

ORDINANCE NO. 738

AN ORDINANCE AMENDING CHAPTER 10 OF THE TROUTDALE DEVELOPMENT CODE RELATING TO SIGNS (TEXT AMENDMENT NO. 34)


THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The proposed amendments pertain to Chapter 10 of the Troutdale Development Code which regulates signs. The current sign code has been in effect for three years and during that time several problem areas have come to light. These proposed amendments consist of both minor housekeeping measures for improved organization and clarity as well as some substantive changes to address identified shortcomings of the current code.
2. These amendments satisfy public need by remedying the ongoing conflict between the current sign regulations for the Central Business District and the actual practices of downtown merchants with respect to the type of signs being displayed. Public need is also satisfied by these amendments to clarify meaning, to improve structure and organization, and to correct shortcomings with the current code language.
3. The proposed change to the sign code will not adversely affect the health, safety and welfare of the community. The amendments establish rules and standards that provide a clean, orderly, and attractive appearance of the community. Even though the change to the sign code will allow for additional signage not currently permitted, dimensional standards and other regulations for the construction, location, placement and maintenance of signs will prevent undue proliferation of signs and sign clutter. The changes encompassed in these proposed amendments will be a positive contribution to the public health, safety and welfare.
4. These amendments do not conflict with any goals or policies from the Troutdale Comprehensive Plan. The amendments are consistent with the Metro Urban Growth Management Functional Plan.
5. Notice of the public hearing has been provided in accordance with applicable law.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. The Troutdale Development Code is hereby amended to read as shown in Attachment A.

YEAS: 6
NAYS: 0
ABSTAINED: 0



Paul Thalhofer, Mayor
October 30, 2003

Date



Debbie Stickney, City Recorder

Adopted: October 28, 2003

CHAPTER 10 - SIGNS

10.015 Definitions.

[No changes were made to any definitions prior to .31.]

- .31 Permanent Banner Sign. Any banner sign that is not allowed as a temporary sign under section 10.040, Temporary Signs That Require Permits, of this chapter, or that does not qualify as an exempt sign under section 10.025 of this chapter.
- .32 Permanent Sign. A sign attached to a building, structure, or the ground in a manner requiring a permit, and made of materials intended for more than short term use including, but not limited to, freestanding signs, freeway signs, wall signs, and awning signs.
- .33 Political Sign. A sign that is erected no more than 60 days before a local election and removed within seven days after that election.
- .34 Portable Sign. A sign that is freestanding in design, easily movable, made of durable material as opposed to non-durable material such as cardboard, paper, fabric or pliable plastic, and is not affixed to the ground or to any part of a building.
- .35 Projecting Sign. A sign, other than a wall sign, that projects from, and is supported by, a roof or wall of a building or structure and is generally at right angles to the building.
- .36 Property Owner. The property owner of the site where the sign is located, as shown in Multnomah County deed records.
- .37 Repair. Mending or replacing broken or worn parts with comparable materials. Repairs may be made with the sign in position or with the sign removed.
- .38 Real Estate Sign. A wall sign or a freestanding sign that is located within the boundaries of property that is for sale, lease, or rent.
- .39 Residential Subdivision Monuments. A freestanding sign or a monument that sits on the ground at the entry of a residential subdivision and is erected or maintained by the owner or developer of a residential subdivision, homeowners association, or similar organization.
- .40 Roofline. The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, chimneys, or other minor projections.
- .41 Roof Sign. Any sign erected upon or over the roof of any building or structure.
- .42 Sale Sign. A sign made of paper, plastic, cardboard, or similar material and attached to a wooden stake that is erected and owned by an individual who is participating in a

yard sale, garage sale, rummage sale, moving sale, or other occasional sale of personal items. For purposes of this definition, individual means a person who is not applying for a sign permit or erecting a sign for the primary purpose of selling commercial goods.

- .43 Searchlights. An apparatus on a swivel that projects a strong, far-reaching beam of light.
- .44 Sign. Any materials placed or constructed so they can be viewed from a right-of-way or another property and that conveys a message or image, and includes the sign structure, display surface, and all component parts of a sign.
- .45 Sign Copy. The message or image conveyed by a sign.
- .46 Sign Face Area. The total display surface area of the sign. When the dimensions of a sign are specified, the term includes the frames or cabinets surrounding a sign; the electronic message center; any base material or supporting structure, unless none of the base material or supporting structure is related to the message or image being portrayed in the sign; and all individual pieces or panels that, when placed together, convey a message or image.
- .47 Sign Owner. The owner of the sign as determined by looking at the sign.
- .48 Site. The area, tract, parcel, or lot of land owned by, or under the lawful control of, one distinct ownership. Abutting platted lots under the same ownership shall be considered one site.
- .49 Special Event. A fundraiser or similar activity that is sponsored by a non-profit organization including, but not limited to, car washes, breakfasts, dinners, and auctions.
- .50 Special Event Sign. A freestanding or banner sign that is erected and maintained by a non-profit organization conducting a special event.
- .51 Street Frontage. The portion of a site that abuts a public street.
- .52 Subdivision. A site with four or more lots.
- .53 Subdivision Sale Sign. A freestanding or banner sign erected or maintained by the owner of a subdivided site when the lots in the subdivision are being sold, and less than 90% of the lots in the site have been sold.
- .54 Supporting Structure. A structure specifically intended for supporting or containing a sign.
- .55 Temporary Sign. A sign that is not permanently attached to a building, structure, or the ground, and that is intended to remain for no more than the period of time specified in this chapter for a particular temporary sign. Temporary signs include, but are not limited to, an A-frame sign, banner sign, real estate sign, open house sign,

political sign, community event sign, commercial or industrial sales event sign, special event sign, sale sign, subdivision sale, portable sign, or a sign made of non-durable materials such as cardboard, paper, fabric, or pliable plastic. Some temporary signs, such as A-frame and portable signs, are temporary by design, construction, and how they are used, but are permitted for an indefinite period of time and, therefore, may be permanent in duration.

.56 Wall Sign. A sign that is attached to, and extended no more than within 18 inches from a wall, or painted on a wall, of a building.

.57 Window Sign. A sign located in the inside display area of a business window.

10.020 General Provisions. All signs in the City of Troutdale shall comply with the general provisions of this section and, where applicable, with the provisions of sections 10.025 through 10.065 inclusive. Signs shall not be restricted by content. Signs are usually and customarily used to advertise the sale of goods or services, or to identify occupants or activities that occur on the site or in the City in general.

[No changes were made to the remainder of this section.]

10.025 Sign Permit Exemptions. The following signs are allowed in all zoning districts without a permit:

- A. Public signs constructed or placed in a public right-of-way by, or with the approval of, a governmental agency having legal control or ownership of the right-of-way; signs owned or constructed by the City; signs required by law including, but not limited to, hearing notices; and signs placed in or near a right-of-way by a public utility that are intended to warn the public of danger.
- B. Directional signs, provided that freestanding directional signs shall not exceed five feet in height and 15 square feet in area on one sign face.
- C. Informational signs or menu boards erected for the convenience of the public and located wholly within the site.
- D. Memorial signs or tablets, names of buildings, and dates of erection when cut into the surface or the facade of the building, or when projecting not more than two inches.
- E. Signs located in the interior of any building, or within an enclosed lobby or court of any building or group of buildings, that are designed and located to be viewed exclusively by patrons of such use or uses.
- F. Painted areas on a wall that are designed and intended as a decorative or ornamental feature, or to highlight a building's architectural or structural features.
- G. Window signs as a part of the inside display area of a business, provided the window sign does not involve use of flashing or blinking lights.

- H. Flags of the U.S., foreign countries, the United Nations, or flags of civic, fraternal, or charitable institutions.
- I. Name plates not exceeding one square foot in size and located on a residential dwelling unit.
- J. City entry sign or monument, plaques, or historical markers erected and maintained by a public authority, recognized historical society, or organization identifying sites, buildings, or structures of recognized historical value.
- K. One temporary real estate sign on property for sale, lease, or rent, provided that:
 - 1. For residential sites containing less than six dwelling units, the maximum sign area, on one sign face, does not exceed 12 square feet and the top of the sign face does not exceed six feet above the ground.
 - 2. For commercial, industrial, or institutional sites, or for residential sites with six dwelling units or more, the maximum sign area, on one sign face, does not exceed 32 square feet and the top of the sign face does not exceed ten feet above the ground for a freestanding sign, or does not exceed the top of the building on which it is displayed if the sign is attached to a building.
 - 3. The sign is removed within 15 days after the property is sold, rented, or leased.
- L. Temporary "Open House" real estate signs shall be permitted on private property during daylight hours with the consent of the occupant, provided that the temporary signs are removed prior to sunset the day of the placement.
- M. Temporary sale signs, provided that:
 - 1. A maximum of four signs are displayed for any one sale.
 - 2. Maximum sign face area, on one sign face, shall not exceed three square feet.
 - 3. Signs shall not be displayed for more than 72 hours.
 - 4. Signs shall not be attached to any utility pole or traffic sign pole.
 - 5. Signs shall not be placed on private property without the permission of the property owner.
 - 6. Signs shall not be placed in a manner so as to obstruct the public right-of-way.
 - 7. Signs must be removed at the end of the final day of the sale.
- N. Temporary political signs, provided that:
 - 1. The maximum sign face area, on one sign face, shall not exceed six square feet.

2. The sign is erected and maintained for no longer than 60 days.
 3. The sign is removed within seven days after the election to which it pertains.
 4. Permission of the property owner is obtained.
- O. Holiday lights and decorations.
- P. Change of sign copy, provided the sign face area is not increased in size.
- Q. Temporary community event signs, provided that:
1. The community group erecting the signs obtains the written consent of the private property owner where a sign is erected and files a copy of the written consent with the City.
 2. The community group erecting the signs obtains written consent from the public agency that owns the right-of-way where a sign is erected. If the City owns the right-of-way, written consent may be obtained by filing an application with the Director. The request shall be granted if the event is a community event as defined in section 10.015, Definitions, of this chapter.
 - a. The Director shall mail the community group a written decision granting or denying the requested consent. The decision shall be mailed to the address on the application by regular mail.
 - b. The decision shall explain the reasons for granting or denying the request. If the request is denied, the decision shall include an explanation of the community group's appeal rights.
 - c. If the Director denies the request, the community group may appeal the Director's decision by filing a written appeal with the Director within ten days of the date on the Director's decision.
 - d. The appeal shall identify the decision that is being appealed and explain why the decision is wrong.
 - e. Upon timely receipt of an appeal, the Director shall schedule the appeal for consideration by the City Council on its next available agenda.
 - f. The City Council's decision on appeal is the City's final decision, which may be reviewed solely and exclusively by writ of review in the manner set forth in state law.
 3. The temporary signs shall be erected and maintained for no longer than 21 days prior to the occurrence of the community event.
 4. The temporary signs shall be removed within seven days after completion of the community event.

5. The temporary signs shall be subject to the following size limitations:
 - a. For a freestanding sign, the maximum sign face area, on one sign face, shall not exceed 32 square feet and height shall not exceed ten feet.
 - b. For a banner sign, the maximum sign face area, on one sign face, shall not exceed 96 square feet.

R. Temporary special event signs, provided that:

1. The nonprofit organization erecting the signs obtains the written consent of the private property owner where a sign is erected and files a copy with the City.
2. The nonprofit organization erecting the signs obtains written consent from the public agency that owns the right-of-way where a sign is erected. If the City owns the right-of-way, written consent may be obtained by filing an application with the Director. The request shall be granted if the event is a special event as defined in section 10.015, Definitions, of this chapter.
 - a. The Director shall mail the nonprofit organization a written decision granting or denying the requested consent. The decision shall be mailed to the address on the application by regular mail.
 - b. The decision shall explain the reasons for granting or denying the request. If the request is denied, the decision shall include an explanation of the nonprofit organization's appeal rights.
 - c. If the Director denies the request, the nonprofit organization may appeal the Director's decision by filing a written appeal with the Director within ten days of the date on the Director's decision.
 - d. The appeal shall identify the decision that is being appealed and explain why the decision is wrong.
 - e. Upon timely receipt of an appeal, the Director shall schedule the appeal for consideration by the City Council on its next available agenda.
 - f. The City Council's decision on appeal is the City's final decision, which may be reviewed solely and exclusively by writ of review in the manner set forth in state law.
3. The temporary signs shall be erected and maintained for no longer than 21 days prior to the occurrence of the special event.
4. The temporary signs shall be removed within seven days after completion of the special event.
5. The temporary signs shall be subject to the following size limitations:

- a. For a freestanding sign, the maximum sign face area, on one sign face, shall not exceed 32 square feet and the height shall not exceed ten feet.
- b. For a banner sign, the maximum sign face area, on one sign face, shall not exceed 96 square feet.

S. Any inflated sign or inflated device, including multiple inflated signs or devices bundled together, that floats in the air and individually or collectively is five cubic feet or less in area.

10.030 Prohibited Signs. The following signs are prohibited and shall be considered nuisances:

- A. Any sign constructed, erected, replaced, altered, repaired, or maintained in a manner not in compliance with this chapter.
- B. Bench signs.
- C. Permanent banner signs.
- D. Roof signs.
- E. Signs in public right-of-ways other than public signs installed or authorized by a governmental agency or public utility.
- F. Signs placed or painted on a motor vehicle or trailer that is parked with the primary purpose of providing a sign not otherwise allowed by this chapter.
- G. Electronic display system.
- H. Home occupation signs.
- I. Any inflated sign or inflated device, including multiple inflated signs or devices bundled together, that floats in the air and individually or collectively exceeds five cubic feet in area.
- J. Any sign that is not exempt, not a lawful nonconforming sign, or that was not erected, constructed, or placed in accordance with a permit.

10.040 Temporary Signs That Require Permits. The temporary signs listed in this section are allowed in all zoning districts, provided a permit is obtained and the regulations in this chapter are met. The signage shall not be restricted by content, but is usually and customarily used to advertise residential, commercial, and industrial lease spaces, commercial sales, and special events. These temporary signs shall comply with the following provisions:

- A. Permitted Sign Types. Signs shall be limited to the following types:
 - 1. Temporary commercial or industrial sales events signs.
 - 2. Temporary subdivision sale signs.

3. Temporary banner signs or freestanding signs.
 4. A-frame signs, and other portable signs, except on residential sites with less than six dwelling units.
- B. Number and Duration of Signs. Temporary signs regulated under this section shall be limited to no more than the following amounts:
1. One temporary commercial or industrial sales event sign per sales event within the boundaries of the site, provided that the total combined time that a commercial or industrial business is permitted to display temporary signs shall not exceed 60 days over a 12-month period from the date the sign permit is issued, and temporary signs shall be removed within seven days after the completion of the special sales event.
 2. One subdivision sale sign within the boundaries of the site, provided that the temporary sign shall be removed when 90% of the lots in the subdivision have been sold, or 36 months from the date of erection of the sign, whichever occurs first.
 3. One temporary banner sign or one temporary freestanding sign within the boundaries of a developed commercial or industrial development with leasable space or leasable units, provided a temporary freestanding sign shall be removed when all spaces or units have been leased, and provided that a temporary banner sign shall only be permitted for an individual business that is soon to open or has been opened for less than two months, or for a soon to open or recently opened (less than two months) commercial or industrial development. A temporary banner sign shall be removed within 60 days of the date that the sign permit is issued.
 4. One temporary banner sign within the boundaries of a multiple-family residential development of six units or more with leasable units, provided the multiple-family residential development is soon to open or has been opened for less than two months. A temporary banner sign shall be removed within 60 days of the date the sign permit is issued.
 5. One temporary banner or one temporary free-standing sign within the boundaries of a community service use, provided that the total combined time that the community service use is permitted to display temporary signs shall not exceed 60 days over a 12-month period from the date the sign permit is issued.
 6. One A-frame sign or one portable sign per business occupant, provided that the sign is located within the boundaries of the site where the business occupant is located.
- C. Sign Size. Signs shall be subject to the following size limitations:

1. Temporary freestanding sign. (Includes temporary commercial or industrial sales event sign that is freestanding and temporary subdivision sale sign that is freestanding.) Maximum sign face area, on one sign face, shall not exceed 32 square feet and height shall not exceed ten feet.
2. Temporary banner sign. (Includes temporary commercial or industrial sales event sign that is a banner and temporary subdivision sale sign that is a banner.) Maximum sign face area, on one sign face, shall not exceed 96 square feet.
3. A-frame sign or portable sign. Maximum sign face area, on one sign face, shall not exceed ten square feet and height shall not exceed four feet. Within the Central Business District, these signs shall be subject to the area and height limitations of subsection 10.055(B)(6).

10.050 Repealed.

10.055 Signage within the Central Business District (CBD). In addition to exempt signs regulated by section 10.025 and temporary signs that require permits regulated by section 10.040, the provisions of this section regulate other allowed signs on all land within the Central Business District zoning district.

A. Permitted Sign Types. Signs in the CBD zoning district shall be limited to the following:

1. Wall signs.
2. One projecting sign for each building entrance used as a customer entrance.
3. One master directory wall sign, as described in subsection (B)(3) of this section, per building cluster.
4. One master directory freestanding sign, as described in subsection (B)(4) of this section, per building cluster.
5. Rear wall master sign, as described in subsection (B)(5) of this section.
6. One portable sign, including A-frame signs, per business as described in subsection (B)(6) of this section.

B. Sign Size, Location, and Design. The signs in the CBD zoning district shall be subject to the following size, location, and design limitations:

1. Wall sign.
 - a. Maximum sign face area, for an individual wall sign, shall not exceed 36 square feet.
 - b. The cumulative allowable area of all signs on one wall shall not exceed ten percent of the gross wall area to which the signs are attached or painted.

2. Projecting sign.
 - a. The maximum sign face area, for an individual projecting sign, shall not exceed four square feet.
 - b. The lowest portion of a projecting sign shall be no less than 7½ feet above the ground beneath the sign.
3. Master directory wall sign.
 - a. A designated area shall be provided on the wall at each end of a building cluster for placement of a master directory sign that may list all the businesses within a cluster.
 - b. The sign shall be located between three feet and seven feet above sidewalk elevation.
 - c. Individual letters within the sign shall not be higher than three inches.
 - d. The color of the letters within the sign shall be complementary to the building colors.
4. Master directory freestanding sign.
 - a. One freestanding master directory sign not to exceed 12 square feet in area and eight feet in height may be approved per building cluster, provided that the sign is located within, or immediately adjacent to, a parking lot that specifically provides parking for that building cluster.
 - b. The sign shall be compatible with the architectural character of the CBD.
5. Rear wall master sign.
 - a. Up to 2½ percent of the rear wall of each building may be used for a master sign to extend across connected buildings.
 - b. The sign shall not extend above the rear building facade.
 - c. The rear wall master sign is not subject to the area restrictions of subsection (B)(1) of this section.
6. Portable sign, including A-frame signs.
 - a. The sign is displayed only during the business hours of the business for which it is permitted.
 - b. The maximum sign face area on one sign face, or the cumulative area of multiple sign faces when there is more than one sign face, shall not exceed ten square feet.

- c. The top of the sign shall not exceed six feet above the ground, except that A-frame signs shall not exceed four feet in height.
- d. The sign is located within the boundaries of the site where the business occupant is located.

C. Lighting.

- 1. Sign illumination shall be by external source only. All externally illuminated signs that measure seven feet or more from the ground level to the top edge of the sign face shall be illuminated from above. Externally illuminated signs shall comply with the requirements of Troutdale Municipal Code, Chapter 8.26, Outdoor Lighting.
- 2. Projecting signs and portable signs shall not be illuminated.

10.060 Residential Signs. In addition to exempt signs regulated by section 10.025 and temporary signs that require permits regulated by section 10.040, the provisions of this section regulate other allowed signs on all land within the R-20, R-10, R-7, R-5, R-4, and A-2, zoning districts, and on any site within the Town Center Overlay District, MO/H, NC, CC, and GC zoning districts where the use of the land is characterized as residential. However, the provisions of this section do not apply to residential sites with less than six dwelling units.

[No changes were made to the remainder of this section.]

10.065 Commercial and Industrial Signs. In addition to exempt signs regulated by section 10.025 and temporary signs that require permits regulated by section 10.040, the provisions of this section regulate other allowed signs on all land zoned MO/H, NC, CC, GC, IP, LI, or GI, and any site zoned R-20, R-10, R-7, R-5, R-4, or A-2, where the use of that land is characterized as commercial, industrial, or institutional.

[No changes were made to the remainder of this section.]