



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

3/31/2010

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Woodburn Plan Amendment
DLCD File Number 003-09

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, April 15, 2010

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: James N. P. Hendryx, City of Woodburn
Gloria Gardiner, DLCD Urban Planning Specialist

<paa> N

Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: **City of Woodburn**

Local file number: **LA 2009-02**

Date of Adoption: **March 22, 2010**

Date Mailed: **March 25, 2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: **November 2, 2009**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

The current ordinance generally prohibits signs in public rights-of-way. The proposed amendment allows each property owner in the R1S zone to establish two signs in the right-of-way abutting his/her property. The R1S zone is unique because it has 60-foot rights-of-way and was developed (before current standards) almost entirely without sidewalks. Consequently, the property line is 13 feet from the curb. Small signs placed on private property are difficult to see from the street.

Does the Adoption differ from proposal? Yes, Please explain below:

The City Council adopted three modifications to the proposed ordinance to enhance vehicular and pedestrian safety.

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

- 1
- 2
- 3
- 4
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Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: James N. P. Hendryx, Director

Phone: (503) 980-2445 Extension:

Address: 270 Montgomery Street

Fax Number: 503-982-5244

City: Woodburn

Zip: 97071

E-mail Address: jim.hendryx@ci.woodburn.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form must be mailed to DLCD within 5 working days after the final decision
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO Complete Copies (documents and maps) of the Adopted Amendment to:
ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, or by emailing larry.french@state.or.us.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **twenty-one (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to larry.french@state.or.us - **Attention: Plan Amendment Specialist.**

NOTICE OF ADOPTION
CITY OF WOODBURN, OREGON

FILE NUMBER: LA 2009-02

SUMMARY OF DECISION: On March 22, 2019, the City Council adopted Ordinance 2465, which amended the sign regulations in Section 3.110 of the Woodburn Development Ordinance to allow certain signs to be established in the public rights-of-way in the R1S zone.

APPEAL RIGHTS: The decision of the Woodburn City Council is final unless appealed to the Land Use Board of Appeals within 21 days from the date this notice was mailed. The appeal must be filed as specified in ORS (Oregon Revised Statutes) 197.830 to 197.845

A copy of the decision is available for inspection at no cost and a copy will be provided at a reasonable cost at Woodburn City Hall, Department of Economic and Development Services, 270 Montgomery Street, Woodburn, OR 97071. If you have any questions or need additional information regarding appeals, please contact Jim Hendryx, Director of Economic and Development Services at (503) 980-2445.

DATE OF MAILING: March 25, 2010

COUNCIL BILL NO. 2817

ORDINANCE NO. 2465

AN ORDINANCE AMENDING THE WOODBURN DEVELOPMENT ORDINANCE TO ALLOW SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY IN THE RETIREMENT COMMUNITY SINGLE-FAMILY RESIDENTIAL (R1S) ZONE.

WHEREAS, the City Council requested Staff to draft an amendment to Section 3.110 of the Woodburn Development Ordinance (WDO) to allow signs within public rights-of-way in the Retirement Community Single-Family Residential (R1S) zone; and

WHEREAS, the Planning Commission on December 17, 2009 held a public hearing on the proposed amendment; and

WHEREAS, the City Council on January 11, 2010 held a public hearing on the proposed amendment; and

WHEREAS, the City Council referred the proposed amendment to the Sign Focus Group; and

WHEREAS, the City Council has considered the public testimony, the staff report, the need for the proposed amendment and the public interest therein; **NOW, THEREFORE**,

THE CITY OF WOODBURN ORDAINS AS FOLLOWS:

SECTION 1. The Council finds that the Retirement Community Single-Family Residential (R1S) zone is characterized by wide rights-of-way and a general lack of sidewalks.

SECTION 2. The Council finds that the signs currently allowed by Section 3.110.11 of the WDO are not readily legible if located on private property.

SECTION 3. The Council finds that this amendment is necessary to provide property owners in the Retirement Community Single-Family Residential (R1S) zone a reasonable opportunity to display legible signage.

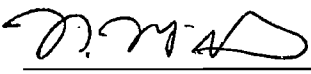
SECTION 4. Section 3.110.11, subsections G and H, of the WDO is amended to read as follows:

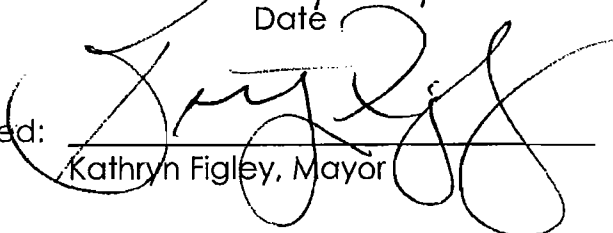
G. Lawn signs and A-frame signs in residential **RS, RSN, RM, and**

RMN zones provided that not more than two such signs are located on a lot or parcel and the total area for all such signs does not exceed eight square feet. Such signs shall not exceed ~~six~~ **seven** feet in height and shall not be placed in the public right-of-way or vision clearance areas.

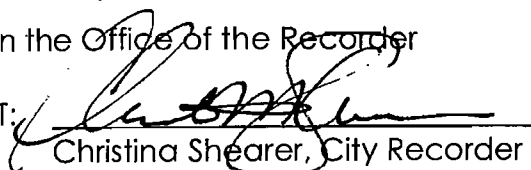
H. Lawn signs and A-frame signs in the R1S zone provided that:

1. **The signs are established by the property owner or property owner's agent.**
2. **Not more than two such signs are located on a lot or in the public right-of-way abutting the lot.**
3. **No sign may be established in the right-of-way of State Highway 214, Newberg Highway.**
4. **The total area for all such signs does not exceed eight square feet.**
5. **Lawn signs shall not exceed seven feet in height.**
6. **A-frame signs shall not exceed three feet in height.**
7. **Signs shall not be placed in vision clearance areas (Section 3.103.10) or in adjacent rights-of-way.**
8. **Signs shall not be on or overhanging a travel or on-street parking lane.**
9. **Signs shall not be on or overhanging a sidewalk, and**
10. **No portion of a sign shall be less than 3 feet from the back of a curb.**

Approved as to form:  3/17/2010
City Attorney Date

Approved: 
Kathryn Figley, Mayor

Passed by the Council 3/22/10
Submitted to the Mayor 3/23/10
Approved by the Mayor 3/24/10
Filed in the Office of the Recorder 3/24/10

ATTEST: 
Christina Shearer, City Recorder
City of Woodburn, Oregon

COUNCIL MEETING MINUTES
January 11, 2010

TAPE
READING

address Council. Durrell Crays of 167 N. Settlemeir, Woodburn, Chairman of the Historic Woodburn Neighborhood Association submitted a statement signed by 16 residents objecting to zoning changes intended to increase population density and building heights of greater than 40 feet. He further stated that the Historic Woodburn Neighborhoods Association supports the revitalization of downtown businesses and supports the Downtown Development Plan with one major reservation, which is the height standard.

Richard Lowry of 479 5th St, Woodburn spoke of the original revision to the plan and Council's decision to send it back to the Planning Commission for additional revision and public input. Mr. Lowry asserted that there was not community outreach beyond the public hearing. Mr. Lowry requests that the height limits be lowered to 40 feet.

Dagmar Kinne of 586 Grant St., Woodburn submitted a white paper discussing the impact of train noise and vibration on the Downtown residential areas.

Juan Hernandez of 475 Front St, Woodburn expressed concern about traffic and pedestrian safety under the plan.

Bruce Thomas of 130 W Cleveland St, Woodburn discussed the stakeholder committee involvement with the development and modification of the Downtown Development Plan.

2-0670 The Public Hearing was closed at 8:50 pm.

Council discussed the testimony received and asked further clarifying questions of staff resulting in the following motions:

2-3400 **Cox/Pugh...** to amend the Downtown Development Plan by modifying page 70 of the Downtown Development Plan (page 156 in the Agenda Packet) under CG Commercial General—New Gateway Subdistrict, Additional Key Elements to read "Building height limit transitioning from 40 feet adjacent to residentially zoned properties to 50 feet next to the railroad tracks." and on the same page under DDC Downtown Development and Conservation Zone, modify under Key Elements to read "Building height limit of 40 feet." and instruct staff to make any other plan revisions to be consistent with this change. Amendment passed unanimously.

2-3600 **Cox/McCallum...** adopt the Downtown Development Plan as amended and modified by staff per Council direction above. Motion passed unanimously.

Council recessed at 9:25 and reconvened at 9:30.

2-3800 **PUBLIC HEARING – TYPE V LEGISLATIVE AMENDMENT – LA 2009-02,**
ALLOWING SIGNS IN THE PUBLIC RIGHT OF WAY IN THE RETIREMENT
COMMUNITY SINGLE-FAMILY RESIDENTIAL (R1S) ZONE

Mayor Figley declared the hearing open at 9:35pm for the purpose of hearing public input on proposed changes to sign regulations in the Retirement Community Single Family



COUNCIL MEETING MINUTES January 11, 2010

TAPE READING

Residential Zone (R1S). Economic and Community Development Director Hendryx gave a presentation covering the history of the proposed amendment regarding signs in the Retirement Community Single-Family Residential zone. Council discussed the history of the sign code and activities of the Planning Commission and Sign Focus group leading to this amendment. Director Hendryx stated that the Planning Commission recommended denial of this amendment.

Mayor Figley invited proponents and opponents of the amendment to address Council. Richard Siewert of Estates Realty at 2265 Country Club Rd, Woodburn spoke in favor of the amendment stating that the additional visibility and accessibility would help home sellers in the area. Dave Christoff of 671 Ironwood Terrace, Woodburn requested that the sign rules and ordinances be consistent citywide rather than area specific and is in favor of uniform enforcement of the sign code. Richard Jennings of 595 Filbert, Woodburn spoke in opposition of the amendment, citing reservations about making changes to the sign code applicable to one area of the city instead of citywide. Jean Kemp spoke in favor of the amendment.

The Public Hearing was closed at 10:15pm.

Council discussed the testimony received and asked further clarifying questions of staff resulting in the following motions:

Pugh/Schmidt... adopt the legislative amendment. Motion failed on roll call vote with Councilors Pugh, Schmidt, and Cox voting aye, Councilors Lonergan, McCallum, and Morris voting nay; Mayor Figley voted nay. Mayor Figley stated for the record that she may support this concept applied on a uniform, consistent citywide basis, but would not for a specific neighborhood.

McCallum/Cox... return the amendment to the Sign Ordinance Focus Group for further review. Motion passed unanimously.

3-1781 **PUBLIC HEARING – FINAL ASSESSMENT HEARING – IRONWOOD STREET TREE REPLACEMENT AND SIDEWALK REPAIR LOCAL IMPROVEMENT DISTRICT**

Councilor McCallum declared a conflict of interest and refrained from participation in Council discussion. Mayor Figley declared the hearing open at 10:38 pm for the purpose of hearing public input on the proposed final assessment for the Ironwood Local Improvement District. Council received a copy of a letter submitted by Richard Baxley of 2562 Edgewater Dr and it was entered into the record. No one requested an opportunity to speak to Council on this issue. The Public Hearing was closed at 10:40 pm.

COUNCIL MEETING MINUTES
February 22, 2010

Counter

1-2262 **COUNCIL BILL NO. 2813 – A RESOLUTION AUTHORIZING THE DEPARTMENT OF COMMUNITY SERVICES TO APPLY FOR A LAND AND WATER CONSERVATION FUND GRANT FROM THE OREGON PARKS AND RECREATION DEPARTMENT FOR THE REPLACEMENT OF THE PLAYGROUND AT WYFFELS PARK AND DELEGATING AUTHORITY TO THE DIRECTOR OF COMMUNITY SERVICES TO SIGN THE APPLICATION**

Councilor McCallum introduced Council Bill No. 2813. Recorder Shearer read the bill by title only since there were no objections from the Council. On roll call vote for final passage, the bill passed unanimously. Mayor Figley declared Council Bill No. 2813 duly passed.

1-2370 **COUNCIL BILL NO. 2814 – A RESOLUTION MODIFYING THE BUSINESS ASSISTANCE LOAN PROGRAM GUIDELINES**

Councilor McCallum introduced Council Bill No. 2814. Recorder Shearer read the bill by title only since there were no objections from the Council. Councilor Pugh moved that this item be tabled for future consideration. Councilor McCallum seconded. On roll call vote on the motion to table, the motion passed unanimously. Mayor Figley declared Council Bill No. 2814 tabled.



1-2450 **TYPE V LEGISLATIVE AMENDMENT – LEGISLATIVE AMENDMENT LA 2009-02, ALLOWING SIGNS IN THE PUBLIC RIGHT-OF-WAY IN THE RETIREMENT COMMUNITY SINGLE-FAMILY RESIDENTIAL (R1S) ZONE**

Economic and Community Development Director Hendryx gave a presentation on the proposed legislative amendment. Council discussed the proposed amendment. Council expressed that they did not want this amendment applying to right of way along Highway 214. **Pugh/McCallum**...accept the amendment except where it would pertain to Highway 214. The motion passed unanimously.

1-3567 **PROFESSIONAL SERVICES CONTRACT AWARD TO MURRAY SMITH AND ASSOCIATES – DESIGN OF PRIMARY AND SECONDARY DISINFECTION OF THE WATER SUPPLY SYSTEM**

McCallum/Schmidt...that Council, as Local Contract Review Board, authorize the City Administrator to enter into a Professional Services Contract with Murray Smith and Associates to provide professional services for pre-design, final design, and construction engineering services for primary and secondary disinfection of the City's water supply system in the amount of \$208,817. The motion passed unanimously.

1-3740 **ACCEPTANCE OF TWO PUBLIC UTILITY EASEMENTS TAX LOTS 05W1400800 AND 052W13BD-01800**

Morris/Pugh...Council accept the two Public Utility Easements described on Attachment "A" and Attachment "B" to the Staff Report for this item. The motion passed unanimously.

CITY OF WOODBURN, OREGON

**CITY COUNCIL
STAFF REPORT
February 10, 2010**

LEGISLATIVE AMENDMENT 2009-02

APPLICANT: City of Woodburn
270 Montgomery Street
Woodburn, OR 97071

Application Commenced: At the direction of the City Council

Staff contact: James N. P. Hendryx, Director of Economic &
Development Services

Recommendation: Deliberate the draft text amendment.

NATURE OF THE APPLICATION: A legislative amendment to consider text changes to the Woodburn Development Ordinance. The Woodburn Development Ordinance would be amended to allow certain signs in the public right-of-way in the Retirement Community Single-Family Residential (R1S) Zone. The amendment would also increase the height of certain exempt signage in all residential zones from six feet to seven feet.

RELEVANT APPROVAL CRITERIA:

WDO 4.101.06.E Type V Legislative Decisions
WDO 4.101.09.A.3 Type V Notices
Comprehensive Plan Consistency

BACKGROUND:

On October 26, 2009, the Woodburn City Council requested that staff prepare an amendment to the sign regulations of the Woodburn Development Ordinance to allow signs to be placed in the public right-of-way in the Retirement Community Single-Family Residential (R1S) Zone. The Planning Commission conducted a public hearing on December 17, 2009 and considered the proposed amendments. The Commission voted unanimously (four members present) to oppose the amendments and forwarded the matter to the Council with a recommendation of disapproval. The City Council then conducted a public hearing on January 11, 2010. The Council referred the proposed amendments to the Sign Focus Group, currently tasked by the Mayor and the City Council with evaluating amendments to the sign regulations. The Focus Group considered the proposed amendments on January 28, 2010 and suggested provisions regarding sign location near curbs or sidewalks. Those revisions have been incorporated into the proposed ordinance.

ANALYSIS AND FINDINGS OF FACT:

Legislative decisions

Type V decisions involve legislative actions where the City Council enacts or amends the City's land use regulations The Planning Commission holds an initial public hearing on the proposal prior to making a recommendation to the City Council. The City Council then holds a final de novo public hearing and makes the City's final decision. Public notice is provided for all public hearings (**Section 4.101.09**). The City Council's decision is the City's final decision and is appealable to LUBA within 21 days after it becomes final. [WDO 4.101.06.E]

Finding: Public notice was provided pursuant to the Oregon Revised Statutes, the Oregon Administrative Rules, the Woodburn Comprehensive Plan, and the Woodburn Development Ordinance. Measure 56 notice is not required. The Planning Commission staff report (attached) discusses the notices in detail.

Comprehensive Plan Consistency

The Woodburn Comprehensive Plan is the controlling land use document for the City. The Woodburn Comprehensive Plan has been found by the Land Conservation & Development Commission (LCDC) to comply with the 14 applicable "Statewide Planning Goals," which are, in effect, state planning requirements that must be met by each city and county in Oregon.

The Woodburn Comprehensive Plan includes goals and policies that provide specific direction in making "quasi-judicial" land use decisions; i.e., decisions that require judgment in the application of general policies to specific situations, such as zone changes, annexations, conditional use permits and major variances. Goals set a general direction and are not intended to be decision criteria. Policies that are written in mandatory language (e.g., "shall," "must," "will") are mandatory in character: they must be followed when Woodburn makes a "quasi-judicial" land use decision. In cases where mandatory policies conflict, the City Council may balance these policies in making a decision. Policies that are written in permissive language (e.g., "should," "may," "encourage") indicate the preferred direction of the City, but are not binding on the Council. [Woodburn Comprehensive Plan, Page 1, summarized]

Finding: The proposed amendment must comply with the mandatory policies, and should comply with the permissive policies of the Woodburn Comprehensive Plan.

Any comprehensive plan depends on implementation to accomplish the goals and policies established in the plan. Cities have amassed a battery of ordinances to accomplish this purpose. Some ordinances have been more successful than others and in time, no doubt, new methods and techniques will be developed. Implementation should be a continual review of existing ordinances to ensure that they are accomplishing the purposes for which they were originally designed. [Woodburn Comprehensive Plan, Page 8]

Finding: The Woodburn Development Ordinance implements the Woodburn Comprehensive Plan.

The Sign Ordinance implements goals relating to public health, safety and welfare, basically for transportation safety and aesthetic goals. This type of ordinance should be continued.
[Woodburn Comprehensive Plan, Page 9]

Finding: The sign regulations contained in Section 3.110 of the Woodburn Development Ordinance promote public safety, welfare, and aesthetics.

Land use ordinances adopted by the City shall be strictly enforced. While the Comprehensive Plan and zoning ordinances are important phases of the land-use planning process, without strict enforcement of the code, what actually occurs in the City will not have a direct relationship to the plans and ordinances adopted by the Council. Therefore, strict enforcement must be practiced by the City to ensure that the policies of the City are actually being implemented.
[Woodburn Comprehensive Plan, Policy A-1, Page 11]

Findings: Consistent and reasonable enforcement of the sign regulations has been identified as a concern by City residents. Enforcement is currently accomplished through the combined efforts of Economic & Development Services staff, Public Works staff, and the Code Enforcement officers of the Police Department.

It is the policy of the City of Woodburn to solicit and encourage citizen input at all phases of the land-use planning process. Since the City is trying to plan the community in accordance with the community's benefit, it is essential that the community be consulted at all stages of the planning process. [Woodburn Comprehensive Plan, Policy B-1, Page 12]

Findings: The State of Oregon Department of Land Conservation and Development was provided notification 45 days prior to the Planning Commission hearing, and provides other potentially interested parties the opportunity to review text amendments from local governments throughout Oregon. Notification of the proposed amendment was hand delivered to the Senior Estates Golf and Country Club (the Homeowners Association for property in the RIS zone) and was delivered by e-mail to the Woodburn Fire District and the Woodburn Police Department. Notification of the public hearings was also published in the Woodburn Independent newspaper on November 18, 2009. At the direction of the City Council, the proposed amendment was also considered by the Sign Focus Group.

Woodburn shall coordinate with affected state agencies regarding proposed comprehensive plan and land use regulation amendments, as required by state law.

- (a) The state agency most interested in land use is the Oregon Department of Land Conservation and Development (DLCD). Woodburn shall notify DLCD 45 days in advance of the first hearing before the Planning Commission, of proposed comprehensive plan or development ordinance amendments. [Woodburn Comprehensive Plan, Policy B-2(a), Page 12]

Findings: The Department of Land Conservation and Development was provided notification 45 days prior to the Planning Commission hearing on the proposed amendment.

Assessment of the situation

Section 3.110.07.C of the WDO prohibits “a sign in public right-of-way ... unless specifically exempt under Section 3.110.11.” The proposed amendment makes certain signs in the right-of-way of the Retirement Community Single-Family Residential (R1S) Zone exempt under Section 3.110.11, and therefore allows them to be established. The amendment also increases the height of certain exempt signage in all residential zones from six feet to seven feet.

Findings: The Retirement Community Single-Family Residential (R1S) Zone is characterized by a wide right-of-way and a general lack of sidewalks – conditions that do not occur throughout the City. The signs allowed by Section 3.110.11.H of the Woodburn Development Ordinance are not readily legible from the street if located on private property in the R1S Zone. The proposed amendment would allow signs that are legible from the street in the R1S Zone. This amendment is necessary to provide property owners in the R1S Zone a reasonable opportunity to display legible signage.

DRAFT TEXT AMENDMENT:

Section 3.110.11 of the Woodburn Development Ordinance is hereby amended as follows:

G. Lawn signs and A-frame signs in ~~residential~~ **RS, RSN, RM, and RMN** zones provided that not more than two such signs are located on a lot or parcel and the total area for all such signs does not exceed eight square feet. Such signs shall not exceed ~~six~~ **seven** feet in height and shall not be placed in the public right-of-way or vision clearance areas.

H. Lawn signs and A-frame signs in the R1S Zone provided that:

- 1. The signs are established by the property owner or property owner’s agent,**
- 2. Not more than two such signs are located on a lot or in the public right-of-way abutting the lot,**
- 3. The total area for all such signs does not exceed eight square feet,**
- 4. Lawn signs shall not exceed seven feet in height,**
- 5. A-frame signs shall not exceed three feet in height,**
- 6. Signs shall not be placed in vision clearance areas (Section 3.103.10) or in any adjacent right-of-way,**
- 7. Signs shall not be on or overhanging a travel or on-street parking lane,**
- 8. Signs shall not be on or overhanging a sidewalk, and**
- 9. No portion of a sign shall be less than 3 feet from the back of a curb.**

Staff is directed to re-designate the subsequent subsections of Section 3.110.11 to accommodate the insertion of a new subsection H.

Certificate of Mailing -- LA 2009-02

I hereby certify that I mailed a City of Woodburn Notice of Adoption, Ordinance 2465, and the staff report of February 10, 2010 to the following persons who offered testimony to the City Council regarding a legislative amendment to allow certain signs in the public right-of-way in the R1S zone:

Richard Siewert
Estates Realty
2265 Country Club Road
Woodburn, OR 97071

Dave Christoff
671 Ironwood Terrace
Woodburn, OR 97071

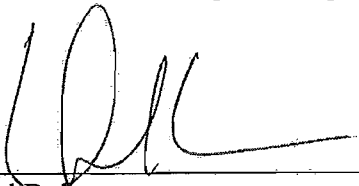
Richard Jennings
595 Filbert Street
Woodburn, OR 97071

Jean Kemp
5704 Keene Road NE
Gervais, OR 97026

I also mailed the relevant portions of the City Council minutes of January 11, 2010 and February 22, 2010, Ordinance 2465, the staff report of February 10, 2010, a printed copy of a PowerPoint presentation made to the City Council, a City of Woodburn Notice of Adoption, and a DLCD Notice of Adoption to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540

The material was sealed and addressed as noted above and was deposited in the United States mail at Woodburn, Oregon with postage thereon prepaid on March 25, 2010.



Donald Dofenc
Associate Planner

3-25-10
Date

PLANNING DEPT.
CITY OF WOODBURN
270 Montgomery St.
Woodburn, OR 97071

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540



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Mailed From 97071

US POSTAGE