

## TOLEDO PLANNING COMMISSION MINUTES

A regular meeting of the Toledo Planning Commission was called to order at 7:00 pm by President Todd Michels. Commissioners present: Cora Warfield, Anne Learned-Ellis, Robert Duprau and Geoffrey Wilkie.

Staff present: Contract Planner (CP) Justin Peterson, City Manager (CM) Judy Richter, City Attorney (CA) David Robinson, and Secretary Arlene Inukai.

### ELECTION OF OFFICERS:

Commissioner Learned-Ellis nominated President Todd Michels to another term as Planning Commission President. President Michels declined the nomination, as he may run for City Council in the fall.

It was moved and seconded (Learned-Ellis/Warfield) to nominate Commissioner Geoffrey Wilkie to serve as Planning Commission President. Commissioner Wilkie declined the nomination, as his term will expire at the end of the year and he may not seek re-appointment. The motion failed for a lack of acceptance.

It was moved and seconded (Michels/Learned-Ellis) to nominate Commissioner Robert Duprau to serve as Planning Commission President. Commissioner Duprau declined the nomination, as he may run for City Council in the fall. The motion failed for a lack of acceptance.

It was moved and seconded (Michels/Wilkie) to nominate Commissioner Anne Learned-Ellis as Planning Commission President. The **motion passed** unanimously.

It was moved and seconded (Learned-Ellis/Duprau) to nominate Commissioner Cora Warfield as Planning Commission Vice President. The **motion passed** unanimously.

The meeting was then handed over to President Learned-Ellis.

VISITORS: Lisa Figueroa

### APPROVAL OF THE JUNE 10, 2020, MINUTES:

It was moved and seconded (Warfield/Michels) to approve the June 10, 2020, minutes as circulated and reviewed by the Planning Commission. The **motion passed** unanimously.

### WORKSESSION: SIGN CODE REVIEW:

CP Peterson reported that a new draft was sent out for review. Originally, staff used the League of Oregon Cities model sign code as a starting point, but it was too cumbersome. Staffed worked to reduce the number of standards and to focus on safety. Commissioner Duprau stated he likes the purpose statement in the revised draft. President Learned-Ellis added she likes that the code is only three pages. CP Peterson pointed out that the draft does not address sign content, but rather size, maximum amount of signs and clear vision. In the new draft, CA Robinson provided a formula for visual frontage area for both the commercial and residential zones.

CA Robinson stated that the League's sample was a good start, but he wanted to reduce the standards down from the model code. He reviewed various case laws and clarified that freedom of speech applies to art, commercial speech, and religious speech. The sign size, number of signs and location are the standards that can be applied universally.

The visual area concept uses the lot frontage distance, multiplied by 30 (or the length attributable to the building) to determine the amount of signage for that use. CA Robinson clarified that the amount is for all temporary and permanent signs. There is no difference between the two in the revised draft. However, sidewalk signs are addressed in another section. CP Peterson clarified that the residential zones set a maximum sign size of 15 square feet, which is the size of a standard flag. The total square footage calculation can be reviewed in closer detail and if the 10% formula should be used in the visual area calculation. Commissioners may want to further study this, but it appeared that 5% is a small amount, considering all signs, flags, banners, 'beware' signs would fall under the visual area formula. Commissioner Michels suggested a reduced percentage for a smaller lot. CP Peterson pointed out that the draft standards state residential zones would have a maximum of five signs, regardless of frontage. This maximum number should be reviewed if Commissioners feel the total number of signs should increase, especially when looking at larger lots.

CP Peterson provided an example of a property and the amount of signage allowed based on the visual area calculation. It was clarified that the signage is calculated based on what is visible from the street. One sign can be added for each dwelling unit on the property. President Learned-Ellis and Commission Duprau asked for a visual example of how the concept would be used on a property, specifically, comparing a 5% and 10% formula.

CP Peterson reviewed the proposed sign standards for the commercial zone. A business occupant is defined in the draft and requires a business license. The maximum sign size is 18 square feet, there could be an unlimited number of signs, as long as it meets the visual area calculation (proposed 15%). CA Robinson provided an example of the formula, using JC Thriftway property as a sample. The 15% visual area amount may need further discussion if it provides enough signage for businesses.

The commercial zone has sidewalk sign standards proposed at one sign per 30 feet of frontage. The Main Street District would be 20 feet of frontage. Sidewalk signs cannot obstruct traffic.

CA Robinson reviewed the issue of residential use in the commercial zone and the single-family homes should follow the residential standards rather than the commercial standards. If there is a mixed-use (commercial and residential on the property) the proposal would give 100% of the allowed signage to the commercial user, not the residence. Commissioners discussed this concept, which may need to be revised. The residential tenant may want a flag or small home occupation sign. Commissioners discussed the classification of a flag as a sign, asking if two flags could be allowed outright without using the visual area formula. CA Robinson stated that, based on case law, flags cannot be excluded. Commissioners discussed the option that everyone has the minimum amount of expression to ensure that a flag can be displayed.

As proposed, construction projects, including signs that need a building permit or design review could be excluded from the calculation under special circumstances.

Commissioners generally liked the visual frontage format. Additional review is needed for mixed-use properties and the Main Street District. Also, should the second-story apartments on Main Street have

a sign in every window or should they be consolidated to a certain location on the structure (for example, at the entrance or stairway). Window signs may not be a significant problem, but the unit needs to be safe. Commissioners discussed the option of home businesses having one more sign than the formula allows. Additional research will have to be done for properties with double frontage and entrances.

Government signs and building numbers were listed in the exclusion section. CA Robinson suggested removing the language for signs regulated by design review/building permits. The list of prohibited signs were reviewed, noting that the existing Toledo Boomer Booster sign would be grandfathered in. There may need to be some clarity for non-conforming signs. Abandoned and damaged signs would be determined when a complaint has been reported or code enforcement sees the sign. Sidewalk flags displayed on the 4<sup>th</sup> of July, banners provided by the Chamber of Commerce and hung by the City could all be considered government signs because they are placed in coordination or with permission from the City.

Commissioners discussed political signs during the election season. If the signs are placed in the public right-of-way, they could be removed due to safety. If they are on private property, the maximum signage number and visual frontage formula applies. Election laws may help regulate the time political signs can be displayed. Additional review will be provided, as there could be a 'special circumstance' section that includes the election season as a seasonal display category. Commissioners liked the idea to expand the standards during the election season. CP Peterson offered to research the election laws to see if candidates are required to pick up their campaign signs after the election.

Staff will further review and revise the draft and will bring it back in future worksessions.

DISCUSSION ITEM: HOUSING REVIEW (RESIDENTIAL ZONE STANDARDS):

CP Peterson reviewed the current residential zone standards. Commissioners should review the existing standards and return next month with any suggestions for updates. For example, addressing cottage cluster development standards. He reviewed ideas from the Lincoln County Housing Strategy Plan and can also provide a list of suggestions at the next meeting.

DISCUSSION ITEM: UPDATES AND REPORTS:

CP Peterson reported that the building permit activity log was included in the packet for information.

STAFF COMMENTS:

CM Richter announced that Mayor Rod Cross ask for a list of Planning Commission duties and may have suggestions that Planning Commissioners can work on as future projects. She has been encouraging Councilors to recruit Planning Commission members.

COMMISSIONER COMMENTS:

None.

There being no further business before the Commission, the meeting was adjourned at 8:45 pm.

---

Secretary

---

President