

Canby Planning Commission
Regular Meeting
April 13, 1987

MEMBERS PRESENT: Chairman Kahut, Commissioners McKibbin, Seale, Harmon, Lindsay, Nicholson, and Schrader.

OTHERS PRESENT: City Administrator Stephan Lashbrook, Secretary Virginia Shirley, Jim Brands, and others.

The minutes of the meeting were corrected by adding a sentence at the end of paragraph 1, page 2, which reads: "Mr. Clark was reminded that the variance approved earlier had been in an R-2 zoned area and that the other duplexes pre-dated the adoption of the ordinance." The minutes were approved as corrected.

Item No. 1: Request for Expansion of a Conditional Use Permit in order to add a 1,200 square foot addition and remodel existing facilities on property located in the northeast corner of N.E. 9th Avenue and N. Juniper Street and described as Tax Lot 1100, Section 33BD, T3S, R1E. The applicant is Canby Alliance Church. The staff report was given by City Administrator Stephan Lashbrook with a recommendation to approve subject to two conditions. Chairman Kahut asked Jim Brands, representing the church, if he had any comments. Mr. Brands stated no, but they would like to have approval of their request. Commissioner Lindsay stated that their application did not request additional classroom space. He wanted to know if this was an addition to their original request. Mr. Brands informed the Commission that it was not an oversight, but was shown on the map which had been submitted. Commissioner Lindsay stated that his concern was for any parking spaces lost by this expansion. Mr. Brands assured the Commission that no parking spaces would be lost.

Chairman Kahut opened the public hearing portion of the meeting and called for proponents. When none came forth, Chairman Kahut called for opponents. There being no opponents, Chairman Kahut closed the public hearing portion of the meeting.

City Administrator brought to the attention of the Commission, the proposed findings of fact. He also asked the applicant's representative if he had any comments about the proposed findings of fact. No comments were made.

*Commissioner Schrader moved to approve the request for the Expansion of a Conditional Use Permit for the Canby Alliance Church on Tax Lot 1100, Section 33, T3S, R1E, as it obviously meets all the conditional use requirements and use the staff's findings of fact. This approval is to be subject to the following conditions: 1) A waiver of the right to remonstrate against future street, drainage, or sidewalk improvements is to be prepared by the church and recorded at the church's expense. This waiver is to be worded to the satisfaction of the City Attorney and is to apply to all property within the subject block which is owned by the church. 2) Easements, to the satisfaction of the Canby Utility Board,

Canby Telephone Association, and the City, are to be provided along all perimeter property lines. The motion was seconded by Commissioner McKibbin and passed unanimously with the Chairman voting.

The Commission was presented with the findings of fact as drawn up from their discussion and the minutes of the March 23, 1987, meeting. After some discussion, Commissioner Schrader moved to approve the Clark Variance application findings of fact the way staff originally proposed. The motion was seconded by Commissioner Lindsay and passed with Commissioners McKibbin and Seale abstaining.

City Administrator Lashbrook gave a background of attempts to control signs in the City of Canby. Recently, a developer has proposed to put up a given sign in a given area. He was told as long as he could meet setback requirements and other requirements he could do that. His response to the City Administrator on the telephone was that it was his intention to get a permit to build a legal sign and then deliberately build an illegal sign. If we forced him to remove his sign, then he would force us to enforce the ordinance all the way along the highway. Word has gotten to the mayor and some city council people and they are ready to hold another meeting for enforcement purposes. There are a number of things about the ordinance that could be changed, if that is what the people want. Mr. Lashbrook stated that his purpose in bringing this before the Commission was to alert them to become familiar with that section of the ordinance that applies to signs. Any portion of the sign ordinance that you feel should be changed, should be brought to the staff's attention. The Commission should have the first chance to work on redoing this ordinance. If the City Council should give the staff orders to enforce the ordinance as it presently is written, then that is what we must do. Commissioner Schrader stated that in regards to any application that came before the Commission, the sign has undergone rigorous scrutiny. Some of the signs have been effectively grandfathered in, but any new sign coming before the Commission was watched closely. Commissioner Schrader stated that he would like to see what other communities were doing to guide the use of signs.

Chairman Kahut asked how many violations were there the last time this came up. Were the violations pre-ordinance or just how were they violations? Mr. Lashbrook stated that they took many forms. There are nonconforming signs, and they can get permits, through the Planning Commission, to modify these signs. Nearly all signs require a permit, but some are put in on week-ends. Through the years, sign enforcement has been just about as lax as any kind of enforcement we have had. Mr. Lashbrook went on to say that the next type of sign is the portable signs, which draws a lot of interest because its hard to enforce when the sign was put up. The largest problem with the portable signs is the vision clearance problem for driveways. Most enforcement action is on complaints. Mr. Lashbrook stated that he had no hopes of resolving the issue in one evening, but did want the Commission to become aware. Chairman Kahut asked if Mr. McKibbin was involved when this issue came up before. Commissioner McKibbin stated that he had been involved because of having a sign that was in violation. Mr. McKibbin stated that he had gotten everybody who was in violation together for a meeting. Commissioner McKibbin stated that if the Commission is going

to clean up signs, please start with the ones in the vision clearance areas.

After further discussion, it was the decision of the Commission to hold a workshop session on April 23, 1987.

This meeting has been recorded on tape.

Respectfully submitted,

A handwritten signature in cursive script that reads "Virginia Shirley".

Virginia Shirley, Secretary
Canby Planning Commission