

Canby Planning Commission  
Regular Meeting  
July 24, 1989

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

OTHERS PRESENT: Public Works Director Rusty Klem, Secretary Virginia Shirley, Wayne Scott, Matt Hemstreet, R. W. Byzick, Councilman Bob Smith Butch Olsen and others.

The minutes of the meeting of June 26, 1989, were approved as presented.

The Chairman called for nonagenda items from the audience. No one came forth with any item.

Request for a Variance to the sign ordinance, Section 16.42.080 which prohibits rotating, moving, flashing, changing, reflecting or blinking signs. The applicant is Oregon Sign Co., for A. Wayne Scott.

Staff Report:

Mr. Klem gave the staff report and the five reasons why the staff did not feel this variance application met the intent of the ordinance. There were no questions of staff.

Applicant's Report:

R. W. Byzick, Oregon Sign, Co., stated to the Commission that 16.42.080 of the Canby Sign Ordinance is an old portion of the Federal Highway Beautification program from the 60's. Electronic message centers had not been invented when this portion of the City of Canby code was written. Today, Federal and State Highway Department's allow the message centers. The present designs which have been allowed have 30 to 50 watt electric bulbs used in them. The one which they want to play along the highway in Canby will have a maximum 5 watt bulb. By using the message center all tenants will get the same color and type of sign.

Wayne Scott:

Mr. Scott did not attend the sign ordinance meetings at the time the new sign ordinance was written. He further stated the City did not want readerboards. Wanted the Commission to consider that it will make an attractive sign - better then multiple readerboards, as on the property at the present time. Complained that new readerboards were going up all the time and there was no enforcement of the new code.

Public Hearing Proponents::

Matt Hemstreet, has an aerobic center in the mall and needs something to advertise and

promote his business. Mr. Hemstreet stated that he had contacted the Oregon City Police Department for a traffic history of the message center at the Oregon City Shopping Center. He was told by a dispatcher that not once in the ten years she had been there was there an accident blamed on the message center.

Opponents:

None. The public hearing portion of the meeting was closed.

Commission Discussion:

Commissioner Lindsay asked how much signage they would be allowed.

Staff:

Mr. Klem told him they would be allowed 600 square feet plus 60 percent additional for the frontage on S.W. Second Avenue.

Commissioner Schrader asked about enforcement for a sign as proposed. He stated they are questions of messages and the use of colored bulbs.

Commissioner Nicholson expressed his concern that the applicant had not met the criteria and therefore would be prohibited signs.

Commissioner Lindsay didn't feel the applicant had met condition four of the criteria for issuing a variance.

Commissioner Harmon expressed the opinion that future development might suffer a hardship if the sign variance was not issued.

Commissioner Meeuwsen stated that she wanted to see the portable signs down and asked if they could approve the sign with the stipulation that all of the portable signs be taken away.

Commissioner McKibbin stated that the case was unique as downtown people all have the opportunity of putting up signs on the outside of their buildings and the people in the mall do not have the same opportunity because some do not have outside exposure.

Chairman Kahut said he was displeased with the ordinance as the public had not been in attendance since the first meeting.

Discussion on continued on the criteria and if the criteria could be met. Some conditions were proposed, if the sign variance were permitted.

The proposed conditions included using white lights only; displays not to be flashing or to have a strobe effect; property owners to be responsible for removal of all other signs; and, no off-premise advertising messages.

Action:

Commissioner McKibbin moved to grant a variance for the sign at 207 S.W. First Avenue, Tax Lots 8400 and 8500. All the criteria has been met. 1) Extraordinary circumstances do apply to this property that do not generally apply to all properties in the area. 2) The variance is necessary to preserve a property right for the applicant that others presently enjoy. 3) The sign in question would not be detrimental. 4) There was no smaller sign available. 5) There does not appear to be any exceptional or unique conditions of the property and certainly not any caused by the owner. This variance is granted with the following conditions: 1) White lights only. 2) No strobe effect. 3) The sign is to be a wedge base 24-volt message center system. 4) No traveling messages. 5) Commercial advertisements limited to mall tenants only, subject to the City Attorney's approval. The motion was seconded by Commissioner Harmon. Commissioner Schrader asked during the discussion how conditions one and two had been met. Commissioner McKibbin explained that the tenants inside the mall did not have benefit of advertising as did tenants in other places. Chairman Kahut called for a roll-call vote with Commissioners McKibbin, Meeuwsen, Harmon, Lindsay and Kahut voting Yea and Commissioners Nicholson and Schrader voting Nay. Motion carried 5 to 2.

Item #2: Review of RR&C's, typical house plans, irrigation plans and landscaping plans for "Fairgrounds Park."

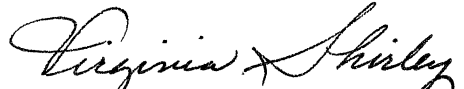
Applicant's Presentation: Mr. Arthur Olsen presented the Commission with a landscaping and irrigation system plus numerous house plans showing elevations and floor plans. The Commission approved the plans by consensus.

The secretary had handed out copies of a "Site and Design Review" initiated by the City Council through Councilman Robert Smith. Councilman Smith spoke to the Commission asking that they read the material and make written comments. Councilman Smith further noted that a joint workshop would be held in about 30 days. Public Works Director spoke to the Commission informing the Commission of what they should be looking for in the new ordinance.

There being no further business to come before the Commission, the meeting was adjourned at 10:20 p.m.

This meeting has been recorded on tape.

Respectfully submitted,

  
Virginia Shirley, Secretary  
Canby Planning Commission