of successful conversions, and update the existing uses inventory for the next meeting on this topic.

IV. PROFESSIONAL OFFICE OVERLAY (cont.)

Due to lack of time, discussion on this topic was postponed to the January 2011 meeting.

V. CITIZEN COMMENTS

Mr. Schimmoller commended Commissioners for their work on updating the Development Code. The goal is to encourage more investment in the MULW zone including the upgrade of existing uses. He recommended a minimum transparency standard of 40% in Section 8.3170(3)(d).

Mr. Stark volunteered to help update the existing uses inventory. He spoke with City Manager David Brandt on December 7 and has promised to help recruit new planning commissioners through some of *REDI's* newsletters.

VI. STAFF COMMENTS

Mr. Cook reported that David Wechner, the new long-range planner, will start in January 2011. He has previously worked in Sherwood, Oregon; Vancouver, Washington; and Colorado. Staff are continuing to advertise for new planning commissioners.

VII. APPROVAL OF MINUTES

Motion 1 (3/0/2): Commissioner McDonald moved to approve the November 2, 2010, minutes as amended to correct the spelling of Ms. McClafin’s last name on Page 2. Commissioner Bleile seconded the motion which passed with Commissioners Bleile, McDonald, and Van Vactor voting in favor and Commissioners Clark and Dawson abstaining.

VIII. COMMISSIONER COMMENTS

Commissioner Dawson said she has enjoyed her time on the Planning Commission.

ADJOURN

With no further business, Chair Clark adjourned the meeting at 8:57 p.m.

APPROVED BY THE REDMOND URBAN AREA PLANNING COMMISSION AND SIGNED BY ME
THIS _____ DAY OF _____, 2011.

ATTEST:

Stanley E. Clark, Chair