



SCAPPOOSE PLANNING COMMISSION
Council Chambers at City Hall
33568 E. Columbia Avenue

THURSDAY, MARCH 22, 2012 at 7:00 p.m.

CALL TO ORDER

Chair Negelspach called the Scappoose Planning Commission meeting to order at 7:00 p.m.

ROLL CALL

The regular meeting of the Scappoose Planning Commission was held March 22, 2012 at 7:00 p.m. in the Council Chambers located at City Hall at 33568 East Columbia Avenue in Scappoose, Oregon with the following present:

Planning Commission:

Chris Negelspach	Chair
Ron Cairns	Vice Chair
Bill Blank	Commissioner
Don Dackins	Commissioner
Anne Frenz	Commissioner
Mike McGarry	Commissioner
Carmen Kulp	Commissioner (arrived at 7:04 p.m.)

Staff:

Brian Varricchione	City Planner
Susan Reeves	City Recorder

Also present is: Barbara Hayden, Alternate Planning Commissioner

APPROVAL OF MINUTES ~ October 13, 2011

Commissioner Blank moved and Vice Chair Cairns seconded the motion to approve the Planning Commission meeting minutes from October 13, 2011. Motion passed (6-0). Chair Negelspach, aye; Vice Chair Cairns, aye; Commissioner Blank, aye; Commissioner Dackins, aye; Commissioner Frenz, aye and Commissioner McGarry, aye.

CITIZEN INPUT

None

NEW BUSINESS

DOCKET # DCTA1-12

The City of Scappoose proposes to amend the Municipal Code to relocate visual clearance area provisions from the Land Use and Development Code to the Streets, Sidewalks and Public Places Code and amend Development Code references accordingly.

Format: Legislative Land Use

Chair Negelspach read the opening statement and guidelines for the hearing. There were no objections to the Commissioners hearing this matter. No Commissioner had any issues regarding the matter. He explained the Planning Commission's decision can be appealed to the City Council.

Chair Negelspach opened the public hearing at 7:03 p.m.

Commissioner Kulp arrived at 7:04 p.m.

City Planner Brian Varricchione went over the staff report. He explained what the Planning Commission has in front of them is a little bit of housekeeping and the reason this is in front of you some of you may have noticed the new ball fields that the School District built on the corner of EM Watts Road and Highway 30 and they put up a sign very close to the corner which blocked sight lines. So the City and the School District received a number of complaints and the City Council expressed a desire to strengthen the regulations pertaining to sight obstructions in the visual clearance area. He explained what staff has done is propose a number of minor changes. The most significant is that currently the rules for visual clearance only apply to unsignalized intersections and staff is proposing to have those applied to all intersections. He explained the basic way that these regulations work is that at an intersection you draw a triangle and the triangle is basically designed so that as a car pulls up to intersection they can look off to the left or the right and see diagonally across the corner and see if any pedestrians or vehicles are coming. He explained the standard distance that is in the code now is 30 foot legs on the triangle. Since the intersection in question, where this sign went up, is signalized this chapter on visual clearance did not apply. There were some other provisions in the sign code which talked about 20 foot instead of 30 foot distance. So staff made sure it stayed out of the 20 foot triangle, the sign went up, people hated it, and the School District moved the sign and that was very nice of them because now it doesn't block vision in any way. He explained City Council wanted to just clean that up. He explained what you have in front of you is a change that would apply these regulations with a 30 foot triangle to all intersections, it would delete portions of the conflicting language in the sign code and basically everything will just refer to this one place so that all the regulations are the same and there is no confusion in the development code. He explained what we are also proposing is to actually remove that chapter from the land use code and put it in a different section of the municipal code; under Streets, Sidewalks and Public Places and that's primarily because it mainly has to do with vehicular safety and another thing it does is if the City wants to amend these regulations in the future, the fact that it is not in the land use code makes it easier for that to happen.

Commissioner Blank asked if there is a timeline that gives a reasonable timeline for compliance

because say you have shrubs or you have something else that is within that area that has to be removed. He stated they have to have some advanced notice in a way that it would make it doable.

City Planner Brian Varricchione replied what he thinks would be reasonable is to allow a certain amount of time but even more that make sure we notify these property owners on the corners of signalize intersections because clearly they are not here tonight to hear about it. He explained in terms of actual code enforcement for that certain thing sometimes it is done by the Police Department and sometimes just by Public Works giving people a friendly reminder and explaining what the rules are.

Chair Negelspach stated just to add to Commissioner Blank's comment on that issue is it is sometimes unclear, and he could think of a number of cases where the right-of-way isn't necessarily close to the back of the sidewalk, so it would be difficult to determine where that is.

Commissioner McGarry stated this won't affect the existing structures but in some places in Scappoose if they remodel a structure then don't they have to conform to the new code.

City Planner Brian Varricchione replied typically the way we would enforce this is existing buildings are just considered nonconforming and they can remain that way. He explained if somebody wanted to expand the building they couldn't put that expansion in that triangle.

Chair Negelspach asked if there was any recommendation by the City Engineer on this to add in a reference that you should also comply with AASHTO guidelines and sight distance requirements.

City Planner Brian Varricchione replied no, but he can talk to him, that might be worth putting something in especially since it is moving to the Streets, Sidewalks, and Public Places.

Chair Negelspach explained the City of Hillsboro just did a rewrite of all of their public design standards and he knows they have a reference in there if he wanted to look for some language. He went over a copy of intersections sight distance guidelines that he brought. He explained these are prepared for ODOT.

Commissioner Frenz talked about her street and the issue of thinking it's clear so she pulls out of her driveway and then all the sudden someone is right there. She doesn't think many people go 25 mph where they should be.

Commissioner Dackins replied we all should consider pedestrians along with cars.

Chair Negelspach would like to get the City Engineer and City Planner Brian Varricchione's input. He thinks the language in here is appropriate.

Chair Negelspach asked if there was anyone in the audience who would like to speak in this matter. No one in the audience wanted to speak on this.

Vice Chair Cairns asked for clarification regarding the residential driveway and the 10 feet, that

means they can't park within 10 feet of their driveway.

City Planner Brian Varricchione replied right.

Barb Hayden asked how does this line sight work when one side is in the City Limits and the other is in the County. She referenced Crown Zellerbach and West Lane Road.

City Planner Brian Varricchione explained $\frac{3}{4}$ of that intersection are in the City Limits, the only part that is not is the rock pit. He stated although West Lane is a county road the intersection is subject to the City's laws, which clearly are not being followed.

Chair Negelspach closed the hearing at 7:31 p.m.

Commissioner Blank thinks it is a well written document. He thinks with Chair Negelspach's suggestions and recommendations if there is an addendum he thinks it would be appropriate.

Commissioner Blank moved and Commissioner Kulp seconded the motion that the Scappoose Planning Commission recommend to the City Council to review amending the Municipal Code to relocate the visual clearance and provisions from the Land Use and Development Code to Streets, Sidewalks and Public Places Code; and to amend various Development Code references to match the new regulations, with the recommendations. Motion passed (7-0). Chair Negelspach, aye; Vice Chair Cairns, aye; Commissioner Blank, aye; Commissioner Dackins, aye; Commissioner Frenz, aye; Commissioner McGarry, aye and Commissioner Kulp, aye.

OLD BUSINESS

Update on Long Range Planning ~ Staff will provide an update on the status of the urban growth boundary amendment and request Planning Commission comments on the recent Transportation System Plan assessment provided by the Department of Land Conservation and Development

City Planner Brian Varricchione gave an update on the UGB process. He explained the City Council approved the UGB amendment last year in April. Then it went to Columbia County and they had a Planning Commission hearing and then it went to the Board of Commissioners. The Board of Commissioners accepted public testimony, they deliberated and then drafted an ordinance and approved an ordinance agreeing with the City's UGB amendment and that was in late October. The next step is review by the State of Oregon, the Department of Land Conservation and Development. He explained we as the City compiled the full record for both the City and the County and indexed it and number the pages and it was almost 2,300 pages total, after eliminating duplicates. Staff sent that information to the State on February 8, 2012. At that time they also mailed notice to all the effected property owners and anyone who participated in the hearing either at the City or the County level, either verbally or in writing. He explained by State Law these folks have 21 days to file objections. So there were 3 sets of objections that were filed by the deadline; one was from 1000 Friends of Oregon, there was one other objection that was from a series of interested citizens who basically endorsed the 1000 Friends objections, and then there was one other filed by Michael Sheehan. Now DLCD is looking at the State law, looking at what the City and the County did and evaluating whether they think that the City and County followed the law appropriately or did not. He explained if he recalls correctly he thinks

they have 120 days to issue their decision from the date that we submitted the documents to the State so that would put the deadline in early June. The options at that point are they can either approve it, they can deny it or they can send it back to us. He explained at that point if we make the assumption that the State were to approve it there are additional objection procedures; like it could be referred to the Land Conservation and Development Commission, which is an appointed body. He explained even beyond that there is the court of appeals. He stated the thing he kind of learned about UGB's is they are not done until they are really done.

Chair Negelspach thanked City Planner Brian Varricchione for the update.

City Planner Brian Varricchione gave an update regarding the TSP. He explained the Transportation System Plan that we have is from 1997. The Planning Commission has expressed their concern to the City Council in the past that this is one of the many utility master plans that needs to be updated, since most of them were written in the mid 90's. He explained the City is seeking grant funding from the State of Oregon to update this transportation plan, partly because it is so old and partly to do a more robust analysis of the areas that are pending to be brought into the UGB. He gave an overview of the grant process. He explained one of the things that is recommended leading up to the grant is requesting an assessment of the TSP. He explained what the Planning Commission has in front of them is the result of that assessment. He wanted to share the document with the Planning Commission.

City Planner Brian Varricchione explained staff will be recommending to Council and the Budget Committee that funds get set aside for this.

Chair Negelspach stated one of the things that we talked about a number of years ago in regard to updating all of these studies was kind of doing them in a certain order and he thinks that order included review of our commercial lands and residential lands.

City Planner Brian Varricchione replied yes, the ideal sequence would be to have that residential done first.

Chair Negelspach stated to City Planner Brian Varricchione that they appreciate his efforts.

COMMUNICATIONS

Calendar Check ~ April 12, 2012

Commission Comments

Commissioner Blank talked about the Farmers Market, which will be on every Saturday starting May 19 and go through September 29, hours are from 9:00 a.m. to 2:00 p.m. He explained there is a new rule regarding sales at the market; if you make jam you have to grow the strawberries, blackberries, etc.

Commissioner Blank gave an update on the fountain in Heritage Park.

Barb Hayden explained there will be a dedication of the heritage trees on the grounds at the

Watts House on May 5. She explained there will also be High Tea on May 19 at the Watts House and the annual car show on August 11 at Heritage Park.

Commissioner Blank explained there is an effort to get together with all the Mayors in the County over at the County Fair Grounds to recognize the Native American contributions and apologize for past grievances officially.


Commissioner Blank and Barb Hayden talked about the local Biggest Loser Program Scappoose and that is underway and they have already met their goal of over 2,500 lbs that has been lost.

Staff Comments

City Planner Brian Varricchione reminded everyone regarding Spring Clean Up Day at the High School on April 21.

ADJOURNMENT

Chair Negelspach adjourned the meeting at 8:25 p.m.


Susan M Reeves, CMC City Recorder


Chair Negelspach