

**Minutes of the Planning Commission  
Of the City of Portland**  
Held on Wednesday, October 11, 2023, at 7:00 P.M.  
In Council Chambers at City Hall

Portland Planning Commission Members Present: Roeser, Fitzsimmons, Parsons, Johnston, Kmetz

Absent: Williamson

Staff: City Manager Gorman, City Clerk Miller

Guests: Paul LeBlanc of PLB Planning Group; Representative of Tru Family Dental

Chair Fitzsimmons called the meeting to order at 7:05 P.M. with the Pledge of Allegiance.

Motion by Parsons, supported by Kmetz, to excuse the absence of Member Williamson.  
All in favor. Approved.

City Clerk Miller opened the floor for nominations for Chair.

Kmetz nominated Fitzsimmons for Chair.

There were no other nominations.

City Clerk Miller held the vote for Fitzsimmons as Chair.  
All in favor. Member Fitzsimmons was named Chair.

City Clerk Miller opened the floor for nominations for Vice Chair.

Chair Fitzsimmons nominated Kmetz as Vice Chair.

There were no other nominations.

City Clerk Miller held the vote for Member Kmetz as Vice Chair.  
All in favor. Member Kmetz was named Vice Chair.

City Clerk Miller opened the floor for nominations as Secretary.

Vice Chair Kmetz nominated Williamson as Secretary.

There were no other nominations.

City Clerk Miller held the vote for Member Williamson as Secretary.  
All in favor. Member Williamson was named Secretary.

Motion by Johnston, supported by Parsons, to approve the proposed Agenda as presented.

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All in favor. Approved.

Motion by Parsons, supported by Johnston, to approve the minutes of June 14, 2023, Planning Commission meeting.

All in favor. Approved.

There was no public comment.

Chair Fitzsimmons opened the Public Hearing at 7:08 P.M. to consider a request from Tru Family Dental to rezone the property located at 155 Rowe Ave. from C-3 (Highway Commercial District) to C-2 (General Business District) to allow for the construction of two small building additions.

Mr. LeBlanc provided information on the request for rezoning. Zoning in the C-3 District does not permit offices. The current office use is allowed as it was grandfathered, but expansion of a nonconforming use is not allowed. Rezoning the property to C-2 would make the office use conforming and allow for the building expansion.

Mr. LeBlanc recommended approval of the rezoning request as all criteria for approval is met, as outlined in his memo to the Planning Commission. He further noted the proposed rezoning to C-2 is consistent with the City's Master Plan, the property does not have frontage on or visibility from E. Grand River Ave. and is not well suited for travel-oriented businesses in the C-3 District, and the proposed rezoning would remove the nonconforming status of the existing use and permit the expansion of the business.

City Manager Gorman noted the required Public Notices have been mailed and published. No public comment has been received.

The representative from Tru Family Dental noted the requested rezoning and addition to the building will allow the growth of the dental practice.

Chair Fitzsimmons closed the Public Hearing at 7:16 P.M.

Chair Fitzsimmons opened the Public Hearing at 7:16 P.M. to consider a text amendment to City of Portland Zoning Ordinance, Appendix B, Section 8-8 for Fences and Walls.

City Manager Gorman noted the required Public Notices have been mailed and published. No public comment has been received.

City Manager Gorman stated the issue related to using unorthodox materials to construct a fence recently became an issue when a resident applied for a Fence Permit to construct a fence using wood pallets. The Fence Permit was denied due to it being a fire hazard and the construction. The denial was appealed by the applicants to the Zoning Board of Appeals where the Board voted to uphold the denial.

Mr. LeBlanc presented the proposed Ordinance 175VV to amend Section 8-8 for Fences and Walls. The addition of paragraphs (k) and (l) address the types of materials permitted and not

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permitted for the construction of fences and specifically states that a Fence Permit is required before constructing a fence.

Mr. LeBlanc further noted the suggestion by Member Parsons to also include language that a fence should be anchored to the ground. He stated this issue could be addressed during the permitting process but if desired language can be added to state this requirement as well.

The Board concurred they would like language added to state the requirement that fences should be anchored to the ground.

Chair Fitzsimmons closed the Public Hearing at 7:25 P.M.

Under New Business, the Board considered the request by Tru Family Dental to rezone the property located at 155 Rowe Ave. from C-3 (Highway Commercial District) to C-2 (General Business District) to allow for the construction of two small building additions.

Motion by Johnston, supported by Parsons, to recommend the request to rezone the property located at 155 Rowe Ave. from C-3 to C-2 to City Council for approval.  
All in favor. Approved.

The Board considered the proposed Site Plan for Tru Family Dental to construct two building additions at 155 Rowe Ave.

Motion by Parsons, supported by Johnston, to approve the proposed Site Plan for construction of two building additions at 155 Rowe Ave.  
All in favor. Approved.

The Board considered the proposed text amendment to the City of Portland Zoning Ordinance, Appendix B, Section 8-8 regarding Fences and Walls with the addition of language that fences should be “sufficiently anchored to the ground”.

Motion by Kmetz, supported by Parsons, to approve the proposed text amendment to the City of Portland Zoning Ordinance, Appendix B, Section 8-8 regarding Fences and Walls with the addition of language that fences should be “sufficiently anchored to the ground”.  
All in favor. Approved.

Under Planning Commission Member Comments, Chair Fitzsimmons noted he had been to the newly constructed Shell Car Wash and the approved site plan and traffic flows seem to be working well.

City Manager Gorman provided updates regarding the Rindlehaven property, along with current and upcoming projects in the City of Portland.

Motion by Parsons, supported by Johnston, to adjourn the meeting at 7:44 P.M.  
All in favor. Approved.

Respectfully submitted,

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Jason Williamson, Secretary