

SIGNS,

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with a majority opinion and three concurring ones, determined that the city's sign code restricted free speech by requiring specific content and that sign codes needed to be content neutral.

Keizer's current sign code places categorical restrictions on election and real estate signage and city staff are attempting to purge those designations and replace them with more neutral language.

"Having these types of definitions in our code means it's not content neutral and opens us up for litigation," said Nate Brown, Keizer community development director.

The current code permits election-related signs 45 days before an election and seven days after. The proposed changes include: allowing unlimited portable signs during a specific time period around elections, allowing a specific number of signs during that time period; creating a two-week special

event permit; or making no change.

The real estate section of the Keizer sign code allows for temporary portable signs on residential properties and larger signs on commercial property. The options for changes were creating a renewable special event permit for the larger commercial signs or making no change.

City Attorney Shannon Johnson would like the city to eliminate any language referring to the content of a sign, even if it is used for a category.

Commissioner Jim Jacks took issue with the need to have such discussions at all.

"The category doesn't limit the content," Jacks said. "Some are going to say that anything during election is fine, but others will question which elections. What about the special elections, May primaries? I don't know if anyone will bring all these issues up, but it could be the result."

Senior Planner Shane Witham asked the commissioners to determine if they wanted a limit on the number of signs in a yard or property and leave

city staff to recommend dates.

Setting a limit on the number of signs didn't sit well with Commissioner Hersch Sangster because the city has few resources with which to enforce such rules.

"You have to have the ability to enforce it, and we don't and we won't," Sangster said. "The way it's written now makes sense."

After an hour of discussion, Commissioner Garry Whalen expressed frustration with the lack of progress in any direction.

"We're fixing something that's not broken. We've spent an hour on two things and we're still shooting at ghosts," he said.

The conversation on election and real estate signs ended with agreement between Jacks and Johnson to work on language that kept the categories without infringing on content.

The Window Loophole

Another major topic of discussion during the meeting was what restrictions, if any, to implement on window signage.

Generally, businesses in Keizer are allotted a certain

amount of permanent signage, in square footage, based on the size of their frontage. However, many business windows are now covered in additional signage, known as advertising shades that serve a dual purpose – acting to reduce sunlight within a business and creating new advertising space on the exterior. City staff is proposing to limit advertising on windows to no more than 50 percent coverage.

Two commissioners, Mike DeBlasi and Whalen have talked with city staff regarding the development particularly as it relates to the two new businesses on River Road North – Jersey Mike's and Casamigos. The windows facing River Road North are completely covered by the advertising shades.

"We have almost one big wall of billboards. I personally would like to see no more than 25 percent on streets or throughways," DeBlasi said.

Whalen added that the shading material is available without the advertising on the other side and that it seems more like a workaround the sign code than a necessity.

"Shade protection is available without all that advertising," Whalen said.

DeBlasi noted that the west side of the building, which gets the most sun during business hours, is completely unprotected.

There was some disagreement among the commissioners regarding propriety of such advertising.

"I don't think that the windows look that bad as some that I have seen," said Commissioner Kyle Juran. "I would rather see advertising than their piles of [trash]."

After some additional conversation, commissioners agreed with the staff recom-

mendation of limiting advertising on shades to 50 percent. However, the Keizer City Council will have the final say.

New Life for Electronic Signs

If electronic signs in Keizer seem static compared to other cities, there's a reason for that. The current sign code only allows messages to change once every 15 minutes. For public entities, like the school and fire district, messages can only change once a day.

During the past two months of meetings, commissioners heard from numerous local business owners and managers about the desire to increase the frequency of message changes.

In addition to wanting to get more information out about their businesses, several touted the ability to help spread the word about community events.

"We do a lot of promotion for the high school and many of the fundraising dinners. I feel like we could do more of that," said Jane Lowery, branch manager of Willamette Valley Bank.

Most advocated for increasing the message changes to every eight seconds, but some commissioners balked at that speed.

Staff did not suggest a specific time for message changes and looked to the commissioners for guidance.

"Fifteen minutes is inefficient and 8 seconds feels unsubstantiated. One of our challenges is to get a balance between safety and limiting distractions," Whalen said.

Juran said eight seconds has not been found to be a safety issue and worked well when he purchased electronic billboard space for his business.

"Even at 15 seconds, that cascade of signs blinking and changing is an issue we have

consider aesthetically," DeBlasi said.

Brown, the community development director, said he would rather commissioners start with longer intervals and then reduce them later if warranted. Commissioners recommended changing message intervals to 60 seconds, but the city council will have the final say. xsw

A Little Extra for All

Restrictions on portable signs for all businesses could be eased if the city council approves a final recommendation from the planning commission.

Current rules restrict portable and temporary signs on commercial property to one per lot with a 50 foot separation and a 120-day limit. The rules cover A-frame signs, feather flags and banners. City staff are proposing to relax those restrictions by removing the time limit and allowing each storefront to put up a portable sign near public-right-of-way with a 10-foot separation.

The changes come at the request of business owners within shopping strips. The current rules can lead to conflict among neighboring businesses as to which one gets to put out signs on which days.

The change would likely lead to more portable signs along River Road, but Jacks cautioned against a 10-foot separation.

"Fifty (feet) is too much of a separation, but every 10 feet is going to look more like a circus or a state fair," Jacks said.

Commissioners decided on a 25-foot separation as a medium. While such a change will relax the current restriction, business owners in the most tightly-packed shopping plazas might still find themselves vying for space.

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public notices

NOTICE TO INTERESTED PERSONS

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF MARION PROBATE DEPARTMENT

Case No.: 17PB06361
NOTICE TO INTERESTED PERSONS
In the Matter of the Estate of: MARK A. BUCK, Deceased.

Notice: The Circuit Court of the State of Oregon, for the County of Marion, has appointed Tammy Maguire as Personal Representative of the Estate of Mark A. Buck, deceased. All persons having claims against said estate are required to present the same, with proper vouchers to the Personal Representative, c/o Stan Butterfield, Stan Butterfield, P.C., Attorney at Law, 946 SE Uglow Ave, Dallas, OR 97338, within four months from the date of the first publication of this notice as stated below, or they may be barred. All persons whose rights may be affected by this proceeding may obtain additional information from the records of the court, the Personal Representative, or the Attorney for the Personal Representative.

Dated and first published September 22, 2017.

Tammy Maguire, Personal Representative c/o Stan Butterfield, P.C. Attorney at Law 946 SE Uglow Ave Dallas, OR 97338 Telephone: (503) 623-4247 Email: stanbutterfield@hotmail.com

9/22, 9/29, 10/6

NOTICE OF REGULAR MEETING

CITY OF KEIZER NOTICE OF REGULAR MEETING

KEIZER CITY COUNCIL MEETING

The Keizer City Council will meet in regular session on **Monday, October 2, 2017 at 7:00 p.m.** This meeting will be held in the Robert L. Simon Council Chambers, Keizer Civic Center, 930 Chemawa Road NE, Keizer, Oregon. The agenda includes consideration of a supplemental budget for the 2017-2018 fiscal year budget.

The City of Keizer is committed to providing equal access to all public meetings. If you require any service that furthers inclusivity to participate, please contact the office of the City Recorder at (503) 390-3700 or via email

at davist@keizer.org at least 48 business hours prior to the meeting.

If you have any questions regarding this meeting, please contact Chris Eppley, City Manager at (503) 390-3700.

DATED this 19th day of September, 2017.

Tracy L. Davis, MMC
City Recorder

9/22

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING AMENDMENT TO KEIZER DEVELOPMENT CODE TEXT AMENDMENT CASE NO. 2017-11 (RE-OPENING THE PUBLIC HEARING) PURPOSE OF HEARING:

The City Council will hold a public hearing to consider proposed revisions to amend Section 2.309 (Site and Landscaping Design) to clarify what is required for significant tree removal and replacement, and to modify standards for landscaping requirements including the requirement that one percent of the total cost of construction, reconstruction, refurbishment, remodeling, or alteration of any commercial or industrial building (not to include projects that are exclusively multi-family) shall be expended for the acquisition and installation of public amenities within the City of Keizer. This hearing is being held at the direction of the City Council to RE-OPEN the Public Hearing to allow for additional testimony.

LAND USE DECISION CRITERIA: The criteria upon which the decision on this matter will be made can be found in Section 3.111 (Text Amendments) of the Keizer Development Code.

DATE AND TIME OF HEARING: Monday, October 2, 2017 at 7:00 PM.

LOCATION OF HEARING: Keizer City Council Chambers, Keizer City Hall, 930 Chemawa Road NE, Keizer.

HOW TO PARTICIPATE: Anyone desiring to speak for or against the proposal may do so in person, or by representative, at the public hearing. Written comments may be submitted to the Keizer Community Development Department prior to the public hearing by mail to PO Box 21000, Keizer, OR 97307, by hand delivery at 930 Chemawa Road NE, Keizer, OR 97303, or by email to davist@keizer.org. Written comments must be received no later than 5:00 pm on