

1. Agenda

Documents:

[3-20-18_PC_AGENDA.PDF](#)

2. Meeting Materials

Documents:

[BLDG_PERMITS_03-13-18.PDF](#)

[9.80_VARIANCES_03-13-18.PDF](#)

[SIGN_ORD_AMEND_-_TESTIMONY_03-13-18.PDF](#)

[DRAFT_02-27-18_PLANNING_WORK_SESSION_MINUTES.PDF](#)

[DRAFT_02-27-18_PLANNING_MINUTES.PDF](#)

3. Work Session Minutes

Documents:

[2018-03-20 PLANNING WS MINUTES.PDF](#)



CITY OF YACHATS

PLANNING COMMISSION MEETING

441 Hwy 101 N., Yachats Commons, Room 1

Tuesday, March 20, 2018: 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 – February 27, 2018
 - B. Special Meeting and Work Session – February 27, 2018
- III. Citizen's Concerns
- IV. Planner's Report
- V. Other Business
 - A. Yachats Zoning & Land Use Code - Chapter 9.80 Variances
 - C. From the Commission
 - B. From Staff

Commission meets the third Tuesday of each month.

Next scheduled meeting: April 17, 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: March 14, 2018



City of Yachats **2018 LAND USE / BUILDING PERMIT ACTIVITY**

For the Period February 14, 2018 through March 13, 2018

Date	Application/ Activity	Owner/Applicant	Tax Map/Lot Location	Zoning	Description	Status
2/16/18	On-site Waste Management Permit	Yachats Rural Fire Protection District	14-12-23CB/2300	R3	Site evaluation for new septic system	Approved revised plan 2/20/18. Building to be located on portion of lot that is outside of city limits and outside UGB
2/20/18	Building Permit	Lou & Nancy Pejovich	14-12-34AA/3200 360 Village Ln The Dwellings PD	R-4 (PD)	New single family dwelling	Approved 2/20/18

March 13, 2018

To: Yachats Planning Commission

From: Larry Lewis, City Planner

Re: Chapter 9.80 Variances

The Planning Commission requested review of Yachats Zoning & Land Use Code Chapter 9.80 Variances (attached).

YACHAT ZONING & LAND USE CODE

Chapter 9.80 – Variances

Section 9.80.010 Authorization to grant or deny variances.

The Planning Commission may authorize variances from the requirements of this title where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, strict application of this title would cause an undue or unnecessary hardship. No variance shall be granted to allow the use of property for a purpose not authorized within the zone in which the proposed use would be located. In granting a variance, the Planning Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or neighborhood and otherwise achieve the purposes of this title. (Ord. 73E § 12.010, 1992)

Section 9.80.020 Circumstances for granting a variance.

A variance may be granted only in the event that all of the following circumstances exist:

- A. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, legally existing prior to the date of the ordinance codified in this title, topography, or other circumstances over which the applicant has no control;
- B. The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same zone or vicinity possess;
- C. The variance would not be materially detrimental to the purposes of this title, or to property in the zone or vicinity in which the property is located, or otherwise conflict with the objectives of any city plan or policy;
- D. The variance requested is the minimum variance which would alleviate the hardship;
- E. The hardship asserted as a basis for the variance does not arise from a violation of the zoning ordinance. (Ord. 73E § 12.020, 1992; Ord. 73A, 1982)

Section 9.80.030 Variance procedure.

The following procedures shall be followed in applying for action on a variance:

- A. A property owner may initiate a request for a variance by filing an application with the City Recorder, using forms prescribed pursuant to Section 9.88.040. The application shall be accompanied by a site plan drawn to scale showing the condition to be varied and the dimensions and arrangement of the proposed development. The City Council or Planning Commission may request other drawings or material essential to understanding of the variance.
- B. If the request for a variance meets all the requirements of this title, the City Recorder shall set a time for a public hearing before the Planning Commission on the request within forty (40) days from the filing thereof and shall cause notice to be given in accordance with Section 9.88.060.
- C. At the conclusion of the public hearing the Planning Commission may approve or deny the request, based on findings which address applicable variance criteria, pursuant to Chapter 9.88. (Ord. 73E § 12.030, 1992)

Section 9.80.040 Time limit on a variance.

Authorization of a variance shall be void after one year unless substantial construction pursuant thereto has taken place. However, the Planning Commission may extend authorization for an additional period not to exceed one year, on request. (Ord. 73E § 12.040, 1992)

March 13, 2018

To: Yachats Planning Commission

From: Larry Lewis, City Planner

Re: Sign Ordinance Amendments

The Planning Commission will continue review of the draft sign ordinance amendment at the March 20, 2018 Planning Commission Work Session. The latest draft ordinance dated March 13, 2018 is attached. The attached March 13, 2018 draft includes **blue text**. The **blue text** are notes I made from the February 6, 2018 public meeting. ~~Strike through text~~ and **red text** are revisions based on discussion at the February 27, 2108 Planning Commission work session.

Additionally, the following written testimony is attached:

2/6/18 Nancy Bolton-Rawles

2/6/18 Quinton Smith

2/6/18 Ron Vil, Yachats Farmers Market Manager

2/8/18 Bob Langley

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", also referred to as "LED sign" means a sign or portion thereof that uses light emitting diode technology or 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 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.

"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 that is not permanently installed or affixed to any sign structure or building, and is accessory to an event, election, government or institutional sponsored activity, lease, rental, or sale. 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.

E. A building permit shall be required for all free-standing signs as specified 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. The one exception is that free-standing address (house number) signs are permitted with a maximum size of four (4) square feet.
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. [20% for large building is too much.]

1) Wall signs – not internally illuminated.

2) Wall signs – internally illuminated. Wall signs internally illuminated shall be limited to one sign per façade with a maximum size of ____ square feet.

3) Projecting signs. Projecting signs may extend a maximum five (5) feet from a building. 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.

4) Window signs.

5) 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. [30' height is too high.] 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. [1) Max. square footage should be smaller. 2) size tied to property frontage.]

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

c. ~~A-Frame signs.~~ [Temporary use in conjunction with events but not permanent.]

~~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 weighted and secured 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) Wind concerns. 2) 10' setback at driveways not enough, 3) take down at night, 4) problem with long-term banners]

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. Such signs shall not be mounted in or extend into public right-of-way. Ground mounted banner signs shall be setback 10 feet from the street at ingress/egress locations.

4) Banners that are attached to a building and that extend over a public right-of-way shall have a minimum clearance of 7.5 feet from the ground.

5) 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.** [Consensus to prohibit 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.

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 may only display one static message daily.

5) 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 ~~issue~~ 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 real estate signs for property for sale or lease shall be removed within fifteen (15) days of the sale or lease.~~

E. Temporary signs shall be secured so as not to be movable (pushed, pulled, blown, etc.)

F. No objects shall be attached to temporary signs, e.g. balloons, banners, etc.

~~G. Temporary A-Frame signs.~~

~~1) Temporary A-frame signs are allowed for a maximum of three days in conjunction with a special occasion or unique event not related to an ongoing business.~~

~~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) six (6) square feet with maximum dimensions of two (2) feet wide by four (4) three (3) feet tall.~~

~~5) A-Frame signs shall be weighted and secured 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 event hours and should be removed during periods of high winds.~~

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.

Any sign deemed to be nonconforming at the time these sign regulations become effective shall be

deemed to be in compliance if the sign was erected with an approved sign permit. 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.

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.

Larry Lewis

From: Nancy Bolton-Rawles <nbr@nancybolton.com>
Sent: Tuesday, February 06, 2018 9:19 AM
To: Larry Lewis
Subject: Re: current sign code

In a small town as lovely as ours it would be wonderful if digital signs were not allowed. Instead of digital, how about a nicely painted wood sign (not too large) with a light shining on it for the dark evening hours? This would be more in line with the look of coziness and history our town conveys. A small lit sign near an entrance door seems enough to convey open or closed at night.

I really would like to see our town keep with it's small town cozy feel and in-your-face digital lights just do not fit in.

Thank you,

Nancy Bolton-Rawles
470 Overlook Drive
Yachats
~~~~~

INTENT DESIGN STUDIO, LLC

WordPress Web Design & Site Maintenance Services

Nancy Bolton-Rawles & Bruce Rawles  
PO Box 1113 Yachats, OR 97498  
Nancy mobile: 541-992-0456

NANCY BOLTON, Art Studio  
Acrylic, Mixed Media, Photography

2/6/18

To: Yachats Planning Commission  
c/o Larry Lewis, via email  
Yachats City Hall

From: Quinton Smith  
501 Lemwick Lane  
Yachats  
Phone: 541-547-8050  
Email: [QandKSmith@gmail.com](mailto:QandKSmith@gmail.com)

I am unable to attend the Planning Commission's hearing Tuesday night on proposed changes to the city's sign code, so (as suggested by Chair Helen Anderson) am sending my comments to the commission via city planner Larry Lewis.

First of all, thanks for taking a look at the city's sign ordinances. I appreciate any and all work from any of the city's volunteer commissions.

For a couple of reasons that I will explain below, I do not have specific feedback on details of the draft ordinance but have general comments on what I would hope the proposed ordinance would address and suggestions on more clearly relaying this to the public and businesses.

My comments:

- 1) In seeking public comment on the proposed ordinances, there was no context or background narrative to give residents and businesses an idea of what the commission is trying to do. Is this in reaction to the appearance of Sea Note's LED sign; of Dollar General's big lighted signs, other less visible issues, or is this a routine once-in-awhile update? I have been following – in person and via meeting minutes – the Planning Commission's work and I have not heard or cannot find in the minutes what prompted the review. Context is everything; don't be shy about explaining why this has come up and giving general background to people. Most folks are not up to speed on this and will struggle to understand and put in context four pages of highly detailed sign code language.

- 2) It is not clear to me what you are trying to accomplish with these changes. It was not clear to me during the commission's last workshop and formal meeting, nor is it clear now. Help me (and possibly others) understand better. It might even help the commission to formally write out its goals for the sign ordinance. I have not seen those in writing or in meeting discussions
- 3) I can't decipher from the proposed ordinance – and the previously used charts comparing sign ordinances in Yachats and Waldport – what the big changes and/or impact might be. A narrative with any proposal might help residents digest the necessary technical aspects of the proposed ordinance.
- 4) Speaking of comparisons, it is not clear to me why Yachats would use Waldport's sign ordinance as a model to copy. It may be the best in Oregon, but that hasn't been pointed out in meetings or minutes that I attended or could find. Are there better "templates" available through the League of Oregon cities for tourist-oriented cities or from cities like Cannon Beach, Sisters, Gearhart, Seaside, etc. Why Waldport as a model? Can Yachats do better? No one has ever said, that I could find.
- 5) I endorse your efforts to get out in front of new technology on LED signs.

The above comments have been about the Planning Commission's process, discussions and getting the word out to residents in a more easily understandable way. There are two points of emphasis outside the wording of the proposed ordinance that I would most hope the Planning Commission would consider.

- 1) In your last meeting, Chair Anderson raised a couple of eyebrows when she suggested that the commission might want to discuss encouraging the City Council to help pay for replacing or changing signs that may not meet a new sign ordinance, or signs erected before any new regulations took effect. I would heartily encourage this discussion. I would endorse the idea of using money from the Visitor Amenity Fund to help business owners improve and replace old, ugly outdated signs and to bring signs up to code if they would be

out of compliance with a new ordinance. (This could be a years-long process, spelled out with specifics, etc.) I would make a specific outreach to owners of old or new LED signs to see if, with the city's help, they would take them down and replace them with less garish signs. Upgrading and beautifying signs in the city, I believe, is an appropriate use of visitor funds and would go a long way to improving the attractiveness of the Highway 101 corridor.

- 2) My next point of emphasis has more nuance to it. It is likely outside the Planning Commission and City Council's direct control, but I believe and hope it is something that both will put their political will toward. This is the absolute clutter of repetitive traffic control signs along Highway 101 through downtown. In my opinion, the most obnoxious signs in Yachats are not necessarily any business signs (except for the new, bright LED sign) but the new and old signs that line Highway 101 every few feet throughout downtown. The sheer number of repetitive signs is an eyesore. Can the city contact ODOT and ask to discuss this issue? Certainly some can come down and others possibly consolidated.

Please feel free to contact me if you have comments, questions or want to discuss this further.

## Larry Lewis

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**From:** Yachats Farmers Market . <YachatsFarmersMarket@live.com>  
**Sent:** Tuesday, February 06, 2018 5:09 PM  
**To:** Larry Lewis  
**Subject:** Yachats Farmers Market signs, Market Manager  
**Attachments:** Img\_6141.jpg; Img\_6147.jpg

Mr. Lewis,

I have reviewed the proposed Yachats signage draft and compared them with the signs & banners that we have been using for years at the Yachats Farmers Market on Sundays, Mothers Day through Mushroom Festival. All of the following temporary event signs go up at 7:00 AM and are taken down by 3 PM.

The A-Frame signs we use to close off 4th street adjacent the Commons seem to conform in size but not in number. We use four of this type to close off the road and one to designate a handicapped parking spot. We also use four of the "Farmers Market Parking" signs that measure 24 inches by 18 inches that stick into the ground at the base of the new lamp posts along the 101. Our 3 banners measure almost 30 sq. ft, which seems to be the standard size for this type of banner. I have attached pics of all three of these types of signs. I coordinated with the project manager of the 101 sidewalk project (the work destroyed the old banner ground mount holes) to install 3 new mounting holes on the west side of the 101. We used these mounts during the 2017 season with no issues. I need to speak with you as some, but not all of the Farmer's Market signs conform to the new, proposed rules.

Please reply and/or give me a call at the number below. Thank you.

Ron Vil  
Market Manager  
(682) 300-3389 cell

<http://YachatsFarmersmarket.webs.com>

The sign for the Adobe is approx 100 ft<sup>2</sup> and seems quite a bit less obtrusive than many of the smaller lighted signs in town. Conclusion = the design and color of signs may be of greater importance than their size in terms of their minimizing impact.

Dollar General sign is approx 3.5 x 6' = 21 ft<sup>2</sup>; based on 50 ft<sup>2</sup> in proposed ordinance, it could be twice its current size. Conclusion = maximum sign area should be 24 ft<sup>2</sup>. Or, perhaps, some measurement of existing signs should be undertaken to establish a reasonable maximum size.

The 7 commercial lots N of Village Bean are approx. 192 paces in total road frontage, Village Bean is approx 23 paces, Dollar General is approx 70 paces. This means that each of those lots has highway frontage about the same as that of the Village Bean.

Based on the current version of the ordinance, there could, conceivably, be 7 *back lit signs approx twice the size of the Dollar General sign just in the stretch of highway between the Village Bean and Marine Drive*. I don't want to even contemplate how that would look. Conclusion = consider some way of relating the maximum permitted size of a sign to the length of highway frontage or not even allowing lighted signs on lots that do not exceed a minimum road frontage.

People don't like the digital sign at the Sea Note Café; keep in mind that, based on the current version of the ordinance, *it could be replaced with a 10' wide x 5' back lit sign that is 8' off the ground at the top*. Again, I don't want to even contemplate how that would look. Conclusion = there needs to be something in place that would prevent that; perhaps, no backlit signs in the "downtown" area N of the river and S of the Commons. Or, perhaps, signs must be removed from the road by some prescribed distance

The Dubliner Inn is largely built at a grade considerably lower than the street which means that a sign limited to 8' off the ground there would hardly be visible from the road. Unless they are filled to road grade, the same applies to the lots to the N of the Village Bean. Conclusion = consider determining sign height using road level as the reference point.

I would even consider prohibiting any future lighted signs that are not attached to a building facade. I don't know how many other commercial lots there are but I, certainly, wouldn't want to see any more signs on the 101 corridor.

Bob Langley  
2/8/18

# YACHATS PLANNING COMMISSION

February 27, 2018

## Work Session Draft Minutes

Vice-Chair Ron Urban called the February 27, 2018 meeting of the Yachats Planning Commission to order at 2:00 pm in the Room 1 of the Yachats Commons. Members present: Ron Urban, Helen Anderson, Shelly Shrock, Ginny Hafner, and James Kerti. Absent: Christine Orchard and Mary Ellen O'Shaughnessey. Audience: 0.

### **I. Sign Ordinance**

Planner Larry Lewis noted the February 6, 2018 public meeting was very cordial and productive. Commissioners appreciated the ideas they received.

Commissioner Shrock suggested there was consensus with the public input that digital signs not be allowed. Urban asked if it was within the power of the Planning Commission to make this decision. Commissioner Anderson asserted since the standard would apply to everyone, the Planning Commission could make this recommendation. Lewis noted there would be a public hearing and the Oregon Department of Land Conservation and Development 35 days prior to the hearing. Anderson added that the City Attorney would review the proposal as well. Commissioners agreed to recommend to not allow digital signs.

Commissioner Hafner suggested that A-Frame signs not be allowed for businesses on an ongoing basis. Anderson recalled comments about public input about having to navigate around signs. Commissioner Kerti asked for clarification as to why not to allow A-Frames. Anderson suggested sign clutter and sidewalk crowdedness are valid reasons. Anderson suggested allowing A-Frames for temporary events but not for ongoing business use. Commissioners discussed what would constitute a "temporary event," noting some restaurants could have nightly specials. Kerti suggested special occasion could be differentiated from regularly occurring events. Hafner suggested the distinction might be made over whether the use is for a regular business. Anderson suggested language of, "events not related to ongoing business." Commissioners agreed this language would allow the Farmer's Market, the Ladies Club, and the Lions Club to use A-Frames.

Hafner asked if "non-profit" would be a better way to distinguish events from businesses. Anderson noted there are arts and crafts fairs that are not nonprofit events. Kerti asked if a business wanted to use an A-Frame four times each year, would that be allowed? Urban suggested the property type could distinguish usage. Anderson summarized that Ron Vil, manager of the Farmer's Market, wrote that they use four A-Frame signs to indicate parking for the Market.

Hafner noted the current code prohibits A-Frames except for temporary use. Anderson suggested the current code language is unclear about what constituted temporary use. Urban noted the Farmer's Market uses an A-Frame to block off 4<sup>th</sup> Street from 101. Shrock suggested having A-Frames that direct traffic only on Highway 101. Hafner recalled there was a suggestion to have different regulations for areas outside of the downtown area.

Commissioners discussed differences between A-Frame signs and banners on poles

Commissioners discussed rewording "events not related to ongoing business." Anderson believed the restriction should be more over frequency of occurrence than the type of organization.

1 Urban pointed out even for temporary use, A-Frames are heavily regulated. Anderson suggested  
2 moving the entire section of 9.44.040(B)2c to 9.44.050 Temporary Signs.

3  
4 Commissioners agreed to:

5 Adjust 9.44.040(B)2c to: A-Frame Signs are allowed for events lasting no more than three (3)  
6 days.

7 Delete 9.44.040(B)2c.1

8 Adjust 9.44.040(B)2c.4 to: maximum of six (6) square feet with maximum dimensions of two (2)  
9 feet wide by three (3) feet tall.

10 Adjust 9.44.040(B)2c.7 to: permitted during the event

11  
12 9.44.050(C): Commissioners agreed real estate signs should be allowed to remain up until a  
13 property is sold or rented. Commissioners agreed to require real estate signs be removed within  
14 fifteen days after closing.

15  
16 9.44.050(A): Commissioners noted that people often have multiple political signs. Commissioners  
17 agreed to proceed with one temporary sign per issue, and to revisit the language of "issue" later.

18  
19 Anderson asked about the regulations on flags. Urban noted 9.44.010 exempted national and  
20 state flags. Kerti noted people display flags for their sports teams. A final decision was not  
21 reached.

22  
23 Urban adjourned the work session at 2:59 pm.

24  
25  
26  
27 \_\_\_\_\_  
28 Ron Urban, Vice-Chair

\_\_\_\_\_ Date

29  
30 Minutes prepared by H H Anderson on February 12, 2018.

# YACHATS PLANNING COMMISSION

February 27, 2018

## Draft Minutes

Chair Helen Anderson called the February 27, 2018 meeting of the Yachats Planning Commission to order at 3:01 pm in the Room 1 of the Yachats Commons. Members present: Ron Urban, Helen Anderson, Shelly Shrock, Ginny Hafner, and James Kerti. Absent: Christine Orchard and Mary Ellen O'Shaughnessey. Audience: 0.

### **I. Announcements and Correspondence**

### **II. Minutes**

#### **A. January 16, 2018 Regular Meeting**

Urban asked for clarification on Section IV: Planner's Report regarding Hetzler's Conditional Use regarding "hotel." Lewis indicated he discussed this issue with Al Ames of Lincoln County, who indicated the City did not need to take action.

Commissioner Kerti noted the spelling of "laurdromat" instead of "laundromat"

Urban moved to approve the January 16, 2018 Planning Commission regular meeting minutes as amended: Aye 5; No – 0.

#### **B. January 16, 2018 Work Session**

Urban asked if a public hearing should be scheduled for Light Industrial as noted in page 1, line 39.

Lewis indicated this matter would be bundled with sign regulations.

Page 1, Line 42: Commissioners should be Commissioner

Page 1, Line 42: Panama City or Panama City Beach

Urban moved to approve the January 16, 2018 Planning Commission work session minutes as amended: Aye 5; No – 0.

#### **C. January 23, 2018 Work Session**

Page 1, Line 4: Special Meeting should be Work Session

Page 2, Line 42: "website could accomplish" to "website could accomplish putting a link on the home page."

Urban asked about page 2, Line 21 indicated the Commission would revisit an issue. Anderson suggested Urban keep a note of this matter. Urban also noted follow-through is needed on Page 2, Line 41 regarding sign size and the clarity about Nonconforming Signs.

Urban moved to approve the January 16, 2018 Planning Commission regular meeting minutes as amended: Aye 4; No – 0. Hafner was absent.

#### **D. January 23, 2018 Special Meeting**

Shrock moved to approve the January 16, 2018 Planning Commission special meeting minutes: Aye 4; No – 0. Hafner was absent.

#### **E. February 6, 2018 Public Meeting**

Urban moved to approve the January 16, 2018 Planning Commission regular meeting minutes as amended: Aye 5; No – 0.

Hafner moved to approve the February 6, 2018 Planning Commission public meeting minutes: Aye 5; No – 0.

### **III. Citizen's Concerns**

1 Doug O'Connor (490 Lemwick Lane) explained the circumstances around a neighbor's hedge that  
2 has grown to over 12 feet. He has asked the neighbor to cut the hedge, and the neighbor said he  
3 would not. O'Connor distributed five photos. He asked that the Code Enforcement Officer to ask  
4 the neighbor to trim the hedge in accord with 9.52.030(B). The Code Enforcement Officer indicated  
5 that Lemwick Lane is actually private land, so this section of code did not apply.  
6

7 Anderson distributed copies of section 9.52.030 and explained there are three or four streets that  
8 are privately owned. She believed the setback requirement in 9.52.030 applies regardless of the  
9 type of street. Anderson explained she discussed the matter with Planner Lewis and clarified that  
10 "abuts a street" applies to any street and "any required yard" means yard that is required for a  
11 setback. Kerti asked if there had been other issues around code as a function of private streets.  
12 Shrock noted that the distinction for a private street is that the owner must maintain it.  
13

14 Commissioners agreed the interpretation of the code language is that the hedge should have a  
15 height limit of three feet within the first 20 feet of setback from the street. Anderson clarified that  
16 the report conclusion was presented to Council in as part of a larger list of code issue that arose  
17 over the past month. Anderson indicated she would draft a memo to the Code Enforcement Officer  
18 explaining the Commission's interpretation. Lewis noted fences can be over six feet if there is a  
19 building permit.  
20

21 O'Connor asked who was responsible to trimming the hedge on his property side. Shrock  
22 explained anything intruding into his yard would be his responsibility.  
23

24 Jacqueline Danos (116 Springhill) offered to help with researching planning and code issues,  
25 including investigating issues throughout the City.  
26

#### 27 **IV. Planner's Report**

28 Lewis summarized recent building permit activity. Commissioners discussed the tenant  
29 acceptance criteria for Layne Morrill's PUD on Diversity Drive.  
30

#### 31 **V. Other Business**

##### 32 **A. From the Commission**

33 Anderson announced that Commissioner O'Shaughnessey is willing to develop a boilerplate for a  
34 tracking sheet for Commission activity. This information would be stored in a binder so that anyone  
35 going forward can reference the actions taken about code changes and land use decisions.  
36

37 Hafner requested the letters be included in the next meeting packet.  
38

##### 39 **B. From Staff**

40 Lewis indicated he would be absent on March 20, 2018.  
41

42 Anderson adjourned the meeting at 3:47 pm.  
43  
44  
45  
46

47 \_\_\_\_\_  
Helen Anderson, Chair

47 \_\_\_\_\_  
Date

48  
49 Minutes prepared by H H Anderson on March 16, 2018.  
50

# YACHATS PLANNING COMMISSION

March 20, 2018

## Work Session Approved Minutes

Vice-Chair Ron Urban called the March 20, 2018 work session of the Yachats Planning Commission to order at 2:00 pm in the Room 1 of the Yachats Commons. Members present: Ron Urban, Helen Anderson, Shelly Shrock, Ginny Hafner, James Kerti, Christine Orchard, and Mary Ellen O'Shaughnessey. Absent: City Planner Larry Lewis. Audience: 0.

### **I. Sign Ordinance**

The Commission thanked Urban for his rhododendrons/hydrangeas presentation at the State of the City event.

#### 9.44.040(B)2.a – Building Signs

Urban reported he found data that indicated a maximum of one square foot for each linear foot of building width, which would be less than the current 20% of the façade in the Yachats code. Anderson located several jurisdictions with 10% of the façade limitations. For a ten-foot high façade, 10% of square footage is the same as one square foot for each linear foot of building. Commissioners discussed various building sizes within the City. Some jurisdictions set smaller percentages for a side façade, such as 5%.

Commissioners debated whether signs on the inside of a building showing through to the outside were part of the allowable façade calculation. Anderson felt strongly that any signage visible from the street is part of the façade signage. Several Commissioners thought the language about window signs on the interior being part of the maximum allowable façade was unclear.

Urban found that other jurisdictions use 32 square feet for the largest allowable sign size for any individual sign. Commissioners considered that a 24 square foot sign was very large. Several citizens at the public meeting believed 32 square feet was too big.

Commissioners agreed that:

- Signage on a given façade should be limited to 10% of the square footage of the façade.
- The maximum size of any one sign should be limited to 10% of the façade (all of the allowable sign footage on the facade)
- The maximum size of a given internally lit sign should be 24 square feet.

It was noted that Commissioners might want to revisit the working of the first sentence under 9.44.040(B)2.1 as the 10% façade maximum applies only to items 1, 2, and 4.

Urban suggested that the roof sign be limited to 16 feet high above the street grade, regardless of the height of the roof peak. Anderson and Kerti suggested roof signs not be allowed to be higher than the peak of the roof. Commissioners discussed whether a flat roof building could have a roof sign, and decided that peak roof and flat roofs should have different criteria. Commissioners agreed to the following:

#### **5) Roof Signs**

- i. No signs shall be painted directly on the roof
- ii. The roof sign height on a peak roof shall be limited to the lesser of 16 feet above the street or the peak of the roof.
- iii. A roof sign on a flat roof shall be limited to a maximum of 16 feet above the street grade but not more than 3 feet above the roofline.

1  
2 Kerti recalled a recommendation that monument sign size be tied to the frontage length of the  
3 property. Kerti asked if the thickness of the sign should be considered.

4  
5 Urban continued the work session at 3:05 pm to after the regular meeting.

6  
7 Urban re-opened the work session at 3:21 pm.

8  
9 Shrock asked for clarification on how the eight feet height would be determined if the sign were on  
10 a slope. Commissioners discussed how the slope would be considered and concluded the  
11 requirement applied to the sign itself, not the ground upon which it is installed.

12  
13 Commissioners discussed the depth or thickness of a sign. Shrock noted that an end or the  
14 thickness used as a sign would be included, and accounted for, in the total square footage allowed  
15 for that sign.

16  
17 Shrock asked how the base of a monument sign would be calculated in total signage square feet.  
18 Urban and Shrock suggested the sign part should be limited to 32 square feet.

19  
20 Commissioners discussed the street frontage amount that should be applied to situations allowing  
21 larger signs. Anderson noted the west corner lots on Aqua Vista Loop have a frontage of 100 feet.  
22 There was consensus that the only area that should be allowed larger signs is for the larger  
23 properties north of Marine Drive. Several Commissioners argued the criteria should be much  
24 larger than the lots in residential areas. Anderson estimated the Dublin House frontage to be  
25 around 240 feet. Commissioners agreed that 300 feet would be a reasonable frontage amount to  
26 allow for a wider monument sign.

27  
28 Commissioners agreed to:

29 3) Monument signs shall have a maximum of:

30 i. 5 feet wide, 8 feet high, and 32 square feet area on lots having up to 300 linear  
31 feet of street frontage.

32 ii. 8 feet wide, 8 feet high, and 50 square feet of area on lots with more than 300  
33 linear feet of street frontage.

34  
35 9.44.040(B)2.d – Banner Signs

36 Hafner recalled from the public meeting that citizens wanted to prohibit banner signs. Other  
37 Commissioners did not have the same recollection. There was consensus that banner signs are  
38 useful to events.

39  
40 For item 3, Commissioners agreed the 10 feet setback along the ingress/egress is too low and  
41 suggested a change to 15 feet.

42  
43 Commissioners disagreed about what constitutes a banner sign and what types of banner signs  
44 should be removed when the business is closed. Festivals leave their banner signs up for the  
45 entire festival. Kerti noted regulating signs around business hours was relevant to lit signs but not  
46 to banner signs.

47  
48  
49 Commissioners noted they need to address the definition of types of banners and additional  
50 regulations around those types at the next work session.

51  
52 Commissioner Shrock reported she will not be at the April meeting.

1  
2 Urban adjourned the meeting at 3:50 pm.  
3  
4  
5  
6

7  
8 \_\_\_\_\_  
9 Ron Urban, Vice-Chair

\_\_\_\_\_ Date

10 Minutes prepared by H H Anderson on April 12, 2018.  
11