

YACHATS PLANNING COMMISSION

May 15, 2018

Work Session Draft Minutes

Vice-Chair Ron Urban called the May 15, 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, Mary Ellen O'Shaughnessey, Ginny Hafner, and James Kerti, Shelly Shrock. Absent: Christine Orchard. Staff present: City Planner Larry Lewis. Audience: 0.

I. Sign Ordinance

Commissioner Urban summarized the Commission left off at 9.44.060. Commissioner Anderson clarified with Planner Lewis that no definition for "special occasion" or "temporary event." Commissioner Hafner added that the language of temporary signs not being used as part of "ongoing business" eliminated the need for defining temporary events.

Hafner asked if 9.44.050(G)2 on temporary sign placement would impact where the Lion's Club would place their signs. Lewis noted G.3 does allow for placement in the right-of-way under certain conditions.

Section 9.44.060 Maintenance and appearance of signs: Commissioners had no comments.

Section 9.44.070 Nonconforming signs: Urban noted how many nonconforming signs exist in Yachats. Anderson clarified that when a property changes ownership but the business remains the same, the nonconforming signage is grandfathered in. Lewis noted there are many signs that have never been permitted. Anderson indicated nonconforming signs that have been erected since the permitting requirement was established could be issued a citation.

Commissioner Kerti asked for clarification on the how the "50% of replaced value" is determined. Commissioners discussed how this requirement could be adverted by incremental repairs/replacement or inflating sign replacement costs. Lewis indicated this language is typical for other systems, and noted that some cities have implemented regulations that when a septic system needs repair, if the sewer system must be connected to the city sewer system. Anderson commented that while it could be a requirement that nonconforming signs in need of repair must be replaced, that rule could get excessive with signs like the one at the Dublin House. The cost to replace that could be quite significant. Commissioner Shrock pointed out there is not much incentive for property owners to bring their signs into compliance. Commissioner O'Shaughnessey added that many small businesses do not have high enough profits to be able to afford new signage.

Anderson suggested the City could have some program where they provide financial assistance to businesses that want to bring their signs up to code. Commissioners believed this idea had promise. Kerti asked if the Commission could send a memo to Council to make this request. Commissioners discussed options for handling the damage criteria and financial aspect of repairs and replacement. Shrock suggested that when the Commission forwards the sign ordinance to the Council, they could add a letter suggesting the sign replacement assistance program.

9.44.080 Abandoned signs: Commissioners discussed the definition of abandoned signs. Commissioners noted that while abandoned, nonconforming signs are required to be removed, often the business abandoning the property does not want to or cannot remove the existing sign, such as the example of the old bank sign. O'Shaughnessey suggested a time requirement for removal. Commissioners agreed to add 30-day removal criteria for 9.44.080(B) to read:

1
2 "Abandoned non-conforming signs shall be removed in their entirety within thirty (30) days
3 of closure."
4

5 Lewis noted with weed abatement, the City sends a letter stipulating the need to address the
6 problem and indicates the owner will be billed if they do not address the matter. O'Shaughnessey
7 suggested greater clarity is needed in the statement regarding the removal at owner's expense
8 with respect to 9.88.170, "Any person violating or causing the violation of any provisions within this
9 title shall be deemed to have committed a Class A civil infraction, such infraction to be processed
10 in accord with the procedures set forth in Chapter 1.12 which governs all civil infractions." Kerti
11 supported O'Shaughnessey's suggestion to add clarity to the consequences.
12

13 Anderson read the language with respect to weed abatement: Any actual costs incurred by the
14 City in enforcing this section, including, but not limited to, summary or other abatement costs
15 pursuant to subsections B and G of this section, shall become a lien against the property and
16 perfected and recorded as such according to state law (section 5.08.110(J)).
17

18 Commissioners agreed to add a section 9.44.100 to include the language used above for the weed
19 abatement section.
20

21 Kerti asked if a definition of "abandoned signs" was needed. O'Shaughnessey noted there is
22 language for when businesses have been "discontinued or completed." Commissioners agreed to
23 add the definition of abandoned signs to the definition section.
24

25 9.44.090 Variances: Urban summarized that the Commission can work to adjust appeals to allow
26 for reasonable requests. Lewis commented that getting a variance for a sign presents a greater
27 challenge than getting variances for other land use hardships.
28

29 Anderson noted that the City wants the Code Enforcer to be more proactive in getting vacation
30 rentals to have property management company signage closer to the street as required in the
31 Code. She noted that there are situations where people have complaints but do not want to go to
32 the front door to get information, and the Code Enforcement side wants contact information
33 readable from the street.
34

35 Anderson reported that a City Planner from another jurisdiction explained that while language to
36 address trespass lighting could be added, problems arise in the measurement of trespass lighting if
37 other light sources are in the area. Language in the sign section would require isolating the light
38 from just that sign, whereas added language to the lighting requirements section of the code would
39 eliminate the need to parcel out the sources of light. Anderson suggested that regulating the
40 trespass lighting issue would be much more effectively and efficiently handled in Section 5.08 of
41 the Code.
42

43 Anderson also reported the planner indicated the electric code stipulated lighting standards for
44 internally lit signs, and the likelihood of those types of signs causing significant trespass lighting is
45 low. She suggested this light source would be covered in the same measure used for trespass
46 light.
47

48 Commissioners discussed next steps to set the Public Hearing on the sign code. Lewis indicated
49 he would get the draft to the City Attorney and to OLCD. The draft of the Light Industrial code
50 section could be added to this hearing.
51

1 Lewis noted the Commission needs to review the Comp Plan changes to get the hearing on that
2 topic scheduled. Anderson asked Lewis to provide a draft of the Plan to Commissioners to be
3 discussed at the next work session.

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5 Urban adjourned the work session at 2:56 pm.
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11 Ron Urban, Vice-Chair

Date

12 Minutes prepared by H H Anderson on June 7, 2018.
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DRAFT