

BFB Properties LLC

780 Commercial St. SE; Suite 300; Salem, OR 97301 | 503-851-2941 | ben@bcwebhost.net

July 31, 2017

Aaron Panko
Planner III
City of Salem
Community Development Department
555 Liberty St SE
Rom 305
Salem, OR 97301

Dear Aaron Panko:

I am writing in support of the Class 2 Adjustment clause, part of the proposed changes to the City sign code. I believe that this clause is a needed and useful change to the current codes, which will benefit the City (both residents and businesses) without harm to anyone.

I have reviewed comments previously submitted by others, and I think they have laudable goals, but that their reasoning is mistaken. Most of the prior public comments center on the excessive number of illegal signs and the need to eliminate these signs. I fully support the idea of reducing illegal signs, which can be a public eyesore. However, I believe these other commentators are mistaken in thinking that the Class 2 adjustment clause will somehow cause more illegal signs. In fact, such a clause will reduce the number of illegal signs.

Illegal signs primarily occur when businesses (usually small businesses) seek ways to advertise their business but can't find a way to work within the City sign code. If they can't find a solution within the City sign code, then they ignore it and produce their own, illegal signs. What is needed is more flexibility for the Planning department to work with these businesses, to find practical, legal solutions. The proposed Class 2 Adjustment clause would help to give City staff that flexibility and should reduce the incidence of illegal signs.

The current sign code is too rigid, preventing City staff from dealing with what would otherwise be absurd dilemmas. In my case, I am a commercial real estate investor and my interest in the Class 2 Adjustment clause came about because I have one of those situations where the current code makes no sense.

I am seeking to place a sign on one of my buildings. The sign in almost all respects meets current code requirements; there is no problem with the size or appearance of the sign, but rather just how it is mounted. I want to place the sign on the exterior wall of my building, but the current code requires me to put that sign on a post (right in front of the same location on the same wall). It will be the same sign in the same location, with the same appearance to the world, except that in one case it will be fixed to the wall

and in the other case it will be mounted on a post. Why is this an issue? For two reasons: first, mounting on the post almost doubles the cost of the sign. Second, having a post in that particular location would be ugly. In other words, the current code requires me to spend a lot more money on something that will be less attractive. The Class 2 Adjustment clause would allow City staff to address this situation.

The City Council should approve the Class 2 Adjustment clause as a needed improvement to the City's sign code. And if they really want to reduce illegal signs, short of budgeting for more sign code enforcement, this clause will help.

Sincerely,

Ben Bednarz

CC: Chuck Bennett

**Comments Presented at Salem City Council Meeting of June 26, 2017,
Regarding Proposed Amendments to RE SRC 900, Sign Code**

Good evening. I am Evan White. I live in Ward 7. Like many other cities, the Salem sign code prohibits lawn signs in the public right of way. In a case involving Los Angeles, the US Supreme Court explained that *"the visual assault on the citizens... presented by an accumulation of signs posted on public property constitutes a significant substantive evil... The City's interest in attempting to preserve or improve the quality of urban life is one that must be accorded high respect."*¹

Problem is, in Salem, due to funding limitations, currently there is no enforcement of this part of our sign code. The people who place illegal signs in the right of way probably are not aware that they are breaking the law and potentially subject to civil penalties – up to \$2,000 per day per violation.

Everyone -- businesses, non-profits and political candidates should all follow the rules. Several weeks ago, I counted two dozen illegally placed signs at two intersections along Kuebler Boulevard. The furniture store, right across the street from City Hall, has seven illegal signs in the public right of way. Check it out tonight on your way home.

Sometimes families, businesses or non-profits "adopt a street" and pick up litter and trash to improve the appearance of our city.

I propose a similar public/private partnership called "the Salem Sign Sweepers." These volunteers would be overseen by City staff and wear yellow safety vests while gathering up the illegally placed signs, and taking them to the City Shop. The Sign Sweepers would then attempt to contact owners of the illegal signs, telling them where they can collect their signs after payment of an appropriate fine as determined by City staff.

I'm willing to be a Salem Sign Sweeper, and I know others who would be happy to join me. Let's all work together to make Salem even more beautiful. Thank you.

¹ City Council v Taxpayers for Vincent 466 U.S. 789 (1984)

Ruth Stellmacher

From: Nancy McDaniel <nanmcdann@yahoo.com>
Sent: Thursday, August 10, 2017 9:01 AM
To: Chuck Bennett; citycouncil
Cc: Aaron Panko; Nikki Paxton; Joan Lloyd; A. Scott
Subject: NEN opposes proposed sign code amendment

Categories: Recorder Tasks

At our July 18 meeting the Northeast Neighbors (NEN) Board voted unanimously to oppose CA 16-05, the proposed amendment to the sign code, for the following reasons:

- Our main concern is with eliminating permits for temporary signs. Without a permit, there would be no way to tell when a temporary sign was put up. The code retains the time limits for temporary signs but there would be no practical way to enforce them. In effect, this code amendment does away with the concept of temporary signs.
- The proposal sets new standards to measure the brightness of electronic signs, but allows one year to calibrate existing signs to be in compliance. This seems an unnecessarily long time.
- We oppose shortening the cycle time for electronic signs in the Commercial Neighborhood zone to 30 seconds. This was a recommendation by the Planning Commission to amend the current limit of one hour. A cycle time of 30 seconds isn't compatible with the purpose of the CN zone, which is to provide "uses that are compatible with the scale and character of surrounding neighborhood areas."
- And finally, the amendment doesn't address the proliferation of new sign types – for example, the tall "wing-like" signs that are fabric stretched over a wire frame, and the inflatable figures. These sign types aren't included in the definition of temporary signs and it's not clear how they're regulated. Both of these types have become so commonplace that they need to be addressed in the code.

In short, it seems the wrong direction for the proposed amendment to eliminate temporary sign permits while ignoring gaps in its coverage of temporary signs. We suggest it's time for a more comprehensive review of the sign code if the city wants to address the visual shouting match that we see all over Salem.

Thank you for your consideration of our concerns,

Nancy McDaniel
NEN Land Use Chair