

1. Agenda

Documents:

[1-16-18_PC_AGENDA.PDF](#)

2. Meeting Materials

Documents:

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

[BUILDING_PERMITS_DEC_2017.PDF](#)

[SIGN_REGS-WALDPORT_AND_YACHATS.PDF](#)

[SIGN_EXAMPLES.PDF](#)

[SIGN_ORDINANCE_AMENDMENTS.PDF](#)

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

[LIGHT_INDUSTRIAL_AMENDMENT.PDF](#)

3. Work Session Minutes

Documents:

[2018-01-16 PLANNING WS MINUTES.PDF](#)



CITY OF YACHATS

PLANNING COMMISSION MEETING

441 Hwy 101 N., Yachats Commons, Room 1

Tuesday, January 16, 2018: 2 pm Work Session; 3 pm Regular Meeting

WORK SESSION AGENDA

- A. Light Industry
- B. Sign Ordinance

REGULAR MEETING AGENDA

- I. Announcements and Correspondence
- II. Minutes
 - A. Regular Meeting and Work Session – December 19, 2017
- III. Citizen's Concerns
- IV. Planner's Report
- V. Other Business
 - A. From the Commission
 - B. From Staff

Commission meets the third Tuesday of each month.

Next scheduled meeting: February 20, 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: January 10, 2018



YACHATS PLANNING COMMISSION

December 19, 2017

Draft Minutes

Chair Helen Anderson called the December 19, 2017 meeting of the Yachats Planning Commission to order at 3:04 pm in Room 1 of the Yachats Commons. Members present: Ron Urban, Helen Anderson, James Kerti, Shelly Shrock, Ginny Hafner, JD Deriberprey, Christine Orchard. Absent: none. Audience: 3.

Anderson announced the Planner's Report would be addressed first as Planner Lewis need to leave early.

I. Planner's Report

Lewis reviewed permit applications. He noted an application for a Land Use Compatibility Statement (LUCS) for a marijuana dispensary at 430 N Highway 101. He explained he is required by the Oregon Liquor Control Commission (OLCC) to indicate whether a property meets the requirements for that use. Anderson asked Lewis if the previous discussion by the Commission on where dispensaries would be allowed was ever codified. Anderson noted a statement in the February 2016 minutes where the Planning Commission stated they would allow dispensaries along the 101 Corridor, and they would not consider YYFAP as a school (defined by the State as K-12) so there was no need to apply a 1,000-foot buffer zone.

II. Announcements and Correspondence – none

III. Minutes Approval

Anderson noted the corrections to date:

November 28, 2017 work session:

Page 1, Line 31: add "and" between "...assembles goods" and "that occupies..."

November 28, 2017 regular meeting:

Page 1, Line 18: second reference to Block should be "Bloch," not "Block"

Page 1, Line 21: "January 28, 2017 Council" should read "January 2018 City Council"

Page 1, Line 29: add "Urban" after "Commissioner"

Page 2, Line 14: change "united" to "number of hotel units"

Page 3, Line 3: change "Anders" to "Anderson"

Page 3, Line 20: "build" should read "building"

Page 3, Line 29: change "request" to "requirement"

Page 3, Line 34: "asked from" should read "asked for"

Page 3, Line 37: "signification" should read "significant"

Commissioner Orchard noted on page 3, line 2, Berdie is spelled with a "d."

Commissioner Urban moved to adopt the November 28, 2017 work session and regular meeting minutes as amended: Aye 5; No – 0; Abstain – 2 (Deriberprey and Hafner absent).

IV. Commission Applicants

Anderson reminded Commissioners of Mary Ellen O'Shaughnessey's interview from the last meeting and asked applicant Lance Bloch to come forward.

Bloch stated he believed the issues before the Planning Commission are very important for the City, such as whether a vacation rental constitutes operating a business in R-1 zones requiring a

1 conditional use permit. He reported he has experience in counseling psychology and computer
2 science, mostly in Bend, OR. He is retired and has lived full-time in Yachats for two years. He has
3 volunteered with YYFAP, the Trails Committee, and Meals on Wheels in Waldport.

4
5 Anderson indicated they Commission needs to recommend to the Council two applicants from the
6 three who applied. Anderson passed the task to Urban, as she was an applicant. Orchard
7 suggested Commissioners each write down two names. Urban tallied the votes and reported six
8 votes for Anderson, five votes for O'Shaughnessey, and one for Bloch.

9
10 Anderson stated she and O'Shaughnessey will be recommended to Council. O'Shaughnessey
11 was instructed to attend a January Council meeting to be interviewed/approved. New Commission
12 seats will be effect as of the January 16, 2017 meeting.

13
14 **IV. Citizens Concerns**

15 Linda Johnson asked about the large, tall, skinny flags used for events. Commissioners indicated
16 they would be addressed in the new code.

17
18 **VI. Other Business**

19 **A. From Staff - none**

20 **B. From the Commission**

21 Deriberprey noted the Planning Commission serves as the Citizens Review Board, yet no one
22 seems to know the operation of that service. Hafner suggested the Commission should either act
23 upon the role or remove it from its duties. Deriberprey believed the CRB serves to give voice to
24 community input in the face of egregious Council or City action.

25
26 Hafner asked about the lack of posting of the meeting in the Post Office. Anderson indicated she
27 would check on the matter.

28
29 Anderson thanked Commissioner Deriberprey on behalf of the Commission and commended his
30 service and perspectives, especially in the area of legal ramifications.

31
32 Orchard indicated she would not be at the January 16, 2018 meetings.

33
34 Anderson adjourned the meeting at 4:36 pm.

35
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40
41 _____
42 Ron Urban, Vice-Chair

Date

43 Minutes prepared by H H Anderson on January 5, 2018.

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

December 13, 2017 through December 31, 2017

Date	Application/ Activity	Owner/Applicant	Tax Map/Lot Location	Zoning	Description	Status
12/19/17	Manufactured Home Placement Permit	Rhonda Roddy	14-12-27AA/2200 405 Marine Dr	R-1	New manufactured home	Approved 12/19/17
12/19/17	Building Permit	Rhonda Roddy	14-12-27AA/2200 405 Marine Dr	R-1	New attached garage	Approved 12/19/17
12/19/17	Building Permit	Koho Oregon	14-12-27DD/6900 12 Basalt Lp Koho PUD	R-4	New single family dwelling	Approved 12/19/17

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

Via Panama City Beach, Florida Land Development Code

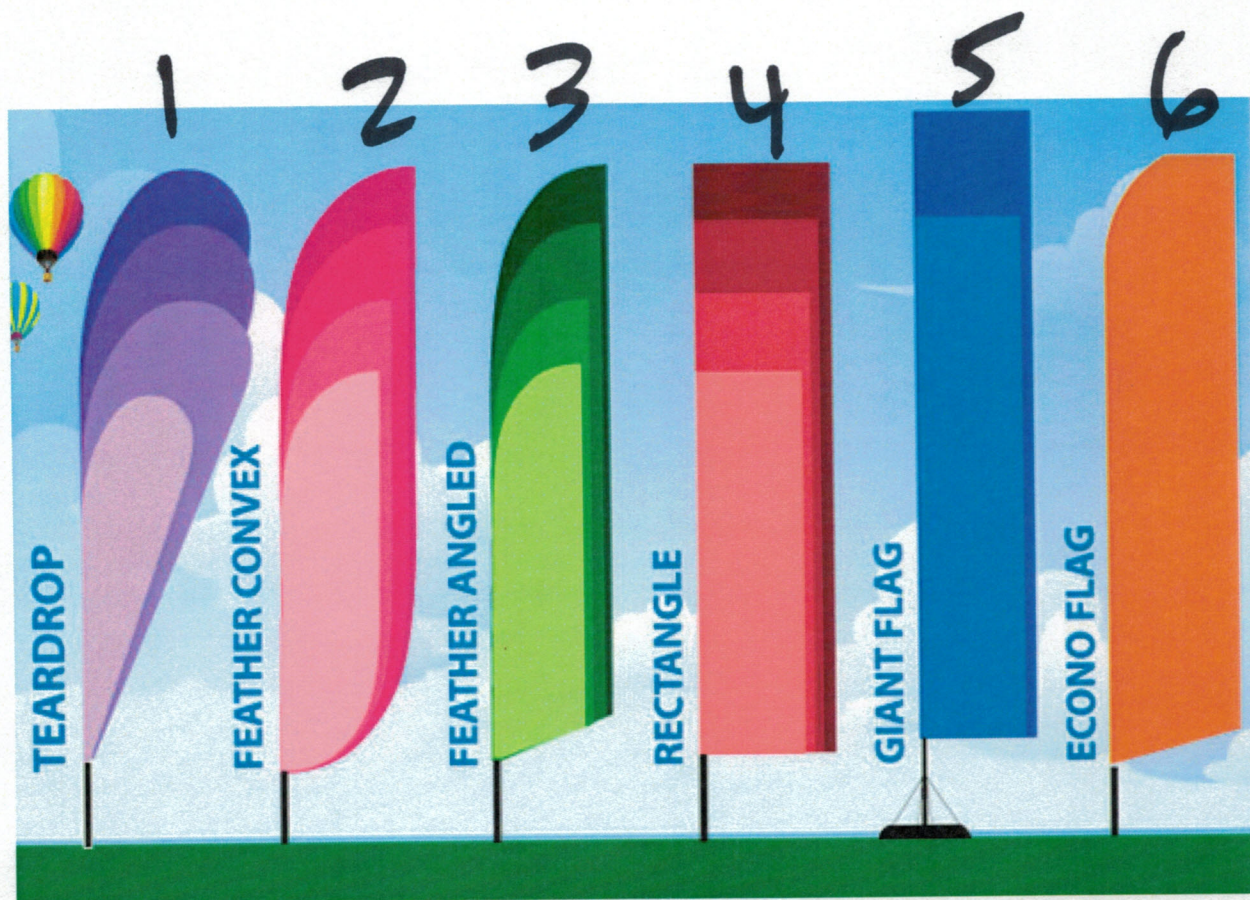
LED Sign — a Sign or portion thereof that uses light emitting diode technology or other similar semiconductor technology to produce an illuminated image, picture, or message of any kind, regardless of whether the image, picture, or message is moving or stationary; this type of Sign includes any Sign that uses LED technology of any kind whether conventional (using discrete LEDs), surface mounted (otherwise known as individually mounted LEDs), transmissive, organic light emitting diodes (OLED), light emitting polymer (LEP), organic electro luminescence (OEL), or any similar technology; sometimes referred to as “*digital Signs*.”

A LED Sign shall:

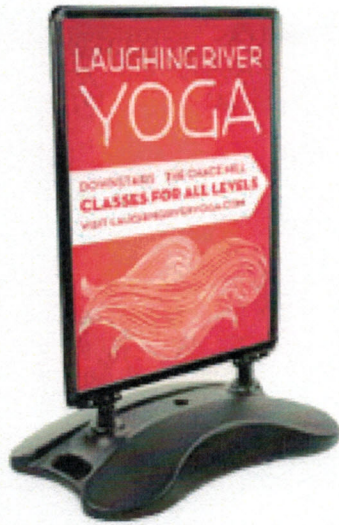
1. Have an auto-sensor regulating its illumination to follow changes in ambient light.
2. Not exceed a maximum luminance intensity of seven thousand (7000) nits (candelas per square meter) during daylight hours and a maximum luminance of five hundred (500) nits between fifteen minutes after sunset and fifteen minutes before sunrise as measured from the Sign Face at maximum brightness. This standard shall not be interpreted or enforced to prevent persons of ordinary sensibilities viewing the Sign from perceiving its expression.
3. Not interfere with the effectiveness of, or obscure an official traffic Sign, device or signal.
4. Not be Externally Illuminated, including a Sign that is only partially LED.
5. Have a disconnecting switch located in accordance with the provisions of the National Electric Code.
6. Require both a Sign Permit and an electrical Permit prior to installation.

Notes:

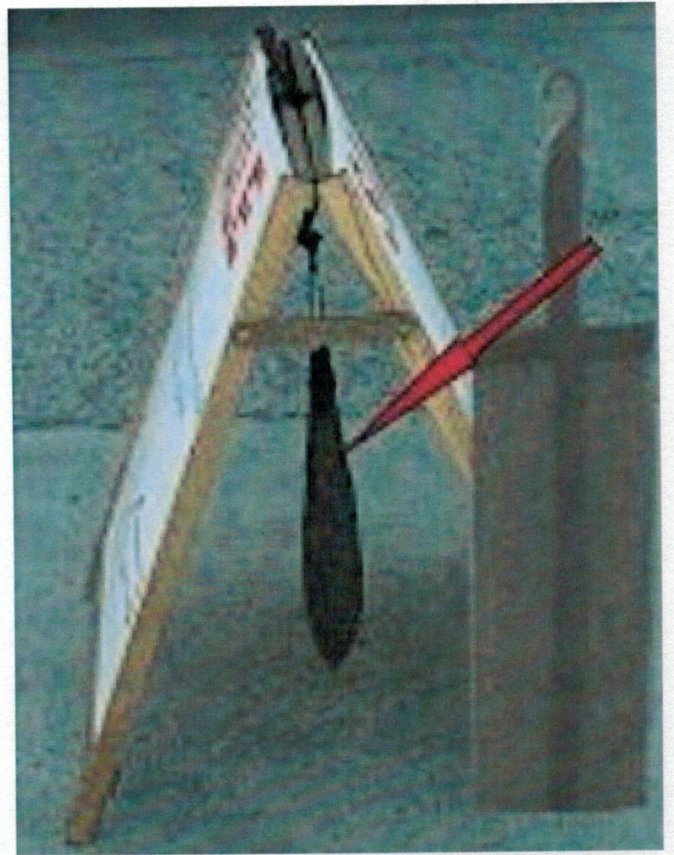
- *A prohibition on moving, flashing, and blinking signs exists elsewhere in the Panama City Beach code. Digital signs must also conform to other sign regulations in the code.*
- *A light meter can be purchased for about \$30.*
- *A nit (candela per square meter) essentially measures how bright something is when accounting for its surface area.*
- *Digital signs must be brighter during the day because they are basically competing with the sun. But they must be adjusted based on ambient light, or else they'll be far too bright at night. According to multiple studies, the luminance of the daytime sky on a sunny day is between 5,000 and 7,000 nits. Some groups suggest nighttime limits as low as 300 nits for digital signage, although most frequently these restrictions relate to digital billboards specifically.*



A



B



C

January 9, 2018

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

The Planning Commission began discussion of the sign ordinance amendments at the December 19, 2017 work session. The attached Draft Jan. 2018 sign ordinance includes the following changes based on the December work session:

Page 1. Section 9.44.020 Definitions

A definition of "Digital sign" will be discussed and added at the January work session.

Pages 3 and 4. Section 9.44.040.B.2.e Digital Signs

Two subsections were deleted and one subsection was revised to requiring that digital signs only display one static message daily.

Page 4. Section 9.44.070 Nonconforming Signs

The existing Yachats nonconforming sign section is inserted.

The table providing a comparison of existing Yachats and Waldport sign regulations is also attached.

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.

"Digital sign" means.....

"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.

43) 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~~ *may only display one static message daily.*

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.~~

64) 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.~~

Limitation. Any sign deemed to be nonconforming at the time these sign regulations become effective shall be deemed to be in compliance if the sign's owner can prove that the sign was erected with an approved sign permit at the time. In the event that a nonconforming sign is damaged or destroyed by any means to the extent of fifty (50) percent or more of its replaced value, the sign may not be rebuilt or used thereafter unless it conforms to all of the provisions of this title. (Existing Yachats sign ordinance.)

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.

YACHATS PLANNING COMMISSION

December 19, 2017

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 allow if the source of light is not visible to surrounding property and it does 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 Lewis clarified existing code on what is allowed for illuminated signs, with one size limitation for a
2 free standing sign and another for signs that are part of the building façade. Commissioners
3 discussed the size of the Dollar General sign.
4

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

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

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

20 _____
21 Ron Urban, Vice-Chair

Date

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

January 2, 2018

To: Yachats Planning Commission

From: Larry Lewis, City Planner

Re: Light Industrial Amendment

At the November 28, 2017 Planning Commission work session, the Commission discussed 1) adding a definition of "light industry", 2) adding "light industry" as a conditional use in the C-1 Retail Commercial Zone, and 3) adding parking space requirements for light industry, and 4) adding "light industry" standards in Section 9.72 Conditional Uses. This memorandum provides draft language for discussion at the January 16, 2018 Planning Commission work session.

Chapter 9.04 – General Provisions and Definitions

Section 9.04.030 Definitions

As uses in this title:

"Light industry" means a business that manufactures, fabricates, or assembles goods and that occupies less than 6,000 square feet.

(Note: The Planning Commission discussed the potential need to define what makes an industry "light".)

Chapter 9.28 – C-1 Retail Commercial Zone

Section 9.28.020 Conditional uses.

In a C-1 zone the following uses and their accessory uses may be permitted subject to the provisions of Chapters 9.44, 9.48, 9.52 and 9.72 where applicable:

T. Light industry

Chapter 9.48 – Off-Street Parking and Loading

Section 9.48.010 General requirements.

O. Off-street parking space requirements:

15. Light industry: one space for each 600 hundred (600) square feet of total floor area.

Chapter 9.72 – Conditional Uses

Section 9.72.050 Standards and procedures governing conditional uses.

F. Standards for Light Industry.

1. Manufacturing, fabricating, or assembling shall occur within an enclosed building.
2. Goods manufactured, fabricated, or assembled shall be offered for retail sale on the premises.
3. The light industrial use shall occupy a maximum 50% of the building.

Or.....

Dedicated retail and/or restaurant, bar or tavern uses shall occupy a minimum ____% of the building.

4. Outdoor storage abutting or facing a street or highway or a lot shall be screened with a sight-obscuring fence or a buffer strip of vegetation.
5. Parking and loading area shall be located on the side or rear of the building.

YACHATS PLANNING COMMISSION

January 16, 2018

Work Session Approved Minutes

Vice-Chair Ron Urban called the January 16, 2018 work session of the Yachats Planning Commission to order at 2:00 pm in Room 1 of the Yachats Commons. Members present: Ron Urban, Helen Anderson, Shelly Shrock, Ginny Hafner, James Kerti, and Mary Ellen O'Shaughnessey. Absent: Christine Orchard. Audience: 11.

Commissioner Anderson explained to the audience that a work session is for discussion among Commissioners and they will have an opportunity to speak during regular meeting.

Commissioners noted documents were not currently accessible through the document library as there was some server problem.

I. Light Industrial

Urban referred Commissioners to his draft in their meeting packet.

- A. Section 9.04.030 adds a definition for Light Industrial
- B. Section 9.28.020(T) adds a conditional use in zone C-1 for Light Industrial
- C. Section 9.48.010 adds parking requirements (with edit of first "600" to be "six")
- D. Section 9.72.050 addresses standards for Light Industrial in section 9.72.050(F)

Draft item 1: as is

Draft items 2 and 3: Commissioners discussed the portion of a building that would be dedicated to retail sales and agreed to 20%, with Anderson agreeing to research other jurisdictions for support for this level. These two items were combined to state: *Goods manufactured, fabricated, or assembled shall be offered for retail sale on the premises in a dedicated space occupying a minimum of twenty percent (20%) of the building.*

Draft item 4: Commissioners debated the type of screening fence that should be used, noting that the form of screening would be addressed at a Condition Use Hearing with the Planning Commission, and agreed to: *Outdoor storage shall be on the side or back of the building and shall be screened with a sight-obscuring fence, hedge, or wall.*

Draft item 5: Commissioners discussed the possible location of retail parking in the front of the building. For a building of maximum size of 6,000 square feet with 20% or 1,200 square feet of that as dedicated retail, 16 parking spaces would be required. Commissions agreed to: *Employee parking and loading area shall be located on the side or rear of the building.*

Urban stated the next step would be to prepare for a Public Hearing.

II. Signs

Commissioner Kerti presented his research on digital signs. He reported Panama City Beach had developed code to address some of the same issues that were being raised in Yachats. Given recent feedback from residents, Anderson suggested there is a need to get more technical in developing code. Kerti noted light meters are relatively inexpensive. Kerti also noted that requiring adjustments for light intensity during daytime versus nighttime is advisable, as the recommended difference in nits was 7,000 versus 500. Kerti noted the Commission had previously crossed out an item requiring the inclusion of an adjustable light sensor on digital signs, and this new information suggests that the inclusion of a sensor remain.

1 Commissioner Hafner asked about current code regulations on digital signs. Kerti and Anderson
2 noted "digital" is not in current code as the code was written in the 1990s. Anderson suggested the
3 Commission consult with the community regarding the extent of regulations on digital signs.
4 Commissioners discussed variable around Dark Sky lighting that could be incorporated now into
5 the code, such as a requirement that all lights have downward shielding.

6
7 Kerti noted requirements from other cities on requirements for electrical permits. While this issue is
8 addressed in County codes, Commissioners agreed that some statement of electrical standards be
9 included.

10
11 Lewis noted the current sign permit application has a box asking about flashing or moving signs
12 and suggested eliminating this box as flashing and moving are prohibited in the existing code.
13 Commissioners began a discussion of how existing signs might be addressed in light of code
14 changes.

15
16 Anderson urged Commissioners to agree to have a community input meeting as soon as possible
17 so that their positions get incorporated early in the drafting process. Commissioners wanted more
18 time to go through a draft before setting a meeting date.

19
20 Urban adjourned the work session at 2:58 pm to be continued after the regular meeting.

21
22 Urban reopened the work session at 3:24 pm.

23
24 Urban asserted the Commission needed to stick with their plan to go through the comparison table
25 provided by Lewis. Hafner emphasized that the Commission needed to have definitions for all
26 terms set before getting into the detail of the requirements. Urban clarified the definition provided
27 by Kerti is the working definition going forward in discussions.

28
29 Table Item A: Urban recommended the Waldport version. A home business sign would be a
30 maximum of two (2) square feet (increase from 1.5 sq ft); a B&B would not exceed six (6)
31 square feet (increase from 3 sq ft); and no freestanding signs would be allowed.

32 Commissioners clarified that signs displaying a home name could only attach that sign to
33 the wall of the home. Kerti noted there are homes that are set back further from the
34 highway that have shared driveway which need signage to indicate their address. Current
35 code does allow for signage for street addresses and requires that they be visible from the
36 road.

37 Table Item B: Urban recommended the Waldport version. O'Shaughnessey reported she has
38 heard complains about the Sea Note being too close to the crosswalk. Anderson
39 expressed concern over banners on poles blocking views in ingress/egress areas, noting
40 this section only addresses setbacks from other government-installed signs.

41 Commissioners agreed a buffer zone for egresses is warranted.

42 Table Items C&D: Urban noted items C and D are dependent. Hafner recommended the
43 Waldport versions. Kerti clarified that the approach is to eliminate a general restriction on
44 sign size and to address limitations for each sign type individually.

45 Table Item E: Urban recommended the Yachats version. Commissioners agreed.

46 Table Item F: Urban recommended the Waldport version. Commissioners agreed.

47 Table Item G: Urban recommended the Yachats version. Commissioners agreed and
48 indicated digital signs would be addressed elsewhere.

49 Table Item H: Urban recommended the Waldport version. Commissioners agreed.

50 Table Item I: Hafner reported the issues around A-frames were more complicated.

51 Commissioners discussed whether a three-day event would be managed differently than a
52 one-day event. Urban recommended beginning with the Waldport version. Hafner

1 suggested, regardless of when A-frames might be allowed, they should conform to all of the
2 factors in Item I.

3 Table Item J: Hafner preferred to limit banner signs to one per business. Shrock was less
4 concerned about the number if they were setback from the street. O'Shaughnessy noted
5 that drivers expect signs before a turn, so it made sense to have a banner on either side of
6 an entrance. Urban recommended the Waldport version.

7 Table Item K: Urban recommended the Waldport version. Anderson suggested this area is
8 one where they need to set numerical limits based on some measure of light intensity.

9 Table Item L: Urban recommended the Waldport version. Urban noted the Waldport version is
10 much simpler and clearer. Anderson noted the ninety-day limit on real estate sign.

11 Table Item M: Urban recommended the Waldport version. Hafner noted Waldport does not
12 have an enforcement section. Lewis indicated enforcement was addressed elsewhere in
13 the code.

14
15 Anderson asked if Commissioners were ready to set a date for a public meeting. Lewis explained
16 how a power point presentation was used for the Waldport public meetings. Anderson suggested
17 January 23, 2018 for a work session. Anderson noted the second week of February has an
18 evening meeting for the Council. Commissioners agreed that an evening meeting during the first
19 week of February would be best. Commissioners tentative set February 6, 2018 at 6 pm for a
20 community meeting.

21
22 Commissioners agreed to meet at 2 pm on Tuesday, January 23, 2018 for a work session.

23
24 The meeting was adjourned at 4:14 pm.

25
26
27
28
29
30 _____
31 Ron Urban, Vice-Chair

_____ Date

32 Minutes prepared by H H Anderson on January 28, 2018.