

Canby Planning Commission
Regular Meeting
March 13, 1989

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

CITY COUNCIL MEMBERS PRESENT FOR A WORKSHOP: Councilmen Taylor, Prince, Carroll and Smith

OTHERS PRESENT: City Administrator Mike Jordon, Public Works Director Rusty Klem, Building Official Bob Godon, Police Chief Jerry Giger, Secretary Virginia Shirley, Lee Shirley, Dave and Susan Fisher, Bill Craig, and Ray Radke

Public hearing on final proposed amendment to the Land Use and Planning Ordinance (Ord. #740), Municipal Code 16.42. Mr. Klem reported to the Commission and Council present that throughout the last year a committee appointed by the Mayor had made recommendations to the Planning Commission and that the Planning Commission had held several public hearings for public input into possible changes. Mr. Klem went on to say that seven areas in the ordinance had sufficient changes which they should concentrate on at this public hearing, before sending on to the City Council for ordinance amendment. The seven areas are: Vision Clearance, 99-E and Ivy signage to be measured from the curb, 16.42.020 (E) will do away with readerboards as they now exist, nonconforming signs, signs can be equally nonconforming as building or use, enforcement procedures, and finally, no overhanging signs on the highway.

Mr. Klem was asked if illegal banners and temporary signs could be enforced. City Attorney Kelley stated the City could enforce through the use of 16.42.020 (E) which requires permits for temporary signs.

The discussion turned to billboards which will allow fifty (50) square feet. This will protect the ability of the High School and Kiwanis to replace their signs if they are damaged, but will not allow billboards as they are now known.

Chairman Kahut opened the public hearing portion of the meeting. Ray Radke, 891 S.E. First Avenue, stated that he didn't see anything in the ordinance that wasn't common sense and if everyone went by the ordinance there would be no problems. Bill Craig, 243 N.W. Second Avenue, stated that he has a problem with people parking in his parking lot but going to other businesses downtown. Mr. Craig stated that he has put up a temporary sign, borrowed from a friend, to help bring in business. Mr. Klem informed Mr. Craig that he could have the sign in its present location but it would have to be permanently affixed. Commissioner Nicholson stated that the total square footage of sign has a place in the amount of signage used, also.

Councilman Smith brought up the Willamette Valley Country Club sign on the tree at N.E. Territorial Road and N. Maple and stated the club

wanted to hang it from the tree so it could be seen from both directions. Mr. Klem stated that it was a nonconforming sign and they could leave it in its present location, but the sign can't be changed to make it more nonconforming. Mr. Klem stated that temporary signs are intended for a sale or event. Businesses may be able to advertise with temporary signs all the time, if they had different sales going.

Susan Fisher, 272 N. Grant Street, stated they could not afford to advertise in the local paper all the time. As a small business owner, they must advertise their location and do whatever they could with signs to bring people into their businesses. David Fisher, 272 N. Grant Street, informed the Commission and Council that the sign he has in the back of his pickup truck has increased business by fifty-five (55) percent.

Ray Radke, 891 S.E. First Avenue, stated that we must have a safety zone as signs can be hazardous to traffic. The owners of signs need to move the signs back from the highway by 15 or 20 feet.

Councilman Carroll stated that it was his understanding that all signs would be "grandfathered" in. The owner of the video store on N. Grant stated that he has a new sign that will be legal once the new sign ordinance is passed, but in the meantime it is illegal.

Chairman Kahut called for a consensus of Commission to see if they felt that temporary signs should be allowed in the commercial zones. McKibbin - yes; Meeuwsen - no; Harmon - no; Lindsay - yes; Nicholson - no; Schrader - no; Kahut - yes. It was the consensus of the Commission that temporary signs should not be allowed in the commercial zones. Commissioner Schrader stated that this was only a consensus and the Council should understand that when they consider signs.

Discussion regarding the continuing use of nonconforming signs. After lengthy discussion and examples being sited, Commissioner Schrader moved to add the following sentence to 16.42.025 (B): "Except that with a change of ownership nonconforming signs will be brought into conformance within sixty (60) days." The motion was seconded by Commissioner Meeuwsen and passed unanimously with the Chairman voting.

The discussion focused on Temporary Signs (16.42.040 [A]). Commissioner Schrader moved that a sentence be added to say: "This section is not intended to authorize the use of temporary signs for commercial/retail business advertising."

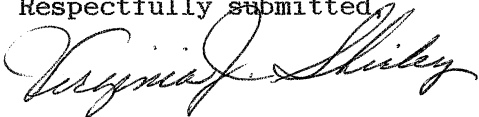
Commissioner Lindsay asked if signs could be moved if the business moves. Mr. Klem and Mr. Kelley explained they could only move those signs having conformity and meeting the requirements of the code. Chairman Kahut asked for a consensus of whether the square footage from portable signs should be included or not. It was the consensus of the Commission that the square footage from portable signs should be included in the total signage limits.

Commissioner Schrader moved to recommend to the City Council approval of the revised sign ordinance as presented at the Planning Commission

meeting of 3/13/89, with the two changes noted in 16.42.025 and 16.42.040. With direction to the City Attorney to draft wording allowing for portable signs to meet setback and safety requirements; and, possibly be allowed additional square footage in overall coverage. The motion was seconded by Commissioner McKibbin and passed 5 - 2 (Lindsay and Kahut voting nay).

This meeting has been recorded on tape.

Respectfully submitted,

A handwritten signature in cursive script, reading "Virginia J. Shirley".

Virginia J. Shirley, Secretary
Canby Planning Commission