

Canby Planning Commission
Regular Meeting
July 25, 1988

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

STAFF PRESENT: City Administrator Stephan Lashbrook, City Attorney John Kelley, and Secretary Virginia Shirley.

OTHERS PRESENT: Dave Kimmel, Bob Spicher, David Traae, Lee Rhoads, John Adelblue, Jim Plant Kay Plant, Lyn Thomas C. Raily, Dave and Susie Fisher, Ron and Pat Nelson, Don and Ella May Kylo, Hank Scouten, Bill Tuininga, Lance Griffin, Andy Detommaso, Elsie Cutsforth, Jan Etzel, Donna Henderson, Dave Fisher and others.

The minutes of the June 25, 1988, meeting were approved as presented.

Item #1: Request for expansion of a conditional use permit to enable the School District to build an 830 square foot storage building at the rear of Eccles School on property located on the east side of N. Cedar Street between N.W. 5th and 6th Avenues and described as Tax Lot 1100, Section 32D, T4S, R1E. The applicant is School District No. 86. Mr. Lashbrook gave the staff report with a recommendation of approval subject to one condition. Mr. Adelblue, representing School District #86, stated that he would be willing to answer any questions. There being no questions, Chairman Kahut opened the public hearing portion of the meeting and called for proponents. When no proponents came forth to speak, the Chairman called for opponents. There being no opponents, the public hearing portion of the meeting was closed. A discussion was held regarding the need for sidewalks along Cedar Street, and whether to make it a condition or get a waiver of remonstrance from the school for building sidewalks. Commissioner Nicholson stated that if we don't get anything with a waiver of remonstrance, why bother to ask for one. It was explained to Mr. Nicholson that the City had not used the LID method for improvements for several years, but they will be used should we start using the LID method of financing improvements. Commissioner Seale moved to approve the application for an 830 square foot storage building to be located at Eccles School. The motion was seconded by Commissioner McKibbin and passed unanimously with the Chairman voting.

Item #2: Request for a setback variance for the construction of a carport with three (3) foot front yard setback on an existing single family lot located at the southwest corner of N. Locust and N.E. 4th Avenue and described as Tax Lot 1000, Section 33DB, T3S, R1E. City Administrator Lashbrook read the standards and criteria to be met if a variance were to be granted. Mr. Robert Nelson stated that he only had 6 to 8 feet in the back yard and a 20 foot setback in the front. Mr. Nelson went on to say that the only yard he actually had was on the sides. Mr. Nelson stated that he was only trying to improve the property. Mr. Lashbrook stated that although it would not be as convenient he did have room on the lot to build a carport on the side of

his house. Mr. Nelson stated that if he were to build a carport there, it would require him to tear down part of his fence and to remove a tree.

Chairman Kahut opened the public hearing portion of the hearing and called for proponents. Jim Sandsness stated that he owned a house nearby and that he would like to do the same thing at his house. Don Kylo stated he was in favor of the carport and further stated that he lived nearby and although his house sat 27 feet from the street he would like to add an 8 foot addition to his house. There being no further proponents, the Chairman called for opponents. There being no opponents, the Chairman closed the public hearing portion of the meeting.

Commissioner Schrader proceeded to go through the criteria and expressed the opinion that Mr. Nelson was unable to meet some of requirements. Commissioner Harmon asked the City Attorney's opinion if the city put in sidewalks and they were under the carport. Mr. Kelley stated that if sidewalks were put in the carport would have to go. Commissioner Nicholson stated that in his opinion criteria #3 could not be met due to conflicts with the Comprehensive Plan. Commissioner Lindsay stated that numbers 1, 3, 4, and 5 were not in compliance and he was opposed. Commissioner Harmon questioned whether the application met requirements 1, 3, 4, and 6. Commissioner Seale moved to deny the application for a variance at 389 N.E. Fourth Avenue as it does not meet the standards and criteria numbers 1, 2, 3, and 4 in addition to problems stated by the staff. The motion was seconded by Commissioner Nicholson and passed unanimously with the Chairman voting.

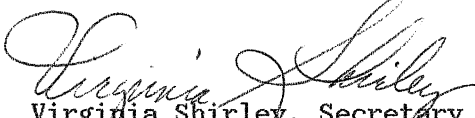
Item #3: CONTINUED consideration of proposed amendments to the Land Development and Planning Ordinance and to the Uniform Sign Code. If adopted, these amendments will affect regulations on signs. It was the consensus of the Commissioners to hear testimony until 10:00 p.m. and then to continue the public hearing until a new date. Chairman Kahut asked the City Administrator to continue going through the proposed ordinance. Mr. Lashbrook stated that he would pick up on page 8 where he left off. Mr. Lashbrook was asked about the "grandfather" clause within the ordinance. Mr. Lashbrook stated that the "grandfather" clause does not apply to signs that are a safety hazard. Mr. Lashbrook stated that the Commission must deal with signs where no building exists. Lance Griffin, 118 S.E. 1st Avenue, expressed the opinion that when counting square footage for a sign both sides of the sign should not be counted. Dave Fisher expressed the feeling that 100 square feet of signing was too small an amount. Chairman Kahut opened the public hearing portion of the meeting and called for comments. Dave Fisher, 272 N. Grant informed the Commission that he has a two sided sign flush mounted against his building due to the fact that by counting the two sides which he would have too much signing and also the sign hangs two feet over the sidewalk and this is not allowed. He expressed frustration and not understanding the reason for some of the City's regulations. Lyndon Thomas, 336 S.W. First Avenue, doesn't want to see hard and clear rules but the need for an architectural committee to allow different types of signage which was well done. Mr. Lashbrook asked Mr. Thomas to supply wording that the Commission could incorporate

into the ordinance to govern special variances for signs. Mr. Lashbrook noted that if the City was going to check for attractiveness, some sort of architectural or design review committee would be needed. Herb Morris, representing the Chamber of Commerce, expressed the opinion that once the ordinance is in place, business should be allowed a certain amount of time to come up to standard, and that enforcement should move slowly. Laurie Jervase stated that when the business occupied only 666 square feet of a building the sign would be so small there would be no reason to even put it up. Lance Griffin, 118 S.E. First asked if the City couldn't set 14 feet as the height where signs would be allowed to project all the way to the curb. Dave Fisher stated that his sign would be 12 feet from the ground because he already has an awning put up. Lyn Thomas asked how high Fisher's sign was presently. Mr. Fisher stated that his sign was 13 feet high. Thomas suggested that he put it at 14 feet and it could not be hit by a truck at the curb. Lyn Thomas stated that a number of people know about parking in a vision clearance area. Lance Griffin stated that he would move a car before calling the City.

Chairman Kahut stated that since it was ten o'clock, the meeting would adjourn and reconvene at 7:30 p.m., Monday, August 1, 1988.

This meeting has been recorded on tape.

Respectfully Submitted,


Virginia Shirley, Secretary
Canby Planning Commission

7-25-88