

City of Sherwood, Oregon
Ordinance 2002-1132

AN ORDINANCE APPROVING A PLAN TEXT AMENDMENT REGARDING PORTABLE/TEMPORARY SIGNS TO THE SHERWOOD ZONING & COMMUNITY DEVELOPMENT CODE, ESTABLISHING REGULATORY STANDARDS FOR SMALL PORTABLE/TEMPORARY SIGNS

WHEREAS, the City proposed PA 01-03 Plan Text Amendment to revise and add language in the Zoning and Community Development Code Section 5.700, establishing regulations for small portable and temporary signs in the City of Sherwood.

WHEREAS, the plan text amendment defines and lists standards for portable temporary signs; and,

WHEREAS, the plan text amendment provides and defines enforcement; and,

NOW, THEREFORE, THE CITY ORDAINS AS FOLLOWS:

Section 1. Commission & Council Review. The City Council finds that the application for a Plan Text Amendment of the Sign Code was subject to full and proper review, and a public hearing was held before the Planning Commission on May 21, 2002. After due and legal notice, the City Council held a public hearing on the amendment on August 13, 2002. The public record was left open for 14-days and the matter continued to the September 10, 2002 City Council Meeting.

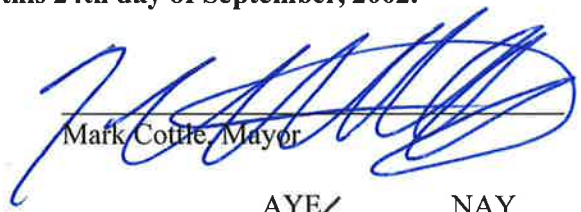
Section 2. Findings. After full and due consideration of the City Staff Report for PA 01-013 the record and Staff findings of fact, the Council adopts the findings and reasoning contained in the staff reports dated May 15, 2002 (to Planning Commission), and September 4, 2002 (to City Council) and further finds that the proposed plan text amendment is consistent with the Statewide Planning Goals, and City's Comprehensive Plan.

Section 3. Decision. The Ordinance is approved and SECTION 5.700 is amended per: ordinance language, Exhibit A.

Section 4. Effective Date. This ordinance shall become effective the 30th day after its enactment by the City Council and approval by the Mayor.


Section 4. Manager Authorized. The City Manager is directed to take such action as may be necessary to document these amendments, including producing a certified modification to the official City Zoning & Community Development Code.

Duly passed by the City Council this 24th day of September, 2002.


Mark Cottle, Mayor

Attest:


C.L. Wiley, City Recorder

| | AYE | NAY |
|------------|--|--------------------------|
| Heironimus | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Durrell | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Claus |  | <input type="checkbox"/> |
| Mays | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Fox | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Cottle | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Proposed Temporary/Portable Sign Code
Prepared for ~~August 13~~September 20, 2002 City Council
Public Hearing. Prepared on ~~July 26~~August 30, 2002

SECTION 1 – CHANGES TO EXISTING CODE (Selected code sections)

5.701.01 Sign Permits

- A. Except as otherwise provided in Sections 5.701, 5.704, 5.705, 5.706 and 5.707 no person shall construct, install, structurally alter or relocate any sign without first obtaining an administrative sign permit from the City as required by Section 3.200 and making payment of the fee required by Section 3.302. In addition, all permitted illuminated signs shall be subject to the provisions of the State Electrical Code and any applicable permit fees.

5.701.03 Exceptions

- ~~A. Real estate signs not exceeding twelve (12) square feet in area, exclusively advertising the sale, rental or lease of the premises upon which the signs are located.—Traffic signs installed per the Manual of Uniform Traffic Control Devices and other federal, state and local traffic sign regulations.~~
- G. ~~Streamers, banners and similar signs calling attention to an opening of a new business, a City approved cultural event, or other similar occasion, provided such signs may be erected for one (1) week only. Portable/Temporary Signs allowed per Section 5.704, 5.705, 5.706 and 5.707.~~
- ~~H. Signs not exceeding twelve (12) square feet in area relating to the nomination or election of any individual for a political office or advocacy of any measure to be voted upon at any special or general election, provided that such signs shall be removed within ten (10) days after the election.~~~~repealed~~
- ~~J. Directional or instructional signs on private property which are solely designed to direct pedestrians and vehicular traffic.—Signs on private property 3 square feet or less per sign face and under 3 feet tall when freestanding and installed to be readable on private property.~~

5.702.06 Off-Premise Signs

Except as otherwise permitted by this Code and Sections ~~5.703.01C~~, 5.704, 5.705, 5.706 and 5.707, off-premise signs are prohibited.

5.702.07 Directional Signs

~~Except as permitted by Sections 5.703.01C, 5.704, 5.705, 5.706 and 5.707, directional signs are prohibited. Repealed~~

5.703.01 Residential Zones

C. Directional Signs

~~Directional signs may be located at street intersections with the approval of the Commission. Such signs shall be no more than one (1) foot by three and one-half (3 1/2) feet. Not more than eight (8) signs shall be permitted at any one street intersection. The signs shall be provided by the developer or applicant and turned over to the City with a fee as per Section 3.301. The City will erect the signs at heights and locations approved by the Commission.~~

~~Directional signs may only be permitted for the following uses:~~

- ~~1. Public and private institutions including but not limited to government services, schools, fraternal lodges, and churches.~~
- ~~2. Districts, neighborhoods and other major traffic generators, such as historic districts and shopping centers.~~

~~Directional signs for individual businesses and industries are prohibited. Repealed~~

E. Temporary/Portable Signs

The requirements of Section 5.704, 5.705, 5.706 and 5.707 shall apply.

5.703.02 Commercial Zones

B. Wall Signs and Banner Sign Coverages

Wall signs in combination with banner signs placed per Section 5.707 and defined in Section 5.704.01-C shall not exceed twenty percent (20%) of the gross area face of the building to which the sign is attached. Signs placed on or within one (1) foot of display windows and designed to be viewed from the exterior of the building shall be included in determining the amount of signing. Wall signs may not project more than one and one-half (1-1/2) feet from the wall to which they are attached.

F. Temporary/Portable Signs

The requirements of Section 5.704, 5.705, 5.706 and 5.707 shall apply.

5.703.03 Industrial Zones

No sign requiring a permit shall be allowed in industrial zones except for the following:

- A. Signs permitted in commercial zones, provided that only one (1) multi-faced free-standing sign designating the principal uses of the premise shall be permitted in any setback area, if the area of any one face of such free-standing sign does not exceed sixty (60) square feet and the total area of all faces of such free-standing sign does not exceed one hundred and twenty (120) square feet.

- B. Directional Signs

The requirements of Section 5.703.01C shall apply.

- C. Temporary/Portable Signs

The requirements of Section 5.704, 5.705, 5.706 and 5.707 shall apply.

SECTION 2 – NEW CODE LANGUAGE

5.704 TEMPORARY/PORTABLE SIGNS

5.704.01 Definitions

The following sign types are termed Temporary/Portable for the purposes of this code.

- A. Portable A-Frame Sign – a double-faced portable sign with an A-shaped frame, composed of two sign boards attached at the top and separated at the bottom, and not supported by a structure in the ground.
- B. Temporary Portable Sign – small movable signs used for a temporary period of time (A-frame signs are considered a Temporary Portable Sign when used for a limited time period as specified by this code).
- C. Banner Sign – a sign made of lightweight fabric or other non-rigid material characteristically supported by two or more points and hung on the side of a building.
- D. Temporary Over-Roadway Banners Sign – banner signs placed over a public roadway for a limited period of time.

5.704.02 Placement Requirements

- A. Temporary/portable signs must remain movable by hand and shall not be attached or anchored in any way to trees, vehicles, trailers utility poles, pavement or any public property.
- B. Temporary/portable signs shall not obstruct pedestrian and disabled accessible ADA routes of travel including but not limited to transit stop areas, disabled parking spaces, disabled access ramps, building entrances and fire escapes.
- C. Temporary/portable signs shall not create a traffic hazard by blocking vehicular sight distance or placed within a vehicular travel lane.
- D. Temporary/portable signs shall be kept in good conditions and shall not be rusty, faded or splintered.

5.705 PORTABLE A-FRAME SIGNS

5.705.01 Prohibited Locations

- A. Industrial Zoning Districts

To preserve industrial zoning districts as employment based manufacturing areas and to encourage retail uses and retail signage in commercial zones,
 Portable A-frame signs are prohibited in industrial zones including General Industrial (GI) and Light Industrial (LI) zones.

- ~~B.~~ B. Residential Zoning Districts

~~Portable A-frame signs are prohibited in all residential zoning districts including Very Low Density Residential (VLDR), Low Density Residential (LDR), Medium Density Residential Low (MDRL), Medium Density Residential High (MDRH) and High Density Residential (HDR) except as permitted by Section 5.705.02.~~

Temporary Portable Signs are permitted per Section 5.706.

5.705.02 Permitted Locations

- A. Commercial and Institutional Public Zoning Districts

Each business~~es~~ having a valid City of Sherwood business license which is physically located in the Neighborhood Commercial (NC), Office Commercial (OC), Office Retail (OR), Retail Commercial (RC), General Commercial (GC) or Institutional Public (IP) zoning district may display one (1) portable A-frame sign on private property within 25 feet of the main entrance to the business.

Each portable sign shall be a maximum of six (6) square feet per sign face.

Signs shall be sited per Section 5.704.02.

- B. ~~Multi-family zoning districts including High Density Residential (HDR) and Medium Density Residential High (MDRH) Apartment Complex and Assisted Living Facility.~~

~~Each multi-family apartment complex or assisted living facility containing three or more dwelling units and one or more buildings that was legally established under the zoning rules at the time the complex was built, may display ~~o~~One (1) portable A-frame sign on private property on which the complex is located.~~

Each portable sign shall be a maximum of six (6) square feet per sign face.

Signs shall be sited per Section 5.704.02.

- C. Old Town Overlay District

Businesses who have a valid City of Sherwood business license and are physically located within the Old Town Overlay District, may display two (2) portable signs on private property or within the public right-of-way in the Old Town Overlay District.

Each portable sign shall be a maximum of six (6) square feet per sign face.

If a business wishes to place a portable sign on the sidewalk in front of someone else's property, that business must receive written permission from the property owner whose property is adjacent to where the sign is placed.

Signs shall be sited per Section 5.704.02.

5.706 TEMPORARY PORTABLE SIGNS & OVER-THE-ROADWAY BANNER SIGNS

5.706.01 Prohibited Locations

Temporary Portable and Over-The-Roadway Banner Signs are prohibited in the following locations unless otherwise approved due to road construction and/or closure per Section 5.706.03-C:

- A. ODOT right-of-way including but not limited to Highway 99W.
- B. Washington County right-of-way including but not limited to Roy Rogers Road, Edy Road and Tualatin ~~Sherwood Road.~~

5.706.02 Temporary Portable Sign - Exemptions

- A. Four (4) off-site ~~and one (1) on-site~~ temporary portable signs not exceeding six (68) square feet each per sign face may be displayed without permit from Thursday at 6:00 PM until Sunday at 8:00 PM and on Tuesday ~~from 6:00 AM until 1:00 PM.~~
- B. Public notice signs as required by Section 3.202.02.
- C. Signs shall be sited per Section 5.704.02. Tenants and property owners may display temporary portable signs a maximum of eight (8) square feet per sign face without permit on private residential property where the tenant or owner resides.
- D. Signs shall be sited per Section 5.704.02.

5.706.03 Permits Required

- A. Temporary portable sign users that are not exempt per Section 5.706.02, shall obtain a permit from the City of Sherwood. Permits shall be issued by the Planning Director without public notice or public hearing per Section 3.201-A (Type I review action).
- B. A temporary portable sign user may be permitted to display temporary signs a total of ~~fourtwo~~ (24) times in one (1) calendar year for a period of two (2) weeks prior to an event. The signs shall be removed two (2) days following the event. As an alternative to 4 two week periods, signs may be permitted for a two month period per calendar year for seasonal temporary events.
- C. In the event that the temporary sign is requested by a business whose regular access is blocked due to road construction and/or road closures, temporary/portable signs may be permitted to remain until construction is completed. These signs may be located in ODOT, City of Sherwood or Washington County right-of-way if approved by these agencies.
- D. Signs shall be sited per Section 5.704.02.

5.706.04 Permit Forms

All temporary sign users requiring permits per this code shall make application on forms provided by the City. Such forms shall be created and maintained by the City Manager or his or her designee. A permit fee may be charged and set out in a City Council ~~fee~~ resolution. When placing signs on private property, an owner's signature granting permission to place the sign on their property is required.

5.706.05 Permit Types

Temporary sign permits are classified as follows:

A. General Temporary Sign Permit:

The sign user may display no more than one (1) temporary sign at up to ten (10) approved locations throughout the City. Temporary signs are limited to six (6) square feet per sign face and shall be spaced a minimum of ten (10) feet apart. Applications must be submitted to the City four (4) weeks prior to the requested date of sign placement.

A temporary sign may be permitted to be larger than six (6) square feet, if one or more of the following criteria is met:

1. The location where the sign is proposed is on a high-speed roadway, 35 mph or greater, that warrants a larger sign making the sign readable and improving traffic safety.
2. Installing a larger sign would eliminate the need for several smaller signs reducing visual clutter.
3. The proposed event for which the sign is being permitted is expected to attract a large number of people and would require closing roads.

B. Temporary Over-the-Roadway Banner Signs

An applicant may be approved for one (1) Temporary Over-the-Roadway Banner sign to be attached to power poles. Over-the-roadway banner signs shall be installed only after receiving a permit from Portland General Electric (PGE) or its successor. Once a PGE permit is obtained, the applicant is required to receive a right-of-way permit from the City Engineer.

Over-the-roadway banner signs are allowed at the following locations:

1. North Sherwood Boulevard, north of the south property line of Sherwood Middle School and south of the north property line of Hopkins Elementary School.

C. Pre-approved Temporary Portable Sign Permits

Temporary sign permits may be renewed for reoccurring annual events without submitting for a new permit to the city, however, Over-The-Roadway Banner signs require a new permit from Portland General Electric (PGE). A new permit from the city is required if changes are made to the existing permit.

5.707 BANNER SIGNS

5.707.01 Placement Requirements

- A. Except for banner signs exempted by Section 5.707.03, banner signs shall be firmly attached to the side of a building only. No banner sign shall be attached to building roofs, fences, vehicles, trailers, or anything else that is not the side or part of the side of a building.
- B. Banner signs shall not cover building windows.
- C. Banner signs shall be maintained in good condition. They shall not droop, have frayed ends, and shall be graphically clear and readable. Sun-faded, weather damaged banners signs are prohibited.
- D. Banner signs shall be made of all-weather material.

5.707.02 Prohibited Locations

- A. Banner signs are prohibited in all residential and industrial zoning districts.

5.707.03 Exemptions

- A. Banner signs not intended to be viewed from a public street. Banner signs located on the outfield fence of athletic fields.

5.707.04 Permitted Locations

- A. Commercial and Institutional Public Zoning Districts

Each businesses having a valid City of Sherwood business license and who's business is physically located in the Neighborhood Commercial (NC), Office Commercial (OC), Office Retail (OR), Retail Commercial (RC), General Commercial (GC) or Institutional Public (IP) zoning district may display banner signs on private property.

Banner sign size shall be regulated per Section 5.703.02-B.

Signs shall be displayed per Section 5.707.01.

- B. Multi-family Apartment Complex or Assisted Living Facility zoning districts including High Density Residential (HDR) and Medium Density Residential High (MDRH)

One banner sign not exceeding 32 square feet per tax lot.

~~Signs shall be displayed per Section 5.707.01.
Each new multi-family apartment complex or Assisted Living Facility containing three or more dwelling units and one or more buildings, may display banner signs for a period not to exceed one (1) year from the date the complex was granted occupancy.~~

5.708 TEMPORARY/PORTABLE SIGN VIOLATIONS

A. Fines shall be set out in a City Council ~~Fee~~ Resolution

5.708.01 Temporary Portable Signs, Banner Signs and Over-the-Roadway Banner Signs

Individuals in violation shall be subject to the sign being removed and a fine for the first offense and the fine doubled for each subsequent offense.

5.708.02 Portable A-frame Signs

First Violation – Written warning stating corrective action required to bring the portable sign into conformance.

Second Violation – Fine

Third Violation – Portable sign removed and held for 30 calendar days, during this period the sign will be returned to the owner subject to a fine. After 30 days the City is no longer responsible for returning the sign.

Fourth Violation – The business loses portable sign privileges for one year. City can remove signs and fine for each offense during this one-year probation period.