

ORDINANCE NO. 503

AN ORDINANCE AMENDING THE SIGN STANDARDS AND REGULATIONS OF THE CITY OF WILSONVILLE, REPLACING SECTION 4.151 OF THE WILSONVILLE CODE IN ITS ENTIRETY AND REPEALING ORDINANCE NO. 408.

WHEREAS, the City of Wilsonville is a home rule city under the laws of the State of Oregon and has a duly acknowledged Comprehensive Plan; and

WHEREAS, the City currently has in effect section 4.151 of the Wilsonville Code and Ordinance No. 408, both of which regulate signs within the City of Wilsonville; and

WHEREAS, the City's acknowledged Comprehensive Plan contains several provisions that are applicable to sign regulation:

1. Policy 4.2.2 states that for commercial development "as existing businesses are renovated and new ones are constructed, the Design Review Board will require high standards of compatibility with the surrounding development, landscaping architecture, and signing. The ability of a site to function properly in relation to the surrounding area will be emphasized."
2. Policy 4.3.2 repeats the language of 4.2.2 but applies the same policy to industrial development.

The new Sign Code will require high standards of compatibility with the surrounding development, landscape architecture, and the ability of a site to function properly in relation to the surrounding area. It will allow and promote positive conditions for meeting the needs of sign users while still avoiding nuisances to nearby properties and the community overall [4.151(1)(b)]. It will reflect and support the desired character and development patterns of the various zones [4.151(1)(c)]. And it will prevent the construction of signs that would otherwise detract from the design of adjacent buildings or properties [4.151(1)(e)].

3. Policy 4.5.6 states that “sign standards shall be established to control the visual impact of signs on the community and minimize sign clutter.”

The new Sign Code sets standards to control the visual impact of signs on the community and minimize sign clutter by: allowing for variety in number and type of signs in appropriate locations, while preventing signs from dominating the visual appearance of the area [4.151(1)(d)]; stabilizing and improving property values and preventing the creation of blighted areas [4.151(1)(g)]. Overall, the primary reason for the City to regulate the size, type, number, and location of signs is to minimize sign clutter.

WHEREAS, the primary implementing ordinance of the City’s acknowledged Comprehensive Plan is the Development Code. It contains the following:

1. Section 4.001 (Definitions). Section 4.151 currently contains a number of definitions for various sign terminology. The new Sign Code will move those definitions to Section 4.001 and renumber them in sequence with the other definitions. It will also add definitions for “directional signs,” “freestanding signs,” “institutional signs,” and “integral signs.”
2. Section 4.011 (Notice and Hearing Procedures). This Section establishes the procedures for the City to follow in preparing for a public hearing such as this. Those procedures have been followed.
3. Section 4.012 (Hearing Procedures). This Section delineates the procedures for the conduct of public hearings, including the requirement that decisions be based on findings in the record. At the conclusion of its public hearing, the Planning Commission adopted Resolution 98PC05, formalizing the Commission’s recommendation to the City Council. This process helps to assure compliance with Section 4.012.
4. Section 4.151 (Signs). This Section will be substantially amended (essentially replaced) when the new Code is adopted by the City Council.

5. Section 4.186 (Variances). As proposed, the new Code will require the Planning Director, Development Review Board, and City Council to rely on the criteria of Section 4.186 in taking action of variance requests. These criteria are no different for signs than for other types of land developments.

6. Section 4.187 (Zone Changes and Amendment Procedures). This Section lists the findings of fact that the Planning Commission is required to address in making its recommendation to the City Council on a proposal to amend the text of the Code. They are as follows:

"That the application was submitted in compliance with the procedures set forth in Section 4.008." This section does not apply to the proposal at hand. Section 4.008 applies to applications for land development, rather than legislative changes such as this proposal.

"The amendment substantially complies with all applicable goals, policies, and objectives set forth in the Comprehensive Plan." Note the review of applicable Comprehensive Plan policies noted above.

"The amendment does not materially conflict with, nor endanger, other provisions of the zone text." Note the review of applicable Code Sections in the record. The new Code is intended to improve the City's standards for signs in ways that will ultimately assist advertisers (those who want to construct signs) and the overall community (those who must live with and use the signs that are constructed). The new standards improve the existing Code in a number of ways.

"The amendment is necessary to insure that the City's Zone Code complies with mandated requirements of state or federal laws and/or statutes." State and federal requirements have changed a number of times in recent years, especially in terms of Constitutional issues. The new Code has been reviewed by the City Attorney's office to assure compliance with applicable requirements.

WHEREAS, the City's Development Code provides for Planned Development, including site design and review; and

WHEREAS, applicants for Planned Development review have included sign proposals in their applications, and the City's Development Review Board has carefully considered each sign proposal and evaluated the proposal under Planned Development criteria; and

WHEREAS, in the past several years, there have been signs proposed for review that did not meet code standards in terms of size or aesthetics, including compatibility with the surrounding area, and that raised questions that were difficult to address within the City's current sign definitions; and

WHEREAS, under state law and city code, signs may not interfere with the sight distance of traveling motorists, and such safety concerns support restrictions on sign height, size, and location, especially in right-of-ways and at intersections; and

WHEREAS, Code revisions based on aesthetic and safety concerns have been upheld by the U.S. Supreme Court where the pertinent restrictions—on size, location, and materials, for example—further an important or substantial government interest that is unrelated to suppression of free expression, and as long as the incidental restriction is no greater than necessary (*Members of the City Council of the City of Los Angeles v. Taxpayers for Vincent*, 466 U.S. 788, 804 (1983)); and

WHEREAS, the First Amendment to the U.S. Constitution and Article 1, sec. 8 of the Oregon Constitution provide guarantees of free expression; however, where the city has a rational basis for its sign regulation and proposes to regulate no more than

necessary to reach its safety and aesthetic objectives, such regulations are likely to be permissible; and

WHEREAS, the proposed regulation of “window signs” is limited and ample alternative means of communication are available, and as such, the regulation would likely meet the Supreme Court tests articulated in *City of Ladue v. Gillco*, 512 U.S. 43 (1994); and

WHEREAS, Oregon courts have long upheld sign regulations that may restrict expression as long as the regulation does not address the content of such expression, as articulated in *City of Portland v. Tidyman*, 306 Or 174, 759 P2d 242 (1988);

WHEREAS, the City has historically not regulated signs on windows, within buildings. At this point in time it is now found to be appropriate to regulate such signs to minimize public safety concerns and mitigate serious aesthetic concerns for the following reasons:

1. Chapter 4 of the Wilsonville Code specifies that a sign “located completely within an enclosed building shall not be considered a sign even though it may otherwise meet the definition of a sign,” in other words, designed, used, or intended for advertising purposes or to inform or to attract the attention of the public.
2. A few retail businesses have utilized this definition in order to place signs either on or behind windows, lighted or not, which are very visible to the public, and whose size and location may be equal to or greater in impact than that of the signs that are otherwise permitted for the business.
3. The City’s Development Review Board (DRB) has encouraged retail businesses to have storefronts with large expanses of glass area at eye level and above. As a result, the major shopping centers have large glass areas that under current Code have the potential to become entirely sign area and exempt from regulation. The possibility of such a sign allowance in the current Code is problematic. The City has received statements of

concern, both orally and in writing, about these types of signs and about the potential for damage to the community's image and reputation that could result if large expanses of commercial windows are filled with signs, particularly signs with flashing lights or changing images.

4. During most of Wilsonville's history it has been traditional for retail businesses to use window space for temporary, non-permanent signs of various types. For the most part, these have been relatively small and unobtrusive, usually in the scale of 10% to 20% of the window area. No complaints or negative comments about these small temporary signs have been received by the City.
5. In recent years, it has become increasingly common for businesses of various types to place lighted small "open" signs in their windows. A few food or beverage or service shops have also used small, lighted signs to advertise goods or services. Again staff has not received complaints about these small lighted signs.
6. In adopting its recommendation to the City Council, the Planning Commission voted 5-2 to place controls on window signs. In approving Ordinance No. 503, the City Council voted to impose different standards on window signs than those recommended by the Planning Commission, based on testimony received from local business interests; and

WHEREAS, the City has historically placed strict limitations on the placement of signs for real estate and temporary sales. It is now found to be appropriate to change these regulations to allow for more such advertising at certain locations, while maintaining the strict standards in other locations, for the following reasons:

1. Garage sales, driveway sales, and rummage sales have traditionally been held for brief periods, typically on weekends, and have advertised with

many small signs located off-site of sale and often placed within the public street right-of-way.

2. People attempting to market real estate often place temporary off-site signs on sidewalks and within right-of-ways and on private property without permission of the property owner.
3. The current City sign regulations do not have provisions for approval of such signs except through the temporary use permit process, after public notice, opportunity for public hearing, and with appeal rights. The temporary use permit application process currently takes weeks, if not months, to complete and consumes much staff time.
4. The City regularly picks up signs that are illegally located within right-of-ways. Such enforcement resulted in the pick up of hundreds of signs within the last year. There have been many complaints about enforcement: both that it is too aggressive and that it is not aggressive enough. By best estimates of staff there are hundreds of such signs that are placed throughout the community each weekend, most of which are removed by Monday morning.
5. The City will continue to enforce regulations applicable to signs that are illegally placed in right-of-ways and on other public properties, including weekend enforcement; and

WHEREAS, the City has long encouraged developers to use master sign plans for their projects. The City now finds that it is appropriate to formalize the regulations applying to master sign plans for the following reasons:

1. Each multiple-parcel or multiple-tenant development has the need for multiple signs as part of its Planned Unit Development under the City's

PD zoning categories. Once the Development Review Board approves a Planned Development which includes signs, the final sign permits may be approved “over the counter” by staff. Without this type of approval, each individual sign must be approved through a separate land use hearing by the DRB, a process that usually takes about three months. Currently, the Code does not have specific provisions for review of Master Sign Plans but such plans have been processed under the Planned Development process and criteria for many years.

2. In order to have more consistency between Master Sign Plans and to assure that nearby signs are better related to one another, it is desirable to have a set of approval criteria for Master Sign Plans; and

WHEREAS, the City has historically allowed some types of signs on certain public properties while prohibiting others. The City now finds that it is appropriate to make some changes to these regulations for the following reasons:

1. Regularly, various parties place signs upon City property such as parks or within City right-of-ways, including sidewalks, bike paths, and streets. The current regulations of such signs are often misunderstood.
2. Directional signs to locate and direct the public to City and other public premises are desirable and necessary for serving the public.
3. It has long been a customary practice for the public to place campaign and candidate signs within city right-of-ways. The City has previously adopted regulations for signs in right-of-ways but has not codified the regulations in the Sign Code. The lack of codification has been occasionally confusing for the public.

4. Unregulated placement of such signs on public property may result in damage to landscaped areas; their proliferation is also undesirable near major features such as City Hall and the Town Center generally, as clustered signs tend to create an appearance of clutter. Additionally, the City and other governmental units do not wish to give the impression of supporting or opposing any given candidate or campaign by allowing such advertising at the sites of public buildings or properties.
5. Sight lines at intersections, near driveways, and along curved roadways may be blocked or obscured by signs at inappropriate locations and potentially causing accidents.
6. The public may not be aware that the Oregon Department of Transportation (ODOT) promulgates administrative rules and regulations regarding signs for areas under its jurisdiction, and that ODOT regularly approves or denies sign permits. Usually, the ODOT control areas are locations with numerous sign violations and potential for traffic conflicts. ODOT has asked the City to help remove unsafe and illegal signs within ODOT's areas of jurisdiction to prevent traffic accidents. Under this shared authority with ODOT, the City has been delegated authority to remove such illegal and/or unsafe signs.
7. A substantial public investment has recently been made in improving both freeway interchanges north of the Willamette River. Those improvements have included aesthetic as well as functional improvements. Enforcement of sign standards in those areas will help to protect that public investment; and

WHEREAS, the current Code defines "sign," in language that has been confusing and incomplete since it places the categories of example signs first followed by the

operational part of the definition in the middle of the paragraph. Reorganizing and clarifying the definition would be helpful in specifying the locations where different provisions of the sign code apply and also in distinguishing to what it does not apply such as display of merchandise or selected flags such as those of the United States or State of Oregon; and

WHEREAS, the new Code includes a section exempting certain signs from permit requirements. Such signs generally provide directional, locational, and public safety information that assist the general public in locating city facilities, such as parks, library, city hall, police and fire departments, as well as assist in avoiding conflicts with utilities and public facilities. These signs provide a public service and help ensure public safety; and

WHEREAS, the new Code includes a section governing construction project signs. These types of signs have traditionally been allowed by the City on site developments. They rarely, if ever, are the reason for complaints. On those infrequent occasions when complaints have been received concerning construction signs, they have been related to sign size, which is addressed by this provision. Permits for such signs under the current Code would have been granted on the basis that they were temporary in nature. This provision outlines conditions of approval that apply to such signs. Construction signs provide valuable public information about the type of construction, and the services and/or housing available upon completion of the project; and

WHEREAS, the new Code includes a section dealing with signs for temporary sales. In the past, the City Council adopted Ordinance No. 490 and Ordinance No. 501, allowing temporary signs, in certain right-of-way locations, under certain circumstances, subject to the same size limit as the proposed code (six square feet). Both Ordinance No. 490 and Ordinance No. 501 are no longer in effect. Under those ordinances, no complaints were received concerning the size of the signs; and

WHEREAS, the new Code includes a section allowing for temporary use sign permits (TUPs). These provisions allow the placement of signs up to 120 days within a one-year period. In the past, the Planning Director administratively has granted two

60-day TUPs for signs placed within a one-year period for any given business. Currently, any application for a third 60-day TUP within a one year period is forwarded to the Development Review Board for review; and

WHEREAS, the new Code includes a section accommodating weekend signs. The City of Wilsonville and its citizens have been generally tolerant of weekend signs in the past. Some complaints have been generated with regard to the proliferation of weekend signage at certain locations, particularly in right-of-ways and on other public properties. The City has previously engaged in limited sign enforcement on weekends; and

WHEREAS, the new Code includes provisions allowing for off-premise signs at some locations where they have previously been restricted. In the past, City Council adopted Ordinance No. 490 and Ordinance No. 501, allowing temporary off-premise advertising and placing standards on those businesses that wanted to place off-site signs; and

WHEREAS, the new Code includes provisions limiting the amount of signage that any business or dwelling unit can erect, and reduces proliferation of signage, and complies with the current Wilsonville Code Section 4.400(2)(a), (c), (d), and (e). These provisions are intended to prevent clutter of signage; and

WHEREAS, the new Code includes a section allowing for nameplates and announcements. A limit of three square feet for these signs, while not being intrusive, ensures public safety by allowing quicker identification by emergency services. This provision also allows public information regarding rules of a property to be displayed, protecting that property and providing information for public safety; and

WHEREAS, the new Code includes a section allowing for directional signs. This section of the Code ensures that information is generated without being intrusive. Further, it is intended to aid in traffic movement as travelers look for specific businesses; and

WHEREAS, the new Code prohibits flashing lights and changing image signs. This is intended to protect the public by reducing a hazard that may draw the attention of a driver away from the task of driving; and

WHEREAS, the new Code includes sections dealing with real estate signs. The provisions of those sections are intended to encourage and accommodate the rental, lease and sale of real property, building opportunities, and/or building space, while at the same time attempting to preserve public safety and limit the proliferation of such signage, which may result in urban blight and declining livability; and

WHEREAS, recognizing the need of the real estate community to advertise and market available property, off-site signs will be allowed consistent with weekend sign criteria of the new Code. The current Code does not make such allowances. The criteria established is intended to allow for the effective marketing of real property, while at the same time balancing the livability and aesthetics of this community and limiting signs on public properties to the locations which have been found to be appropriate for such signage; and

WHEREAS, the new Code exempts changes of copy from the permit requirements of the code. Content-neutrality is a major reason for exempting copy changes. Because the overall location of the sign has been reviewed and approved through the Planned Development land use process, copy changes result in minimal visual change on site; and

WHEREAS, the new Code includes sections dealing with campaign or candidate signs. Ordinances have traditionally regulated the location, time, and manner of political signs. Regulations of campaign signs are intended to provide access for all candidates and campaigns through the consistent application of square footage and height regulations, along with a limited time frame for the display of campaign signs. These regulations also ensure public safety; and

WHEREAS, the new Code includes a section listing prohibited signs. The prohibited sign criteria have been established to protect and conserve public safety through the regulation of signs that are potentially distracting to motorists or involve offensive displays. The criteria for these regulations has been established to minimize glare and reflections and to discourage movement or advertising features that preoccupy or distract the attention of drivers, bicyclists and pedestrians, resulting in potentially unsafe situations; and

WHEREAS, the new Code includes numerous provisions regulating the size, shape, height, or position of a sign within a particular zone district standards, as defined in subsections 4.151(2)(b)(2)(a through f). The standards enable the city to establish uniform parameters for sign compatibility among residential, commercial and industrial and public areas. Subsections 4.151(2)(b)(2)(a through f) are intended to affirm that a sign or signs have a sense of place while respecting its context and property values. Subsections 4.151(2)(b)(2)(a through f) 4.151(2)(b)(1)(a through g) encourage sign compatibility but do not mandate conformity; and

WHEREAS, the new Code includes a section specifically addressing sign requirements in residential zones. By limiting most such signs to three square feet of sign area, while not being intrusive, ensures public safety by allowing quicker identification by emergency services. This provision prohibits artificial illumination of such signs, with the effect that excessive lighting in residential areas is reduced. In the past, the City has received complaints about excessive lighting, indicating a low public tolerance to lighting that is not necessary. The lighting of a home business sign is not necessary at night, as most home businesses do not operate or receive business during traditional non-business hours; and

WHEREAS, the new Code includes a section creating a procedure for the review of signs for annual special events. In the past, the City allowed signs to be posted citywide for events such as Boones Ferry Days. This provision allows for criteria and conditions to be applied to signs placed around the City for such events. Signs placed city-wide for special events contribute to public safety and information, by allowing people unfamiliar with the area to safely navigate to the location of the event; and

WHEREAS, the new Code includes provisions limiting the use of inflatable signs. Inflatable signs are of concern to public safety. This provision allows for the Planning Director to closely regulate such signs. In the past, the City has not granted applications of inflatable devices to be displayed for more than 15 days. This provision follows that precedent; and

WHEREAS, the new Code includes provisions dealing with temporary banners. These provisions would allow an applicant to obtain a sign greater than the six (6) square

feet allotted under Code section 4.151 4)(b)3.) and 4.151 4)(b)4.) (signs for temporary sales and weekend signs), and allows the Planning Director to regulate banners of greater size than those allowed under those sections. In the past, the Planning Director has administratively approved Temporary Use Permits (TUP) for “Grand Opening” banners. Experience dealing with these types of signs indicates that they are informative, but not intrusive, if limited in duration. Additionally, the new Code allows for the placement of small decorative banners in residential areas, in order to legalize the kinds of signs that people often display at their homes; and

WHEREAS, the proposed Code includes a section setting sign permit requirements in PDC and PDI Zones. Criteria for permit issuance are also included in the code. These criteria have been established to provide equal and fair sign allocation to businesses throughout the community, based on site and building size and location. This equality will result in a cohesive pattern of signage that is consistent with surrounding development, and provides a high quality visual environment. The PDC/PDI criteria are based on street frontage and building length, which directly correlate with scale and compatibility of signage to site and building size. These criteria will ensure that signs are properly related to their sites and are within the overall scale of developments; and

WHEREAS, the new Code includes a section dealing with the Town Center area, with only minimal changes from the comparable section in the current Code. The Wilsonville Town Center is well-suited for the use of a coordinated signing program because of its geographic unity, focal location, and the fact that it is still undergoing development. The purpose of this section is to assure that the Town Center area has a program of coordinated signage that is both functional and aesthetic, and provides a method of administration that will insure continuity and enforcement. In this manner, a framework will be provided for a comprehensively balanced system of street graphics that provides a clear and pleasant communication between people and their environment; and

WHEREAS, the new Code includes a section recognizing the Town Center area as the major commercial center, anchored by a few major stores interspersed with smaller shops. In addition to retail shops, Town Center is master planned for complimentary uses such as offices, theaters, restaurants and civic areas. The City has encouraged existing

and new development within Town Center to affirm the aesthetic character of this area with smaller monument style signs and more uniformity in building graphics (signs). In the Wilsonville Town Center (Capital Realty retail buildings) and the Village at Main Street developments, the developers have requested Master Sign Plans which have more restrictive design controls than subsection 4.151 9. These areas adjacent to the Town Center have Master Sign Plans that have been designed to compliment the rest of the Town Center. The Town Center Sign Code helps affirm the public perception of a well-conceived urban visual environment. Subsection 4.151 9(a) helps reinforce the social, aesthetic and economic policies of Town Center and of the city as stipulated in Policies 4.2.2 and 4.2.3 of the Comprehensive Plan; and

WHEREAS, the new Code continues the limitation on placement of permanent signs on properties where buildings have not been constructed, furthers the City's desire to continue achieving pleasing and aesthetic surroundings in which to live and work, and in particular, to continue the planned development design that incorporates sign aesthetics as part of building architecture, streetscape, landscape, and overall site design, including the view corridor of I-5 and Wilsonville Road; and

WHEREAS, such limitation does not distinguish among types of signs, nor between commercial and non-commercial speech, and follows the reasoning of a line of Oregon cases, including Outdoor Media Dimensions Inc., v. State of Oregon, 150 Or App 106 (1997), Ackerley Communications Inc. v Multnomah County, 72 Or App 617 (1985), and City of Eugene v. Miller, 318 Or 480 (1994), while furthering the City of Wilsonville's interest in advancing aesthetic and safety concerns, as upheld in Members of the City Council of the City of Los Angeles, v. Taxpayers for Vincent, 466 U.S. 789 (1983);

WHEREAS, a duly noticed public hearing was conducted before the City's Planning Commission on November 18, 1998, December 9, 1998, January 13, 1999, February 10, 1999, and April 14, 1999, after which the Planning Commission adopted Resolution 98PC05, recommending that the City Council adopt Ordinance No. 503; and

WHEREAS, the public notice for the initial public hearing before the Planning Commission was posted on November 2, 1998; and

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section I: FINDINGS AND DETERMINATIONS

- A. The City Council adopts the above recitals as findings and incorporates them by reference in support of this ordinance.
- B. The Wilsonville City Council hereby determines that:
 - 1. Attachment "A" is hereby adopted to replace the current Section 4.151 of the Wilsonville Code and to amend the Definitions Section (4.001) of the Zoning Code.
 - 2. Ordinance No. 408 is hereby repealed.
 - 3. This Ordinance will take effect 30 days after its approval on second reading by the City Council and signature by the Mayor.

Section II. VALIDITY and SEVERABILITY

The validity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other provision of this ordinance which can be given effect without reference to the invalid part or parts.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 29th day of April, 1999, commencing at the hour of 7:00 p.m. at the Community Development Annex.

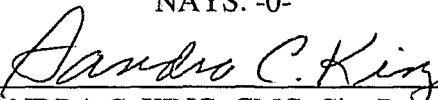

SANDRA C. KING, CMC, City Recorder

SUBMITTED to the Wilsonville City Council and read for the second time at a regular meeting thereof on the 17th day of May, 1999, commencing at the hour of 7:00 p.m. at the Wilsonville Community Center.

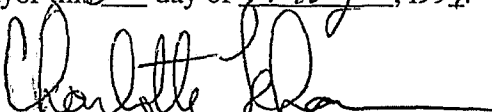
ENACTED by the Wilsonville City Council at a special meeting thereof this 17th day of May, 1999, by the following votes:

YEAS: -5-

NAYS: -0-


SANDRA C. KING, CMC, City Recorder

DATED and signed by the Mayor this 20 day of May, 1999.


CHARLOTTE LEHAN, Mayor

SUMMARY OF VOTES:

Mayor Lehan	yea
Councilor Helser	yea
Councilor Kirk	yea
Councilor Holt	yea
Councilor Barton	yea

ATTACHMENT 'A'
SIGN CODE

Note: The following replaces Section 4.151 and Ordinance No. 408 in their entirety.

SECTION 4.151 SIGN REGULATIONS

(1) PURPOSE. The general purpose of this Section is to provide one of the principal means of implementing the Wilsonville Comprehensive Plan by promoting public safety, providing locational and directional information, ensuring continued aesthetic improvement of the City's environment, and providing adequate opportunity for signage to meet the needs of individuals, businesses, institutions, and public agencies. These provisions classify and regulate the variety, number, size, location, and type of signs for a site. They do not necessarily assure or provide for a property owner's desired level of sign visibility. Regulations for signs have one or more of the following specific objectives:

- (a) To ensure that signs are designed, constructed, installed and maintained so that public safety and traffic safety are not compromised;
- (b) To allow and promote positive conditions for meeting the needs of sign users while avoiding nuisances to nearby properties and the community overall;
- (c) To reflect and support the desired character and development patterns of the various zones;
- (d) To allow for variety in number and type of signs in appropriate locations, while preventing signs from dominating the visual appearance of the area;
- (e) To prevent the construction or use of signs that would otherwise detract from the design of adjacent buildings or properties;
- (f) To provide the public with adequate opportunity for needed information that can be supplied through signage;
- (g) To stabilize and improve property values and prevent the creation of blighted areas;
- (h) To provide for the clear identification of structures in order to enhance public safety; and
- (i) To ensure the protection of the constitutionally guaranteed right of free speech.

(2) APPLICATION FOR SIGN PERMITS

(a) Submittals. Every request for a sign approval shall be made on the application form which shall be provided by the City Planning Department and shall be accompanied by additional information and such fees as may be required by the City.

(b) Review Processes.

1.) The Planning Director shall have authority over the administration, interpretation, and enforcement of the provisions of this Section, subject to appeal as provided in Section 4.017. Pursuant to a Class I Administrative Review procedure, the Planning Director may approve, approve with conditions, or deny applications for sign permits, except as provided in this Section. The Planning Director's authority to approve sign permits shall be limited to reviewing and acting upon temporary use sign permits, permits for replacement of existing signs, minor changes to approved sign permits, and signs that have already received preliminary approval as part of a master sign plan.

2.) Any decision for approval of a sign proposal shall include written findings addressing the following criteria:

a.) The proposed signage complies with the specific objectives in subsection 4.151(1) of this Code;

b.) The proposed signage is compatible with developments or uses permitted in the zone in terms of design, materials used, color schemes, proportionality, and location, so that it does not interfere with or detract from the visual appearance of adjacent development;

c.) The proposed signage will not create a nuisance or result in a significant reduction in the value or usefulness of adjacent properties;

d.) If the proposed signage is to be temporary, the length of time for which it is permitted shall be reasonable in terms of the purpose and nature of the signs that are proposed, but not to exceed one (1) year from the date of approval;

e.) If the application involves a Variance, it shall be subject to the standards and criteria listed in Section 4.186; and

f.) All of the relevant application filing requirements of Chapter 4 have been met.

3.) As specified in this Code, the Development Review Board shall have authority to review applications for sign permits, and for waivers and variances from these standards, except in cases where such authority is granted to the Planning Director. The Development Review Board shall make written findings for its decisions, subject to the criteria in subsection 4.151(1)(2) above, Section 4.186, and Sections 4.400 through 4.450, as applicable.

4.) In issuing a Sign Permit, the Planning Director may grant or deny a variance to relieve a hardship using Class I (Administrative Review) procedures. Such a variance shall only be approved where the variance does not exceed twenty percent (20%) of area, height, or setback requirements (e.g., a ten foot setback requirement could be decreased to eight feet, etc.). The Planning Director shall approve such a variance only upon finding that the application complies with all of the required variance criteria listed in Section 4.186.

5.) Variances to sign regulations. Additional to the authority of the Planning Director to issue administrative variances as noted in subsection 4.), above, the Development Review Board may authorize variances from sign requirements of this Code, subject to the standards and criteria listed in Section 4.186.

(3) GENERAL PROVISIONS AFFECTING SIGNS. No person shall erect, install, construct, place, alter, change, relocate, suspend or attach any sign, except for routine maintenance of existing signs, without first obtaining a sign permit, paying the required fees, and otherwise complying with the provisions of this Code.

(a) Approval of Permits. No permit shall be issued for signs within the City until reviewed and approved by the Development Review Board, the Planning Director, or the Director's designee as authorized in this Code. Applicants shall, whenever possible, incorporate all proposed signage as a part of the initial submittal on new development projects.

(b) Sign Measurement.

1.) Sign area shall be determined as follows:

a.) The area of sign faces enclosed in frames or cabinets is determined based on the outer dimensions of the frame or cabinet surrounding the sign face (see Figure 1). Sign area does not include foundations, supports, and other essential structures unless they are serving as a backdrop or border to the sign.

b.) When signs are constructed of individual pieces attached to a building wall, sign area is determined by a perimeter drawn around all of the pieces (see Figure 3).

c.) For a round or three-dimensional sign, the maximum surface area visible from any one location on the ground is used to determine sign area (see Figure 4).

d.) When signs are incorporated into awnings, walls, or marquees, the entire panel containing the sign is counted as the sign face unless it is clear that part of the panel contains no sign-related display or decoration.

e.) For the purposes of sign area calculations, the surface area of wall murals and wall signs shall be calculated as part of the total sign area as indicated in this subsection.

f.) The Planning Director shall be responsible for determining the area of a sign, subject to appeal as specified in Section 4.017.

g.) Unless otherwise specified, the sign area of a two-sided sign, with two matching sides, shall be considered to be the area of one side. For example, the sign area of a two-sided sign having thirty-two (32) square feet per sign face shall be considered to be thirty-two (32) square feet, unless this code specifies otherwise.

2.) The overall height of a sign or sign structure is measured from the average grade directly below the sign to the highest point of the sign or sign structure. If there is a question regarding the height of a sign, the Planning Director shall make the determination, subject to appeal, as provided in this Code.

(c) Non-conforming Signs. Non-conforming signs, which may be non-conforming structures or non-conforming uses, are subject to the standards for non-conforming uses and non-conforming structures delineated in Section 4.179 through 4.185. Except, however, that a non-conforming sign that is damaged beyond fifty percent (50%) of its value, as determined by the City Building Official, may only be reconstructed if the reconstructed sign meets all applicable zoning, structural, and electrical standards applicable at the time of reconstruction. Nothing in this Section is intended to impair any previously approved sign permit that has been issued by the City of Wilsonville, subject to state or federal law, or to require the removal of any sign that was legally erected or installed prior to the effective date of these regulations. In the event that a previously erected or installed sign no longer meets applicable City zoning standards it may remain in place, subject to the standards for non-conforming uses or nonconforming structures noted above.

(d). Master Sign Plans. A master sign plan is required for developments containing three (3) or more non-residential occupants, including but not limited to tenants, businesses, agencies, and entities. Additionally, the developer of any project may apply to have the development's signs reviewed through master sign plan procedures. A master sign plan shall be submitted at the time the development is reviewed by the Development Review Board. Master sign plans shall contain the method of illumination, the number, locations, and sizes of signs. The proposed master sign plan shall also show the estimated number of tenant signs and the total square footage of all signs within the development. Lettering styles and sizes for all occupants of the development shall be shown if known at the time of application.

1.) In reviewing a master sign plan, the Development Review Board may regulate size, location, number and type of proposed signage in accordance with Sections 4.400 through 4.450 of this Code.

2.) The Development Review Board may grant waivers from the requirements of this Section where the overall design of the master sign plan is found by the Board to assure attractive and functional signage. The Board shall give consideration to the size and scale of the proposed development, as well as the number of separate entrances, when acting on a master sign plan for a large development.

3.) Any existing sign, whether or not it is to be retained, must be shown on the plan. It shall be the responsibility of the property owner or the owner's agent to administer and control any aspect of an approved master sign plan that is more restrictive than the City's sign regulations. Individual business signs that are part of a master sign plan are subject to the permit application process.

4.) Applications for temporary signs on properties that are subject to master sign plans shall be reviewed by the Planning Director or Development Review Board through the Administrative Review process. Such temporary signs are not required to meet the strict standards of the approved master sign plan but shall be required to be designed, or limited in duration, to avoid conflicts with the master sign plan.

(4) SIGNS EXEMPT FROM SIGN PERMIT REQUIREMENTS

(a) The following signs are exempt from the permit requirements of this Section and do not require sign permits. Unless otherwise specified, the area of the exempted signs shall not be included in the calculations of sign area permitted on a given site:

1.) Traffic or other governmental or directional signs, as may be authorized by the City or other units of government having jurisdiction within the City.

2.) Signs installed by public utility companies indicating danger, or which serve as an aid to public safety, or which show the location of utilities or public facilities, including underground utilities.

(b) Other Signs. No sign permit is necessary before placing, constructing or erecting the following signs. However, in all other particulars such signs shall conform to the requirements of applicable Building and Electrical Codes, as well as this Code.

1.) Signs inside a building containing strobe lights, other flashing lights, or changing image signs which are visible from a public right-of-way are prohibited, unless specifically approved in a sign permit. Other interior signs are allowed, unless determined to be a public nuisance.

2.) Construction Project Signs. A sign erected in conjunction with a construction project and used to inform the public of the architects, engineers and construction organizations participating in the project or indicating "future home of" information. One such sign may be erected after any required Building Permits have been obtained, subject to the following standards and conditions:

a.) No such sign shall exceed sixty-four (64) square feet of total face area or exceed ten (10) feet in height. (Note that signs exceeding six (6) feet in height typically require building permits.)

b.) The sign shall be removed prior to receipt of approval for building occupancy by the City Building Official.

3.) Signs for Temporary Sales. A sign advertising a temporary sale or similar event. Such signs shall not be placed in a public right-of-way. Signs on private property for temporary sales, other than weekend signs, are subject to the following standards and conditions:

a.) Surface area shall not exceed a size per face of six (6) square feet and height shall not exceed thirty (30) inches. 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.) Such signs may be erected up to one week before the event and shall be removed no later than the day after the event.

c.) One such sign per tax lot may be posted for up to ten (10) days within a thirty (30) day period without receiving approval of a temporary use permit.

d.) Such signs shall be located on-site and no more than one (1) such sign shall be located per sale or event.

4.) Weekend Signs. In order to provide an opportunity for short-term, temporary advertising of such events as garage sales, open houses, or other events that are temporary in nature, signs meeting all of the following standards shall be allowed without requiring a sign permit:

a.) On-site signs:

1.) No larger than six (6) square feet per sign face and no more than six (6) feet in height;

2.) Allowed only between the hours of six (6) p.m. Friday and eight (8) p.m. Sunday, and the hours of 6 a.m. and 1 p.m. Tuesdays;

3.) Outside of vision clearance areas at driveways and intersections;

4.) No more than one (1) sign per dwelling unit or business, per lot frontage; and

5.) Not placed within required parking spaces, pedestrian paths, or bike ways.

b.) Off-site signs, subject to the same standards as on-site weekend signs, above, with the addition of the following:

1.) Permission for the sign location is to be provided by the property owner;

2.) No more than three (3) off-site signs per sale or event, shall be subject to the same locational limitations as campaign or candidate signs listed in Section 4.151(10)(a)(4).

3.) No closer than ten (10) feet from any other sign.

c.) Signs in rights-of-way, subject to the same standards as off-site weekend signs, above, with the addition of the following:

1.) No 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);

2.) Not placed on street surfaces, sidewalks, paths, median strips, or bicycle ways;

3.) Additionally, weekend signs within rights-of-way shall be located within forty (40) feet of an intersection; they shall be directional signs as listed in subsection (6), below, with the exception that they are specifically allowed in City rights-of-way; and may be up to six (6) square feet in size; and

4.) Weekend signs shall be subject to the same locational limitations as campaign or candidate signs listed in Section 4.151(10)(a)(4).

5.) Name Plates and Announcements.

a.) A sign identifying the name, street address, occupation and/or profession of the occupant of the premises. Graphic information on all name plates shall be limited to the identification of the business name as registered with the State of Oregon or the City of Wilsonville. One name plate, not exceeding a total of three (3) square feet shall be allowed for each occupant. The name plate shall be affixed to the building.

b.) Announcements posted on a given property (e.g., no smoking, no parking, rules of conduct, etc.) and not intended to be read from off-site, are permitted to be located as needed. Such announcements shall not be considered to be part of the sign allotment for the property.

6.) Directional Signs. Designed for non-changing messages, directional signs facilitate the safe movement of the traveling public. Such signs are subject to the following standards and conditions:

a.) The following directional signs are exempt from sign permit requirements:

- 1.) Those having a maximum area of not more than three (3) square feet per sign face, are not located within public rights-of-way and which meet City vision clearance requirements;
- 2.) Those without lighting;
- 3.) Those without a logo or those having a logo that does not exceed one (1) square foot in size; and
- 4.) Those where not more than one (1) directional sign is located on the same tax lot.

b.) The following directional signs require a sign permit:

- 1.) Those having a maximum sign face area of more than three (3) and not exceeding six (6) square feet.
- 2.) Those having lighting that is limited to indirect or internal lighting. Flashing lights are prohibited.

7.) Real Estate Signs, including signs for the purpose of advertising the rent, lease, sales, etc. of real property, building opportunities or building space.

a.) Real Estate Signs for Residential Properties. When residential units are for rent or sale, the owner or the owner's authorized representative may erect signs which:

- i. Are limited to one single, double, or triple-faced sign on the lot or parcel, not to exceed six (6) square feet per face.
- ii. Shall not exceed six (6) feet in height.
- iii. Shall pertain only to the property upon which they are located.
- iv. Shall not be illuminated, either directly or indirectly.

In addition, directional signs may be erected off-site to aid the public in locating the residential properties offered. Such off-site directional signs shall be subject

to the provisions of section 4.009 through 4.012 applying to temporary signs, or to subsection 4.151(4), above, applying to weekend signs.

b.) Signs Advertising a Legally Recorded Residential Subdivision in its Entirety, or the Sale, Rental or Lease of Tracts of Land in Excess of Five (5) Acres. When such tracts are offered, the owner or owner's representative may erect signs which:

- i. Are limited to one single, double, or triple-faced sign, not to exceed thirty-two (32) square feet per face.
- ii. Shall pertain only to property upon which they are located.
- iii. If pertaining to a recorded residential subdivision, shall not remain upon the premises in excess of eighteen (18) months from the date of recordation of the final subdivision plat. An extension of this time limit may be granted by the Planning Director through a Class I Administrative Review procedure, upon finding that at least 25% of the subdivision lots remain unsold and undeveloped.
- iv. Shall not exceed six (6) feet in height.
- v. Shall not be illuminated, either directly or indirectly.

c.) Signs Advertising the Sale, Lease or Rental of Commercial or Industrial Premises. When such properties are offered, the owner or the owner's authorized representative may erect signs which:

- i. Are limited to the greater of one single, double, or triple-faced sign, not exceeding thirty-two (32) square feet per sign face per:
 - Tax lot;
 - Three (3) acres; or
 - Street frontage.
- ii. Shall pertain only to the property upon which they are located.
- iii. Shall not exceed six (6) feet in height.
- iv. Shall be located at least fifty (50) feet from any other freestanding sign on the same lot.

8.) Changes of Copy Only, where the graphics contained on an existing sign are changed, but the sign itself is not structurally altered, and no building or electrical permit is required.

9.) Campaign or Candidate Signs on Private Property. A campaign or candidate lawn sign on private property shall meet the following standards and conditions:

a.) Such signs shall not be placed in a manner which obstructs sight lines of the motoring public, obscures traffic or other government signs, or creates a nuisance to the use or occupancy of any property.

b.) Such signs shall have no more than two (2) sides; shall be no higher than six (6) feet tall measured from the grade surface to the top of the sign inclusive of pole; and sign face area shall measure no more than six (6) square feet. Such signs shall not be illuminated or exhibit movement.

c.) Such signs are considered temporary. They may be erected during the period sixty (60) days prior to a general, primary, or special election and shall be removed within three (3) days after the election.

10.) A sign that is not visible from any off-site location shall be exempt from the sign permit requirements of this Code and shall not be included within the area calculations of permitted signage. This does not, however, exempt such signs from the permit requirements of applicable building or electrical codes.

11.) Holiday lights and decorations, in place between November 15 and January 15.

12.) Signs on scoreboards or ballfields located on public property.

13.) Additional to the signs that are otherwise permitted by this Code, one small decorative banner per dwelling unit may be placed on site, in residential zones.

(5) PROHIBITED SIGNS. The following signs are prohibited and shall not be placed within the City:

(a) Search lights, strobe lights, and signs containing strobe lights or other flashing lights, unless specifically approved in a sign permit.

(b) Obstructing signs, a sign or sign structure such that any portion of its surface or supports will interfere in any way with the free use of any fire escape, exit, hydrant, standpipe, or the exterior of any window; any sign projecting more than twelve (12) inches from a wall, except projecting signs that are specifically permitted through the provisions of this Code.

(c) Changing image signs, including those within windows, unless specifically approved in a sign permit.

(d) Roof-top signs - signs placed on the top of a building or attached to the building and projecting above the top of that building, unless specifically approved through the

temporary use permit or annual pre-approved sign procedures of this code. See Figure 4.

(e) Other Prohibitions: Additional to the signs listed above, the following are prohibited:

- 1.) Signs obstructing vision clearance areas.
- 2.) Pennants, streamers, festoon lights and other similar devices intended to be moved by the wind, unless specifically authorized in an approved sign permit. —
- 3.) Signs attached to trees or public utility poles, other than those placed by appropriate government agencies or public utilities.
- 4.) Signs using bare-bulb illumination or signs lighted so that the immediate source of illumination is visible, unless specifically authorized by the Development Review Board or City Council. This is not intended to prohibit the use of neon as a source of illumination.
- 5.) Signs that use flame as a source of light or that emit smoke, ~~sounds~~, or odors.
- 6.) Any sign, including a window sign, which is an imitation of or resembles an official traffic sign or signal; and which may include display of words or graphics that are likely to cause confusion for the public, such as "STOP," "GO," "SLOW," "CAUTION," "DANGER," "WARNING," etc.
- 7.) Any sign, including a window sign, which by reason of its size, location, movements, content, coloring or manner of illumination may be confused with, or construed as, a traffic control device, or which hides from view any traffic sign, signal, or device.
- 8.) Portable signs, exceeding six (6) square feet of sign area per side, other than those on vehicles or trailers. The display of signs on a vehicle or trailer is prohibited where the vehicle or trailer is not fully operational for use on public roads or where the primary function of the vehicle or trailer is advertising. Examples where the primary function of the vehicle or trailer is advertising include mobile billboards such as those on which advertising space is rented, sold, or leased.
- 9.) Signs located on public property in violation of subsection 4.151(10) or (11), below.
- 10.) Signs placed on private property without the property owner's permission.
- 11.) Signs erected or installed in violation of standards prescribed by the City of Wilsonville, State of Oregon or the U.S. government.

(6) SIGN AREA. The total square footage of signage per lot shall be regulated by Sign Table 1, Permanent Signs, except as otherwise specified in this Code. Additional signage may be authorized, provided that the sign proposal conforms to the provisions of this Section.

(7) SIGN PERMIT REQUIREMENTS IN RESIDENTIAL ZONES. Notwithstanding the provisions of Sign Table #1, the following signs may be allowed in PDR, R, and RA-1 zones:

(a) Signs pertaining to individual residences or home occupations shall be subject to the following standards and conditions:

- 1.) Surface area shall not exceed three (3) square feet and sign shall not be artificially illuminated.
- 2.) The sign shall be located inside the dwelling or located flat against the dwelling.
- 3.) One such sign per dwelling unit is allowed.

(b.) Special event signs - signs advertising or pertaining to any special event taking place within the City. The Planning Director may issue a temporary use permit for special event signs to be located on-site, off-site, or within City rights-of-way, excluding those areas listed in subsection 4.151(10)(a)(4) through the Administrative Review process of Sections 4.009 through 4.012. The Planning Director may attach conditions to such Permits to ensure compliance with the purposes and specifications of this Section.

1.) Annual pre-approved special event signs. The Planning Director shall maintain a list of pre-approved special events for which separate temporary use sign permits are not required. The Planning Director shall utilize the Administrative Review process and criteria to establish the list, subject to appeal as specified in Section 4.017. The Planning Director may renew the list annually with or without changes. This list shall specify the total number of signs that are to be allowed for each listed event. In acting on requests for inclusion on the pre-approved list, the Planning Director may set conditions of approval and shall not be bound by the standards of this code applying to other signs. Because these special events occur annually, it is more efficient to process requests in a single package rather than require numerous temporary use permits. Additionally, traffic congestion is expected to be diminished during special events if adequate signage helps to direct people to appropriate locations.

2.) Inflatable signs - Inflatable signs shall not be mounted or suspended from the roof, nor shall a ground-mounted inflatable sign exceed ten (10) feet in overall height in a residential zone. Inflatable signs shall be permitted for a maximum of fifteen (15) days of display use in any calendar year.

(c.) District or Planned Development signs - one (1) on-site monument sign, or one (1) off-site monument sign on an adjacent parcel identifying that Planned Development project may be permitted, subject to the following standards and conditions:

- 1.) The sign may be a double-faced sign and shall not exceed sixteen (16) square feet per face.
- 2.) The sign shall pertain only to the subject development which it is intended to identify.
- 3.) Sign graphics may be changeable so as to indicate vacancies and occupancy changes.
- 4.) The sign shall be reviewed by the Development Review Board in conjunction with the overall Planned Development.

(d.) Opening Banner for a new business or housing development. A banner announcing the opening of a new business or housing development (e.g., "Grand Opening," "Now Renting," etc.) may be permitted, subject to the Class I Administrative Review provisions of Section 4.009 through 4.012 and the following standards and conditions:

- 1.) One such banner shall be allowed either from the date of issuance of Building Permits until four (4) weeks after issuance of Certificates of Occupancy, or if no Building Permit is issued, for four (4) weeks after occupancy of a new business.
- 2.) Such banner may be two-sided but shall not exceed thirty-two (32) square feet per face.

(e.) Monument Signs. One monument sign, not exceeding eighteen (18) square feet in area, shall be permitted for each residential subdivision having fifty (50) or more lots or for any other residential development with fifty (50) or more dwelling units.

(8) SIGN PERMIT REQUIREMENTS IN PDC AND PDI ZONES. In implementing the permanent sign footage per lot allowed by the provisions of Sign Table #1, the following standards and conditions shall apply to all signs in PDC and PDI zones, other than the Town Center area:

(a) Freestanding Signs

- 1.) One freestanding sign is allowed for the first two-hundred (200) linear feet of site frontage. One additional freestanding sign may be added for through lots having at least two-hundred (200) feet of frontage on one street and one-hundred (100) feet on the other street.

- 2.) The maximum height of a freestanding sign shall be twenty (20) feet. If there is a building on the site, the maximum height shall be twenty (20) feet above the average grade of the building footprint.
- 3.) Pole placement shall be installed in a vertical position (see Figure 2).
- 4.) Freestanding signs shall not extend into or above public rights-of-way.
- 5.) Street side setbacks for freestanding signs may be reduced to ten (10) feet without requiring a waiver or variance.

(b) Signs on Buildings

- 1.) Total area of building signs shall be determined as follows:
 - a.) Square feet of all building signs shall not exceed the longest side of the largest building (i.e., one square foot of sign area for each linear foot of building) occupied by the use advertised, up to a maximum of two-hundred (200) square feet, whichever amount is less, except as provided in "b" and "c" below. The length of building is to be measured at the building line.
 - b.) The two-hundred (200) square foot maximum noted in "a," above, shall be increased by twenty (20) percent to allow for building signs at separate building entrances; or
 - c.) The two-hundred (200) square foot maximum noted in "a," above, shall be increased by fifty (50) percent to allow for building signs at separate entrances that are located at least fifty (50) feet apart or on different sides of the building.
- 2.) Types of signs permitted on buildings include wall flat, fascia, projecting, marquee and awning signs. Roof-top signs are prohibited.

(c) Additional signs. Notwithstanding the sign footage allowed based on the site and building frontages as shown in Table 1, the following signs may be permitted, subject to standards and conditions in this Section:

- 1.) Directional signs.
- 2.) Special event signs - signs advertising or pertaining to any special event taking place within the City. The Planning Director may issue a temporary use permit for a special event signs to be located on-site, off-site, or within City rights-of-way, excluding those areas listed in subsection 4.151(10)(a)(4) through the Administrative Review process of Sections 4.009 through 4.012. The Planning Director may attach conditions to such Permits to ensure compliance with the purposes and specifications of this Section. Additionally, the Planning Director

may authorize signs for pre-approved special events in PDC and PDI zones through the same procedures as for residential zones, listed in Section (7.), above.

3.) Inflatable signs - Inflatable signs shall not be mounted or suspended from a roof unless specifically authorized through a temporary use permit or annual pre-approved event permit, nor shall a ground-mounted inflatable sign exceed ten (10) feet in overall height. If attached to a building in any manner, an inflatable sign must meet applicable building code requirements including consideration of wind loads. Inflatable signs are temporary advertising devices, subject to the standards for Administrative Review specified in Section 4.009 through 4.012. Inflatable signs shall be permitted for a maximum of fifteen (15) days of display use in any calendar year.

4.) District or Planned Development signs - one (1) on-site monument sign, or one (1) off-site monument sign on an adjacent parcel identifying that Planned Development project, may be permitted, subject to the following standards and conditions:

- a.) The sign may be a double-faced, and shall not exceed sixteen (16) square feet per face.
- b.) The sign shall pertain only to identification of its subject development.
- c.) Sign graphics may be changeable so as to indicate vacancies and occupancy changes.
- d.) The sign shall be reviewed by the Development Review Board in conjunction with the overall Planned Development.

5.) Fuel or Service Station Price Signs. Two (2) changeable copy signs shall be allowed for the purpose of advertising fuel prices, subject to the following standards and conditions:

- a.) The sign shall have a maximum of six (6) square feet in area per face and shall be permanently affixed to the building or freestanding sign.
- b.) The sign shall not be considered in calculating the maximum area or number of signs permitted at the location.
- c.) Signs on fuel pumps shall be permitted, providing that they do not project beyond the outer edge of the pump in any direction.

6.) Banner for new business, apartment complex, housing development, or special event. A banner announcing a special event or opening (e.g., "Grand Opening," "Now Renting," etc.) may be permitted, subject to the Administrative Review

provisions of Section 4.009 through 4.012, and the following standards and conditions:

a.) One (1) such banner shall be allowed either from the date of issuance of Building Permits until four (4) weeks after issuance of Certificates of Occupancy, or if no Building Permit is issued, for four (4) weeks after occupancy of a new business.

b.) Such banner may be two-sided but shall not exceed thirty-two (32) square feet per face.

(9) SIGN PERMIT REQUIREMENTS IN THE TOWN CENTER AREA OF THE PLANNED DEVELOPMENT COMMERCIAL ZONE. The following shall apply to signs within the Town Center area: _

(a) Purpose. The Wilsonville Town Center is well suited for the institution of a coordinated signing program because of its geographic unity, focal location, and the fact that it is in the early stage of development. The purpose of this subsection is to provide the Town Center with a program of coordinated signing which is both functional and aesthetic, and to provide a method of administration which will insure continuity and enforcement. In this manner, the framework will be provided for a comprehensive balanced system of street graphics which provide a clear and pleasant communication between people and their environment.

(b) In regulating the use of street graphics and building signage, the following design criteria shall be applied in conjunction with the provisions of this Code. Street graphics and building signage shall be:

1.) Appropriate to the type of activity to which they pertain.

2.) Expressive of the identity of the individual proprietors and the Wilsonville Town Center as a whole.

3.) Legible in the circumstances in which they are seen.

4.) Functional as they relate to other graphics and signage. Further provision is made herein for an orderly and reasonable process to obtain signing approval, collect permit fees, and provide for hearings, review, and enforcement.

(c) General Requirements.

1.) Addressing (note that addresses are assigned by the City's Community Development Department).

a.) Every building or complex with a designated address shall have a permanent address sign. This address sign shall be located on a street graphics sign, except that when no graphics sign is provided, the address shall be on its own sign.

b.) Address letters shall be 2 inches to 6 inches in height with contrasting background.

- c.) The letter style for numbers and street names shall be as shown in Figure 6.
 - d.) When not part of the street graphics sign, the address sign shall be not more than four (4) square feet in area.
 - e.) The maximum height of an address sign shall not exceed four (4) feet above the adjacent grade.
 - f.) Information on address signs shall be limited to the address and the street name.
- 2.) Special event signs - signs advertising or pertaining to any special event taking place within the City. Through the Administrative Review process of Sections 4.009 through 4.012, the Planning Director may issue a temporary use permit for special event signs to be located on-site, off-site, or within City rights-of-way, excluding those areas listed in subsection 4.151(10)(a)(4). The Planning Director may attach conditions to such Permits to ensure compliance with the purposes and specifications of this Section. Additionally, the Planning Director may authorize signs for pre-approved special events in the Town Center area through the same procedures as for residential zones, listed in Section 4.151(7), above.
- 3.) Street Graphics Signage. Approval of Street Graphics Signage shall not precede the Development Review Board approval of Building Graphics Signage.
- a.) Street graphics shall include the building name, if there is one, and the building address.
 - b.) The letter height for the building name shall be twelve (12) inches maximum.
 - c.) For individual occupants, letter height shall be eight (8) inches maximum.
 - d.) There shall be not more than one sign for each parcel of land, except where approved as part of a Master Sign Plan.
 - e.) The maximum height shall be eight (8) feet above curb for multi-tenants and four (4) feet above curb for single tenants.
 - f.) The maximum area for street graphics shall be limited to eight (8) square feet per tenant.
 - g.) Within a multi-tenant building, the maximum square footage for street graphics signage shall not exceed 48 square feet (96 square feet both sides) for solely commercial retail; 40 square feet (80 square feet both sides) for mixed occupancies, retail and professional; 32 square feet (64 square feet both sides) for solely professional.
 - h.) Street graphic lighting shall not be of flashing, intermittent types. Floodlights or spotlights which illuminate graphics must be positioned in such a manner that no light shines over onto an adjoining property or glares or shines in the eyes of motorists or pedestrians.

i.) Location of street graphics shall not be further than fifteen (15) feet from the property line nor closer than two (2) feet from the sidewalk. In no case shall a sign be permitted in the public right-of-way.

j.) No sign shall obscure any road sign as determined by the manual on uniform traffic control devices and posted by City, County or the State.

k.) No selling slogans shall be permitted on street graphics signage.

4.) Building Graphics Signage

a.) The total square footage of all signs except a single address sign and a street graphics sign shall not exceed the width of the building occupied by the use advertised. The width of a building is to be measured as the longest dimension of the width or depth of the building. Except, however, that the total area of signage allowed may be increased by up to fifty percent (50%) for each building side having a public entrance.

b.) Letters shall be allowed to increase from twelve (12) inches within the first twenty (20) feet from the property line by increments of up to 3: for each 50-foot setback or fraction thereof with the maximum height of twenty-four (24) inches.

c.) The maximum height of signs shall be as shown in Figure 7.

(10) SIGNS ON CITY PROPERTY. For the purposes of this subsection, City property is defined as physical sites, City right-of-ways, and rights-of-way over which the City has jurisdiction. City property includes, but is not limited to, the following: City Hall, The Community Development Annex, the Community Center, the Library, Boones Ferry Park, the Burlington Northern park site, Town Center Park, Tranquil Park, Wilsonville Memorial Park, the Boozier property, the Montebello open space on Wilsonville Road, Fox Chase Park, and the City's reservoir, pump station, or treatment plant properties.

(a) Permitted Signs. Signs may be placed on City property and/or City rights-of-way and right-of-ways over which the City has jurisdiction under the following conditions:

1.) Such signs as are necessary to locate and direct the public to City premises, or other governmental premises, shall be permitted.

2.) Such signs as are necessary for the public's health, safety and welfare authorized under law, regulation, ordinance, or order including but not limited to traffic signs shall be permitted. This shall include signs authorized to conform with the State's Tourism Information program.

3.) Signs and their placement as authorized in subsections 1 and 2, above, shall meet all other applicable standards and criteria under law, regulation, ordinance, or order.

4.) Campaign and candidate lawn signs may be placed on City rights-of-way and rights-of-way over which the City has jurisdiction except those rights-of-

way adjoining City properties listed above, and are prohibited in the following locations where the placement of campaign and candidate lawn signs could damage City landscaping or interfere with the City's maintenance of the rights-of-way:

- a.) In any median strip inside the City limits.
 - b.) Either side of French Prairie Road.
 - c.) Either side of Canyon Creek Road North, from Boeckman Road to Elligsen Road.
 - d.) Either side of Wilsonville Road between Town Center Loop East and the Portland & Western (previously Burlington Northern) Railroad property.
 - e.) Either side of Town Center Loop West and East.
 - f.) Both sides of former S.W. Parkway frontage between Town Center Loop West and Wilsonville Road.
 - g.) Wilsonville Road between Willamette Way West and Willamette Way East.
 - h.) The north side of Wilsonville Road from Town Center Loop East to Boeckman Creek.
 - i.) Either side of Wilsonville Road between Boeckman Road and the southern boundary of the Wilsonville High School property.
 - j.) Either side of Parkway Center Avenue.
 - k.) The south side of Elligsen Road from the eastern city limits to a point directly across from the west side of the Tualatin Valley Fire District fire station.
 - l.) The western side of Boones Ferry Road adjoining Boones Ferry Park.
- 5.) Campaign or candidate lawn signs shall meet the following standards and conditions:
- a.) Such signs shall not be placed in a City right-of-way which is adjacent to other public owned property, in order to avoid the appearance that a public entity is politically supporting a candidate(s) or measure(s). Other public owned property includes that of districts, county, regional, state and federal governmental entities.

b.) Such signs shall not be placed within a City right-of-way in a manner which obstructs sight lines of the motoring public, obscures traffic or other government signs, or creates a nuisance to the use or occupancy of private property.

c.) Such signs shall be designed and constructed to prevent being moved by the wind and may be placed one every fifty (50) feet within a right-of-way location. Such signs shall have no more than two (2) sides, shall be no higher than thirty (30) inches measured from the surface of the right-of-way to the top of the sign inclusive of pole, and each sign face area shall measure no more than six (6) square feet. Such signs shall not be illuminated or exhibit movement.

d.) Such signs are considered temporary. They may be erected during the period sixty (60) days prior to a general, primary or special election and shall be removed within three (3) days after the election. Each sign shall be placed at least ten (10) feet away from any other placed candidate or campaign sign.

11) SIGNS WITHIN ODOT RIGHT-OF-WAY. Consistent with the Laws and Administrative Rules of the State of Oregon, all signs of any kind are prohibited within right-of-way of the Oregon Department of Transportation (ODOT), except those signs that are specifically determined by ODOT to be necessary for the public's health, safety, or welfare. The City may assist the State in the removal of signs that are illegally placed within ODOT right-of-way, as provided above for signs in City right-of-way. City assistance is justified in view of the substantial public investment that has recently been made to improve and beautify both freeway interchange areas north of the Willamette River.

12) ENFORCEMENT

(a) Any person who places a sign that requires a permit under this section, and who fails to obtain a permit before installing the sign, shall be subject to penalties and fines as established in Wilsonville Code 4.191 through 4.193.

(b) Removal of signs. Any sign placed on public property in violation of the provisions of this Code shall be immediately removed by the City. As soon thereafter as reasonable, the City shall notify the owner or the owner's representative that the sign has been removed, and that if the sign is not claimed within ten (10) days, the sign will be deemed abandoned and subject to disposal by the City. The City shall have no responsibility to contact the owner of the sign if the owner's name, address, and telephone number are not clearly indicated on the sign and shall dispose of the sign ten days after its removal by the City. The City Council may establish fees to be collected at the time of releasing impounded signs in order to cover the City's costs in

collecting, storing, and returning these signs and administering the sign removal program.

(c) Civil enforcement. Any sign which is intentionally placed in violation of the provisions of this code after the owner of the sign has been notified of the initial sign removal and reason for its removal, shall subject the owner to a civil violation not to exceed \$100.00 as and for a civil fine for each day that a violation continues to exist.

(d) Additional enforcement. The remedies described herein are not exclusive and may be used in addition to those prescribed in Wilsonville Code 4.191 through 4.193, 1.012 and 1.013, Violations, and 6.200 through 6.620, Nuisances. The City Attorney may use any enforcement process available at law or equity, including but not limited to, seeking injunctive relief, equitable relief, damages, or fines for violations.

SIGN DEFINITIONS

(To be added to Section 4.001 – Definitions)

- Sign** A device or display used or intended to be used for advertising purposes or used or intended to be used to inform or attract the attention of the public. "Sign" includes, where applicable, the structure, display surface, or other component parts of the device or display. Examples include, but are not limited to, advertising sign, banner, outdoor advertising sign, on-premises sign, temporary sign, window sign, message, light (other than a device used primarily to illuminate a building and/or premise), emblem, figure or painting, drawing, placard, or poster. The display of merchandise that is offered on the premises shall not be considered to be a sign unless it is attached to any exterior surface or structure of the building including, but not limited to, roofs, walls, marquees, monuments, or poles. Flags of the United States, State of Oregon, Clackamas or Washington County or City of Wilsonville shall not be considered to be signs and shall not be subject to these regulations.
- A. Addressing Signs—signs indicating, at a minimum, the numerical address of the building. Such signs are provided in lieu of a street graphics sign.
 - B. Building Graphics—building mounted signs.
 - C. Changing image sign. Any sign which, through the use of moving structural elements, flashing or sequential lights, lighting elements, or other automated method, results in movement, the appearance of movement, or change of sign image or text.
 - D. Directional signs—Signs on private property that provide directions for the traveling public and deemed necessary for the safe traverse of the public.
 - E. District Sign—a sign indicating the entrance to a Planned Development containing at least fifty (50) acres.
 - F. Electric Sign—any sign containing electric wiring, but not including signs illuminated by an exterior floodlight source.
 - G. Flashing Sign—any illuminated sign on which the artificial light is not maintained stationary or constant in intensity or color at all times when such sign is in use. For the purpose of this Code, any moving illuminated sign shall be considered a flashing sign.
 - H. Freestanding Sign—A sign erected and maintained on a freestanding frame, mast, or pole not attached to any building, and not including ground-mounted signs.
 - I. Ground-mounted Sign—a sign which extends from the ground, or has support which places the bottom of the sign less than two (2) feet from the ground, including monument signs.

- J. Inflatable Sign—any device that depends on a differential between internal and external air pressure to maintain its size, form or shape regardless of whether it is tied, tethered, mounted or connected to a pole, building, or ground.
- K. Institutional Signs—signs that identify public buildings, churches, public and private schools and other such structures used for public gathering or to serve the general public. The Planning Director shall determine the nature of such signs if there is a question. Institutional signage shall comply with all applicable provisions of this Code.
- L. Integral Sign—a sign carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type construction indicating names of buildings, date of erection, monumental citations, commemorative tablets and the like when made an integral part of the structures.
- M. Marquee Sign—a canopy or covering structure bearing a signboard or graphics projecting from, and attached to, a building.
- N. Permanent Sign – any sign that does not meet the definition of a temporary sign, below.
- O. Portable Sign—a sign that is not permanently affixed to a building, structure, or the ground; a sign designed to be moved from place to place; other than garage sale signs and real estate signs. These signs include, but are not limited to movable A-frame signs, sandwich board signs, signs on vehicles or trailers, signs attached to wood or metal frames designed to be self-supporting and movable, including trailer reader boards, paper, cardboard or canvas sign wrapped around supporting poles.
- P. Projecting Sign—a sign, other than a wall sign which projects from and is supported by a wall of a building or structure. Projecting Signs are differentiated from Wall Flat Signs as defined below.
- Q. Roof Sign—A sign located on or above the roof of any building, not including a false mansard roof, canopy or other fascia.
- R. Selling slogans—a brief striking phrase used in advertising or promotion. The hours of operation of a business shall be considered to be a selling slogan.
- S. Sign Area—the display surface or face of the sign, including all frames, backing face plates, non-structured trim or other component parts not otherwise used for support. Where a sign is displayed on a surface that includes both signage and blank area, the Planning Director shall have the responsibility for calculating the sign area and shall include all of the surface generally bounding any lettering or other display.
- T. Street Graphics—signs that indicate the name and function of a business or institution and are located on private property but within fifteen (15) feet of the right-of-way of a public street.

- U. Temporary Sign—a banner, pennant, poster or advertising display constructed of paper, window paint, cloth, canvas, plastic sheet, cardboard, or other like materials intended to be displayed for a limited period of time.

- V. Wall Flat Sign—a sign affixed directly to or painted on or otherwise inscribed on an exterior wall and confined within the limits of any building and which projects from that surface not more than twelve (12) inches at all points.

Table 1
(Permanent Signs)

ZONE	TOTAL SQUARE FOOTAGE OF SIGNAGE PERMITTED PER LOT	TOTAL SQ. FT. SIGN AREA PERMITTED WITH NO BUILDING ON LOT	TOTAL SQ. FT. SIGN AREA TO LENGTH OF BUILDING (SQ. FT. : LINEAR FT)	NO BUILDING ON LOT TOTAL SQ. FT. SIGN AREA AS % OF PROPERTY STREET FRONTAGE
R, RA-1, PDR (0-3 u/ac.)	3	0	1:1	0
PDR (3-7 u/ac)-	3	0	1:1	0
PDR (7+ u/ac)	6/D.U., 80 for non-res.	0	1:1	0
PF, PDC (not Town Ctr)	200	0	1:1	0
PDC-Town Center *	*	0	1:1	0
PDI	200	0	1:1	0

* See special sign standards for the Town Center area in Section 4.151 (9).

- a. Monument signs are counted at 50% of their actual square footage.
- b. Most restrictive standard applies. Signage not to exceed the most restrictive of applicable standards.
- c. River frontage shall be counted the same as street frontage.
- d. Where a building exists, total sign area per lot not to exceed 1 sq. ft. for each 1 linear foot of building, on the building's longest side, except as otherwise provided in this Code.
- e. Total sign area per lot may be increased by up to 50% per street frontage for corner and double frontage lots.
- f. Total sign area based on building length may be increased by up to 50% where the building footprint has not more than 10% of the area of the tax lot on which it is located.
- g. Residential densities are based on Wilsonville Comprehensive Plan.
- h. Non-residential uses that are permitted in residential zones shall have sign standards determined through site development permit process.

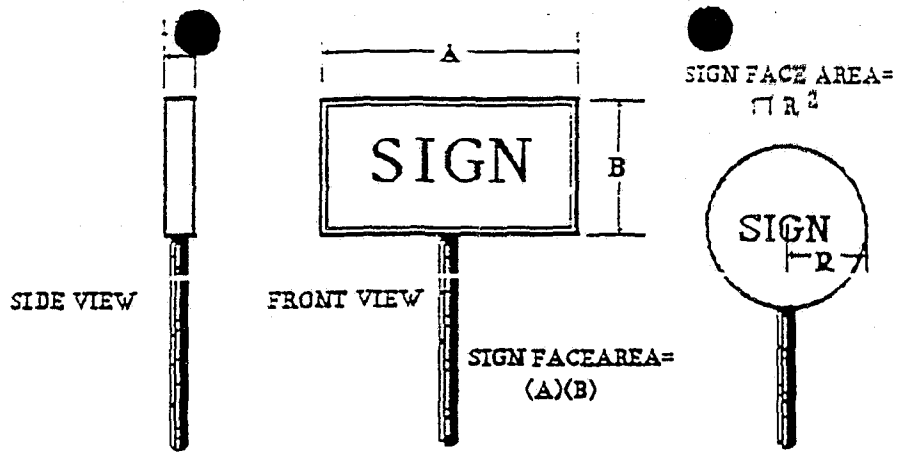


FIGURE 1

SIGN FACE MEASUREMENT

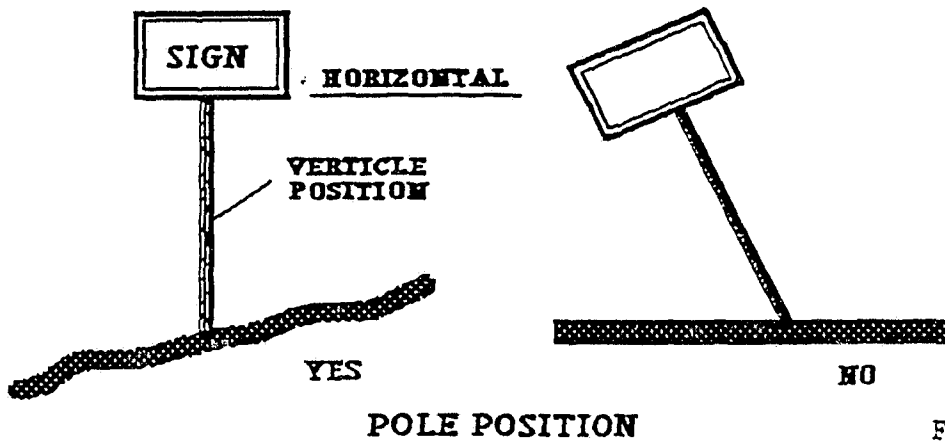
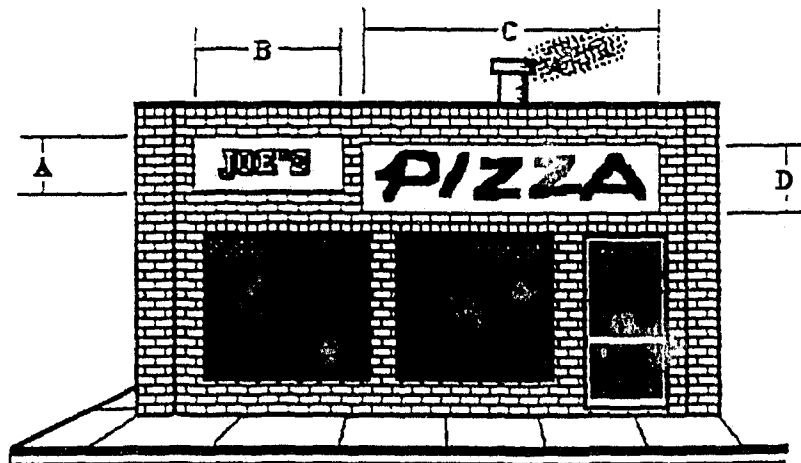
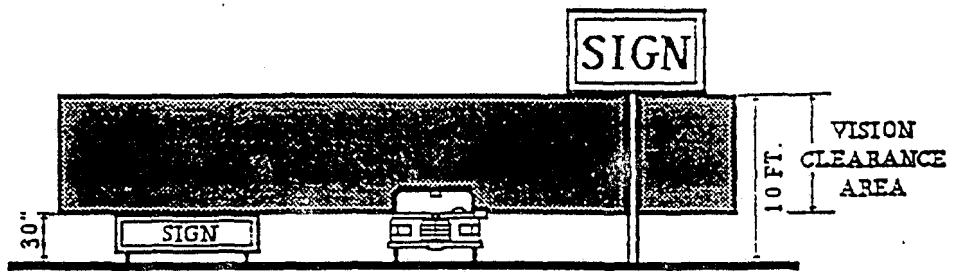


FIGURE 2

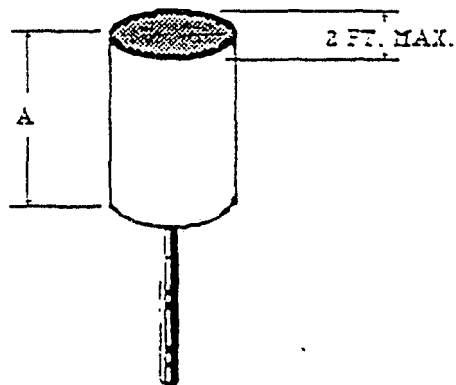


TOTAL AREA = $(A)(B) + (C)(D)$

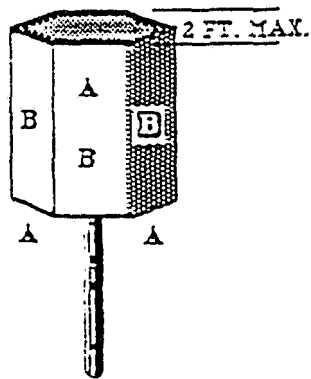
FIGURE 3



VERTICAL VISION CLEARANCE AREA



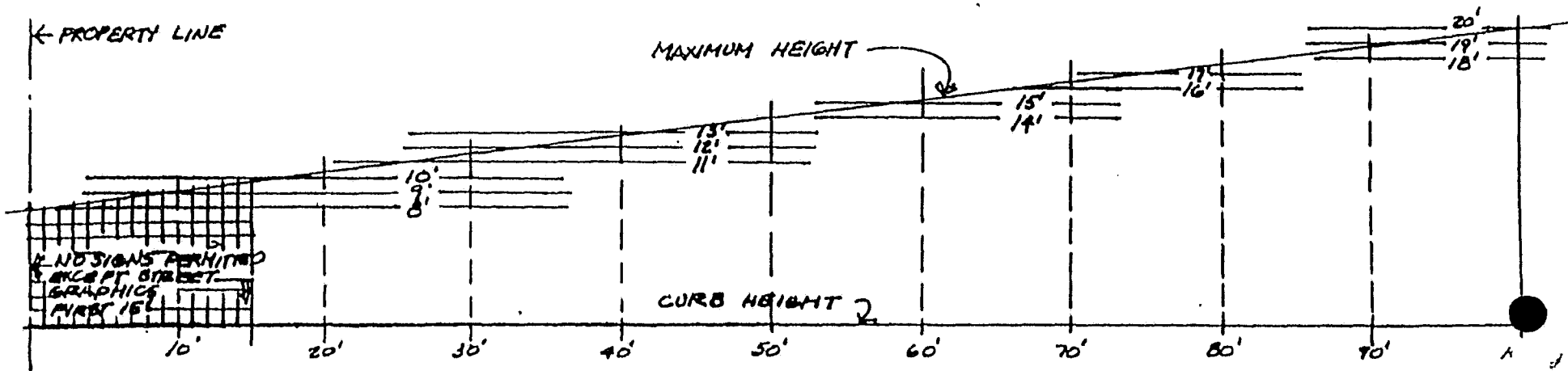
TOTAL AREA =
 $(A) \times \text{CIRCUMFERENCE} (2\pi R)$



TOTAL AREA =
 $(A)(B) + (A)(B) + (A)(B), \text{ ETC.}$

FIGURE 4

WILSONVILLE TOWN CENTER SIGNAGE MAXIMUM SIGN HEIGHT



The maximum height of a sign is measured from a point 8 feet above the curb at the property line, to a point 20 feet in height or 4 feet above the roof, which ever is less.

FIGURE 7