

ORDINANCE NO. 919

**AN ORDINANCE AMENDING THE STAYTON MUNICIPAL CODE, TITLE 17
TO REVISE THE STANDARDS FOR ELECTRONIC MESSAGE SIGNS**

WHEREAS, Oregon Revised Statutes, Chapter 197 requires municipalities to adopt and implement a comprehensive land use planning program in accordance with statewide planning goals established by the Legislature and the Oregon Land Conservation and Development Commission;

WHEREAS, the Stayton Comprehensive Plan and Title 17, Land Use and Development, of the Stayton Municipal Code (SMC), Section 17.20.140.10, currently contains standards for electronic message signs;

WHEREAS, the City Council finds that electronic message signs have a higher potential to distract drivers than other allowed signage;

WHEREAS, the current standards for electronic message signs make no provision for signs that provide community announcements;

WHEREAS, the City Council recognizes the need for appropriate standards for electronic message signs and wishes to balance the desires of business owners to advertise their businesses with the potential traffic hazards and off site impacts of electronic message signs;

WHEREAS, the current method of advertising community events with banners strung over N. First Avenue is no longer safe and the public utility workers who have, in the past, strung such banners are no longer available to do so in the winter months;

WHEREAS, the City Council recognizes the value to the citizens of the City of Stayton and the not-for-profit community organizations within the City of Stayton of providing a mechanism for announcing community events;

WHEREAS, following a public hearing, the Stayton Planning Commission has recommended the Stayton City Council enact the proposed amendments to Stayton's standards for electronic message signs; and

WHEREAS, following a public hearing, the Stayton City Council deems the proposed amendments to comply with the provisions of the Comprehensive Plan.

NOW, THEREFORE, the Stayton City Council does ordain as follows:

SECTION 1. Stayton Municipal Code, Title 17, Section 17.20.140.10, is amended to read,

(Additions are underlined; Deletions are ~~crossed out~~)

17.20.140 SIGNS

10. CONDITIONAL USE PERMITS. Applications for conditional use permits for message signs shall be processed according to procedures set forth in the Stayton Land Use and Development Code. The criteria to be reviewed and applied in conditional use permit proceedings are set forth in this section:
- a. Proposed sign is located in the Downtown Residential Mixed Use Zone, the Central Core Mixed Use Zone, or a Public, Commercial, or Industrial zone.
 - b. Proposed sign, when conditioned, will not significantly increase street level sign clutter or adversely dominate the visual image of the area.
 - c. Proposed sign, as conditioned, will not adversely impact the surrounding area to a significant degree.
 - d. Proposed sign will not represent a traffic or safety hazard.

- e. The following standards shall apply.
 - 1) With the exception of a message sign that displays only the time or temperature, the message or display may be changed no more than once every 5 minutes.
 - 2) The message or display must change as rapidly as technologically practicable, with no phasing, rolling, scrolling, flashing or blending.
 - 3) The message or display may consist only of alphabetic or numeric text on a plain background of uniform color and may not include any graphic, pictorial or photographic images.
 - 4) The display may comprise no more than 50% of the surface area of a message sign.
 - ~~5) No more than one changeable sign with 2 sides is allowed per lot.~~
 - 5) Only white or amber lights may be used.
 - 6) The luminance of the sign shall be limited to no more than 280 candelas per square meter. The applicant shall submit information from the sign manufacturer indicating the luminance will be met as measured with a luminance meter aperture of 1 degree or less, 50 feet directly in front of the sign with the sign in a fully illuminated mode of white light.
 - 7) The sign shall default to the off position in the case of any failure of mechanisms that control luminance or other display features.
- f. Except for a message sign dedicated to announcing only community events and public service messages, the total allowed sign area for an establishment shall be reduced by 25% if the establishment has a message sign.
- g. Proposed sign shall comply with all other regulations including, but not limited to, height and placement restriction.
- h. The provisions of Section 17.20.140.4.n notwithstanding, a message sign dedicated to announcing only community events and public service messages may also display the name or logos of businesses, provided that the portion of the sign identifying the businesses is not more than 25% of the total sign area and the business names or logos are not part of the electronic message portion of the sign.

SECTION 2. Upon adoption by the Stayton City Council and Mayor's signing, this Ordinance shall become effective 30 days after the date of signing.

SECTION 3. A copy of this Ordinance shall be furnished to the State of Oregon, Department of Land Conservation and Development forthwith.

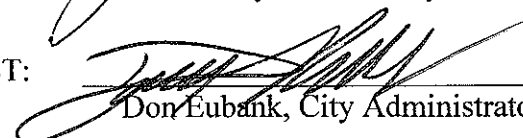
ADOPTED BY THE STAYTON CITY COUNCIL this 16th day of February, 2010.

CITY OF STAYTON

Signed: February 17, 2010

BY: 
 Gerry Aboud, Mayor

Signed: 2/17, 2010

ATTEST: 
 Don Eubank, City Administrator

APPROVED AS TO FORM:


 David A. Rhoten, City Attorney