

CITY OF KEIZER MISSION STATEMENT
KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY PROVIDING CITY SERVICES TO THE COMMUNITY IN A COORDINATED, EFFICIENT, AND LEAST COST FASHION

AGENDA

KEIZER CITY COUNCIL

REGULAR SESSION

Monday, October 18, 2010

7:00 p.m.

**Robert L. Simon Council Chambers
Keizer, Oregon**

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. PUBLIC TESTIMONY

This time is provided for citizens to address the Council on any matters other than those on the agenda scheduled for public hearing.

5. PUBLIC HEARINGS

a. Keizer Development Code Text Amendment Section 2.308 (Signs)

6. ADMINISTRATIVE ACTION

7. CONSENT CALENDAR

8. COMMITTEE REPORTS

a. PROCLAMATION – Lights On After School Days

- b. Appointments to Keizer Budget Committee
- c. Keizer Rotary Amphitheatre Task Force Final Report

9. OTHER BUSINESS

This time is provided to allow the Mayor, City Council members, or staff an opportunity to bring new or old matters before the Council that are not on tonight's agenda.

- a. New Business or Old Business Issues

10. WRITTEN COMMUNICATIONS

To inform the Council of significant written communications.

11. AGENDA INPUT

November 1, 2010

6:30 p.m. – Urban Renewal Agency Meeting

- Keizer Urban Renewal Board – Term Limits
- Urban Renewal Agency Supplemental Budget

7:00 p.m. – City Council Regular Session

- Ordinance - Keizer Station Area B Master Plan

November 8, 2010

5:45 p.m. – City Council Work Session

- 911 Emergency Communications

November 15, 2010

7:00 p.m. – City Council Regular Session

12. ADJOURNMENT

COUNCIL MEETING: October 18, 2010

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

THROUGH: CHRIS EPPLEY, CITY MANAGER
NATE BROWN, COMMUNITY DEVELOPMENT DIRECTOR

FROM: SAM LITKE, SENIOR PLANNER

SUBJECT: TEXT AMMENDMENT FOR SECTION 2.308 (SIGNS)

ISSUE:

The proposed revisions to Section 2.308 (Signs) of the Keizer Development Code will amend the code to allow A-frame signs, which are now considered as temporary signs, to be allowed as permanent signs subject to certain standards. The Planning Commission voted unanimously to support the proposed text amendment.

DISCUSSION:

After receiving testimony relating to sign regulations at City Council meeting of May 3, 2010 Council directed staff to work with the Chamber of Commerce and their Economic Development and Government Affairs Committee (EDGA) to hear the concerns of the business community and make a recommendation on appropriate changes to the sign code. EDGA held two meetings where they heard the concerns of business owners and asked City staff to present concepts that could address these concerns. EDGA's concerns were forwarded to the City Council which held a work session in July. After which the Council initiated the process to consider a text amendment on the issues presented.

The proposed revisions will allow "A-Frame" signs as temporary signs provided that they are no more than 6 sq ft size; spaced no closer than 50 feet from other "A-frame" signs; placed only on private property, behind the sidewalk; do not block a sidewalk, exit or other pedestrian way; and are removed after business hours; "feather signs" would be allowed as a temporary sign type; an increase in the allowed time for temporary signs (currently allowed 90 days). Real estate signs on residential properties would be limited to 6 sq ft (currently allowed 32sq ft) and 16 sq ft for commercial properties.

While not part of the Planning Commission's recommendation they did discuss that many of the issues over signs in integrated business centers may be better resolved through working with the property owner rather than the individual businesses.

RECOMMENDATION:

That the City Council open the public hearing, allow testimony, and close the public hearing. It is further recommended the City Council direct staff to prepare an Ordinance with findings to adopt the proposed revisions.

Attachments:

- Section 2.308-draft

2.308 SIGNS

2.308.01 Purpose

The purpose of these sign regulations is to provide equitable signage rights, reduce signage conflicts, promote traffic and pedestrian safety, and, increase the aesthetic value and economic viability of the city, all by classifying and regulating the location, size, type and number of signs and related matters, in a content-neutral manner. (5/98)

2.308.02 Definitions

For the purposes of this Chapter, the following definitions shall apply: (5/98)

Alteration or Altered: Any change in the size, shape, method of illumination, position, location, construction, or supporting structure of a sign. A change in sign copy or sign face alone shall not be considered an alteration. (5/98)

Area: The area of a sign shall be the entire area within any type of perimeter or border which encloses the outer limits of any writing, representation, emblem, figure, or character. If the sign is enclosed in a frame or cabinet the area is based on the inner dimensions of the frame or cabinet surrounding the sign face. When a sign is on a base material and attached without a frame, such as a wood board or Plexiglas panel, the dimensions of the base material are to be used.

The area of a sign having no such perimeter, border, or base material shall be computed by enclosing the entire area within a parallelogram or a triangle of the smallest size sufficient to cover the entire message of the sign and computing the area of the parallelogram or a triangle. For the purpose of computing the number of signs, all writing included within such a border shall be considered one sign, except for multi-faced signs on a single sign structure, which shall be counted as one sign per structure. The area of multi-faced signs shall be calculated by including only one-half the total area of all sign faces. (5/98)



Sign Area

Awning: A shelter supported entirely from the exterior wall of a building and composed of non-rigid materials, except for the supporting framework. (5/98)

Building Face: The single wall surface of a building facing a given direction. (5/98)

Building Frontage, Primary: The portion of a building face most closely in alignment with an adjacent right-of-way or fronting a parking lot when so defined, as allowed in this chapter. A gasoline service station may use the overhanging canopy as a substitute for building frontage when computing the allowable sign area. The longest side of the canopy shall be used to compute the allowable sign area. (Ord. 2005-533 11/05)



Awning Sign



Building Frontage and Face

Building Frontage, Secondary: Buildings located on lots abutting more than one Right of Way or a parking lot may designate one building face as a secondary building frontage. (Ord. 2005-533 11/05)

Canopy Sign: A sign hanging from a canopy or eve, at any angle relative to the adjacent wall, the lowest portion of which is at least eight (8) feet above the underlying grade. (5/98)

Construct: Build, erect, attach, hang, place, suspend, paint in new or different word, affix, or otherwise bring into being. (5/98)

Election Signs: Those signs which relate to an election, initiative or political viewpoint. Such signs will otherwise meet the specifications of Temporary Signs. (5/04 – Ord 2004-498)

Electronic Message Sign: Signs that incorporate as part of, or wholly, an electronic message or display by means of light emitting diodes, plasma, electronic ink, or other means that allow that display to be changed through electronic controls. Further, an electronic message sign cannot be a wall sign. (10/08 – Ord 2008-581)



Canopy Sign

Finish Ground Level: The average elevation of the ground (excluding mounds or berms, etc. located only in the immediate area of the sign)

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adjoining the structure or building upon which the sign is erected, or the curb height of the closest street, whichever is the lowest. (5/98)

Flashing Sign: A sign any part of which pulsates, scrolls, flutters, animates, lights intermittently, or blinks on and off. (10/08 – Ord 2008-581)

Free-Standing Sign: A sign supported by one or more uprights, poles or braces placed in or upon the ground, or a sign supported by any structure primarily for the display and support of the sign. (5/98)

Incidental Signs: A sign that is normally incidental to the allowed use of the property, but can contain any message or content. Such signs can be used for, but are not limited to, nameplate signs, warning or prohibition signs, and directional signs not otherwise allowed. (5/98)

Indirect Illumination: A source of illumination directed toward such sign so that the beam of light falls upon the exterior surface of the sign. (5/98)

Integrated Business Center: A group of two or more businesses which are planned or designed as a center, and share a common off-street parking area or access, whether or not the businesses, buildings or land are under common ownership. (5/98)

Internal Illumination: A source of illumination from within a sign. (5/98)

Joint Use Sign: When two or more businesses combine part or all of their total allowed sign area into free-standing sign for each common frontage of such business. (5/98)

Multi-faced Sign: A sign which has two or more identical sign faces, contained in a single sign structure. (5/98)

Multi-family Dwelling: A residential structure or complex of structures that include three or more separate dwelling units, whether rented or owned by the occupants. (5/98)

Mural: An illustration (with or without words or numbers) which is painted or otherwise applied (without projections) to an outside wall of a structure. (5/98)



Free-Standing Sign



Indirect Illumination



Small Integrated Business Center



Large Integrated Business Center



Joint-Use Sign



Multi-Faced Sign

Nit: Nit is used as a measurement of luminance, where the Nit is equal to one candela per square meter (1cd/m²). A candela is a unit of measurement of the intensity of light, where one candela is the monochromatic radiation of 540THz with a radiant intensity of 1/683 watt per steradian in the same direction. By way of example, an ordinary wax candle generates approximately one candela. (10/08 – Ord 2008-581)

Nonconforming Sign: Any sign which lawfully exists prior to the effective date of this chapter but, which due to the requirements adopted herein, no longer complies with the height, area and placement regulations or other provisions of these regulations. (5/98)



– Portable Signs

Owner: As used in these regulations, "owner" means owner or lessee of the sign. If the owner or lessee of the sign cannot be determined, then "owner" means owner or purchaser of the land on which the sign is placed. (5/98)

Portable Sign: Any sign that is not originally designed to be permanently affixed to a building, structure, or the ground. A sign originally designed, regardless of its current modification, to be moved from place to place. These signs primarily include, but are not limited to, A-frame signs, sandwich board signs, wind feather signs, and signs attached to wood or metal frames and designed to be self supporting and movable, ~~and also including trailer reader boards.~~ Portable signs are not to be considered temporary signs as defined and used in this chapter. (5/98)



Projecting Sign

Projecting Signs: A sign the face of which is not parallel to the wall on which it is mounted. (Ord. 2005-533 11/2005)

Real Estate Sign: A sign for the purpose of rent, lease, sale, etc. of real property, building opportunities, or building space. (5/98)



Roof Line and Roof Sign

Roof Line: Either the eaves of the roof or the top of the parapet, at the exterior wall. (A "mansard roof" is below the top of a parapet and is considered a wall for sign purposes.)

Roof Sign: A sign or any portion of which is displayed above the highest point of the roof, whether or not such sign also is a wall sign. (5/98)

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Rotating/Revolving Sign: A sign, all or a portion of which, moves in some manner. (5/98)

Sign: Any writing, including letter, word, or numeral; pictorial presentation, including mural, illustration or decoration; emblem, including device, symbol or trademark; flag, including banner or pennant; or any other device, figure or similar thing which is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a building or structure or device; and is used to announce, direct attention to, or advertise; and is visible from any public right-of-way. (5/98)



Sign Height

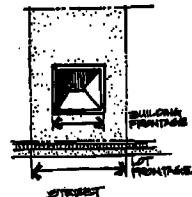
Sign Face: Surface of a sign containing the message. The sign face shall be measured as set forth in the definition for "area." (5/98)



Sign Face

Sign Height: The distance from the finish ground level, to the top of the sign or the highest portion of the sign structure or frame, whichever is greater. (5/98)

Sign Structure: The supports, uprights, braces, framework and other structural components of the sign. (5/98)



Street Frontage

Street Frontage: That portion of a property that abuts a paved street right-of-way and measured by the lineal distance of the property adjacent to such right-of-way. (5/98)

Temporary Business: A business of a temporary nature authorized through a Temporary Business Permit issued by the City of Keizer. (5/98)

Temporary Sign: A sign not permanently affixed to a structure on a property. These signs primarily include, but are not limited to banners or posters made of canvas, cloth, rigid plastic or paper, or vinyl banners or posters hung on a building wall or on a permanent pole such as on a free-standing sign support. Paper signs may only be used for single day events. (5/04 Ord. 2004-498)



Temporary Sign

Wall Sign: A sign attached to, erected against or painted on a wall of a building or structure, with the exposed face of the sign in a plane approximately parallel to the face of said wall. A sign painted on an awning in which the face of the sign is approximately



Wall Sign

parallel to the wall shall also be considered a wall sign. (5/98)

2.308.03 Review Procedures

- A. Permit Required. Except as specifically excluded herein, no property owner, lessee or contractor shall construct or alter any sign without first obtaining a valid permit to do so. (5/98)
- B. Current Signs. Owners of conforming or nonconforming signs existing as of December 4, 1989 are not required to obtain a permit until the end of the abatement period described in Section 2.308.04.C. (5/98)
- C. Permit Fees. Permit fees shall be established from time to time by City Council resolution. (5/98)
- D. Application Requirements. An application for a sign permit shall be made on a form prescribed by the Zoning Administrator. The application shall include, at a minimum, a sketch drawn to scale indicating the proposed sign and identifying existing signs on the premises, the sign's location, graphic design, structural and mechanical design and engineering data which ensures its structural stability. The application shall also contain the names and address of the sign company, person authorizing erection of the sign and the owner of the subject property. (5/98)

The Zoning Administrator shall issue a permit for a sign unless the sign is in violation of the provisions of these regulations or other provisions of the Keizer Zoning Ordinance. Sign permits mistakenly issued in violation of these regulations or other provisions of the Keizer Zoning Ordinance are void. The Zoning Administrator may revoke a sign permit if he finds that there was a material and misleading false statement of fact in the application for the permit. (5/98)

- E. Design, Construction, and Maintenance. All signs shall be designed, constructed, and maintained according to the following standards: (5/98)
 - 1. Compliance with Building Codes. All signs shall comply with the applicable provisions of Uniform Building Code in effect at the time of the sign permit application and all other applicable structural, electrical and other regulations. The issuance of a sign permit under these regulations does not relieve the applicant of complying with all other permit requirements. (5/98)

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2. **Materials.** Except for banners, flags, temporary signs, and window signs conforming in all respects with the requirements of these regulations, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or other structure by direct attachment to a rigid wall, frame, or structure. (5/98)
3. **Maintenance.** All signs shall be maintained in a good structural condition and readable at all times. (5/98)
4. **Owner Responsibility.** The owner shall be responsible for its erection and maintenance and its compliance with the provisions of these regulations or other laws or Ordinances regulating signs. (5/98)
5. **Aesthetics.** All signs shall be professional in appearance, constructed in a workmanship like manner to professional standards.

2.308.04 Nonconforming Signs

- A. **Alteration of Nonconforming Sign Faces.** Nonconforming signs are subject to the following provisions regarding alteration: (5/98)
 1. **Change Permitted.** Within the abatement period described in Section 2.308.04.C., a change in sign face alone is allowed without requiring compliance with these regulations. (5/98)
 2. **Termination of Nonconforming Sign.** Within the abatement period described in Section 2.308.04.C., when a nonconforming sign face is damaged or destroyed by fire, flood, wind, or other calamity or act of God, such sign face may be restored to its original condition provided such work is completed within sixty (60) days of such calamity. However, a sign structure or support mechanisms so damaged shall not be replaced except in conformance with the provisions of these regulations. (5/98)
- B. **Permits for Properties with Nonconforming Signs.** (5/98)
 1. **Businesses in Integrated Business Centers.** For individual businesses in integrated business centers, all signs of the individual business must comply prior to issuance of sign permits for new or altered signs. No free-standing sign permits will be issued for the integrated business center, unless all free-standing signs comply. (5/98)

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2. **Businesses Not in Integrated Business Centers.** No permits shall be issued for new or altered signs unless all signs of the individual business comply with these regulations, except as set forth in Section 2.308.04.B.4. (5/98)
 3. **Nonconforming Sign Area.** Except as set forth above and in Section 2.308.08.B.4., all conforming and/or nonconforming signs in existence as of the date of the permit application shall be included in the total allowed area, number or size when reviewing applications for new or altered signs to be allowed on the property. (5/98)
 4. **Exception for Non-Owned Signs.** Signs which are not owned or controlled by the property owner or lessee prior to May 7, 1990, and which were constructed or installed prior to May 7, 1990, shall not be included in the total allowed area for sign permits granted prior to May 7, 1997. (5/98)
- C. **Abatement of Nonconforming Signs.** Permanent signs in existence on May 7, 1990 that are not in conformance with the provisions of this Ordinance shall be regarded as nonconforming signs and must be removed, altered, or replaced so as to conform on or before May 7, 1997. The period from the date of the enactment of these regulations to May 7, 1997, shall be described as the "abatement period." Nonconforming signs remaining after the abatement period ends shall be considered illegal signs. Temporary and portable signs that are not in conformance with the provisions of this Ordinance shall be regarded as nonconforming and shall be removed on or before September 7, 1990. (10/2008 Ord. 2008-581)

The Zoning Administrator shall notify non-conforming permanent sign owners by certified mail of the conformance deadline at least two years prior to such deadline as a public service. Failure to be notified of the deadline shall not relieve the owner of responsibility to conform with this Ordinance within the time period herein. Properties annexed to the City after the effective date of this Ordinance shall have 7 years following annexation in which to conform to these regulations, with the exception of temporary signs that shall conform to the regulations within 90 days following annexation. (5/98)

Electronic Message Signs which are legally placed and maintained in all respects on or before October 6, 2008 shall be allowed to remain as non-conforming signs and do not have to be brought into compliance. However, once a non-conforming Electronic Message Sign is removed, any replacement sign must comply in all respects with these regulations. (10/2008 Ord. 2008-581)

- D. Abandoned Signs. All signs for a business shall be removed within 30 days after that business ceases to operate on a regular basis, and the entire sign structure or structures shall be removed within 12 months of such cessation of operation. (5/98)
- E. Minor Nonconforming Signs. Individual signs that otherwise comply and are existing as of May 7, 1990, that are within 5% of both the allowed area (total and per sign) and the allowed height as set forth in these regulations are allowed to remain as nonconforming signs and do not have to be brought into compliance. However, once a nonconforming sign is removed, any replacement sign must comply in all respects with these regulations. (5/98)

2.308.05 Signs Generally Permitted

Subject to the limitations in Sections 2.308.04.C., 2.308.07 and 2.308.08, the following signs and sign work are permitted in all zones. These signs shall not require a permit, and shall not be included when determining compliance with total allowed area: (5/98)

- A. Sign Copy. Painting, change of sign face or copy and maintenance of signs legally existing on the effective date of this Ordinance. If structural changes are made, the sign shall conform in all respects with these regulations. (5/98)
- B. Temporary Signs. Temporary signs that do not exceed 16 square feet in area. No lot may display temporary signs for more than ~~90~~ 120 days in any ~~365-day period~~ calendar year. Only one temporary sign per lot may be displayed at a time except during the period 45 days preceding and seven days following elections, signs which relate to such elections may be unlimited in number. (5/04 Ord. 2004-498)
- C. Real Estate Signs. ~~Real estate signs not exceeding 32 square feet that advertise the sale, rental or lease of premises upon which the sign is located. Commercial Properties may display a real estate sign not exceeding 16 square feet in area. Residential properties may display a real estate sign not exceeding 6 square feet in area. Real estate signs may be used up to two years without a permit.~~ (5/98)
- D. Government Signs. Signs posted by or under governmental authority including legal notices, traffic, danger, no trespassing, emergency, city identification, and signs related to public services or safety, and signs approved by City Council resolution for special events or activities. (Ord 2005-533 11/2005)

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- E. Development Signs. One sign not over 32 square feet for a residential development or subdivision, and located at each street entrance to the development. (5/98)
- F. Incidental. Incidental signs that do not exceed 6 square feet. Such signs shall not be mounted on permitted freestanding sign structures. (5/98)
- G. Flags. Flags on permanent flag poles that are designed to allow raising and lowering of the flags. Flagpoles shall either be freestanding or shall be mounted on the building but if mounted on the building may not be taller than the peak of the roof. Flags shall not exceed 25 square feet in area. (5/98)
- H. Interior Signs. Signs within a building. (5/98)
- I. Window Signs. For commercial or industrial buildings, signs painted or hung on the inside of windows. (5/98)
- J. Non-profit Signs. A non-profit organization may display a portable sign subject to the following: (5/98)
 - 1. Three signs per organization at one time. (5/98)
 - 2. Maximum sign area: 16 square feet. (5/98)
 - 3. The sign shall be displayed no more than six times in any 365 day period, and shall not be displayed longer than five days each time. (5/98)
 - 4. The sign shall not be placed on public property or in any right-of-way. (5/98)
 - 5. The non-profit organization shall request and receive consent from the property owner of the property on which the sign is placed. (5/98)
 - 6. If requested, the non-profit organization shall provide appropriate proof that such organization is organized not to make a profit, but for charitable, educational, religious, or philanthropic purposes. (5/98)
- K. Residential Signs. Residential signs, pursuant to requirements in Section 2.308.07. (5/98)
- L. Election Signs. During the period of forty-five (45) days prior and seven (7) days after any governmental election, signs which meet the

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definition of temporary signs, and which pertain to such election, may be unlimited in number. (5/04 Ord. 2004-498)

- M. Portable Signs. Portable signs may be displayed for a maximum of 120 days in any calendar year, and are limited to 6 square feet in area. The following additional standards apply to portable signs:
1. Portable signs located within 10 feet of the main entry of a business may be displayed without limit to time.
 2. Portable signs not located adjacent to a business entrance may not be within 50 feet of any other portable sign on the same lot or less than 10 feet from a property line.
 3. Portable signs must be located on private property, and may not be within any public sidewalk easement or right of way. If located along a public street, signs must be located behind the sidewalk regardless of property line location.
 4. Portable signs cannot impede sidewalks, exits, or other pedestrian, vehicular, or bicycle way.
 5. Portable signs may only be displayed during business hours.

2.308.06 Prohibited Signs

The following signs are prohibited: (5/98)

- A. Tethered Signs. Balloons or similar types of tethered objects, including strings of pennants. (5/98)
- ~~B. Portable Signs. Portable signs (except as noted in Section 2.308.05.J.~~
(5/98)
- ~~B.C.~~ Roof Signs. Roof signs or signs which extend higher than the roof line. (5/98)
- ~~C.D.~~ Odor, Visible Matter. Signs that emit odor, visible matter, or sound, however an intercom system for customers remaining in their vehicles, such as used in banks and "drive through" restaurants, shall be allowed. (5/98)
- ~~D.E.~~ Wire Supports. Signs that use or employ side guy lines of any type. (5/98)
- ~~E.F.~~ Obstructing Signs. Signs that obstruct any fire escape, required exit, window or door opening used as a means of egress. (5/98)
- ~~F.G.~~ Utility Lines. Signs closer than 24 inches horizontally or vertically from any overhead power line or public utility guy wire. (5/98)

- GH.** Vehicle, Trailer Signs. No vehicle, ~~or~~ trailer, or trailer mounted reader boards shall be parked on a public right-of-way or public property, or on private property so as to be visible from a public right-of-way which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby premises. This provision applies where the primary purpose of a vehicle is for advertising purposes and is not intended to prohibit any form of vehicular sign, such as a sign attached to a motor vehicle which is primarily used for business purposes, other than advertising. (5/98)
- HI.** Rotating/revolving Signs. (10/2008 Ord. 2008-581)
- IJ.** Flashing Signs. (10/2008 Ord. 2008-581)
- JK.** Projection Signs. Projecting signs exceeding 24 inches and private signs that project into or over driveways and public right-of-ways, except signs under a canopy that projects over a public sidewalk and the sign is 8 feet or more above the sidewalk. (Ord 2005-533 11/2005)
- KL.** View Obstruction. Signs that obstruct required vision clearance area or obstruct a vehicle driver's view of official traffic control signs and approaching or merging traffic, or which present a traffic hazard. (5/98)
- LM.** Safety Interference. Signs that interfere with, imitate, or resemble any official traffic control sign, signal or device, emergency lights, or appears to direct traffic, such as a beacon light. (5/98)
- MN.** Use of Utility Poles. Signs attached to any pole, post, utility pole or placed on its own stake and placed into the ground in the public right-of-way. (5/98)
- NO.** Vacant Land. Any sign on unimproved property, unless allowed as a temporary sign. (5/98)
- OP.** Electronic Message Signs. Electronic message signs except by conditional use permit. Electronic message signs that change more frequently than once per fifteen (15) minutes are prohibited. Further, any change made with the use of scrolling, flashing, fluttering or other animated effects is prohibited. Variances to any of these requirements are not allowed. (10/2008 Ord. 2008-581)

2.308.07 Non-Commercial Signs

The following regulations apply to signs for residences, public or semi-public buildings and similar non-commercial, non-industrial uses: (5/98)

- A. Sign types. The following sign types are allowed: (5/98)
1. Wall, canopy and window signs subject to the limitations in 2.308.07.C. (5/98)
 2. Free-standing signs subject to the limitations in 2.308.07.C. (5/98)
 3. Temporary displays consisting of any sign type for a period not to exceed 21 days in any 365 day period, however the owners or responsible parties of such displays shall be responsible for any public or private nuisance. (5/98)
- B. Maximum number. Any combination of wall, canopy or free-standing signs not exceeding the sign area and height limitations of this Section; plus signs allowed in Section 2.308.07.A.3. (5/98)
- C. Maximum Sign Area. Maximum total sign area for property on which the building or buildings are located: (5/98)
1. Single-family and two-family (duplex) dwelling: 6 square feet. (5/98)
 2. Multiple family dwelling: 32 square feet. (5/98)
 3. Public and semi-public: 64 square feet. (5/98)
- D. Maximum sign height:
1. Wall, canopy or window sign: 8 feet. (5/98)
 2. Free-standing sign: 6 feet. (5/98)
- E. Location: (5/98)
1. Wall, canopy or window sign shall be set back from the property lines of the lot on which it is located, the same distance as the building containing the permitted use; provided that wall signs may project into the required setback space up to 1.5 feet. (5/98)
 2. Free-standing signs are permitted where fences are allowed. (5/98)

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- F. Illumination. Except for Electronic Message Signs, non-commercial signs may only be indirectly illuminated by a concealed light source, shall not remain illuminated between the hours of 11:00 p.m. and 6:00 a.m., (except by conditional use permit) and shall not flash, blink, fluctuate or produce glare. (10/2008 Ord. 2008-581)

2.308.08 Commercial and Industrial Signs

The following regulations apply to signs for commercial and industrial uses:
(5/98)

A. Non-integrated Business Centers:

1. Total allowed area. One and one-half square feet of total allowed sign area for each lineal foot of building frontage, up to a maximum total allowed area of 150 square feet. (5/98)
2. Type, maximum number and size of signs. Within the total allowed area, one free standing sign per street frontage and an unlimited number of wall, canopy or projecting signs. Regardless of total allowed area, the free-standing signs shall be limited to a maximum of 100 square feet in area, shall not exceed one sign on each frontage, and shall be oriented to face the traffic flow on the street upon which then front. (5/98)
3. Maximum sign height: (5/98)
 - a. Wall and canopy signs shall not project above the parapet or roof eaves. (5/98)
 - b. Free-standing signs: 20 feet. (5/98)
4. Location: (5/98)
 - a. Wall or projecting signs may project up to 2 feet from the building. (5/98)
 - b. Free-standing signs have no limitations except the signs shall not project over street right-of-way and shall comply with requirements for vision clearance areas and special street setbacks. (5/98)

B. Integrated Business Centers:

1. Allowed area. For wall, canopy and projecting signs on individual businesses within an integrated business center, one and one-half square feet of total allowed sign area for each lineal

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foot of building frontage for the individual business, up to a total maximum of 150 square feet per business. The sign area of a projecting sign shall be calculated as a free-standing sign. Individual businesses may not assign their unused allowed area to other businesses in the integrated business center. Free standing signs are permitted only as set forth below and in Section 2.308.08.C. (Ord 2005-533 11/2005)

2. On a Secondary Building Frontage, one wall sign shall be allowed, in addition to that listed above, at the rate of 0.75 sq ft per lineal foot of that portion of the building designated a Secondary Building Frontage, up to a maximum of 75 sq ft. (Ord 2005-533 11/2005)
3. Free-standing Sign. For each integrated business center, 1 free-standing sign per street frontage not to exceed 100 square feet in area. Free-standing signs shall not exceed one sign on each frontage and shall be oriented to face the traffic flow on the street upon which they front. (Ord 2005-533 11/2005)
4. Maximum sign height: (5/98)
 - a. Wall and canopy signs shall not project above the parapet or roof eaves. (5/98)
 - b. Free-standing signs: 20 feet. (5/98)
5. Location:
 - a. Wall or projecting signs may be located on any face of the building, except as provided in 2.308.08.B.4.b, and may project up to 2 feet from the building. (Ord 2005-533 11/2005)
 - b. Wall signage located on a Secondary Building Frontage shall be limited to only one sign, limited in size as provided in 2.308.08.A.2. In no case may any signage derived on the primary building frontage be located on the secondary building frontage. (Ord 2005-533 11/2005)
 - c. Free-standing signs have no limitations except the signs shall not project over street right-of-way and shall comply with requirements for vision clearance areas and special street setbacks. (5/98)
- C. Mixed Use Developments. Signs for developments containing a mixture of commercial and residential uses shall be subject to the following restrictions: (5/98)

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1. Non-commercial uses shall be subject to the provisions in Section 2.308.07. (5/98)
 2. Commercial-industrial uses shall be subject to the provisions for integrated business centers in Section 2.308.8.B. (5/98)
 3. Free-standing signs shall be subject to the provisions in Section 2.308.08.B.2. (5/98)
- D. Additional Signs. Within the limitations of this subsection, the signs below do not require a permit and are not included in calculating allowed area and number of signs. (5/98)
1. Secondary Entrance. When a business has two public entrances, each on a separate building wall, there is permitted one additional wall sign not to exceed 10 square feet in area for the wall where the entrance is not the primary entrance. (5/98)
 2. Directional Signs. Directional signs, such as "Exit" or "Entrance", are allowed either as wall or freestanding signs. Such signs shall be limited to 3 square feet in area and 2 per driveway. Free standing directional signs shall be limited to a height of 6 feet. (5/98)
 3. Menu Boards. Order signs describing products and/or order instructions to a customer, such as menu boards on the exterior of a drive-through restaurant are allowed as follows: one per business limited to 40 square feet in area and a maximum height of 8 feet. Any order sign greater than 10 square feet in area and/or 6 feet in height must be screened from adjacent streets by a sight obscuring fence, wall or hedge. (Ord 2005-533 11/2005)
- E. Signs for Temporary Businesses. Temporary businesses may display temporary or portable signs, other than trailer mounted reader boards or any sign that includes flashing or rotating lights or moving parts. The cumulative size of all such signs may not exceed 32 square feet. All temporary signs must be placed within 10 feet of the structure or vehicle used for the temporary business and may not be placed within any public right-of-way. (5/98)
- F. Special Commercial Signs
1. Home Occupation. Maximum area shall be 6 square feet and subject to the location provisions in Section 2.306.07. (5/98)

2. Residential Sales Office. Maximum area shall be 16 square feet and subject to the location provisions in Section 2.306.07. (5/98)
3. Bed and Breakfast. Maximum area shall be 16 square feet and subject to the location provisions in Section 2.306.07. (5/98)
4. Signs for stadiums in the IBP Zone. Notwithstanding any other regulations in this Chapter, in the IBP zone for stadiums with seating for not less than 4,000 persons, the following shall apply: (Ord 2005-533 11/2005)
 - a. Total allowed area. 760 square feet. (Ord 2005-533 11/2005)
 - b. Type, maximum number and size of signs. Within the total allowed area, one (1) free standing sign, and a total of no more than two (2) wall or canopy signs. Regardless of the total allowed area, the free standing sign shall be limited to a maximum of 680 square feet. (Ord 2005-533 11/2005)
 - c. Maximum sign height: (Ord 2005-533 11/2005)
 1. Wall and canopy signs – shall not project above the parapet or roof eaves. (Ord 2005-533 11/2005)
 2. Free standing sign – maximum total height of fifty (50) feet. (Ord 2005-533 11/2005)
 - d. Location:
 1. Wall signs – may project up to 1.5 feet from the building. (Ord 2005-533 11/2005)
 2. Free standing sign – no limitation except shall not project over street right-of-way and shall comply with requirements for vision clearance areas and special street setbacks. (Ord 2005-533 11/2005)

2.308.09 Conditional Uses

- A. Procedures. Applications for conditional use permits for illumination of non-commercial signs, or electronic message signs shall be processed according to the procedure set forth in Section 3.103 of this Ordinance. The criteria to be reviewed and applied in conditional use permit proceedings for illumination of non-commercial signs or electronic message signs are set forth in this Section. The criteria of Section 3.103 shall not be applied. (Ord 2008-581 10/2008)

B. Decision Criteria. The following criteria shall be used to review and decide conditional use permit applications for the illumination of non-commercial and electronic message signs: (10/2008 Ord. 2008-581)

1. The proposed sign is located in an EG, P, IBP, CR_CO, MU, CM or a CG zone. (10/2008 Ord. 2008-581)
2. The proposed sign, when conditioned, will not either: a) significantly increase or lead to street level sign clutter, or b) lead to signs adversely dominate the visual image of the area. (10/2008 Ord. 2008-581)
3. The proposed sign, as conditioned, will not adversely impact the surrounding area to a significant degree. (5/98) Electronic Message Signs that are proposed to be located in a P zone adjacent to residential areas shall include mitigation measures such as screening and buffering or other measures to mitigate any impacts onto adjacent properties. Electronic Message Signs proposed to be located in the P zone adjacent to residential areas shall only be illuminated between the hours of 6:00 AM and 11:00 PM and may only be changed once in a 24 hour period. (10/2008 Ord. 2008-581)
4. The proposed sign will not present a traffic or safety hazard. (5/98)
5. If the application is for the illumination of non-commercial or electronic message sign, no rotary beacon lights, zip lights, strobe lights, or similar devices shall be allowed. No chaser effect or other flashing effect consisting of external lights, lamps, bulbs or neon tubes are allowed. (10/2008 Ord. 2008-581)

Electronic Message Signs. Electronic Message signs must remain static and unchanging for a period no less than fifteen (15) minutes. Further, the level of illumination must be limited in the following ways:

- a. (A) An electronic message sign that contains a changeable display produced by light emitting diodes, incandescent or low-voltage lamps or bulbs, or cathode ray tubes shall include automatic brightness compensation features to adjust brightness to compensate for the angle and ambient light conditions.
- b. No electronic message sign may be illuminated to a degree of brightness that is greater than 7,500 nits in the daytime and 1,000 nits between sunrise and sunset; provided that electronic message

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signs comprised solely of one color may not be illuminated to a degree of brightness exceeding the following illumination levels:

1. For a display comprised of red only, the degree of brightness shall not be greater than 3,150 Nits in the daytime and 450 between sunrise and sunset;
 2. For a display comprised of green only, the degree of brightness shall not be greater than 6,300 nits in the daytime and 900 nits between sunrise and sunset;
 3. For a display comprised of amber only, the degree of brightness shall not be greater than 4,690 Nits in the daytime and 670 nits between sunrise and sunset. (10/2008 Ord. 2008-581)
6. The total allowed sign area for a business shall be reduced by 25% if the business has an electronic message sign. (10/2008 Ord. 2008-581)
 7. The proposed sign will comply with all other regulations, including, but not limited to height and placement restrictions. (5/98)

2.308.10 Variances

- A. Procedure. Any allowance for signs not complying with the standards set forth in these regulations shall be by variance. Minor variances under Section 3.105.04 of this Ordinance shall not be allowed. Variances to this Section will be processed according to the procedures in Section 3.202.02 as a Type I-B procedure. The criteria in Section 3.105 shall not be used, but instead the following criteria shall be used to review and decide variance applications: (Ord 2005-533 11/2005)
 1. There are unique circumstances of conditions of the lot, building or traffic pattern such that: (5/98)
 - a. The existing sign regulations create an undue hardship; (5/98)
 - b. The requested variance is consistent with the purpose of this chapter as stated in Section 2.308.01; and
 - c. The granting of the variance compensates for those circumstances in a manner equitable with other property owners and is thus not a special privilege to any other business. The variance requested shall be the minimum

necessary to compensate for those conditions and achieve the purpose of this chapter. (5/98)

2. The granting of the variance shall not: (5/98)
 - a. Decrease traffic safety nor detrimentally affect any other identified items of public welfare. (5/98)
 - b. Result in a special advertising advantage in relation to neighboring businesses or businesses of a similar nature. The desire to match standard sign sizes (for example, chain store signs) shall not be listed or considered as a reason for a variance. (5/98)
 - c. Be the result of a self-imposed condition or hardship. (5/98)

City of Keizer, Oregon

Proclamation

WHEREAS, the people of Keizer, Oregon, stand firmly committed to quality after school programs and opportunities because they:

Provide safe, challenging, engaging and fun learning experiences to help children and youth develop their social, emotional, physical, cultural and academic skills;

Support working families by ensuring their children are safe and productive after the regular school day ends;

Build stronger communities by involving our students, parents, business leaders, and adult volunteers in the lives of our young people, thereby promoting positive relationships among children, youth, families and adults; and

Engage families, schools and diverse community partners in advancing the welfare of our children;

WHEREAS, the City of Keizer through the Salem-Keizer Education Foundation is a founding partner in the statewide organization known as Oregon ASK (Oregon After School for Kids); and

WHEREAS, the City of Keizer and Salem-Keizer School District work together to provide the after school Enrichment Academy for nearly 13,000 middle school students; and

WHEREAS, "Lights On Afterschool!" a national celebration of after school programs on October 21st promotes the critical importance of quality after school programs; and

WHEREAS, more than 28 million children in the U.S. have parents who work outside the home, and 15.1 million children have no place to go after school; and

WHEREAS, many after school programs across the country are facing funding shortfalls and are forced to close their doors;

NOW, THEREFORE, I, Lore Christopher, call on the people of Keizer, Oregon, to engage in innovative after school programs and activities that ensure the lights stay on and the doors stay open for youth after school; and do hereby proclaim October 21, 2010, as

LIGHTS ON AFTER SCHOOL DAY

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Keizer this 18th day of October, 2010.

MAYOR LORE CHRISTOPHER
CITY OF KEIZER

CITY COUNCIL MEETING: October 18, 2010

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: TRACY L. DAVIS, MMC
CITY RECORDER**

SUBJECT: KEIZER BUDGET COMMITTEE APPOINTMENTS

ISSUE:

On August 30th, the Keizer Budget Committee terms of Ronald Bersin (Position #1), and Elliot Groeneveld (Position #2) expired. A media release was distributed and four volunteer applications were received.

At the September 30th Volunteer Coordinating Committee meeting all four applicants appeared and gave a brief overview of their qualifications and interest in serving on the Keizer Budget Committee. The Volunteer Coordinating Committee voted to recommend the following individuals for the Keizer Budget Committee:

- Position Number 1 – Ronald Bersin
- Position Number 2 – Kim Freeman

RECOMMENDATION:

It is recommended the City Council accept the recommendations of the Volunteer Coordinating Committee and appoint Ronald Bersin to position number 1 and Kim Freeman to position number 2, each to serve a three-year term on the Keizer Budget Committee.

CITY COUNCIL MEETING: October 18, 2010

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: TRACY L. DAVIS, MMC
CITY RECORDER**

SUBJECT: KEIZER ROTARY AMPHHITHEATRE TASK FORCE FINAL REPORT

ISSUE:

The Keizer Rotary Amphitheatre Task Force was established by Resolution on October 19, 2009. Mayor Christopher and Councilors Clark and Walsh served on the Task Force. Councilor Clark served as Chair and has submitted the attached final report.

RECOMMENDATION:

It is recommended the City Council accept the report and the recommendations of the Keizer Rotary Amphitheatre Task Force.

Keizer Rotary Amphitheater Task Force Final Report October 2010

The Amphitheater Task Force was established in 2009 to “review the management structure, use rates, noise concerns, and other appropriate issues.”

Task force members Councilor Cathy Clark (chair), Mayor Lore Christopher, and Councilor Richard Walsh, along with staff support from Chris Eppley, Kevin Watson, Rob Kissler, Terry Witham, Shannon Johnson, Tracy Davis, and Nate Brown, worked through those issues, insurance requirements, the City Summer Concert Series and reservations policies.

The Task Force recommendations for insurance and alcohol policies, user fees, and reservation procedures have already been adopted by the City Council in the Parks Regulations (R2010-618). In summary:

- Insurance: required for all events open to the public at which alcohol is served.
- Alcohol is not permitted in any city facility except for the Civic Center and Amphitheater during events with approved permits.
- Fees: standardized for all city facilities.
- Reservations: standardized for all city facilities.

The sound studies from Rose City Sound and Lighting and from Cascade Sound indicated that sound from the amphitheater may exceed city ordinances in certain areas due to weather conditions and configuration of the service roadway. The Task Force recommends staff present the Council with landscaping and fencing options to buffer the sound at the top of the amphitheater and service driveway. In addition, the staff will include language in the events permit packet explaining the concert producer shall be responsible for the monitoring of sound at the top of the concourse during sound checks and concerts to assure it does not exceed the sound levels outlined in the Keizer Noise Ordinance.

The City of Keizer Summer Concert Series, managed by KRA LLC, provided 5 concerts. The attendance increased over the 2009 season. The largest attendance was at the Good Vibrations concert featuring JFK. Advertising was multimedia, though print ads, Facebook and other electronic venues, signs at the park, water bill inserts, and K23TV. Revenue was generated through concessions and sponsorships. The Task Force recommends renewing or extending the contract with KRA LLC for the 2011 season.

The Task Force further recommends that the Band Selection Task Force, which was established to review and approve the slate of bands for the city sponsored concerts, remain to provide recommendations to Council for the 2011 concert season.

The policies needed to operate the Amphitheater are now in place and will be implemented by city staff. The recruitment of the additional types of entertainment, such as theater, spoken word, movies, etc., may be included in the scope of the Events and Festivals Advisory Committee, under development by the Events and Festivals Task Force.

Having completed the objectives set forth in the Amphitheater Task Force Resolution, it is further recommended that the Amphitheater Task Force be dissolved with our thanks for a job well done.

Respectfully,

Councilor Cathy Clark
Keizer Rotary Amphitheatre Task Force Chair