

STAYTON PLANNING COMMISSION AGENDA

**Monday, April 30, 2018
7:00 pm Stayton Community Center**

- 1. CALL TO ORDER** **Chair Lewis**
- 2. MEETING MINUTES – March 26, 2018**
- 3. REVIEW OF PROPOSED ZONE MAP AMENDMENTS**
 - a. Staff Report**
 - b. Commission Discussion**
- 4. AMENDMENTS TO STANDARD CONDITIONS OF APPROVAL**
 - a. Staff Report**
 - b. Commission Deliberation**
 - c. Commission Decision**
- 5. REQUEST FOR AMENDMENT TO SIGN CODE**
 - a. Review of Letter from Stayton United Methodist Church**
 - b. Commission Deliberation**
 - c. Commission Decision**
- 6. ADJOURN**

DATE OF NEXT MEETING: Tuesday, May 29, 2018

**STAYTON PLANNING COMMISSION
MEETING MINUTES**

Monday, March 26, 2018

COMMISSIONERS: Jackie Carmichael, Vice Chair
Dixie Ellard
Heidi Hazel (absent)
Paige Hook
Ralph Lewis, Chair (absent)

STAFF MEMBERS: Dan Fleishman – Planning & Development Director
Lisa Meyer – Public Works Administrative Assistant

OTHERS PRESENT: Bill Lulay, Richard Lewis, Julie Bochsler

1. **CALL TO ORDER:** Vice Chair Carmichael called the meeting to order at 7:02 p.m.
2. **APPROVAL OF MINUTES:** Hook moved and Ellard seconded to accept the minutes from February 26, 2018.
3. **LAND USE FILE #4-02/18 –PUBLIC HEARING Application for preliminary subdivision approval, Kardboard Box LLC, N Evergreen Ave.**
 - a. **Commencement of Public Hearing-** Carmichael opened the hearing at 7:02 p.m. and read the opening statement. No objections were made from the audience to the notice in this case or the jurisdiction of this body to hear the case. There were no declarations of conflict of interest, ex parte contact or bias by members of the Planning Commission.
 - b. **Staff Introduction-** Fleishman explained that this is an Application for a subdivision. The current parcel has two existing houses on it and frontage on three different streets- Ida, High and Evergreen.
 - c. **Applicant Presentation-** Bill Lulay, North Santiam Paving, PO Box 516, Stayton, OR. Lulay described the project as an infill. He plans to subdivide the existing parcel into six lots and retain the existing houses. No variance will be requested at this time. The project will meet all frontage requirements and utilities are available on site in front of the lots they will serve. Lulay complimented the City staff with the writing of the Finding of Facts. Lulay agrees and accepts all the conditions. The Applicant plans for a 17 ft. half street improvement on W High Street including the curb and sidewalk in front of the newly developed lots. N Evergreen Avenue and W Ida Street are fully developed. The house on lot 5 is currently connected to the 4” water line on W Ida Street. The City plans to abandon the 4” line. The Applicant proposes to connect to the 16” line that is across the street on W Ida. The Applicant plans to use the existing sanitary sewer in High Street and connect with a 4” stub to the main. The Applicant proposes to connect the sanitary sewer for lot 6 to High Street rather than having to do a street cut on W Ida Street to connect to the existing line on the south side of the street. There will be an easement to cover the sanitary line and it will not impact the footprint of the proposed house. The Applicant plans to TV the existing sewer lines for lots 1 & 5 to make sure they are in good condition. A stormwater detention pipe for the roof drains is proposed on lot 4. The water is already clean coming off the roof so no treatment is necessary. The water will run into the pipe or swale and the water will be released at a metered rate. The stormwater from High Street will run off the

street into a swale. The swale will be lined with plants to clean the water and infiltrate slowly. The City will maintain the swale since it's in the right-of-way. The detention pipe in lot 4 collects the water from pipes in lots 2,3, 4 & 5. The private pipes will be maintained by the land owners through a CC & R or some type of agreement. The Applicant will make sure they meet the City standards regarding the calculations in section D, E, F of the Conditions of Approval. The Applicant explained that it's likely the 1200C State permit will not be required since the threshold of disturbing more than one acre will not be met. The Applicant plans to dedicate an additional 10 ft. of right of way on Evergreen and 5 ft. along Ida to meet the 30 ft. requirement from the center line of the street. The City is requesting an additional one foot of right of way behind the back of the sidewalks. The Applicant will have to reduce the swale from 7 ft. to 6.5 ft. The Applicant would like the flexibility to work with staff in regards to the one foot right of way requirement behind the sidewalks. The subdivision name will be Bochsler Addition. The dry line utilities will all be underground. The final plat shall complete all street improvements. The Applicant is in agreement with the staff's conditions of approval. The Applicant would like clarification on two items- 1) the Applicant requests the CC & Rs to cover the private facilities not public facilities and 2) the Applicant requests to have 6" right of way behind the sidewalks rather than the 12" requested by the City.

- d. Staff Report-** Fleishman referenced that the traffic assessment letter in the packet mentions that each of the new lots will have a single family home on them. The property zoning does allow for duplexes. If duplexes are built, that would affect the number of driveways and the separation distance between driveways. Those issues can be dealt with when the permit is issued. Fleishman explained that he originally suggested that the private stormwater facility be on a tract of land that is commonly owned by the lot owners rather than an easement. He thought the stormwater facility was a shared system. Fleishman later determined the stormwater system is made up of individual systems right next to each other on the easement and not a shared system. He provided a revised draft order this evening should the Commissioners make a decision tonight.
- e. Questions from the Commission-** Ellard asked what will happen to the trees. Lulay explained that some of the trees will have to come down to make room for the sidewalk on High Street. Trees in the middle of the lot will be taken down to make room for the new structure. Some of the trees along the edge may be able to stay. Carmichael inquired if the Applicant is planning on building homes on the individual lots. The Applicant plans to keep the existing two houses and construct four new houses. The total area of the proposed six lots is 1.24 acres. Hook requested clarification of the City sidewalk standards. Fleishman explained that the Public Works Department has a set of design standards for sidewalks. Five feet is the minimum for sidewalks, a 6-7 ft. for a planting strip between the sidewalk and the curb, and one foot from the back of the sidewalk for the right of way. The Applicant requests 6" from the back of the sidewalk. The condition of approval is written to provide 1 ft. as necessary from the back of the sidewalk. Fleishman confirmed that the proposal meets the City's sidewalk standard.
- f. Proponents' Testimony-** None
- g. Opponents' Testimony-** None
- h. Governmental Agencies-** None
- i. General Testimony-** None
- j. Questions from the Public-** Richard Lewis, 1890 Westminster Place, Stayton, OR. He is neither for nor against the proposal. Lewis wanted to know where the public notice of the hearing was posted. He drove by the property last week and again this morning and there is nothing posted. The Planning Director acknowledged that he forgot to notify the Applicant to pick up the sign from the Planning Office.
- k. Questions from the Commission-** None

- l. Applicant Summary-** Lulay explained that when the proposed sidewalks are dedicated, they will be 5.5 ft. on Ida Street, 10 ft. on Evergreen and 1 ft. for High Street. He requested the Commissioners consider to add “or as agreed to by staff” with regards to allowing a 6” dedication for High Street. The Applicant is fine with giving a full foot of right of way for the radius of the NE corner and the NW corner. The Applicant is requesting to allow 6” rather than 12” from the back of the sidewalk to the monument.
- m. Staff Summary-** In response to the Applicant’s Summary, Fleishman noted the language in the draft order has the additional right of way to be dedicated on W High St and W Ida St “as necessary” which provides the flexibility to work it out with staff.
- n. Close of Hearing-** Carmichael closed the hearing at 7:33 p.m.
- o. Commission Deliberation**
- p. Commission Decision-** Ellard moved to approve the Application with conditions and adopt the revised the draft order as presented, Hook seconded. Passed 3:0.

4. REVIEW OF POTENTIAL ZONE MAP AMENDMENTS

- a. Staff Report-** Fleishman explained that last month the Planning Commission held a public hearing for code amendments that addressed non-conforming uses in commercial and industrial zones. The Planning Commission requested to look at changing the zoning so the City doesn’t have so many non-conforming uses. There are roughly 90-100 single family homes that are non-conforming uses. Fleishman identified three clusters of single family homes in a commercial or industrial zone to consider for zoning map changes.

The first cluster is located on Third Avenue and Second Avenue, North of Stayton Elementary. The recommendation is to change the zoning to medium density residential with the exception of the vet clinic and the pet supply warehouse on Second Avenue.

The second cluster identified is West Washington Street and Birch Street behind Stayton Plaza. The recommendation is to change the zoning map to low density residential on the north side of W Washington Street and medium density residential on the south side of W Washington Street. There are two nonresidential uses within the zone. Stayton Cleaners and Stro’s Photography would be impacted by the change.

The third cluster is on W Washington on the south side of the Salem Ditch. The area is partly zoned light industrial, but there are a whole row of single family homes on small lots that are not likely to be useful for industrial purposes. There are a number of single family homes in the commercial general zone on the south side of W Washington and along N Noble Ave and N Oak Ave. The recommendation would be to put the area along W Washington into low density and the area along N Noble Ave and the east side N Oak Ave into medium density.

Another area to consider changing the zoning is located downtown on Water St and is zoned light industrial. The area involves two parcels with single family homes. Fleishman explained he brought this issue to the Comprehensive Plan Update Committee about 6 years, but they did not want to move forward at that time. The Commissioners asked about the single family homes located in the Downtown Residential Mixed Use (DRMU) zone. Fleishman recommended a text amendment that would allow for single family homes rather than zone map amendment. Hook asked if it is difficult for homeowners to sell the property in the DRMU zone. Fleishman is not sure how the non-conforming uses impact the homeowners in the DRMU zone when selling their home. Hook asked if it is beneficial to change all the areas at once. Fleishman explained it may save the City some money to purchase one newspaper ad rather than splitting up the changes over months with multiple

newspaper notices, but it is not a significant amount. Hook wanted to confirm that Stro's photography and Stayton Cleaners would not be affected by a zone change. Fleishman explained the Assessor's Office could change the value of their property if the zoning changed, but didn't think there would be any impact to their property taxes. Fleishman confirmed that the City's code allows for a non-conforming use to continue to operate, and it can only be replaced by a conforming use.

- b. **Commission Deliberation-** Hook was concerned about changing the zoning for Stro's and the Stayton Cleaners to residential. Fleishman recommended changing the proposal to keep those properties in the commercial zone. The Commissioners discussed the process of notifying the affected homeowners and having a public meeting.
 - c. **Commission Decision-** Hook moved to initiate a Comprehensive Plan Map amendment for all three areas outlined in the staff report, Ellard seconded. Passed 3:0.
5. **TRANSPORTATION SYSTEM PLAN UPDATE – Planning Commission representation on the Public Advisory Committee-** Fleishman explained the need to have representation from the Planning Commission. Hook, Ellard and Carmichael would like to represent the Planning Committee on the Advisory Committee. Julie Bochsler also expressed interest on being on the committee.

6. **ADJOURN**

Meeting adjourned at 8:06 p.m.

MEMORANDUM

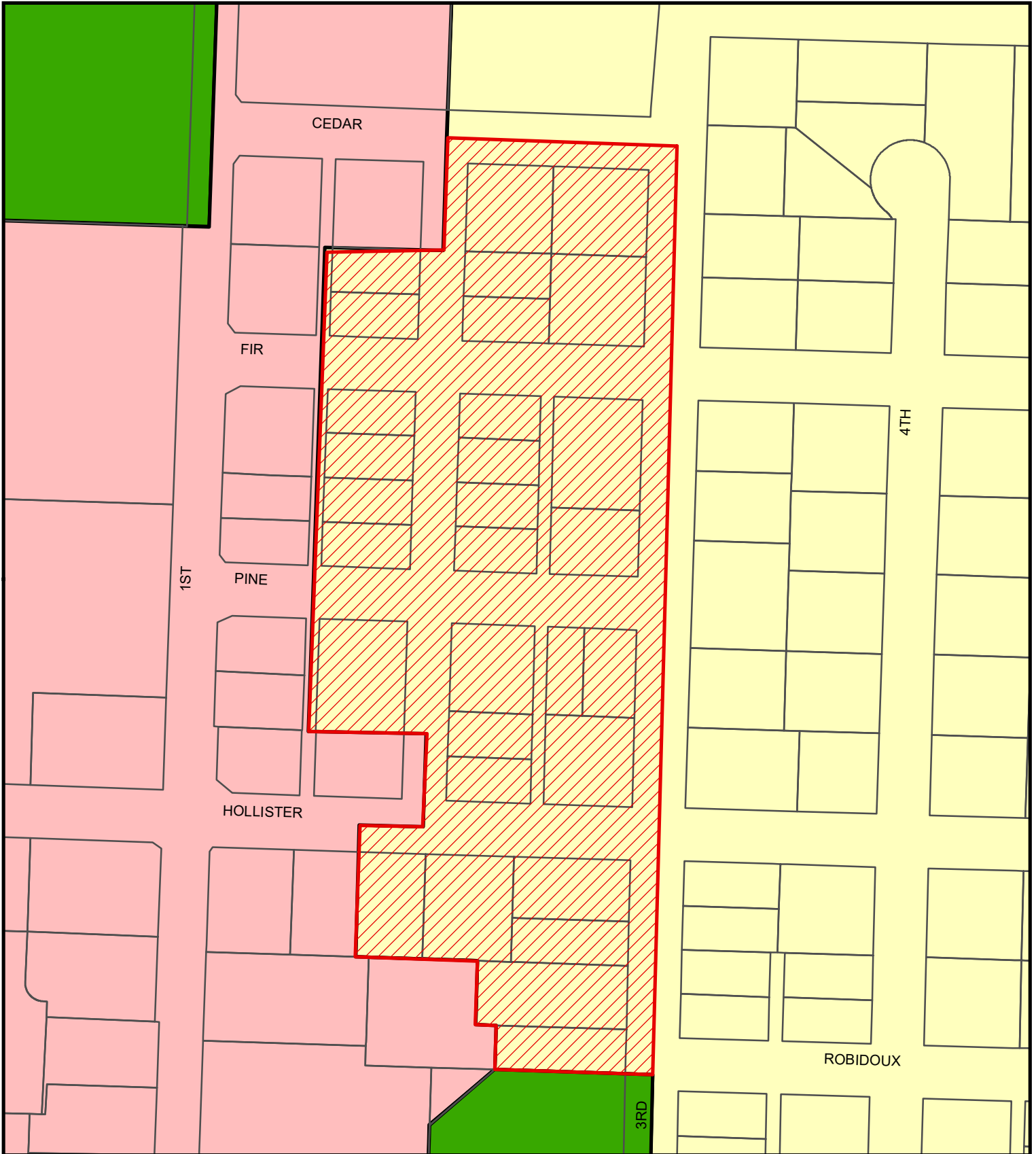
TO: Chairperson Ralph Lewis and Planning Commission Members
FROM: Dan Fleishman, Director of Planning and Development
DATE: April 30, 2018
SUBJECT: Proposed Zone Map/Comprehensive Plan Map Amendments

At the March meeting, the Planning Commission voted to amend the Comprehensive Plan Map and the Zoning Map in three neighborhoods where there is a preponderance of nonconforming single family dwellings. A public hearing on the proposed amendments will be held on Tuesday, May 29. Notice of the amendments has been filed with the Oregon Department of Land Conservation and Development. Notice of the hearing has been sent to the all of the property owners in the areas proposed to be changed.

Attached are a series of maps showing the Comprehensive Plan Map amendments and the Zoning Map amendments. With the light agenda, I thought we take the opportunity to review the maps and confirm the Planning Commission's intent.



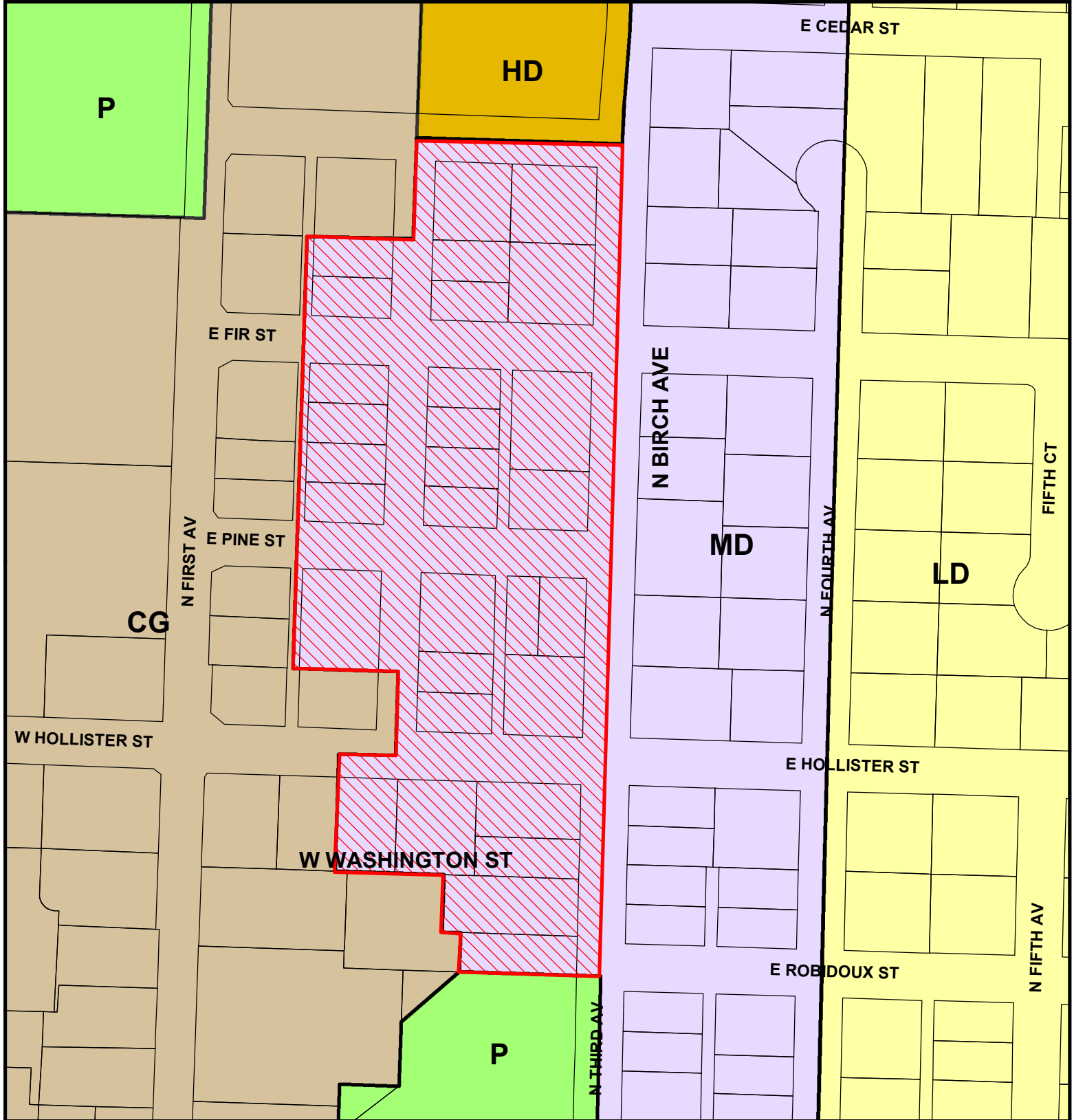
**Proposed Comprehensive Plan Map Amendment
N Second Ave & N Third Ave
Planning Commission Public Hearing
May 29, 2018**




 **Proposed Comprehensive Plan Designation from Commercial to Residential**



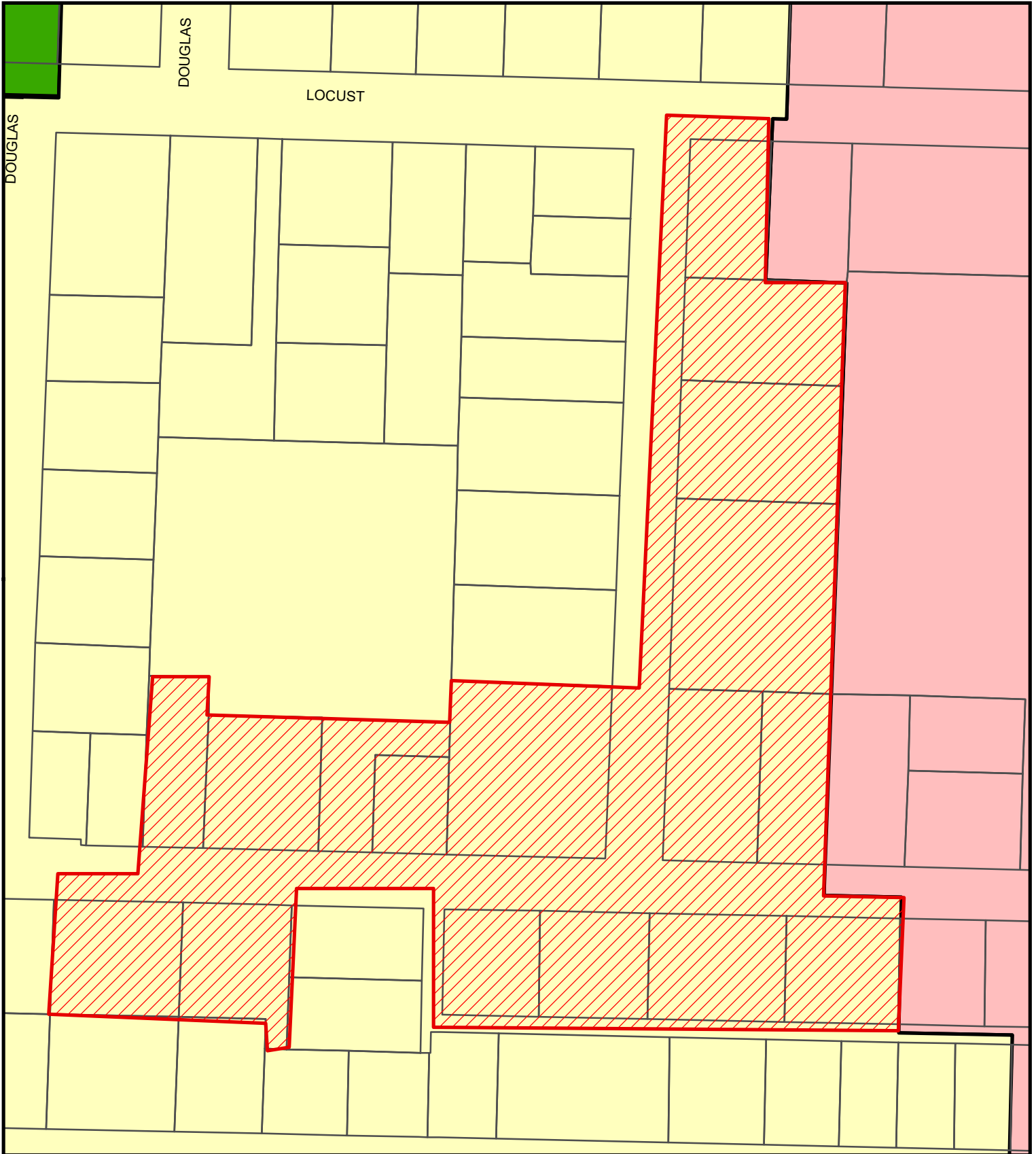
**Proposed Zone Map Amendment
N Second Ave & N Third Ave
Planning Commission Public Hearing
May 29, 2018**



 Proposed Zone Change from Commercial General to Medium Density Residential



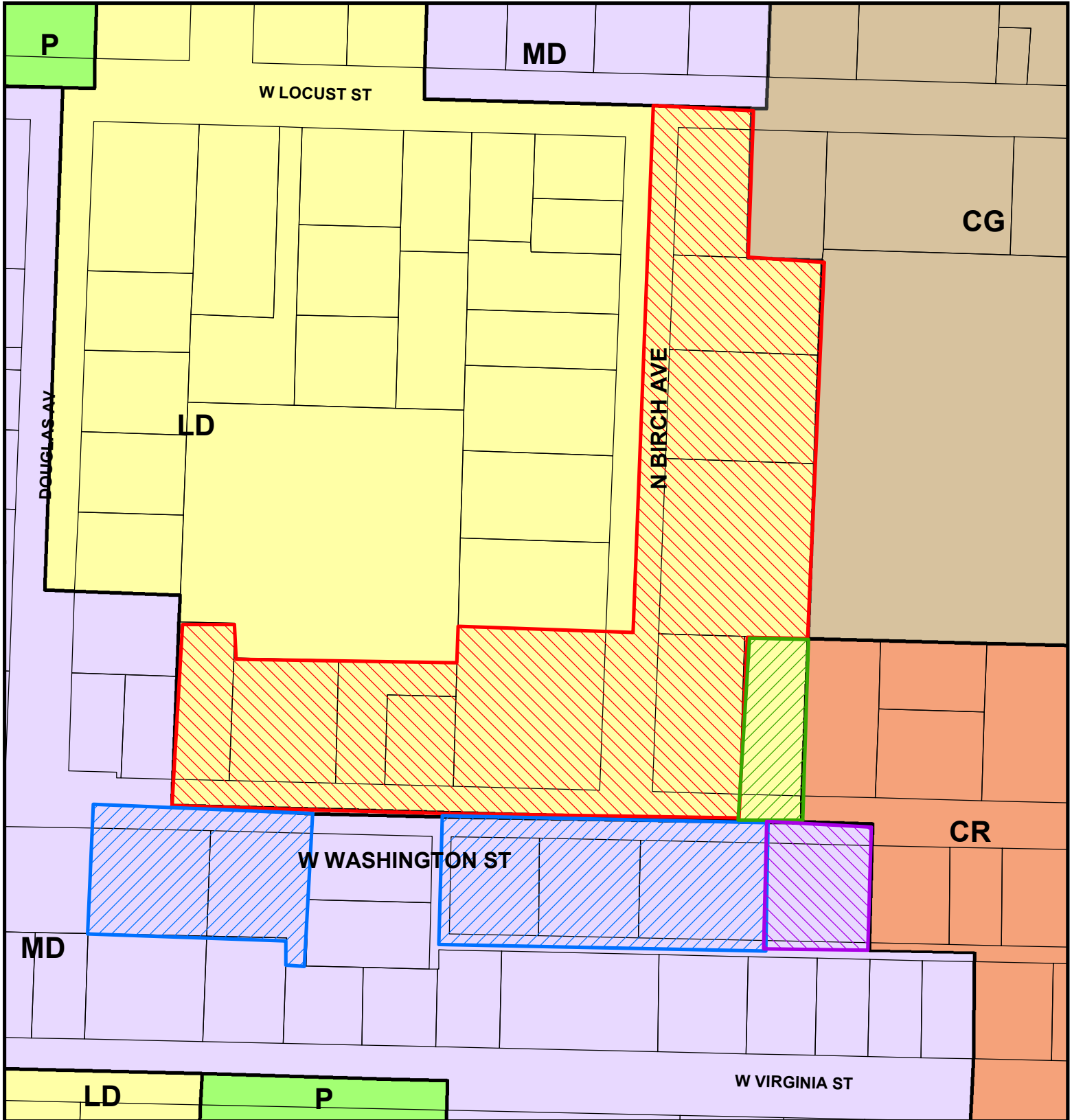
**Proposed Comprehensive Plan Map Amendment
W Washington St & N Birch Ave
Planning Commission Public Hearing
May 29, 2018**



 **Proposed Comprehensive Plan Designation from Commercial to Residential**



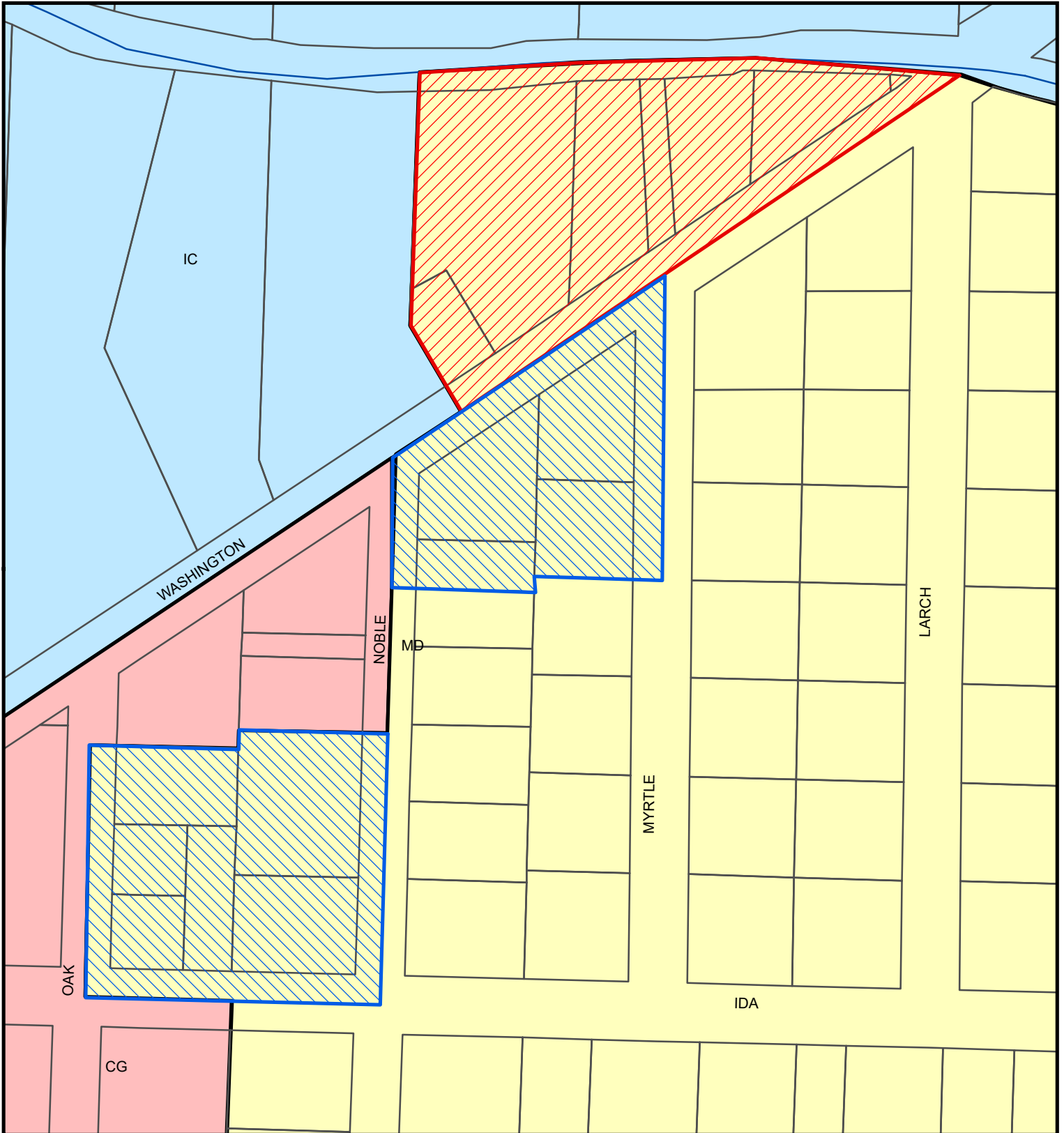
**Proposed Zone Map Amendment
W Washington St & N Birch Ave
Planning Commission Public Hearing
May 29, 2018**



- Proposed Zone Change from Commercial General to Low Density Residential
- Proposed Zone Change from Commercial Retail to Low Density Residential
- Proposed Zone Change from Commercial General to Medium Density Residential
- Proposed Zone Change from Commercial Retail to Medium Density Residential



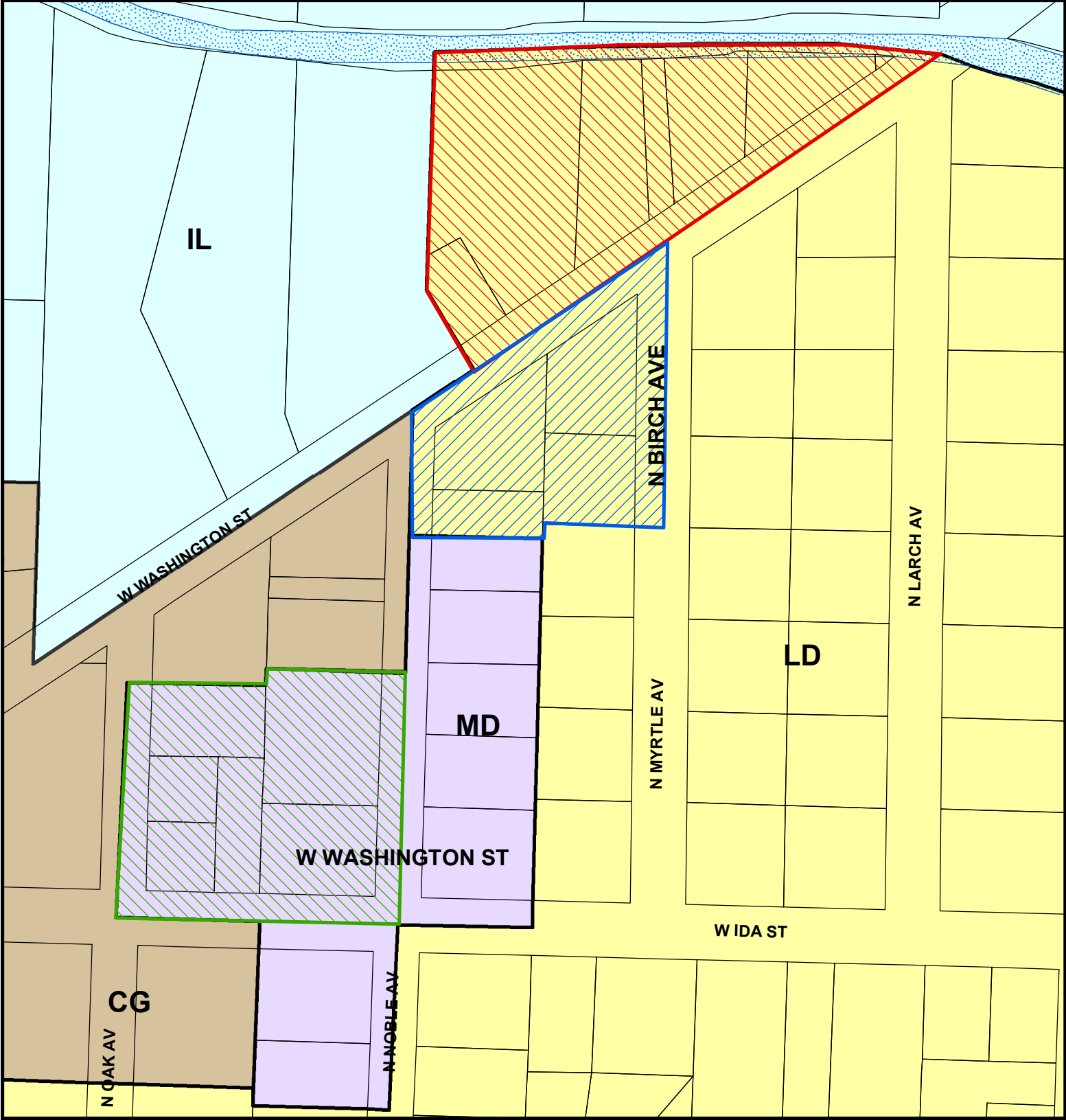
**Proposed Comprehensive Plan Map Amendment
W Washington St & N Noble Ave Area
Planning Commission Public Hearing
May 29, 2018**




-  Proposed Comprehensive Plan Designation from Industrial to Residential
-  Proposed Comprehensive Plan Designation from Commercial to Residential



**Proposed Zone Map Amendment
W Washington St & N Noble Ave Area
Planning Commission Public Hearing
May 29, 2018**



-  Proposed Zone Change from Light Industrial to Low Density Residential
-  Proposed Zone Change from Commercial General to Low Density Residential

-  Proposed Zone Change from Commercial General to Medium Density Residential

MEMORANDUM

TO: Chairperson Ralph Lewis and Planning Commission Members
FROM: Dan Fleishman, Director of Planning and Development
DATE: April 30, 2018
SUBJECT: Proposed Amendments to Standard Conditions of Approval

Every land use decision is subject to a set of Standard Conditions of Approval. These were adopted shortly after my arrival here in 2006 when I saw that the same conditions were included in every order of approval. They have been adjusted occasionally since then. I have attached some further amendments that have been developed in conjunction with the Public Works Department and the City Engineer.

These amendments reflect changes to the procedures in the Public Works Standards.

Staff recommends that the Planning Commission adopt the updated Standard Conditions of Approval.

OPTIONS AND MOTIONS

1. Adopt the updated Standard Conditions of Approval as presented
Move to adopt the updated Standard Conditions of Approval as presented.
2. Adopt the updated Standard Conditions of Approval with modifications
Move to adopt the updated Standard Conditions of Approval with the following modifications...
3. Retain the current Standard Conditions of Approval unchanged
No motion necessary

Standard Conditions of Approval for Land Use Applications

General

1. **Approved Land Use Plans** - Minor variations to the approved land use plans shall be permitted provided the development substantially conforms to the submitted land use plans, conditions of approval, and all applicable standards contained in the Stayton Municipal Code (SMC) ~~Stayton Land Use and Development Code~~ and City of Stayton Public Works Standards. The applicant shall be responsible for all costs relating to the development, including the design and construction of any required public improvements identified for the project in the approved land use plans, the conditions of approval, the SMC, and Public Works Standards.
2. **Agency-City Approvals** - ~~:-~~ The applicant shall obtain all necessary ~~any and all required reviews, approvals, and permits~~ ~~and approvals~~ from the City ~~of Stayton~~ prior to construction of the project.
3. **Change in Use** - Any change in the use of the premises from that identified in the application shall require the City Planner to determine that the proposed use is an allowed use and that adequate parking is provided ~~on the parcel~~ for the development.
4. **Landscaping** - The applicant shall remain in substantial conformance to the approved landscaping plan and follow the criteria established in SMC 17.20.090 for maintenance and irrigation. Dead plants shall be replaced within six months with a specimen of the same species and similar size class.

Prior to Engineered Plan Approval

5. **Design Standards** - All public and privately financed public improvements within the project shall be prepared, signed, and stamped by a Professional Engineer registered in the State of Oregon and shall be designed to the most current edition of the Public Works Standards plus the requirements of the SMC in effect at the time the engineered plans are submitted. (SMC 12.08.310.1)
6. **Engineered Plans** - The applicant's design engineer shall submit engineered plans for review and approval of all required public improvements identified for the project in the approved land use plans, the conditions of approval, the SMC and Public Works Standards. Engineered plans shall be reviewed by the City and signed approved by the City Engineer or Public Works Director, prior to issuance of City permits. All conditions of approval for the project will need to be met to the satisfaction of the City Planner and Public Works Director prior to approval of the engineered plans.
7. **Surveys** – Surveys for public improvements shall be performed under the direction of a Professional Land Surveyor registered in the State of Oregon.
8. **Utility Coordination** ~~ies~~ - Utility companies and public agencies as applicable shall be notified early in the design process and in advance of construction to coordinate all parties impacted by the construction.

~~5.9. Agency Approvals - The Developer shall be responsible for all costs relating to the required public improvements identified in the approved plan and the specific conditions of approval and within the City Ordinances Stayton Municipal Code and Standard Specifications Public Works Standards. The developer applicant is also responsible for securing design shall obtain any and all required reviews, approvals, and permits from all City, State and Federal agencies having jurisdiction over the work proposed. This may includes, but is not limited to, the City of Stayton, Marion County, the Stayton Fire District, Marion County, DEQ, ODHS OHA-DWS (water design), DSL, 1200C Fire Code Official, Building Code Official, (state excavation permit), etc. Written documentation of all required agency approvals as applicable shall be submitted to the City prior to approval of the engineered plans.~~

Prior to Construction

10. **Developer Agreement** – Where public improvements are required, the applicant shall submit to the City an approved (by City Attorney) Developer-Engineer-City Agreement signed and notarized by the applicant and the design engineer, or a signed Developer-Engineer of Record Agreement (for minor privately financed public improvements) signed by the applicant and the design engineer, prior to issuance of City permits.

11. **Permits, Insurance, and Indemnification** – All required permits, insurance, and indemnification shall be obtained by the applicant and provided to the City in accordance with the Public Works Standards prior to construction. A 1200C permit shall be secured by the applicant if required under the rules of the Oregon State DEQ.

12. **Design Engineer's Estimate** – Where public improvements are required, an estimate performed by the design engineer of the total estimated project cost shall be provided to the City for review and acceptance. This is needed to determine the amount of bonding required for the project.

~~6.13. Performance Construction Bonding - Where public improvements are required, a performance bond, or other form of performance guarantee acceptable to the City Manager and City Attorney, is required to be in place, prior to issuance of City permits. Bonding shall be required if there are any public improvements. Prior to start of construction of any public improvement, t~~
The developer applicant shall provide a ~~construction~~ performance bond in the amount of ~~100~~125% of the total estimated project costs, ~~plus added City costs associated with public construction. The bond shall be~~ in accordance with the Public Works Standards. The performance bond shall be in a form acceptable to the ~~Public Works Director of Public Works.~~

14. **Pre-Construction Conference** - Where public improvements are required, a pre-construction conference shall be held prior to construction in accordance with the Public Works Standards.

During Construction and Project Completion

~~7.15. Construction Specifications~~ - Where public improvements are required, all public and privately financed public improvements within the project shall be constructed to the most current edition of the Public Works Standards plus the

requirements of the SMC in effect at the time the engineered plans are submitted.
(SMC 12.08.310.1)

- 8.16. **Construction Inspection**- Where public improvements are required, all public improvements shall be inspected by the design engineer, or a qualified individual under their supervision, in accordance with the Public Works Standards to assure the construction is following the approved engineered plans. **Inspection**- At least **five** ~~three~~ days prior to ~~commencing~~ construction ~~of any public improvements~~, the ~~Developer applicant~~ shall notify the Public Works Director ~~of Public Works~~ in writing of the date when ~~(s)he~~ the applicant proposes to commence construction ~~of the improvements, so that the City can arrange for inspection.~~ -The written notification shall include the name and phone number of the contracting company and the responsible contact person. ~~-Any supplemental inspection by the City does not relieve the applicant or the design engineer of providing the required inspection. City inspection will not relieve the developer or his engineer of providing sufficient inspection to enforce the approved plans and specifications.~~
9. ~~**Public Works Standards**~~- Where public improvements are required, all public and private public works facilities within the development will be designed to the City of Stayton Public Works Design Standards, Public Works Standard Construction Specifications, and Public Works Standard Specification Drawings (PW Standards) plus the requirements of the Stayton Municipal Code (SMC) in effect at the time the engineered plans are submitted. (SMC 12.08.310.1)
10. ~~**Engineered Plans**~~- Where public improvements are required, the applicant's engineer shall submit design plans for approval of all public improvements identified on the approved plan or as specified in conditions of approval. ~~All design plans must meet the Stayton PW Standards in effect at the time the plans are submitted. Engineered construction plans and specifications shall be reviewed by the City Engineer and signed approved by the City Engineer, or Stayton Public Works Department Director, prior to construction.~~
11. ~~**Street Acceptance**~~- Where public improvements are required, acceptance of completed public street improvements associated with the project shall be in accordance with SMC 12.04.210310.
17. ~~**Construction Approval**~~**Project Completion** - Where public improvements are required, ~~the~~ All public improvements and public utilities shall be fully constructed and a project completion report that certifies to the City that the project was constructed according to the approved plans and specifications and that the correct required testing and inspections were satisfactorily performed shall be provided by the design engineer in accordance with the Public Works Standards. ~~letter of substantial completion provided by the City Engineer prior to any building permit applications being accepted or issued u~~Unless the required public improvements are deferred under a non-remonstrance or other agreement approved and signed by the City, a notice of final completion and provisional acceptance of the public improvements is to be provided by the City to the applicant following the completion of construction, prior to the recording of the final plat and prior to any building permit applications being accepted or issued. -Construction items must be completed within

a specified period of time provided in the approval letter or the approval of any additional building permits will be withdrawn by the City.

~~12.18.~~ **Maintenance-Warranty Bond** - Where public improvements are required, ~~A~~after completion and provisional acceptance of ~~a~~the public improvements by the City, the ~~developer~~applicant shall provide a 1-year ~~maintenance-warranty~~ bond in the amount of 30% of the ~~construction-performance~~ bond amount in accordance with the Public Works Standards. -The warranty bond shall be in a form acceptable to the ~~Director of~~ Public Works Director.

~~19.~~ **As-Built Record Drawings** - Where public improvements are required, the ~~developer~~applicant shall submit to the City, reproducible ~~as-built~~record drawings and an electronic file of all public improvements constructed during and in conjunction with ~~this~~the project within three months of the completion of construction. -Field changes made during construction shall be drafted ~~to the drawings~~on the plans in the same manner as the original plans with clear indication of all modifications (strike out old with new added beside). ~~As-built~~Record drawings shall be submitted prior to ~~final~~provisional acceptance of the construction, initiating the one-year maintenance period.

~~13.20.~~ **Warranty Bond Release and Final Acceptance** – Where public improvements are required, the release of the warranty bond and final acceptance of the public improvements will be in accordance with SMC 12.04.310 and the Public Works Standards

~~14.~~ **Drainage Permit**— ~~A 1200C permit will be secured by the developer if required under the rules of the Oregon State DEQ.~~

~~15.21.~~ **SDCs and Other Utility Fees** - Systems Development Charges and other utility fees (Mill Creek Sewer Interceptor, etc.) as applicable, will be~~are~~ applied to the project at the time of issuance of a building permit.

MEMORANDUM

TO: Chairperson Ralph Lewis and Planning Commission Members
FROM: Dan Fleishman, Director of Planning and Development
DATE: April 30, 2018
SUBJECT: Proposed Amendments to Sign Regulations

The regulations regarding signs within the Land Use and Development Code do not allow signs to be placed within a street right of way except for sidewalk signs in the downtown area.

We recently received the attached letter from the Stayton United Methodist Church, requesting the Planning Commission consider amending the standards to allow temporary or portable signs in the public right of way outside of the downtown area.

Staff is hesitant to recommend the Planning Commission pursue such an amendment. However, if a majority of Planning Commission members wish to, staff will return at the May meeting with some proposed language for consideration.

To: Mr. Dan Fleishman

April 24, 2018

From: Irene Marchbanks & Myrna Headrick
Stayton United Methodist Church
1450 Fern Ridge RD SE, Stayton

Re: The Stayton Sign Code

Around December 11, 2017, the Stayton United Methodist Church placed a relatively small A frame sign on the parking strip in front of our church to advertise our 12/16/17 Christmas Choir Program. (We consider the “parking strip” to be the area between the sidewalk and the street.) Our property is on a straight section of Fern Ridge and the sign did not impair vision or movement on the street or sidewalk. We have used this A frame sign with changeable panels for several years with no problem.

Around Friday, December 14th, we were informed by the police that the city had received a complaint about the sign and that it had to be removed before Monday morning or we would be subject to a \$250 fine. Harsh.

We would like to find a legal way to use the parking strip in front of our property for temporary signs. If we put temporary signs back behind the public right of way, they will not be visible to passers-by. We have a few events throughout the year that we would like to advertise such as: our annual Holiday Bazaar (all proceeds go to charity); the Police Dog Spaghetti Fundraiser (all donations go to the Police dog fund); the Choir Christmas Program; Christmas Eve Service; Easter Services; etc. We are a commercial property. It looks from the city map that we are zoned public/semi-public. We do not have houses facing us across the street and there are no houses to the East of us. There are residential houses to the West of us along the South side of Fern Ridge. There is a land-locked city park behind us to the South; our property and parking lot are used by visitors to access and use the park.

I would like to propose that the code be amended to allow for temporary signs in the city’s parking strips, perhaps with some caveats:

- Exception: temporary or portable signs will be allowed in parking strips, subject to the following conditions.
 - Temporary or portable signs are yard signs or A Frame signs for: open houses, garage sales, special events, elections, etc
 - Temporary or portable signs in the parking strip may not violate vision clearance provisions or impede pedestrians on sidewalks.
 - Signs shall not be placed on telephone poles, traffic signs, or other public apparatus.
 - All signs shall be removed within 2? days of the day on which the special event, open house, garage sale or election is conducted.
 - The person and/or organization who placed the temporary sign will be responsible for removing it in a timely manner.
 - And so on...

So if a code change doesn't fly, I would like to look into a variance for the Stayton United Methodist Church to be permitted to place temporary and portable signs in our parking strip:

1. Unique circumstance: if we place our small temporary signs behind the Right-of-Way, they will not be visible to the passers-by.
2. Granting the variance is equitable because we are not a "business" competing with others.
3. Granting the variance shall not decrease traffic safety or public safety
4. Granting the variance will not result in a special advantage, because we are not a "business".
5. The need for the variance is not of our causing. The Right-of-Way is so wide, the small temporary signs would not be noticed so far from the road.
6. We have observed that accommodations have been made for commercial properties in the downtown area such as allowing placement of signs on the sidewalks. We know you must have some latitude in allowing exceptions to Right-of-Way restriction.

Thank you for your consideration of my requests.

Irene Marchbanks

503-910-9791

irenemarchbanks@aol.com