

1. Agenda

Documents:

[12-19-17_PC_AGENDA.PDF](#)

2. Meeting Materials

Documents:

[11-28-17_PLANNING_COMMISSION_WORK_SESSION_MINUTES.PDF](#)
[SIGN_ORDINANCE.PDF](#)
[BLDG_PERMIT_AS_OF_DEC_12_2017.PDF](#)

3. Work Session Minutes

Documents:

[2017-12-19 PLANNING WS MINUTES.PDF](#)



CITY OF YACHATS

PLANNING COMMISSION MEETING

441 Hwy 101 N., Yachats Commons, Room 1

Tuesday, December 19, 2017: 2 pm Work Session; 3 pm Regular Meeting

WORK SESSION AGENDA

- A. Sign Ordinance

REGULAR MEETING AGENDA

- I. Announcements and Correspondence
- II. Minutes
 - A. Regular Meeting and Work Session – November 28, 2017
- III. Planning Commissioner Interviews
- IV. Citizen's Concerns
- VI. Planner's Report
- VII. Other Business
 - A. From the Commission
 - B. From Staff

Commission meets the third Tuesday of each month.

Next scheduled meeting: January 16, 2018 at 2:00pm and 3:00pm.

This meeting is open to the public and all interested persons are invited to attend. This meeting will be audio taped. All items to be considered by the Commission must be submitted to City Hall no later than one week prior to the meeting. Minutes of all public meetings are available for review at City Hall, or on the City website at www.yachatsoregon.org.

In accordance with ORS 192.630, City of Yachats will make a good faith effort to provide accommodations for any person desiring to attend a public meeting, if the request is made at least 48 hours in advance of the meeting time. The meeting room is physically accessible to persons with mobility devices; a sign language or foreign language interpreter may be available, with advance notice. Call City Hall at 541-547-3565 or Oregon Relay 1-800-735-2900 (TDD).

Posted: December 13, 2017



YACHATS PLANNING COMMISSION

November 28, 2017

Work Session Minutes

Vice-Chair Ron Urban called the November 28, 2017 work session of the Yachats Planning Commission to order at 2:00 pm in Room 3 of the Yachats Commons. Members present: Ron Urban, Helen Anderson, Shelly Shrock, Ginny Hafner, Christine Orchard. Absent: JD Deriberprey, James Kerti. Audience: 3.

I. Handbook for new Commissioners

Commissioner Anderson noted the need to have some handbook for new Commissioners.

II. Parliamentary Procedure

Commissioners discussed the procedure for making a motion during a regular meeting. Anderson reviewed what the parliamentarian presented at her workshop. Commissioners reviewed the process to make an amendment to a motion. The process is that a motion is made, an amendment is offered, a vote is taken on the amendment, then discussion resumes on the original motion (if amendment not approved) or the amended motion (if the amended is passed).

III. Light Industrial Definition

Anderson indicated she saw the attorney as asserting the definition and standards were combined in the Commission's definition. Commissioner Urban added that square footage of the building was of primary importance. He believed large buildings go against the character of the City. Planner Lewis noted the Dollar General building is around 7,500 square feet, and that Waldport and Depoe Bay do not have limitations on building sizes, but they do have light industrial zones. Urban stressed that Yachats' C-1 zone is primarily along Highway 101.

Commissioners agreed to the following definition of light industrial:

A business that manufactures, fabricates, or assembles goods that occupies less than 6,000 square feet.

Commissioners discussed requirements on parking location. Anderson noted Code section 9.48.010 General Requirements on Parking and Loading presents parking requirements by business type and suggested they could include light industrial in that list. Lewis noted common practice is to specify one space for every 600 square feet of building size. Lewis also noted section 9.48.010(K) specifies businesses must "provide and maintain off-street loading berths in sufficient numbers and size to adequately handle the needs of the particular use."

Commissioner Orchard noted the proposed definition does not actually indicate what makes an industry "light." Commissioners discussed the attorney's comment that a definition is not needed and what criteria were part of a definition versus a standard. Lewis noted the distinctions between limiting types of light industrial and the appearance of structures. He believed the current proposal for inclusion of retail area needed strengthening. Urban clarified that the 6,000 square foot building size would apply to light industrial uses, not to the entire commercial zone. He noted an example of an hotel that might occupy more than 6,000 square feet.

Anderson asked Lewis if the 6,000 square feet restriction was likely be challenged. Lewis suggested tying light industrial to a retail use rather than establishing a category of light industrial use. Commissioner Shrock noted a shoe manufacturer that is also a retail store in Philomath.

Anderson recalled the previous discussion about the inclusion of retail space was made with the intent of prohibiting a facility that is entirely industrial. Urban noted Section 9.72.050 is where standards would go. The Commission could add a section F to address:

1. Dedicated retail space
2. Parking location – back or side
3. Loading/unloading in the back
4. Industrial part will be indoors/enclosed
5. Screened outdoor storage

Urban noted the only conditional use allowed in C-1 is light industrial. No mention is made of other types of industrial use. Commissioners discussed whether to add a statement prohibiting industry other than light industrial. Orchard confirmed Urban's suggestion in that 9.28.020 stipulated permitted conditional uses in C-1, thereby prohibiting anything that is not identified in 9.28.020.

Shrock raised the issue of developing architectural standards that reflect the culture of the community. Anderson speculated that the process of setting up a subcommittee to establish architectural standards and getting that approved by Council would take much longer to enact than establish standards for light industrial in Section 9.72.

Anderson tried to articulate the questions the Commission had about how the interaction with the City Attorney would proceed. Manager Beaucaire indicated Commissioners could read attorney feedback on their questions. She was satisfied with having the Commission give to her proposed language or questions, her sending that to the attorney, and her then providing the attorney's feedback to the Commission. Commissioners were emphatic about wanting to see attorney feedback. Urban indicated he was not comfortable with the process of how the attorney was involved with the implantation of the formula business regulations. Urban argued the Planning Commission should be able to determine the regulations for the City.

Manager Beaucaire indicated she believed the Commission should be the voice of the community. She noted the attorney could be used to help the Commission with language, interpretations, or direction. She did believe the attorney should look at the final language to determine if there might be some issue with Oregon law or the court system. She concurred all of these steps would go between herself and the Commission.

Anderson suggested she and Lewis draft language for the standards and present at the next work session.

IV. Sign Ordinance

Hafner asked that the next work session be focused on the sign ordinance, with a short discussion of the proposed light industrial language. Anderson stated she thought the Waldport ordinance was much clearer than the Yachats code, and suggested they start with the Waldport code. Lewis noted he had created a table of differences and changes between old and new code. Anderson asked Lewis to forward that table to Commissioners ASAP.

Urban adjourned the work session at 3:00 pm.

Ron Urban, Vice-Chair

Date

Minutes prepared by H H Anderson on December 10, 2017.

YACHATS PLANNING COMMISSION

November 28, 2017

Regular Meeting Minutes

Chair Helen Anderson called the November 28, 2017 meeting of the Yachats Planning Commission to order at 3:03 pm in Room 3 of the Yachats Commons. Members present: Ron Urban, Helen Anderson, Shelly Shrock, Ginny Hafner, Christine Orchard. Absent: JD Deriberprey, James Kerti. Audience: 3.

Anderson stated that she was changing the agenda to have applicant interviews be first.

I. Applicants to the Commission

Anderson noted Commissioners had been given three applications. A fourth person had applied but did not meet the residency requirement. Anderson noted her term and the term of Commissioner Deriberprey were ending as of December 31, 2017. Deriberprey had indicated to her that he would not be reapplying, and she was reapplying. Applicant Mary Ellen O'Shaughnessey was present and applicant Lance Bloch was not. It appeared Bloch had not been instructed to attend the meeting. Upon Commissioner Hafner's suggestion, Commissioners agreed to interview Bloch at their December meeting, as there would be time for the applicant to attend the January 28, 2017 Council meeting before the January Planning Commission meeting.

Anderson stated she knows O'Shaughnessey, believed she would be an excellent Commissioner, and noted her background in academic administration was relevant to how government works. Hafner asked O'Shaughnessey how her background would fit with the Planning Commission. O'Shaughnessey stated she worked for 35 years at the University of Illinois as a senior administrator where she developed, interpreted, and applied policies. She also worked with attorneys. She had worked in human resources and with the Champaign, IL nursing home. Commissioner indicated he believed it is important for an applicant to understand the Commission's mission to both make recommendations on land use and make decisions on applying regulations on land use. He suggested they are more code interpreters. O'Shaughnessey stated she had read the Citizen's Handbook. O'Shaughnessey stated she has learned from work experience not to make decisions too fast upon taking a new position.

Hafner asked Anderson if she would be willing to be Chair again. Anderson indicated she would but noted she was open to any other Commissioner taking on that role.

I. Announcements and Correspondence

Planner Lewis handed out a statement for Layne Morrill suggested the addition an item 5 to Goal J in the Comp Plan on meeting housing needs. Lewis noted the Commission could address the matter when they return to the Comp Plan update.

II. Minutes

Anderson noted the draft minutes had been modified to indicate the correct date of October 17, 2017 on line 2 of the regular minutes and the date of July 18, 2017 on page 2, line 21 in the work session minutes was correct. Anderson stated the parliamentarian indicated a person could vote on minutes even if they were absent from the meeting.

Commissioner Urban moved to approve the October 17, 2017 work session, the October 17, 2017 regular meeting minutes, and the November 14, 2017 work session minutes: Aye – 5; No – 0.

1 **III. Citizen's Concerns**

2 Craig Bertie (319 E 3rd St) suggested the Commission establish a set of questions to ask future
3 applicants so that there is fairness and consistency across interviews.
4

5 **IV. Public Hearings**

6 **A. Case File #1-CU-PC-17 Hetzler Conditional Use Permit Application**

7 Anderson opened the Public Hearing on the Hetzler Condition Use Application. Anderson asked if
8 anyone wished to object to the jurisdiction of this Commission to hear this matter, if any
9 Commissioners needed to make any disclosures or abstain from voting on this application, and if
10 any Commissioner needed to declare ex parte contact. There were none.
11

12 Planner Lewis described the hearing process. Lewis summarized his Staff Report in the meeting
13 packet. He noted this application is a modification of a conditional use obtained in 2014,
14 increasing the united from 15 to 19. Lewis identified the relevant code criteria by title only (9.28.
15 9.28.010, 9.48).
16

17 Lewis summarized in the previous application the Commission had discussed the removal of a
18 manufactured home on the E 2nd parking are to create additional parking; however, removal of the
19 building was not necessary to meet the parking requirements. Lewis noted the conditions of the
20 new application require 27 off-street parking spaces, and with recent changes in parking, there are
21 currently 27 off-street parking spaces required. This condition exists without the removal of the
22 manufactured home. The current application requests the Commission remove the criteria to
23 remove the building. Hafner clarified that the manufactured home is not part of the hotel.
24

25 Lewis explained the circumstance around the elevated access to the new building above area on E
26 2nd Street. He noted this type of exception is typically reviewed by Public Works, and Public Works
27 has approved the proposal with the condition that the City reserves the right to ask the applicant to
28 remove the improvement should work need to be done in that area. Commissioners got
29 clarification on the location on the elevated walkway and connection to existing structures.
30

31 Hetzler explained the rationale for the proposed structure to not have a south entrance to the
32 rooms and to enter via the current hotel entrance.
33

34 Lewis noted the four conditions of approval:

- 35 1. Add 142 Hwy 101 N to the Drift Inn Hotel complex with four additional hotel rooms, office,
36 storage and laundry facilities, not to exceed 19 hotel rooms in the Drift Inn complex.
- 37 2. Maintain 27 off-street parking spaces.
- 38 3. Keep additional parking criteria from the 2014 conditional use permit.
- 39 4. The encroachment on the public right-of-way on E 2nd will be removed if the public right-
40 of-way is needed for public purpose.
41

42 Hafner asked Hetzler the layout of the parking in front of 142 Hwy 101 N. Hetzler indicated there
43 would be three spaces on one end two on the other end, and the external stairs will be removed.
44 Shrock asked if there was dedicated parking for the manufactured home. Lewis noted there is
45 parking for the manufactured home above the 27 spaces required for the conditional use.
46

47 Anderson opened the public input portion of the hearing.
48

49 There was no input from proponents or opponents to the proposal.
50

51 Craig Bertie (319 E 3rd St) asked how the use of the new spaces would be reserved for hotel
52 clients rather than neighbors and visitors. Anders indicated the Planning Commission does not

1 control regulation of a given space as that is private property, just that it exists. The owner can
2 specify the space is reserved.

3
4 Anderson asked Hetzler if the manufactured home was used for worker housing. Hetzler stated
5 she has one worker renting the space at an affordable rate of \$600 per month.

6
7 Urban noted section 9.48(J) specifies there can be no backing of vehicles into a roadway in areas
8 of four or more spaces grouped together. Lewis explained there is room for backing in the lot itself
9 as the parking spaces are parallel to the highway.

10
11 Anderson noted in the Planner's Report the relevant code under section 9.48(L) should include
12 item #10 - service or repair shop handling area: one space per 600 square feet, and #11- bank or
13 office area: one space per 300 square feet.

14
15 Urban asked about previous discussion of the removal of the manufactured home. Anderson
16 stated the first conditional use permit stated the home should be removed and this conditional use
17 allows the home to remain. Lewis noted from a previous Planning meeting the removal of the build
18 was discussed but any decision about it would be saved for this hearing. Lewis noted the
19 recommended conditions in the current application would supersede previous conditions. It was
20 clarified that the addition of 142 Hwy 101 is not a request for a new conditional use for four rooms
21 but an addition to a previous conditional use to go from 15 to 19 rooms.

22
23 Anderson closed the public input section of the hearing.

24
25 Orchard moved to approve Hetzler's conditional use application #1-CU-PC-1 including the removal
26 of the request to remove the manufactured home and with the conditions specified in the Staff
27 Report: Aye – 5; No – 0. Motion passes.

28 29 **IV. Planner's Report**

30 Lewis noted the correct dates for the report should be September 13, 2017 through November 20,
31 2017. Hafner asked for clarification on the deck project on W 3rd St. Anderson asked for
32 clarification on the Gimlet Lane construction relative to the blocked-off steep section of Gimlet.

33
34 Commissioner discussed regulations on the expiration of conditional use permits. Regulations
35 state that signification progress must be made within a year or the permit expires. Lewis indicated
36 the plat had recently been approved.

37 38 **V. Other Business** 39 **From Staff**

40 Lewis clarified the next meeting is December 19, 2017 with light industrial and signs for the work
41 session agenda.

42 43 **From the Commission– none**

44
45 Anderson adjourned the meeting at 4:06 pm.

46
47
48
49
50 _____
Helen Anderson, Chair

_____ Date

51
52 Minutes prepared by H H Anderson on December 10, 2017.

December 12, 2017

To: Yachats Planning Commission
From: Larry Lewis, City Planner
Re: Sign Ordinance Amendments

The Planning Commission will discuss the sign ordinance amendments at the December 19, 2017 work session. The attached table summarizes existing Yachats sign regulations versus existing Waldport sign regulations.

The primary differences between the Yachats and Waldport sign regulations include:

Total area of sign allowed – Yachats allows total area of signs at 0.75 feet of lineal feet of street frontage. Waldport regulates total area of signs by type of sign.

Roof signs – Yachats allows a roof sign to be 30' above the center line of the adjacent right-of-way. Waldport allows a roof sign to be 16' above the adjacent street grade or the peak of roof, whichever is less restrictive.

Digital signs – Yachats prohibits digital signs. Waldport allows one digital sign per business with regulations.

Free-standing signs – Yachats allows 2 free-standing signs per property, maximum 30' height, maximum 32 sq. ft. or 100 sq. ft. if 300 linear frontage. Waldport allows 1 free-standing sign per street frontage per property, single pole signs are prohibited, monument and multiple pole signs are allowed with a maximum height of 8 feet, maximum 10' width, and maximum 50 sq. ft.

A-Frame signs – Yachats prohibits A-Frame signs except for events. Waldport allows A-Frame signs with regulations.

Exempt and Temporary signs - Yachats identifies several different types of signs that are exempt from permits with regulations. Waldport identifies regulations for temporary signs.

Format/Sections – Yachats includes 'Purpose' and 'Enforcement' sections. Waldport includes 'Definitions', 'Maintenance and Appearance', 'Abandoned Sign', and 'Variance' sections.

A draft sign ordinance amendment is also attached. This is the Waldport sign ordinance with the name changed to Yachats and section number changes to match the Yachats Municipal Code Chapter 9.44.

COMPARISON OF EXISTING YACHATS SIGN REGULATIONS & WALDPOR SIGN REGULATIONS

	Type of Sign	Existing Yachats Sign Regulations	Existing Waldport Sign Regulations
A.	Residential/ Home Sign	• Home business: One 1½ sq. ft. sign per street frontage. May be free standing. • B&B: One 3 sq. ft. sign per street frontage. May be free standing. • One 3 sq. ft. sign bearing name of occupant or the premises.	• Home Business: One wall sign not exceeding 2 sq. ft. • B&B: One wall sign not exceeding 6 sq. ft. • No moving or flashing signs, lit signs, roof signs, A-Frame signs or banner signs.
R-4 & Commercial Zone Sign Requirements			
B.	Obstruction of Directional or Traffic Control Signs	• Signs shall be constructed, erected and maintained in a fashion not hazardous to the welfare and safety of the general public. • Prohibits signs which imitate or obstruct the view of any official traffic control device or sign.	No sign allowed to be within 10 feet of any government-installed sign within a street right-of-way (stop signs, traffic control signs, etc.)
C.	Total Area of Signs Allowed on a Property	0.75 square feet of sign for each linear foot of a singular frontage with no one sign exceeding 32 sq. ft. with exception.	Total area of signs allowed is regulated by type of sign, e.g. max. 50 sq. ft. free-standing sign, max. 20% of a building façade.
D.	Building Façade	Wall sign shall not exceed the lesser of 100 sq. ft. or 20% of building façade.	A maximum 20% of a building façade is allowed to have building signs including wall sign, projecting/hanging sign, window sign and roof sign.
E.	Projecting Signs	Allowed on private property with min. 7½' ground clearance and not extend more than 5' from the building wall.	Allowed on private property and may extend over a sidewalk within the public right-of-way with min. 7½' clearance from ground.
F.	Roof Signs	• Prohibits signs painted directly on roof surface. • Max height of 30' above center line of adjacent right-of-way.	• Roof signs shall not exceed 16 feet in height above the adjacent street grade or the peak of the roof, whichever is less restrictive. • Prohibits roof signs painted directly on roof or attached flush to the roof surface.
G.	Moving or Flashing Signs	Prohibited except for moving event banners, pennants and flags	One digital sign allowed per business. Message is allowed to change every 15 seconds, plus other regulations.
H.	Permanent Free-Standing Signs	• Max. 2 free-standing signs per property. • Business w/ 300 linear front and rear frontage can have one sign up to 100 sq. ft. on principal frontage and max. 32 sq. ft. sign on abutting street. • Max. 30' height.	• 1 free-standing sign permitted per street frontage per property. • Single pole signs are prohibited. • Monument and multiple pole signs are allowed with a max. 8' height, max. 10' width, and max. 50 sq. ft.

	Type of Sign	Existing Yachats Sign Regulations	Existing Waldport Sign Regulations
I.	A-Frame Signs	Not permitted unless considered an event sign.	One A-Frame sign allowed per business on private property or on a sidewalk with regulations: • Max. 8 sq. ft. • Max. dimensions of 2' wide and 4' tall • Maintain min. 4' sidewalk clearance • Secured by interior weight so not movable (pushed, pulled, blown) • No objects attached to A-Frame signs • Only permitted during business hours and removed during periods of high winds • No permit required.
J.	Banners	Flags, banners, and similar decorations allowed. No permit required.	One banner sign allowed per business on private property with regulations. No permit required. (Depoe Bay allows a banner every 10' of frontage.)
K.	Illumination	Exterior illumination allowed if source of light no visible to surrounding property. Not cause direct glare into or upon any other building and not directed towards any road nor distract motorists.	Allowed if directed away from a residential use or zone and not located so as to distract motorists. No sign of such intensity or brilliance to impair vision of a motor vehicle driver or interfere with effectiveness of official traffic sign, device, or signal.
L.	Signs Exempt from Permits/ Temporary Signs	• Construction activity signs (max. 3 signs on one pole not to exceed 4 sq. ft.) • Credit card or association signs (max. 4 signs, max 3 sq. ft.) • Directional signs (max. 6 sq. ft.) • Event signs advertising business activity or event such as a sale or business opening. Max. 4 signs per occurrence. Max. 0.75 sq. ft. of lineal street frontage or max. 32 sq. ft. • Garage, estate or yard sale (max. 1 sign, max. 4 sq. ft., max 2 days prior to and during sale) • Nameplate • Political signs (max. 4 sq. ft., 45 days prior to and 10 days after election, on private property) • Real estate signs (max 6 sq. ft. on residential properties and max 20 sq. ft. on commercial properties) • Vacancy and open/closed signs (4 sq. ft. or smaller)	Temporary Signs • No more than 1 per property. Not permitted in the public right-of-way. • Max. 8 sq. ft. • Max. 90 consecutive days or for any period to time during which the property is for sale, lease or rent, or for an election or event. • No movable (pushed, pulled, blown, etc.) • No objects attached, e.g. balloons, banners, etc.
M.	Format of Sign Ordinance	• Includes 'Purpose' section • No definitions • Includes 'Enforcement' section	• No 'Purpose' section • Includes definitions • Includes 'Maintenance and Appearance' section • Includes 'Abandoned Sign' section • Includes 'Variance' section

Chapter 9.44 - Signs

Sections:

9.44.010	Scope.
9.44.020	Definitions.
9.44.030	Permits required.
9.44.040	Zone requirements.
9.44.050	Temporary signs.
9.44.060	Nonconforming signs.
9.44.070	Maintenance and appearance of signs.
9.44.080	Abandoned signs.
9.44.090	Variances.

9.44.010 Scope.

Every sign erected, altered or relocated within the City of Yachats shall conform to the provisions of this Chapter. It does not regulate traffic and street signs erected and maintained by a road authority as defined in ORS 801.445, trespass signs posted in accordance with ORS 164.245 to 164.270, holiday decorations, temporary interior window signs, or the display of the national or state flag.

9.44.020 Definitions.

"A-Frame sign" means a freestanding sign which is ordinarily in the shape of an "A" or some variation thereof, which is readily moveable, and is not permanently attached to the ground or any structure.

"Banner sign" means a ground-mounted or building-mounted banner, pennant, flag or similar type of sign on fabric or similar material.

"Building sign" means a wall, projecting/hanging, window or roof sign.

"Free standing sign" means a sign which is supported by a separate independent structure and is not attached to or supported by any other building or structure.

"Monument sign" means a ground-mounted sign supported from grade with a solid base that is at least 75% of the width of the sign. A monument sign can also be supported with multiple architectural-designed posts. Single posts are prohibited.

"Nonconforming sign" means a sign which was erected legally but which does not comply with currently applicable sign restrictions and regulations.

"Off-premises sign" means any sign used for the purpose of displaying, advertising, identifying or directing attention to a business, service, activity or place, including products offered for sale or sold on premises other than on the premises where such sign is displayed.

"Projecting sign" means a sign which is attached to the wall, overhang or awning of a building and which projects more than twelve (12) inches beyond the wall, overhang or awning of the building.

"Sign" means an identification, description, illustration, or device which is affixed to or represented, directly or indirectly, upon a building, structure or land, and which directs attention to a product, place, activity, person, institution or business.

"Temporary sign" means any sign which is not permanently installed to or affixed to any sign structure or building, and is accessory to an event, election, government or institutional sponsored activity, lease, rental or sale of limited, fixed duration. A temporary sign does not include an A-Frame sign as identified above.

"Size" means the aggregate area of all sign display surfaces located on a single structure, but excluding posts and base that are without attached identification, description or illustration. Two surfaces parallel

and back to back on the same structure, e.g. a projecting sign or 2-sided monument sign, shall be considered a single display surface.

"Wall sign" means a sign attached to or painted on a wall of a building with a display surface which projects no more than twelve (12) inches from the surface of the wall and not higher than the lowest roof edge above the building wall to which it is attached.

9.44.030 Permits required.

A. Except as herein provided, no sign shall be erected, replaced, altered or relocated without the business owner first obtaining a sign permit and the property owner (if different) granting permission for a sign permit, demonstrating that the sign is or will be in compliance with all provisions of this Chapter. A-Frame signs and Banner signs, as defined above, are exempt from sign permits.

B. Permits are issued for specific property only. Permits may transfer with ownership provided the signage is not altered or moved except to bring it into compliance with this section.

C. Fees for sign permits shall be established by resolution of the city council, and shall be paid prior to the sign being placed or altered.

D. Signs conforming to the current code that are damaged by acts of nature, vandalism or accident shall not be assessed a new sign permit fee when repaired to the pre-damaged condition. The owner of free-standing signs shall be required to obtain a building permit prior to construction.

E. A building permit shall be required of all signs for all free-standing signs as provided for in the Oregon Structural Specialty Code, which shall be issued prior to sign placement, construction, or alteration.

9.44.040 Zone requirements.

A. In the R-1, R-2, and R-3 zones: one (1) accessory sign shall be allowed and shall be limited to the following sizes and restrictions:

1. Only wall signs are allowed in the R-1, R-2 and R-3 zones.
2. A sign not exceeding two (2) square feet in size accessory to a single-family dwelling or a home occupation, or six (6) square feet for a bed and breakfast inn.
3. A sign not exceeding twenty-four (24) square feet in size accessory to any other permitted or conditional use in the zone.
4. No moving or flashing signs, lit signs, roof signs, A-Frame signs, or banner signs shall be allowed in the R-1, R-2 and R-3 zones.
5. No sign shall be placed within ten (10) feet of any government-installed sign within a street right-of-way (stop signs, traffic control sign, etc.)

B. In the R-4, C-1, P-F, and S-P zones:

1. General sign requirements:
 - a. No sign shall be placed within ten (10) feet of any government-installed sign within a street right-of-way (stop signs, traffic control signs, etc.)
 - b. External light illuminating from a sign shall be directed away from a residential use or zone and shall not be located so as to distract motorists.
 - c. No sign shall be of such intensity or brilliance as to impair the vision of a motor vehicle driver or interfere with the effectiveness of an official traffic sign, device, or signal.
 - d. Where it can be demonstrated that directional signs are needed for directing or controlling vehicular access, or where such signs are required as a condition of approval for public safety, such signs may be permitted in addition to any other signs permitted by this section. Such signs shall be placed at each motor vehicle entrance or exit, shall not exceed nine (9) square feet in size and six (6) feet in height, and shall not restrict required sight distances or pedestrian and vehicular flow.
2. Sign types:

a. Building Signs. A maximum 20% of a building façade is allowed to have signs. A building façade is an exterior side of a building excluding the roof.

1) Wall signs.

2) Projecting signs. Projecting signs may extend over a sidewalk within the public right-of-way with a minimum clearance of 7.5 feet from the ground so as to not affect pedestrian traffic. Placement of projecting signs on Hwy 101 sidewalks are subject to agreement with the Oregon Department of Transportation.

3) Window signs.

4) Roof signs. Roof signs shall not exceed 16 feet in height above the adjacent street grade or up to the peak of the roof, whichever is less restrictive. Roof signs painted directly on the roof surface, or on a surface attached flush to the roof surface, are prohibited.

b. Permanent free-standing signs.

1) No more than one free-standing sign is permitted per street frontage per property.

2) Single pole signs are prohibited.

3) Monument signs shall have a maximum 8 foot height, maximum 10 foot width, and maximum 50 square feet.

4) Electrical service to free-standing signs shall be underground.

c. A-Frame signs.

1) No more than one A-Frame sign is permitted per business.

2) A-Frame signs may be placed on private property.

3) A-Frame signs may be placed within the right-of-way on a sidewalk, however a minimum four (4) feet of lateral clearance shall be maintained on a sidewalk. A-Frame signs may not impede pedestrian access or opening of vehicle doors. Placement of A-Frame signs on Hwy 101 sidewalks are subject to agreement with the Oregon Department of Transportation.

4) A-Frame signs shall be a maximum of eight (8) square feet with maximum dimensions of two (2) feet wide by four (4) feet tall.

5) A-Frame signs shall be secured by means of attaching an interior weight so as not to be movable (pushed, pulled, blown, etc.)

6) No objects shall be attached to A-Frame signs, e.g. balloons, banners, etc.

7) A-Frame signs are only permitted during business hours and should be removed during periods of high winds.

d. Banner signs.

1) One banner sign is allowed per business.

2) Banner signs shall not exceed 20 square feet.

3) Ground-mounted banner signs may be placed on private property and not be mounted in or extend into public right-of-way. Banners attached to a building may extend over a sidewalk within the public right-of-way with a minimum clearance of 7.5 feet from the ground so as to not impede pedestrian access.

4) No banner, other than the American flag, shall be placed in flagpole holes along Hwy 101, and no banners shall be placed in the planters.

e. Digital signs.

1) One digital sign is allowed per business or institution. In addition, one digital 'open' sign is allowed per business.

2) Digital signs may not be externally or internally illuminated by a flashing light or a light that varies in intensity.

3) Digital signs must be equipped with a light sensor that automatically adjusts the intensity of the sign according to the amount of ambient light.

4) Digital signs must be designed to either freeze the display in one static position, display a

full black screen or turn off in the event of a malfunction.

5) The change from one message to another message may not be more frequent than once every fifteen (15) seconds and the actual change process must be accomplished in two seconds or less.

6) If attached to a building or displayed inside a building so as to be visible from outside, the digital sign shall be considered to be a building sign and included in the maximum 20% of a building façade that is allowed to have signs.

9.44.050 Temporary signs.

In addition to the allowances for signs provided by this section, temporary signs are allowed on private property with the following standards:

- A. No more than one temporary sign is permitted per property. Temporary signs are not permitted in the public right-of-way.
- B. Temporary signs shall be a maximum of eight (8) square feet.
- C. Temporary signs are allowed for not more than ninety (90) consecutive days or for any period of time during which the property is for sale, lease or rent, or for an election or event.
- D. Temporary signs shall be secured so as not to be movable (pushed, pulled, blown, etc.)
- E. No objects shall be attached to temporary signs, e.g. balloons, banners, etc.

9.44.060 Maintenance and appearance of signs.

All signs, together with all of their supports, braces, guys and anchors, shall be kept in good repair and maintained in a safe condition. All signs shall be maintained in a neat, clean and attractive condition.

9.44.070 Nonconforming signs.

A nonconforming sign or sign structure shall not be moved, structurally altered or enlarged in any manner unless such movement, alteration or enlargement would bring the sign into conformity with the requirements of this Chapter.

9.44.080 Abandoned signs.

- A. Any sign shall be removed when the associated business or event has been discontinued or completed, or when the sign is no longer properly repaired or maintained as required by this Chapter.
- B. Abandoned non-conforming signs shall be removed in their entirety.

9.44.090 Variances.

To provide for reasonable interpretation of this Chapter, and in certain instances where this Chapter will produce hardship, a business owner (with permission from the property owner, if different) may apply for a variance pursuant to Chapter 9.80 of this Code.

City of Yachats **2017 LAND USE / BUILDING PERMIT ACTIVITY**

November 17, 2017 through December 12, 2017

Date	Application/ Activity	Owner/Applicant	Tax Map/Lot Location	Zoning	Description	Status
11/17/17	Land Use Compatibility Statement (LUCS)	Aaron & Kati Bishop	14-22-27DA/5100 430 N Hwy 101	C-1	OLCC LUCS for marijuana dispensary	LUCS completed 11/18/17
11/17/17	Building Permit	Earlie Walsleben	14-12-27AB/2000 1057 Ocean View Dr	R-1	Interior remodel	Approved 11/28/17
11/30/17	Building Permit	Dollar General	14-12-27AD/3500 935 N Hwy 101	C-1	Seismic anchoring for interior shelving	Approved 11/30/17

YACHATS PLANNING COMMISSION

December 19, 2017

Approved Work Session Minutes

Vice-Chair Ron Urban called the December 19, 2017 work session of the Yachats Planning Commission to order at 2:00 pm in Room 3 of the Yachats Commons. Members present: Ron Urban, Helen Anderson, Shelly Shrock, Ginny Hafner, James Kerti, Christine Orchard, JD Deriberprey. Absent: none. Audience: 2.

I. Sign Ordinance

Commissioner Urban noted the light industrial definition would be addressed at the January 2018 meeting.

Commissioner Hafner suggested the Commission involve the community in this planning at an evening meeting, especially after the December 13, 2017 Council meeting where citizens expressed concern over losing community. Orchard recommended the Commission identify their positions prior to presenting it to the citizens. Planner Lewis and Hafner summarized benefits of having a public meeting when Waldport reworked their sign code. Commissioners agreed this meeting was a good idea.

Urban suggested Commissioners start with the draft ordinance prepared by Lewis. Commissioner Deriberprey suggested adding a definition for digital signs. Commissioners discussed types of digital signs and the impact of internally lit signs. Commissioners agreed signs should not have changing images, regardless of their lighting method, as they would present too much distraction to pedestrian and vehicle traffic. Commissioner Shrock noted the sign in front of City Hall in Waldport does have changing images. Commissioners agreed a sign could change daily.

Urban noted draft section 9.44.040.B.2.e items 1 to 6 address digital signs. Commissioners agreed item 1 for one digital sign per business in addition to one "open" sign and item 2 prohibiting flashing signs were appropriate. Anderson asked for clarification on the sensor to adjust light intensity in ambient light in item 3. Deriberprey believed this type of sensor would only be included on high-end signs. Orchard surmised the intent is to make the sign brighter in the daytime to increase visibility. Anderson noted brightness is addressed in the section on illumination. Commissioners discussed digital signs styles that would be inconsistent with the character of Yachats and reiterated all signs should be static. In lieu of items 3 to 5, Commissioners agreed to stipulate that a digital sign should have only one, static, daily message. Commissioner agreed draft item 6 was appropriate and should become item 4 in a new draft.

Deriberprey noted 9.44.040.B.1.c addresses light intensity and brilliance. Item 9.44.040.B.1.b addresses glare onto adjacent residences.

Anderson noted the existing code stipulates that exterior illumination is allowed if the source of light is not visible to surrounding property and it does not cause direct glare into or upon any other building. She wanted to see this language in the code. Anderson suggested there is a difference between lights that shine upon a sign to light it and a sign that is lit directed light away from the sign.

Linda Johnson asked about the times a light could be on. Shrock suggested signs should only be illuminated during business hours. Anderson asked about the sign that is lit 24/7 at the entrance to the Adobe and was reminded the hotel is always open. Shrock noted limiting illumination to business operation hours would be more consistent with dark sky standards.

1
2 Lewis clarified existing code on what is allowed for illuminated signs, with one size limitation for a
3 free standing sign and another for signs that are part of the building façade. Commissioners
4 discussed the size of the Dollar General sign.
5

6 Anderson asked about how lighting code could be enforced if different businesses had different
7 lighting standards based on what is grandfathered in, such as requiring a sign to be turned off
8 when a business is not open. Hafner noted the policy in the code on nonconforming signs being
9 allowed if in existence before the code went into effect. Urban added that a nonconforming sign
10 must be brought into compliance if altered or moved.
11

12 Kerti indicated he would research digital signs regulations and bring a draft definition to the next
13 meeting.
14

15 Urban adjourned the work session at 3:00 pm.
16
17
18
19

20 _____
21 Ron Urban, Vice-Chair Date

22
23 Minutes prepared by H H Anderson on January 5, 2018.