



*Home of the Tualatin River National Wildlife Refuge*

**City of Sherwood  
PLANNING COMMISSION  
Sherwood City Hall  
22560 SW Pine Street  
Sherwood, OR 97140  
September 27, 2011- 7PM**

**Planning Commission will hold a work session on September 27, 2011.  
Work sessions are informal. Public may attend.**

Work sessions are informal meetings where the Commission and staff can discuss topics but no formal action is taken from these meetings. Work sessions are open to the public in accordance with public meeting laws.

Planning Commission Work Session agenda items on Code Clean Up topics:

1. Parking Lot Landscaping and Configuration continued discussion
2. Temporary Signs

**Next Meeting:**

**October 11, 2011 – Public Hearing: Attrell's Parking Lot  
Work Session: Continued Code Clean-Up**



Home of the Tualatin River National Wildlife Refuge

Community Development  
Department  
22560 SW Pine St  
Sherwood, OR 97140  
503-625-4202

## Memorandum

**DATE:** September 20, 2011  
**TO:** Planning Commission  
**FROM:** Michelle Miller, AICP, Associate Planner  
**SUBJECT:** Division V: Parking Lot Layout and Landscaping

**NOTE:** At the September 27, 2011 work session, plan on reviewing the *Parking Lot Layout Code* proposed language. We will be using the materials from your packets from the September 13, 2011 work session. If you need additional copies of the proposed Code language, please let staff know and a copy will be provided.

Chapters 16.92 Landscaping and 16.94 Parking of Sherwood Zoning and Community Development Code (SZCDC) describe the requirements for landscaping and parking requirements for a site. The Planning Commission held a work session on September 13, 2011 to discuss *Parking Lot Layout and Landscaping* and reviewed some proposed code language based on earlier work sessions on the topic. At that work session, we reviewed the proposed language for general landscaping requirements, but did not complete a full review of the parking lot layout proposed language. Here are the issues regarding parking layouts that will be reviewed at the work session on September 27, 2011.

### Parking Lot Layout

- Compliance with updates to the Metro functional plan parking requirements
- Minimum and maximum number of parking spaces required
- Wheel stop requirements
- Shared parking requirements
- Bicycle parking requirements

In your packets from September 13, 2011 are the draft changes which are reflected in track changes with new text identified in blue underline and deleted text with ~~red~~ strikethrough. Several sections have been moved to other places in the Code and are identified with green double underline and where they moved from in ~~green~~ double strikethrough. Several items are highlighted to show changes in numbering or added language from earlier Code Clean Up efforts.

At the September 27, 2011, Planning Commission meeting, we will be asking the Commission to provide feedback on the draft parking lot layout language. After receiving this feedback, staff will follow-up as needed and revise the language for a future work session or public hearing.



## MEMORANDUM

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Matt Langer  
Krisanna Clark

City Manager  
Jim Patterson

**DATE:** September 19, 2011  
**TO:** Sherwood Planning Commission  
**FROM:** Brad Kilby, AICP – Senior Planner  
**SUBJECT:** Temporary Signs in the City of Sherwood

The purpose of this memorandum is to:

- To discuss the current language and implementation of the Temporary Sign Code;
- To discuss wall signs and murals;
- To discuss comments from our meeting with the Temporary Signs Citizens Advisory Committee;
- To determine what types of changes need to be made to the current code, if any, to make it easier to understand, administer, and enforce; and
- To obtain direction for amending the code

### BACKGROUND

The Temporary Sign Code language currently resides in Division V. Community Design of the Sherwood Zoning and Community Development Code (SZCDC), and more specifically within section 16.102.040 under the title Temporary/Portable Signs within Chapter 16.102. The temporary sign code was identified as a section of the SZCDC that warranted review for clean-up.

Subsequent to the approval of the work program for the code clean-up project, Council requested that City staff review the sign provisions that relate to wall signs and murals. In preparation for the sign code review and update, staff reviewed the following publications and sign codes from around the country:

- *A Framework for On-premise Sign Regulations - 2009*
- *On-Premise Signs as Storefront Marketing Devices and Systems - 2005*
- *The Signage Sourcebook: A Signage Handbook - 2003*

- *Updating Sign Ordinances –1991*
- *Sign Regulation for Small and Midsize Communities: Planning Advisory Service Report –1989*
- *Yonkers, NY Sign Code*
- *Flagstaff, AZ Sign Code*
- *Lake Oswego, OR Sign Code*
- *City of Tigard, OR Sign Code*
- *City of Beaverton, OR Sign Code*
- *City of Wilsonville, OR Sign Code*
- *City of Tualatin, OR Sign Code*
- *Bainbridge Island, WA Sign Code*
- *Portland, OR Sign Code*
- *ODOT Temporary Sign Rules*

On August 22<sup>nd</sup> at 6PM, we met with a Citizens Advisory Committee (CAC) which included:

1. Business owners within the City of Sherwood
2. The Sherwood Chamber of Commerce
3. Citizens who had applied for temporary sign permits in the past
4. Citizens who had been subject to code enforcement actions regarding temporary signs in the past.
5. Citizens who had filed complaints about signage in the past

The purpose of the meeting was to introduce the group to our task, the existing code, and to gather input from them regarding their experiences as they are directly related to temporary signs. A copy of the PowerPoint presentation given at the meeting is attached to this memorandum, and the members of that group have been invited to attend this worksession.

Generally, members felt that the code was clear but only selectively enforced, and that certain individuals or businesses were treated more favorably than others. There was discussion about finding ways to be more consistent in the City's enforcement of the code.

The cost of the sign permits was considered too high, and one of the stakeholders indicated that many businesses simply forego the cost of the permit, and are comfortable with taking the risk that the code enforcement officer will pull their signs.

A couple of the folks feel that the materials used to make the signs fail too often, and end up as litter on the side of the road. The group discussed prime locations within the City for temporary signs, and there was a suggestion that the City along with business owners identify high traffic locations. It was also suggested that the City consider making it simpler for reoccurring special events to obtain a temporary sign permit without having to go to City Hall, and

fill out the forms. There was some discussion on the application materials, and more specifically the maps that are used to identify locations for temporary signs.

## **STAFF CONSIDERATIONS**

City Staff has several concerns with the language as it is currently written in that we believe it is complex and would require considerable staff time to properly enforce. As you may already know, the code enforcement position within the City of Sherwood is only half time. That means that the Code Enforcement Officer is charged with investigating and processing, not only sign violations, but all violations, of the municipal code. Understandably, the more serious violations warrant more of his time, which in turn leads to a perception of inconsistent enforcement.

The planning department works closely with the Code Enforcement Officer to ensure that his understanding of the code is consistent with what the planners tell the public at the front counter. Currently, the Code Enforcement Officer spends about 10-20% of his code enforcement time working with temporary sign violations.

## **Current Regulations and Analysis**

The current sign ordinance can be found in SZCDC Section 16.102.040. In brief, the temporary sign ordinance regulates A-frame signs, banner signs, temporary/portable signs (catch all), and temporary over-roadway signs.

A-frame signs are permitted in the Commercial, Institutional Public, and Multi-family Zones and prohibited in Industrial Zones. Generally, the A-frame sign is required to be no larger than six square feet, and located within 25-feet of the main entrance to the business. In Old Town, businesses are permitted up to two A-frame signs that can be located anywhere within the Old-Town Overlay.

Temporary/Portable and Over-the Roadway Banner signs are prohibited within any ODOT or Washington County right-of-way, which is consistent with their signage rules. For their part, Washington County does not regulate temporary signs on private property, and ODOT allows up to a twelve square foot sign to be located on private property and oriented to the ODOT right-of-way without permits. ODOT does allow up to a 32 square foot sign face with a variance.

Banner signs and over-roadway signs aside, there is an exemption for up to four off-site Temporary/Portable signs not exceeding six square feet per face on Tuesdays, and from 6:00 PM Thursday night until 8:00 PM on Sunday evenings. Since the majority of temporary/portable signs fall under the six square foot threshold, one could argue that the code is only in effect three days out of the week. Also, tenants and property owners may display

temporary/portable signs a maximum of eight square feet per sign face without a permit on private residential property where the tenant or owner resides.

Temporary/Portable signs that are not exempt require a permit. These permits are issued for either:

- Four times in one calendar year for a period of two weeks; or
- One time in one calendar year for a two month period; or
- Two times in one calendar year for a one month period.

The permits allow up to ten signs within ten separate locations provided they are less than six square feet in size, and spaced ten feet apart. There are provisions for signs larger than six square feet when the sign is proposed on a high-speed roadway, when installing a larger sign would eliminate the need for several smaller signs, or when the signage is for an event expected to attract a large number of people and require the closure of roads.

Temporary Over-the-Roadway signs are only permitted in two locations, and are dependent upon approval from PGE.

Generally, Banner signs are permitted with a permit in the Commercial, Institutional Public, and Multi-family zones. They are prohibited in all residential and industrial zoning districts. The fact that they're allowed in multi-family zones, but prohibited in all residential zones will need to be addressed to make the code language clearer. Banner signs must be less than 32 square feet in size, constructed of all-weather material, located on the side of a building without covering any windows, and be maintained in good condition.

Permit fees range from \$50-\$150.

The enforcement provisions of the code for Temporary/Portable, Banner, and Over-the-Roadway signs are different than those that apply to portable A-frame signs. For the first three sign classes, the signs are removed and a fine is assessed. That fine is doubled on subsequent violations. For portable A-frame signs there are four different violations with the most severe resulting in the loss of sign privileges for one-year. Violations during that time are subject to removal of the sign along with a fine.

### **Surrounding Jurisdictions**

As mentioned previously, Washington County does not regulate temporary signs on private property, and outright prohibits signs within the right-of-way.

The City of Wilsonville requires a permit for temporary signs unless they are lawn signs located on private property. Lawn signs are limited in area to three square feet. Temporary signs may be permitted as rigid signs and are limited

to six or thirty-two square feet dependent on the zone. Lawn signs are permitted within the public right-of-way when they meet the following criteria:

Lawn signs shall meet the following standards and conditions:

- a. Allowed only between the hours of 6 a.m. Friday and 8 p.m. Sunday, and the hours of 9 a.m. and 4 p.m. Tuesdays;
- b. Not greater than thirty (30) inches in height. A-frame signs may be 24" by 36" provided that they are designed to meet vision clearance requirements (typically not over 30 inches in height when standing);
- b. Not placed on street surfaces, sidewalks, paths, median strips, or bicycle ways;
- c. Located within forty (40) feet of an intersection;
- d. No more than three (3) signs per person; and
- e. Placed no more than one every fifty (50) feet and at least ten (10) feet away from any other temporary sign.

The City of Tigard requires permits for temporary signs. Temporary signs do not include lawn signs which are only allowed on private property. Temporary signs that do require permits are only permitted for a 30-day period. Temporary signs are limited to 12 square feet per face for a total square footage of 24 square feet. Lawn signs on the same property must be spaced 50 feet apart in residential districts and 30 feet in all other districts. They do not specify height.

The City of Beaverton has a sign code that does not appear to be content neutral, and while they do not specifically call out temporary signs, they permit garage sale signs, construction project signs, gas price signs, banners, private real estate transaction signs, window signs, non-commercial signs, etc. signs without permit subject to various size limits and locational requirements.

The City of Portland regulates signs by zone, except for temporary portable signs which are allowed without a permit provided they are no larger than 4 square feet and 24 inches high. In some instances, temporary/portable signs can be placed in the right-of-way.

The City of Tualatin allows lawn signs and temporary window signs without a permit provided they meet other provisions of the code. Special event banner signs require City Council approval. The City Council reviews and determines the size, number, location and other issues related to special event banner signs. On properties being offered for sale, one sign is permitted for each street front abutting the property, and properties that are not being offered for sale are allowed to have up to three signs. An unlimited number of additional lawn signs may be erected during the period 60 days prior to and extending no more than 12 days after a general, primary or special election. Pole signs are allowed to be six feet high, A-frame signs can be two feet high, and all other lawn signs are limited to 3 feet high. All of the lawn signs are limited to six

square feet per sign face. There are different standards for undeveloped vacant land, and multi-family zones, where the height of the sign could reach 12 feet. The size of the sign is typically 32 square feet, but it can be increased to 64 square feet when the property is located on an arterial street.

In The City of Lake Oswego, temporary signs are allowed in all zones with limits on the size, placement, duration and manner in which a sign is displayed; generally, there is no permit or fee required. Temporary signs can include window signs, signs attached to the side of a building, and signs attached to stakes and driven into the ground. Temporary signs that advertise a special event or store opening, such as a banner, require a Temporary Sign Permit and fee. A-frame or "sandwich board" signs are allowed only on Sundays between 8 a.m. and 6 p.m., only in residential zones, and only in the public right-of-way.

As you can see, development codes vary widely, and signs are regulated heavily in some cases, and less in others. There is no absolute right answer to sign regulation, but it is important to remember that whatever recommendation the Planning Commission decides to forward to the City Council must recognize signs as protected free speech under the first and fourteenth amendments to the US Constitution. Any proposed changes must ensure that the sign code remains content neutral.

## **Summary**

Signage provides a public benefit in advising motorists, cyclists and pedestrians of road conditions, traffic safety information, the location of businesses and other destinations. Signs can also play a significant role in creating and maintaining a healthy business. On the other side of the coin, competition for signage amongst businesses is strong, and in some cases aggressive. As a result, a proliferation of unregulated signage near or within the right-of-way can result in visual clutter leading to driver confusion and distraction.

As explained above, existing enforcement options are limited and are perceived to be ineffective in ensuring compliance with the temporary/portable sign regulations of Chapter 16.102. By the time a violation is observed, the sign is pulled, a notice of violation drafted, mailed and received, and the violation is corrected, the illegal sign could have been in place for several days, which is often the effective life span of a temporary sign.

Governing signage requires a careful balancing of ensuring that the regulations are fair, clear, and objective. This leads us to the task at hand, and in considering the discussion above the Planning Department would ask that you provide direction, based on your opinions, experiences, and understanding of Sherwood's community values in providing direction on the following items:



- Should the City continue to allow temporary signs to be located within the right-of-way? If so, under what conditions?
- To cut down on costs to citizens and businesses, should sign permits be issued for temporary/portable signs on private property? If not, how can they be tracked?
- Is it appropriate to limit the type of temporary/portable signs within industrial districts given the development patterns that have occurred within some of the areas along Tualatin-Sherwood Road and Highway 99?
- How much temporary/portable signage is enough? Given the existing language in the code, and your observations of existing "temporary/portable" signage in the community are there areas where sign area and height should be regulated more or less?
- Should the City consider regulating the materials that are used for temporary signs (i.e. wood vs. wire staking or paper vs. cardboard)?
- Are there more appropriate dimensional standards (i.e. height, size, location)?
- Should banner signs be allowed to be located on fences or walls? Should they be allowed within all residential districts?
- Should the Code attempt to address Murals? If so, what should the criteria be?
- Wall Signs...

Attachment - PowerPoint presentation from August 22, 2011 Temporary Signs Citizens Advisory Committee Meeting



# City of Sherwood

Temporary Sign Regulations

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# Why Regulate?



# Portable A Frame Signs



# Temporary Portable Sign



# Other Signs



# Banner Signs



# Over Roadway Banner Sign







# Statistically Speaking

- 54 Permits issued in 2010
- 30 Permits issued so far in 2011
- Event and Registration Signs tend to be the majority of permits issued followed by election signs in election years.
- 62% - 2 Week Permits
- 28% - 1 Month
- 10% - 2 Month Permits

# Approval Criteria

- Must be removable by hand and not attached or anchored to trees, vehicles, trailers, utility poles, pavement, or public property.
- Shall not obstruct pedestrian, accessible ADA routes, transit stop areas, parking spaces, access ramps, building entrances, fire escapes.
- Cannot create traffic hazard
- Shall be kept in good condition

# Wall Signs



# What is a Wall Sign?

- A sign attached to, erected against or painted on a wall of a building.

# How are they Regulated?

- Wall signs in combination with banner and projecting signs shall not exceed twenty percent (20%) of the gross area face of the building.
- Signs placed on or within one (1) foot of display windows shall be included in determining the amount of signing.
- A minimum of thirty (30) square feet is guaranteed and the maximum shall be two-hundred fifty (250) square feet.
- Wall signs may not project more than one and one-half (1 1/2) feet from the wall to which they are attached.

# Where are they permitted?

- Commercial Zones
- Industrial Zones

# Identify Issues

- Can the Code be simplified?
- Are there signs that should be in/out of this classification?
- Are Review Criteria appropriate?
- Is the code/permit process user friendly
- Is the code regarding the temporary signs clear and objective?
- Is the code content neutral?