

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 6, 2008

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 citiz ens to address the Council on any matters other
than those on the agenda scheduled for public hearing.***

5. PUBLIC HEARINGS

a. Mini Super Liquor License Application (3443 River Road North)

6. ADMINISTRATIVE ACTION

**a. ORDINANCE – Amending Keizer Sign Regulations Regarding Electronic
Message Signs – Amending Ordinance No. 98-389**

b. Keizer Little League Park Management - Request for Proposals

c. RESOLUTION – Indicating the City’s Intent to Expand PERS Participation

7. CONSENT CALENDAR

8. COMMITTEE REPORTS

- a. Keizer Planning Commission Appointment (Doug Schneider)
- b. Keizer Points of Interest Appointment (Arlette Johnson)

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

October 13, 2008

5:45 p.m. City Council Work Session

- Sidewalks

October 20, 2008

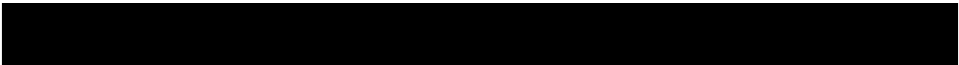
7:00 p.m. City Council Meeting

- Parks System Development Charge Public Hearing
- Proclamation – Domestic Violence Awareness Month

November 3, 2008

7:00 p.m. City Council Meeting

12. ADJOURNMENT



CITY COUNCIL MEETING: October 6, 2008

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS C. EPPLEY
CITY MANAGER**

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

**SUBJECT: MINI SUPER LIQUOR LICENSE APPLICATION
OFF-PREMISES SALES**

BACKGROUND:

On September 10, 2008 the City received an application for a Off-Premises Sales liquor license for Mini Super which is located at 3443 River Road N, Keizer, Oregon.

As required by Keizer Ordinance 95-318, a public hearing was scheduled; notice was published and mailed to all property owners within 200 feet of the proposed establishment. No responses or comments have been received.

A request was sent to the Keizer Police Department to conduct a background check on the applicants. The Department reports a clear background report on the applicant. In addition, the Keizer Planning Department finds the location of the establishment to be properly zoned and has no additional comment on the application.

The applicant has been invited to attend the meeting to answer any questions the Council may have.

RECOMMENDATION:

It is recommended the public hearing be opened to allow testimony from the applicant or other interested individuals and upon completion, the hearing be closed. It is further recommended the Council recommend approval of the application for a Off-Premises liquor license for Mini Super under the guidelines as established by ORS 471.178 and the Ordinances of the City of Keizer. This recommendation shall then be forwarded to the Oregon Liquor Control Commission for final approval.



Keizer Police Department

Phone: (503) 390-3713 • Fax: (503) 390-8295
930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, OR 97307-1000

City Council Meeting of _____

Agenda Item No. _____

To: Mayor and City Council
Thru: Chris Eppley, City Manager
From: Marc Adams, Chief of Police
Rita Powers, Police Support Supervisor 
Subject: Liquor License Application for:
Mini Super

Issue: Shall the City Council approve the liquor license application of Mini Super located at 3443 River Rd. N. Ave. N.E., Keizer, Oregon 97303?

Background

3443 River Rd. N. was formerly known as La Poblanita. There have been no police calls for service within the last year.

The applicants, Maria C. Ibarra and Frances B. Martin have no Oregon Criminal History Record.

Thus, the background investigation did not reveal any information to be in conflict with Keizer City Ordinance 95-318.

Recommendation

The Keizer Police Department recommends approval of the liquor license application for Mini Super, 3443 River Rd. N., Keizer, Oregon 97303.

OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION



PLEASE PRINT OR TYPE

Application is being made for:

LICENSE TYPES

- ☐ Full On-Premises Sales (\$402.60/yr)
 - ☐ Commercial Establishment
 - ☐ Caterer
 - ☐ Passenger Carrier
 - ☐ Other Public Location
 - ☐ Private Club
- ☐ Limited On-Premises Sales (\$202.60/yr)
- ☒ Off-Premises Sales (\$100/yr)
 - ☐ with Fuel Pumps
- ☐ Brewery Public House (\$252.60)
- ☐ Winery (\$250/yr)
- ☐ Other: _____

ACTIONS

- ☐ Change Ownership
- ☒ New Outlet
- ☐ Greater Privilege
- ☐ Additional Privilege
- ☐ Other _____

Applying as:

- ☒ Individuals
- ☐ Limited Partnership
- ☐ Corporation
- ☐ Limited Liability Company

FOR CITY AND COUNTY USE ONLY
The city council or county commission:

(name of city or county)

recommends that this license be:

Granted ☐ Denied ☐

By: _____
(signature) (date)

Name: _____

Title: _____

OLCC USE ONLY

Application Rec'd by: ACC Pending

Date: 9/4/08

90-day authority: ☐ Yes ☐ No

1. Applicant(s): [See SECTION 1 of the Guide]

① Maria C. Ibarra ③ _____

② _____ ④ _____

2. Trade Name (dba): ~~LA Plaza~~ Mini Super

3. Business Location: 3443 River Rd. N. Keizer Marion Oregon 97303
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 3443 River Rd. N. Keizer Oregon 97303
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 503-390-2044 503-390-2044
(phone) (fax)

6. Is the business at this location currently licensed by OLCC? ☐ Yes ☒ No

7. If yes to whom: _____ Type of License: _____

8. Former Business Name: Abarrotes "El Sol"

9. Will you have a manager? ☒ Yes ☐ No Name: Frances Martin
(manager must fill out an individual history form)

10. What is the local governing body where your business is located? Keizer, Oregon
(name of city or county)

11. Contact person for this application: Maria Ibarra 503-370-8656
(name) (phone number(s))
3332 Tierra Dr NE Salem, OR 97305
(address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

Maria C. Ibarra Date _____ ③ _____
② _____ Date _____ ④ _____

RECEIVED
OREGON LIQUOR CONTROL COMMISSION

Sep 02 2008 Date _____

1-800-452-OLCC (6522)

www.olcc.state.or.us SALEM REGIONAL OFFICE

OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION



Please Print or Type

Applicant Name: Maria Ibarra Phone: 503-370-8456

Trade Name (dba): Mini^o Super

Business Location Address: 3443 River Rd. N. Keizer, Oregon

City: Keizer ZIP Code: 97303

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday 10 am to 9 pm
Monday 10 am to 9 pm
Tuesday 10 am to 9 pm
Wednesday 10 am to 9 pm
Thursday 10 am to 9 pm
Friday 10 am to 9 pm
Saturday 10 am to 9 pm

Outdoor Area Hours: N/A

Sunday _____ to _____
Monday _____ to _____
Tuesday _____ to _____
Wednesday _____ to _____
Thursday _____ to _____
Friday _____ to _____
Saturday _____ to _____

The outdoor area is used for: N/A
☐ Food service Hours: _____ to _____
☐ Alcohol service Hours: _____ to _____
☐ Enclosed, how _____
The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: ☐ Yes ☒ No If yes, explain: _____

ENTERTAINMENT

Check all that apply:

- | | |
|--|---|
| ☐ Live Music | ☐ Karaoke <u>N/A</u> |
| ☐ Recorded Music | ☐ Coin-operated Games |
| ☐ DJ Music | ☐ Video Lottery Machines |
| ☐ Dancing | ☐ Social Gaming |
| ☐ Nude Entertainers | ☐ Pool Tables |
| | ☐ Other: _____ |

DAYS & HOURS OF LIVE OR DJ MUSIC

N/A
Sunday _____ to _____
Monday _____ to _____
Tuesday _____ to _____
Wednesday _____ to _____
Thursday _____ to _____
Friday _____ to _____
Saturday _____ to _____

SEATING COUNT

Restaurant: _____ Outdoor: N/A
Lounge: _____ Other (explain): _____
Banquet: _____ Total Seating: _____

<u>N/A</u>	OLCC USE ONLY
Investigator Verified Seating: _____ (Y) ☒ (N)	
Investigator Initials: <u>EP</u>	
Date: <u>7/13/08</u>	

I understand if my answers are not true and complete, the OLCC may deny my license application.

X Applicant Signature: Maria C. Ibarra Date: 7/13/08

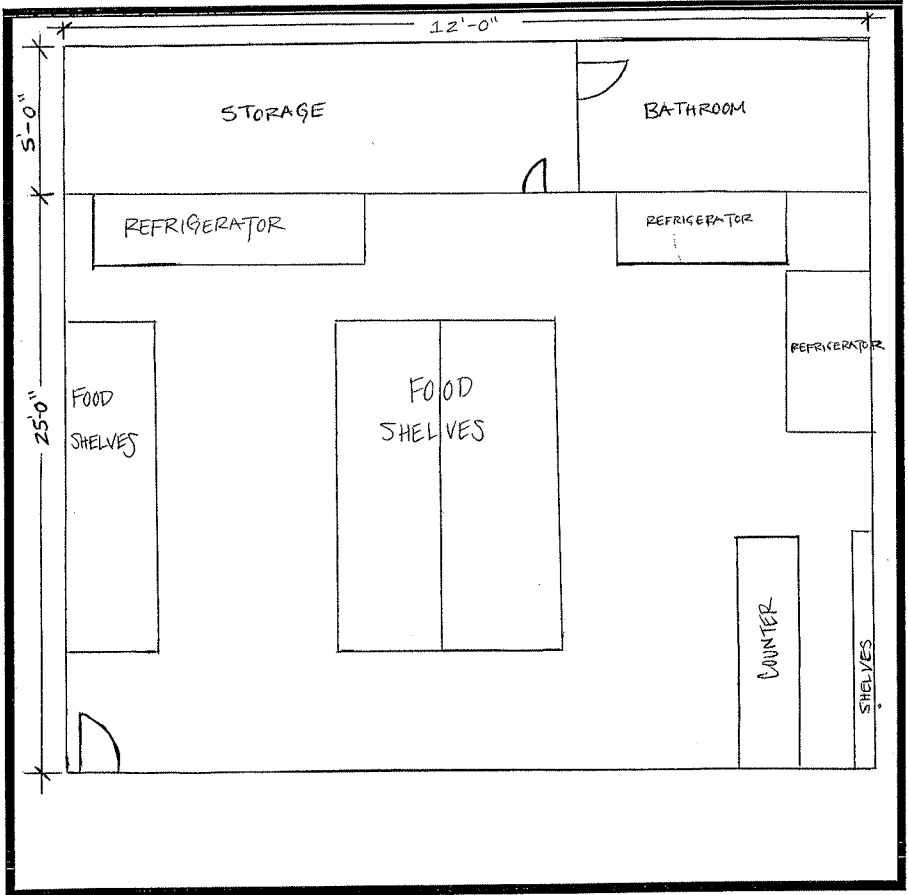
1-800-452-OLCC (6522)
www.olcc.state.or.us

(rev. 04/03)



OREGON LIQUOR CONTROL COMMISSION
FLOOR PLAN

- Your floor plan must be submitted on this form.
- Use a separate Floor Plan Form for each level or floor of the building.
- Applicants must provide a sketch that shows the specific area of the premises (e.g. dining area, bar, lounge, kitchen and restrooms). Full On-Premises (commercial establishments) applicants must also show dining tables. See example on back.



Applicant Name MARIA IRAPPA
Trade Name (dba): MINI SUPER
3443 RIVER RD. N KEIZER, OR 97303

City and ZIP Code

.....OLCC USE ONLY.....
MINOR POSTING ASSIGNMENT(S)

Date: _____ Initials: _____

CITY COUNCIL MEETING: October 6, 2008

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER

FROM: E. SHANNON JOHNSON, CITY ATTORNEY

**SUBJECT: KEIZER DEVELOPMENT CODE AMENDMENT –
ELECTRONIC MESSAGE SIGNS**

Following the close of the public hearing at the last meeting, Council directed our office to prepare an appropriate Ordinance adopting amendment to the Keizer Development Code regarding electronic message signs.

The Council directed the frequency of sign changes to be fifteen (15) minutes. In addition, references to time and temperature signs were removed and a provision added indicating that legal electronic signs (including time and temperature signs) placed before this date are allowed to remain as legal nonconforming uses.

RECOMMENDATION:

Adopt the attached Ordinance.

Please let me know if you have any questions in this regard. Thank you.

ESJ/tmh
attachment

1 BILL NO. ____

A BILL

ORDINANCE NO.

2008-_____

3 FOR

4 AN ORDINANCE

5
6
7 **AMENDING KEIZER SIGN REGULATIONS**
8 **REGARDING ELECTRONIC MESSAGE SIGNS**
9 **(SECTION 2.308); AMENDING ORDINANCE NO.**
10 **98-389 (KEIZER DEVELOPMENT CODE)**
11

12 The City of Keizer ordains as follows:

13 Section 1. FINDINGS. The City of Keizer makes the findings set forth in Exhibit

14 "A" attached hereto and by this reference incorporated herein.

15 Section 2. AMENDMENT OF KEIZER DEVELOPMENT CODE

16 (ORDINANCE NO. 98-389). The City of Keizer hereby adopts the amendments set forth
17 in Exhibit "B" attached hereto and by this reference incorporated herein.

18 Section 3. OFFICIAL RECORD. One copy of the amendments referenced above
19 shall be marked "Official Text" and kept on file in the office of the City Recorder.

20 Section 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase,
21 or portion of this Ordinance is for any reason held invalid or unconstitutional by any
22 court or board of competent jurisdiction, such portion shall be deemed a separate,
23 distinct, and independent provision and such holding shall not affect the validity of the
24 remaining portions hereof.

1 Section 5. EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days
2 after its passage.

3 PASSED this _____ day of _____, 2008.

5 SIGNED this _____ day of _____, 2008.

6

7

8

9

Mayor

10

11

City Recorder

12

EXHIBIT "A"

Findings regarding the adoption of amendments to the Keizer Development Code (Section 2.308, Sign Code)

The review criteria are listed in Section 3.111.04 of the Keizer Development Code.

The City of Keizer finds that:

1. General Findings.
 - a. The City of Keizer has set strong aesthetic and traffic safety standards for the welfare of the community, while maintaining reasonable standards governing the appropriate time and place of individual property owner's fundamental right of free speech. The proposed amendments are consistent with this standard. The purpose of these amendments is to allow electronic message signs that are consistent with the City's interest in maintaining aesthetic standards and traffic safety.
 - b. There are a number of commercial businesses within the city limits. Many are stand alone businesses on individual separate lots, while other businesses are situated within an integrated business center. All businesses are allowed to have signs provided that the signs are consistent with the city's sign code regulations. This includes wall signs, and for most businesses, a free standing sign along the street adjacent to the business. Currently, the city's sign code regulations do not adequately address electronic message signs.
 - c. The city's last update of the sign regulations was in 2005 was to allow secondary signage for businesses situated in integrated business centers.
 - d. The particulars of this case are found within planning file text amendment 2008-10.
- d. **A demonstrated need exists for the product of the proposed amendment - Section 3.111.04.B.**

Findings: The proposed revision to the zone code reflects a demonstrated need. The City Council has recognized that from time to time the City's Development Code should be updated to avoid having the code become so out of date that it would require a massive and costly comprehensive update. The intent is to identify chapters that can be updated in a manageable format. The proposed

revision will allow for the zone code to be updated so that it is both easier to read and also eliminates identified confusions within the regulations.

The proposed revision will modify Section 2.308 (Signs) and is specifically related to electronic message signs. Recent changes in sign technology have resulted in a new type of sign (electronic message signs) that are not adequately addressed in the city's development code. These signs can be of varying sizes and animated with frequent changes of text. The current code is silent on what is an appropriate time period that an electronic message can be displayed. This proposed revision would define an electronic message sign, would continue to require that this type of sign obtain a conditional use permit approval while clarifying the Conditional Use decision criteria, and specify the message change no faster than once an hour which would be a non variable standard. In addition, the text amendment allows additional mitigation measures may be required when these types of signs are adjacent to residential areas.

The proposed limits on the brightness of such displays would be regulated under the provisions limiting the Nits produced by such signage. This is identical to the levels established in the proposed City of Salem code revision on this subject. This was done to accommodate a desire to keep standards uniform where possible between the two jurisdictions.

Considering the advances in sign technology the city council found that it was appropriate to consider the proposed amendment and that a need was demonstrated for the proposed text amendment. This need was supported by the lack of guidance within the existing sign regulations governing electronic message signs. This included lack of clear definition as to what entailed an electronic message sign, brightness of signage, zone districts which are appropriate for this type of sign, and frequency that message may change. A clear definition of this type of sign was added. This defines Electronic Message Sign as 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. An inclusion of limits on brightness based on Nits was included. The proposed signs may be located in an EG, P, IBP, CR_CO, MU, CM or a CG zone. 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. Further for Electronic Message Signs that are in the P zone and are proposed to be located 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. However, they be only free-standing and not on wall signs. Further the message may be changed no more than once every 15 minutes the council determined the amendment was appropriate. Therefore, the proposed code revision complies with this review criterion.

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Electronic Message Signs are not allowed as wall signs. The City Council specifically finds that wall signs can be more distracting to motorists. In addition, the Council finds this provision will also limit the total number of Electronic Message Signs, thereby decreasing distractions and enhancing aesthetic standards.

e. The proposed amendment to the Keizer Development Code complies with statewide land use goals and related administrative rules – Section 3.111.04.C.

FINDINGS: The proposed text amendment complies with the statewide land use planning goals as discussed below.

Goal 1 – Citizen Involvement: The adoption of this ordinance followed notice to interested parties, a public process of decision making involving a public hearing, deliberation, and ordinance adoption. Public notice was provided in the KeizerTimes. Public hearings were held before the planning commission and the city council. Citizens were afforded the opportunity to participate in the public process. This process is consistent with the provision for providing an opportunity for citizens to be involved in all phases of this planning process as required by this Goal and with implementing administrative rules within Oregon Administrative Rules.

Goal 2 – Land Use Planning: This ordinance amends the Keizer Development Code. The adoption proceeding was conducted in a manner consistent with requirements of the Keizer Comprehensive Plan, Keizer Development Code, and applicable state law. Notice was published in the Keizer Times. Public hearings were conducted before both the planning commission and city council where both verbal and written testimony was provided. Therefore, the proposed revision to the zone code is consistent with this statewide planning goal and administrative rules.

Goal 3 – Farm Land: The purpose of this goal is to protect lands that are designated for agricultural uses. Within the city limits there is only one zone located in the northwest portion of the city near the city's urban growth boundary that is designated to allow for commercial agricultural uses. The amendment involves regulations within the boundaries of the city limits of Keizer. The amendment does not impact any properties that are designated to allow for agricultural uses. Therefore, the proposed amendment will comply with the Farm Land Goal and with any implementing administrative rules.

Goal 4 – Forest Land: The intent of this goal is to protect lands that are designated for commercial forest uses. There are no lands designated within the city limits to allow for commercial forestry. The amendment to Section 2.308 of the zone code does not involve any land which is designated as Forest land, nor will it impact the use of any forest lands. Therefore, this Goal and

implementing administrative rules are not applicable to the proposed zone code amendments.

Goal 5 – Natural Resources: The intent of the Natural Resources Goal is to protect various natural resources such as wetlands, waterways, big game habitat, etc. The proposed amendment to the zone code regulations will not affect any of the city's natural resources protection regulations or the lawful use of any properties that are within this overlay zone. Therefore, the amendment to the sign code regulations will be consistent with this goal and with administrative rules designed to implement this goal.

Goal 6 – Air, Water and Land Quality: The intent of this goal is to protect the city's air, water and land qualities. The revision to the city's zone code will not impact the quality of air, water, or land resources and so complies with this goal and with administrative rules that implement this goal.

Goal 7 – Natural Hazards: The purpose of this goal is to protect life and property from hazards resulting from flooding, steep slopes or other natural occurrences. The city has floodplain regulations that govern the placement of structures within identified 100-year floodplains. The revision to the zone code will neither impact this goal nor any administrative rules.

Goal 8 – Recreation: This goal requires the city to identify and plan for the current and future recreation needs of the residents of the city. There are a number of parks, playgrounds, and other recreational opportunities within the city limits. The proposed amendment will have no impact on the recreational activities or uses within the city. Therefore, this goal and any related rules are not applicable.

Goal 9 – Economic Development: The intent of this goal is to ensure that the city plans for its overall economic vitality. The proposed amendment will allow for businesses to utilize new sign technology. Specifically the amendment will allow the use of electronic message signs. Signage is an accepted means of conveying information to potential customers. Allowance for this type of new signs may result in increased sales to businesses that choose to use these types of signs which will therefore have a positive impact on the economic development activities or uses within the city. Therefore the proposal is consistent with this goal.

Goal 10 – Housing: This goal requires the city to plan and provide for the housing needs of its residents. The proposed amendment to Section 2.308 will have no impact on either this goal or on any related rules.

Goal 11- Public Facilities and Services: The intent of this goal is to develop a timely, orderly and efficient arrangement of public facilities and services necessary to serve the residents of Keizer. The proposed amendment to Section

2.308 will not impact any of the city's public facilities and services, and so this goal and any rules are not applicable.

Goal 12 – Transportation: The city has an adopted Transportation System Plan that describes the city's transportation systems. This system includes streets, transit, bike, and pedestrian systems. The revision to Section 2.308 will not impact any of the city's public transportation systems, and so this goal and any rules are not applicable.

Goal 13 – Energy Conservation: This goal seeks to maximize the conservation of energy. The allowance for the new electronic message signs will utilize low energy consumption light sources that will use less energy than current sign light bulbs. The proposed revision will be consistent with this goal and implementing administrative rules.

Goal 14 – Urbanization: The intent of this goal to provide for an orderly and efficient transition from rural to urban land use. The city has an adopted Comprehensive Plan and zone code that complies with the goal. The proposed zone code revisions will have no impact on the intent of this goal as it only will involve land that is within the city limits and not the use of land being transitioned from rural to urbanized uses.

Goal 15 – Willamette River: This goal seeks to protect, conserve, maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River. While the Willamette River is located along the western flanks of Keizer the proposed text amendments will not impact the Willamette River. The revisions will have no impact on the ability of the city to regulate uses along the river or the Willamette River overlay zone regulations and so this goal is not applicable.

Goal 16 (Estuarine Resources), Goal 17 (Coastal Shorelands), Goal 18 (Beaches and Dunes), and Goal 19 (Ocean Resources): These goals govern areas along the ocean. Since Keizer is not located along the coast these goals are not applicable.

In consideration of the above findings, the proposed zone code revision to Section 2.308 complies with all applicable statewide land use goals and with all applicable administrative rules which implement the relevant goal.

f. The amendment is appropriate as measured by at least one of the following criteria – Section 3.111.04.D:

- a. It corrects identified error(s) in the previous plan.
- b. It represents a logical implementation of the plan.
- c. It is mandated by changes in federal, state, or local law.
- d. It is otherwise deemed by the council to the desirable, appropriate, and proper.

FINDINGS: The proposed amendment is not intended to correct any identified errors within the existing regulations but is rather a response to changes in sign technology. The proposed amendment to the zone code represents a logical implementation of the Keizer Comprehensive Plan. The only policy in the comprehensive plan that addresses the issue of signage is Special Land Use Policy 2 (d) (3) (f) that states that the city work with existing businesses, property owners and residents to establish a sign policy along North River Road. The proposed amendment is consistent with this policy because it should not result in a significant increase in businesses signage. The proposed amendment will not result in any increase in the number of free standing signs that a business is permitted to erect rather it would allow a property owner with an existing free standing to replace it with a newer model so there is not expected to be an overall increase in the number of free standing signs.

In addition, as a condition of approval through the conditional use process it will be a requirement that overall square footage is reduced by 25 per cent thereby allowing for a reduction in the total square footage of signage along River Road. The amendment will is intended to make a number of clarifications that will make the code easier to read. The proposed amendment is not mandated by any federal, state, or local laws. Considering the advances in sign technology the city council found that it was appropriate to consider the proposed amendment and that a need was demonstrated for the proposed text amendment. This need was supported by the lack of clear guidance within the existing sign regulations governing electronic message signs. This included lack of clear definition as to what entailed an electronic message sign, brightness of signage, zone districts which are appropriate for this type of sign, and frequency that message may change. The revisions contains a clear definition of electronic message signs, includes limits on brightness, where the electronic message signs can be placed (on free standing signs and not on wall or other type of signage), and the allowance that the messages may be changed no more than once every 15 minutes.

The City Council has, by this adoption, determined that the text revisions to Section 2.308 are desirable, appropriate, and proper. As such, the proposal complies with this criterion.

2.308 SIGNS

2.308.01 Purpose

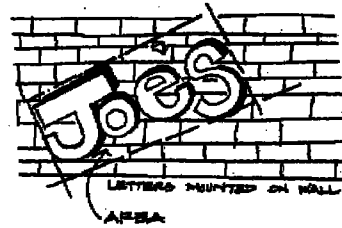
The purpose of these sign regulations is to provide equitable signage rights, reduce signage conflicts, promote traffic and pedestrian safety, and, increase the aesthetic value and economic viability of the city, all by classifying and regulating the location, size, type and number of signs and related 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



Multi-Faced Sign

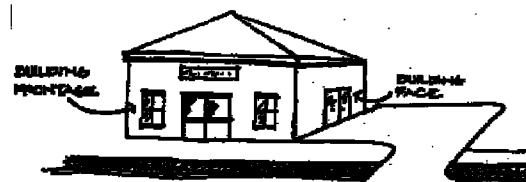
Awning: A shelter supported entirely from the exterior wall of a building and composed of non-rigid materials, except for the supporting framework. (5/98)

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)

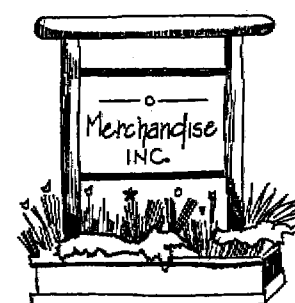
Election Signs: Those signs which relate to an election, initiative or political viewpoint. Such signs will otherwise meet the specifications of Temporary Signs. (5/04 – Ord 2004-498)



Canopy Sign

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.

Finish Ground Level: The average elevation of the ground (excluding mounds or berms, etc. located only in the immediate area of the sign) adjoining the structure or building upon which the sign is erected, or the curb height of the closest street, which ever is the lowest. (5/98)



Free-Standing Sign

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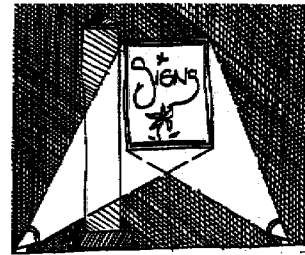
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Flashing Sign: A sign any part of which pulsates, scrolls, flutters, animates, lights intermittently, or blinks on and off, ~~except time and temperature signs and message signs allowed by conditional use.~~ (5/98)

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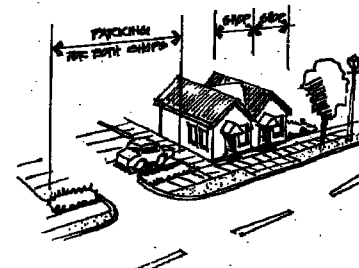
Free-Standing Sign: A sign supported by one or more uprights, poles or braces placed in or upon the ground, or a sign supported by any structure primarily for the display and support of the sign. (5/98)



Indirect Illumination

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)

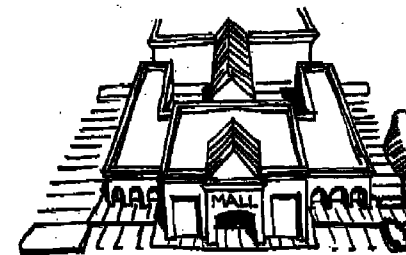
Indirect Illumination: A source of illumination directed toward such sign so that the beam of light falls upon the exterior surface of the sign. (5/98)



Small Integrated Business Center

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)

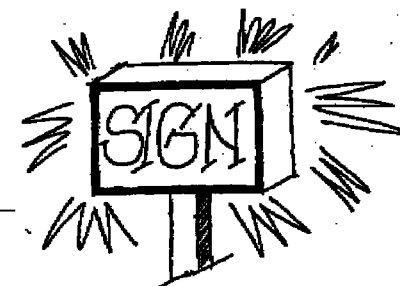


Large Integrated Business Center

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)

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.

~~Message Sign~~: ~~Shall be synonymous with electronic Message Display as defined herein. A sign which can change its message electronically and is designed to display various messages, including but not limited to signs displaying time and temperature.~~ (5/98)

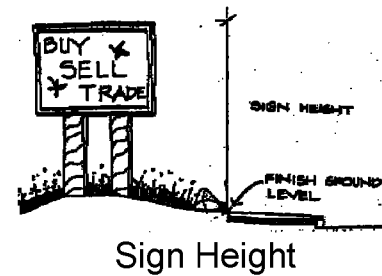


Internal Illumination

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)

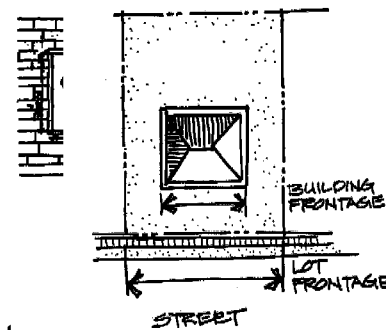
Rotating/Revolving Sign: A sign, all or a portion of which, moves in some manner. (5/98)

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."



Street Frontage

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)



Temporary Sign

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, canvas, cloth, rigid plastic or paper, 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)

~~Time and Temperature Display: An Electronic Message Sign which only displays time and temperature information.~~

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 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)



Wall Sign

- 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)
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)

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)
 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. (5/98)

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)

- 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 days in any 365 day period. 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. 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. (Ord 2005-533 11/2005)
- 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 definition of temporary signs, and which pertain to such election, may be unlimited in number. (5/04 Ord. 2004-498)

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)~~)
- C. Roof Signs. Roof signs or signs which extend higher than the roof line. ~~(5/98)~~
- 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)~~
- E. Wire Supports. Signs that use or employ side guy lines of any type. ~~(5/98)~~
- F. Obstructing Signs. Signs that obstruct any fire escape, required exit, window or door opening used as a means of egress. ~~(5/98)~~
- G. Utility Lines. Signs closer than 24 inches horizontally or vertically from any overhead power line or public utility guy wire. ~~(5/98)~~
- H. Vehicle, Trailer Signs. No vehicle or trailer 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)~~
- I. Rotating/revolving Signs. ~~Rotating/revolving signs, except by conditional permit, and except as allowed in Section 2.308.07.A.3. (5/98)~~
- J. Flashing Signs. ~~Flashing signs, except by conditional use permit, and except as may be allowed in Section 2.308.07.A.3. (5/98)~~
- K. 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)~~

- L. 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)
- M. 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)
- N. 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)
- ~~O. Message Signs. Message Signs, except by conditional use permit. (5/98)~~
- ~~O.P. Vacant Land. Any sign on unimproved property, unless allowed as a temporary sign. (5/98)~~
- ~~P. Electronic Message Signs. Electronic message signs, including Time and Temperature Displays, except by conditional use permit. Electronic message signs that change more frequently than once per fifteen (15) minutes hour are prohibited and a variance to this requirement is not allowed. Time and temperature displays can change more frequently. 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.~~

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)
- 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. (5/98)

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 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 11/2/2005)

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 11/2/2005)
 - 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 11/2/2005)
 - 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)
 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 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)

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2.308.09 Conditional Uses

- A. Procedures. Applications for conditional use permits for illumination of non-commercial signs, ~~flashing, rotating/revolving 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 ~~flashing, rotating/revolving signs or illumination of non-commercial signs or~~ electronic message signs are set forth in this Section. ~~The criteria to be reviewed and applied in conditional use permit proceedings for the illumination of residential signs are set forth in Section 2.308.10.~~ The criteria of Section 3.103 shall not be applied. (Ord 2005-533 11/2005)
- B. Decision Criteria. The following criteria shall be used to review and decide conditional use permit applications for ~~flashing, rotating/revolving, the illumination of non-commercial and~~ electronic message signs: (5/98)
 - 1. The proposed sign is located in an EG, P, IBP, CR, CO, MU, CM or a CG zone. (5/98)
 - 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 ing the visual image of the area. (5/98)
 - 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. Further for Electronic Message Signs that in the P zone and are 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.

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 a flashing and/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. Only flashing effects by way of internal illumination are allowed. (5/98)

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

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

(i) 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;

(ii) 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;

(iii) 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.

6. ~~If the application is for a rotating/revolving sign, such sign cannot flash or be illuminated by intermittent light. Rotating/revolving signs shall revolve at a speed no greater than 5 revolutions per minute. (5/98) Time and temperature displays shall be limited to six square feet in area and may change with changes to the time and temperature. Time and temperature displays may be incorporated into the larger electronic message sign as an individual element of the sign but can not alternate between the time and temperature information and main message of the sign.~~
76. The total allowed sign area for a business shall be reduced by 25% if the business has an flashing, rotating/revolving, or electronic message sign. (5/98)
87. The proposed sign will comply with all other regulations, including, but not limited to height and placement restrictions. (5/98)

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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 COUNCIL MEETING: October 6, 2008

AGENDA ITEM NUMBER: _____

TO: KEIZER CITY COUNCIL

FROM: KEVIN WATSON
ASSISTANT TO THE CITY MANAGER

SUBJECT: KEIZER LITTLE LEAGUE FIELDS MANAGEMENT
AGREEMENT (RFP)

BACKGROUND

The City of Keizer is requesting proposals from qualified businesses or non-profit organizations to perform management of the “Keizer Little League City Park,” located at 5245 Ridge Drive, Keizer, Oregon. The current contract with Keizer Youth Sports Association is ending on October 31st, 2008. It is intended the initial contract period will begin on November 1st, 2008 and last until to October 31st, 2009.

The Assistant to the City Manager has developed the attached RFP for an operator to work with the City Manager or his/her designee to administer all aspects involved with managing and maintaining the youth ball fields. This will include, but not limited to, the following activities; park operation, schedule management, concession administration, facility maintenance, and marketing/promotion of the facility.

RECOMMENDATION

Staff recommends that the City Council review and approve the attached RFP for a professional organization to manage all aspects related to proper operation of the youth ball fields, located at 5245 Ridge Drive.

This process will be staffed by the Assistant to the City Manager and the City Manager.

City of Keizer, Oregon
Request for Proposals
To provide Management and Operation of
“Keizer Little League City Park”

Overview

The City of Keizer is requesting proposals from qualified businesses or non-profit organizations to perform management of the “Keizer Little League City Park,” located at 5245 Ridge Drive, Keizer, Oregon. The City is seeking professional services to administer all aspects involved with managing and maintaining youth ball fields. These aspects will include, but not be limited to, the following: operation of the park primarily as a youth recreation facility open to youth sports organizations and others on a basis that is fair and appropriate to ensure enjoyment of the park assets by all who wish to utilize them; the proper functioning of all park operations necessary to serve the public safely and efficiently; all concession sales or rentals of goods or services in the park and maintenance of the equipment or facilities in the park used for those concession sales or rentals; marketing the park’s uses to all potential users under an approved marketing plan; maintenance activities, including replacement, servicing, cleaning, adjustment, and rehabilitation of parts and equipment consistent with prudent industrial practice, product specifications, design and manufacturer recommendations; custodian activities to keep the facility clean, free of litter, and ball fields in top notch playable condition; and maintain proper accounting records. The successful proposer works under the direction of the City Manager and his or her designee.

As a result of this Request for Proposals (RFP), the City will select a top qualifier with whom to commence contract negotiations. If negotiations are successful, the City will enter into a professional services contract with that organization. The City will consider a management and operations contract of three (3) years with an option to renew the contract for two (2) additional two (2) year terms upon review of proposed fees, performance and provision of services. The initial contract period is anticipated to start November 1st, 2008 and run through October 31st, 2011. The City reserves the right to conduct periodic reviews of these services. Six (6) months prior to the conclusion of each contract period, the managing organization’s performance will be formally evaluated. The managing organization may submit revised prices for consideration at the time of renewal. The City retains the option to use alternative service methods and service providers when the City deems it appropriate.

About the City of Keizer

Keizer was established in 1982 and currently has a population of 35,000+. The City is bordered on the western edge by the Willamette River, southern edge by the city of

Salem, eastern edge by Interstate 5, and the northern edge by rural portions of Marion County. Keizer is approximately 35 miles south of Portland.

The City of Keizer operates under a Council-Manager form of government. The City Council consists of a Mayor and six Councilors. The Mayor's term runs two years and the Councilors serve four-year staggered terms. The City Manager is the administrative head of city government and is appointed by the City Council. Presently there are 77 city employees working in 7 departments: Administration, Finance, Human Resources, Public Works, Community Development, Municipal Court and Police Services.

The "Keizer Little League City Park" has a long history of hosting youth sport leagues. The City's current park operator contract with Keizer Youth Sports Association (KYSA) will expire October 31, 2008.

Scope of Services

The City will expect the Operator and staff to provide the following services:

1. Supply the City Manager or his/her designee with a schedule of all field maintenance, including fertilization, overseeding, and weed control, so that the City may approve the plan.
2. Provide sporting equipment as needed and keep these items stored neatly when not in use.
3. Allow no cars or heavy equipment on the playing fields without prior authorization of the City staff. This is to protect the turf and the irrigation system from damage.
4. Work with the City Manager or his/her designee to ensure that the fields at Keizer Little League City Park are available for play by local youth on March 1st of each year. On an annual basis, the operator will provide an updated list of management contacts, including listing the daily Director on Duty and alternate.
5. Work with the City Manager or his/her designee to develop an effective and efficient mowing and grounds maintenance schedule to be carried out by the Operator.
6. Supply a rain-out telephone line and/or website to alert participants regarding canceled games and practices. Practices will not be allowed on fields in which games have been postponed due to wet or unplayable field conditions. Field maintenance volunteers who have been certified by the City will decide the playability of the fields utilizing the City Manager or his/her designee's field maintenance specifications. All teams—without exception—are expected to comply with the decision of the field maintenance

volunteers and/or City Manager or his/her designee regarding field playability.

7. Schedule all youth (Ages 18 & under) sports activities in “Keizer Little League City Park. Park use is limited to predominantly Keizer youth. (Unless pre-authorization is obtained from the City, only youth sports may be scheduled.)
8. Supply the City with a season by season schedule for the park. The Operator must allow reasonable access to the fields by any and all users of youth sports.
9. Enforce the “no alcoholic beverages” and tobacco free rules, handle crowd control, and arrange for removal of litter at the park. All coaches are to be advised that all litter must be placed in the proper receptacles at the end of each game. Tournaments and regular league play must have a plan in place to handle garbage.
10. The Operator will promptly advise the City of any problem that is not addressable by the Operator so that the City can rapidly respond to these needs.
11. The Operator shall make no alteration, modification, or addition to facilities without *separate written approval* of the City. Permanent equipment and structures shall become the property of the City.
12. Supply a supervision plan for each activity to be held in the park.
13. The Operator shall generate sufficient revenue to offset all costs incurred and pay to the City 5% of the Gross Revenues. In the alternative, the Proposer may indicate other payment or intangible benefits to the City or public at large.
14. The Operator will market and promote the park in a manner that is respectful of the community – upon approval by the City.
15. The Operator will be responsible for providing security of the facility and the patrons.
16. The Operator must operate the food concessions and/or other retail sales in the park. The Operator will provide whatever refrigeration, cooking, dispensing and other equipment it deems appropriate for concession operation. The Operator will acquire appropriate food handling permits.
17. Any and all subcontracting must be approved by the City.

18. The Operator must maintain professional and proper accounting records.
19. The Operator shall indemnify, save, and hold harmless the City and all of its agents and employees from any and all claims for losses, injuries, damages and liabilities to persons involved in sanctioned Operator activities occasioned wholly or in part by the acts or omissions of the Operator, its agents, officers, and employees while using City facilities or otherwise while performing its activities in agreement with the City.
20. Operator shall provide a public liability insurance policy naming the City as an additional insured in an amount on one million dollars (\$1,000,000), combined single limit including bodily injury and property damage. Such insurance provided by the Operator, and naming the City as an additional insured, is for coverage during Operator activities, occasioned wholly or in part by the acts or omission of the Operator, its agents, officers, participants, and employees while using City facilities or otherwise performing its activities in agreement with the City.
21. The Operator will appropriately handle any and all matters related to parking for scheduled events.
22. The Operator will limit the number of keys for access to Park facilities. No duplicates of the keys shall be made, and additional keys must be checked out by the Operator through the City Manager or his/her designee.
23. Pay all utilities associated with park use, except water.
24. Immediately repair all safety issues as identified by the City.

Qualifications & Requirements

Following are the minimum qualifications and requirements deemed necessary to succeed at “Keizer Little League City Park” Operator. Each item must be addressed in your response to the Request for Proposals:

1. Names and resumes of the principal business parties named as owners, partners, or advisory to business operation. If a corporation, submit a copy of Articles of Incorporation and State Certificate of Incorporation.
2. Name and resume of CPA and/or “bookkeeper.”

3. Names, addresses and phone numbers for a minimum of three references.
4. Submission of a detailed annual business and operations plan. Details to include but not be limited to: advertising/marketing sales plan, concessions plan, equipment outlay, security plan, local league program features, tournament plan, maintenance plan, challenges envisioned, special opportunities.
5. Present a letter of waiver to allow City to do reference and background investigation of principals and management individuals.
6. Present a Statement of specific dollar amount estimated to be returned to the City.
7. Detailed description on how the Operator will meet and adhere to the Scope of Services.

Investigations

The City reserves the right to conduct appropriate investigations into the background, previous experience and training, financial affairs and related matters of any firm or individual under consideration for a contract resulting in successfully completing the RFQ process. Said investigations may include, but are not limited to, credit reports, submission of audited financial statements, communication with principal clients, as appropriate, relating to the ability of your organization to successfully perform the duties and responsibilities associated with managing the Keizer Little League Park.

Evaluation of Requests for Qualifications & Selection

The City reserves the right to accept or reject any or all submissions in the best interest of the City. In connection with the evaluation, the City may, at its option, invite one or more applicants to make an oral presentation to the selection committee at time and location to be announced, and may require the submission of supplemental material intended to substantiate or clarify information previously submitted.

A selection committee consisting of the City Manager, the City Manager's designee and Parks Board members will evaluate Request for Proposals submissions on the following criteria (not in ranked order).

1. Meets all qualifications and requirements identified in this RFQ.
2. Includes complete and clear responses to items in the Qualifications & Requirements section.
3. Show an ability to meet all the requirements set by the Scope of Services.

4. Breadth and relevance of experience of the Management Staff to effectively administer the “Keizer Little League Park.”
5. The professional reputation on the part of the applicant for providing high-quality services and demonstrating sound judgment, integrity, and reliability as determined by a thorough and complete background check.
6. Familiarity with laws and regulations governing Oregon local governments and operating procedures relative to the conduct of city business.
7. Available support staff.
8. Demonstration of workload capacity and a level of experience commensurate with the level of service required by the City.
9. The applicant’s ability to work cooperatively with the City Council, City Manager, City employees, boards and commissions, and members of the business community and general public as demonstrated by positive current client references.
10. Supplemental information submitted by the applicant.
11. Results of the interview, if conducted.

Submittal Deadline

One (1) original and eight (8) copies of the submission, clearly marked “Request for Proposals to provide Management and Operation of “Keizer Little League City Park” must be received by **3:00 p.m., October 31st, 2008.**

Deliver to:

**Chris Eppley
City of Keizer
930 Chemawa Road, NE
PO Box 21000
Keizer, OR 97307-1000**

Submissions received after that date and time will not be accepted or considered.

Questions regarding responses to this RFP or requests for general information regarding the City of Keizer should be directed to Chris Eppley, City Manager, City of Keizer, at (503) 390-3700.

CITY COUNCIL MEETING: October 6, 2008

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: MACHELL DEPINA
HUMAN RESOURCES DIRECTOR**

SUBJECT: PERS PARTICIPATION RESOLUTION

ISSUE:

Currently, the City of Keizer has a mixed retirement program which includes PERS participation by our sworn officers and approximately half our Department Heads and ICMA participation for our remaining Department Heads and employees. We have surveyed our comp cities and have found the majority (10 of 12) provide PERS as the sole retirement program to all employees. The remaining cities have mixed programs similar to our program.

In an effort to simplify the administration of retirement benefits, ensure the equity of the type and level of benefits offered and improve our opportunities to attract highly qualified, experienced candidates for key leadership positions with the City in the future, we have begun drafting a multi-level plan to shift the balance of City of Keizer employees to PERS as the sole retirement plan. The multi-level plan approach will allow the City to strategically focus on identifying funding to support this transition over time as well as information to employees about the impact of such a plan. We would like to begin this process by shifting the remaining Department Heads over to PERS this fiscal year and work on strategies for shifting additional groups of employees over during the next 3-5 fiscal years, pending identification of funding.

We have met with PERS officials and learned that, unlike past practice, cities are now required to provide a signed city council resolution indicating the intent to expand PERS participation. PERS has established this requirement to ensure their staff time is spent only on entities that are seriously considering expansion.

Please note that the City Council's resolution does not obligate the city to expand its participation, nor is the resolution binding on PERS. The city's expanded participation will be effective with and governed by the terms of the coverage agreement after it is signed by both parties.

The resolution must include the following:

- A contact person authorized to work with PERS to develop a coverage agreement;

Machell DePina, HR Director, will be our contact person and will work with the City Manager, Department Heads and City Council on this project.

- The specific additional employee class or classes for which the city intends to participate;

Initial class of remaining Department Heads, subsequent mixed classes based on hire dates and/or departments (to be determined).

- Whether the city will participate in the State and Local Government Rate Pool for Chapter 238 employees;

As we currently pay a substantially lower rate outside the pool, we will not be participating at this time. We have the option to join in the future.

- Whether the city will provide the unused sick leave benefit for Chapter 238 employees; and

We will provide this benefit, consistent with provisions for current City of Keizer employees receiving PERS benefits.

- Whether the city intends to pay the six percent IAP contribution on employees' behalf and, if so, whether employee compensation will be reduced as a result (e.g., employer pick-up of the IAP contribution is in lieu of a pay increase).

We will provide this benefit without reduction of compensation, consistent with provisions for current City of Keizer employees receiving PERS benefits.

RECOMMENDATION:

It is recommended the City Council approve the resolution indicating the City of Keizer's intent to expand its PERS participation with the understanding that doing so does not obligate the City to take this action.

If you have any questions regarding the staff report, please contact me at 503-856-3414 or email me at eppleyc@keizer.org. You may also contact Machell DePina at 503-856-3417 or email her at depinam@keizer.org.

Thank you.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2008-_____

INDICATING THE CITY OF KEIZER'S INTENT TO EXPAND PERS PARTICIPATION

WHEREAS, currently the City of Keizer provides retirement benefits for all employees. Sworn officers and half of the Department Heads are under the PERS system with the remaining Department Heads and employees under the ICMA program;

WHEREAS, in an effort to simplify the administration of retirement benefits, ensure the equity of the type and level of benefits offered, and improve the opportunity to attract qualified, experienced candidates, development of a multi-level plan to shift the balance of the City of Keizer employees to PERS will begin;

NOW, THEREFORE,

BE IT RESOLVED that it is the intention of the City Council of the City of Keizer to expand the current PERS retirement benefit program to include remaining Department Heads;

BE IT FURTHER RESOLVED that additional future expansion is intended to include subsequent mixed classes based on hire dates and/or departments upon implementation of an approved multi-level plan;

BE IT FURTHER RESOLVED that the PERS retirement benefit will be provided to the non-participating Department Heads without a reduction of compensation,

consistent with provisions for current City of Keizer employees receiving PERS benefits;

BE IT FURTHER RESOLVED that the City will provide the unused sick leave benefit as outlined in ORS Chapter 238, consistent with City of Keizer employees currently receiving PERS benefits;

BE IT FURTHER RESOLVED that the City of Keizer will not participate in the State and Local Government Rate Pool but will retain the option to join in the future;

BE IT FURTHER RESOLVED that the Human Resources Director for the City of Keizer will be the contact person authorized to work with PERS on the transition.

PASSED this ____ day of _____, 2008.

SIGNED this ____ day of _____, 2008.

Mayor

City Recorder

CITY COUNCIL MEETING: October 6, 2008

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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

SUBJECT: KEIZER PLANNING COMMISSION APPOINTMENT

ISSUE:

On September 30, 2008 the Planning Commission term of Doug Schneider expired. A media release was distributed and two volunteer applications were received. At the September 25th meeting of the Volunteer Coordinating Committee, the applications were reviewed and the applicants interviewed. A motion was made to recommend the appointment of Doug Schneider for a three-year term on the Planning Commission.

RECOMMENDATION:

It is recommended the City Council accept the recommendation of the Volunteer Coordinating Committee and appoint Doug Schneider to position #5 on the Keizer Planning Commission, for a three-year term expiring on September 30, 2011.

CITY COUNCIL MEETING: October 6, 2008

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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

SUBJECT: KEIZER POINTS OF INTEREST COMMITTEE APPOINTMENT

ISSUE:

Jan Deardorff submitted her resignation from the Keizer Points of Interest Committee earlier this year. Ms. Deardorff was serving in position #5, a three-year term scheduled to expire in November 2009. A media release was distributed and one volunteer application was received. At the September 25th meeting of the Volunteer Coordinating Committee, the application was reviewed and the applicant interviewed. A motion was made to recommend the appointment of Arlette Johnson to fill the unexpired three-year term on the Keizer Points of Interest Committee.

RECOMMENDATION:

It is recommended the City Council accept the recommendation of the Volunteer Coordinating Committee and appoint Arlette Johnson to position #5 on the Keizer Points of Interest Committee.