

**WALDPORT PLANNING COMMISSION**  
**October 13, 2014**  
**MEETING NOTICE AND AGENDA**

THE WALDPORT PLANNING COMMISSION WILL MEET ON MONDAY, OCTOBER 13, 2014 AT 2:00 P.M. IN THE CITY COUNCIL MEETING ROOM, 125 ALSEA HIGHWAY, TO TAKE UP THE FOLLOWING AGENDA:

1. CALL TO ORDER AND ROLL CALL
2. CITIZEN COMMENTS AND CONCERNS
3. COMMISSION COMMENTS AND CONCERNS
4. MINUTES: (September 22, 2014)
5. CORRESPONDENCE
6. PUBLIC HEARINGS
  - A. Case File #3-CU-PC-14 Elaine Correia, General Manager, Willamette Marine Services – Handy Haven RV Park Application for Amendment to Conditional Use
7. DISCUSSION/ACTION ITEMS:
  - A. Work Session – Sign Ordinance Amendments
  - B. Planning Report
  - B. Other Issues\*
8. ADJOURNMENT

\*Denotes no material in packet

*The Council Chambers are accessible to all individuals. If you will need special accommodations to attend this meeting, please call City Hall at (541)563-3561 during normal business hours.*

Notice given this 7<sup>th</sup> day of October 2014

City of Waldport

**WALDPORT PLANNING COMMISSION**  
**September 22, 2014**  
**City Council Meeting Room**  
**MEETING MINUTES**

1. CALL TO ORDER AND ROLL CALL: Chair Woodruff called the meeting to order at 2:08 p.m. Chair Woodruff and Commissioners Egan, Gordon, Hafner, and Yorks answered the roll. Commissioner Andrew arrived at 2:12 p.m. Commissioner Peterson was absent. A quorum was present.

2. CITIZEN COMMENTS AND CONCERNS: None.

3. COMMISSION COMMENTS AND CONCERNS: None.

4. MINUTES: The Commission considered the minutes from the August 25, 2014 Meeting. Commissioner Hafner **moved** to approve the minutes as written. Commissioner Yorks **seconded**, and the motion **carried** unanimously on a voice vote.

5. CORRESPONDENCE: None.

6. DISCUSSION/ACTION ITEMS:

A. Work Session – Sign Ordinance Amendments: A recap of the sign amendment process was discussed, including the purpose for the amendments and the public meeting that had been held in October of 2013. The Commission discussed the different types of signs, i.e. A-frame, banners, reader boards, building signs, and free-standing signs. Key points included the following:

- The City needs to coordinate with the Oregon Dept. of Transportation (ODOT) to ensure the City's sign regulations are consistent with ODOT regulations. This includes verifying the City's jurisdiction over sidewalks along Hwy 101 through downtown and whether ODOT will allow any signs, e.g. A-frame signs, to be placed within the Hwy 34 and Hwy 101 right-of-way.
- Amendments need to include standards for the different types of signs, i.e. number of signs allowed, size, location, etc.
- A-frame signs should be limited to one per property frontage versus one per business frontage because some businesses do not front along a street.
- Reader boards (moving/flashing) signs should be limited to community events/news by governmental or institutional entities.
- There should be a maximum aggregate square footage of signs allowed on a building, e.g. 20%. Building signs include roof signs, wall signs, projecting/hanging signs, and window signs.
- Roof signs should be limited to a height of 16 feet from the grade of the adjacent street or the peak of the roof, whichever is less restrictive.
- Free-standing pole signs should be restricted. Monument signs not exceed 8 feet in height should be allowed.

Based on the discussion, city staff will prepare additional materials and draft a revised Waldport Development Code Chapter 16.76 Signs. Once the Commission reaches consensus on a draft document the Public Hearing process will begin, i.e. DLCDD notice, property owner notice, Planning Commission public hearing, and City Council public hearing.

B. Planning Report: Building permit and land use activity for June 14, 2014 through September 30, 2014 and recent grant Oregon Parks & Recreation grant applications were reviewed.

7. ADJOURNMENT: At 4:12 p.m., there being no further business to come before the Commission, Andrew **moved** to adjourn. Commissioner Hafner **seconded**, and the motion **carried** unanimously on a voice vote.

Respectfully submitted,

Reda Q. Eckerman  
City Recorder

APPROVED by the Planning Commission this \_\_\_\_ day of \_\_\_\_\_, 2014.

SIGNED by the Chair this \_\_\_\_ day of \_\_\_\_\_, 2014.

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Ray Woodruff, Chair

# STAFF REPORT

## Conditional Use Permit Application

**APPLICANT:** Elaine Correia, General Manager, Willamette Marine Services  
Handy Haven RV Park

### A. REPORT OF FACTS

1. **Applicant's Request:** The applicant is requesting an amendment to a conditional use permit for the Handy Haven Recreational Vehicle Park. The request is to remove the 15-day maximum stay restriction and allow six long term RV spaces and five temporary RV spaces.

The applicant also requests that the 15-day maximum stay requirement for the 5 temporary RV spaces be waived during the winter months from November through April.

2. **Property Location:** The subject property is located at 655 Starr Street and further identified on Lincoln County Tax Assessor's Map 13-11-19CA as tax lot 300.
3. **Zoning:** Downtown District (D-D)
4. **Plan Designation:** General Commercial
5. **Lot Size:** The lot totals approximately 36,600 square feet (0.84 acres)
6. **Existing Structure:** Existing structures include a carwash, restrooms, and one park model home.
7. **Topography and Vegetation:** The developed portion of the site is generally flat with limited vegetation. The southern portion of the site is a heavily vegetated steep bank that rises significantly to the southeast.
8. **Surrounding Land Use & Zoning:** The steep bank southeast of the subject property is open space within the Pacific Mobile Estates Planned Development and zoned R-2 Residential. Downtown-District zoned land uses across Starr Street include Grand Central Pizza, a law office, and public restroom. R-1 zoned single family residential uses are located up Norwood Drive to the southwest.
9. **Utilities:** The following utilities currently serve the subject property:
  - a. Water: City of Waldport
  - b. Sewer: City of Waldport

c. Electricity: Central Lincoln P.U.D.

10. **Development Constraints:** Steep slopes are located along the south/southeast edge of the site.

## B. EVALUATION OF REQUEST

### 1. **Relevant Criteria:**

#### **Waldport Development Code (WDC)**

##### **Section 16.30 Downtown District DD.**

(relevant criteria is addressed Staff Analysis #2)

##### **Section 16.84 Conditional Uses (relevant subsections)**

###### **16.84.010 Purpose.**

Certain types of uses require special consideration prior to their being permitted in a particular zone. The reasons for such special consideration include, the size of the area required for the full development of such uses, the nature of the traffic problems incidental to operation of the uses, and the effect such uses have on any adjoining land uses and on the growth and development of the city as a whole.

###### **16.84.020 Authorization to grant or deny conditional use permit.**

A. In taking action on a conditional use permit the Planning Commission may either permit or deny the request. If a request is denied, the action must be based on reasons related to orderly development and best interests of the surrounding area or the city as a whole.

B. In permitting a conditional use, the Planning Commission may impose, in addition to those standards and requirements expressly specified by the code, additional conditions which are considered necessary to protect the best interest of the surrounding area or the city as a whole. These conditions may include, but are not limited to, the following:

1. Increasing the required lot size or yard dimensions;
2. Limiting the height of buildings;
3. Controlling the location and number of vehicle access points;
4. Increasing the street width;
5. Increasing the number of required off-street parking spaces;
6. Limiting the number, size, location, and lighting of signs;
7. Requiring fencing, screening, landscaping, diking, or other facilities to protect adjacent or nearby property;
8. Designating site for open space;
9. Regulating the hours of operation; and
10. Setting a time limit for which the conditional use is approved.

###### **16.84.050 Time limit of a conditional use permit.**

Authorization of a conditional use shall be void after two (2) years or such lesser time as the authorization may specify unless substantial construction pursuant thereto has taken place. However, the planning commission may extend authorization for an additional period not to exceed one (1) year. A maximum of two extensions can be granted.

###### **16.84.070 Standards and procedures governing conditional uses.**

A. General Standards. In addition to the other applicable standards of this section, all conditional uses shall comply with the following requirements:

1. The site under consideration is suitable for the proposed use, considering:
    - a. The size, design and operating characteristics of the use;
    - b. The adequacy of transportation access to the site; and
    - c. The natural and physical features of the site such as general topography, natural hazards, natural resource values, and the like.
  2. The proposed use is compatible with the existing and projected uses on surrounding lands, considering the factors of subsection (A)(1), above.
- F. Standards for Recreational Vehicle Parks. A recreational vehicle park may be permitted as a conditional use when it meets the requirements of Chapter 446, Oregon Revised Statutes, and the standards of the Oregon State Board of Health and the Administrative Rules of the State of Oregon (OAR Chapter 333). In addition, the following minimum standards shall apply:
1. Minimum size of R.V. park: one (1) acre;
  2. Minimum size of each space: one thousand two hundred (1,200) square feet;
  3. Minimum width of space: twenty (20) feet;
  4. Minimum distance between R.V. and street right-of-way: ten (10) feet;
  5. Minimum distance between R.V. and all other property lines: ten (10) feet;
  6. Minimum distance between R.V.'s: ten (10) feet;
  7. Minimum distance between R.V.'s and community or service buildings: twenty (20) feet;
  8. Each access road connecting with a public street shall have a surface width of at least thirty (30) feet for a distance of forty (40) feet as measured from the intersection of the public road. All other roads shall have a minimum surface width of at least twenty (20) feet, for two-way traffic if parking is prohibited and thirty (30) feet for two-way traffic if parking is allowed on one side. All access roads and parking areas shall be surfaced to minimum City standards and be well-drained and maintained in good condition. Walkways not less than three (3) feet wide will be required to be provided from trailer spaces to community and service buildings. All access roads and walkways shall be well-lighted;
  9. Developed recreation areas may be required to be provided which contain a minimum of two thousand five hundred (2,500) square feet or two hundred (200) square feet per trailer space, whichever requirement is the greater;
  10. All areas not used for R.V. spaces, motor vehicles, parking, traffic circulation or service or community buildings shall be completely and permanently landscaped. The landscaping shall be maintained in good condition;
  11. A sight-obscuring fence and/or buffer strip of vegetation may be required on every side of an R.V. park;
  12. Tent spaces shall be permitted, provided State-approved sanitary facilities are present;
  13. Garbage service shall be provided to the occupants of an R.V. park;

**Section 16.88 Nonconforming Uses (relevant subsections)**

**16.88.010 Definitions.**

As used in this section:

"Non-Conforming Use" means the use of any building, structure or land which was lawful at the time of the enactment of any zoning ordinance, regulation or amendment thereto, and is not permitted by the zoning ordinance, regulation or amendment.

"Alteration" of a non-conforming use or structure means:

- A. A change in the use, or
- B. A change in the structure or physical improvements which does not constitute normal maintenance.

**16.88.020 Continuation.**

Non-conforming uses may be continued. Changes in ownership, control or occupancy shall be permitted. Normal maintenance shall be permitted. Continuation of a non-conforming use shall be limited to the existing lot(s) or parcel(s) upon which the use is established. Expansion to other lots or parcels is an alteration.

**16.88.030 Alteration.**

- A. Alteration of a non-conforming use shall be permitted when necessary to comply with any lawful requirement for alteration in the use or structure. No conditions may be imposed upon any alteration of a non-conforming use necessary to comply with a lawful requirement.
- B. Alteration of a non-conforming use not required by law may be permitted subject to:
  1. Application and review pursuant to Sections 16.84.020 and 16.108.020(B) of this title;
  2. A finding that the proposed alteration will be of no greater adverse impact to the neighborhood; and
  3. Any conditions or limitations imposed by the planning commission necessary to assure that the alteration will be of no greater adverse impact to the neighborhood.

2. **Applicant's Proposal:**

The applicant submitted the application form, fee, and the following:

- Narrative describing the request, relevant facts, economic factors, and conclusion
- Tax map
- Aerial photograph
- 1985 Handy Haven RV Park conditional use and variance approval
- Flood Insurance Rate Maps
- Attachments
  - Oregon Revised Statute 197.493 Placement and occupancy of recreational vehicle
  - Oregon Administrative Rule 918-650-0075 Existing Parks
  - Oregon Revised Statute 90.230 RV Parks
  - Waldport Development Code 16.84.070.F Standards for Recreational Vehicle Parks
  - City of Waldport Transient Room Tax Return
  - 2002 McKinley's RV Park & Marina Conditional Use approval

**APPLICANT NARRATIVE**

**City of Waldport Planning Commission**

**RE: Amend Conditional Use originally granted to John Graham for Handy Haven RV Park on May 28, 1985**

**Amend Item # 5 to remove time restriction for all spaces.**

Greetings,

Handy Haven RV Park has been in operation since the 1985. The original conditional use granted variances to lot size and space size. Retaining walls for the slope to the south and east have been installed and the park was developed according to the original approval. We are in compliance with the Lincoln County Health Department and current on all fees due to the City, including the quarterly room tax.

We would like to change the time restriction for RV's staying at our park. Presently, the maximum stay is not to exceed fifteen days for all spaces.

We propose amending this item to allow six (6) spaces to be classified as available for long term/ permanent use and the remaining five (5) spaces remain for temporary use not to exceed fifteen days.

We also propose that the fifteen-day maximum stay requirement be waived during the winter months from November through April. May through October, they are for temporary clients.

**Relevant Facts:**

ORS 197.493 states that the a state or local government can not limit the length of occupancy in an RV park as long as water, sewer and electricity is available. (See attached)

ORS Chapter 446 or OAR Chapter 333-031 do not list any occupancy time restriction.

The City of Waldport Planning Code for Standards for Recreational Vehicle Parks does not specify limitations to the length of occupancy.

ORS Chapter 90.230 Rental agreements for occupancy of recreational vehicle in park, indicates monthly tenancy requirements for a rental agreement and tenancy may be terminated by the landlord under ORS 90.427 without cause upon 30 or 60 days' written notice for a month-to-month tenancy or upon 10 days' written notice for a week-to-week tenancy. (See attached)

The City room tax form had a line for monthly rentals, which are not subject to tax. While the form does not identify this as applying to RV parks, it could be argued that the City does acknowledge the concept of long-term/permanent tenancy. (See attached)

McKinley's RV Park and Marina has a combination of permanent and temporary sites. (See attached)

These Oregon statutes and supporting facts would suggest that permanent/monthly tenancy or renting spaces for periods in excess of fifteen days in an RV park is not uncommon.

#### **Economic factors:**

There is a need for low cost housing in our area.

Permanent sites and the option for monthly tenancy through the winter for the temporary sites allow us to survive through the non-tourist, rainy season. Keeping the park open helps to maintain an atmosphere of prosperity in Waldport. Our personnel help people at the city dump station and provide information, showers and water to out of town visitors.

#### **Conclusion:**

For the reasons cited above, please amend the conditional use for Handy Haven RV Park to allow for a combination of permanent and temporary spaces.

3. **Public Testimony:**

At the time this staff report was prepared written testimony included two emails from surrounding property owners. One email expressed concern that long term residences could become an eyesore in a very visible downtown location. They generally state that the space for short term visitors are well maintained and neat, while the section that has long term users have a lot junk. The other email expressed support for the request citing there is a demand for low income housing and that the premises is well managed and the renters are good people.

**C. STAFF ANALYSIS**

1. **Request.** The applicant is requesting an amendment to a conditional use permit for the Handy Haven Recreational Vehicle Park. The RV Park includes 11 RV spaces. The request is to remove the 15-day maximum stay restriction and allow 6 long term RV spaces and 5 temporary RV spaces.

The applicant also requests that the 15-day maximum stay requirement for the 5 temporary RV spaces be waived during the winter months from November through April.

**Handy Haven RV Park Limits of Occupancy**

<b>1985 Approval</b>	<b>Proposed May through October</b>	<b>Proposed November through April</b>
Maximum stay not to exceed 15 days.	6 long term/permanent spaces 5 temporary spaces	11 long term spaces

2. **Downtown District Zone and Nonconforming Use.** The Handy Haven RV Park was granted a conditional use in 1985 when the property was zoned Retail Commercial C-1. RV Parks are permitted as a conditional use in the C-1 zone. The property is now located in the Downtown District Zone (DD). RV Parks are not permitted as an outright use or as a conditional use in the DD zone. Therefore the RV Park is a (lawful) nonconforming use. Per WDC 16.88.020, nonconforming uses may be continued. Per 16.88.030.B, alteration of a non-conforming use may be permitted subject to:
  - a. conditional use review procedure,
  - b. a finding that the proposed alteration will be of no greater adverse impact to the neighborhood; and
  - c. any conditions or limitations imposed by the Planning Commission necessary to assure that the alteration will be of no greater adverse impact to the neighborhood.
3. **Standards for Recreational Vehicle Parks and the 1985 Conditional Use and Variance Approval.** Per WDC 16.84.070.F there are 13 standards for R.V. Parks. The standards are identified below with an analysis of the Handy Haven RV Park compliance.
  1. *Minimum size of R.V. park: one (1) acre;*  
 Handy Haven RV Park totals 0.84 acres. The 1985 approval includes a variance to the minimum size of the RV park.
  2. *Minimum size of each space: one thousand two hundred (1,200) square feet;*

The 1985 approval included a variance for RV spaces to be a minimum 1,000 square feet. Based on review and calculations from of an aerial photograph the RV spaces appear to meet this minimum square footage requirement.

3. *Minimum width of space: twenty (20) feet;*

In 1985 the minimum width requirement was 30 feet. The 1985 approval included a variance for RV spaces to have a minimum width of 25 feet. Based on review and calculations from of an aerial photograph the RV spaces appear to meet the minimum 25 foot width requirement.

4. *Minimum distance between R.V. and street right-of-way: ten (10) feet;*

In 1985 the minimum required distance between an RV and street right-of-way was 20 feet. The 1985 approval included a variance for RV spaces to have a minimum 10 foot distance from street right-of-way. Based on review and calculations from of an aerial photograph the RV spaces appear to meet this minimum required distance from Starr Street. There are two spaces that appear to be very near the Norwood Drive right-of-way. These two spaces are over 40 feet from the street (Norwood Drive). There is a bank that slopes downward towards the RV Park. The two RV spaces are approximately 20 feet from the base of the slope. Handy Haven currently maintains this  $\pm 20$  foot width that is in the street right-of-way.

5. *Minimum distance between R.V. and all other property lines: ten (10) feet;*

In 1985 the minimum required distance between RVs and property lines was 15 feet. The 1985 approval included a variance for RV spaces to be a minimum 5 feet from property lines. Based on review and calculations from of an aerial photograph the RV spaces appear to meet the minimum 10 foot requirement.

6. *Minimum distance between R.V.'s: ten (10) feet;*

Based on review and calculations from of an aerial photograph there appears to be a minimum distance of 10 feet between RVs.

7. *Minimum distance between R.V.'s and community or service buildings: twenty (20) feet;*

No community buildings are within 20 feet of the RV park. RVs are greater than 20 feet from the two buildings on the site, the restroom building and the car wash.

8. *Each access road connecting with a public street shall have a surface width of at least thirty (30) feet for a distance of forty (40) feet as measured from the intersection of the public road. All other roads shall have a minimum surface width of at least twenty (20) feet, for two-way traffic if parking is prohibited and thirty (30) feet for two-way traffic if parking is allowed on one side. All access roads and parking areas shall be surfaced to minimum City standards and be well-drained and maintained in good condition. Walkways not less than three (3) feet wide will be required to be provided from trailer spaces to community and service buildings. All access roads and walkways shall be well-lighted;*

The 1985 approval included a variance for improvements of the access road and parking areas. The RV Park satisfied the variance approval, i.e. paving of egress and ingress for a length of 15 feet with 2 inches of asphaltic paving. The internal access road is between RV spaces and the restroom building. There does not appear to be a need or opportunity for a designated walkway. A street light is located at the eastern edge of the property and

appears to light the access road. Other street lights in the vicinity are located across Starr Street and on Hwy 101.

9. *Developed recreation areas may be required to be provided which contain a minimum of two thousand five hundred (2,500) square feet or two hundred (200) square feet per trailer space, whichever requirement is the greater;*

The 1985 approval included a variance that does not require any developed recreation area.

10. *All areas not used for R.V. spaces, motor vehicles, parking, traffic circulation or service or community buildings shall be completely and permanently landscaped. The landscaping shall be maintained in good condition;*

The only area of Handy Haven RV park that is not used for R.V. spaces, motor vehicles, parking, traffic circulation or service or community buildings is the south/southeast portion of the property that is the steep hillside. The hillside is heavily vegetated.

11. *A sight-obscuring fence and/or buffer strip of vegetation may be required on every side of an R.V. park;*

Currently a sight-obscuring wood fence is located between Starr Street and the restroom building. Vegetation within the Starr Street and Norwood Drive rights-of-way partially screens the western part of the RV Park from Hwy 101 and Starr Street. There does not appear to be a need for screening along the south or west sides due to the steep banks that are adjacent to the RV Park. The opportunity for additional screening is limited.

12. *Tent spaces shall be permitted, provided State-approved sanitary facilities are present;*

City staff has no indication that Handy Haven sanitary facilities are not approved. Currently one RV space does have a tent.

13. *Garbage service shall be provided to the occupants of an R.V. park;*

Garbage service is provided to occupants of the Handy Haven RV Park.

City staff verified that other conditions of the 1985 approval have been satisfied, i.e. a low retaining wall was constructed at the base of the slope south of RV Spaces #6 and 7; a four foot high retaining wall was constructed along the east bank at the toe of the slope that helps controls erosion; and restrooms were constructed on the site.

4. **RV Park Length of Occupancy.** The conditional use application cites Oregon Revised Statute (ORS) 197.493 that states, in part, that a local government cannot limit the length of occupancy in an RV park. City staff conducted research and consulted with the City Attorney on this issue. Specifically, ORS 197.493 states the following:

***ORS 197.493 Placement and occupancy of recreational vehicle***

- (1) *A state agency or local government may not prohibit the placement or occupancy of a recreational vehicle, or impose any limit on the length of occupancy of a recreational vehicle, solely on the grounds that the occupancy is in a recreational vehicle, if the recreational vehicle is:*

(a) *Located in a manufactured dwelling park, mobile home park or recreational vehicle park;*

(b) *Occupied as a residential dwelling; and*

*(c) Lawfully connected to water and electrical supply systems and a sewage disposal system.*

*(2) Subsection (1) of this section does not limit the authority of a state agency or local government to impose other special conditions on the placement or occupancy of a recreational vehicle.*

Handy Haven is an RV Park with RVs occupied as residential dwellings that are lawfully connected to water and electrical supply systems and a sewage disposal system. The City Attorney verified that imposing a maximum time limit on occupancy of an RV space is unlawful. The Planning Commission may impose other conditions of approval as long as conditions do not discourage the general concept of people being able to live in an RV park.

5. **Appearance.** The appearance of Handy Haven RV Park is of utmost importance. Handy Haven is located in the Downtown District and very visible to Waldport citizens as well as visitors. Long-term occupants have more of a tendency to place or store items on the outside of an RV. RV spaces should be kept clean and free of debris. No unsightly items, structures, or equipment should be stored outside of an RV.

Outside items should be limited to patio furniture that is designed for outdoor use; operable bicycles and barbecue equipment that is maintained in an attractive, clean and neat condition; and potted plants that are kept in good condition, i.e. watered, pruned, and weeded.

Nothing should be hung outside of an RV to dry or air or for any other purpose. Nothing should be stored under an RV that can be seen from the access drive or from any street. No RV work or repairs should be carried out within the RV Park unless permission has been given by RV Park management and the work/repair is limited to one day, i.e. no appearance of ongoing repair is visible overnight.

#### **D. CONCLUSIONS**

If the request is denied, the Planning Commission should state the general reasons and facts relied on, and direct staff to prepare findings for adoption at the next meeting. If the request is denied, the action must be based on reasons related to orderly development and best interests of the surrounding area or the city as a whole. If the request is approved, staff offers recommended conditions, which may be added to or amended at the Commission's discretion:

1. **1985 Conditions of Approval and Variance Approvals.** The 1985 Conditions of Approval and variances remain in effect. The one exception is that Condition #5 'Maximum stay not to exceed fifteen (15) days' is deleted.
2. **Standard for an RV Park.** RV Park standards not associated with prior conditions and variance approvals shall be adhered to, i.e. the minimum distance between R.V.'s shall be ten (10) feet; the minimum distance between R.V.'s and community or service buildings shall be twenty (20) feet, landscaping shall be maintained in good condition; and garbage service shall be provided.
3. **Appearance.** Handy Haven RV Park shall be maintained in an attractive, clean and neat condition. Outside items shall be limited to patio furniture that is designed for outdoor use; operable bicycles and barbecue equipment that is maintained in an attractive, clean and neat condition; and potted plants that are kept in good condition, i.e. watered, pruned, and weeded.

**#3-CU-PC-14 Handy Haven RV Park  
October 13, 2014 Planning Commission Meeting**

Nothing shall be hung outside of the RV to dry or air or for any other purpose. Nothing shall be stored under an RV that can be seen from the access drive or from any street. No RV work or repairs may be carried out within the RV Park unless permission has been given by RV Park management and the work/repair is limited to one day, i.e. no appearance of ongoing repair is visible overnight.

Submitted by,

Larry Lewis,  
City Planner

Enclosures: Vicinity Map  
Aerial Photograph  
Applicant Narrative & ORS/OAR Attachments  
1985 Conditions of Approval  
1985 Approved Variances  
Michael & Dennise Budge Email  
Pauline Gates Email

# 655 Starr Street



Printed 09/14/2014

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# Handy Haven RV Park



Printed 09/29/2014

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Handy Haven RV Park and Carwash  
P O Box 817  
Waldport, OR 97394  
541-563-4591

## City of Waldport Planning Commission

RE: Amend Conditional Use originally granted to John Graham for Handy Haven RV Park on May 28, 1985

**Amend Item # 5 to remove time restriction for all spaces.**

Greetings,

Handy Haven RV Park has been in operation since the 1985. The original conditional use granted variances to lot size and space size. Retaining walls for the slope to the south and east have been installed and the park was developed according to the original approval. We are in compliance with the Lincoln County Health Department and current on all fees due to the City, including the quarterly room tax.

We would like to change the time restriction for RV's staying at our park. Presently, the maximum stay is not to exceed fifteen days for all spaces.

We propose amending this item to allow six (6) spaces to be classified as available for long term/ permanent use and the remaining five (5) spaces remain for temporary use not to exceed fifteen days.

We also propose that the fifteen-day maximum stay requirement be waived during the winter months from November through April. May through October, they are for temporary clients.

### **Relevant Facts:**

ORS 197.493 states that the a state or local government can not limit the length of occupancy in an RV park as long as water, sewer and electricity is available. (See attached)

ORS Chapter 446 or OAR Chapter 333-031 do not list any occupancy time restriction.

Handy Haven RV Park and Carwash  
P O Box 817  
Waldport, OR 97394  
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The City of Waldport Planning Code for Standards for Recreational Vehicle Parks does not specify limitations to the length of occupancy.

ORS Chapter 90.230 Rental agreements for occupancy of recreational vehicle in park, indicates monthly tenancy requirements for a rental agreement and tenancy may be terminated by the landlord under ORS 90.427 without cause upon 30 or 60 days' written notice for a month-to-month tenancy or upon 10 days' written notice for a week-to-week tenancy. (See attached)

The City room tax form had a line for monthly rentals, which are not subject to tax. While the form does not identify this as applying to RV parks, it could be argued that the City does acknowledge the concept of long-term/permanent tenancy. (See attached)

McKinley's RV Park and Marina has a combination of permanent and temporary sites. (See attached)

These Oregon statutes and supporting facts would suggest that permanent/monthly tenancy or renting spaces for periods in excess of fifteen days in an RV park is not uncommon.

**Economic factors:**

There is a need for low cost housing in our area.

Permanent sites and the option for monthly tenancy through the winter for the temporary sites allow us to survive through the non-tourist, rainy season. Keeping the park open helps to maintain an atmosphere of prosperity in Waldport. Our personnel help people at the city dump station and provide information, showers and water to out of town visitors.

**Conclusion:**

For the reasons cited above, please amend the conditional use for Handy Haven RV Park to allow for a combination of permanent and temporary spaces.

Handy Haven RV Park and Carwash  
P O Box 817  
Waldport, OR 97394  
541-563-4591

## **ATTACHMENTS**

**197.493<sup>1</sup>**

### **Placement and occupancy of recreational vehicle**

**(1)**

A state agency or local government may not prohibit the placement or occupancy of a recreational vehicle, or impose any limit on the length of occupancy of a recreational vehicle, solely on the grounds that the occupancy is in a recreational vehicle, if the recreational vehicle is:

**(a)**

Located in a manufactured dwelling park, mobile home park or recreational vehicle park;

**(b)**

Occupied as a residential dwelling; **and**

**(c)**

Lawfully connected to water and electrical supply systems and a sewage disposal system.

**(2)**

Subsection (1) of this section does not limit the authority of a state agency or local government to impose other special conditions on the placement or occupancy of a recreational vehicle. [2005 c.619 §12]

**918-650-0075**

### **Existing Parks**

(1) Parks or camps existing prior to September 18, 1987 may have their existing use continued if the use was legal at the time of construction, provided that this continued use is not a threat to life, health, property, and general welfare of the public and is maintained in a safe and healthful condition.

(2) Any alteration to a recreation park or organizational camp must comply with the requirements of ORS Chapter 446 and these rules for new parks or camps.

Handy Haven RV Park and Carwash  
P O Box 817  
Waldport, OR 97394  
541-563-4591

Stat. Auth.: ORS 455.020, 455.110 & 455.680 Stats. Implemented: ORS  
455.680 Hist.: BCA 10-1987, f. & ef. 9-18-87, Renumbered from 814-029-  
0115; BCD 26-2011, f. 9-30-11, cert. ef. 10-1-11

## RV Parks

**ORS 90.230(1)(a) Rental agreements for occupancy of recreational vehicle in park; remedy for noncompliance; exception:** The following language was added to ORS 90.230: "If applicable, that the tenancy may be terminated by the landlord under ORS 90.427 without cause upon 30 or 60 days' written notice for a month-to-month tenancy or upon 10 days' written notice for a week-to-week tenancy." This amendment will clarify when 60 Day No Cause Notices are permitted with regard to manufactured home and RV parks.

90.230 Rental agreements for occupancy of recreational vehicle in park;  
remedy for noncompliance; exception

**90.230 Rental agreements for occupancy of recreational vehicle in park; remedy for noncompliance; exception.** (1) If a tenancy is for the occupancy of a recreational vehicle in a manufactured dwelling park, mobile home park or recreational vehicle park, all as defined in ORS 197.492, the landlord shall provide a written rental agreement for a month-to-month, week-to-week or fixed-term tenancy. The rental agreement must state:

(a) If applicable, that the tenancy may be terminated by the landlord under ORS 90.427 without cause upon 30 or 60 days' written notice for a month-to-month tenancy or upon 10 days' written notice for a week-to-week tenancy.

(b) That any accessory building or structure paid for or provided by the tenant belongs to the tenant and is subject to a demand by the landlord that the tenant remove the building or structure upon termination of the tenancy.

(c) That the tenancy is subject to the requirements of ORS 197.493 (1)

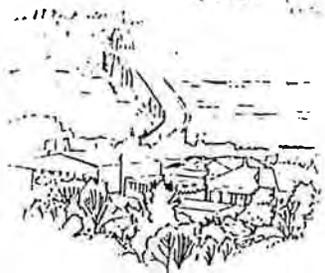
Handy Haven RV Park and Carwash  
P O Box 817  
Waldport, OR 97394  
541-563-4591

for exemption from placement and occupancy restrictions.

(2) If a tenant described in subsection (1) of this section moves following termination of the tenancy by the landlord under ORS 90.427, and the landlord failed to provide the required written rental agreement before the beginning of the tenancy, the tenant may recover the tenant's actual damages or twice the periodic rent, whichever is greater.

(3) If the occupancy fails at any time to comply with the requirements of ORS 197.493 (1) for exemption from placement and occupancy restrictions, and a state agency or local government requires the tenant to move as a result of the noncompliance, the tenant may recover the tenant's actual damages or twice the periodic rent, whichever is greater. This subsection does not apply if the noncompliance was caused by the tenant.

(4) This section does not apply to a vacation occupancy. [2005 c.619 §14; 2011 c.42 §1a]



# City of Waldport

P.O. Box K  
Waldport, Oregon 97394  
(503) 563-3561

*Copy*

Alsea Bay

May 29, 1985

RE: John Graham/RV Park

Motion by Commissioner Craig Hoffarth, seconded by Commissioner Raymond Didier

to approve the Conditional Use Application and variances with the following conditions:

1. Low retaining wall be installed at the base of the slope south of proposed spaces 6,7, and south as per the Rohleder report. (engineering geologist)
2. Appropriate landscaping to control erosion to the east; and must be maintained.
3. Paving of egress and ingress for a length of 15 feet with 2 inches of asphaltic paving.
4. RV Park to accommodate only self-contained recreational vehicles OR restrooms installed on the site.
5. Maximum stay not to exceed fifteen (15) days.
6. Plan for low intensity lighting. (submitted to the City Recorder or Planning Commission Chairman for approval) and detailed site plan for the landscaping to be included.
7. Minimum of a four (4) foot fence along the east bank at the toe of the slope. (chainlink or cyclone type fence)

Note: Mr. Graham's Findings of Fact adopted, and the conditions contained in the Staff Report:

1. That the R.V. Park be developed in accordance with the approved plan.
2. That the R.V. Park be licensed by the County Health Department.

Copy of conditions received by Mr. Graham on 6-10-85

Arletta Pattison,

# HANDY HAVEN RV PARK - 1985 APPROVED VARIANCES

Page 4

4. Variance Requested: The applicant is requesting the following variances to the conditional use standards for R.V. parks:
  - a. Size of the R.V. Park: 0.76 acres instead of ordinance standards of 2 acres.
  - b. Minimum Size of R.V. Spaces: 1,000 square feet instead of ordinance standard of 2 acres.
  - c. Minimum Width of R.V. Spaces: 25 feet, instead of ordinance standard of 30 feet.
  - d. Minimum Length of R.V. Spaces: 40 - 50 feet instead of ordinance standard of 80 feet.
  - e. Minimum Distance Between R.V.'s and Street Right-of-Way: 10 feet from Starr Street right-of-way      feet (?)  
from Norwood Street right-of-way. Instead of ordinance standard of 20 feet.
  - f. Minimum Distance Between R.V.'s and All Other Property Lines: 5 feet from rear property line instead of ordinance standard of 15 feet.
  - g. Improvements of Access Road and Parking Areas: The R.V. Park standards call for the access road and parking areas be surfaced to minimum City road standards. The City's subdivision ordinance road standards call for a minimum of 8 inches of bare material and paved with 2 inches of asphaltic concrete. The applicant is proposing 2 inches of asphaltic concrete for the parking areas but is proposing only crushed rock for the access road.
  - h. Developed Recreation Areas: The R.V. Park Standards call for a developed recreation area containing a minimum of 2,500 square feet or 200 square feet per R.V., whichever requirements is greater. The applicant is not proposing any type of recreation improvements.

## Larry Lewis

---

**From:** densnv@aol.com  
**Sent:** Friday, September 26, 2014 2:37 PM  
**To:** Larry Lewis  
**Subject:** #3-CU-PC-14

Sept. 26, 2014

To: City of Waldport  
Larry Lewis

Subject: #3-CU-PC-14

I am writing to express concerns about the request by Elaine Correia and the Handy Haven R.V. Park. From what we understand from the letter sent to us, she would like to make more of the R.V park into long term or permanent residence. After a lot of thought the concerns we have is that, it is in the immediate downtown, and where a lot of people park to visit the stores and restaurants. If you get long term residence in there it could become an eyesore, being one of the first things visitors would see as they come into town. As it is now the spaces for short term visitors are well maintained and neat, while the section that has long term users have a lot of junk around, cars up on ramps and pets running loose. Is this what we want visitors to see when the come to town?

Sincerely  
Michael and Dennise Budge

---

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From: [densnv@aol.com](mailto:densnv@aol.com)

Message Score: 1  
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Low (90): Pass

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## Larry Lewis

---

**From:** Pauline Gates <waldportfleamarket@yahoo.com>  
**Sent:** Tuesday, September 30, 2014 1:19 PM  
**To:** Larry Lewis

09/30/14

To: Larry Lewis

From: Pauline Gates

RE: case file #3-CU-PC-14

As a neighbor of the Handy Haven RV Park, I have no objection to the changes. In fact, I think that as there is a demand for low income housing, it would be a good idea to make what is already occurring at that address lawful. I would also like to comment that the premises is well managed and that the renters are good people. Sincerely,

Pauline Gates.

---

Total Control Panel

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To: [larry.lewis@waldport.org](mailto:larry.lewis@waldport.org)

Message Score: 73

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October 6, 2014

**DRAFT SUMMARY OF SIGN ORDINANCE AMENDMENTS**

The Waldport Planning Commission is considering revisions to the sign ordinance in order to benefit the business community by 1) allowing additional types of signage that are currently prohibited and 2) establishing standards for signs that would improve the overall appearance of commercial areas. The following table summarizes the draft amendments.

<b>Type of Sign</b>	<b>Current Sign Ordinance</b>	<b>Draft Amendment</b>
A. A-Frame Signs	Only allowed in conjunction with a specific event for a max. 5 days, after which a new sign permit is required.	One per property frontage w/ standards on location, size, hours, etc.
B. Banners	Limited to 15 days in a 6 month period	One per business frontage w/ standards on location, size, hours, etc.
C. Moving or Flashing Signs (Electronic Reader Boards)	Limited to time and temperature signs which are part of the principal sign.	One per business limited to time and temperature that is part of the principal sign or a maximum size of 8 sq. ft. Governmental or institutional entities are permitted to have one moving/flashing sign w/ standards. Messages are limited to notice of community events, news, travel conditions.
D. Building Signs	The sign or signs shall not exceed a total aggregate area of 120 square feet or one square foot for every foot of lot frontage along streets whichever is less.	Maximum 20% of a building façade is allowed to have signs. Building signs include roof, wall, projecting/hanging, and window signs.
D.1 Roof Signs	Prohibits signs painted directly on or flush to the roof surface.	Roof signs shall not exceed 16 feet in height above the adjacent street grade or the peak of the roof, whichever is less restrictive.
D.2 Wall Signs	Max. height of 25 ft. from adjacent road level. Display surfaces no greater than 12 feet in height nor 25 feet in width.	No maximum height (may be as high as the wall).
D.3 Projecting/Hanging Signs	No more than 1 projecting or free-standing sign permitted per lot.	No maximum display surface (other than 20% building façade limitation) No limit on number of projecting or hanging signs. Maximum display surface of 18 sq. ft. and maximum dimensions of 3 ft. high by 6 ft. wide per sign in Downtown District. Maximum display surface of 36 sq. ft. per sign in C-1, C-2, M-P, I-P and P-F Districts.
D.4 Window Signs	No limit on coverage.	May cover a maximum of 50% of each window.

October 6, 2014

<b>Type of Sign</b>	<b>Current Sign Ordinance</b>	<b>Option B</b>
E. Permanent Free-Standing Signs.	No more than 1 projecting or free-standing sign permitted per lot. Max. height of 25 ft. from adjacent road level. Display surfaces no greater than 12 feet in height nor 25 feet in width.	Pole signs are prohibited. No more than 1 monument sign per street frontage per property with a maximum 8 foot height, maximum 10 foot width, and maximum 50 square feet.

Plain Text: Existing language to remain  
~~Strike Through Text~~: Text to be deleted  
**Bold, Underlined, Italicized Text**: Text to be added

## Chapter 16.76

### SIGNS

#### Sections:

- 16.76.010 Scope.
- 16.76.020 Definitions.
- 16.76.030 Permits required.
- ~~16.76.040 General sign requirements.~~
- 16.76.040 Zone requirements.
- 16.76.050 Advertising Off-premises signs.
- 16.76.060 Temporary signs.
- 16.76.070 Nonconforming signs.
- 16.76.080 Maintenance and appearance of signs.
- 16.76.090 Abandoned signs.

#### 16.76.010 Scope.

Every sign erected, altered or relocated within the City of Waldport shall conform to the provisions of this chapter. It does not regulate traffic and street signs erected and maintained by a road authority as defined in ORS 801.445, trespass signs posted in accordance with ORS 164.245 to 164.270, holiday decorations, temporary interior window signs, or the display of the national or state flag.

#### 16.76.020 Definitions.

**"A-Frame sign" means a freestanding sign which is ordinarily in the shape of an "A" or some variation thereof, which is readily moveable, and is not permanently attached to the ground or any structure.**

~~"Accessory sign" means a sign which is accessory to and in conjunction with an established main use of land.~~

~~"Advertising sign" means a sign which depicts the main use of the lot or parcel on which it is located and is not accessory to or in conjunction with any other use.~~

**"Banner sign" means a banner, pennant, flag or similar type of sign on fabric or similar material.**

**“Building sign” means a wall, projecting/hanging, window or roof sign.**

"Free standing sign" means a sign which is supported by a separate independent structure and is not attached to or supported by any other building or structure.

**“Monument sign” means a ground-mounted sign supported from grade with a solid base that is at least 75% of the width of the sign.**

"Nonconforming sign" means a sign which was erected legally but which does not comply with currently applicable sign restrictions and regulations.

**“Off-premises sign” means any sign used for the purpose of displaying, advertising, identifying or directing attention to a business, service, activity or place, including products offered for sale or sold on premises other than on the premises where such sign is displayed.**

"Projecting sign" means a sign which is attached to the wall, **overhang or awning** ~~or roof~~ of a building and which projects above the lowest part of the roof or more than twelve (12) inches beyond the surface of the wall, **overhang or awning** of the building to which it is attached.

"Sign" means an identification, description, illustration, or device which is affixed to or represented, directly or indirectly, upon a building, structure or land, and which directs attention to a product, place, activity, person, institution or business.

"Temporary sign" means any sign which is not permanently installed to or affixed to any sign structure or building, and is accessory to an event, election, **government or institutional sponsored activity**, lease, rental or sale of limited, fixed duration.

"Size" means the aggregate area of all sign display surfaces located on a single structure, but excluding posts and base that are without attached identification, description or illustration. Two surfaces parallel and back to back on the same structure shall be considered a single display surface.

"Wall sign" means a sign attached to or painted on a wall of a building with a display surface which projects no more than twelve (12) inches from the surface of the wall and not higher than the lowest roof edge above the building wall to which it is attached.

#### **16.76.030 Permits required.**

- A. Except as herein provided, no sign shall be erected, replaced, altered or relocated without the property owner first obtaining a sign permit demonstrating that the sign is or will be in compliance with all provisions of this chapter.
- B. Permits are issued for specific property only. Permits may transfer with ownership provided the signage is not altered or moved except to bring it into compliance with this section.

- C. Fees for sign permits shall be established by resolution of the city council, and shall be paid prior to the sign being placed or altered.
- D. Signs conforming to the current code that are damaged by acts of nature, vandalism or accident shall not be assessed a new sign permit fee when repaired to the pre-damaged condition. The owner of such signs shall be required to obtain a building permit prior to construction.
- E. A building permit shall be required of all signs as provided for in the Oregon Structural Specialty Code, which shall be issued prior to sign placement, construction, or alteration.

~~16.76.040 – General Sign Requirements.~~

~~A. No permanent sign shall be placed in or extend over a required side yard or street right-of-way or within ten (10) feet of the front property line in a required front yard.~~

~~B. There shall be no moving or flashing signs, excepting time and temperature signs which are part of the principal sign.~~

~~C. Light from a sign shall be directed away from a residential use or zone and shall not be located so as to distract motorists.~~

~~D. Where it can be demonstrated that directional signs are needed for directing or controlling vehicular access, or where such signs are required as a condition of approval for public safety, such signs may be permitted in addition to any other signs permitted by this section. Such signs shall be placed at each motor vehicle entrance or exit, shall not exceed nine (9) square feet in size and six (6) feet in height, and shall not restrict required site distances or pedestrian and vehicular flow.~~

~~E. Roof signs painted directly on the roof surface, or on a surface attached flush to the roof surface, are prohibited.~~

~~F. A banner and/or a pennant shall be prohibited as a permanent sign and are limited to a display duration of fifteen (15) consecutive days in a six (6) month period.~~

~~G. Protruding or free-standing signs located within an area used for pedestrian or customer traffic shall maintain a vertical clearance of no less than seven and one half (7 ½) feet.~~

~~H. Signs classified by the State of Oregon as off premises signs shall be allowed subject to the requirements of this article provided that the applicant has obtained approval from the issuing state agency and meets the requirements of this Article.~~

~~I. Electrical service to free-standing signs shall be underground.~~

**~~16.76.050~~ 16.76.040 Zone Requirements.**

- A. **In the R-1, R-2, and R-3 zones:** one (1) accessory sign shall be allowed and shall be limited to the following sizes and restrictions:
1. A sign not exceeding two (2) square feet in size accessory to a single-family dwelling or a home occupation, or six (6) square feet for a bed and breakfast inn.
  2. A sign not exceeding twenty-four (24) square feet in size accessory to any other permitted or conditional use in the zone.
  3. No projecting or free-standing signs shall be allowed in the R-1, R-2 and R-3 zones.
  4. ***No moving or flashing signs, lit signs, roof signs, A-frame signs, or banner signs shall be allowed in the R-1, R-2 and R-3 zones.***
- B. **In the R-4, D-D, C-1, C-2, M-P, I-P and P-F zones:** ~~accessory signs are allowed. Not more than one projecting sign or free standing sign may be permitted per lot. The sign or signs shall not exceed a total aggregate area of one hundred twenty (120) square feet or one square foot for every foot of lot frontage along streets, other than alleys, whichever is less. No sign shall exceed twenty five (25) feet in height measured from the adjacent road level, and display surfaces shall not be greater than twelve (12) feet in height, nor twenty five (25) feet in width.~~

**1. General sign requirements.**

- ~~a. The sign or signs shall not exceed a total aggregate area of one hundred twenty (120) square feet or one square foot for every foot of lot frontage along streets, other than alleys, whichever is less.~~
- ~~b. No permanent sign shall be placed in or extend over a required side yard or street right of way or within ten (10) feet of the front property line in a required front yard.~~
- a. No sign shall be placed within ten (10) feet of any sign within any government installed street right-of-way (stop signs, etc.)***
- ~~e. There shall be no moving or flashing signs, excepting time and temperature signs which are part of the principal sign.~~
- b. Light from a sign shall be directed away from a residential use or zone and shall not be located so as to distract motorists.
- c. Where it can be demonstrated that directional signs are needed for directing or controlling vehicular access, or where such signs are required as a condition of approval for public safety, such signs may be permitted in addition to any other signs permitted by this section. Such signs shall be placed at each motor vehicle entrance

or exit, shall not exceed nine (9) square feet in size and six (6) feet in height, and shall not restrict required site distances or pedestrian and vehicular flow.

- ~~f. Roof signs painted directly on the roof surface, on a surface attached flush to the roof surface, are prohibited.~~
- ~~F. A banner and/or a pennant shall be prohibited as a permanent sign and are limited to a display duration of fifteen (15) consecutive days in a six (6) month period.~~
- ~~d. Protruding or free standing signs located within an area used for pedestrian or customer traffic shall maintain a vertical clearance of no less than seven and one half (7 ½) feet.~~
- d. Signs classified by the State of Oregon as off-premises signs shall be allowed subject to the requirements of this article provided that the applicant has obtained approval from the issuing state agency and meets the requirements of this Article.
- e. Electrical service to free-standing signs shall be underground.

## 2. Sign types.

### a. Building Signs. A maximum 20% of a building façade is allowed to have signs.

#### a.1 Projecting signs.

- 1) In the Downtown District a projecting sign shall have a maximum display surface of 18 square feet with maximum dimensions of three (3) feet high by six (6) feet wide.
- 2) In the C-1, C-2, M-P, I-P and P-F Districts a projecting sign shall have a maximum display surface of 36 square feet.
- 3) Projecting signs shall be a minimum eight (8) feet above the ground and not protrude beyond a sidewalk nor protrude into the vehicular right-of-way.

#### a.2 Window signs. Window signs may cover a maximum of 50% of each window.

#### a.3 Roof signs. Roof signs shall not exceed 16 feet in height above the adjacent street grade or the peak of the roof, whichever is less restrictive.

### b. Permanent free-standing signs.

- 1) No more than one free-standing sign is permitted per street frontage per property.

2) Pole signs are prohibited.

3) Monument signs shall have a maximum 8 foot height, maximum 10 foot width, and maximum 50 square footage.

c. A-Frame signs.

1) No more than one A-frame sign is permitted per property frontage.

2) A-frame signs may be placed on private property. A-frame signs may be placed within the sidewalk however a minimum four (4) feet of lateral clearance shall be maintained on a sidewalk. (Need to insert ODOT regulations if any)

3) A-frame signs shall be eight (8) square feet with dimensions of two (2) feet wide by four (4) feet tall.

4) A-frame signs shall be secured by means of attaching an interior weight so as not to be movable (pushed, pulled, blown, etc.)

5) No objects shall be attached for A-frame signs, e.g. balloons, banners, etc.

6) A-frame signs are only permitted during business hours.

d. Banner signs.

1) One banner sign is allowed per street frontage per business. A second banner is permitted if one banner is the American Flag.

2) Banner signs shall not exceed 32 square feet.

3) Banner signs may be placed on private property. Banner signs may be placed within or overhang the sidewalk however a minimum four (4) feet of lateral clearance shall be maintained on a sidewalk. Banner signs shall not cause an unreasonable annoyance or inconvenience to pedestrians. Banner signs shall not be placed within of overhang the street including on-street parking area. (Need to insert ODOT regulations if any)

4) Banner signs must be adequately secured.

5) Banner signs shall not cause an unreasonable annoyance or inconvenience to pedestrians.

e. Moving or Flashing sign. There shall be no moving or flashing signs, except 1) time and temperature signs which are part of the principal sign or a maximum size of 8 square feet. A governmental or institutional entity is permitted to have one moving or flashing sign per property. Messages are limited to notice of community

events, news, and travel conditions. Moving or flashing signs shall be in accordance with ODOT Variable Message Sign Regulations.

- C. In the M-W zone, only signs in conjunction with an existing or approved activity are allowed, provided the sign is constructed such that it meets the requirements of Chapter 16.68, Flood Hazard Overlay Zone.

**16.76.060 16.76.050 Advertising Off-premises signs.**

In the D-D, C-1, C-2 and I-P zones, advertising one off-premises signs may be allowed per property by the ~~planning commission as a conditional use.~~ In addition to the applicable in accordance with requirements of Chapter 16.84 16.76 of this title, The business owner shall submit a sign permit application and the property owner shall provide written authorization giving permission for the placement of the off-premises sign. Contents of off-premises signs shall be limited to the business of the applicant., advertising signs must conform to the following standards:

1. ~~Signs must be at least five hundred (500) feet apart on the same side of a road and at least two hundred fifty (250) feet apart on opposite sides of a road; and~~
2. ~~Signs shall not exceed twenty five (25) feet in height measured from the adjacent road level, and display surfaces shall not be greater than twelve (12) feet in height nor twenty five (25) feet in width.~~

**16.76.060 Temporary Signs.**

A. In addition to the allowances for signs provided by this section, not more than two temporary signs of not more than twelve (12) square feet each may be established on any lot or parcel for a period of not more than ninety (90) days in any single calendar year, or for any period of time during which the property is for sale, lease or rent, or for an election.

B. All such signs shall be maintained as provided for in Section 16.76.090 of this title.

~~C. Portable A frame and wheeled signs shall be allowed only in conjunction with a specific event, and shall not obstruct the safe and free flow of pedestrians and vehicular traffic. Such signs may be licensed for a period of five (5) consecutive days, after which a new sign permit must be obtained.~~

C. All temporary signs shall be removed by the sponsoring person, institution, group or company within three (3) days after the conclusion of the event.

**16.76.070 Nonconforming Signs.**

A. A nonconforming sign or sign structure shall not be moved, structurally altered or enlarged in any manner unless such movement, alteration or enlargement would bring the sign into conformity with the requirements of this Chapter.

B. Any nonconforming sign or sign structure must be maintained to meet the requirements of Section 16.76.090 of this title.

**16.76.080 Maintenance and Appearance of Signs.**

All signs, together with all of their supports, braces, guys and anchors, shall be kept in good repair and maintained in a safe condition. All signs shall be maintained in a neat, clean and attractive condition.

**16.76.090 Abandoned Signs.**

Any sign shall be removed within ~~fourteen (14)~~ **three (3)** days of when the associated land use has been discontinued or completed, or when the sign is no longer properly repaired or maintained as required by this Chapter.

**City of Waldport  
2014 LAND USE / BUILDING PERMIT ACTIVITY**

<b>Date</b>	<b>Application/ Activity</b>	<b>Applicant</b>	<b>Zoning</b>	<b>Tax Map/Lot Location</b>	<b>Description</b>	<b>Status</b>
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**For the Period September 25, 2014 through October 31, 2014**

9/25/14	Manufactured Home Placement Permit	Leasa Harris	R-1	13-12-25AD/1300 1110 Sailfish Loop Ocean Hills	New manufactured home	Approved 9/26/14
9/25/14	Building Permit	Leasa Harris	R-1	13-12-25AD/1300 1110 Sailfish Loop Ocean Hills	New attached garage	Approved 9/26/14