

**LINCOLN CITY PLANNING COMMISSION
MINUTES
September 5, 2023**

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE

Attendee Name	Title	Status	Arrived
Brian Bunnett	Commissioner	Present	
Clay Glasgow	Commissioner	Present	
Mellissa Sumner	Commissioner	Absent	
Marci Baker	Commissioner	Present	
Robert Vincent	Chair	Present	
Kim Blackerby	Commissioner	Present	

2. CONSENT AGENDA

MOTION:	Approve consent agenda (minutes for August 15, 2023 meeting and August 15, 2023 work session)
MOVER:	Blackerby
SECONDER:	Baker
AYES:	Bunnett, Glasgow, Baker, Vincent, Blackerby
ABSENT:	Sumner
RESULT:	PASSED

3. PUBLIC HEARINGS/DELIBERATIONS

3.1. ZOA 2023-04 Mobile Food Unit and Sign Clarification

Chair Vincent opened the public hearing for ZOA 2023-04 at 6:02 PM. Director Skinner presented the verbal staff report, describing the components of the draft zoning ordinance amendment. No members of the public were present to testify.

Commissioner Baker asked for clarification about the different interpretations that staff had made regarding the existing sign code. Director Skinner stated that the existing code used the term minimum when describing a sign size maximum, even though the intent had been to provide a maximum allowable sign. Commissioner Baker stated that she did not interpret the current code that way, and that it was her opinion that the proposed amendment represents a substantive change. She also felt that the code did not adequately account for how signage area would be allocated to tenants. Director Skinner added that the property frontage was based on the site, not on the building or the tenant space. Commissioner Baker added that the original discussion that led to adoption of the current sign code intended to address tenant allowances. Director Skinner said that signage allocation was a private property issue between a landlord and the tenants. Commissioner Baker understood, but she did feel that the code amendment represented a substantive change relating to tenant spaces.

Commissioner Glasgow clarified that Commissioner Baker did not disagree with the text amendment, but that she was emphasizing that the proposed change was substantive and not just a clarification.

Commissioner Bunnett asked about the proposed changes to the mobile food unit code, and whether the fire marshal would also consider the proximity of a mobile cooking unit to trees or other fire-prone components other than structures. Director Skinner stated that the fire marshal would continue to assess any fire hazards in the review and approval process.

Regarding the electronic display center amendment, Commissioner Bunnett asked if the Planning Commission should consider reducing the maximum brightness level. Commissioner Bunnett added that if the specifications proposed were the recommended level perhaps the Planning Commission could consider something slightly less in order to reduce light pollution, while considering business interests. Commissioners Blackerby and Glasgow asked for a definition of nits. Director Skinner stated that a nit is equal to one candela/square meter, and for reference that the average consumer LCD display is 350 nits. She also clarified that this was specifically limited to electronic display centers, not to illuminated signs. Existing electronic display centers include Lincoln City Outlet Mall, Taft High School, and the Lincoln City Cultural Center.

Commissioner Baker suggested that additional research may be needed to understand the range of acceptable brightness levels and to get a better perspective.

Commissioners Blackerby and Baker asked about where electronic display centers are permitted. Director Skinner noted that electronic display centers are allowed outright in zones other than the residential zones.

Commissioner Glasgow restated the question about whether or not the proposed amendments represented a substantive code change.

Director Skinner responded by stating that the current code has conflicting language. On the one hand it states that each tenant is allowed a minimum of 25 square feet of signage, regardless of the amount of frontage. On the other hand the code also states that in no case shall the total square footage of attached sign area exceed 100 square feet. The proposed language provides staff with the direction of how to address this conflict.

Based on this explanation, Commissioner Glasgow stated that he supported the language as proposed.

Responding to a question from Commissioner Bunnett, Director Skinner stated that a tenant did not need to have frontage in order to have a sign.

Commissioner Baker presented a hypothetical case in which a building houses an antique shop with multiple vendor spaces and a salon with multiple chairs rented to individual contractors. She suggested that the building owner could exploit this aspect of the amended code to create an enormous billboard-like sign.

Director Skinner stated that she would withdraw the signage and electronic display center portion of the application.

Commissioner Bunnett asked if the Planning Commission could revisit the subject sometime in the future. Director Skinner agreed that it could.

Commissioner Baker made a motion to close the public hearing, seconded by Chair Vincent.

Chair Vincent asked if there was any further discussion regarding the mobile food unit portion of the zoning ordinance amendment.

Commissioner Baker asked whether the proposed dimensions for outdoor cooking unit was based on county specifications. Commissioner Baker suggested that portable pizza ovens might not fit the size. Director Skinner stated that the data came from a prospective food unit applicant, and that the county does not have size limitations.

Commissioner Glasgow provided an overview of the application and then moved to approve ZOA 2023-04 as amended to only include the mobile food unit portion. The motion was seconded by Commissioner Baker and approved unanimously by the commissioners.

MOTION:	Recommend approval of ZOA 2023-04, only for 17.80.170, in recognition of the applicant's withdrawal of portions of the amendment pertaining to Chapter 17.72.
MOVER:	Glasgow
SECONDER:	Baker
AYES:	Bunnett, Glasgow, Baker, Vincent, Blackerby
ABSENT:	Sumner
RESULT:	Passed

4. DIRECTOR'S REPORT

Director Skinner did not have any new information to report.

5. COMMENTS BY PLANNING COMMISSIONERS/CCI MEMBERS

Commissioner Bunnett expressed his concern regarding the vacant Planning Commission position. Director Skinner stated that there was a current applicant who would be considered by the City Council at the City Council meeting scheduled for September 11, 2023. She added that Commissioner Sumner now has three unexcused absences so that per the code her position would be considered vacant.

Commissioner Baker asked Director Skinner if the City Council had taken any action regarding Resolution 94-12 describing the Citizen Involvement Committee. Director Skinner stated that the Council had not passed any motions regarding on this item. Commissioner Baker stated that the resolution had never been rescinded so it is still in effect.

Director Skinner closed by saying that she was hopeful that the Planning Commission could get through the final reviews of the Comprehensive Plan components ideally in time for the City Council to hold a work session on October 2, 2023. The next Planning Commission work session is scheduled for September 21, 2023. Commissioner Bunnett added that he would not attend that work session.

6. ADJOURN

Respectfully submitted,

Anne Marie Skinner
Planning Director

Robert Vincent
Chair