

Toledo City Hall
Council Chambers
206 N. Main St. Toledo OR
June 10, 2020
7:00 pm

AGENDA

TOLEDO PLANNING COMMISSION

ELECTRONIC/VIRTUAL MEETING VIA ZOOM MEETING PLATFORM. The Planning Commission will hold the meeting through the Zoom video meeting platform. The public is invited to attend the meeting electronically. Email planning@cityoftoledo.org or call 541-336-2247 ext. 2130 to receive the meeting login information.

Public Comments: The Planning Commission may take limited verbal comments during the meeting. Written comments can be submitted by email to planning@cityoftoledo.org by 4:00 pm on June 10, 2020, to be included in the record. Comments received will be shared with the Planning Commission and included in the record.

1. CALL TO ORDER AND ROLL CALL
2. VISITORS: (A time set aside to speak with the Planning Commissioners about issues not on the agenda)
3. APPROVAL OF THE MAY 13, 2020 MINUTES as circulated and reviewed by the Planning Commission
4. WORKSESSION: Sign Code Standards
5. DISCUSSION ITEMS:
 - a. Safe Routes to School Grant Application Update
 - b. Updates and Reports
6. STAFF COMMENTS
7. COMMISSIONER COMMENTS
8. ADJOURNMENT

* Comments submitted in advance are preferable. Comments may be submitted by phone at 541-336-2247 extension 2130 or by email to planning@cityoftoledo.org. The meeting is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodation for persons with disabilities should be made at least 48 hours in advance of the meeting by calling the Toledo Planning Department at 541-336-2247.

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: Geoffrey Wilkie, Cora Warfield, and Anne Learned-Ellis. Excused were Robert Duprau and Penny Ryerson.

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

VISITORS: Lisa Figueroa and Frankie Trujillo Dalbey

APPROVAL OF THE FEBRUARY 12, 2020 AND MARCH 11, 2020, MINUTES:

It was moved and seconded (Learned-Ellis/Wilkie) to approve the February 12, 2020 and March 11, 2020, minutes as circulated and reviewed by the Planning Commission. The **motion passed**, noting the absence of Duprau and Ryerson.

DISCUSSION ITEM: SIGN CODE REVIEW:

CP Peterson reminded Commissioners of the March 11, 2020, joint City Council/Planning Commission worksession where the group discussed the goals of a new sign code. He provided an example from Cannon Beach and a draft code to begin review.

Visitor Frankie Trujillo Dalbey read a written statement regarding a proposed sign code. A copy of the statement was sent to staff this evening, but not in time to distribute to Planning Commissioners. Ms. Dalbey expressed appreciation with the Commission taking on the sign issue. Her concerns are with the 16 plus 'Timber Unity' signs that are placed throughout the City. While she respects individual rights, she is concerned with the length of time they have been up (since July, 2019), the number of signs around town, and the overall aesthetics because of the amount of the signs. She believes these signs are political in nature and should be considered a political sign and addressed in the code. They should not be considered permanent. She asked that the sign code address the proliferation of temporary signs, length of time they can be placed, sign size, and clearly define permanent versus temporary signage. She suggested members view the Timber Unity social media sites and asked if Toledo wants to be represented by this organization.

CP Peterson then presented two new comments received today, one from Elizabeth Fox and one from Bill Montgomery. He shared the screen for Commissioners to review. The three written statements will all be sent to Commissioners for closer review.

CP Peterson reported that the existing sign standards are pretty limited. The residential zones have some requirements for home occupations and temporary signage. However, the other zones do not have sign standards. He began the review of the draft document, which was sent to Planning Commissioners in a separate email last week. The draft contains a purpose and objective statement, definitions, sign permit process, exempt signs, prohibited signs, incidental signs, non-conforming signs, and temporary signage. The temporary signs can be regulated by size, location, duration, but not content. Standards for permanent signs can also be established, dealing with size, height, etc.

The draft classifies the zones into two categories, residential zones and non-residential zones. The draft also regulates construction, placement, maintenance, illumination, electronic display, variances, and violations. CA Robinson stated it is a good first draft and starting point for review. He suggested some definitions can be cleaned up, but asked if it is too much for Planning Commissioners to consider for a new sign code. Commissioner Learned-Ellis agreed that it covers a lot of issues, but asked if it could be scaled down. CP Peterson stated that it could be more user-friendly and can continue to be streamlined. The first review was the 45-page League of Oregon Cities model sign code. Commissioner Wilkie suggested definitions be removed if the terms are not used in the document. Commissioner Learned-Ellis suggested more review of each new sign standard. CP Peterson agreed that the example can be thoroughly reviewed in detail at future meetings and when comfortable, a joint worksession with the City Council could be held to fine tune the concerns. Staff will revise the draft and bring it back next month.

Commissioners discussed current and pre-existing signs. Ms. Dalbey asked if the code would be retro-active. It was noted that the draft language suggested that a non-conforming sign can stay in place unless it is destroyed. Ms. Dalbey expressed sadness if the temporary signs can continue indefinitely without any type of regulation. CA Robinson clarified that the City can only regulate from the time of enactment (passage of the ordinance). The code cannot replace all old signs, they can continue unless destroyed or replaced. Ms. Dalbey stressed her disappointment with this policy and left the meeting at this time.

The Commission discussed sign placement on private or City property. If signs are on City property/right-of-way, they could be removed. CP Peterson reviewed the non-conforming sign standards. Commissioner Wilkie pointed out that the non-conforming section regulates permanent signs. Discussion continued on temporary signs, political signs, and placement. The code can address size and location/placement of temporary signs, but there is no mention of a time limit.

Commissioner Learned-Ellis reviewed the purpose statement #7 and asked if the Timber Unity signs are considered 'proliferation'. CP Peterson clarified that it deals with permanent signs. President Michels asked if the draft addresses temporary signs and, specifically, the concerns with the Timber Unity signs. CP Peterson and CA Robinson reported they will review the temporary signs in more detail and can bring back options for further review. The group complimented the draft as a good starting point, but it needs additional discussion.

DISCUSSION ITEM: SAFE ROUTES TO SCHOOL GRANT APPLICATION UPDATE:

CP Peterson contacted Lincoln County Public Works and Lincoln County School District (LCSD). He held a phone conference with Susan Graves, the Safety Coordinator for LCSD. Both the County and LCSD support the idea and are willing to work with the City on the project.

The City will apply for the Project Identification Program funding. Under this program, a consultant works with the road department and school to provide ideas for safety improvements. Once the plan is completed, it will be helpful in obtaining funds for construction projects.

CP Peterson reviewed the grant application and criteria. The pre-application is due June 15th and the full application must be submitted by August 31st. A City Council resolution will be necessary to apply for the grant. The Project Identification Program may include a route across Olalla Slough.

Commissioner Warfield stated that Toledo Elementary is unique because it is located on a truck

route. Safety should rank high with this application. There are a lot of students in the nearby neighborhoods that could walk/bike to school, but it is not safe. Extending sidewalks/bike lanes should be considered. This will be a good project.

DISCUSSION ITEM: RESIDENTIAL CODE UPDATE:

CP Peterson reported that the recent Accessory Dwelling Unit updates triggered a need to further review the City's housing standards. There are several types of housing units that could be considered in the code. For example, cottage cluster housing contains smaller homes, facing common areas, all on one lot. Commissioners may want to start a conversation on this type of housing option or other ideas to reduce the barriers for residential development. The suggestions in the Lincoln County Housing Strategy Plan may also be considered.

President Michels stating it is a good idea to update the standards, which could make housing more affordable. Commissioner Learned-Ellis added that the cottage cluster may be a good option. Both supported the residential code review project. Commissioner Warfield asked about the amount of buildable lands in Toledo. It was noted that the buildable lands inventory is outdated. A new buildable lands inventory and housing needs analysis are both needed, but expensive.

CP Peterson can start a review, but would like to get a formal request from the City to move forward with the project.

STAFF COMMENTS:

None.

COMMISSIONER COMMENTS:

Commissioner Warfield noted that construction started on the NE Beech Street apartments. Commissioners reviewed the timeline to begin development after Planning Commission approval.

Commissioner Wilkie reminded everyone of the Governor's press conference scheduled for May 14th at 10 am.

Commissioner Learned-Ellis stated she is looking forward to seeing everyone again. Commissioners discussed when in-person meetings may resume. CM Richter stated that the City must follow State guidelines, but if the Planning Commission wants to hold in-person meetings, masks and social distancing requirements will be necessary.

There being no further business before the Commission, the meeting was adjourned at 8:15 pm.

Secretary

President

17.42.05 Purpose and Objectives.

The purpose of this chapter is to improve the aesthetic quality of the city in a manner which recognizes and balances the need for permanent signs with other visual, aesthetic, economic, and safety concerns of the city by:

1. Protecting the health, safety, and welfare of the public;
2. Facilitating communication between people through establishment of a comprehensive system regulating permanent signs in the city;
3. Minimizing adverse safety factors to pedestrians, bicycles, and vehicles;
4. Enhancing the overall aesthetics of the city;
5. Providing permanent signs that are legible, neat, clean, and in good repair, thereby establishing and maintaining an orderly appearance for the city;
6. Providing for safe construction, location, erection, and maintenance of permanent signs;
7. Preventing proliferation of signs and sign clutter by regulating the number and size of permanent signs;
8. Ensuring signage does not create an impermissible conflict with statutory, administrative, or constitutional standards;
9. Providing for fair and consistent enforcement of the sign regulations set forth herein; and
10. Ensuring that the constitutionally guaranteed right of free expression is protected.

17.42.010 Definitions.

“A-Frame Sign” means a double-faced temporary sign composed of two sign boards attached at the top and separate at the bottom, not permanently attached to the ground.

“Abandoned sign” means a sign or sign structure where:

- A. The sign is no longer used by the person who constructed the sign. Discontinuance of sign use may be shown by cessation of use of the property where the sign is located;
- B. The sign has been damaged, and repairs and restoration are not started within 90 days of the date the sign was damaged, or are not diligently pursued, once started.

“Alter” means to make a change to a sign or sign structure, including but not limited to, changes in area, height, projection, illumination, shape, materials, placement and location on a site. Altering a sign does not include ordinary maintenance or repair, repainting an existing sign surface, including changes of message or image, or exchanging the display panels of a sign.

“Athletic scoreboard” means a sign erected next to an athletic field by the owner or operator of the field and which is visible to spectators.

“Awning” means a shelter projecting from and supported by the exterior wall of a building constructed of rigid or nonrigid materials on a supporting framework.

“Awning Sign” means a sign attached to or incorporated into an awning.

“Banner” means a sign made of fabric or other nonrigid material with no enclosing framework.

“Beacon Sign” means any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

“Bench sign” means a sign on an outdoor bench.

“Billboard” means a sign on which any sign face exceeds 200 square feet in area.

“Building elevation area” means the area of a single side of a building, measured in square feet and calculated by multiplying the length of the side of the building by the height of the building to the roof line. If the roof line height varies along the side of the building, the average of the lowest and highest roof line height on that side shall be used in the calculation.

“Building frontage, primary” means the ground floor lineal length of a building wall that faces a street, driveway, parking lot, courtyard or plaza and has an entrance or exit open to the general public.

“Building frontage, secondary” means the ground floor lineal length of a building wall that faces a street, driveway, parking lot, courtyard or plaza and does not have an entrance or exit open to the general public.

“Bulletin board” means a permanent sign providing information in a horizontal linear format, that can be changed either manually through placement of letters or symbols on tracks mounted on a panel, or electronically, through use of an array of lights in a dot matrix configuration, from which characters can be formed.

“Canopy” means a permanent roofed structure which may be freestanding or attached to a building, but which is not a completely enclosed structure or awning.

“Clearance” means the distance between the average grade below a sign to the lowermost portion of the sign.

“Commercial Speech” means any sign wording, logo or other representation advertising a business, profession, commodity, service or entertainment for business purposes.

“Community event” means an activity or event identified as such by the city council.

“Component” means, when used in describing a sign, any element of a sign or its source of support (excluding a building), including but not limited to support structure, accessories, wiring, or framing. Paint, vinyl, paper, fabric, lightbulbs, diodes, or plastic copy panels on a sign do not constitute components.

“Dynamic Element” means any characteristic of a sign that appears to have movement or that appears to change, caused by any method other than physically removing and replacing the sign face or its components, except through the operation of moving, rotating, or otherwise animated parts. This definition does not include Video Signs or Tri-vision Signs as defined below. This definition includes a display that incorporates a technology or method allowing the sign face to change the image without having to replace the sign face or its components physically or mechanically. This definition also includes any flashing, blinking, or animated graphic or illumination, and any graphic that incorporates LED lights manipulated through digital input, “digital ink” or any other method or technology that allows the sign face to present a series of images or displays.

“Flag” means any fabric, bunting or other lightweight material that is secured or mounted so as to allow movement caused by the atmosphere.

“Flashing” means, when used in describing a sign, the presence of an intermittent or flashing light source (whether on the face or externally mounted), or the presence of a light source which creates the illusion of intermittent or flashing light by means of animation.

“Freestanding sign” means a sign wholly supported by integral pole(s), post(s), or other structure or frame, the primary purpose of which is to support the sign and connect it to the ground. Examples include monument signs and pole signs. A freestanding sign does not include a portable sign.

“Government Sign” means a sign that is constructed, placed or maintained by the federal, state or local government for the purpose of carrying out an official duty or responsibility or a sign that is required to be constructed, placed or maintained by a federal, state or local government either directly or to enforce a property owner’s rights.

“Grade” For freestanding signs, “grade” means the average level of the ground measured five feet from either end of the base of the sign, parallel to the sign face. For signs mounted on buildings, grade means the average level of the sidewalk, alley or ground below the mounted sign measured five feet from either end of the sign face.

“Grave marker” means a sign on a cemetery plot or space, including any floral displays or other decorations placed upon it.

“Ground-mounted sign” means a freestanding sign with a minimum of 12 inches of vertical solid base directly and continuously connected to at least 50 percent of the sign face width or, is borne by two or more supports which are a minimum of 12 inches but less than eight feet above grade.

“Handheld sign” means a hand-carried sign of six square feet or less in area, worn or carried by a person when being displayed.

“Height” means the vertical distance measured from grade to the highest attached component of a sign including the supporting structure.

“Historical or landmark marker” means a sign constructed in close proximity to a historic place, object, building, or other landmark recognized by an official historical resources entity, where the sign is constructed by the owner of the historic property and does not exceed 20 square feet in size.

“Historical sign” means a sign designated as a historic or cultural resource under city, state or federal law or a sign that is an historical element of an historical landmark.

“Illuminated sign” means a sign illuminated by an internal light source or an external light source primarily designed to illuminate the sign. The illumination is “external” when the light source is separate from the sign surface and is directed to shine upon the sign and “internal” when the light source is contained within the sign, but does not include signs where the text or image is composed of dot matrix or LEDs. External illumination is “direct” when the source of light is directly seen by the public, such as a floodlight, and “indirect” when the source of light is not directly seen by the public, such as cove lighting.

“Incidental Sign” means a sign that is not legible to a person of ordinary eyesight with vision adequate to pass a state driver’s license exam standing at ground level at a location on the public right of way or on other private property.

“Indirect” means, when describing the illumination of a sign, external illumination from a source located away from the sign, which lights the sign, but which is itself not visible to persons viewing the sign from any street, sidewalk or adjacent property.

“Integral Sign” means a sign that is embedded, extruded or carved into the material of a building façade. A sign made of bronze, brushed stainless steel or aluminum, or similar noncombustible material attached to the building façade and projecting no more than two inches from a building.

“Interior sign” means a sign erected and maintained inside of a building, including, but not limited to, a sign attached to or painted on the inside of windows. This definition does not include text, pictures, graphics, or similar representations in display windows.

“Lawn Sign” means a temporary freestanding sign made of lightweight materials such as cardboard or vinyl that is supported by a frame, pole or other structure placed directly in or upon the ground without other support or anchor.

“LED” (light-emitting diode) means a semiconductor diode that converts applied voltage to light and is used in digital displays.

“Maintenance” means normal care or servicing needed to keep a sign functional or perpetuate its use, such as cleaning, replacing or repairing a part made unusable by ordinary wear, and changing light bulbs.

“Marquee” means a permanent roofed structure attached to or supported by a building.

“Menu board” means a sign placed at the beginning of a drive-up service lane of a food service establishment that includes a two-way speaker system for taking food orders.

“Monument sign” means a freestanding sign that is placed on a solid base that extends a minimum of 12 inches above the ground and extends at least 75 percent of the length and width of the sign. The above ground portion of the base is considered part of the total allowable height of a monument sign.

“Multiple-Driveway Sign” means a sign at the exit or entrance of a premise that has two or more driveways.

“Name plate” means a permanent wall sign located on the front facade of a residential structure.

“Noncommercial Speech” means any message that is not commercial speech, which includes but is not limited to, messages concerning political, religious, social, ideological, public service and informational topics.

“Numeric information sign” means a sign only displaying current numeric measurements such as time, date, temperature, or stock indices.

“Original Art Display” A hand-painted work of visual art that is either affixed to or painted directly on the exterior wall of a structure with the permission of the property owner. **An original art display does not include: mechanically produced or computer generated prints or images, including but not limited to digitally printed vinyl; electrical or mechanical components; or changing image art display.**

“Owner” means the person owning title to real property on which a sign is located, or the contract purchaser of the real property as shown on the last available complete assessment roll in the office of county assessor.

“Person” means every person, firm, partnership, association, or corporation.

“Pole sign” means a sign that is a freestanding sign connected to the ground by one or more supports with the lower edge of the sign separated vertically from the ground by a distance of nine feet or greater as measured from grade.

“Portable sign” means a sign which is not affixed to a building or other structure, or the ground in a permanent manner and is designed to be moved from place to place.

“Principal use” means a nonresidential use of property by an owner or lessee. Multiple principal uses may be located on a lot or development.

“Prior lawful nonconforming sign” means a sign whose location, dimensions or other physical characteristics do not conform to the standards of this ordinance but which was legally constructed or placed in its current location prior to the enactment of this ordinance or its amendment that made it nonconforming.

“Projecting sign” means a sign, other than a wall sign, that projects from, and is supported by or attached to, a roof or wall of a building or structure.

“Public right of way” means travel area dedicated, deeded or under control of a public agency, including but not limited to, highways, public streets, bike paths, alleys and sidewalks.

“Public sign” means a sign erected, constructed, or placed within the public right of way or on public property by or with the approval of the governmental agency having authority over, control of, or ownership of the right of way or public property.

“Repair” means mending or replacing broken or worn parts with comparable materials.

“Roof elevation area” means the area of a single plane of a roof, measured in square feet and calculated by multiplying the difference between the height of the ridge and the height of the eave by the distance between opposing rakes.

“Roof line” means the top edge of a roof or a building parapet, whichever is higher, excluding any cupolas, chimneys or other minor projections.

“Roof sign” means a sign erected upon, against, or over the roof of any building or structure.

“Sign” means a display, illustration, structure or device that has a visual display visible from a public right of way and designed to identify, announce, direct, or inform. The scope of the term “sign” does not depend on the content of the message or image being conveyed.

“Sign area” means the area of the sign measured within lines drawn between the outermost points of a sign, but excluding essential sign structures, foundations, or supports.

“Sign band” means a continuous horizontal band located on a facade where there are no doors, windows or other architectural features.

“Sign copy” means the message or image conveyed by a sign.

“Sign face” means the sum of the surfaces of a sign face as seen from one plane or elevation included within the outer dimensions of the sign board, frame or cabinet.

“Sign height” means the average level of the grade below the sign to the topmost point of the sign including the supporting sign structure, foundations, and supports.

“Site” means the area, tract, parcel, or lot of land owned by or under the lawful control of an owner. Abutting platted lots under the same ownership shall be considered one site.

“Structure” means that which is built or constructed. An edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner and which requires location on the ground or which is attached to something having a location on the ground.

“Supporting structure” means a structure specifically intended for supporting or containing a sign.

“Suspended sign” means a sign suspended from the underside of a canopy, awning, eve, or marquee.

“Temporary sign” means a sign which is displayed consistently, but only for a limited and defined period of time, and is not permanently affixed or attached to a building, structure, or the ground, and is designed to be easily removed at the end of the limited and defined period of time. Temporary signs are banners or lawn signs. Portable signs as defined herein are also classified as temporary signs. Pole signs can also be utilized as temporary signs, provided they meet the requirements for and are designed as temporary signs.

“Transmission Facility” means those facilities that are used to provide transmission services as determined by the federal energy regulatory commission and the commission.

“Tri-vision sign” means a sign that contains display surfaces composed of a series of three-sided rotating slates arranged side by side, either horizontally or vertically, that are rotated by an electro-mechanical process, capable of displaying a total of no more than three separate and distinct messages, one message at a time, provided that the rotation from one message to another message is no more frequent than every eight seconds and the actual rotation process is accomplished in four seconds or less.

“Unlawful Sign” means a sign that does not conform to the provisions of this Code and is not a nonconforming sign.

“Utility Sign” means a sign constructed or placed by a public utility on or adjacent to a pole, pipe, or distribution facility of the utility and within the public right of way or utility easement.

“Vehicle sign” means a sign placed in or attached to the motor vehicle, trailer, railroad car, is used for either personal purpose or is regularly used for purposes other than the display of signs.

“Video sign” means a sign providing information in both a horizontal and vertical format (as opposed to linear), through use of pixel and sub-pixel technology having the capacity to create continuously changing sign copy in a full spectrum of colors and light intensities.

“Vision clearance area” means a triangular area on a lot at the intersection of two streets or a street and a railroad, alley, or driveway as defined and measured in TMC **17.48.060**.

“Wall sign” means a permanent attached sign that is affixed parallel with the wall or painted or printed on the wall, or is affixed flat against the sloping surface of the wall.

“Window sign” means a sign attached to or painted on a window, or displayed inside the building within six inches of a window or building opening so that it is viewable from the outside of the building.

17.42.020 Sign permit application.

- A. Except as provided in this chapter, a permit is required to erect, construct, repair or alter a sign. If a sign is for a new development that requires development review under the City of Toledo zoning/development, then the sign shall be reviewed as part of the development review process prior to approval of a sign permit.
- B. An application for a sign permit shall be made on a form prescribed by the City Manager, shall contain all the information requested on the prescribed form, and shall be filed with the department. The application shall be filed by the owner of the sign or a representative of the sign’s owner.
- C. A separate sign permit application is required for each sign, unless a combined application for all signs in a proposed development is proposed.
- D. The payment of permit fees in the amount set by City Council resolution is required for each separate sign.
- E. A separate application through Lincoln County for an electrical permit may be necessary. It’s the applicant’s responsibility to contact Lincoln County and ascertain electrical permit requirements.
- F. A separate application through the department for a structural permit may be necessary. It is the applicant’s responsibility to contact the building official and ascertain structural permit requirements. If a structural permit is required, it must be issued prior to erecting, constructing, placing, locating, attaching, affixing, moving, modifying, or altering any permanent sign or permanent sign structure.

17.42.025 Exempt signs.

Except for signs prohibited by this chapter, the following signs are exempt from the provisions of the City of Toledo Sign Code:

- A. Incidental signs.
- B. Grave markers.
- C. Original art displays that do not constitute commercial speech.
- D. Seasonal decorations, rope lights, string lights, holiday lights or mini-lights.

17.42.030 Prohibited signs.

Except for nonconforming signs, the following signs are unlawful and are nuisances:

- A. Abandoned signs;
- B. Beacon signs, except those associated with emergencies or aircraft facilities;
- C. Flying signs, such as blimps or kites, designed to be kept aloft by mechanical, wind, chemical or hot air means that are attached to the property, ground or other permanent structure;
- D. Inflatable signs that are attached to the property, ground or other permanent structure, including but not limited to balloons;
- E. Signs and components and elements of faces of signs that move, shimmer, or contain reflective devices;
- F. Signs which emit any odor, noise or visible matter other than light;
- G. Commercial speech affixed to any transmission facility;
- H. A vehicle, including a trailer, used as a sign or as the base for a sign where the primary purpose of the vehicle in that location is its use as a sign;
- I. Billboards;

- J. Video signs;
- K. Any sign constructed, maintained or altered in a manner not in compliance with the City of Toledo Sign Code;
- L. Any nonpublic sign constructed or maintained which, by reason of its size, location, movement, coloring or manner of illumination may be confused with or construed as a traffic control device or which hides from view any traffic control device;
- M. Any sign (other than a government sign) constructed in such a manner or at such a location that it will obstruct access to any fire escape or other means of ingress or egress from a building or an exit corridor, exit hallway or exit doorway. No sign or supporting structure shall cover, wholly or partially, any window or doorway in any manner that it will substantially limit access to the building in case of fire;
- N. Any sign located in a manner which could impede traffic on any street, alley, sidewalk, bikeway or other pedestrian or vehicular travel way;
- O. Any sign equipped with moving, rotating or otherwise animated parts, except for athletic scoreboards permitted under Section **17.42.040**;
- P. Any sign that is wholly or partially illuminated by a flashing or intermittent light, lights, lamps, bulbs, or tubes. Rotary beacon lights, zip lights, strobe lights, or similar devices shall not be erected or maintained, or attached to or incorporated in any sign;
- Q. Any sign (other than a government sign) within the vision clearance area provisions contained in the zoning/development ordinance;
- R. Any sign attached to a tree or a plant, a fence or a utility pole, except as otherwise allowed or required by the City of Toledo Sign Code or other chapters of the City Code;
- S. Any sign within or over any public right of way, or located on private property less than two feet from any area subject to vehicular travel, except for:
 1. Public signs, (includes banners over the public right of way, with the approval of the controlling jurisdiction).
 2. Temporary signs specifically allowed within the public right of way under Section **17.42.045** of this chapter.
 3. Temporary signs, including banners, pennants, and wind signs, except as authorized by Section **17.42.040** or **17.42.045** of this chapter.
 4. Unlawful signs.
 5. Any sign which is judicially determined to be a public nuisance.

17.42.035 Prior Lawful Nonconforming Signs.

Nonconforming permanent signs may continue, subject to the restrictions in this section:

- A. A nonconforming permanent sign or sign structure shall not be:
 1. Expanded in size or height that increases the nonconformity; or
 2. Relocated

~~B. A nonconforming permanent sign shall may not be maintained or altered, including changing the face and changing the types of materials comprising the sign, provided no changes are made that would increase the nonconformity.~~

~~B-C. If a nonconforming sign is destroyed the sign shall not be replaced and shall lose its nonconformity. Any remaining portions of the sign shall be removed; any new signage erected in its place shall comply with the provisions of this chapter.~~

~~If a nonconforming sign is destroyed by wind, fire, rain, or by any other natural disaster, the sign shall not be replaced and shall lose its nonconformity and any remaining portions shall be removed; any new signage erected in its place shall comply with the provisions of this chapter.~~

~~C.D.~~ Nothing in this section shall be deemed to prevent the maintenance of any sign, or regular manual changes of sign copy on a sign.

17.42.040 Exemptions from requirement for permit.

The following signs are allowed in all sign districts without a permit, but they are still subject to the limitations of city code, including definitions. Use of these signs does not affect the amount or type of signage otherwise allowed by this chapter. The painting, repainting, cleaning, maintenance and repair of an existing sign shall not require a permit, unless a substantial structural alteration is made. The changing of a sign copy or message shall not require a permit.

- A. Integral signs;
- B. Government signs;
- C. One indirectly illuminated or nonilluminated sign not exceeding one and one-half square feet in an area placed on any non-multifamily residential lot. This type of sign is typically used as a name plate;
- D. Flags;
- E. Vehicle signs that are not prohibited signs under **17.42.030**;
- F. Signs displayed upon a bus owned by a public transit district;
- G. Historical signs or historical or landmark markers;
- H. Handheld signs;
- I. Signs that are designed to be read only from within buildings or other premises such as parking and maneuvering areas and interior spaces such as within multi-business complexes;
- J. A sign within the public right of way that is erected by a governmental agency, utility or contractor doing authorized work within the right of way;
- K. A sign that does not exceed eight square feet in area and six feet in height, and is erected on property where there is a danger to the public or to which public access is prohibited;
- L. Nonilluminated interior signs in nonresidential sign districts designed primarily to be viewed from a sidewalk or street, provided the sign does not obscure more than 25 percent of any individual window;
- M. Illuminated interior signs in nonresidential sign districts designed primarily to be viewed from a sidewalk or street, provided the sign face is less than four square feet in area;
- N. One suspended sign for each principal use erected on property which is not considered public right of way, under an attached first floor awning or canopy upon a building with direct exterior pedestrian access, provided the sign does not exceed six square feet in area and has a minimum of eight feet of clearance;
- O. An exterior sign erected next to an entrance, exit, rest room, office door, or telephone, provided the sign is no more than four square feet in area. This type of sign is typically used to identify and locate a property feature;
- P. Signs located within a sports stadium or athletic field, or other outdoor assembly area which are intended for viewing by persons within the facility. The signs shall be placed so as to be oriented towards the interior of the field and the viewing stands;
- Q. Signs incorporated into vending machines or gasoline pumps;
- R. Temporary signs as allowed under Section **17.42.045** of this chapter;
- S. Utility signs;
- T. Signs for hospital or emergency services, and railroad signs.

17.42.045 Temporary signs.

- A. Temporary signs may be erected and maintained in the city only in compliance with the regulations in this chapter, and with the following specific provisions:
 - 1. Except in connection with a community event, no temporary sign shall be internally illuminated or be illuminated by an external light source primarily intended for the illumination of the temporary sign.

2. A temporary sign shall be attached to the site or constructed in a manner that both prevents the sign from being easily removed by unauthorized persons or blown from its location and allows for the easy removal of the sign by authorized persons.
 3. Except as provided in this code, temporary signs shall not be attached to trees, shrubbery, utility poles or traffic control signs or devices.
 4. No temporary sign shall be erected or maintained which, by reason of its size, location or construction constitutes a hazard to the public.
- B. The following temporary signs shall be allowed on a lot without issuance of a permit and shall not affect the amount or type of signage otherwise allowed by this chapter. This signage shall not be restricted by content. Signage shall be allowed for each lot as follows:
1. Signs (lawn signs and portable signs) not exceeding nine square feet in area or four feet in height.
 2. Signs (Banners) not exceeding 20 square feet in area or five feet in height.
 3. Temporary signs shall not exceed 6-months on-site in a calendar year.
 4. Temporary signs shall be marked with a "date of erection" identify when the sign was erected.
- C. No temporary signs or banners shall be allowed in the public right of way or on public property, except for those listed in this subsection.
1. The following temporary signs shall be permitted in the right of way without issuance of a permit and shall not affect the amount or type of signage otherwise allowed by this chapter. No temporary sign in the right of way shall interrupt the normal flow of vehicle, pedestrian or bicycle traffic and shall provide a minimum of five feet of clear passage for pedestrians on a sidewalk where a sidewalk exists. No temporary sign shall extend into a vision clearance area. Temporary signs allowed in the right of way shall include:
 - a. Government signs;
 - b. Signs on public sidewalks and adjacent to commercial uses shall comply with the following standards:
 - i. Any temporary sign is placed on the sidewalk within the first three feet behind the curb, and
 - ii. Any temporary sign is present only during the business hours of the responsible enterprise, and
 - iii. Any temporary sign placed elsewhere than directly adjacent to the primary use shall be placed only with the written consent of the property owner of the adjacent property. No more than two temporary signs shall be placed in the public right of way adjacent to any property frontage on a single street;
 - ~~c.~~ ~~Portable signs limited to a maximum of six square feet in area and three feet in height, displayed only on weekends and holidays, placed at street intersections in relative close proximity to a property for sale or lease during the time of that display. One single sign for each property or development shall be permitted at each intersection and shall be positioned as to be no closer than two feet from areas subject to vehicular travel;~~
 - ~~d.c.~~ Bench signs located at mass transit stops so long as the bench sign is approved by the owner;

e-d. Signs attached to mass transit shelters which are approved by the mass transit agency and the owner.

e. Temporary banners or seasonal decorations which extend over a roadway or are attached to utility or streetlight poles shall be permitted **in the right of way upon issuance of a permit in accordance with the procedures set out in Sections 17.42.040 of this chapter** and shall comply with the following standards:

-i. Banners or decorations which extend over a roadway shall not exceed 60 square feet in area. Banners which are attached to a single utility or streetlight pole shall not exceed 12 square feet in area.

-ii. Temporary banners or decorations shall be permitted only if the applicant is conducting an event or activity in the city that has been identified as a community event by the city council or for purposes of identifying a geographic area or district of the city.

~~c. Applicants requesting permits for temporary banners or decorations in city right of way shall obtain all permits and approvals as outlined in Chapter 17.42.045(D) of this Code prior to submittal of an application for a sign permit. Applicants requesting temporary banners placed over rights of way controlled by other agencies other than the city shall obtain written consent from the appropriate agency regarding the proposed banner(s) prior to submittal of an application for a sign permit. The consent shall identify any restrictions desired by the owner of the right of way.~~

-iii. Except for a banner(s) identifying a geographic area or district of the city, banner(s) shall be removed within two days of the applicant's event or activity giving rise to the permit.

17.42.050 Reserved

17.42.055 Permanent Signs in the R-S and R-G zones.

The following permanent signage is allowed in the R-S and R-G zones:

- A. Permitted Sign Types, Number and Area. Signs within the residential sign district are limited as follows and require issuance of permits under Section **17.42.020** of this chapter.
 1. A permitted and approved non-residential use may have permanent signage not exceeding **16 square feet in area**. Permanent signage may be wall signs, roof signs, blade signs, suspended signs, canopy signs, awning signs, or marquee signs or freestanding ground, pole, or monument signs, with no limitation on the number of signs, provided the total permanent signage square footage does not exceed 20 square feet in area.
 2. In multifamily developments, one double-faced monument sign, or not more than two single-faced monument signs on either side of a vehicular entrance shall be permitted on the primary street frontage. Sign area shall not exceed 16 square feet for each sign face. Where a complex has multiple street frontages, this signage may be permitted on each building frontage that abuts a TSP designated arterial or collector street.
 3. In subdivisions, not more than two single-faced monument signs for a subdivision or planned unit development having 20 or more lots may be permitted on either side of a public right of way or private street tract entrance. Sign area shall not exceed 16 square feet for each sign face.
- B. Maximum Sign Height. Monument signs shall be no more than six feet in height. Ground-mounted signs shall be no more than 12 feet in height.

- C. Changeable copy signs, electronic message centers, and signs that are internally illuminated are prohibited.
 - 1. The illumination of signs within the residential sign district shall comply with the standards contained in Section **17.42.125** of this chapter.

17.42.060 Permanent Signs in all other zones

The following signage is allowed in all other zones besides the R-S and R-G zones:

- A. Attached Signs. Attached signs allowed by this code are wall signs, blade signs, suspended signs, canopy signs, awning signs, or marquee signs.
 - 1. Number. There is no limit to the number of attached signs on a building with either one tenant space or with more than one tenant space, subject to the aggregate total area limitation of **17.42.060(A)(2)** below.
 - 2. Area.
 - a. Buildings with one tenant space are allowed a minimum of 25 square feet of attached sign area.
 - b. For buildings with two or more tenant spaces, each tenant space is allowed a minimum of 25 square feet of attached sign area.
 - c. Tenant spaces with more than 25 lineal feet of frontage are allowed to increase the 25-square-foot minimum by one square foot for each lineal foot of frontage.
 - d. In no case shall the total square footage of attached sign area on one building exceed 100 square feet, regardless of the number of tenant spaces and regardless of the amount of frontage.
 - 3. Attached signs may be illuminated, subject to the provisions in **17.42.125**.
- B. Roof signs. Each building is allowed one roof sign not to exceed 50 square feet in area.
 - 1. Roof signs may not extend more than 6 feet above a flat roof or the ridge of a pitched roof.
 - 2. In no case may the combined height of the building and sign exceed the building height limitations of the underlying zone.
 - 3. Illumination may be incorporated into roof signs, subject to the provisions of Section **17.42.125**.
- C. Freestanding Signs. Freestanding signs are ground signs, monument signs, and pole signs.
 - 1. Number.
 - a. One freestanding sign is allowed per legal lot of record, provided the lot has 50 or more lineal feet of street frontage. Two or more contiguous lots under the same ownership, wherein each of the lots have less than 50 lineal feet of street frontage, may have their street frontages combined for purposes of determining the lineal feet of street frontage for the one allowed freestanding sign. This is the only instance where street frontages may be combined for sign allowance purposes. In cases where a legal lot of record has multiple street frontages, each of which exceed 100 lineal feet, that legal lot of record may have one freestanding sign for each such street frontage, provided the freestanding sign allotted per street frontage is placed adjacent, and oriented to, the street frontage from which the allowance is obtained.
 - i. Additionally, if one or more of the multiple street frontages exceeds 200 lineal feet, then one additional freestanding sign may be placed adjacent, and oriented to, such street frontage that exceeds 200 lineal feet.
 - 2. Area Limitations.
 - a. The allowed area of a freestanding sign is one square foot of sign area per one lineal foot of street frontage, up to a maximum area of 100 square feet.
 - 3. Placement.
 - a. Freestanding signs must comply with clear-vision area requirements of **17.48.060**.
 - b. No freestanding may be within 100 linear feet of another freestanding sign on the same legal lot of record.
 - 4. Height.

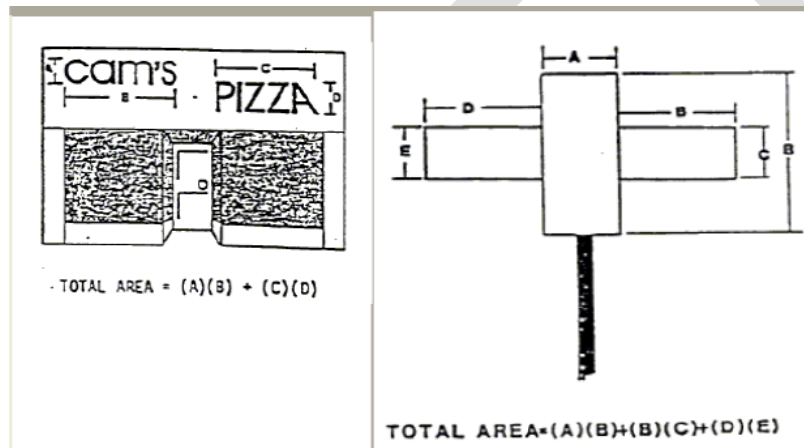
- a. The maximum height of a freestanding sign is 20 feet measured as the vertical distance from the highest point of the sign, including any vertical projection thereof, to the level of the street upon which the sign faces, or the adjoining ground level, if it is above the street level.

17.42.080 Measurements.

The following shall be used in measuring a sign to determine compliance with this chapter:

A. Sign Area.

1. Sign area shall be measured within lines drawn between the outermost dimensions of the frame or cabinet surrounding the display area containing the sign copy. When signs are not framed or on a base material and are inscribed, painted, printed, projected or otherwise placed upon, or attached to a building, canopy, awning or part thereof, the sign area is the smallest possible space enclosing the sign copy that can be constructed with straight lines. Where a sign is of a three-dimensional, round, or irregular solid shape, the largest cross-section shall be used in a flat projection for the purpose of determining sign area.



2. The area of all signs in existence at the time of enactment of the ordinance codified in this chapter, whether conforming or nonconforming, shall be counted in establishing the permitted sign area.
 3. When signs are constructed in multiple separate pieces containing sign copy, sign face area is determined by a perimeter drawn in straight lines, as small as possible, around all pieces.
- #### B. Height.
1. Height of sign above grade is measured from the average level of the grade below the sign to the topmost point of the sign including the supporting structure.
 2. Where there is a limitation on the size of lettering, the lettering shall be measured cumulatively in height.
- #### C. Double- or multi-faced signs.
- Allowable sign square footage applies to only one side of double- or multi-faced signs, provide each face is identical in size.
- #### D. Clearance.
- Clearance is measured from the average grade below the sign to the lowermost point of the sign.

17.42.105 Construction

- A. All permanent signs and sign structures, including exemptions listed in **17.42.040**, shall comply with the applicable provisions governing construction within and for the city, including all city, state, and federal rules and regulations.
- B. Any applicable permits shall be obtained as required by city, state, or federal law and shall be obtained prior to construction or placement.

- C. It is the responsibility of the individual wishing to construct or place the permanent sign to ascertain all requirements, prohibitions, exemptions, and permitting processes and to obtain all required permits prior to said construction or placement.

17.42.110 Placement

- A. Placement is subject to compliance with clear-vision area requirements of **17.48.060**;
- B. All portions and components of permanent signs and sign structures must be placed such that no portion or component obstructs clear and unhindered passage of any vehicular, bicycle, or pedestrian traffic in any right-of-way;
- C. All portions and components of permanent signs and sign structures must be placed outside of the required five-foot-wide clear circulation path for ADA-accessibility. In no case, shall any portion or component of any permanent sign, sign structure, or any other item allowed in this chapter obstruct, impede, or be within the required five-foot-wide clear circulation path unless a reduction in the width of the clear circulation path has been approved by the city engineer.
- D. No portion or component of any permanent sign, sign structure, or any other item allowed in this chapter shall be placed or displayed in a manner that presents a safety hazard to pedestrians, bicycles/bicyclists, vehicles and drivers, or anyone else; and
- E. Permanent signs placed such that any portion, or the entirety, of the sign or sign structure is within right-of-way must obtain approval of such placement from the roadway authority having jurisdiction over the right-of-way in which the permanent sign will be placed.
- F. The maximum protrusion of a sign over right-of-way shall be 24 inches, with a minimum of eight feet of clearance between the finished grade and the bottom of the sign. The applicable roadway authority shall approve the placement of protruding signs.

17.42.115 Maintenance

- A. All permanent signs, along with all of their structures, components, poles, posts, supports, braces, guys and guy wires, anchors, etc. and any other item allowed by this chapter must be:
 - 1. Maintained in a safe, hazard-free condition;
 - 2. Maintained in a condition which is neat, clean, and in good repair;
 - 3. Kept free from rust, corrosion, peeling paint, mold, mildew, or other surface deterioration;
 - 4. Kept neatly and freshly painted or posted; and
 - 5. Kept free of all extraneous items.
- B. All permanent signs, which are faded, torn, damaged, dirty, ripped, corroded, tattered, frayed, broken, hazardous, or in a state of disrepair must have immediate maintenance performed or be removed immediately, but no later than 30 days following the occurrence of the fading, tearing, damage, uncleanliness, etc.
- C. A permanent sign structure must contain a sign face at all times, except during the time when the sign face has been temporarily (no more than 30 days) removed for repair or maintenance. Such sign face shall be neat, clean, and hazard-free.

17.42.120 Illumination—General restrictions.

- A. No sign, light, lamp, bulb, tube, or device shall be used or displayed in violation of this section.
- B. No light source shall create an unduly distracting or hazardous condition to a motorist, pedestrian or the general public. Lighted signs shall be placed, shielded or deflected so as not to shine into residential dwelling units or structures, or impair the road vision of the driver of any vehicle.
- C. External light sources for a sign shall be directed and shielded to limit direct illumination of any object other than the sign.
- D. The illumination of signs shall comply with the following standards:

1. No exposed reflective type bulb, par spot nor incandescent lamp, which incandescent lamp exceeds 25 watts, shall be exposed to direct view from a public street or highway, but may be used for indirect light illumination of the display surface of a sign.
2. When neon tubing is employed on the exterior or interior of a sign, the capacity of such tubing shall not exceed 300 milliamperes rating for white tubing nor 100 milliamperes rating for any colored tubing.
3. When fluorescent tubes are used for interior illumination of a sign, such illumination shall not exceed:
 - a. Within residential zones, illumination equivalent to 400 milliampere rating tubing behind a sign face with tubes spaced at least seven inches, center to center;
 - b. Within all other zones, illumination equivalent to 800 milliampere rating tubing behind a sign face spaced at least nine inches,

17.42.125 Electronic display centers and changeable copy signs

- A. All electronic display centers shall come equipped with automatic dimming controls that automatically adjust the display brightness based on ambient light conditions such as from day to night or on a cloudy day.
- B. No electronic display center shall exceed a brightness level of 0.3 foot candles above ambient light as measured using a foot candle (LUX meter at a present distance depending on sign area).
- C. Measuring distance shall be determined using the square root of the product of the sign area and one hundred. (Example using a 12-square-foot sign: square root of (12x100) = 34.6 feet measuring distance.)
- D. One electronic display center or changeable copy sign is allowed per legal lot of record provided the legal lot of record has at least 40 lineal feet of street frontage.
- E. The display in the electronic display center may not change or move more often than once every hour.
- F. The images and messages displayed must be static, and the transition from one static display to another must be instantaneous without any special effects.
- G. The electronic display center must be designed and equipped to freeze the element's display in one position if a malfunction occurs.
- H. Sign area of the display portion of the electronic display center or changeable copy sign may not exceed 30 percent of the provided sign face.
- I. The electronic display center or changeable copy sign must be part of an attached sign or freestanding sign, is not allowed as a separate sign, and is included in the calculation of allowed attached or freestanding sign face area.
- J. Incorporation of electronic display centers and changeable copy signs
 1. Electronic display centers may be incorporated into either attached or freestanding signs, but not roof signs.
 2. Changeable copy signs may be incorporated into either attached or freestanding signs, but not roof signs.
 3. Electronic display centers and changeable copy signs are only allowed as part of permanent attached or freestanding signs and may not be utilized as stand-alone permanent signs.
 4. Electronic display centers and changeable copy signs are subject to the provisions of Sections **17.42.060** center to center.

17.42.130 Exceptions and Variances

Request to depart from a size or height requirement are subject to **17.68** Variances. Exceptions and Variances to the remaining sections of chapter **17.42** Signs are prohibited.

17.42.140 Violations

Any sign that is located, constructed, maintained, repaired, or used in violation of city code constitutes a nuisance. The city may take action against such as provided in **8.04**.

DRAFT

To Toledo Planning

Subject: Political Signs

Public comment for May 5, 2020 meeting

To whom it concerns,

Thanks for listening and thank you for your efforts in planning for the Future of Toledo!

I have lived around or in Toledo for 40 years! I have watched Toledo transition in many forms and always enjoying our community!

Of late I am feeling separated and disappointed with the many Timber Unity signs. At first I thought they expressed support and solidarity for many families who work in the timber industry. I understood the solidarity for a while and assumed they would all come down soon! They have not come down and I now find them as litter and not welcoming to our community. After researching Timber Unity, I have found that Timber Unity is a political action group that reaches far beyond supporting the forest industry. It is a far right group that I do not support!

Please consider implementing an ordinance that limits Political action signs in Public view!

Thanks

Bill Montgomery

8317 hwy 20

Toledo Or.

Arlene Inukai

From: Elizabeth & David Fox < >
Sent: Wednesday, May 13, 2020 11:50 AM
To: Arlene Inukai
Subject: Sign Ordinance - sign Issues - Toledo

To the Toledo Planning Commission:

My family lives outside the city limits, off N. Bay Road and I travel through Toledo daily. I have enjoyed the city's beautification work along Sharon Branstiter's memorial highway and know she would be pleased to see how the plantings have been cared for and enhanced by public art.

However, in the last 6 months there has been a real change in how the drive through town appears, as there's been an increase in visual pollution due to signage. Not all of these signs are temporary signs for political candidates, either. In fact, in less than 1 mile (the turn off to N. Bay Road) there are 10 Timber Unity signs, and over half of them are over 9 sq. ft. In fact, I would guess there is more square sign footage directed towards this group than the total of all directional or informative signs in Toledo. This signage visually detracts from the beauty that the city has been working hard to maintain. Might this be addressed by the Commission?

Toledo's current zoning ordinance addresses political signage only in residential zones. There, those signs are considered temporary and must be removed within 7 days of an election. Basically, that means no one has to take down political signs along old highway 20 EVER, because it's not residentially zoned. The proposed ordinance does a better job of defining and addressing temporary signage, but does not define what is meant by "temporary" (i.e., it doesn't set a time limit.) I am hoping these deficiencies in the existing and proposed ordinances might be corrected by the Planning Commission.

Addressing the issue of too many signs now: it's a matter of free speech that folks can say they support timber and agriculture, I get that. But Timber Unity (TU) is, by their political contributions to GOP candidates and their financial support of a failed recall of a Democratic state representative, a political group. Their sale of stickers, signs, shirts, coffee, hats and more all contribute to the coffers that fund political action. Social media paints an even uglier picture of what TU stands for: hatred towards our governor, immigrants, people who wear masks, people who support gun control, environmentalists and more. It would be easy to say "don't judge them by their facebook followers" but the fact that TU is financially supporting candidates who share these opinions is disconcerting. By posting these signs everywhere in town, it paints a picture to everyone that Toledo is a TU town. Personally, I'd rather see the message that Sharon and my friend Julie Rockwell worked towards: environmental stewardship, economic progress, caring about community.

I sincerely appreciate your attention to these concerns,
Liz Fox
POB 696
Toledo, OR. 97391

May 13, 2020
City of Toledo Planning Commission
Planning Commission Meeting

Dear Toledo Planning Commission

Thank you for the opportunity to provide my oral and written comments on the proposed adoption of a sign ordinance.

My name is Francisca Trujillo-Dalbey. I have a PhD. in Urban Planning and I am a past Toledo City Council member. I am married to a current Toledo City Council member, Bill Dalbey, however, I speak only on my own behalf. I also want to say that my family (the Chavarrias') have lived in Toledo since about 1924, and many of my family members have been loggers, mill wrights, and so on. Personally, I am a part-time professor at our local college, and I am the president/executive director of KYAQ 91.7fm. However, I am only representing myself and none of my affiliations.

I am very pleased to see our planning commission take up the subject of signage in our town. I have been outspoken on social media about the over 16- 4 x 8 foot signs that start at the junction of highway 20 and business 20. In addition to the 16+ large signs, there are also a number of window signs. These signs are advertising Timber Unity and they all went up the day or so before the Toledo Summer Festival and they are still up. In fact, I think one or two have been added in the last few months.

Let me be very clear before I continue. I believe everyone has the right to their own opinions about political issues such climate change and the environment, and what if anything should be done in response. My concerns are based on the number, size, and length of time Timber Unity signs have been up and has little to do with Timber Unity's mission or political stance on issues. In fact, if there were even 5 of the large signs around, I would not care about them. It's that overnight our little town was taken over by these signs. As a long-time resident of Toledo I feel that these signs (not just one of them but in totality) tell visitors that the town is owned by some group called Timber Unity. When they explore the hashtag and social media of the group, one quickly discovers the political nature of the group. Shortly after the signs were placed, a recall petition for Governor Brown showed up at the counters of businesses with these signs. Therefore I ask the committee to consider these are political signs, they just don't have the name of a candidate or measure on them.

Toledo does not seem to have any sign ordinances other than those that cover residential areas. From your packet, it says that they have to be temporary and removed within 7 days and can't be bigger than 6 square feet. Unfortunately, the lack of sign ordinances means Toledo is unable to protect its citizens from visual nuisances. I argue that in the absence of a sign code that applies to Business 20 and other public streets not in residential areas, 20+ signs of any political issue can line our streets. I support the efforts of this commission to adopt ordinances to protect the residents of Toledo.

I've read in the materials provided that the city cannot adopt any code or ordinance that addresses the content of the signs because of free speech protections. I disagree – communities can and do have standards that govern hate speech, violent speech, and so on. I'm curious if the signs said something against timber or against families, whether the signs would still be up after 10 months. Yes, some of this is about free speech and we must protect everyone's' rights, however, at what point does a community say enough is enough?

Under **17.42.05 Purpose and Objectives: #4** Enhancing the overall aesthetics of the city, I argue that the TU signs fail this objective as does **#7** Preventing proliferation of signs and sign clutter by regulating the number and size of permanent signs also seems to pertain to the 20+ signs between the junction and Main St. on Business 20. If this is the case then I support the adoption of the ordinance.

Another pertinent section **17.42.045 Temporary Signs** Section B. says “Signage shall be allowed for each lot as follows: 1. Signs not exceeding nine square feet in area or four feet in height.” I believe that this would mean that the TU signs would not be allowed due to their size and square footage.

I strongly urge the commission to consider adoption of these 17 pages of rules governing signage in Toledo. I want to be proud of my town, and proud to invite visitors to my mother’s home town. At present I believe the proliferation, size, and length of time (July 2019 to date 10 months) does not serve Toledo well. It is not welcoming to those who know about this group. If you aren’t aware of what this group stands for, I urge you to become a member of their private facebook page so that you can see for yourselves what this group stands for – the misogyny, homophobia, and hate posts. In fact, we’ve been taken over by a group that is on Oregon’s hate group radar. Many of us keep hoping that at some point the signs would disappear, but 10 months into this doesn’t see any relief other than the city taking action.

Thank you for taking on this difficult issue of signage. No one, including myself is asking for the signs to be taken down – only that the number and size be regulated and the length of time the signs are up is limited. Many of us would like to be proud to live in Toledo again and these signs are hurting Toledo’s reputation as an inclusive community. We need folks to come to Toledo and eat in our restaurants, and purchase goods and supplies here. I ask you, is this how we want to be represented?

Respectfully submitted by Franki (Francisca) Trujillo-Dalbey

710 N. Bay Road
Toledo, Or 97391
541 336-1721