



CITY OF REDMOND
Community Development Department

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REDMOND URBAN AREA PLANNING COMMISSION
Council Chambers 777 SW Deschutes Ave
Monday, November 03, 2014
7:00 PM
Agenda

**UAPC
Members**

**Evan
Dickens,
Chair**

**Dean
Lanouette,
Vice-Chair**

**David
Allen**

**Anne
Graham**

**Tom
Kemper**

**Lori
McCoy**

**Eric
Porter**

**Vacant
Youth Ex-Officio**

- I. CALL TO ORDER**

- II. APPROVAL OF MINUTES
September 15, 2014 (*Exhibit 1*)**

- III. CITIZEN COMMENTS**

- IV. PUBLIC HEARING – Continuation

Development Code Amendments –
Sign Standards – 711-14-000184-TA (*Exhibit 2*)**

- V. COUNCIL LIASON COMMENTS (if present)**

- VI. COMMISSIONER COMMENTS**

- VII. STAFF COMMENTS**

- VIII. 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 Jodi Burch, at least 48 hours in advance of the meeting at (541) 923-7735, 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.



DRAFT

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REDMOND URBAN AREA PLANNING COMMISSION
Minutes

Monday, September 15, 2014

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

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

Youth Ex Officio: *Jennifer Court* (absent)

City Staff: Deborah McMahon, *Principal Planner*; Keith Witcosky, *City Manager*; Cameron Prow,
TYPE-Write II

Visitors: Tory Allman, *Council Liaison*; Leslie Pugmire Hole, *Western Communications*; Peter Carlson,
Carlson Sign; John Lehman, *Meadow Outdoor*

*(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 6:07 p.m. with four of seven commissioners present, establishing a quorum.

II. APPROVAL OF MINUTES

Motion 1 (4/0/0): Commissioner McCoy moved to accept the August 4, 2014, minutes. Commissioner Kemper seconded the motion which passed unanimously.

III. CITIZEN COMMENTS (None)

IV. WORK SESSION

C. Sign Code and Electronic Billboards

Ms. McMahon presented draft changes to the Redmond Sign Code along with photo examples of digital billboards in other communities (including the Lamar digital billboard in Bend) and a copy of an article ("Skullphone hijacks digital billboards in Southern California," *textually.org*, March 25, 2008). She said the purpose of the changes was to assure consistency with the Redmond Comprehensive Plan, Redmond Development Plan, and streetscape visions developed by citizen committees and adopted by City Council. The City has received no requests to retrofit current billboards (cost estimated at \$60,000-\$100,000), but has heard from citizens concerned about allowing these in Redmond. The City allows a maximum of 15 billboards which can be moved around. She assured commissioners all sign code provisions and proposed changes would be legally reviewed for content neutrality (when displayed, materials, location, size) and other City concerns before being implemented. At Chair Dickens' request, she read aloud community visioning statement #11 in Redmond's comprehensive plan adopted by City Council on May 22, 2001, which called for the elimination of billboards.

Chair Dickens invited public comment on this issue.

Peter Carlson said Carlson Sign Company in Bend (since 1948) is a local business that owns 9 of the 15 billboards allowed in Redmond. He presented and discussed a written summary of his concerns which included supporting his current billboard customers and employees, recent relocation of a Carlson Sign billboard on South Highway 97, fact check on information reported in *The Bulletin* on August 21, 2014, billboard elimination, safety hazard, and charitable efforts in Central Oregon. He cautioned that content neutrality was hard to achieve. He stated he was not advocating for electronic message billboards as the return on investment (\$250,000) did not justify their use in the Redmond market. All new billboards that Carlson Sign has installed have underground power.

John Lehman said Meadow Outdoor Advertising has been a family-owned company since 1981, is based in The Dalles, and owns 6 of the 15 billboards allowed in Redmond. Meadow has advertised and operated its signs here since the early 1980s. He pointed out that Meadow's signs support local businesses, not national ones, like Les Schwab, Black Bear Diner, and St. Vincent de Paul. He discussed impacts of billboard advertising which included attracting customers from Highway 97 and supporting local jobs. He stated Meadow has no plans to install digital signs in Redmond in the near future as the \$100,000 cost makes them too expensive for the small Redmond market. The City's existing conditional use process is a strong tool for managing billboards and doesn't need any additional constraints. Putting power underground is expensive due to the rocky terrain. He said he didn't believe there was any safety issue associated with electronic billboards.

Commissioner concerns included whether digital billboards were present in Redmond, signage jurisdiction of the ODOT (Oregon Department of Transportation) right-of-way through Redmond, legality of businesses using automobiles as advertising space on commercial properties, City's ability to address distracting sign content, likelihood of legal challenges by billboard companies, impact on local businesses of allowing/not allowing billboards, clarifying the type of lighting allowed on existing billboards, impact on billboard sign companies of prohibiting overhead electrical lines, potential for rapid industry changes that make electronic billboards more economically viable, safety of electronic billboards, how the comp plan addresses this issue, number of billboards allowed in Bend, if the City has responded to *The Bulletin* regarding its misrepresentation of the City of Redmond in the August 21, 2014, article, and road safety.

Following discussion, Commissioners agreed to forward the proposed sign code changes to a Planning Commission public hearing on October 6, 2014, 7 p.m.

Ms. McMahon said she would send meeting packets to Carlson Sign and Meadow Outdoor Advertising.

A. Livability Goals and Policies

Ms. McMahon recapped the changes staff made in response to Planning Commission input at the August 18, 2014, meeting. She noted that exterior environment is something the community cares about and, without livability policies in place, it is harder for staff to say a conditional use has been met.

Chair Dickens reported a healthy discussion of this topic by commissioners at the August 18 meeting.

Following discussion of the definition of “shall” (intent or command) and the meaning of “strive” (Policy 6), Commissioners agreed to forward the draft Chapter 15 (livability element) to a Planning Commission public hearing on October 6, 2014, 7 p.m.

B. Residential Design Standards Code Amendment

Ms. McMahon summarized changes made by staff in response to Commissioners’ input at the August 18, 2014, meeting. Changes recommended by the Oregon Department of Land Conservation and Development have also been incorporated. She presented color photos, showing desirable and undesirable wall design elements on various home styles.

Commissioner concerns included view of houses from the street, effect of the phrase in 8.0141(5)(B)(3) that “use of T-111 is discouraged,” cost of alternate materials to T-111 (ask builders to provide samples of alternate materials), effect of banning T-111 on front walls only, garage locations (separate section, not a menu option), covered-entry option for secondary doors, avoiding mirror features on side walls of houses, overlegislating details vs. allowing the Community Development Director to exercise some discretion, and whether trees in side yards would count toward the required landscaping.

Chair Dickens asked Commissioners to bring sample photos and addresses of existing houses, showing desirable and undesirable home design features, to their next discussion of this issue.

V. COUNCIL LIAISON COMMENTS

Councilor Allman said he was surprised by City’s goal to eliminate all billboards because this idea was not compatible with proposed Livability Policy 13: “Redmond shall help existing businesses within the City to grow and thrive.”

Chair Dickens requested that Community Development Director Heather Richards be made aware of the substance of the billboard discussion.

VI. STAFF COMMENTS

Mr. Witcosky discussed how City budget priorities impact timing of the comp plan update.

VII. COMMISSIONER COMMENTS

Vice-Chair Lanouette asked about fund-raising options to cover the cost of updating the Redmond comp plan and what the timeline might be. Ms. McMahon discussed the impact of the economy on the periodic review process and the impact of noncompliance with Redmond’s Economic Opportunities Analysis.

Chair Dickens repeated his announcement from the August 18 meeting about his wife becoming the City’s new Community Development Block Grant Coordinator on August 25, 2014. He stated that Community Development Director Heather Richards assured him this situation would not cause a conflict with his service on the Planning Commission. He reported a slight conflict of interest that required him to step down from serving on the Redmond Nuisance Appeal Board.

Commissioner Lanouette volunteered to serve on the Nuisance Appeal Board (interim basis).

Chair Dickens asked about the status of the Central Christians’ application for the property on the north end of town. Ms. McMahon said she would e-mail an update on that application.

Chair Dickens inquired as to when the Planning Commission would return to consideration of the home occupation ordinance. Ms. McMahon said she didn't know, but reported that she had been asked to write some code language on food trucks.

VIII. ADJOURN

The next meeting is scheduled for Monday, October 6, 2014, 7 p.m., in Council Chambers at 777 SW Deschutes Avenue, Redmond, Oregon.

With no further business, Chair Dickens adjourned the meeting at 7:55 p.m.

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

ATTEST:

Evan Dickens, Chair



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EXHIBIT 2 – Continuation of Public Hearing- Signs STAFF REPORT

DATE: October 30, 2014
TO: Redmond Urban Area Planning Commission
FROM: Deborah McMahon, Principal Planner
THROUGH: Heather Richards, Community Development Director
SUBJECT: City File Number: 711-14-000184-TA Proposed Development Code Amendments – Signs/Billboards.

Report in Brief:

This is the continuation of a public hearing from September 30, 2014 to review proposed sign code updates to the Redmond Development Code related to billboards, illumination, and minor updates to other sections of the code. Staff will provide a PowerPoint presentation at the hearing.

Background:

This public hearing is not a discussion of more or less billboards but rather a consideration of clarifying development code language relative to electronic billboards. Currently the development code discourages electronic billboards however, the language is vague, and this amendment proposes clarifying the intent of the city to not allow electronic billboards.

Billboards are not the same as on-premise signage programs for businesses. In many states they are considered independent land uses due to their size and the fact that they are not an accessory to a primary use on the same site but rather a stand-alone improvement on the property irrespective of the business that is located on the same site. Their impact to the landscape, and the overall environment is much more impactful than on-site business signage. In Redmond, they have been identified in the signage code for a variety of different reasons and with an evolution of different decisions that has created a layer of different language in the development code relevant to billboards.

In 2001, the City of Redmond adopted the Redmond 2020 Vision. This vision was developed after three years of community meetings and public forums. One of the elements of the Redmond 2020 Vision was the elimination of billboards in Redmond due to the perceived impact of this particular infrastructure to the overall community aesthetic. At that time, all existing billboards were grandfathered on their existing tax lots, and the Redmond Development Code was written to prohibit additional billboards under the prohibited provisions

of the signage code. In 2008, with the development of the US 97 Reroute, local billboard companies requested that the City consider alleviating the prohibition and allowing the fifteen grandfathered billboards that were restricted to their tax lots to be redistributed throughout the community especially the rerouted highway.

Most billboards in Redmond have now been relocated to US 97, many are clustered together based on the minimum separation of 500 linear feet. If these billboards all became electronic advertisements, their size and illumination would be very impactful to the overall aesthetic of US 97, potentially distracting drivers and diminishing the presence of local businesses.

Redmond's high desert skyline is unique with great vistas in all directions. These vistas define the City as a special place and not just "anywhere USA." Redmond already gets a "bad rap" for being less attractive and less desirable than other communities. Electronic billboards would become another visual blight within the community and produce a negative effect upon the City skyline. The Planning Commission is charged with the responsibility to implement the policies of the Comprehensive Plan and Development Codes as they relate to City efforts to improve the aesthetic values of the community.

The U.S. Supreme Court established years ago that cities and other government entities can regulate the size and location of billboards or even prohibit billboards altogether, but they cannot control the content of billboard ads on private property. Even attempts to limit certain kinds of billboard ads—for alcohol, to cite one example— in the proximity of schools, playgrounds, and other spots where children congregate have run up against constitutional challenges. Development code standards need to focus on allowability, locational characteristics and infrastructure, including use of digital, electronic or tri-vision devices.

Through public involvement processes and Comprehensive Plan updates, Redmond citizens have clearly stated they want to diminish the impact of billboards on the Redmond landscape striving to improve the overall quality of Redmond's business and transportation corridors. This goal was established in the Redmond 2020 Vision, and reaffirmed recently in the Redmond Development Plan after an extensive public process.

Discussion:

The Planning Commission has heard data from two sign companies about preserving sign company staff jobs, billboard benefits, and their lack of desire to invest in digital billboard conversions. The proposed amendments are not specific to eliminating billboards but rather limiting the infrastructure to illuminate billboards. This requires the Planning Commission to consider the evidence of digital advertising's effect on the community, the character of the City as a whole, and compare this to established policies. The bulk of our livability and community vision policies are focused on behalf of the entire public interest and safety – not the interest of maximizing the brightness and intensity of billboard signage for a few out of town companies.

Currently billboards are limited in the City of Redmond by number, size, manner, and location. Fifteen billboards are allowed within the City of Redmond and these can be relocated throughout the City subject to meeting current code requirements. (Bend limits their number of billboards as well.)

The proposed amendments clarify that electronic billboards and tri-vision billboards will not be allowed in the City of Redmond based on the following considerations:

- Redmond has long held that lighting shall be shielded and directed down to reduce glare and reduce light pollution. A digital billboard, by its very nature of using exposed LED elements, cannot comply with this requirement.
- Digital billboards are clearly meant to attract the driver's attention in a much more dramatic way than traditional billboards. Digital billboards rotate messages in as little as 6-8 seconds.
- Digital billboards require much more energy to operate. They generate heat and often need fans to cool them creating unwanted noise.
- Digital billboards are remotely controlled and they are subject to "hacking."
- Digital advertising is expanding rapidly throughout the world. It is a technology meant to capture your attention in a greater way than traditional billboards. The evidence from other communities shows that there will be a push to use more of this technology as prices for digital components go down and as competition increases. Thus, we need to be prepared and update our sign code language to prohibit digital billboards.

Staff has researched new information showing that nearly three times as many drivers find digital signs distracting as compared to traditional billboards. Jerry Wachtel, a Berkeley-based traffic safety expert, recently conducted a survey of the scientific literature and concluded that

"Every study in the past five years has produced consistent findings: that roadside billboards, especially digital and video, cause significant levels of driver distraction. These distractions result in poorer speed control and lane positioning, and may increase crashes in demanding situations when unexpected events occur."

One of the studies featured in his report was conducted in 2010. The study measured the number of crashes in selected areas, then covered up the billboards and measured again. Total crashes were reduced by 60 percent, injury and fatal crashes by 39 percent and property damage crashes by 72 percent.

Proposed Code Language Changes:

Staff believes the current code language needs to be strengthened given the potential for using digital technology. These code changes are consistent with our Comprehensive Plan, liability goals and policies, community visioning statement #9 regulating sign size and design; #11 elimination of billboards; and, the concepts contained in the Redmond Development Plan related to seeking creative solutions to improve the overall aesthetics of existing arterial and collector street corridors.

The following code modifications are presented for your review and discussion. **Red** text is new code language and ~~strikethrough~~ is deleted language.

8.4110 Prohibited Signs. The following signs are prohibited:

1. Signs that use valances, propellers, or similar wind activated, or attention attracting devices. These devices when not part of any sign, but on the premises where a sign is utilized, are similarly prohibited unless they are permitted specifically by other legislation.
2. **Signs** that contain, include, or are illuminated by any flashing, intermittent revolving, rotating or moving lights. However, This does not apply to signs **utilized by the City of Redmond or Oregon Department of Transportation.** ~~traffic control signs or signs providing public service information such as time, date, temperature, weather information., nor does it apply to the normal rotation of Trivision style billboards approved in compliance with Sections 8.4240 and 8.4245~~
3. Signs that move or have any animated moving parts.

Staff Note: The above language provides greater clarity. It also advances the public interest and is narrowly tailored.

8.4240 Billboards. The following criteria shall be applicable for all the billboards allowed in the City of Redmond under Section 8.4245.

1. No billboard shall be erected within 500 feet of another billboard on the same side of the roadway. The distance between billboards shall be measured along the centerline of the road.
2. No billboards shall exceed a maximum height of thirty feet.
3. The face size of any billboard shall not exceed twelve (12) feet in vertical height or twenty-four (24) feet in horizontal dimension.
4. **No new, relocated, or remodeled billboard face shall be internally lit, contain or utilize any electronic or digital component, liquid crystal diodes, light emitting diode, motion signage, rotating louvers, and similar digital technologies.**
5. Billboards may be installed on public or private property, subject to the consent of the property owner, and city approval based on the City's evaluation of traffic safety issues resulting from the billboard. No billboard shall be installed within any transportation right of-way.
6. All structural supports for billboards shall be constructed of steel.
7. Evidence must be provided showing the obtaining of a state permit from the Oregon Department of Transportation (ODOT) in compliance with the Oregon Motorists Information Act of 1971, where applicable.
7. The applicant shall acquire a conditional use permit (CUP) from the City of Redmond for each individual billboard prior to installing or relocating any billboard subject to the criteria in Section 8.0600.
8. ~~Tri-Vision Billboards: Dwell time between changing messages on a Tri-vision style billboard face is no more frequent than every eight (8) seconds, and the actual rotation process is accomplished in four (4) seconds or less. It can display no more than three separate and distinct messages in any direction.~~
- 8.9. **External** Lighting of Billboards: No sign shall be so illuminated that it interferes with the effectiveness of any official traffic device, or that it impairs the vision of a driver of any motor vehicle, or that otherwise interferes with a driver's operation of a motor vehicle. No sign shall be so illuminated that it causes glare to adjacent residential structures. All

external lighting of billboards shall be shielded downcast lighting. **The external lighting source for billboards shall be from a solar system or underground electrical line. Overhead electrical lines are prohibited.**

Staff Note: The above language covers the new technology and its potential application to billboard development or redevelopment.

Other Sign Code refinements and minor changes

8.4070 Permit Exceptions. The following signs or procedures shall not require a sign permit. Provided, however, these signs shall be subject to the provisions of Section 8.4110 excepting subsection (10).

1. Exempt signs listed in Section 8.4100.
2. The changing of advertising or message on an approved painted or printed sign or sign specifically designed for the use of replaceable copy ~~except for changing the name of the business or use advertised.~~
3. The painting, repainting, cleaning, and normal maintenance, and repair of an existing sign unless a substantial structural change is made.
4. Daily display signs and banners erected during street closures associated with construction. This exemption is only for the duration of the street closure.

Staff Note: If the sign itself is already approved, it should be fine to switch out for different tenants. Otherwise, Staff is just reviewing “content” of the sign, which is prohibited by law.

8.4180 Signs Permitted in the Downtown Overlay District. This section shall apply to all signs in the Downtown Overlay District. No signs shall be permitted in this Overlay District except as provided in this section.

3. Ground Mounted or Monument Sign
 - A. Shall not exceed 20 square feet in area and not more than 5 feet high. A base not to exceed 2 feet in height is allowed. Sign calculation is only based on the sign area.
 - B. Not within 10 feet of any other sign
 - C. ~~Must have a setback of 5 feet from right of way (sidewalk)~~
 - D. Outside of the clear vision area
 - E. No more than one monument/ground mounted sign per street frontage
 - F. One illuminated or cabinet sign is allowed subject to the following standards:

- i. Shall include a dark background. White or light colored backgrounds are prohibited.
- ii. Complies with Section 8.4080 Material standards.
- iii. Only one ground mounted illuminated cabinet sign is allowed on a property.

Staff Note: No reason for a sign setback in the Downtown Overlay. Mandatory clear vision areas are already regulated.

Alternative Courses of Action:

1. Close the Public Hearing and recommend approval of the amendments as proposed herein or as further modified by the Planning Commission (with the suggested changes or any additional changes) to the City Council;
2. Continue the public hearing, and/or leave the written record open, for further testimony and public comment; or,
3. Close the public hearing and recommend that the City Council not approve the amendment.

Recommendation/Suggested Motion:

“I move to recommend the proposed changes (or as modified – detail the modification) to the Redmond City Council for adoption.”