

CITY OF PORT ORFORD PLANNING COMMISSION
MINUTES OF MEETING
April 6, 2021, 3:30 p.m.
Regular Meeting, Virtually Held
555 W. 20th Street
Port Orford, Oregon

Date Draft:
Date Corrected:
Date Final:

1. Call to Order.

The regular meeting of the City of Port Orford Planning Commission was called to order Tuesday, April 6, 2021 at 3:30 p.m.

Those members present were: Chair Nieraeth, Comm. Jezuit, Comm. Stetson, Comm. Berndt, Comm. Schofield, Comm. Thelen.

City staff present were Planner Crystal Shoji, Legal Counsel Kudlac and Assistant Planner Clark.

2. Planning Chair Comments.

Chair Nieraeth updated commissioners on their roles and rules. She spoke on improved communication between Planning and City Council.

3. Additions to the Agenda: None.

4. Approval of Agenda for April 6, 2021: Comm. Stetson moved to approve the March 9 agenda with Comm. Berndt as second. ***Motion carried 6-0.***

Discussion: None.

Comm. Thelen	<u>Yes</u>	Comm. Berndt	<u>Yes</u>	Comm. Jezuit	<u>Yes</u>
Comm. Stetson	<u>Yes</u>	Comm. Schofield	<u>Yes</u>	Comm. Nieraeth	<u>Yes</u>

Approval of Minutes March 9, 2021: Comm. Thelen moved to approve minutes of the March 9, 2021 meeting as written with Comm. Jezuit as second. ***Motion carried 6-0.***

Discussion: None.

Comm. Thelen	<u>Yes</u>	Comm. Berndt	<u>Yes</u>	Comm. Jezuit	<u>Yes</u>
Comm. Stetson	<u>Yes</u>	Comm. Schofield	<u>Yes</u>	Comm. Nieraeth	<u>Yes</u>

5. Comments from the Public:

Ann Vileisis introduced herself as a resident of Port Orford and representative of Kalmiopsis Audubon Society as well as Friends and Neighbors in Our Community. Ms. Vileisis encouraged the Planning Commission to move forward with upgrading the Outdoor Lighting Ordinance now that there is clear guidance from the City Council for what is needed. She clarified two points. 1) City Council directed Planning to work together with Coos-Curry Electric and ODOT to develop language for the street light part of the ordinance. Ms. Vileisis presented a letter to commissioners with points of assistance with language. 2) The City Council concurred at the last meeting that lighted signs be addressed in this ordinance, which was not included in the short note of guidance from City Council to Planning.

Jennifer Head, resident of Port Orford, representative of the greater community informed the Planning Commission that 160 signatures were collected in less than two weeks in support of lowering allowable building heights in the 4C zone to 35 feet as well as eliminating exemptions for churches, nursing homes and hospitals which currently have no height limits. Ms. Head informed the Planning Commission that the community has already done a great deal of research on building heights in other small and nearby communities. The results were submitted to City Council in the December of 2020 meeting. Ms. Head will provide packets from January and February 2021 City Council meetings as well as letters and findings before the next Planning Commission meeting.

6. Public Hearing: None.

7. Planning Matters

- a. Dark Sky Review (pages 8-22): Commissioner Stetson attended the City Council meeting and shared Council guidance. Chair Nieraeth proposed readdressing the dark sky at the May meeting hoping for a public hearing in June. Commissioners agree by consensus.
 - City Council wants Planning to work with Coos-Curry Electric and ODOT for the wording. Chair Nieraeth invited an ODOT representative to attend the May 4 Planning Commission meeting to discuss fixtures and language.
 - City Council wants Planning to work on the penalty language. They feel it is too harsh and wants Planning to review neighboring communities' penalties. Legal Counsel Kudlac suggested the word misdemeanor should be violation. A presumptive fine for a Class C violation is 175 dollars with a maximum fine of 500 dollars in the Oregon State Statutes that could be adopted by the city. Typical enforcement would be following a complaint coming to the city, a citation is issued by the code enforcement officer, an opportunity is given to fix the problem, and if the problem is not fixed, they would be brought into municipal court.
 - City Council wants wording to keep lighting within the owned property and remove the specific wording about requiring the light on the edge of the property. Legal Counsel Kudlac suggested removing "and aimed so that illumination is directed inward from the setback of the property boundaries." Commissioner Thelen suggested simplifying the security lighting section and gave examples of such.

Commissioner Thelen will send his verbiage suggestions to Assistant Planner Clark to be distributed.

- City Council wants signs at night complying with the ordinance. Written guidance is provided to the Planning Commission by City Council.

Commissioners will discuss a draft at next month's Planning Commission meeting.

- b. Review on Building Heights and Exemptions in zones (pages 23-25): Commissioner Stetson attended the City Council meeting and shared Council guidance. Assistant Planner Clark advised that the amendments have been passed and are now ordinance, so that once the commissioners make a decision on the topics, a public notice will have to be sent and a public hearing will have to take place. Assistant Planner Clark will provide a copy of the current ordinance to commissioners. Planner Shoji will provide conditional use standards and zone maps. Commissioner Berndt provided images of current buildings at different heights for commissioner's reference. Planner Shoji will make a chart on these topics to be addressed in June.
 - City Council requested Planning review other communities' height regulations.
 - City Council requested Planning review a 35-foot height limit for commercial and industrial zones.
 - City Council requested Planning review which zones should have exemptions and what exemptions to consider.

8. Other Business:

a. Announcements and Communications:

- City Planner Comments: Planner Shoji expressed her eagerness to assist the city and her respect for the budget.
- Planning Commission Comments: Comm. Thelen apologized for acting outside of protocol and invited assistance from fellow commissioners regarding protocol. Chair Nieraeth expressed appreciation for the commissioner's and Planner's efforts.

b. Old and Continuing Business: None.

9. Public Considerations:

Jennifer Head reiterated the urgency of the building height issue. Ann Vileisis agreed with the urgency of the building height issues. Ms. Vileisis asked for clarity of the process with the dark sky ordinance. Assistant Planner Clark advised that this essentially died at the council level following the hearing. When substantial changes are made the process must start over, such as in this case.

10. Commissioner Stetson moved to adjourn the meeting with Commissioner Berndt as second.

Chair Nieraeth adjourned the April 6, 2021 meeting at 4:48 p.m. The next meeting will be May 4 at 3:30 p.m.