



CITY OF REDMOND
Community Development Department

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REDMOND URBAN AREA PLANNING COMMISSION

Minutes

Monday, July 7, 2014

Council Chambers, 777 SW Deschutes Avenue, Redmond, Oregon

Commissioners Present: Chair Evan Dickens, Vice-Chair Dean Lanouette, David Allen, Anne Graham, Lori McCoy, Eric Porter (absent: *Tom Kemper*)

Youth Ex Officio: *Jennifer Cort* (absent)

City Staff: Heather Richards, *Community Development Director*; Deborah McMahon, *Principal Planner*; Scott Woodford, *Associate Planner*; Cameron Prow, *TYPE-Write II*

Visitors: Geoff Harris, *Hayden Homes*; Andy High, *Central Oregon Builders Association*; Frank D. Smith

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

I. CALL TO ORDER

Chair Dickens opened the meeting at 7 p.m. with six of seven commissioners present, establishing a quorum.

II. APPROVAL OF MINUTES

Motion 1 (6/0/0): Commissioner Porter moved to approve the May 5, 2014, minutes. Commissioner Graham seconded the motion which passed unanimously.

Motion 2 (5/0/1): Commissioner Porter moved to approve the May 19, 2014, minutes. Commissioner Graham seconded the motion which passed with Commissioners Allen, Graham, Lanouette, McCoy, and Porter voting in favor and Dickens abstaining due to his absence from the May 19 meeting.

Ms. Prow requested correcting the name "Mr. Martin" to "Mr. Gillette" in Sentence 1, Paragraph 5, Section B, on Page 2 of the April 21, 2014, minutes.

Motion 3 (6/0/0): Commissioner Porter moved to approve the April 21, 2014, minutes as amended. Commissioner Graham seconded the motion which passed unanimously.

III. CITIZEN COMMENTS

Mr. Smith (2932 SW Cascade View Drive, Redmond) requested the City investigate why a new antenna installed on the Verizon site on Forked Horn Butte was not required to have a City permit or land use review. He claimed that the new antenna installed the week of Memorial Day 2014 is taller than the one it replaced and cables were wrapped around the pole instead of being put inside. He reported speaking with City staff about his concerns prior to this meeting but was dissatisfied with the explanation. He stated his background as an electrical engineer with 35 years of experience in the telecommunications industry. He said the planner at that time

should have requested the physical specifications of the old and new antennas. He submitted written documents and a compact disc to staff.

Ms. Richards stated there were two issues. *Issue 1:* Mr. Smith brought his concerns about the original land use decision and subsequent appeal process to her attention when she first became Community Development Director in 2009. The City hired a lawyer who reviewed the whole case to see if the City was at fault and came to the same opinion as the appeals officer. *Issue 2:* City staff determined that the application to replace the existing antenna was exempt from any land use process because the new antenna was represented as being the same size as the one it was replacing. When Mr. Smith brought this situation to her attention, the City Building Official inspected the site and represented that the new antenna was the same size as the one it would replace. This assessment was communicated to Mr. Smith who asked City staff to review it again. Code Enforcement, building officials, and planners are now reviewing the situation and the City is bringing in additional expertise.

Commissioner concerns included the public's right to address the Planning Commission about topics not on the agenda and the precedent of a back-door appeal process that might be set by a citizen's complaint before the wrong body.

IV. PUBLIC HEARING

TA-14-5 – Amendments to Sections 8.0141 (Architectural Design Standards for Single-Family Dwellings and Duplexes) and 8.0340 (Fencing) of the City of Redmond Development Code

Chair Dickens read aloud a statement summarizing the issue and the hearing procedures, noting that the entire record to this point was available for public review at this hearing. None of the commissioners disclosed prehearing contacts or ex parte observations. No one in the audience challenged any commissioner for bias, prejudgment, or personal interest. He opened the public hearing at 7:25 p.m.

Mr. Woodford presented the staff report and explained how the City responded to local homebuilders' concerns this year about the standards adopted on May 14, 2013. The 2013 standards were implemented in response to community concern about the quality of residential development built in the City over the prior decade. The City has processed multiple single-family building permits in the last year. Staff feels the process is working well and architectural design has been significantly improved. Prior to this hearing, staff met several times with representatives from Hayden Homes, Pahlisch Homes, and Central Oregon Builders Association (COBA) and the Planning Commission conducted three work sessions (April 21, May 19, June 16). The builders' four main areas of concern were (1) screening of mechanical equipment and trash storage areas, (2) repetition of homes, (3) wall design, and (4) fencing. Mr. Woodford summarized staff's response to the builders' proposed solutions and Planning Commission's direction. The builders also expressed concern about the extra \$2,500-\$3,500 cost per dwelling unit and lack of benefit to the consumer from the architectural enhancements.

Ms. Richards explained how the City manages the public process for issues under consideration by the Planning Commission and what constitutes the public record.

Chair Dickens requested that the number of calls received from the public ("pro" and "con") about the subject of public hearings be specified in the staff report.

Chair Dickens invited public testimony at 8:05 p.m.

Geoff Harris, Hayden Homes, thanked the City for its willingness to work with builders to address their concerns and expressed his support for the proposed amendments. He suggested the City

not require duplication of 12" x 12" columns at property corners for adjacent fences. He pointed out that Hayden's controls for its developments were more strict than the proposed amendments.

Andy High, COBA, said homebuilding is one of the most regulated industries in the entire country. The International Building Code is updated every three years. He appreciated staff's willingness to work on the development code. He pointed out that fencing will continue to be a complaint-driven process, since building permits are not required for anything under six feet. He expressed his belief that the proposed code amendments will encourage more planned unit developments.

Chair Dickens stated he felt the staff report slightly misrepresented the substance of Planning Commission's previous meeting. Following extensive discussion, some commissioners felt the standards should be tightened further, while others felt the standards should be relaxed. None of the commissioners was entirely comfortable with a compromise proposal to keep the standards as originally adopted.

Chair Dickens closed the public hearing at 8:12 p.m. when no one else offered testimony.

Following discussion about clarifying language regarding repetition of homes, clarifying language about the number of 12"x12" posts required at property corners of a shared fence line between abutting yards, and the difference between public and private street fence heights, Mr. Woodford recapped the changes requested by Commissioners:

- * Section 8.0141.5.B.1: Add punctuation.
- * Section 8.0340.1.A.2: Add reference number to "Corner Lot Fence Example" diagram and insert this reference number where appropriate in text.
- * Section 8.0340.1.A.4, Sentence 1, to read: "Fences located in side and rear yards shall incorporate architectural columns consisting of materials such as stone, brick, rock, wood or other similar products at each property corner along the fence for fences abutting local streets."
- * Section 8.0340.1.A.5, Sentence 1, to read: "Fences shall be constructed of wood, vinyl or wrought iron."
- * Section 8.0340.1D, Paragraph 1, to read: "No fence in any residential zone, except as exempted by Section 8.04340(5) herein, shall be constructed with barbed wire, razor wire, or similar apparatus."
- * Section 8.0340.1.D.3 to read: "For any development undergoing land use review, any wood or vinyl fence bordering a street shall incorporate architectural elements in accordance with Section 8.0340.1.A.4 and/or 1.B.1 herein."
- * Paginate Attachment A.

Motion 4 (6/0/0): Commissioner Graham moved to recommend the proposed changes to Section 8.0141 and Section 8.0340 as included in the staff report and as outlined by staff a moment ago to Redmond City Council for adoption. Commissioner Allen seconded the motion which passed unanimously.

Chair Dickens reported that Vice-Chair Lanouette will attend the July 22 Council meeting at which this subject will be discussed.

V. NUISANCE APPEAL BOARD APPOINTMENT

Ms. Richards reported that Commissioners Graham and McCoy currently serve on this board; former Commissioner Bea Leach was the third member.

Chair Dickens volunteered to serve.

Motion 4 (6/0/0): Commissioner McCoy moved to appoint Commissioner Dickens to the Nuisance Appeal Board. Commissioner Porter seconded the motion which passed unanimously.

VI. COUNCIL LIAISON COMMENTS (None)

VII. STAFF COMMENTS

Ms. Richards reported e-mailing a request to City staff to meet within the next week to respond to Mr. Smith's request for staff reconsideration of the size of Verizon's replacement antenna. She will update Commissioners on the investigation's results. She cautioned commissioners to be careful regarding what they say about this issue outside Planning Commission meetings.

Commissioner Porter said he would prefer not being further involved in Mr. Smith's request for staff investigation of the Verizon replacement antenna issue. If, as Mr. Smith asserted, there is no appeal from staff's discretionary decision, the appropriate agency to consider this matter would be the Land Use Board of Appeals, not the Planning Commission.

Commissioner Allen agreed with Commissioner Porter's concerns.

Chair Dickens said that, as the Chair, he would prefer to know if a significant issue is taking place with an activity related to planning in the City of Redmond.

VIII. COMMISSIONER COMMENTS

Commissioner Graham commended Ms. Richards, Gary Shaw/Kiwanis, and Chelsea Dickens/Friends of Sam Johnson Park for raising the \$700,000 needed to make improvements to Sam Johnson Park. She requested confirmation that staff actions noted in the May 5, 2014, minutes about the Southwest Area Plan (SWAP) will be completed before Planning Commission's public hearing on August 4, 2014.

Chair Dickens cautioned commissioners to be careful about what they say to citizens about the SWAP outside Planning Commission meetings.

Vice-Chair Lanouette asked if the City was willing to incentivize development of accessory dwelling units (ADUs) in the city center by reducing system development charges (SDCs). Ms. Richards responded that one of the City Center Housing Study strategies recommended a reduction of SDCs for ADUs in specific neighborhoods in the Downtown Urban Renewal District.

VII. ADJOURN

The next meeting is scheduled for Monday, August 4, 2014, 7 p.m.

With no further business, Chair Dickens adjourned the meeting at 8:35 p.m.

APPROVED by the Redmond Urban Area Planning Commission and SIGNED by me this 18th day of August, 2014.

ATTEST:

/s/ Evan Dickens
Evan Dickens, Chair