

## RESOLUTION NO. 832

### A RESOLUTION TO TEMPORARILY SUSPEND ENFORCEMENT OF CERTAIN SIGN REGULATIONS UNDER CERTAIN CONDITIONS

WHEREAS, the Stayton Comprehensive Plan and Title 17, Land Use and Development, of the Stayton Municipal Code (SMC) provide for restrictions on signs, including a prohibition of new off-premise signs;

WHEREAS, the Oregon Department of Transportation is currently reconstructing the Stayton-Sublimity interchange on Highway 22, a project that the City has supported and that will improve traffic safety and access to Stayton;

WHEREAS, during the reconstruction project, both the westbound exit ramp and westbound entrance ramp have been closed, reducing the amount of traffic traveling on Cascade Highway in Stayton;

WHEREAS, the businesses on Cascade Highway in Stayton, between Fern Ridge Road and Highway 22, have seen a decrease in patronage as a result of closure of the westbound ramps, and are suffering financial hardship;

WHEREAS, following a public hearing, the Stayton Planning Commission has recommended that the Stayton City Council adopt interim measures to provide relief to the businesses adversely affected by the interchange reconstruction; and

WHEREAS, the Stayton City Council finds that it is in the public interest to suspend enforcement of the prohibition of new off-premise signs for businesses affected by the interchange reconstruction provided those off-premise signs meet certain criteria.

NOW, THEREFORE,

BE IT RESOLVED that the City Council does hereby suspend enforcement of Title 17 (Land Use and Development), Chapter 17.20 (Development and Improvement Standards), Section 17.20.140 (Signs), Section 17.20.4.n to allow a business located east of Cascade Highway, between Fern Ridge Road and Highway 22, to erect no more than two temporary off-premise signs, provided:

- 1) An off-premise sign shall be no larger than 16 square feet in area;
- 2) Off-premise signs shall be placed only on private property with the permission of the property owner, not within a street right of way;
- 3) The permit required by Section 17.20.140.2 shall not be required; however, a business owner must register the temporary off-premise sign with the City Planner; and,
- 4) All other provisions of Section 17.20.140 shall continue to apply.

BE IT FURTHER RESOLVED, that at the next regular meeting following the reopening of both west-bound ramps, the Stayton City Council shall evaluate the impacts of continued construction activity on the traffic flows on Cascade Highway and determine whether the suspension continues to be necessary.

Upon a finding by the City Council that reopening of both west-bound ramps alleviated the necessity for this Resolution, the suspension shall expire. Upon a finding by the City Council that adverse impacts continue following the reopening of both west-bound ramps, the Council

may extend the effective period of this Resolution in successive 90-day increments until the completion of construction.

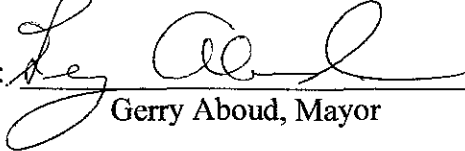
Upon the expiration of this Resolution, the City Planner shall notify any business that has registered an off-premise sign in accordance with the terms of this Resolution that this Resolution has expired and that signs erected under the terms of this Resolution must be removed. Any off-premise signs erected in conformance with this Resolution shall be removed within 72 hours of such notice.

This Resolution shall become effective upon its adoption by the Stayton City Council.

ADOPTED BY THE STAYTON CITY COUNCIL this 20th day of January, 2009.

Signed: January 21, 2009

CITY OF STAYTON

By:   
Gerry Aboud, Mayor

Signed: 1/22, 2009

ATTEST:   
Don Eubank, City Administrator

APPROVED AS TO FORM:

  
David A. Rhoten, City Attorney