

**AGENDA**

**WILSONVILLE CITY COUNCIL MEETING  
JUNE 4, 2012  
6:00 P.M.**

**CITY HALL  
29799 SW TOWN CENTER LOOP  
WILSONVILLE, OREGON**

Mayor Tim Knapp

Council President Celia Núñez  
Councilor Richard Goddard

Councilor Steve Hurst  
Councilor Scott Starr

**CITY COUNCIL MISSION STATEMENT**

To protect and enhance Wilsonville's livability by providing quality service to ensure a safe, attractive, economically vital community while preserving our natural environment and heritage.

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**Executive Session is held in the Willamette River Room, City Hall, 2<sup>nd</sup> Floor**

- 5:00 P.M. EXECUTIVE SESSION [15 min.]**  
A. Pursuant to ORS 192.660(2)(e) Real Property Transactions  
ORS 192.660(2)(d) Labor Negotiator
- 5:15 P.M. COUNCILORS' CONCERNS [5 min.]**
- 5:20 P.M. PRE-COUNCIL WORK SESSION**  
A. ACHIEVE Grant Program (Brescia) [10 min]  
B. City Manager Recap [2 min.]
- 5:55 P.M. ADJOURN**
- 

***NOTE: THE REGULAR MEETING WILL BEGIN AT 6:00 P.M.***

**CITY COUNCIL MEETING**

The following is a summary of the legislative and other matters to come before the Wilsonville City Council a regular session to be held Monday, June 4, 2012 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10 a.m. on May 21, 2012. Remonstrances and other documents pertaining to any matters listed in said summary filed at or prior to the time of the meeting may be considered therewith except where a time limit for filing has been fixed.

- 6:00 P.M. CALL TO ORDER**  
A. Roll Call  
B. Pledge of Allegiance

- C. Motion to approve the following order of the agenda and to remove items from the consent agenda.

**6:05 P.M. MAYOR'S BUSINESS**

- A. Upcoming Meetings

**6:10 P.M. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS**

This is an opportunity for visitors to address the City Council on items *not* on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

**6:20 P.M. COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS**

- A. Council President Núñez – Chamber Leadership and Library Board liaison
- B. Councilor Hurst – Parks and Recreation Board and Planning Commission liaison
- C. Councilor Goddard – Library, Chamber Board, and Clackamas County Business Alliance liaison
- D. Councilor Starr –Development Review Boards and Wilsonville Community Seniors Inc. liaison

**6:25 P.M. CONSENT AGENDA**

- A. **Resolution No. 2363**  
A Resolution Of The City Of Wilsonville Authorizing The City Manager To Execute A Contract With Veolia Water North America-West, LLC For The Operation And Maintenance Of The Willamette River Water Treatment Plant. (Staff – Kerber)

**6:30 P.M. PUBLIC HEARING**

- A. **Resolution No. 2364**  
A Resolution Of The City Of Wilsonville Adopting The Budget, Making Appropriations, Declaring The Ad Valorem Tax Levy, And Classifying The Levy As Provided By ORS 310.060(2) For Fiscal Year 2012-13. (Staff – Wallis)
- B. **Resolution No. 2365**  
A Resolution Declaring The City's Eligibility To Receive State Shared Revenues. (Staff – Wallis)
- C. **Resolution No. 2366**  
A Resolution Declaring The City's Election To Receive State Revenues. (Staff – Wallis)
- D. **Resolution No. 2367**  
A Resolution Of The City Of Wilsonville Approving The Award Of A Sole Source Contract For Road Construction To Polygon Northwest Company, L.L.C. (staff – Adams)

E. **Resolution No. 2368**

A Resolution Authorizing A Supplemental Budget Adjustment For Fiscal Year 2011-12.  
(staff – Rodocker)

F. **Ordinance No. 704** - first reading

An Ordinance Of The City Of Wilsonville Amending The Planning And Land Development Ordinance (Wilsonville's Development Code) Sections 4.001, 4.030-4.031 And 4.156 And Dividing Section 4.156 Into Sections 4.156.01 Through 4.156.11 To Update The City's Sign Regulations And The Purpose And Objectives Of Such Regulations. (staff – Pauly)

G. **Resolution No. 2369**

A Resolution Of The City Of Wilsonville Adopting An Updated Fee Schedule For Sign Related Planning Review Fees, Amending "Exhibit A" Of Resolution 2050. (staff – Pauly)

**9:00 P.M. CITY MANAGER'S BUSINESS**

A. Meeting Recap

**9:10 P.M. LEGAL BUSINESS**

**9:15 P.M. ADJOURN**

## **AN URBAN RENEWAL AGENCY MEETING WILL FOLLOW**

Time frames for agenda items are not time certain (i.e. Agenda items may be considered earlier than indicated. The Mayor will call for a majority vote of the Council before allotting more time than indicated for an agenda item.) Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting if required at least 48 hours prior to the meeting. The city will also endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting: Qualified sign language interpreters for persons with speech or hearing impairments. Qualified bilingual interpreters. To obtain services, please contact the City Recorder, (503)570-1506 or [king@ci.wilsonville.or.us](mailto:king@ci.wilsonville.or.us)

**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b>  <b>June 4, 2012</b>	<b>Subject: Operations and Maintenance Contract for the Willamette River Water Treatment Plan</b>  <b>Staff Member: Delora Kerber</b> <b>Department: Public Works</b>	
<b>Action Required</b> <input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input checked="" type="checkbox"/> Consent Agenda	<b>Advisory Board/Commission Recommendation</b> <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable  <b>Comments:</b> <b>Tualatin Valley Water District and the City of Sherwood participated in the contract negotiations</b>	
<b>Staff Recommendation: Approve the contract with Veolia Water North America for the Operations and Maintenance of the Willamette River Water Treatment Plant (WRWTP).</b>		
<b>Recommended Language for Motion: I move to adopt Resolution 2363.</b>		
<b>PROJECT / ISSUE RELATES TO:</b>		
<input checked="" type="checkbox"/> Council Goals/Priorities <b>Goal A: Enhance livability and safety in Wilsonville</b> <b>Goal B: Ensure efficient, cost-effective and sustainable development and infrastructure</b>	<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable

**ISSUE BEFORE COUNCIL:** The current Operations and Maintenance Contract for the Willamette River Water Treatment Plant expires on June 30, 2012 and Council approval of the renewed O&M Contract is needed prior to the expiration of the current contract.

**EXECUTIVE SUMMARY:** In 2001, the City of Wilsonville and Tualatin Valley Water District (TVWD) as co-owners of the Willamette River Water Treatment Plant entered into an agreement



with Veolia Water North America-West, LLC (U.S. Filter Operating Services) for the Operations and Maintenance of the facility. A private operator was hired due to the complexity of the treatment plant and the lack of experience in running a water treatment plant for both the City and TVWD. Veolia who runs treatment plants worldwide has expansive resources that they bring to the project and have done an excellent job operating the plant for the past ten years.

Our partners, TVWD has sold 5 million gallons per day capacity in the water treatment plant to the City of Sherwood. For this increase in water production an additional 2.5 full time equivalent (FTE) will be added to the plant staff, additional materials and supplies are required and the plant will go to 24 hours a day, 365/366 days per year operation. Additional production costs will be covered by reimbursements from the City of Sherwood.

The contract sets water quality requirements for the finished water that are better than the minimum requirements set by the Environmental Protection Agency (EPA) for safe drinking water.

This is a five year contract that allows for annual employee cost index (ECI) and consumer price index (CPI) adjustments on fixed labor and not-to-exceed costs (utilities, licenses, lab services, etc.), respectively.

**EXPECTED RESULTS:** Continued efficient and cost effective operation and maintenance of the Water Treatment Plant by Veolia Water to provide our customers safe, high quality drinking water.

**TIMELINE:** This contract for the Operations and Maintenance of the Water Treatment Plant is for a five year period with an option to extend the contract for another five year period.

**CURRENT YEAR BUDGET IMPACTS:** Funding for the Operations and Maintenance Contract has been included in the FY 2012/2013 budget under the Water Treatment Fund. The City of Sherwood will reimburse actual costs for the production and distribution of water to Wilsonville based on consumption.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: GW Date: 5/24/12

The approved budget for 2012-13 anticipated both the increased cost and the expected sharing of those costs by the City of Sherwood.

**LEGAL REVIEW / COMMENT:**

Reviewed by: MEK Date: 5/24/2012

The legal form of the contract is approved. This Agreement exercises a five year option in the prior agreement and contains the same form provision of a five year option. However, there is no obligation to exercise the option at the end of this five year term, thus preserving the right to open up the contracting process for request for proposals. This agreement was vetted with our partner TVWD and as a courtesy a copy was provided to Sherwood by Director Kerber and she advised they had no objections.

**COMMUNITY INVOLVEMENT PROCESS:** No formal public outreach was implemented for this contract renewal. Numerous public tours of the Treatment Plant are given each month with positive feedback from attendees on the operations of the facility.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:** With the renewal of the Water Treatment Plant Operations and Maintenance Contract, citizens and businesses will continue to receive cost-effective, safe, high quality water.

**ALTERNATIVES:** Veolia Water North America has successfully operated the Water Treatment Plant for the past ten years without a permit violation or time loss accident at a reasonable price. No alternatives were considered for this contract.

**CITY MANAGER COMMENT:**

**ATTACHMENTS**

- A. Resolution No. 2363
- B. WRWTP Operations and Maintenance Contract

**RESOLUTION NO. 2363**

**A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH VEOLIA WATER NORTH AMERICA-WEST, LLC FOR THE OPERATION AND MAINTENANCE OF THE WILLAMETTE RIVER WATER TREATMENT PLANT.**

WHEREAS, based on planning and engineering forecasts as well as directives from the Oregon Water Resources Department, the City determined its groundwater resources were inadequate to meet the needs of existing development and future growth; and

WHEREAS, following years of study, extensive public involvement, and a detailed evaluation of alternative water supply options, the Wilsonville City Council in June, 1999, adopted Resolution No. 1557 selecting the Willamette River as the long-term source of water for the City and referring a ballot measure to the voters regarding authorization for issuance of revenue bonds to construct the necessary facilities to implement this program; and

WHEREAS, in September, 1999, the voters of Wilsonville approved Ballot Measure 3-59 which called for the issuance of revenue bonds to treat and use the Willamette River as the City's long-term water supply; and

WHEREAS, the construction of the Willamette River Water Treatment Plant was completed and started producing potable water in April, 2002; and

WHEREAS, it is in the interest of the City and its water customers to have the Willamette River Water Treatment Plant staffed by personnel who have the appropriate experience to operate such a facility; and

WHEREAS, it is in the interest of the City and its water customers to have national experts available if and/or when needed to provide advice, oversight, and assistance in the operation of the Willamette River Water Treatment Plant; and

WHEREAS, the City of Wilsonville and the Tualatin Valley Water District as co-owners of the Willamette River Water Treatment Plant conducted a nation-wide search for teams qualified to operate such a water treatment facility; and

WHEREAS, candidate teams were rated by a seven-member panel with the rating based on evaluations of written proposals, oral presentations, and site visits; and

WHEREAS, a team headed by Veolia Water North America-West, LLC (U.S. Filter Operating Services, Inc.), a firm with extensive national and international experience in water and wastewater treatment, was selected as the best qualified to perform the desired services for operation of the Willamette River Water Treatment Plant; and

WHEREAS, a detailed description of the desired services and associated costs is contained in a comprehensive contract document, a copy of which is marked Exhibit 1, attached hereto and incorporated by reference as if fully set forth herein; and

WHEREAS, said contract calls for the continuing services of Veolia Water North America – West, LLC., to operate the Willamette River Water Treatment Plant at an estimated annual cost of approximately \$1,433,868 as adjusted annually based on the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for Urban Portland-Salem OR-WA for Not-to Exceed costs or Employment Cost Index for civilian works, all workers category, total compensation (not seasonally adjusted) for fixed labor costs ; and

WHEREAS, said contract contains provisions to protect public health and safety by assuring the Willamette River Water Treatment Plant is operated in a manner that achieves potable water of a quality that meets standards even stricter than required by federal and state drinking water regulations; and

WHEREAS, the Tualatin Valley Water District Board at its meeting on May 16, 2012, authorized its General Manager to execute said contract on behalf of the Tualatin Valley Water District as co-owner of the Willamette Water Treatment Plant;

**NOW, THEREFORE THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:**

1. The Wilsonville City Council hereby approves and authorizes the City Manager to execute on behalf of the City of Wilsonville the Operation and Maintenance Contract, a copy of which is attached as Exhibit 1 and by this reference included herein as if fully set forth, for services to be provided by Veolia Water North America – West, LLC., for operation of the Willamette River Water Treatment Plant.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 4<sup>th</sup> day of June 2012, and filed with the Wilsonville City Recorder this same date.

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TIM KNAPP, MAYOR

ATTEST:

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SANDRA C. KING, MMC, City Recorder

**SUMMARY OF VOTES:**

Mayor Knapp  
Councilor Nunez  
Councilor Hurst  
Councilor Goddard  
Councilor Starr

**OPERATION AND MAINTENANCE CONTRACT  
BETWEEN  
THE CITY OF WILSONVILLE, AN  
OREGON MUNICIPAL CORPORATION AND  
TUALATIN VALLEY WATER DISTRICT, AN OREGON DOMESTIC WATER  
SUPPLY DISTRICT UNDER ORS CHAPTER 264 (“OWNERS”), AND  
VEOLIA WATER NORTH AMERICA-WEST, LLC A DELAWARE COMPANY  
(VEOLIA WATER, OPERATOR)**

**DATED EFFECTIVE: July 1, 2012**

## TABLE OF CONTENTS

	Page
Parties . . . . .	7
Effective Date . . . . .	8
Operation and Maintenance Contract	
Contract Documents	
Services to be Performed	
Compensation	
<b><u>General Terms and Conditions</u></b>	
Definitions . . . . .	9
Appointment of OPERATOR . . . . .	13
Authorized Representatives . . . . .	14
Term of Contract; Renewals . . . . .	14
Termination by OWNER . . . . .	14
For Cause	
For Convenience	
Immediate Termination	
Transition Period After Termination	
Termination by OPERATOR . . . . .	15
Services to be Performed by OPERATOR; OPERATOR's	
Obligations . . . . .	16
Beneficial Occupancy of Facility . . . . .	15
Meetings . . . . .	16
Existing Facility Personnel; OWNER Right of First Refusal to	
OPERATOR Personnel . . . . .	16
Evidence of OPERATOR's Financial Capabilities . . . . .	16
Approval of Maintenance Procedures . . . . .	17
Facility Shutdown . . . . .	17
Activities Must be Performed Locally . . . . .	17
Notice of Claims and Lawsuits . . . . .	17
Standard Operating Procedures . . . . .	17
Changes Under Contract: Proposals; Compensation . . . . .	17
Discretionary Changes	
Event Caused Changes	
Discretionary Changes Proposals; OWNER	
Discretionary Changes and Event Caused Changes Proposals	

Termination; Event Caused Changes Proposals	
OPERATOR Compensation; Contract Price; Adjustments . . . . .	19
Releases and Indemnification . . . . .	19
Limitation of Liability . . . . .	19
Insurance and Bonding Requirements . . . . .	19
General Preamble	
Evidence of Insurance and Bonding Required Before Services Under Contract Commence	
Insurance Policies	
Bonding Requirements	
Investigation and Insurance Reporting	
Failure to Furnish or Maintain Insurance/Bonding	
Mandatory Notices of Cancellation or Material Change	
OWNER as Additional Insured	
Qualifications of Insurance and Bonding Companies	
Permits . . . . .	23
Standard of Care Applicable to Services . . . . .	23
Taxes . . . . .	23
Labor, Personnel and Services Rules . . . . .	23
Signs; Insignias . . . . .	24
Safety and Health; Safe Operations . . . . .	24
Security . . . . .	25
Compliance with OWNER's Security Requirements . . . . .	25
Fines . . . . .	25
Records and Audit . . . . .	25
Inspection by OWNER . . . . .	26
Backcharges . . . . .	26
Force Majeure . . . . .	26
Takeovers . . . . .	27
Facility Equipment; OWNER-Owned Facility . . . . .	28
Dispute Resolution . . . . .	29
Miscellaneous . . . . .	30
Precedence of Contract Documents	
Interpretation Not Affected	
Standards and Codes	
Compliance with Applicable Governmental Requirements	



Notice of Inconsistencies	
Contract Interpretation	
Assignment	
Subcontracts; Suppliers	
No Partnership or Joint Venture; Debts	
Parties Bound	
Notices	
Governing Law	
Legal Construction	
Prior Contracts Superseded	
Waiver	
Further Acts	
Modifications	
U.S. Currency	
Ownership of Information; Confidentiality	
Contingent Fees	
Rights and Remedies	
Signatures . . . . .	36

**Exhibit A: Compensation**

Operating Fee . . . . .	1A
Fixed Labor Component	
Not-to-Exceed Costs	
Pass-Through Costs . . . . .	1A
Granular Activated Carbon (GAC)	
Chemicals (other than GAC)	
Electricity	
Sludge Hauling and Disposal	
Additional OWNER-Directed Lab & Monitoring Costs	
Letter of Credit	
Telemetry	
Maintenance	
Year-End Reconciliation of Pass-Through Costs	
Major Renewal and Replacement . . . . .	3A
Annual Operating Fee Adjustments . . . . .	3A
Payments . . . . .	4A
OWNER Financed Capital Facility . . . . .	4A
Change of Scope . . . . .	4A
Attachment A-1.1 & A-1.2: Annual Budget Plan . . . . .	5A

**Exhibit B: Scope of Services**

Preamble . . . . .	1B
Extended Plant Operations . . . . .	1B
Services Including but not Limited to:	
1. Provide Personnel . . . . .	2B
2. Provide and/or Pay Certain Costs . . . . .	2B
3. Perform Necessary Sampling . . . . .	2B
4. Provide Staff Items . . . . .	2B
5. Provide Sufficient, Qualified Employees . . . . .	2B
6. Trainees and Vacant Positions . . . . .	2B
7. Enforcement of Warranties . . . . .	2B
8. Provide Five-Year Capital Improvement Plan . . . . .	3B
9. Programs and Procedures . . . . .	3B
Security	
Operating, Personnel and Administration	
Maintenance	
Risk Management	
Public Relations	
Training	
Safety	
10. Disposal of Sludge . . . . .	3B
11. Assure Water is Available at the Clear Well . . . . .	3B
12. Immediate Notification of Problems . . . . .	3B
13. Provide Uninterrupted Operation and Maintenance . . . . .	4B
14. Use All Plant Processes and Barriers . . . . .	4B
15. Operate Facility in Cost Effective Manner . . . . .	4B
16. Respond to Requests for Information . . . . .	4B
17. Assist OWNER Regarding Certifications, Licenses and Permits . . . . .	5B
18. Assist OWNER in Responding to User Requests . . . . .	5B
19. Quality Assurance and Quality Control . . . . .	5B
20. Minimize Noise and Other Adverse Impacts . . . . .	5B
21. Minimize Service Disruptions and Inconveniences . . . . .	5B
22. Conduct Field Activities . . . . .	5B
23. Coordination Meetings . . . . .	5B
24. Calibrate Meters . . . . .	6B
25. Safety of Persons and Property . . . . .	6B
26. Emergency Plan . . . . .	6B
27. Improvement in Standards . . . . .	6B
28. Maintenance and Repair . . . . .	7B
29. Repair of Damage due to OPERATOR Fault . . . . .	11B
30. Information, Data and Reports . . . . .	12B
31. Environmental Responsibilities . . . . .	14B
32. Records of Maintenance Services . . . . .	15B
33. Delivery to OWNER upon Termination or Expiration . . . . .	15B

34. Extended Plant Operations . . . . .	16B
35. On-site Hours . . . . .	16B

**Exhibit C: Finished Water Standards**

Introduction . . . . .	1C
Table C-1: Finished Water Standards . . . . .	2C
Table C-2: Water Treatment Monitoring Frequencies . . . . .	4C

**Exhibit D: Facility Description**

Project and Treatment Components . . . . .	1D
Attachment D-1: Deeds . . . . .	4D



JOINT OWNER: Tualatin Valley Water  
District (TVWD)

TVWD, an Oregon Domestic Water Supply District pursuant to ORS Chapter 264 is authorized to own, operate and maintain a municipal/ domestic water supply system and to jointly own with the City of Wilsonville the Willamette River Water Treatment Plant and jointly and severally with the City of Wilsonville to contract with VEOLIA WATER for the operation of the Treatment Plant

Address: 1850 SW 170<sup>th</sup> Avenue  
Beaverton, OR 97006

Contact: Chief Executive Officer

Telephone: (503) 642-1511  
Facsimile: (503) 649-2733

## 2. EFFECTIVE DATE

This **OPERATION AND MAINTENANCE CONTRACT** ("Contract") is executed effective as of July 1, 2012, between The City of Wilsonville, an Oregon municipal corporation and Tualatin Valley Water District, an Oregon Domestic Water Supply District under ORS Chapter 264 ("OWNERS"), and VEOLIA WATER ("OPERATOR"), a Delaware Company . OWNER and OPERATOR agree as follows:

**CONTRACT DOCUMENTS:** OWNER and OPERATOR agree that all Services specified in the Contract Documents will be performed by OPERATOR in accordance with all Governmental Requirements and the provisions of the Contract Documents.

**SERVICES TO BE PERFORMED:** Except as specified elsewhere in the Contract Documents, OPERATOR must furnish all labor; materials; supplies; equipment; transportation; supervision; technical, professional and other Services for the purpose of treating water from the Willamette River; and must perform all operations and maintenance necessary and required to properly provide Services for the Facility consisting of an intake/pumping station, raw water transmission main(s), raw water reservoirs, treatment works, sludge handling facilities, clearwell, finished water pumping facilities, maintenance facilities, administrative building, parking and other paved areas, landscaping associated with the treatment facilities, and all improvements, upgrades, modifications or additions to the Facility made during any term of this Contract.

**COMPENSATION:** OWNER will pay OPERATOR compensation for the Services as set forth on Exhibit A, attached hereto and incorporated by reference.

## GENERAL TERMS AND CONDITIONS

### 1. DEFINITIONS.

In addition to any other terms defined in the Contract Documents, the following terms will have the following meanings. When required, the plural will include the singular and the singular will include the plural:

- 1.1 **ADA** is the Americans With Disabilities Act of 1990, 42 U.S.C. 12101-12213.
- 1.2 **Applicable Law** means any law, rule, code, standard, regulation, requirement, consent decree, consent order, consent agreement, permit, guideline, action, determination or order of, or legal entitlement issued by, any governmental body having jurisdiction, applicable from time to time to the siting, design, construction, equipping, financing, ownership, start-up, testing, acceptance, operation, maintenance, repair and replacement of any part of the Facility, the transfer, handling transportation, disposal or processing of residuals and any other obligations of the parties under the Contract as exists as of the date of execution of the Agreement.
- 1.3 **Billing Period** is each calendar month, as set forth on Exhibit A. Any computation made on the basis of a billing period shall be adjusted on a pro-rata basis to take into account any billing period of less than the actual number of days in the month to which such billing period relates.
- 1.4 **Business Day** means any weekday, Monday through Friday, other than holidays when City of Wilsonville offices are closed.
- 1.5 **Change Order** means a written memorandum signed by the OWNER and the OPERATOR after execution of this Contract authorizing a change in the scope of work and/or any authorized modifications made to the facility during the term of this Agreement.
- 1.6 **Change of Law** means any of the following events occurring after the effective date of the Agreement: (i) the adoption, modification or repeal, or official change in interpretation, of any Applicable Law; or (ii) the modification or of any material conditions, restrictions or limitations in any Governmental Requirements or any other permit, license, approval, authorization, consent or other authorization which is required under Applicable Law for the operation and maintenance of the Facility of any components thereof, or for the performance of any of the obligations under this agreement, which imposes material or substantial limitations, additional costs or burdens with respect to the, operation,

repair, maintenance and replacement of the Facility, or components thereof or the parties' other obligations under this Agreement.

1.7 **Contract Amount.** The Price in each year of this Contract combined as set forth in Exhibit A, attached hereto and incorporated by reference.

1.8 **Contract Documents:**

1.8.1. The Operational and Maintenance Contract, and any addenda, modifications, changes or amendments to said Contract together with:

1.8.2. Exhibit A: Compensation

1.8.3. Exhibit B: Scope of Services

1.8.4. Exhibit C: Finished Water Standard

1.8.5. Exhibit D: Facility Description

Collectively, the Contract documents may be referred to within the documents interchangeably as the or this Agreement, the or this Contract, or the or these Contract documents.

1.9 **Contract Year** – the fiscal year beginning July 1 and ending June 30. Computations made on the basis of a partial contract year shall be adjusted on a pro-rata basis to take into account any contract year of less than 365/366 days.

1.10 **Corrective Maintenance and Repairs:** Those non-routine/non-repetitive activities required for operational continuity, safety and performance generally due to failure or to avert a failure of the Facility Equipment, Facility or some component of either.

1.11 **CPI Adjustment(s).** As of July 1, (the "Adjustment Date") of each year of the Contract, and in accordance with Exhibit A, the Not to Exceed price for the following year will be increased on the basis of increase in the Consumer Price Index (the "Index") for Urban, All Item, Portland-Salem OR-WA, published by the United States Department of Labor, Bureau of Labor Statistics for the prior calendar year. If the Index is discontinued, such other governmental index or method of computation that replaces it or which is substantially comparable to the Index will be used as the parties mutually agree.

1.12 **Day:** Each day shown on the calendar.

1.13 **EPA** means the United States Environmental Protection Agency.

1.14 **ECI (Employment Cost Index) Adjustment.** As of July 1, (the "Adjustment Date") of each year of the Contract, and in accordance with Exhibit A, the Fixed Labor Component for the following year will be

adjusted by the percentage change in the U.S. Department of Labor, Bureau of Labor Statistics, Employment Cost Index for civilian workers, all workers category, total compensation (not seasonally adjusted), from January of the prior year to January of the current year. If the Index is discontinued, such other governmental index or method of computation that replaces it or which is substantially comparable to the Index will be used as the parties mutually agree.

- 1.15 **Facility:** The Willamette River Water Treatment Plant located on the Willamette River at Wilsonville, Oregon, including everything internal to the perimeter fence and walls of the treatment works, the perimeter fence and walls themselves, inlet piping and associated structures, and outlet piping and associated meters to the termination points on Kinsman Road and Brockway Drive, to be operated, maintained and repaired by the OPERATOR pursuant to this Agreement and as of the date of this Agreement. Exhibit D depicts the facility for location purposes.
- 1.16 **Facility Capital Modification:** A physical expansion or improvement to the Facility, including, without limitation, the procurement and installation of additional improved facilities or equipment, which impose, or will impose, valid, justifiable and properly documented increased costs upon OPERATOR in excess of those already provided for in the Contract Price.
- 1.17 **Facility Equipment:** All items of tangible personal property purchased by OWNER and used to manage or operate the Facility, or acquired by OPERATOR, on OWNER's behalf pursuant to this Contract.
- 1.18 **GAAP:** Generally Accepted Accounting Principles. The set of standards established by the Financial Accounting Standards Board (FASB) for the consistent reporting of financial data and preparation of financial statements.
- 1.19 **GAAS:** Generally Accepted Auditing Standards. The auditing standards adopted by the membership of the AICPA.
- 1.20 **Governmental Requirements:** All applicable federal, state or local statutes, laws, ordinances, codes, rules, regulations, standards, executive orders, consent orders, other orders and guidance from regulatory agencies, judicial decrees, permits, licenses or other governmental requirements of any kind, now in effect or which come into effect during any term of this Contract, or during the time the Services are being performed, and any present or future amendments to those Governmental Requirements, which specifically relate to: [i] the business of OWNER; [ii] the business of OPERATOR or OPERATOR's Subcontractors/Subconsultants, suppliers or material men; [iii] this



Contract and the Contract Documents; [iv] the performance of Services by OPERATOR; [v] the City of Wilsonville, Oregon; [vi] the Tualatin Valley Water District; [vii] the Facility; or [viii] any other matters relating to this Contract.

- 1.21 **Hazardous Substance or Hazardous Waste** – means any substance which is listed, defined, designated or classified under any state or federal environmental law as a (i) hazardous material, substance, constituent or waste, (ii) toxic material, substance, constituent or waste, or (iii) radioactive material, substance, constituent or waste; or (iv) petrochemical, petroleum oil or oil based substances.
- 1.22 **OPERATOR: Veolia Water North America – West, LLC** a Delaware Company
- 1.23 **OPERATOR Fault.** Any breach (including the untruth or breach as of the time made of any OPERATOR representation or warranty herein set forth), failure, nonperformance or noncompliance by the OPERATOR with any provision of this Contract (whether or not attributable to any officer, member, agent, employee, contractor, subcontractor of the operator) which materially and adversely affects the OWNERS’ rights and obligations or ability to perform under this Contract or materially and adversely affects its cost of performance.
- 1.24 **OWNER.** The City of Wilsonville and the Tualatin Valley Water District (“TVWD”), that are responsible, jointly and severally, for the OWNER obligations under the Contract hereunder.
- 1.25 **OWNER Fault.** Any breach (including the untruth or breach as of the time made of any OWNER representation or warranty herein set forth), failure, nonperformance or noncompliance by the OWNER with any provision of this Contract which materially and adversely affects the OPERATOR’s rights and obligations or ability to perform under this Agreement; provided that the OPERATOR has provided the OWNER with notice as soon as practical, but no more than thirty (30) days, of its knowledge of such breach, failure, non-performance or non-compliance.
- 1.26 **Person.** Any individual, partnership, firm, company, corporation or other legal entity.
- 1.27 **Preventive Maintenance.** Those routine and/or repetitive activities required by the Facility Equipment or Facility manufacturer or OPERATOR to maximize the service life of the Facility Equipment or Facility.
- 1.28 **Prudent Industry Practices.** As to the services, the practices, methods and acts, as changed from time to time, that are commonly used in the

water industry to perform or fulfill the services, or any practices, methods or acts which, in the exercise of reasonable judgment in light of the facts known at the time, or the facts which should have been reasonably known at the time through the exercise of reasonable due diligence, could be expected to accomplish the desired result at a reasonable cost, consistent with prudent business practices, reliability, safety and expedition; provided, however, that Prudent Industry Practices is not intended to be limited to optimum practices, methods or acts to the exclusion of all others, but rather is to be construed as a range of reasonable practices, methods or acts taken or engaged in by entities that manage and operate similar facilities in the industry under the same or similar circumstances.

- 1.29 **Raw Water** – that water received at the Facility for treatment.
- 1.30 **Raw Water Specifications** – those specifications set forth in the Raw Water Quality Technical Supplement.
- 1.31 **Release.** Any release, spill, emission, discharge, leaking, pumping, injection, deposit, disposal, disbursal, leaching or mitigation of any Hazardous Substance into the environment, including, without limitation, the movement of any Hazardous substance in or through the air, soil, surface or ground water, or land.
- 1.32 **SCADA.** Supervisory Control and Data Acquisition system.
- 1.33 **Site.** The real property located in the City of Wilsonville set forth on Exhibit D, on which the Facility located is to be operated by the OPERATOR as required by the Contract documents.
- 1.34 **Subcontractor/Subconsultant.** Any Person under OPERATOR's direct or indirect control, or having a contract with OPERATOR, for any portion of the Services.
- 1.35 **Subcontract.** The contract under which any Subcontractor/Subconsultant performs.
- 1.36 **Treated Water.** Raw Water that has been treated at the Facility in accordance with the Contract document and delivered by the OPERATOR to the OWNER.

## **2. APPOINTMENT OF OPERATOR.**

OWNER appoints OPERATOR to perform Services concerning the operation and maintenance of the Facility, as specified in the Contract Documents, and OPERATOR accepts that appointment.

**3. AUTHORIZED REPRESENTATIVES.**

- 3.1 **OWNER's Representative.** OWNER will designate one individual to serve as its representative ("OWNER's Representative") in all dealings with OPERATOR. The OWNER's Representative will be Wilsonville's Director of Public Works.
- 3.2 **OPERATOR's Representative.** OWNER will be entitled to rely on the actions, representations and communications of all OPERATOR employees concerning the subject matter of this Contract. OPERATOR will designate its Operations and Maintenance Manager as its OPERATOR's Representative for Day-to-Day questions and maintenance of the Facility. For contractual matters; OPERATOR's Representative initially will be the VEOLIA WATER Area Manager responsible for the Portland/Vancouver metropolitan area.
- 3.3 **Change of Representatives.** Representatives may be changed at any time, and from time to time, upon prior written notice to the other party.

**4. TERM OF CONTRACT; RENEWALS.**

The term of the Contract will be five (5) calendar years from the effective date of this Contract, unless earlier terminated as provided for in the Contract. OWNER may renew the Contract at its sole discretion under the same terms and conditions (with ECI and CPI adjustments for any renewal term) for additional five (5) year terms. OWNER may exercise any option to renew the Contract by delivering duly authorized written notice of its intent to renew 60 days prior to the expiration date of the initial 5 year term of the Contract or the subsequent renewal terms, if renewed.

**5. TERMINATION BY OWNER.**

- 5.1 **For Cause.** OWNER may terminate the Contract by giving 30 days prior written notice to OPERATOR if any one of the following events of default occurs:
  - 5.1.1. **Transfer of OPERATOR's Interest** Any interest in OPERATOR, or in the Contract, that transfers, passes or devolves by operation of law, agreement, or otherwise, to any other Person or entity, without the prior written consent of OWNER; or

5.1.2. **OPERATOR's Default Under Contract.** OPERATOR is in default in the performance of its obligations under this Contract. OPERATOR is in default in the performance of its obligations under the Contract if OPERATOR fails to cure the default within 10 Business Days after receipt of written notice, or if such cure requires longer than 10 Business Days to complete, OPERATOR fails to diligently commence to cure within the 10-day period and complete the cure within a reasonable period of time.

5.2 **Termination by OWNER for Convenience.** OWNER may terminate the Contract for any reason by giving 90 days prior written notice to OPERATOR.

5.3 **Immediate Termination.** The Contract will immediately terminate, without the requirement of any action on OWNER's part, if OPERATOR:

5.3.1. voluntarily consents to an order for relief by filing a petition for relief under the laws of the United States codified as Title 11 of the United States Code;

5.3.2. seeks, consents to or does not contest the appointment of a receiver, custodian or trustee for itself or for all or any part of its property;

5.3.3. files a petition seeking relief under the bankruptcy, arrangement, reorganization or other debtor relief laws of any state or other competent jurisdiction;

5.3.4. gives notice to any governmental body of insolvency or pending insolvency, or suspends operations;

5.3.5. becomes insolvent as that term is defined under applicable bankruptcy, fraudulent transfer or conveyance laws; or

5.3.6. makes an assignment for the benefit of creditors or takes any other similar action for the protection or benefit of creditors.

5.4 **Transition Period After Termination by OWNER or Expiration of Contract.** If the Contract is terminated by OWNER or not renewed, all Services must continue to be provided by OPERATOR during a transitional period of up to 6 months, as directed by OWNER. During the transitional period, the terms and conditions of the Contract Documents will apply.

## 6. **TERMINATION BY OPERATOR.**

OPERATOR may terminate the Contract by giving 60 days prior written notice to OWNER if OWNER is in default in the performance of its obligations under this

Contract. OWNER is in default in the performance of its obligations under the Contract if OWNER fails to cure the default within 10 Business Days after receipt of written notice, or if such cure requires longer than 10 Business Days to complete, OWNER fails to diligently commence to cure within the 10-day period and complete the cure within a reasonable period of time. OPERATOR's termination of this Contract for cause will not negate OWNER's right to hire OPERATOR's non-management personnel pursuant to the Clause titled "EXISTING FACILITY PERSONNEL; OWNER RIGHT OF FIRST REFUSAL TO OPERATOR PERSONNEL".

**7. SERVICES TO BE PERFORMED BY OPERATOR; OPERATOR'S OBLIGATIONS.**

OPERATOR must manage the Day-to-Day operations of the Facility, maintain the Facility and perform all tasks necessary within the scope of OPERATOR's obligations under the Contract Documents for the operation and maintenance of the Facility, including, but not limited to, those tasks set forth on Exhibit B; Scope of Services. OPERATOR must operate and maintain the Facility according to Prudent Industry Practices.

**8. BENEFICIAL OCCUPANCY OF FACILITY.**

Upon execution of this Contract, the OPERATOR will assume beneficial occupancy and will be in responsible charge of the Facility.

**9. MEETINGS.**

OPERATOR's Representative, and any other OPERATOR personnel, Subcontractor/ Subconsultant or other Persons acting on behalf of OPERATOR, may be required when reasonably necessary to attend regular meetings with OWNER, and any other Persons that OWNER deems reasonably necessary should be present, concerning the Facility or this Contract. If OWNER desires to conduct a meeting, when practicable, written notice will be sent or oral notice given to OPERATOR at least 3 Business Days (Monday through Friday, except for legal holidays) prior to the meeting, specifying the date, time and location of the meeting, any Persons OWNER desires to attend the meeting and any other information deemed pertinent by OWNER concerning the meeting. OPERATOR will not be responsible for obtaining the attendance at any meeting of Persons not under the control of OPERATOR, but will use reasonable efforts to assist OWNER in obtaining that attendance. Nothing herein will restrict the right of OWNER or OPERATOR to call a meeting upon 24-hours notice, or sooner in the event of an emergency as reasonable under these circumstances, where significant issues involved the contract have occurred or may occur.

**10. EXISTING FACILITY PERSONNEL; OWNER RIGHT OF FIRST REFUSAL TO OPERATOR PERSONNEL.**

OPERATOR must give OWNER the first right to solicit all non-management OPERATOR personnel in the event of Agreement termination or non-renewal.

**11. EVIDENCE OF OPERATOR'S FINANCIAL CAPABILITIES.**

OPERATOR must provide evidence of OPERATOR's financial capability in the form of a copy of the Veolia Water North America, West LLC (VNWA-W) un-audited financials with a certification of accuracy from their Chief Financial Officer. Current financials and

certifications shall be submitted annually to the Owner for the duration of this Contract and shall be marked confidential and proprietary. Any such information is understood by the parties to be confidential and proprietary.

**12. APPROVAL OF MAINTENANCE PROCEDURES.**

OWNER must approve any modifications of major maintenance activities affecting the operation or appearance of the Facility. Maintenance expenditures exceeding \$20,000 in any one instance will be deemed major.

**13. FACILITY SHUTDOWN.**

OPERATOR must take all reasonable steps to ensure that the total Facility system is not to be shut down for any period of time due to strikes, lock-outs or labor problems of OPERATOR's work force; and in any event the OPERATOR must have the Facility back on line within 24 hours should a shutdown occur for such reasons. A plant shutdown is required, however, if, in the exercise of Prudent Industry Practices, the OWNER or the OPERATOR determines that no amount of water can meet the Finished Water standards of this Contract.

**14. ACTIVITIES MUST BE PERFORMED LOCALLY.**

OPERATOR must have a local metropolitan Portland office and must operate and manage the Facility locally. All primary activities concerning the operation and maintenance of the Facility must take place on site.

**15. NOTICE OF CLAIMS AND LAWSUITS.**

If OPERATOR or OWNER becomes aware of any claim or lawsuit involving the Facility, it must promptly notify the other in writing, providing in detail the information of which it is aware concerning the claim or lawsuit.

**16. STANDARD OPERATING PROCEDURES.**

As to the Facility, OPERATOR will provide input into the operating and maintenance procedures of the treatment plant.

**17. CHANGES UNDER CONTRACT; PROPOSALS; COMPENSATION.**

17.1 **Discretionary Changes.** OWNER or OPERATOR may, at any time during the initial term of this Contract, or any renewal term, propose changes within the general scope of the Services under this Contract.

17.2 **Event Caused Changes.** OPERATOR may, at any time during the term of this Contract, or any renewal term, propose changes to the Contract Price as a result of its increased cost of performance of Services due to changes in applicable Governmental Requirements, a Facility Capital Modification, a Force Majeure event, as defined in the Clause titled "FORCE MAJEURE", or an OWNER directed increase in the scope of Services under this Contract.

17.3 **Discretionary Changes Proposals; OWNER.** If OWNER proposes a change to the general scope of the Services under this Contract, OWNER will give OPERATOR 15 Business Days (or longer, if agreed to between the parties) prior written notice setting forth OWNER's proposed changes. OPERATOR must respond to OWNER in writing within 15 Business Days after receipt of OWNER's proposal, setting forth an estimate of the costs associated with the revised Services, any proposed adjustment to the Contract Price that would be applicable (in addition to any ECI or CPI Adjustments), provisions for payment of those costs and other details necessary for the proper performance of the proposed revised Services. OWNER will either accept or reject OPERATOR's proposal in writing within 10 Business Days. Provided, however, if the OPERATOR's proposal is such that it needs OWNER's Board approval, then the proposal shall be presented to the OWNER's Council Board at the next available regular meeting. If OWNER accepts, then a written memorandum of the terms of the adjustment will be prepared and executed by OPERATOR and OWNER.

17.3.1. TVWD has sold 5 MGD of its capacity in the water treatment plant to the City of Sherwood. The City of Sherwood is negotiating with the City of Wilsonville to develop a transmission system through Wilsonville from the plant to Sherwood. An Intergovernmental Agreement has been executed by Sherwood and Wilsonville for the Interim Water Production and Delivery of up to 2.5 MGD until the completion of Segment 3 of the transmission system. This agreement reflects the change in the scope of services for the delivery of an additional 2.5 MGD. It is anticipated that the final segment of this transmission system will be completed during the term of this Agreement allowing the delivery of 5 MGD to Sherwood and no additional changes in the scope of services would be required. .

17.4 **Discretionary Changes and Event Caused Changes Proposals.** If OPERATOR proposes an increase in the Contract Price pursuant to this Clause, OPERATOR will give OWNER 15 Business Days (or longer, if agreed to between the parties) prior written notice setting forth OPERATOR's proposed increase to the Contract Price, describing in detail the reasons necessitating the increase and specifying, and providing substantiation and back-up documentation satisfactory to OWNER for, the cost components concerning the Services which increase. OWNER will either accept or reject OPERATOR's proposal subject to further negotiations between OWNER and OPERATOR in writing within 45 Days. If OWNER accepts, then a written memorandum of the terms of the adjustment to the Contract Price will be prepared and executed by OPERATOR and OWNER.

17.5 **Termination; Event Caused Changes Proposals.** If OWNER and OPERATOR are unable to reach agreement concerning an adjustment to OPERATOR's compensation pursuant to the Clause titled "Event Caused

Changes", either may terminate this Contract upon 90 Days prior written notice to the other.

**18. OPERATOR COMPENSATION; CONTRACT PRICE; ADJUSTMENTS.**

The Contract Amount will be subject to change only due to ECI or CPI Adjustments and changes pursuant to the Clause titled "CHANGES UNDER CONTRACT; PROPOSALS; COMPENSATION." The pricing formula for subsequent yearly ECI and CPI Adjustments will be as set forth on Exhibit A. OPERATOR will be entitled to receive the Contract Amount in monthly installments during each year of this Contract. OPERATOR must submit an invoice in arrears for each installment on or before the 1st Business Day of each month.

**19. RELEASES AND INDEMNIFICATION.**

OPERATOR agrees to indemnify and hold harmless OWNER from any losses, expenses, demands and claims against OWNER sustained or alleged to have been sustained to the extent of the negligence, willful misconduct or breach of this Contract by OPERATOR in the performance of Services by OPERATOR or any Subcontractor/Subconsultant employed by OPERATOR, except to the extent caused by the negligence, omission or misconduct of OWNER, or other Person. OPERATOR will have no obligation to indemnify OWNER for any loss to the extent that recovery for such loss is actually paid to OWNER under any policy of insurance.

**20. LIMITATION OF LIABILITY.**

Notwithstanding anything to the contrary contained in this Contract, OPERATOR's liability to OWNER respecting this Contract will be limited to \$20,000,000 cumulatively, exclusive of any insurance and bonding (including deductibles) that OWNER may have protecting it from any event which may give rise to OPERATOR's liability to OWNER under this Contract, regardless of the legal theory under which recovery or liability is asserted. OWNER will not be required to seek compensation from any insurance policy or bond (OWNER's or OPERATOR's) or other source of remuneration for the first \$5,000,000 for any claim which is due to OPERATOR's liability prior to seeing recovery from OPERATOR. At OWNER's discretion, and at OWNER's expense, OPERATOR may be required to secure a letter of credit in an amount up to \$5,000,000 for this purpose.

**21. INSURANCE AND BONDING REQUIREMENTS.**

21.1 **General Preamble.** The insurance and bonding requirements set forth in this Contract apply to all Services performed under the Contract. Compliance is required by OPERATOR and all other contractors and Subcontractors/Subconsultants at any tier. Insurance/bonding requirements are based upon information received as of the date of the execution of this Contract. OWNER reserves the right to reasonably adjust or waive any insurance/bonding requirements based upon the



receipt of additional information pertinent to this Contract, upon 30 Days prior written notice to OPERATOR.

21.2 **Evidence of Insurance and Bonding Required Before Services Under Contract Commence.** Neither OPERATOR, nor any other contractor, Subcontractor/Subconsultant at any tier under the Contract, may commence any Services of any kind under this Contract until all insurance and bonding requirements of this Contract have been complied with and until evidence of compliance has been provided by OPERATOR to OWNER. The Accord Certificate of Insurance or a pre-approved substitute is the required form in all cases where reference is made to a Certificate of Insurance or an approved substitute.

21.3 **Insurance Policies.** OPERATOR must cause to be placed and kept in force all forms of insurance required by law or needed to adequately protect OWNER and OPERATOR with respect to the Services and this Contract, including, but not limited to:

21.3.1. **Workers Compensation and Employers Liability Insurance.** OPERATOR must procure and maintain Workers Compensation and Employers Liability Insurance in the following limits, such insurance to cover each and every employee of OPERATOR who is or may be engaged in Services under the Contract:

21.3.1.1. **Workers Compensation shall be statutory limits.**

21.3.1.1.1. Employers Liability for \$2,000,000

21.3.2. **General Liability Insurance.** OPERATOR must obtain and maintain General Liability Insurance in an amount not less than \$2,000,000 Bodily Injury and Property Damage combined single limit. The following specific extensions of coverage must be provided and must be indicated on the Accord Certificate of Insurance:

- 21.3.2.1. Comprehensive Form;
- 21.3.2.2. Contractual Insurance(Blanket or specific applicable to the Contract);
- 21.3.2.3. Personal Injury;
- 21.3.2.4. Broad Form Property Damage; and
- 21.3.2.5. Premises-Operations;

21.3.3. **Automobile Liability Insurance.**

21.3.3.1. OPERATOR must obtain and maintain Automobile Liability Insurance with not less than \$1,000,000 Bodily Injury and Property Damage combined single limit. The

following extensions of coverage must be provided and must be indicated on the Accord Certificate of Insurance:

- 21.3.3.1.1. Comprehensive Form; and
- 21.3.3.1.2. Owned, Hired, Leased and Non-owned vehicles to be covered.
- 21.3.3.1.3. If OPERATOR does not own any automobiles in the corporate name, non-owned vehicle coverage must apply and must be endorsed on either OPERATOR'S personal automobile policy or the Comprehensive General Liability Insurance coverage required under the Contract.

21.3.4. **Umbrella Excess Liability.** OPERATOR shall obtain and maintain umbrella excess liability coverage of \$20,000,000 or greater.

21.3.5. **Property Insurance.** OWNER shall obtain and maintain property insurance. OPERATOR shall be responsible for 50% of deductible (currently \$1,000) for claims arising from negligent acts and/or improper safety and maintenance practices. The OWNER will purchase and ensure that standard fire insurance policies are maintained, including extended coverage to the full insurable value of the Facility, to protect against losses resulting other than from OPERATOR's sole negligence; such policies shall name OPERATOR as an additional insured according to its insurable interest under these policies during the term of the Contract; and OPERATOR shall have no liability to OWNER with respect to loss, damage, and destruction covered by such policies or in excess of such policies. Nor shall OPERATOR be liable to OWNER or its insurance carrier for subrogation for payments made per such policy or any damage.

21.3.6. **Contractors Pollution Professional Liability Insurance.** OPERATOR shall obtain and maintain Contractors Pollution Professional Liability insurance in an amount not less than \$5,000,000.

#### 21.4 **Bonding Requirements.**

21.4.1. **Performance Bond and Payment Bond.** OPERATOR must furnish a Performance Bond in an amount equal to 100% of the estimated yearly Contract amount (including ECI or CPI Adjustments). OPERATOR must also furnish a Payment Bond for each major renewal/replacement project in excess of \$20,000.

- 21.4.2. **Bond Forms; Power of Attorney.** OPERATOR must furnish the Performance Bond and Payment Bond required in a form acceptable to OWNER. The individual executing the bonds on behalf of the surety must file with the bonds a general power of attorney unlimited as to amount and type of bonds covered by such power of attorney and certified by an official of the surety.
- 21.5 **Investigation and Insurance Reporting.** OPERATOR must promptly investigate and make a full and timely written report to the appropriate insurance company (with a copy to OWNER) all accidents and claims for damages relating to the subject matter of this Contract. All reports must be timely filed by OPERATOR with the appropriate insurance company under the terms of the applicable insurance policy.
- 21.6 **Failure to Furnish or Maintain Insurance/Bonding.** Upon failure of OPERATOR to furnish, deliver and maintain the insurance or bonds required, OWNER may terminate this Contract. All insurance and bonds required by this Contract must be maintained during the entire term of this Contract, including any extensions or renewals. OWNER may inquire into the adequacy of the insurance and bonding coverage and direct any adjustments it deems, in its sole discretion, to be necessary to adequately protect its interests under the Contract. Failure of OPERATOR to take out and maintain any required insurance or bonds will not relieve OPERATOR from any liability under this Contract, nor will these requirements be construed to conflict with the obligations of OPERATOR concerning indemnification set forth in this Contract.
- 21.7 **Mandatory Notices of Cancellation or Material Change.** OWNER must, without exception, be given not less than 30 Days prior written notice of cancellation for other than nonpayment of premium or for material changes of any insurance or bond required by the Contract that could jeopardize the coverage called for in this Contract. Nonpayment of premium requires 10 Days prior written notice of cancellation. Confirmation of these mandatory notices of cancellation must appear on the Accord Certificate of Insurance and all insurance policies required by this Contract.
- 21.8 **OWNER as Additional Insured.** OWNER, its elected and appointed officials, officers, agents, employees and volunteers must be covered as additional insureds under all insurance required by this Contract (except workers compensation and Employer's Liability) as respects liability caused by work or operations performed by or on behalf of OPERATOR pursuant to the Agreement. Confirmation of this must appear on the Accord Certificate of Insurance and on all applicable insurance policies.
- 21.9 **Qualifications of Insurance and Bonding Companies.**

**21.9.1. Minimum Financial Security Requirements.** All bonding and insurance companies providing insurance or bonds required by this Contract must meet certain minimum financial security requirements. These requirements conform to the rating published by A.M. Best & Co. and a current Bests Key Rating Guide-Property-Casualty. All companies providing bonds or insurance under this Contract must:

- 21.9.1.1. Have a current Bests Rating not less than A- and current;
- 21.9.1.2. Have a current Bests Financial Size Category not less than Class IX;
- 21.9.1.3. Be authorized to conduct and transact insurance and surety contracts in State of Oregon; and
- 21.9.1.4. Be a U.S. Treasury Circular 570 listed company, if providing payment or performance bonds.

**21.9.2. Failure to Meet Minimum Financial Security Requirements.** If the issuing company does not meet these minimal requirements, or for any other reason is unsatisfactory to OWNER, written notification will be made by OWNER to OPERATOR, who must promptly obtain a new policy or bond issued by an insurer/surety acceptable to OWNER and will submit evidence of that satisfaction to OWNER.

**22. PERMITS.**

OPERATOR must procure and pay for all permits, Licenses, certifications and other applicable Government Requirements or governing authority requirements and inspections, as well as furnish any documentation, bonds, security or deposits required to permit OPERATOR'S performance of the Services. OWNER is responsible for procuring and paying for all licenses, certifications and other applicable permits required by Governmental Requirements and inspections that are required incident to its ownership of the Facility.

**23. STANDARD OF CARE APPLICABLE TO SERVICES.**

All Services must be performed in a manner consistent with Prudent Industry Practices applicable to the Facility.

**24. TAXES.**

OPERATOR will pay any taxes, levies, duties and assessments of every nature due in connection with the Services under this Contract and will make all payroll deductions and withholdings required by law, and will indemnify and hold harmless OWNER from any liability on account of such any taxes, levies, duties, assessments and deductions.

**25. LABOR, PERSONNEL AND SERVICES RULES.**

25.1 **Qualifications and Procedures.** OPERATOR represents that it is fully experienced, properly qualified, registered, licensed, equipped, organized,

and financed to perform the Services under this Contract. OPERATOR must conduct background checks, hire, train, pay, supervise and discharge any personnel necessary to properly maintain and operate the Facility, including, without limitation, an onsite manager or managers. All personnel will be deemed employees of OPERATOR or its Subcontractors/Subconsultants. OPERATOR and its Subcontractors/Subconsultants will employ only technically competent personnel to perform the Services and will remove from the Project any OPERATOR or Subcontractor/Subconsultant personnel determined by OWNER or OPERATOR to be unfit or to be acting in violation of any provision of this Contract. OPERATOR must comply with and enforce Project procedures, regulations, Services rules and Services hours established by OWNER, to the extent provided in writing by OWNER and to the extent that they do not conflict with Governmental Requirements.

25.2 **OWNER's Discretion to Deny Access.** OWNER may, at its sole discretion, deny access to the Facility to any Person by written notice to OPERATOR. If an employee of OPERATOR or its Subcontractors/Subconsultants is excluded from the Facility, OPERATOR or its Subcontractor/Subconsultants will replace that Person with another who is fully competent to perform the Services.

25.3 **Labor Relations.** OPERATOR must establish workable and satisfactory relations with its employees and any authorized employee representatives representing OPERATOR'S personnel who are engaged in the performance of Services, including responsibility for labor negotiations, arbitration's and grievance hearings which may involve those employees.

**26. SIGNS; INSIGNIAS.**

OPERATOR may not erect any external signs without the written approval of OWNER. When present at the Facility, OPERATOR'S employees may not without the written consent of OWNER display any insignia or name other than that of OPERATOR.

**27. SAFETY AND HEALTH; SAFE OPERATIONS.**

OPERATOR is solely responsible for safely conducting all operations under this Contract at all times according to applicable laws and regulations and Prudent Industry Practices relative to the Facility in order to avoid the risk of endangerment to health, bodily harm to persons, and damage to property. During acceptance testing, OPERATOR must inspect all Facility Equipment, materials and Services in accordance with applicable laws and regulations and Prudent Industry Practices to discover any conditions that might involve risks. Upon successful completion of acceptance testing, OPERATOR will be solely responsible for discovering any such risks, and for correcting any of those conditions save and except as may be applicable to the Design-Builder or manufacturer of Facility equipment.

**28. SECURITY.**

OPERATOR will, at all times, conduct all operations under this Contract according to Prudent Industry Practices relative to Facility in order to minimize the risk of loss, theft, damage by vandalism, disruption of operations, sabotage or any other means to any Facility Equipment, Materials, Services or other property at the Facility.

**29. COMPLIANCE WITH OWNER'S SECURITY REQUIREMENTS.**

OPERATOR must comply with OWNER'S security requirements for the Facility. OPERATOR must cooperate with OWNER on all security matters and must promptly comply with any Project security arrangements established by OWNER; provided, however, that a security requirement for security personnel is an event caused change per paragraph 17.2. Compliance with these security requirements will not be construed as limiting, in any manner, OPERATOR'S obligations with respect to all applicable Governmental Requirements, assuming that these obligations are consistent, and its duty to undertake reasonable actions to establish and maintain secure conditions at the Facility. If OPERATOR violates any security requirement imposed by OWNER, of which it has been provided a written copy, or Governmental Requirements and OWNER incurs a cost, expense, fine or other financial burden, OPERATOR must immediately indemnify OWNER upon written notice from OWNER.

**30. FINES.**

If federal, state or other applicable Governmental Requirements are violated, due to negligence, willful misconduct or breach of this Contract by OPERATOR or any of its agents, Subcontractor/Subconsultants, supplies or materialmen, or anyone acting under its direction or control or on its behalf, and OWNER is subjected to a fine by any regulating or governing authority, OPERATOR will reimburse OWNER in full for all fines, and reasonable costs of defense and attorney fees incurred by OWNER promptly upon receipt of an invoice from OWNER. If OPERATOR fails to reimburse OWNER within 10 days after its receipt of an invoice, OWNER may deduct the full amount of any fines from sums due or to become due to OPERATOR under this Contract. OWNER will permit OPERATOR to be involved in any proceeding to determine the applicability of fines for which OPERATOR may be responsible.

**31. RECORDS AND AUDIT.**

OPERATOR must maintain records and accounts concerning the operation, maintenance, repair, and equipping of the Facility under this Contract. OWNER or designee may examine and copy, at all reasonable times, with advance notification, those records and accounts. OWNER or designee will have reasonable and legally permissible access to all books, documents, papers and records of OPERATOR for making audits, examinations, excerpts and transcriptions. All records or copies of records required to be maintained by OPERATOR under this Clause must be maintained during and for a period of 3 years from the expiration or other termination of this Contract unless otherwise specified by applicable Governmental Requirements. During the term of this Contract Facility operations records or copies of records and accounts concerning the performance of this Contract must be kept at the Facility.

**32. INSPECTION BY OWNER.**

OWNER shall have the right at all times to enter upon the Property and Facility to inspect and observe the OPERATOR's performance of this Contract. OWNER will comply with the OPERATOR's safety requirements and security requirements when inspecting the site during operation. OWNER will be responsible for its own negligent acts in performing any inspection or observations during times when OPERATOR is not present.

**33. BACKCHARGES.**

33.1 **Corrective Actions by OWNER.** If during its performance of Services under this Contract, OPERATOR is notified by OWNER to correct defective or non-conforming Services, and OPERATOR states or by its actions indicates that it is unable or unwilling to proceed with corrective action in a reasonable time, OWNER may correct the non-conforming Services and backcharge OPERATOR for all reasonable costs incurred. Furthermore, if OWNER is required to perform Services for OPERATOR, OWNER may perform those Services by the most expeditious means available and backcharge OPERATOR for the costs incurred.

33.2 **Backcharges not a Release.** OWNER will separately invoice or deduct from payments otherwise due to OPERATOR any backcharge costs. OWNER's right to backcharge is in addition to all other rights and remedies provided in the Contract or by law. The performance of backcharge Services by OWNER will not relieve OPERATOR of any of its responsibilities under the Contract, except for those specific backcharge services performed by OWNER (but not future similar Services required to be performed by OPERATOR).

**34. FORCE MAJEURE.**

34.1 **Acts Constituting Force Majeure.** OWNER and OPERATOR will not be liable for their respective non-negligent or non-willful failure to perform under this Contract or for any delay in performance or non-performance due to:

34.1.1. any cause beyond its respective reasonable control;

34.1.2. any act of God;

34.1.3. any change in applicable Governmental Requirements or change in law rendering the performance of any portion of this Contract commercially unreasonable or legally impossible;

34.1.4. earthquake;

34.1.5. fire;

34.1.6. explosion;

34.1.7. flood;

34.1.8. strike or labor dispute outside OPERATOR's reasonable control;

34.1.9. any shortage or disruption of or inability to obtain labor, material, facilities, power fuel or transportation from usual sources;

- 34.1.10. delay or failure to act of any governmental or military authority;
  - 34.1.11. any war, hostility or invasion;
  - 34.1.12. any embargo, sabotage, civil disturbance, riot or insurrection;
  - 34.1.13. the discovery of any unforeseen physical condition at the Facility;
- or
- 34.1.14. any legal proceeding not involving the performance of each respective party to the other of its obligations under this Contract.

34.2 **Affected Party Entitled to an Extension of Performance Period.** If OPERATOR'S or OWNER's performance under this Contract is delayed by any act constituting a Force Majeure, the affected party will be entitled to an equitable extension in the time for its performance of its affected Contract obligations commensurate with the duration of the applicable Force Majeure.

### 35. TAKEOVERS.

35.1 **Takeover of Certain Contracts Let by OWNER.** In certain circumstances, OWNER may desire OPERATOR to takeover or assume Services under certain Contracts that may have been originally let by OWNER. For instance, OWNER, from time to time, contemplates that certain construction projects will be let by it to independent Persons. In the event that the contractor is unable or refuses to complete the project and OWNER determines that it is in its best interests for OPERATOR to complete the project OWNER may request OPERATOR to do so. Accordingly, OWNER may request OPERATOR to takeover the completion of certain construction or other contracts, including, but not limited to, completing punch list, warranty or maintenance work for the contract. In the event OWNER requests OPERATOR to commence such a takeover, and OPERATOR agrees to do so upon mutually agreeable terms and conditions, pricing of the work associated with the takeover will be done pursuant to the Clauses titled "Pricing of Takeover Work".

#### 35.2 **Pricing of Takeover Work Certificate of Current Cost or Pricing Data.**

35.2.1. If OWNER requests OPERATOR to takeover certain contracts originally let by OWNER, OWNER will provide written notice of its intent describing in detail the scope of work OWNER desires OPERATOR to takeover and providing such information as OPERATOR reasonably requests in connection with the proper undertaking of the scope of work. OPERATOR must within 20 Days, pursuant to the Clause titled "PRICING OF ADJUSTMENTS," submit to OWNER a written proposal setting forth its cost proposal concerning its takeover of the work, in sufficient detail to permit a thorough analysis by OWNER and negotiation between the parties. For each proposal, OPERATOR



must execute a Certificate of Current Cost or Pricing Data, shown below.

35.2.2. OPERATOR's Certificate of Current Cost or Pricing Data must provide as follows:

"This is to certify that, to the best of OPERATOR's knowledge and belief, the cost or pricing data submitted, either actually or by specific identification in writing, to OWNER in support of [Identify the request for price adjustment, giving the appropriate reference and date] are accurate, complete, and current as of [Insert the day, month, and year when price negotiations were concluded and price Contract was reached]."

OPERATOR [type name]  
By [type name]  
Title [type title]  
Date of Execution"

35.2.3. OWNER will either accept or reject OPERATOR's proposal and Certificate of Current Cost or Pricing Data, subject to further negotiations between OWNER and OPERATOR within 30 Days. If OWNER accepts OPERATOR's proposal and Certificate of Current Cost or Pricing Data, then a written memorandum of the terms of the proposal and Certificate of Current Cost or Pricing Data will be prepared and executed by OPERATOR and OWNER's Representative or OWNER if necessary.

35.2.4. If any price, including profit or fee, negotiated in connection with any modification under this Clause, or any cost reimbursable under this Contract, was increased by any significant amount because OPERATOR furnished cost or pricing data that were not as certified in its Certificate of Current Cost or Pricing Data, the price or cost may be reduced accordingly and this Contract may be modified to reflect the reduction.

### **36. FACILITY EQUIPMENT; OWNER-OWNED FACILITY.**

#### **36.1 Acquisition of Facility Equipment.**

36.1.1. From time to time, upon written authorization and direction from OWNER, OPERATOR may acquire, lease or otherwise obtain Facility Equipment for use in performing its obligations under this Contract. All Facility Equipment acquired on behalf of OWNER must be acquired, leased or otherwise obtained in the name of OPERATOR as agent of OWNER. OWNER will advance funds

to OPERATOR to pay for all Facility Equipment to be acquired, leased or otherwise obtained by OPERATOR under this Contract. At all times, legal title to any Facility Equipment acquired by OPERATOR as agent, on behalf of OWNER will remain vested in OWNER.

36.1.2. OPERATOR must keep all Facility Equipment insured and free and clear of any liens, except liens approved in writing by OWNER. OPERATOR must protect its interest and the interest of OWNER in Facility Equipment from all claims and liens of all third parties, and must maintain a current inventory of all Facility Equipment.

36.2 **Sale or Disposition of Facility Equipment.** OPERATOR may not sell or dispose of any Facility Equipment without the prior written approval of OWNER.

36.3 **Transfer Upon Termination or Expiration of Contract.** Upon the expiration or earlier termination of this Contract, OPERATOR agrees to execute and deliver any additional documents or instruments as may reasonably be necessary in order to remove OPERATOR'S name from any documents of title, security documents or other documents/instruments concerning the Facility Equipment as to which this Contract expired or is earlier terminated and reflect that sole ownership interest in the Facility Equipment is vested in OWNER. Any transfer taxes or fees payable to governmental authorities will be borne by OWNER.

## 37. DISPUTE RESOLUTION

37.1 **Dispute Between OWNER and OPERATOR.** If a disputes arises between OWNER and OPERATOR regarding any part of the Contract, or the parties' obligations or performance thereunder, either party may institute the dispute resolution procedures set herein. The parties shall continue performance of their respective obligations notwithstanding the existence of a dispute.

### 37.2 Dispute Resolution Process

37.2.1. **Authorized Representatives.** If a controversy or claim should arise, OWNER'S and OPERATOR'S Authorized Representatives will meet at least once to attempt to resolve the matter. Either Authorized Representative may require the other to meet within ten (10) days, at a mutually agreed time and place.

- 37.2.2. **Senior Executives.** If the matter has not been resolved within twenty (20) days of their first meeting, the Authorized Representatives shall refer the matter to "Senior Executives," who shall have authority to settle the dispute. For OWNER, that will be the City Manager of City and Chief Executive Officer of TVWD. Thereupon, the Authorized Representatives shall promptly prepare and exchange memoranda stating the issues in dispute and their positions, summarizing the negotiations that have taken place and attaching relevant documents. The Senior Executives will meet for negotiations within fourteen (14) days of the end of the 20-day period referred to above, at a mutually agreed time and place.
- 37.2.3. **Mediation.** If the matter has not been resolved within 30 days of the meeting of the Senior Executives, the parties will attempt in good faith to resolve the controversy or claim by mediation.
- 37.2.4. **Litigation.** If the matter has not been resolved pursuant to the aforesaid mediation procedure within 60 days of the commencement of such procedure, or if either party will not participate in mediation, either party may initiate litigation.
- 37.2.5. **Deadlines.** All deadlines specified in this Article 37 may be extended by mutual agreement.
- 37.2.6. **Required Process.** The procedures specified in this Article shall be the sole and exclusive procedures for the resolution of disputes between the parties arising out of or relating to this Agreement; provided, however, that a party may seek a preliminary injunction or other preliminary judicial relief if in its judgment such action is necessary to avoid irreparable damage. Despite such action, the parties will continue to participate in good faith in the procedures specified in this Article 37.

## 38. MISCELLANEOUS.

- 38.1 **Precedence of Contract Documents.** All Contract Documents and subsequently issued addenda, changes and amendments to this Contract are essential parts of this Contract and a requirement occurring in one is binding as though occurring in all. In resolving conflicts, discrepancies, errors or omissions, including but not limited to, interpretations pursuant to the Clause titled "Contract Interpretation" the following order of precedence will be used:

- 38.1.1. Operational and Maintenance Contract, and any addenda, modifications or amendments to the Contract;
  - 38.1.2. Exhibit A: Compensation.
  - 38.1.3. Exhibit B: Scope of Services,
  - 38.1.4. Exhibit C: Finished Water Standards
  - 38.1.5. Exhibit D: Facility Description
- 38.2 **Interpretation Not Affected.** The organization of this Contract into articles, sections, paragraphs and subparagraphs, a Table of Contents and the use of headings and subheadings are for convenience and reference only and will not modify or affect the meaning, interpretation, construction or effect of this Contract, nor the rights, obligations and liabilities of the parties under this Contract.
- 38.3 **Standards and Codes.** Wherever references are made in this Contract to specific standards or codes in accordance with which the Services under this Contract are to be performed, the edition or revision of the standards or codes current on the effective date of this Contract will apply unless otherwise expressly stated. In case of conflict between any referenced standards and codes and any Contract Documents, the latter will govern.
- 38.4 **Compliance with Applicable Governmental Requirements.** Except as may be otherwise required by this Contract, OPERATOR must comply with all Governmental Requirements, and all other requirements of federal, state, county or municipal authorities having jurisdiction over the Facility in the performance of its obligations and responsibilities under this Contract. All applicable Governmental Requirements in effect at the time the Services under this Contract are performed, and as amended during any term of this Contract and required by law to retroactively apply, will apply to OPERATOR except as provided in this Contract.
- 38.5 **Notice of Inconsistencies.** If OPERATOR discovers any discrepancy or inconsistency between this Contract and any Standards and Codes or Governmental Requirements, OPERATOR must report it immediately, in writing, to OWNER.
- 38.6 **Contract Interpretation.** At all times, OPERATOR must proceed with the Services in accordance with the determinations, instructions, and clarifications of OWNER, as long as they are consistent with Governmental Requirements. OPERATOR will be solely responsible for requesting instructions or interpretations and will be solely liable for any costs and expenses arising from its failure to do so.
- 38.7 **Assignment.** Without the prior written consent which shall not be unreasonably withheld of OWNER, OPERATOR may not assign, transfer or convey any of its interests under this Contract, nor delegate any of its obligations or duties under this Contract. Any prohibited

assignment of this Contract or rights under this Contract, in whole or part, without the aforementioned prior written consent of OWNER will be void.

**38.8 Subcontracts; Suppliers.**

**38.8.1. Consent of OWNER for Subcontracts.** OPERATOR may not subcontract with any Person for the performance of any portion of the Services without the prior written approval of OWNER. OWNER may consent to OPERATOR's use or Subcontract with other Persons from time to time by issuing a letter to OPERATOR executed by OWNER Representative specifying the identity of the Person(s) to which OWNER'S consent applies. The letter may also specify any limitations on OPERATOR's use of such Person, or any other conditions applicable to the use of that Person by OPERATOR.

**38.8.2. Lower-tier Suppliers.** Purchase orders must include provisions to secure all rights and remedies of OWNER provided under this Contract, and must impose upon the lower-tier supplier all of the duties and obligations required to fulfill this Contract with respect to their activities.

**38.8.3. Copies of Purchase Orders and Subcontracts.** Copies of all purchase orders and Subcontracts are to be provided to OWNER upon request.

**38.8.4. No Relief of Responsibilities.** No assignment or Subcontract will be approved which would relieve OPERATOR of its responsibilities under this Contract. OWNER may require revised or modified insurance/bonds and the execution of assumption agreements as conditions for the approval of any assignment or subcontract by OPERATOR.

**38.9 No Partnership or Joint Venture; Debts.** Nothing contained in this Contract will be deemed to create a partnership or joint venture between OWNER and OPERATOR or cause OWNER to be responsible for the debts or obligations of OPERATOR or any other Person. Nothing contained in this Contract or any lower tier purchase order or Subcontract awarded by OPERATOR will create any Contractual relationship between any lower-tier supplier or Subcontractor/Subconsultant and OWNER.

38.10 **Parties Bound.** This Contract will be binding upon and inure to the benefit of OWNER and OPERATOR and their respective permitted successors and assigns.

38.11 **Notices.**

38.11.1. **Delivery.** All notices given by either party to the other under this Contract must be in writing and may be delivered by:

- 38.11.1.1. regular mail, first class, postage prepaid;
- 38.11.1.2. certified or registered mail;
- 38.11.1.3. facsimile, with a hard copy sent within 24 hours of transmission by one of the other permitted delivery means;  
or
- 38.11.1.4. hand-delivery, to the parties at the addresses and facsimile numbers specified in the Clause titled "Addresses."

38.11.2. **Receipt.** Notices sent by mail will be deemed received 3 Days after deposit in the mail, properly addressed. Notices sent by certified or registered mail will be deemed to be received upon the date of the acknowledgment. Notices sent by facsimile will be deemed to be received upon successful transmission to the proper facsimile number; if the sender can produce a facsimile transmission confirmation report. Notices delivered by hand-delivery will be deemed to be received upon written acceptance by the respective party.

38.11.3. **Change of Address or Facsimile Number.** Either party may, at any time, change its respective address or facsimile number by sending written notice to the other party of the change.

38.11.4. **Addresses.**

38.11.4.1. To OWNER. For all notices to OWNER the address will be:

City of Wilsonville  
29799 S.W. Town Center Loop E.  
Wilsonville, OR 97070  
Facsimile: (503) 682-8816  
Attention: Public Works Director

Tualatin Valley Water District  
1850 SW 170<sup>th</sup> Avenue  
Beaverton, OR 97006

Facsimile: (503) 649-2733  
Attention: Chief Executive Officer

38.11.4.2. To OPERATOR. For all notices to OPERATOR the address will be:

VEOLIA WATER  
2300 Contra Costa Blvd., Suite 350  
Pleasant Hill, CA 94523

Facsimile: (925) 681-0236  
Attention: President, West, LLC

- 38.12 **Governing Law.** This Contract will be construed under Oregon law. OPERATOR and OWNER fix jurisdiction and venue for any action brought with respect to this Contract in Clackamas County, Oregon.
- 38.13 **Legal Construction.** If any provision contained in this Contract is held to be invalid, illegal or unenforceable, that invalidity, illegality or unenforceability will not effect any other provision of this Contract and this Contract will be construed as if the invalid, illegal or unenforceable provision had never been contained in this Contract.
- 38.14 **Prior Contracts Superseded.** The Contract Documents constitute the sole and only Contract between OPERATOR and OWNER with respect to the subject matter of this Contract and supersede any prior understandings or written or oral Contracts between OWNER respecting the subject matter of this Contract.
- 38.15 **Waiver.** The failure of either party to seek redress for any violation of, or to insist upon the strict performance of, any term of this Contract will not prevent a subsequent violation of this Contract from being actionable by either party. The provision in this Contract of any particular remedy will not preclude either party from any other remedy.
- 38.16 **Further Acts.** OWNER and OPERATOR each agrees to perform any additional acts and execute and deliver any additional documents as may reasonably be necessary in order to carry out the provisions and effectuate the intent of this Contract.
- 38.17 **Modifications.** This Contract may be altered or amended only by written instrument signed by OWNER and OPERATOR.
- 38.18 **U.S. Currency.** Any payments required by this Contract from one party to any other must be made with U.S. Dollars in locally collectible funds.

- 38.19 **Ownership of Information; Confidentiality.** Except for the information identified in Section 30.2.1 of Exhibit B, all reports, information, data or other documents given to, prepared by or assembled by OPERATOR under this Contract are the exclusive property of OWNER and must be kept confidential and may not be made available to any Person by OPERATOR without the prior written approval of OWNER, except disclosure required by applicable Governmental Requirements or in connection with a dispute to which the information reasonably relates (in which instance, OPERATOR will provide OWNER of such disclosure prior to its being made or, if not feasible, within 24 hours of disclosure).
- 38.20 **Contingent Fees.** OPERATOR warrants that it has not employed or retained any company or Person, other than a bona fide employee working for OPERATOR or explicitly identified sub-consultant on the OPERATOR's team, to solicit or secure this Contract; and that OPERATOR has not paid or agreed to pay any company, association, corporation, firm or person, other than a bona fide employee or explicitly identified sub-consultant working for OPERATOR, any fee, commission, percentage, gift or any other consideration contingent upon or resulting from the award or making of this Contract. For the breach or violation of this warranty, OWNER may terminate this Contract and, at its discretion, may deduct from any amounts owing to OPERATOR, or otherwise recover the full amount of any fee, commission, percentage, gift or consideration.
- 38.21 **Rights and Remedies.** The rights and remedies of OWNER and OPERATOR provided in this Clause are not exclusive and are in addition to any other rights and remedies provided by law or under this Contract.



This Contract and the Contract Documents embody the entire agreement between OWNER and OPERATOR and supersede all other writings. In witness hereof, the undersigned parties have duly executed this Contract by and through their duly authorized representative(s).

**OWNER:**

**OPERATOR:**

**THE CITY OF WILSONVILLE, AN  
OREGON MUNICIPAL CORPORATION**

**VEOLIA WATER NORTH AMERICA -  
WEST, LLC,  
A DELAWARE LIMITED LIABILITY  
COMPANY**

**BY:** \_\_\_\_\_

**BY:** \_\_\_\_\_

**NAME:** \_\_\_\_\_

**NAME:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

**ATTEST:**

**ATTEST:**

\_\_\_\_\_  
**SANDRA C. KING, CITY RECORDER**

\_\_\_\_\_  
**SECRETARY/ASSISTANT  
SECRETARY  
[Affix corporate seal]**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**MICHAEL E. KOHLHOFF  
CITY ATTORNEY**

**OWNER:**

**TUALATIN VALLEY WATER DISTRICT,  
An Oregon Special District Under ORS  
Chapter 264**

**BY:** \_\_\_\_\_

**NAME:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CLARK BALFOUR  
TVWD ATTORNEY**

## EXHIBIT A

### COMPENSATION

The Parties to the Operations and Maintenance Contract effective July 1, 2012, agree that this Exhibit A, Compensation, shall be the sole method of determining compensation thereunder for the Scope of Services set forth in Exhibit B to that Contract.

1. Operating Fee. Starting July 1, 2012, OWNER shall pay to OPERATOR a monthly fee equal to one twelfth of the Annual Budget shown in Attachment A-1 or as adjusted per Section 4.
  - 1.1 Fixed Labor Component. Per the scope of work described in Exhibit B, OWNER and OPERATOR have mutually determined the on-site staffing that is needed to successfully operate the Facility. This fixed component of the Operating Fee includes not only the direct costs of on-site labor, but also includes an overhead "multiplier" to cover all other labor-related costs of the OPERATOR including but not limited to technical support staff; overtime; bonuses; training, safety; office supplies; and the salaries, expenses, and overhead for off-site administrative and corporate support, as well as profit. The labor component of the Operating Fee shall be the fixed amount as shown in Attachment A-1, subject to annual adjustments per Section 4.
  - 1.2 Not-to-Exceed Costs. This component of the Operating Fee shall include all expenses associated with operating the Facility not otherwise covered in Section 1.1, Section 2 or Section 3. Not-to-Exceed Costs include but are not limited to utilities other than electricity; public involvement expenses; lab services and other contract services; as well as fees for licenses and permits. The annual amount for Not-to-Exceed Costs is shown in Attachment A-1, subject to annual adjustments pursuant to Section 4. Within thirty days of the end of each Contract Year, OPERATOR shall calculate actual expenses contained within the Not-to-Exceed Costs. If the actual expenses are less than the budgeted amount, the OPERATOR shall credit OWNER 75% of the difference against future amounts due the OPERATOR hereunder. OPERATOR shall be responsible for any expenses over the budgeted amount.
2. Pass-Through Costs. These costs will be in an amount annually set by OWNER from a proposed budget prepared by OPERATOR. In addition, to assist OWNER, OPERATOR will by January 5 of each year provide a five-year rolling forecast for each of these cost categories based on OWNER's projection of water demand. OPERATOR will also provide by January 5 of each year a five-year rolling forecast of needed capital improvements to the Facility. These forecasts are to reflect expenditures necessary to insure complete water quality and contractual obligations.

2.1 Granular Activated Carbon (GAC). As described in Exhibit B, OPERATOR will assist OWNER in securing competitive bids to purchase and replace GAC on a schedule agreeable to OWNER.

2.2 Chemicals (other than GAC). These expenditures are for non-laboratory chemicals used in the water treatment process.

2.3 Electricity. Costs for electricity shall be paid by the OWNER. At the OWNER's preference this cost shall be paid either as a reimbursable expense on the OPERATOR's invoice, or as a direct billing from the electrical utility to the OWNER.

2.4 Sludge Hauling and Disposal. The OWNER shall pay the costs for transporting and disposal of the solid residuals resulting from the water treatment process.

2.5 Additional OWNER-Directed Laboratory and Monitoring Costs. From time to time, the OWNER may direct the OPERATOR to provide laboratory services and monitoring activities that are not otherwise conducted by the OPERATOR in meeting the OPERATOR's obligations under this Contract. In such cases, the OWNER will reimburse the OPERATOR for the additional laboratory and monitoring costs incurred.

2.6 Letter of Credit. At OWNER's discretion, OPERATOR will provide a letter of credit in an amount up to \$5,000,000. The cost associated with securing such a letter of credit will be passed through to the OWNER.

2.7 Telemetry: Costs incurred for transmission to and from remote monitoring stations will be reimbursed by the OWNER.

2.8 Maintenance.

2.8.1 Normal and Routine Maintenance. Normal and Routine Maintenance include facility and grounds upkeep, seals, bearings, hoses, belts, lubrication and other items required by preventive maintenance practices to keep the Facility in good working order and appearance.

2.8.2 Corrective Maintenance and Repair. Corrective Maintenance and Repair are items costing \$20,000 or less which involve maintenance and repair outside of normal and routine maintenance and repair activities. As part of OPERATOR's monthly reporting, OPERATOR must itemize Corrective Maintenance and Repair activities undertaken and costs incurred.

2.9 Year-End Reconciliation of Pass-Through Costs. Within thirty days of the end of each Contract Year, OPERATOR shall calculate actual expenses that year for Pass-Through Costs described in Section 2. If the actual expenses are less than

the budgeted amount, the OPERATOR shall credit the OWNER 100% against future amounts due to OWNER hereunder. If the amount is greater than budgeted, the OWNER shall, within thirty calendar days of receipt of notice from OPERATOR and upon satisfactory review of the actual expenses, pay to the OPERATOR 100% of the amount by which the actual expenses exceed the budgeted amount.

3. Major Renewal and Replacement. As noted in Exhibit B, the OPERATOR will help develop and will annually update a recommended plan for major renewal and replacement of facilities and equipment for items in excess of \$20,000. OWNER shall maintain a Major Renewal and Replacement Fund which may be accessed by the OPERATOR, subject to OWNER's approval, to cover applicable expenditures. Specifications, schedule and cost for any renewal or replacement project undertaken per this Section must be approved by the OWNER before being implemented by the OPERATOR unless in an emergency.

- 3.1 Capital Project Support Services. At any time the OWNER may request the OPERATOR to provide support and/or construction services for the Facility's capital projects. Such support and/or construction services may include planning, design, construction and/or construction management services. If requested, OPERATOR shall propose a scope of services, schedule, and budget identifying direct costs and overhead/profit charges. OPERATOR shall not proceed with any capital project services without express written authorization of OWNER.

4. Annual Operating Fee Adjustments. For each Contract Year beginning on July 1, the fixed labor component as described in Section 1.1 will be adjusted by the percentage change in the U.S. Department of Labor, Bureau of Labor Statistics, Employment Cost Index (ECI) for civilian workers, all workers category, total compensation (not seasonally adjusted), for the average of the 12 months ECI ending on December 31 of the prior calendar year. For example, the increase to go into effect on July 1, 2013 will be the increase in the ECI series between January 1, 2012 and December 31, 2012.

For each Contract Year, an annual adjustment escalator will be applied to the Not to Exceed Costs described in Section 1.2. The adjustment escalator shall be determined in accordance with the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index – Urban, All Item, Portland-Salem OR-WA, for the average of the 12 months CPI ending on December 31 of the prior calendar year.

If the ECI or the CPI is discontinued or substantially modified, the parties shall mutually select another substantially equivalent index for the purpose of price escalation or deflation.

If the ECI or the CPI is negative for any given year, the increase will be deemed zero.

5. Payments.

5.1 Services During Facility Operation. Starting July 1, 2012 and on the first Business Day of each calendar month thereafter, OPERATOR shall provide OWNER with a statement for the Billing Period, which shall reflect the calculation of the Operating Fee as set forth in Section 1 and the Pass-Through Costs as set forth in Section 2. Each statement shall identify the applicable fees and costs for the Billing Period, the cumulative year-to-date actual costs (up through the Billing Period ending one month prior to the current invoice), and an updated estimate of end-of-the-year balances/deficits. The OPERATOR's monthly billing statement for the Fixed Labor Component and the Not-to-Exceed Costs shall be based on 1/12 the amount of the approved budget for the then current Contract Year. OWNER shall pay the applicable fees and costs for each Billing Period within thirty days of receipt of the billing statement.

5.2 Interest on Overdue Amounts. Interest shall accrue on all overdue amounts at the rate of two percent above the then current Prime Rate per annum from the time the amount is overdue.

6 OWNER Financed Capital Facility. If OWNER finances the construction of a facility capital modification, payment to the OPERATOR shall be adjusted as negotiated to reflect any change in operating and maintenance costs associated with the Facility as impacted by the facility capital modification.

7. Change of Scope. The fee paid to OPERATOR shall be adjusted, based on documented change in costs, for any mutually agreeable substantial change in the scope of services set forth in this Contract, and/or any substantial change in the costs of Facility operation and maintenance.

# 2012/2013 Base Year Contract for ECI or CPI Adjustments

Fiscal Year is July to June		Annual Budget (4)	Sub Totals
<b>Additional Labor Component (1)</b>			
Labor and Benefits (5)	9.5 FTE	\$758,549	
OH Multiplier @	0.774	\$587,117	
After Hrs Coverage (2)		N/A	
<b>Sub Total</b>			\$1,345,667
<b>Costs to Exceed Costs (3)</b>			
Lab Services and Supplies		\$68,432	
Public Out Reach Services		\$2,172	
Natural Gas		\$14,121	
Diesel Fuel		\$869	
Other Permits and Fees		\$2,607	
<b>Sub Total</b>			\$88,201
<b>Total Estimated Annual Budget</b>			<b>\$1,433,868</b>

AS:

- (1) Includes all office supplies, insurance, technical support for operations, training, safety, overtime, admin services, and profit for contractor
- (2) Additional labor component for part time employees; not subject to 0.774 multiplier
- (3) 75/25 :Owner/Operator Sharing of savings
- (4) This is a 12 month budget and is subject to indexing per Section 4 in Exhibit A.
- (5) 3- managers/supervisors; 5.5 - O&M technicians; 1 - admin. assistant

# 2012/2013 Base Year Contract for Cost Adjustments

Calendar Year is July to June	Annual Budget	Sub Totals
<b>Costs Through</b>		
Granular Activated Carbon (3)	\$0	
Chemicals		
Alum	\$41,438	
HypoChlorite	\$32,327	
Polymers	\$10,779	
Caustic	\$43,096	
LOX	\$75,423	
Micro-sand	\$10,000	
Calcium Thio	\$14,422	
Other	\$0	
<b>Sub Total</b>		\$227,485
Sludge Hauling and Disposal	\$53,843	
Additional Monitoring/Testing (1)	\$26,394	
Letter of Credit (2)	\$0	
Sewer	\$1,636	
Stormwater	\$7,770	
Telemetry	\$3,400	
Maintenance		
Routine	\$55,427	
Corrective	\$76,114	
<b>Sub Total</b>		\$224,584
Renewal and Replacement	\$0	
<b>Sub Total</b>		\$0
<b>Total Estimated Annual Budget</b>	<b>\$452,069</b>	<b>\$452,069</b>

Notes:

- (1) As directed by Owner for testing needs in addition to requirements in Exhibit C
- (2) If/when required by Owner (with cost passed through to Owner)
- (3) Granular Activated Carbon replacement occurs around every four years

## EXHIBIT B

### SCOPE OF SERVICES

The parties to the Operations and Maintenance Contract effective July 1, 2012, agree to the following Scope of Services, and to the activities described in the Operations Plan Technical Supplement to this Contract. It is anticipated that by mutual consent between the OWNER and the OPERATOR, information in the Operations Plan Technical Supplement will be amended and updated from time to time during the term of the Contract.

#### Preamble

On July 1, 2001, the OWNER entered into an Operations and Maintenance Contract with U.S. Filter Operating Services, Inc. (now doing business as Veolia Water North America Operating Services, LLC which conducts business in Oregon through its wholly owned subsidiary, Veolia Water North America –West, LLC) for the purpose of operating and maintaining the Willamette River Water Treatment Plant located in the City of Wilsonville. The Contract was for an initial term of five years with an option to renew additional five year terms subject to price and terms. The plant has a design capacity of 15 MGD and has been in operation since April 29, 2002.

#### Extended Plant Operations

Provide a rate of flow up to fifteen million gallons per day of potable water except for the following circumstances:

Production will be reduced to prudent levels allowing for frequent filter backwashes when the raw water turbidity exceeds 200 NTU.

Production will be reduced to allow for adequate disinfection time including that required for post filtration inactivation and will be stopped when ozone production is off line.

Production will be temporarily halted when a hazardous spill has occurred upstream of the plant during the period when untreatable water is passing the plant intake structure.

Provide treatment services for water with raw standards as listed in the Raw Water Quality Technical Supplement using overall concept for treatment as described in the Operations Plan Technical Supplement to this Contract.

Provide treated water that meets or exceeds treated water quality goals as summarized in Exhibit C and included herein by reference.

Analyze water according to schedule and laboratory capability as described in the Operations Plan Technical Supplement dated January 6, 2001 and any updates pursuant to Section 9.2 herein to this Contract. Analysis includes regulation or concerns as described in the Raw Water Quality Technical Supplement dated January 6, 2001 and any updates pursuant to Section 9.2 herein that are not listed as performance goals in Exhibit C since the raw water meets EPA and state requirements. OPERATOR will include such information in its 10th of the month reports set



forth in Section 30.1.3 below and notify OWNER promptly of any problems or concerns therewith.

In addition to its obligations under any other provisions of the Contract Documents, OPERATOR must perform the following Services, including, but not limited to:

1. Provide all personnel and other resources to operate and maintain the Facility in the long-term best interests of OWNER.
2. Provide and/or pay all wages, benefits, salaries, fuel, telephone service and consumables, materials and supplies necessary and proper to operate and maintain the Facility.
3. Assist OWNER by performing all necessary sampling to ensure that Facility's performance complies with state, federal and other Governmental Requirements. Daily testing/analysis for the purpose of process control within OWNER parameters are the sole responsibility of OPERATOR.
4. Provide all staff items such as uniforms, vehicles and safety equipment, as well as facility office supplies, office equipment, process lab supplies, janitorial services, landscaping services and Facility communications services (including telephones, fax, pagers, etc.).
5. Provide staffing of sufficient, qualified and certified employees to operate and maintain the Facility in a manner reasonably acceptable to OWNER, consistent with good management practices. This shall include salaried and hourly employees as necessary to meet the performance requirements hereunder.
6. Trainees, who are not part of the staffing described in Section 5 above, will be paid at the expense of OPERATOR, and not out of any compensation that may be due under the Contract. Vacant positions must be filled within 30 days, unless a time extension is granted by the OWNER. Prolonged vacancies may be subject to deductions from monthly invoices at a rate of \$600 per week. The OWNER must be provided written notification regarding activities which result in employee disciplinary action. OPERATOR must provide OWNER with all OPERATOR certifications for all affected employees. OPERATOR must provide staffing dedicated to the operation and maintenance of the Facility. Staff provided from other facilities will only be paid the actual time on this project.
7. Enforcement of existing Facility Equipment warranties and guarantees and maintenance of all warranties on Facility Equipment purchased after the effective date of the Contract. OPERATOR must specifically maintain and operate all Facility Equipment in such a manner so as not to void any warranties that may be applicable to existing Facility Equipment or that may arise with Facility Equipment procured by OPERATOR during the term of the Contract. If OPERATOR's actions are such that any warranty on existing Facility Equipment or Facility Equipment procured during the term of the Contract is voided, OPERATOR will be required, at its own expense and not out of compensation that may be payable under the Contract, to re-procure conforming Facility Equipment with a new warranty equal to or greater than the applicable voided warranty.

8. Provide a five-year rolling plan of capital improvements to the OWNER by January 5 of each year.

9. Programs and Procedures.

9.1 , OPERATOR shall maintain and implement the following programs and procedures:

9.1.1 program for maintaining security, facility I.D. badges, and emergency response plan;

9.1.2 operating, personnel and administration standard operating procedures for the Facility;

9.1.3 an industry-recognized maintenance management program, including documentation of predictive and preventative maintenance.

9.1.4 a Risk Management Program;

9.1.5 Public Relations and Community Involvement programs, including tours of the Facility, public use of meeting room(s) at the Facility, preparation and distribution of public information regarding the Facility, and mechanisms to respond to citizen inquiries and concerns;

9.1.6 on-going training programs, both classroom and hands-on, for all personnel;

9.1.7 on-going safety program, including but not limited to audits, training, drills, etc.

9.2 OPERATOR will submit to OWNER an annual summary of changes and upon request will submit for approval written materials and procedures outlining in detail the foregoing programs/procedures. As necessary such written material or procedures will be updated and resubmitted.

10. Dispose of dewatered sludge. Treat, monitor, transport and dispose of all residual sludge from the Facility in compliance with all Governmental Requirements and this Contract. Provided the OPERATOR complies with these provisions, the OPERATOR is acting as an agent of the OWNER and therefore OPERATOR does not assume ownership of the residual sludge.

11. Assure that enough water is available at the clear well to meet OWNER's requirements based on daily order from OWNER.

12. Immediately notify OWNER of any known activity, problem or circumstance that threatens or affects the drinking water supply or health, safety or welfare of the users of the drinking

water supply, and provide OWNER all information regarding the matter as it becomes available. This notification must be made via telephone to the OWNER representative immediately, and must be followed up with a detailed written report to the OWNER representative within 24 hours of the occurrence. Telephonic communication to the OWNER representative will be satisfied only when the OWNER representative is contacted personally. If voice contact cannot be made with the OWNER representative, the OPERATOR is to call a 24-hour pager number provided by OWNER for this purpose. Voice mail messages will not satisfy this telephonic notice requirement. OPERATOR must also immediately:

12.1 Undertake remediation in accordance with Governmental Requirements and make its best, reasonable efforts to mitigate the problem; and

12.2 Implement any applicable emergency plan, to the extent it is applicable to the situation.

13. Provide uninterrupted operation and maintenance of the Facility in a cost-effective, safe and business-like manner and in accordance with all Governmental Requirements, Prudent Industry Practices and the terms and conditions of this Contract.

14. Treat raw water and supply finished water using all plant processes and barriers up to the design and operational capabilities of the Facility, in compliance with all Governmental Requirements and this Contract, in order to meet OWNER's demand for finished water. OPERATOR's inability to supply finished water in compliance with Governmental Requirements and this Contract as a result of any cause or event beyond its reasonable control, or the design or operational capabilities of the Facility, will not impose any liability upon OPERATOR for the duration of the cause or event. In such an event, OPERATOR must use its best, reasonable efforts to provide finished water in compliance with all Governmental Requirements and this Contract. Nothing in this clause will relieve OPERATOR from any other of its obligations under this Contract or applicable Governmental Requirements.

15. Consistent with the other provisions of this Contract, operate the Facility in such a manner so as to reduce, to the maximum extent reasonably possible, the cost to the Facility of the use and demand for energy and the transportation and distribution of energy.

16. In accordance with protocols established by OWNER, in consultation with OPERATOR, assist OWNER in responding to and, upon request by OWNER, respond to, various external requests, including:

16.1 State and Federal grant audits and information requests;

16.2 State and local government audits;

16.3 Audits by independent public accountants;

- 16.4 Information requests by users or groups of users of the Facility;
  - 16.5 Information requests from communities or groups of communities serviced by the Facility;
  - 16.6 Information required for the annual financial audit of OWNER and financial representation letter; and
  - 16.7 Oregon Public Records Act requests.
17. Assist OWNER in obtaining and maintaining all applicable federal, State and local certifications, licenses and permits required for the performance by OPERATOR of the Services including:
    - 17.1 collection and presentation of operational data to support information needs;
    - 17.2 maintenance and continuance of historical record-keeping activities required to establish and document the impact of existing operational activities, as agreed by the parties; and
    - 17.3 attendance at any meetings and hearings as may be reasonably requested by OWNER.
  18. Assist OWNER in responding to requests from users of the Facility or communities that are provided services by the Facility, as reasonably directed by OWNER from time to time.
  19. Establish and implement an effective quality assurance and quality control program for the Facility designed to assure accuracy and precision of water treatment, which program must include the use of EPA or other approved protocol by any regulatory agency having jurisdiction. (See the Operations Plan Technical Supplement to this Contract and Exhibit C).
  20. Operate and maintain the Facility in accordance to the approved design to minimize noise levels and any other adverse impact on communities contiguous to the Facility.
  21. Use all reasonable efforts to minimize service disruptions, neighborhood impacts and other inconveniences due to the operation, construction, maintenance and repair activities of OPERATOR.
  22. In accordance with protocols established by OWNER in consultation with OPERATOR, conduct field activities as necessary for the operation of the Facility, the maintenance and upgrading of maps of the Facility to show valves, pipes, meters and other facilities of the Facility and to reflect deviations noted in the field. OWNER may request engineering support within the scope of the activities specified in this Section.
  23. Participate in all major coordination meetings with departments of OWNER and outside agencies involved in new capital projects.

24. Calibrate plant and finished water meters annually.

25. Safety of Persons and Property.

25.1 Take all reasonable precautions, including security measures, to prevent damage, injury or loss to the Facility and property adjacent thereto, including trees, shrubs, lawns, walks, pavements, roadways, Facility Equipment, structures and utilities;

25.2 Establish and maintain safety procedures for the protection of the Facility, the employees of OPERATOR and all other Persons, including invitees to the Facility;

25.3 Develop and implement a safety program that, among other things, provides for the identification and management of all hazardous conditions at the Facility; and

25.4 Conduct periodic inspections on both a scheduled and unscheduled basis to evaluate and ensure the continued effectiveness of OPERATOR's activities under this Contract.

26. Emergency Plan. OPERATOR must provide OWNER with a plan of action to be implemented in the event an emergency occurs. The plan, among other things, must identify the proactive steps that will be taken by the OPERATOR to become informed of spills or other significant changes in upstream water quality that could impact the condition of raw water at the Facility's intake. Upon learning of such a spill or other significant change in upstream water quality, the OPERATOR shall immediately notify the OWNER in accordance with Section 12 above. The plan must provide that OWNER may, at its election, intercede and take, or direct OPERATOR to take, any actions required in response to any emergency. The plan must be reviewed and updated by the parties as frequently as necessary, and at least within thirty (30) days after the end of each year.

26.1 Emergency Management Training. OPERATOR staff shall attend National Incident Management System and Incident Command System training and shall participate in Emergency Management exercises as established by the OWNER.

27. Improvement in Standards. OPERATOR must actively pursue improvements in:

27.1 The effectiveness and efficiency of operations of the Facility;

27.2. The level at which the Facility is normally maintained; and

27.3 The quality of drinking water delivered to customers of the Facility. Any such operational improvements that are achieved must be maintained throughout the remaining term of this Contract. However, any operational improvement that increase costs require OWNER approval.

28. Maintenance and Repair of Facility. Conduct all reasonable maintenance of Facility Equipment, buildings and grounds, and the furnishing of required repair parts and materials in accordance with this Contract. Facility Equipment and lab supplies must be inventoried and replacements provided by OPERATOR semiannually.

28.1 OPERATOR'S Responsibilities. OPERATOR must take good care of and maintain the interiors of the buildings and structures constituting the Facility and must make all repairs (Preventative Maintenance and Corrective Maintenance and Repairs) in and about the Facility necessary to preserve them in good order and condition, subject to ordinary wear and tear, which repairs must be in quality and class equal to the original work. Incident to OPERATOR'S maintenance and repair of the Facility, the following provisions will apply:

28.1.1 Preventive Maintenance. Special attention must be given to Preventive Maintenance as set forth in the Contract and this Exhibit B.

28.1.2 Regular Inspections. OPERATOR must regularly conduct inspections of the Facility to determine if any maintenance and repair Services are necessary.

28.2 Self-Performance of Maintenance Functions. OPERATOR must self perform all maintenance Services for the Facility, if it chooses not to use Subcontractors/ Subconsultants for those Services.

28.3 Independent Subcontractors/Subconsultants. OPERATOR may contract with qualified independent Subcontractors/Subconsultants for the maintenance and repair of the Facility when financially feasible, prudent and in the best interests of the Facility and OWNER. Should OPERATOR choose to contract with Subcontractors/Subconsultants for work typically done by OPERATOR, OWNER shall not pay costs over and above what OWNER would have paid OPERATOR for such work.

28.4 Competitive Procurement of Services for the Facility. Whenever OPERATOR procures Services for the Facility, OPERATOR must procure those Services competitively through receipt of written quotes or bids so as to ensure that OWNER receives cost effective Services.

28.5 Operation and Maintenance Manuals. OPERATOR will maintain up-to-date operation and maintenance manuals and written standard operating and maintenance procedures for the Facility (including such updating as may be required in order to clarify, refine or supplement procedures provided in the operation and maintenance manuals); provided, however, that all manuals and procedures must at all times be consistent with the manufacturer's recommendations. OPERATOR must promptly revise any operations and maintenance manuals (including standard operating and maintenance procedures):

28.5.1 to update manuals as new data or information necessitates updates;

28.5.2 as new Facility Equipment is placed in service and new Facility Equipment necessitates revisions to the manuals; and

28.5.3 to reflect OPERATOR's approach or method to operating and maintaining the Facility. In no event will the maintenance and repair be less frequent and comprehensive than that recommended or specified in manufacturer's warranties and recommendations.

28.6 Approval Of Maintenance Procedures. OWNER must approve any modifications of major maintenance affecting the operation or appearance of the Facility. Maintenance expenditures exceeding \$20,000 in any one instance will be deemed major.

28.7 Equipment Maintenance. It will be the OPERATOR's responsibility to maintain and update an equipment inventory. This inventory will identify the warranty terms and timeframes for each piece of equipment., including the dates on which the warranties are activated and expire. The OPERATOR shall continue to perform an equipment condition evaluation routinely throughout the life of the project. The evaluation status will include the following:

- \* Vibration profile for equipment over 20 horsepower or equipment deemed critical to the operation of the Facility.
- \* Electrical survey of voltage, current, power, and related information
- \* Thermographic survey of control panels
- \* Equipment status sheet for each equipment unit

The OPERATOR shall prepare an equipment status sheet composed of the various inspections performed on a particular piece of equipment. The data generated, combined with the physical inspection report by the OPERATOR maintenance specialists, shall be combined into a predictive maintenance evaluation report to the OWNER detailing the condition of the plant's equipment and providing a basis for establishing immediate and long-term maintenance needs and pertinent information that shall be used to update the O&M Manual. During the Operation Agreement period, this document shall be delivered to the OWNER on at least an annual basis during plant operations via updates to the O&M Manual.

28.8 Ongoing and Preventative Maintenance. The OPERATOR's maintenance plan within the O&M Manual reflects procedures and standards for modern water treatment facilities. In no event shall maintenance be less frequent and/or less comprehensive than that specified in manufacturers' warranties and manuals.

The OPERATOR shall develop and implement a comprehensive computer-based maintenance management program that develops readily available historical data, including an inventory of spare parts and provision for enforcing warranties on

equipment or materials purchased. The OPERATOR's maintenance management program shall address at least the following:

- \* Buildings, grounds, and structures
- \* Electrical systems and instrumentation
- \* Process mechanical equipment
- \* Valves, gates and OPERATORS
- \* Cathodic protection systems
- \* Storm drains and catch basins
- \* Mobile equipment
- \* Laboratory, monitoring, and sampling equipment
- \* Heating, ventilation, and air conditioning
- \* Communications equipment
- \* Computer systems
- \* Ozone generation system
- \* Sodium Hypochlorite generation system (IF USED)
- \* Chemical feeds systems
- \* Pumping systems
- \* SCADA facilities
- \* Other specialized tools and equipment
- \* Water treatment and storage systems

The grounds, facilities and infrastructure shall be maintained at a level adequate for the efficient, long-term reliability and preservation of the OWNER's capital investment. The OPERATOR shall at a minimum perform the following activities relevant to the buildings and grounds:

- a. Maintain the buildings, grounds, and landscaping in an aesthetically attractive and clean condition. NOTE: The park outside the fence line is not part of the maintenance responsibility of the OPERATOR.
- b. Mow the grass, including trimming of any edges, to maintain an attractive appearance of the facilities.
- c. Wash all windows twice a year, or more frequently, on an as-needed basis.
- d. Repair all roof leaks within five days of discovery.
- e. Implement regularly scheduled pest control measures.
- f. Repair all plumbing leaks immediately.
- g. Damp mop floors twice per week or more frequently on an as-needed basis with a cleaning solution appropriate for use in such facilities. All spills must be cleaned immediately.



- h. Strip all floors and apply new floor finish on a periodic basis.
- i. Wash down walls and wall tiles at least every six months, or more frequently, as appropriate.
- j. Apply paint as necessary to all painted surfaces, as appropriate. All painted surfaces within the facilities shall be painted at least every five years, except for such surfaces that have maintained their original condition and would be adversely affected by frequent painting.
- k. Clean offices, meeting room and restrooms daily, including weekends.
- l. Provide for daily collection of solid waste from all receptacles within the Facility and remove solid waste from the Facility at least once per week.
- m. Periodically prune trees to minimize interference with or damage to the Facility and site work during storm events.
- n. Repair cracks, erosions, depressions, and potholes, and slab shifts on paved areas, sidewalks, and other areas, as necessary. Periodically resurface paved areas, if necessary.

All preventive maintenance activities shall, as a minimum, meet the requirements of suppliers. As such, all equipment usage shall be logged through the SCADA system to provide the necessary input to the computerized maintenance management plan. The maintenance plan shall generate work orders that are specific to the item of equipment. These work orders shall outline the required maintenance, describing the work to be undertaken. The resultant maintenance work shall be logged as to when the work order was issued, when completed, by whom, duration of work, and listing of consumables used in providing the required work. This information shall be maintained for all equipment and presented on a monthly basis to the OWNER to confirm that the work being undertaken as required so as to protect the investment in the infrastructure.

The OPERATOR shall provide continuous inspection to detect any significant variance from the baseline. Corrective action shall be taken to prevent major damage to the equipment, as well as protect warranties on new equipment.

When a process element is taken off-line for maintenance, it shall be isolated to ensure protection of plant maintenance staff.

The OPERATOR shall maintain the cathodic protection system in accordance with the approved Operations and Maintenance Manual to ensure that all underground piping achieves its full useful life.

28.9 Major Renewal and Replacement Plan. The OPERATOR will annually update the Major Renewal and Replacement Plan for OWNER's review and approval. A copy of the current plan has been provided to the OWNER. Costs for implementing renewal and replacement projects will be paid in accordance with Section 5 of Exhibit A.

28.10 Preliminary Granular Activated Carbon (GAC) Replacement Plan. The interval for replacement of the GAC is dependent on several variables including:

- \* GAC size and quality
- \* Raw Water characteristics
- \* Optimum operation of the chemical coagulation/sedimentation process
- \* Optimum operation of the ozonation Process
- \* Number of times the OPERATOR backwashes a filter using chlorinated water

The OPERATOR recognizes that predicting the replacement interval is open to differing interpretations. OPERATOR will assist OWNER in developing a protocol agreeable to OWNER for testing GAC performance in this Facility and for determining replacement needs and schedule. For budget purposes only, complete replacement will be initially estimated at four years, with actual replacement subject to the protocols that are developed.

Annually, the OPERATOR shall develop and submit to the OWNER the OPERATOR's assessment of the condition of the GAC and its best projection as to the amount of replacement for that year when complete GAC Replacement will be required.

The Base GAC Replacement Interval is established at four years. The OWNER shall maintain a GAC Replacement Reserve Fund which may be accessed by the OPERATOR, subject to the conditions described below. If, in the reasonable judgment of the OWNER, the OPERATOR's operation of the upstream treatment processes have been optimized for performance relating to GAC life, and it is determined by the OWNER that other factors outside the control of the OPERATOR have intervened, then the OWNER will authorize complete replacement of the GAC sooner than the Base GAC Replacement Interval.

- \* OPERATOR shall solicit competitive bids or proposals from quality GAC sources approved by the OWNER, who will purchase GAC directly from the supplier.
- \* The OPERATOR's Service Fee shall include whatever Facility staff labor is required for GAC replacement. Nothing in the foregoing shall relieve the OPERATOR from its obligations to meet the Performance Guarantees.

29. Repair of Damage Due to OPERATOR Fault. OPERATOR must procure, provide and implement, at its sole cost and expense, any item concerning the Facility to the extent that is required as a result of the fault of OPERATOR or to the extent that it results from any event

or circumstance the occurrence of which gives rise to a successful claim by OWNER for indemnification from OPERATOR pursuant to this Contract.

### 30. Information, Data and Reports.

#### 30.1 Reports.

- 30.1.1 For each billing period, OPERATOR must provide OWNER with a tally of year-to-date costs incurred, cash balances, and a projection as to anticipated costs for the remainder of the Contract Year. This tally shall be in line item detail.
- 30.1.2 OPERATOR must execute, and file punctually when due, all forms, reports and returns required by law relating to employment of personnel by OPERATOR or OPERATOR'S operation and management of the Facility. OPERATOR will have no responsibility for the preparation of any federal, state or local tax reports or returns on behalf of OWNER.
- 30.1.3 OPERATOR must, on or before 10th Day of each month of the Contract, file with OWNER, in form and substance reasonably acceptable to OWNER, the following information, data and reports for the immediately preceding month:
  - 30.1.3.1 an itemized listing of the amount of materials, supplies and chemicals used by OPERATOR;
  - 30.1.3.2 the volume of raw water processed through the Facility and the volume of finished water pumped from the Facility;
  - 30.1.3.3 the volume and quality of residual sludge treated, transported to and disposed of and the location thereof;
  - 30.1.3.4 a statement summarizing the status of any projects, repairs or replacements and other Services, if any, to the extent planned, undertaken or completed by or in process with respect to the Facility;
  - 30.1.3.5 all correspondence, citations, notices, directives or similar information received from any federal, state or local governmental regulatory agency having jurisdiction over the operation, maintenance or ownership of the Facility, pertaining to the Facility, not otherwise provided to OWNER by OPERATOR at an earlier date pursuant to this Contract;
  - 30.1.3.6 a summary of compliance status and water quality, including identification of any violation that occurred;

- 30.1.3.7 a summary of operation and maintenance activities, including process control results and identification of maintenance backlogs;
- 30.1.3.8 a summary of any accidents or incidents related to health and safety;
- 30.1.3.9 a list of projects and repairs or replacements planned or undertaken by any Person and their status;
- 30.1.3.10 detailed cost records of all maintenance activities undertaken, including predictive, preventative, corrective and routine maintenance, segregated by labor, parts and supplies costs;
- 30.1.3.11 information reasonably requested by OWNER to make informed evaluations regarding Facility Equipment repair and replacement;
- 30.1.3.12 any additional information concerning the Facility, as OWNER may reasonably request from time to time; and

30.2 Confidential or Proprietary Information; Intellectual Property; License.

30.2.1 Nothing in this Contract obligates OPERATOR to provide to OWNER:

- 30.2.1.1 its proprietary or confidential information;
- 30.2.1.2 information otherwise legally privileged, in whole or in part;
- 30.2.1.3 information whose provision may be wholly or partially precluded by Governmental Requirements.

30.2.2 Notwithstanding Section 30.2.1, OWNER is granted by OPERATOR a limited, non-exclusive, non-transferable, royalty-free license to utilize in its ownership, operation, maintenance, expansion, modification or other administration of the Facility (and receive from OPERATOR and retain copies of all drawings, specifications, designs, data, and plans (collectively, "Intellectual Property") related to the Facility and generated by OPERATOR or its designates during the performance of this Contract). This limited, non-exclusive, non-transferable, royalty-free license to utilize such Intellectual Property is granted with OWNER'S agreement that all such Intellectual Property, and all intellectual property rights in and to such Intellectual Property, are the sole property of OPERATOR or its designates. OWNER shall have the right to use this Intellectual Property after the term of this contract expires for this Facility. Such Intellectual Property is for use solely with respect to the Facility, and may not, without OPERATOR's prior written consent, be used by OWNER, or its employees, representatives or

agents, on any separate project not related to the Facility for completion of the Services by other Persons, or for any separate work or services.

### 30.3 Record Keeping; Accounting Services; Reports.

30.3.1 OPERATOR must maintain reasonable books and records, including computer data concerning its provision of Services under this Contract. All producible statements, receipts, invoices, vouchers, checks, leases, contracts, Subcontracts, work sheets, financial statements, books and records, and all other instruments and documents relating to the operation and maintenance of the Facility, including all computer data bases, must be maintained by OPERATOR using OPERATOR'S standard accounting or reporting procedures, forms, charts of accounts or reports.

30.3.2 OWNER will have the right to inspect and copy all producible documents in OPERATOR'S possession relating to the Facility, wherever located, at all reasonable times, and from time to time, during the term of this Contract and for a period of 3 years after the final termination or expiration of this Contract. OWNER has the right to direct the specific location where OPERATOR must produce documents for OWNER's inspection. Nothing in this Section will obviate the requirement that OPERATOR turn copies of all OWNER requested producible documentation concerning the Facility upon the expiration or termination of this Contract.

### 30.3.3 Formatting of Reports.

30.3.3.1 All reports regarding the Facility provided by OPERATOR to OWNER must be provided in an acceptable format so that all aspects of the Facility to which OPERATOR is required to report are represented.

30.3.3.2 OWNER may, at any time, and from time to time, upon reasonable prior notice, direct that the format of any report required to be submitted by OPERATOR to OWNER under this Contract be changed.

30.3.3.3 All reports must be prepared utilizing GAAP consistently applied, to the extent that GAAP is applicable.

31. Environmental Responsibilities. OPERATOR must provide the following Services concerning environmental matters relating to the Facility:

31.1 Develop and procure, to the extent required of OPERATOR by applicable Governmental Requirements, all applicable environmental permits and complete all permit requirements, and provide associated reporting to OWNER.

- 31.2 Develop, submit and execute, to the extent required of OPERATOR by applicable Governmental Requirements, all environmental management plans, including Facility Response Plan (FRP) and Spill Prevention Control and Countermeasures (SPCC), and review and update such plans annually, in accordance with applicable Governmental Requirements.
  - 31.3 Develop and execute best management practices for the Facility in accordance with OPERATOR's Maintenance and Operating Manual for the Facility.
  - 31.4 Provide routine and annual preventative maintenance for the Facility's on-site pollution control systems.
  - 31.5 Coordinate and support Facility-wide and area-wide emergency, disaster and security organizations, including police, fire, ambulance, rescue and emergency management agencies.
  - 31.6 Remediate in accordance with Governmental Requirements and report any known spills or releases at the Facility or involving the Facility. In the event any spill or release at the Facility or involving the Facility is not caused by OPERATOR or its agents, OPERATOR will be entitled to seek compensation for its remediation pursuant to the Clause titled "CHANGES UNDER CONTRACT; PROPOSALS; COMPENSATION".
32. Maintain records of all maintenance Services and inspections; repairs and/or replacements of Facility Equipment; correspondence with regulatory, emergency disaster and security organizations; environmental permits and permit reports of environmental, health, safety and security actions, their investigation, follow-up and courses of action. Records must be well organized and kept in files for access and inspection by OWNER personnel.
  33. OPERATOR must, upon the termination or expiration of this Contract, promptly deliver to OWNER, at no cost or expense to OWNER:
    - 33.1 all copies of the then-current version of any operations and maintenance manuals for to the Facility (including as-built drawings) in its possession;
    - 33.2 a statement of the standard operating procedures used by OPERATOR for the Facility; and
    - 33.3. any other documents required to be produced by OPERATOR to OWNER upon the earlier termination or expiration of this Contract.
    - 33.4 At the conclusion of the Operation Agreement, the OPERATOR shall return the Facility to the OWNER in good repair and in sound, proper and well-maintained condition without the necessity for the OWNER to undertake a major overhaul when assuming facility management responsibilities.

34. Extended Plant Operations. In accordance with protocols established by the OWNER in consultation with OPERATOR, OPERATOR will field test the capacity of water treatment components to include the Actiflo systems and the filtration systems. It is anticipated these tests would be accomplished as directed by the OWNER and would be conducted during the low Willamette flows, normal Willamette flows, and at near flood conditions. OWNER will reimburse OPERATOR for expenses if protocols require expenditures beyond approved budget.

On-site hours. OPERATOR staff should be on-site 24 hours per day for 365/366 days per year. As part of general security of the facility, OPERATOR staff will serve as building monitor for the conference room, which the OWNER makes available for use by the public..

## **EXHIBIT C**

### **FINISHED WATER STANDARDS**

The OPERATOR shall operate the plant in a manner such that the drinking water produced is in compliance with all drinking water regulations, including primary and secondary maximum contaminant levels (MCLs), treatment techniques, and other regulations promulgated by the Oregon Health Authority and the U.S. Environmental Protection Agency (USEPA), as of the date of the proposal submission and as subsequently modified, added or amended. In addition, the drinking water produced shall meet the specific Water Treatment Monitoring Frequencies listed below and the Performance Standards listed in Table C-1. In operating to maintain compliance

with these requirements, the OPERATOR shall maintain all water treatment processes (including but not limited to, clarification, ozonation, filtration and final disinfection) in the plant in operation at all times. These processes must be operated to meet the Finished Water Standards performance requirements.

All analytical methods used to demonstrate compliance shall be in accordance with the Oregon Health Authority and the USEPA approved methods. In the event that a particular parameter does not have an approved method, the OPERATOR shall propose a method for approval by the OWNER. Compliance for all performance standards presented below shall be determined by the OWNER unless stated otherwise.

The OPERATOR shall perform all monitoring required by applicable drinking water regulations and by the finished water performance standards. All monitoring data collected by the OPERATOR shall be provided on or before the 10th of each month to the OWNER, subject to the requirement for immediate notification per Section 12 of Exhibit B. Monitoring frequency shall be as required by the regulatory agencies unless more frequent monitoring is required in Table C-2.



Table C-1  
Finished Water Standards

Water Quality Parameter	Unit	Existing Regulations	Treated Water Goal
Total/fecal coliform	# /100 mL	<5% positive in system	0% positive leaving plant
Turbidity	NTU	≤0.3 95% of time: Always < 1.0	<0.1 each filter 95% of filter run time (1); Always <0.3
Particles (>2µm)	Count / mL	None	<50 95% of filter run time (1)
Pathogen Removal/Inactivation			
Viruses		4-log	Provide multi-barrier: 2-log removal & 2-log inactivation
<i>Giardia</i>		3-log	Provide multi-barrier: 3-log removal & >1-log inactivation
<i>Cryptosporidium</i>		2-log removal	Provide multi-barrier: 3-log removal & 1-log inactivation
Disinfection By-product			
Trihalomethanes	µg/L	80	<40
Haloacetic Acids	µg/L	60	<30
Bromate	µg/L	10	<5
Synthetic Organic Chemicals (include dioxin (2))	µg/L	Varies	All non-detect
Volatile Organic Chemicals	µg/L	Varies	All non-detect
Inorganic Chemical unreg (Al, B, Cr-6, Mn, Ag, V Zn) (2)	µg/L	Varies	<50% MCL
Alkalinity	mg/L CaCO3	None	≥20
pH	-	None	≥7.5 95% of run time (1): Always ≥7.0

Arsenic	µg/L	2 to 10	<=2
Sulfate	mg/L	250	<MCL
Taste & Odor Compounds			
Geosmin	ng/L	None	<7
Odors	TON	3	<3

Total Organic Carbon	mg/L	35% reduction in TOC if raw water in TOC is from 2-4 mg/L 45% reduction in TOC if raw water TOC is from 4-8 mg/L.	35% reduction in TOC if raw water in TOC is from 2-4 mg/L. 45% reduction if raw water TOC is from 4-8 mg/L.
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Notes:

1. Within a 24 hour period from midnight to midnight
2. Added analytes per Owners request

**Table C-2  
WATER TREATMENT MONITORING FREQUENCIES**

Parameter	Treated Water Monitoring Frequency	Raw Water Monitoring Frequency
<b>HYDRAULIC PARAMETERS</b>		
Treatment Facility Total Production	Daily	
Treatment Facility Flow	Continuous	
<b>PHYSICAL/CHEMICAL/INORGANIC/PARAMETERS</b>		
Conductivity	Weekly	
Temperature	Continuous	Continuous
Total Alkalinity	Weekly	Weekly
Total Hardness	Weekly	Weekly
Calcium Hardness	Weekly	Weekly
TON	Weekly	Weekly
Iron	Monthly	Monthly
Turbidity	Continuous, each filter	Continuous
Particles	Continuous, each filter	Continuous
Color	Weekly	Weekly
PH	Continuous	Continuous
Chlorine Residual	Continuous	
Total Dissolved Solids	Weekly	
<b>MICROBIOLOGICAL/ORGANIC PARAMETERS</b>		
Total Coliform	Daily	Daily
E. coli	Daily	Daily
Viruses	Quarterly	Quarterly
Giardia		Monthly
Cryptosporidium		Monthly
Total Trihalomethanes	Monthly	
Haloacetic Acids	Monthly	
Bromate	Monthly	
Regulated VOC's/SOC's (+dioxin)	Quarterly	Quarterly
Regulated IOC's	Quarterly	Quarterly
Unregulated IOC's (+Al, B, Cr-6, Mn, Ag, V, Zn)		
Total Organic Carbon (TOC)	Weekly	Weekly
Geosmin	Monthly	Monthly
<b>Parameter for Granular Activated Carbon Filters</b>		
	Filter	Monitoring Frequency
Iodine Number	Each Filter	Quarterly
%Volatiles	Each Filter	Quarterly
Sieve Analysis	Each Filter	Quarterly
Hardness #	Each Filter	Quarterly

## **EXHIBIT D**

### **FACILITY DESCRIPTION**

#### **Project and Treatment Components**

The overall project designed and constructed to the capacities, regulations and water quality goals described herein includes generally the following facilities. Facilities will be designed with redundant equipment to provide the firm project capacity with largest component of each process out of service.

1. Intake Screens – submerged type Johnson screens with air flush.
2. Intake Pipeline – submerged connecting screens to intake wetwells.
3. Intake Wetwell – circular reinforced concrete caisson type construction.
4. Intake Pump Station – four vertical turbine type pumps with below ground discharge. Pump station will also house screen cleaning compressors (2 units) and air receiver, and electrical motor control equipment. Overall pump station layout will accommodate ultimate 120 mgd of pump equipment.
5. Raw Water Meter – metering provided on raw water pump discharge for monitoring and control.
6. Chemical Addition and Mixing – chemical addition and mixing provided for raw water including coagulant, coagulant aid, disinfection, carbon dioxide solution, aqueous ammonia solution and caustic soda addition.
7. Ballasted Coagulation (Actiflo) – the Actiflo process will be used for coagulation and solids removal. Two parallel trains will be provided which can each treat the maximum initial phase of treatment flow. The Actiflo process is complete with all equipment and hydraulic structures.
8. Ozone Disinfection – ozone will be provided for disinfection and will be located immediately downstream of the Actiflo process. The process will initially include two counter-cocurrent contact basins, two medium frequency ozone generators, liquid oxygen and off-gas ozone destruction equipment.
9. Filtration – four gravity dual media filters will be provided, each with 72 inches of granular activated carbon media over 12-inches of sand media. Backwash will be provided from pumps located at the clearwell and air scour provided from blowers housed in the filter gallery..

10. Clearwell – A 2.7 million-gallon clearwell will be provided of rectangular construction. It will also provide a location for high service and backwash pumps.
11. High Service Pump Station – A high service pump station will be provided to deliver treated water for transmission and distribution. The pump station will accommodate four high service pumps and two backwash pumps, piping and valving equipment.
12. Finished Water Meter – A finished water meter will be provided to monitor and control treated water uses.
13. Treated Water Pipeline – A treated water pipeline will be provided from the high service pump station, along the plant access roadway and extend to Kinsman Road and Wilsonville Road. Turnouts with flow meters will be provided at Brockway Road and Wilsonville Road.
14. Site Electrical Services – Primary power will be routed to the plant site from Wilsonville Road along the western edge of the City property. The power will be metered and a transformer will reduce the voltage on-site for process requirements. A diesel fuel standby power supply will be provided for a maximum of 4-5 mgd of total capacity including raw water, complete treatment and high service pumping.
15. Instrumentation and Control – An instrumentation and control system will be provided allowing remote monitoring and control of all on-site processes. Monitoring of offsite turnouts and other offsite SCADA control monitoring will also be provided.
16. Washwater Equalization – A washwater equalization basin will be provided to accommodate backwash and associated recycle flows. The facility will also include a pump station with three pumps to return the wash water to the raw water pipe.
17. Sludge Thickening – A sludge thickener will be provided to provide initial dewatering of solids removed from the Actiflo process. The thickened sludge will be pumped to dewatering equipment with pumps located in an adjacent pump station.
18. Sludge Dewatering – Thickened sludge will be dewatered in centrifuges. The dewatered sludge will be hauled to landfill for final disposal. The centrifuges will be located in a stand-alone building of two-story configuration.
19. Administration Building – An administration building will be provided for plant operations including control room, laboratory, office space, conference room, restrooms, dressing/shower facilities, lunchroom and instrument repair room.

20. Chemical Building – A chemical building will be provided to store chemicals in bulk or portable storage containers and also provide metering equipment, piping and valving. Chemicals included in this facility may be: aqueous ammonia, calcium thiosulfate, carbon dioxide, caustic soda, ferric chloride, liquid alum, polyelectrolyte, anionic polyelectrolyte, filter aid polyelectrolyte, polyphosphate, sodium hypochlorite and space for a spare chemical. The chemical building will be prepared to house ultimate chemical needs.
21. Wastewater Lift Station and pipeline – two submersible pumps and wastewater pipeline from treatment plant to sewer main on Wilsonville Road.

The Deeds for the property are included as Attachment D-1.

ATTACHMENT D-1

AFTER RECORDING RETURN TO:

City of Wilsonville - C.J. Sylvester  
8445 SW Elligson Rd.  
Wilsonville, OR 97070

UNTIL A CHANGE IS REQUESTED, ALL

TAX STATEMENTS SHALL BE SENT TO  
THE FOLLOWING ADDRESS:

8445 SW Elligson Rd.  
Wilsonville, OR 97070

DEED

DAVID S. YOUNG, MARLENE A. YOUNG, and SHERILYNN J. YOUNG, as tenants in common, each to an equal and undivided 1/3 interest, Grantors, convey and specially warrant to CITY OF WILSONVILLE, an Oregon municipal corporation, Grantee, the following described real property free of encumbrances created or suffered by the Grantors except as specifically set forth herein, situated in Clackamas County, Oregon, to-wit:

Parcel I, as described in the attached Exhibit A.

The said property is free of all encumbrances created or suffered by Grantors, except easements, access agreements, roadway agreements, and maintenance agreements of record, and changes (if any) in the location of the Willamette River.

Grantee has inspected the said property; is aware of its farm, household and river uses; and accepts the condition of the said property as is.

Further, DAVID S. YOUNG, MARLENE A. YOUNG, and SHERILYNN J. YOUNG, as tenants in common, each to an equal and undivided 1/3 interest, Grantors, convey to CITY OF WILSONVILLE, an Oregon municipal corporation, Grantee, the following described real property comprising an easement, situated in Clackamas County, Oregon, to-wit:

Parcel II, as described in the attached Exhibit A.

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We certify this instrument to be a true

Copy \_\_\_\_\_ recorded 9-4-98  
Book \_\_\_\_\_ Page \_\_\_\_\_ Fee 98083412  
Records of Clackamas County, Oregon.

CHICAGO TITLE INSURANCE COMPANY

By ABRIDGE

The true consideration for this conveyance is \$1,475,000.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 4 day of September, 1998.

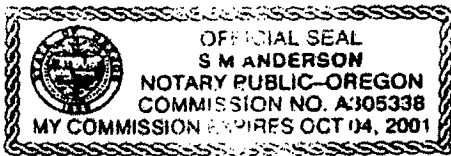
David S. Young  
David S. Young

Marlene A. Young  
Marlene A. Young

Sherilynn J. Young  
Sherilynn J. Young

STATE OF OREGON, County of Clackamas ss. 9-4-98, 1998  
Personally appeared the above named DAVID S. YOUNG and  
acknowledged the foregoing instrument to be his voluntary act and  
deed.

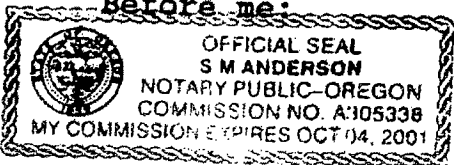
Before me:



S M Anderson  
Notary Public for Oregon  
My Commission Expires: 10-4-2001

STATE OF OREGON, County of Clackamas ss. 9-4-98, 1998  
Personally appeared the above named MARLENE A. YOUNG and  
acknowledged the foregoing instrument to be her voluntary act and  
deed.

Before me:



S M Anderson  
Notary Public for Oregon  
My Commission Expires: 10-4-2001



STATE OF OREGON, County of Washington ss. 9-4-98, 1998  
Personally appeared the above named SHERILYNN J. YOUNG and  
acknowledged the foregoing instrument to be her voluntary act and  
deed.

Before me:

*S M Anderson*  
Notary Public for Oregon  
My Commission Expires: 10-4-2001

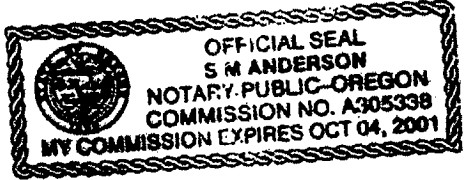


EXHIBIT "A"

PARCEL I:

Legal Description

A tract of land in a portion of the Robert V. Short DLC No.46 located in the Northwest and Southwest one-quarters of Section 23, Township 3 South, Range 1 West of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point on the North line of said Section 23, that bears East a distance of 20.00 feet from the Northwest corner of said Section 23; thence South  $0^{\circ}03'00''$  East, parallel with and 20 feet Easterly of the West line of said Section 23, a distance of 1397.22 feet to an interior angle corner in the Northerly line of that tract of land conveyed to Hardy S. Young by Deed, described in and recorded under Fee Number 74-10618 Clackamas County Deed Records; thence North  $89^{\circ}51'$  East, along said Young's North line, a distance of 580.00 feet to a 5/8 inch iron rod at the Northwest corner of that tract of land conveyed as a Tract I to Joe Bernert Towing Company, Inc., in a contract recorded under Fee Number 75-9882, Deed Records; thence South  $0^{\circ}03'$  East, along the Westerly line of said Towing Company Tract, a distance of 220.00 feet to a 5/8 inch iron rod at the Northeast corner of that tract of land conveyed to Joe Bernert Towing Company, Inc., by a contract described in and recorded under Fee Number 90-2243, Deed Records; thence South  $89^{\circ}51'$  West, along the Northerly line of last said tract, a distance of 60.00 feet to a 5/8 inch iron rod; thence South  $77^{\circ}08'26''$  West, along last said Towing Company Tract, a distance of 492.25 feet to a 5/8 inch iron rod; thence South  $0^{\circ}03'$  East, along the Westerly line of last said tract, a distance of 141.69 feet to a 5/8 inch iron rod; thence South  $49^{\circ}54'37''$  East, along a Westerly line of last said tract, a distance of 659.97 feet to a 5/8 inch iron rod at an angle corner in said Westerly line; thence South  $9^{\circ}47'13''$  East, along said Westerly line, a distance of 747.37 feet to a 5/8 inch iron rod, being the South corner of said Fee Number 90-2243, said South corner being on the West line of said Tract I of Fee Number 75-9882; thence South  $0^{\circ}03'$  East, along the West line of said Tract I, a distance of 225.18 feet, more or less, to the South line of said Fee Number 74-10618; thence South  $83^{\circ}31'40''$  West, along the South line of said Fee Number 74-10618, a distance of 517.54 feet, more or less, to the mouth of a ravine; thence South  $77^{\circ}46'41''$  West, continuing along the South line of Fee Number 74-10618, a distance of 79.72 feet to the Southwest corner thereof; thence North, along the Westerly line of said Fee Number 74-10618, a distance of 966.90 feet to a point; thence North  $58^{\circ}00'$  West, a distance of 117.48 feet to a point on the West line of said Section 23; thence North  $0^{\circ}03''$  West, along said West section line, a distance of 2299.44 feet to the Northwest corner of said Section 23; thence East a distance of 20.00 feet returning to the point of beginning.

PARCEL II:

TOGETHER WITH an easement for road and utility purposes over the following described parcel:

A tract of land situated in Section 23, Township 3 South, Range 1 West, of the Willamette Meridian, in the County of Clackamas and State of Oregon, being more particularly described as follows, to wit:

A strip of land 60.00 feet in width and heretofore known as the Industrial Way Road easement, the centerline intersection of said 60.00 foot strip of land with the centerline of Market Road No. 6 (also known as Wilsonville Road), which intersection is North  $89^{\circ}56'$  East along the centerline of Market Road No. 6, 1278.43 feet from the Northwest corner of said Section 23, Township 3 South, Range 1 West, of the Willamette Meridian, in the County of Clackamas and State of Oregon, from said place of beginning; thence leaving said centerline of Market Road No. 6, South  $31^{\circ}36'$  East along the centerline of said 60.00 foot strip of land 263.90 feet; thence South  $17^{\circ}48'$  East 64.49 feet; thence South  $10^{\circ}22'$  West, 145.34 feet to the intersection of the North line of the Bailey D.L.C. No. 45; the same point of intersection being South  $89^{\circ}55'$  East 163.15 feet from the Northwest corner of the Thomas Bailey D.L.C. No. 45; thence South  $10^{\circ}22'$  West 906.74 feet along the centerline of said 60.00 foot strip of land South to the point of intersection of said centerline with the West line of said Thomas Bailey D.L.C.

AFTER RECORDING RETURN TO:  
City of Wilsonville - C.J. Sylvester  
8445 SW Elligson Rd.  
Wilsonville, OR 97070

UNTIL A CHANGE IS REQUESTED, ALL  
TAX STATEMENTS SHALL BE SENT TO  
THE FOLLOWING ADDRESS:  
8445 SW Elligson Rd.  
Wilsonville, OR 97070

DEED

DAVID S. YOUNG, Grantor, conveys and specially warrants to  
CITY OF WILSONVILLE, an Oregon municipal corporation, Grantee,  
the following described real property free of encumbrances  
created or suffered by the Grantor except as specifically set  
forth herein, situated in Clackamas County, Oregon, to-wit:

Parcel I, as described in the attached Exhibit A.

The said property is free of all encumbrances created or  
suffered by Grantor, except easements, access agreements, roadway  
agreements, and maintenance agreements of record, and changes (if  
any) in the location of the Willamette River.

Grantee has inspected the said property; is aware of its  
farm, household and river uses; and accepts the condition of the  
said property as is.

Further, DAVID S. YOUNG, Grantor, conveys to CITY OF  
WILSONVILLE, an Oregon municipal corporation, Grantee, the  
following described real property comprising an easement,  
situated in Clackamas County, Oregon, to-wit:

Parcel II, as described in the attached Exhibit A.

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We certify this instrument to be a true  
Copy \_\_\_\_\_ recorded 9-4-98  
Book \_\_\_\_\_, Page \_\_\_\_\_, Fee 98083411  
Records of Clackamas County, Oregon.  
CHICAGO TITLE INSURANCE COMPANY  
By ABROCKE

8  
Exhibit D

The true consideration for this conveyance is \$600,000.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 4<sup>th</sup> day of September, 1998.

David S. Young  
David S. Young

STATE OF OREGON, County of Washington ss. 9-4-98, 1998  
Personally appeared the above named DAVID S. YOUNG and  
acknowledged the foregoing instrument to be his voluntary act and  
deed.

Before me:

S M Anderson  
Notary Public for Oregon  
My Commission Expires: 10-4-2001

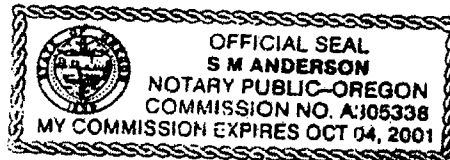


EXHIBIT "A"

## LEGAL DESCRIPTION

## PARCEL I:

Being a part of the R. V. Short Donation Land Claim in Township 3 South, Range 1 West, Willamette Meridian, in the County of Clackamas and State of Oregon, bounded and described as follows, to-wit:

Beginning at a point on the line between Sections 22 and 23, said township and range, 792.23 feet South 0°03' East of the Northwest corner of said Section 23; running thence South 0°03' East on said section line 604.99 feet to the Southwest corner of M.A. Holbrook Tract as recorded in Book 159, Page 546, Records of Deed for Clackamas County, Oregon; thence North 89°50' East 1239.0 feet along the South boundary of the said Holbrook Tract to the East line of the above mentioned Short DLC; thence North 0°17' West along the East boundary of the said Short DLC 545.7 feet to a point; thence North 87°25' West 1237.9 feet to the place of beginning.

EXCEPT the West 20 feet thereof conveyed for private roadway.

AND FURTHER EXCEPTING THEREFROM that portion included in Quit Claim Deed to Joe Bernert Towing Co., Inc. recorded December 29, 1987 as Recorder's Fee No. 87057703.

## PARCEL II:

TOGETHER WITH an easement for road and utility purposes over the following described parcel:

A tract of land situated in Section 23, Township 3 South, Range 1 West, of the Willamette Meridian, in the County of Clackamas and State of Oregon, being more particularly described as follows, to wit:

A strip of land 60.00 feet in width and heretofore known as the Industrial Way Road easement, the centerline intersection of said 60.00 foot strip of land with the centerline of Market Road No. 6 (also known as Wilsonville Road), which intersection is North 89°56' East along the centerline of Market Road No. 6, 1278.43 feet from the Northwest corner of said Section 23, Township 3 South, Range 1 West, of the Willamette Meridian, in the County of Clackamas and State of Oregon, from said place of beginning; thence leaving said centerline of Market Road No. 6, South 31°36' East along the centerline of said 60.00 foot strip of land 263.90 feet; thence South 17°48' East 64.49 feet; thence South 10°22' West, 145.34 feet to the intersection of the North line of the Bailey D.L.C. No. 45; the same point of intersection being South 89°55' East 163.15 feet from the Northwest corner of the Thomas Bailey D.L.C. No. 45; thence South 10°22' West 906.74 feet along the centerline of said 60.00 foot strip of land South to the point of intersection of said centerline with the West line of said Thomas Bailey D.L.C.

**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date: June 4, 2012</b>	<b>Subject: City Budget Adoption for FY 2012-13</b>	
	<b>Staff Member: Gary Wallis, Finance Director Department: Finance</b>	
<b>Action Required</b>	<b>Advisory Board/Commission Recommendation</b>	
<input type="checkbox"/> Motion <input checked="" type="checkbox"/> <b>Public Hearing Date: 6/4/12</b> <input type="checkbox"/> <b>Ordinance 1<sup>st</sup> Reading Date:</b> <input type="checkbox"/> <b>Ordinance 2<sup>nd</sup> Reading Date:</b> <input checked="" type="checkbox"/> <b>Resolution</b> <input type="checkbox"/> <b>Information or Direction</b> <input type="checkbox"/> <b>Information Only</b> <input type="checkbox"/> <b>Council Direction</b> <input type="checkbox"/> <b>Consent Agenda</b>	<input checked="" type="checkbox"/> <b>Approval</b> <input type="checkbox"/> <b>Denial</b> <input type="checkbox"/> <b>None Forwarded</b> <input type="checkbox"/> <b>Not Applicable</b>  <b>Comments: Budget as approved by Budget Committee on May 3, 2012.</b>	
<b>Staff Recommendation:</b> <b>Open public hearing, receive testimony, consider resolution to adopt the budget for fiscal year 2012-13</b>		
<b>Recommended Language for Motion:</b> <b>Move to approve Resolution No. 2364 to adopt the budget, make appropriations, and to declare the ad valorem tax levies for fiscal year 2012-13</b>		
<b>PROJECT / ISSUE RELATES TO</b>		
<input checked="" type="checkbox"/> Council Goals/Priorities Practice Fiscal discipline.	<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable

**ISSUE BEFORE COUNCIL:** Public hearing and consideration of adoption of budget for next fiscal year.

**EXECUTIVE SUMMARY:** Following the Budget Committee vote to approve the budget the City Council must hold a public hearing and receive comments on the budget prior to adoption. The Board must adopt a budget not later than June 30, 2012.

By law, the Council may make changes in the approved budget within certain limitations: (1) taxes may not be increased over the amount approved by the budget committee, and (2) estimated expenditures in a fund cannot be increased by more than \$5,000 or 10 percent, whichever is greater. The Council can reduce the budget from that approved by the Budget Committee.

**EXPECTED RESULTS:** Create the budget for operating and capital purposes for fiscal year 2012-13.

**TIMELINE:**

- April 11, 2012 - Public notice of availability of the proposed budget and Budget Committee meeting dates published in the Wilsonville Spokesman
- April 30, 2012 – First meeting of the Budget Committee, presentation of budget message, public testimony taken
- May 3, 2012 – Second meeting of the Budget Committee, opportunity for public to testify, voted to approve budget with no changes
- May 16, 2012 – Public notice of the meeting to adopt published in the Wilsonville Spokesman
- June 4, 2012 – Council meeting to receive public testimony, consider Resolution to adopt budget

**CURRENT YEAR BUDGET IMPACTS:** Does not affect the FY 2011-12 budget.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: Gary Wallis    Date: May 17, 2012  
No additional comments.

**LEGAL REVIEW / COMMENT:**

Reviewed by: MEK \_\_\_\_\_ Date: 5/24/2012 \_\_\_\_\_  
The process meets Local Budget Law requirements; the proposed Resolution is approved as to form.

**COMMUNITY INVOLVEMENT PROCESS:** The opportunity for the public to address the Budget Committee was offered at the meetings on April 30, 2012 and May 3, 2012. Public comments and questions were received at the April 30, 2012 meeting. Staff responded to the issues and questions raised in writing prior to May 3, 2012.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:** The budget provides for the delivery of services and construction of capital projects throughout the community.

**ALTERNATIVES:** N/A

**CITY MANAGER COMMENT:**

**ATTACHMENTS**

- A. Resolution no. 2364

**RESOLUTION NO. 2364**

**A RESOLUTION OF THE CITY OF WILSONVILLE ADOPTING THE BUDGET, MAKING APPROPRIATIONS, DECLARING THE AD VALOREM TAX LEVY, AND CLASSIFYING THE LEVY AS PROVIDED BY ORS 310.060(2) FOR FISCAL YEAR 2012-13.**

**WHEREAS**, in accordance with ORS 294.426 the Wilsonville Budget Committee met on April 30, 2012 and May 3, 2012 to receive public testimony, hear the budget message and listen to presentations pertaining to the proposed budget for Fiscal Year 2012-13; and,

**WHEREAS**, the Budget Committee deliberated on the proposed budget and on May 3, 2012 approved the budget with no amendments; and,

**WHEREAS**, on May 16, 2012 a summary of the budget, as required by ORS 294.438, was duly published in the Wilsonville Spokesman, a newspaper of general circulation in the City; and,

**WHEREAS**, in accordance with ORS 294.456 the Wilsonville City Council duly held a public hearing on June 4, 2012 where all interested persons were afforded an opportunity to appear and be heard with respect to the approved budget for the fiscal year beginning July 1, 2012.

**NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:**

1. The Council adopts the budget for FY 2012-13 in the total amount of \$135,946,711.
2. Of the total adopted budget of \$135,946,711, the City appropriates \$130,636,726 for the fiscal year beginning July 1, 2012 as shown in Attachment A – Schedule of Appropriations. The difference of \$5,309,985 is not appropriated and is not available for expenditure during the year.
3. The City of Wilsonville City Council hereby imposes the taxes provided for in the Adopted Budget at the rate of \$2.5206 per \$1,000 of assessed value for general operations; and in the amount of \$340,000 for general obligation bonds; and that these



taxes are hereby imposed and categorized for the tax year 2012-13 upon the assessed value of all taxable property in the City.

General Government Limit

General Fund \$2.5206 / \$1,000

Excluded from Limit

General Obligation Debt Fund \$340,000

4. In compliance with Governmental Accounting Standards Board (GASB) Pronouncement Number 54, the City Council hereby makes the following commitments for Fiscal Year 2012-13:
  - a. For all funds, the unappropriated ending fund balance is the difference between the fund's resources and the appropriations noted in Attachment A and is also known as a Committed balance.
  - b. Authority to classify portions of ending fund balance as Assigned is hereby granted to the City Manager and the Finance Director.
  - c. City Council considers the spending of the restricted classification of fund balance on purposes for which such funds can be used to occur first when funds are spent for restricted and unrestricted purposes. When unrestricted classifications of fund balance are spent, the Council will consider that assigned amounts will be reduced first, followed by unassigned amounts and then committed amounts.
5. This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regularly scheduled meeting thereof this 4<sup>th</sup> day of June, 2012 and filed with the City Recorder this date.

---

TIM KNAPP, Mayor

ATTEST:

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Sandra C. King, MMC, City Recorder

**SUMMARY of Votes:**

**Mayor Knapp**

**Council President Núñez**

**Councilor Hurst**

**Councilor Goddard**

**Councilor Starr**

## Attachment A – Schedule of Appropriations

### General Fund

Administration	\$ 1,235,101	
Finance	1,213,774	
Information Services	587,715	
Geographical Information Services	221,800	
Legal	483,490	
Human Resources and Risk Management	573,055	
Public Works Administration	625,737	
Building Maintenance	687,213	
Parks Maintenance	1,001,217	
Community Services	1,030,610	
Library	1,531,480	
Law Enforcement	3,857,108	
Municipal court	212,520	
Transfers to Other Funds	1,310,600	
Contingency	<u>9,100,304</u>	
<b>Total Fund Appropriations</b>		<b>\$23,671,724</b>

### Community Development Fund

CD Administration	\$ 963,441	
Engineering	1,340,445	
Building	643,015	
Planning	820,044	
Natural Resources/Stormwater Management	206,170	
Finance	15,500	
Transfers to Other Funds	358,960	
Contingency	<u>2,825,913</u>	
<b>Total Fund Appropriations</b>		<b>\$7,173,488</b>

### Transit Fund

Transit	\$ 5,084,105	
Finance	6,320	
Human Resources	2,040	
Road Operating	21,360	
Building Maintenance	5,000	
Transfers to Other Funds	1,538,580	
Contingency	<u>1,141,614</u>	
<b>Total Fund Appropriations</b>		<b>\$7,799,019</b>

### 911 State Shared Revenue Fund

Law Enforcement	<u>\$ 90,000</u>	<b>\$90,000</b>
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**Attachment A – Schedule of Appropriations**

**Road Operating Fund**

Road Operating	\$ 720,308	
Human Resources	410	
Transfers to Other Funds	312,060	
Contingency	<u>865,227</u>	
<b>Total Fund Appropriations</b>		<b>\$1,898,005</b>

**Road Maintenance Regulatory Fund**

Finance	\$ 510	
Transfers to Other Funds	650,000	
Contingency	<u>234,245</u>	
<b>Total Fund Appropriations</b>		<b>\$884,755</b>

**Water Operating Fund**

Water Distributions and Sales	\$ 1,210,847	
Water Treatment	2,739,057	
Finance	60,938	
Human Resources	410	
Debt Service	1,886,000	
Transfers to Other Funds	534,200	
Contingency	<u>2,384,766</u>	
<b>Total Fund Appropriations</b>		<b>\$8,816,218</b>

**Sewer Operating Fund**

Sewer Collection	\$ 665,389	
Sewer Treatment	1,799,200	
Sewer Pretreatment	116,542	
Finance	55,868	
Human Resources	710	
Debt Service	2,589,000	
Transfers to Other Funds	1,460,000	
Contingency	<u>9,250,480</u>	
<b>Total Fund Appropriations</b>		<b>\$15,937,189</b>

**Street Lighting Operating Fund**

Street Lighting	\$ 296,100	
Transfers to Other Funds	59,280	
Contingency	<u>805,190</u>	
<b>Total Fund Appropriations</b>		<b>\$1,160,570</b>

## Attachment A – Schedule of Appropriations

<u>Stormwater Fund</u>		
Natural Resources/Stormwater Management	\$	159,012
Stormwater Maintenance		494,935
Finance		20,408
Human Resources		200
Transfers to Other Funds		933,800
Contingency		614,032
<b>Total Fund Appropriations</b>		<b>\$2,222,387</b>

<u>Fleet Service Fund</u>		
Fleet	\$	1,259,000
Human Resources		710
Transfers to Other Funds		529,040
Contingency		1,061,791
<b>Total Fund Appropriations</b>		<b>\$2,850,541</b>

<u>Debt Service Fund</u>		
Debt Service	\$	372,660
<b>Total Fund Appropriations</b>		<b>\$372,660</b>

<u>Water Capital Projects Fund</u>		
Water Capital Projects	\$	1,313,406
Transfers to Other Funds		279,077
Contingency		200,126
<b>Total Fund Appropriations</b>		<b>\$1,792,609</b>

<u>Sewer Capital Projects Fund</u>		
Sewer Capital Projects	\$	18,957,500
Transfers to Other Funds		766,990
Contingency		9,273,073
<b>Total Fund Appropriations</b>		<b>\$28,997,563</b>

<u>Streets Capital Projects Fund</u>		
Streets Capital Projects	\$	3,858,500
Transfers to Other Funds		666,670
Contingency		211,221
<b>Total Fund Appropriations</b>		<b>\$4,736,391</b>

**Attachment A – Schedule of Appropriations**

**Stormwater Capital Projects Fund**

Stormwater Capital Projects	\$ 1,139,000	
Transfers to Other Funds	227,460	
Contingency	<u>10,276</u>	
<b>Total Fund Appropriations</b>		<b>\$1,376,736</b>

**Building Capital Projects Fund**

Building Capital Projects	\$ 2,773,000	
Transfers to Other Funds	112,480	
Contingency	<u>181,236</u>	
<b>Total Fund Appropriations</b>		<b>\$3,066,716</b>

**Parks Capital Projects Fund**

Parks Capital Projects	\$ 1,526,600	
Transfers to Other Funds	186,240	
Contingency	<u>83,828</u>	
<b>Total Fund Appropriations</b>		<b>\$1,796,668</b>

**Water Development Charges**

Finance	\$ 6,600	
Transfers to Other Funds	1,305,900	
Contingency	<u>955,513</u>	
<b>Total Fund Appropriations</b>		<b>\$2,268,013</b>

**Sewer Development Charges**

Finance	\$ 6,700	
Transfers to Other Funds	1,335,690	
Contingency	<u>3,617,833</u>	
<b>Total Fund Appropriations</b>		<b>\$4,960,223</b>

**Streets Development Charges**

Finance	\$ 6,700	
Transfers to Other Funds	2,898,140	
Contingency	<u>1,535,756</u>	
<b>Total Fund Appropriations</b>		<b>\$4,440,596</b>

**Stormwater Development Charges**

Finance	\$ 1,430	
Transfers to Other Funds	667,700	
Contingency	<u>256,176</u>	
<b>Total Fund Appropriations</b>		<b>\$925,306</b>

**Attachment A – Schedule of Appropriations**

**Parks Development Charges**

Finance	\$ 6,120	
Transfers to Other Funds	910,440	
Contingency	<u>2,482,789</u>	
<b>Total Fund Appropriations</b>		<b>\$3,399,349</b>
<b>Total City Appropriations - All Funds</b>		<b><u><u>\$130,636,726</u></u></b>

# PUBLIC HEARING COMMENTS

FOR SANDY

## CITY BUDGET

Council needs to conduct two public hearings in conjunction with adoption.

**First, hearing on the receipt and use of State Shared Revenues.** The revenues and proposed area of use are listed in the staff report. We are eligible to receive State Shared revenues if we provide at least 4 of 7 services. The city provides 6 of the 7 – fire service being the one exception. State revenues that are expended via programs in the General Fund include:

- Alcoholic beverage tax, \$255,000
- Cigarette tax, \$30,000
- 9-1-1 emergency telecommunication tax, \$90,000
- State shared revenues, \$195,000

These help pay for programs such as Police, Parks Maintenance, Library, Youth/Adult/Sr Programs, Planning and a portion of Policy and Administration.

Also receive state shared gas tax, \$1.1M which pays for road operations (striping, signals and signs, median maintenance, trash removal, and vehicle replacements). This revenue and its use is recorded in a separate fund – the Road Operating Fund.

Ask that you open hearing/take input on the use of State Shared Revenues. After closure of that hearing I'll have a few brief comments about the budget adoption after which the public hearing on the budget should be opened.



# PUBLIC HEARING COMMENTS

**Second, hearing prior to adoption of the budget for FY 2012-13. My comments first.**

The budget for next year was made available to the public in mid-April. It was presented to the Budget Committee in late April and early May. The Committee received public testimony. Staff responded to public testimony and questions raised by the Committee. The process concluded with the Committee Approving the budget that is before you tonight. Previously covered in detail, tonight just a few highlights.

Total resources for next year are estimated to be \$135,946,711. More than half of that amount is cash that will be carryover from June 30 to July 1. A significant portion of that is the unspent portion of the \$39M sewer bonds.

The budget assumes some user rate increases – sewer and stormwater were previously approved by council resolutions, water is estimated at 3% in November but a study will be conducted after the Master Plan is presented. All other significant fees remain unchanged including Property Taxes at \$2.5206 rate per \$1000 of AV.

Operating costs, Personnel + Supplies + Equipment, those costs that provide the services the community needs totals \$32,058,814. That is up \$635,193 from the current adopted budget. Most of that increase is attributed to water treatment services increase which is funded by Sherwood, in addition there are bus replacements which are funded by grants or dedicated reserves. Largest capital project is \$19 million for next year's work on the sewer plant upgrade. Next largest capital projects is the new SMART/Fleet ops center @ \$2M.

The Resolution before you tonight reflects the budget as approved by the Budget Committee. It refers to a total budget of \$135,946,711. However, it sets appropriations at a lower amount - \$130,636,726. Appropriations provide an upper limit on what our expenses can be next year. The unappropriated difference, \$5,309,985, represents our fiscal management policy practice of setting aside amounts to be carried over to the ensuing fiscal year. Essentially, we are banking on this amount as a minimum to be available next year.

Following public testimony the Council may increase or decrease the budget. Any increases must be balanced with a similar sized decrease or new revenue. The law limits how much can be increased to \$5,000 or 10% of a fund's Approved level. Similarly, decreases must either reduce a revenue, move appropriations into contingency or into unappropriated balance.

Suggest you open the public hearing and receive testimony. Following that I'll respond to questions or you can proceed with your deliberation on State Shared Resolutions and the Budget Adoption Resolution.

# PUBLIC HEARING COMMENTS

## URBAN RENEWAL BUDGET

**Public hearing prior to adoption of the urban renewal budget. A few comments first.**

The budget for next year was made available to the public in mid-April. It was presented to the Budget Committee in late April and early May. The Committee received public testimony. Staff responded to public testimony and questions raised by the Committee. The process concluded with the Committee Approving the budget that is before you tonight.

We estimate that total resources for next year will be \$39,197,823. Almost half of that amount is cash that will be carryover from June 30 to July 1. And, most of that is from the two debt funds and is restricted to payment of current and future debt.

As for new resources, the West Side needs to collection 100% of available taxes and the Year 2000 Plan continues to collect less than what is available. This underlevying releases some \$900,000 to General Funds of multiple jurisdictions. New debt is anticipated in part to refinance short-term debt to long-term and to fund a few necessary projects and repayments.

Total appropriations are \$30,247,011. This is \$8,950.812 less than total resources. The difference, aka unappropriated fund balance, is from debt funds cash in excess of next year's required payments. The excess is carried over to the ensuing year. Big capital projects include completion of the I5 Interchange, pay a portion of sewer plant upgrade and payment of SDCs to water and streets.

Following public testimony the <sup>BOARD</sup> ~~Council~~ may increase or decrease the budget. Any increases must be balanced with a similar sized decrease or new revenue. The law limits how much can be increased to \$5,000 or 10% of a fund's Approved level. Similarly, decreases must either reduce a revenue, move appropriations into contingency or into unappropriated balance.

Suggest you open the public hearing and receive testimony. Following that I'll respond to questions or you can proceed with your deliberation on the Budget Adoption Resolution.

City of Wilsonville  
Mayor and Council

May 30, 2012

Thank you for affording me the opportunity to speak to you on the subject of The City of Wilsonville's 2012 Budget.

I am here speaking on behalf of both the Arts and Culture Council, and The Arts and Culture Alliance of Wilsonville, as well as the many other arts organizations and individual artists in the area.

First, I want to thank you for your generous financial assistance to The Arts and Culture Council in support of "The Arts Festival, and to The Arts and Culture Alliance in furtherance of their Sculpture Program.

And of course, we thank you for your continued enthusiastic moral support which has been essential to our success through the years.

But now with the advent of the new City Budget [ 7/1/12 to 6/30/13 ] we note that support for "Public Art" did not figure in your deliberations and conclusion at all.. This is a matter of great concern to us.

We all share our love for this City, and we try to do our part to make this place one of which we can all be proud. Thus, we note the omission of any assistance, financial or otherwise with concern.

A city is more than programs of efficiency and economy. We believe, that beyond these considerations, are those more intangible factors such as beauty, style and grace which comprise the true heart and soul of the City.

We are speaking first about The Wilsonville Arts Festival June 2<sup>nd</sup> & 3<sup>rd</sup> just concluded and which has added a huge dimension to our city's cultural life. Our festival has grown from very humble beginnings to an event which the entire region anticipates with pleasure.

This event, with some City of Wilsonville help, has put our City on the map, and breathes fresh air into the community.

Page one

*Reid 6/1/12  
Budget hearing*

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And I would remind you of our Sculpture Program has also grown substantially. Starting with just a few sculptures 8 years ago, we now count 22 public sculptures throughout the City. Some are privately owned: Some are owned by the City. Others were purchased with State and Federal funds. And some are owned by artists themselves who participate in our program which rotates juried sculptures every two years.

And then there is the major effort underway named "Beauty and the Bridge" which is a joint effort of the City of Wilsonville, The Oregon Department of Transportation, and

students from Wilsonville School. These budding young artists are preparing to install beautiful tile mosaics at the intersection of I-5 and Wilsonville Road. These will be on either side of the pedestrian walkway under I-5 which joins the east and west sections of Wilsonville. When completed this summer, these mosaics will be a major artistic attraction. This will transform an otherwise boring intersection into a work of art which will bring fame to the city, and honors to the young students who created the mosaics.

Finally, we also support the Wilsonville Theater Company, The Boones Ferry Historical Society and the I-5 Connection, as well as the many other private art groups which flourish here. These entities add another dimension to our city, and deserve to be supported too.

We are aware that these are difficult times, but we would remind you again that life without Arts and Culture would be very bland indeed. We mustn't forget to feed our spirit as well as our faces!

We hope you find room over the course of this new budget year for some consideration for Arts and Culture Programs in Wilsonville. Please keep in mind, we are impoverished without them.

*Keith Amundson*

Keith Amundson, Co-Chair  
Arts and Culture Alliance of Wilsonville

*Theonie Gilmore*

Theonie Gilmore, Chair  
Arts and Culture Council of Wilsonville

Page two

**Wilsonville Arts & Culture Council**  
P.O. Box 861, Wilsonville, Oregon 97070  
[www.WilsonvilleArts.org](http://www.WilsonvilleArts.org)


**CITY COUNCIL MEETING  
 STAFF REPORT**

<b>Meeting Date:</b>  <b>June 4, 2012</b>		<b>Subject: State Shared Revenue</b>  <b>Staff Member: Gary Wallis, Finance Director</b> <b>Department: Finance</b>	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: 6/4/12 <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable  <b>Comments: Budget as approved by Budget Committee on May 3, 2012.</b>	
<b>Staff Recommendation:</b> <b>Open public hearing, receive testimony, consider resolution electing to receive state shared revenues</b>			
<b>Recommended Language for Motion:</b> <b>Move to approve Resolution No. 2365 declaring eligibility to receive state shared revenues and Resolution No. 2366 electing to receive state shared revenues in FY 2012-13</b>			
<b>PROJECT / ISSUE RELATES TO</b>			
<input checked="" type="checkbox"/> Council Goals/Priorities		<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable

**ISSUE BEFORE COUNCIL:** Public hearing on receipt and use of state shared revenues.

**EXECUTIVE SUMMARY:** Oregon Budget law requires the public be given two opportunities to comment on receiving state shared revenues and their proposed use. The first opportunity is extended during the Budget Committee meeting. The second opportunity is offered in conjunction with the budget adoption.

**EXPECTED RESULTS:** Accompanying resolutions satisfy legal requirements to receive state shared revenues in FY 2012-13.

**TIMELINE:**

April 11, 2012 – Notice of meeting to receive comments from the public on uses of state shared revenues at the April 30, 2012 Budget Committee meeting published in the Wilsonville Spokesman

April 30, 2012 – First meeting of the Budget Committee, public invited to testify

May 28, 2012 – Posted notice of public hearing

June 4, 2012 – Council meeting to receive public testimony and consider comments prior to action to Adopt the budget

**CURRENT YEAR BUDGET IMPACTS:** Does not affect the FY 2011-12 budget.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: Gary Wallis Date: May 17, 2012

No additional comments.

**LEGAL REVIEW / COMMENT:**

Reviewed by: MEK\_\_\_\_\_ Date: 5/24/2012\_\_\_\_\_

The process meets Local Budget Law requirements; the form of both proposed Resolutions are approved.

**COMMUNITY INVOLVEMENT PROCESS:** The opportunity for the public to address the Budget Committee pertaining to state shared revenues was offered at the meeting on April 30, 2012. No public testimony was received.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:** State revenues allow, in part, for operation of streets, police services, parks maintenance, community services and library operations.

**ALTERNATIVES:**

**CITY MANAGER COMMENT:**

**ATTACHMENTS**

- A. Resolution No. 2365
- B. Resolution No. 2366

**Summary of State Shared Revenues  
Resources and Possible Uses**

<b>State Shared Revenues:</b>		<b>General Fund</b>	<b>9-1-1 Fund</b>	<b>Road Oper. Fd.</b>
	Alcoholic beverage taxes	\$255,000		
	Cigarette taxes	\$30,000		
	9-1-1 emergency telecommunication tax		\$90,000	
	State shared revenues	\$195,000		
	Gas tax			\$1,100,000
<b>Possible uses:</b>				
	Police	✓	✓	
	Parks & Building maintenance	✓		
	Library	✓		
	Youth, Adult & Senior services	✓		
	Policy and administration	✓		
	Planning	✓		
	Road operations			✓

**RESOLUTION NO. 2365**

**A RESOLUTION DECLARING THE CITY'S ELIGIBILITY TO RECEIVE STATE SHARED REVENUES.**

**WHEREAS**, ORS 221.760 provides as follows:

Section 1. The officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- (1) Police protection;
- (2) Fire protection;
- (3) Street construction, maintenance and lighting;
- (4) Sanitary sewer;
- (5) Storm sewers;
- (6) Planning, zoning and subdivision control;
- (7) One or more utility services; and

**WHEREAS**, City officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760.

**NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:**

1. That the Wilsonville City Council hereby declares that the City directly provides all of the municipal services enumerated above, save and except the provision of the City's fire protection which is through Tualatin Valley Fire & Rescue.
2. This resolution is effective upon adoption.



ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 4<sup>th</sup> day of June, 2012 and filed with the Wilsonville City Recorder this date.

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TIM KNAPP, MAYOR

ATTEST:

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Sandra C. King, MMC, City Recorder

SUMMARY of Votes:

Mayor Knapp

Council President Núñez

Councilor Hurst

Councilor Goddard

Councilor Starr

**RESOLUTION NO. 2366**

**A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES.**

**WHEREAS**, the Budget Committee has reviewed and approved the proposed use of State Shared Revenues; and

**WHEREAS**, a public hearing has been held before the Budget Committee on April 30, 2012 to discuss possible uses of the funds and before the City Council on June 4, 2012 to obtain public input as to the proposed uses of State Shared Revenues.

**NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:**

1. Pursuant to ORS 221.770 the City of Wilsonville hereby elects to receive state revenues for the fiscal year 2012-13.
2. This resolution is effective upon adoption.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 4<sup>th</sup> day of June, 2012 and filed with the Wilsonville City Recorder this same date.

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TIM KNAPP, MAYOR

ATTEST:

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Sandra C. King, MMC, City Recorder

SUMMARY of Votes:  
Mayor Knapp  
Council President Núñez  
Councilor Hurst  
Councilor Goddard  
Councilor Starr

**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b>  June 4, 2012	<b>Subject: Grahams Ferry Road</b>  <b>Staff Member: Steve Adams</b> <b>Department: Engineering</b>
<b>Action Required</b>	<b>Advisory Board/Commission Recommendation</b>
<input type="checkbox"/> <b>Motion</b> <input type="checkbox"/> <b>Public Hearing Date:</b> <input type="checkbox"/> <b>Ordinance 1<sup>st</sup> Reading Date:</b> <input type="checkbox"/> <b>Ordinance 2<sup>nd</sup> Reading Date:</b> <input checked="" type="checkbox"/> <b>Resolution</b> <input type="checkbox"/> <b>Information or Direction</b> <input type="checkbox"/> <b>Information Only</b> <input type="checkbox"/> <b>Council Direction</b> <input type="checkbox"/> <b>Consent Agenda</b>	<input type="checkbox"/> <b>Approval</b> <input type="checkbox"/> <b>Denial</b> <input type="checkbox"/> <b>None Forwarded</b> <input type="checkbox"/> <b>Not Applicable</b> <b>Comments:</b>  
<b>Staff Recommendation:</b> <b>Staff recommends approval for Polygon Northwest (Polygon) to enter into a contract with Northwest Earthmovers Inc. (NEI) for completing construction of Grahams Ferry Road.</b>	
<b>Recommended Language for Motion:</b> <b>I move to approve Resolution No. 2367.</b>	
<b>PROJECT / ISSUE RELATES TO:</b> <i>[Identify which goal(s), master plans(s) issue relates to.]</i>	
<input type="checkbox"/> <b>Council Goals/Priorities</b>	<input checked="" type="checkbox"/> <b>Adopted Master Plan(s)</b> <b>Villebois Village Master Plan</b>
<input type="checkbox"/> <b>Not Applicable</b>	

**ISSUE BEFORE COUNCIL:**

Approving a sole source contract with Polygon Northwest Company, L.L.C. for the completion of construction of Grahams Ferry Road Improvements, including the City's share, with Polygon using NEI as its contractor.

**EXECUTIVE SUMMARY:**

Pursuant to Contract Addendum No. 2 entered into by the City and Polygon on September 8, 2011 the City has agreed to advance funds for both its share and Polygon's share of the

remaining construction costs for Grahams Ferry Road. Polygon shall reimburse the City for its share of construction costs via a per lot surcharge, or any remaining balance by lump sum no later than July 1, 2014. Total estimated cost is \$533,028.93 to be paid in advance from Street System Development Charges and Polygon reimbursing \$379,578.68 to the City by July 1, 2014.

**EXPECTED RESULTS:**

Construction will be completed on Grahams Ferry Road from the LEC property through Surrey Street.

**TIMELINE:**

Construction work to be begin in June 2012 and be completed no later than November 1, 2012.

**CURRENT YEAR BUDGET IMPACTS:**

In both the 2011/12 Adopted Budget and the 2012/13 Proposed Budget the City has identified CIP's 4139 (\$387,600) and 7032 (\$28,500) to fund improvements to Grahams Ferry Road through SDC's. Remaining balance of costs shall be advanced to Polygon with repayment made to the City.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: Gary Wallis Date: May 24, 2012\_\_\_\_\_

Budget for FY 2012-13 will need to be adjusted to reflect the reimbursement from Polygon. Sufficient Street SDC cash is available to fund this project.

**LEGAL REVIEW / COMMENT:**

Reviewed by: \_\_\_\_\_MEK\_\_\_\_\_ Date: \_\_\_\_\_5/24/12\_\_\_\_\_

The proposed Resolution is approved as to form. The notice requirements as well as the factual basis for the legal conclusions to support a sole source contract are met. BOLI wages are to be paid.

**COMMUNITY INVOLVEMENT PROCESS:**

Public outreach is an ongoing process that began before the Villebois Village Master Plan was adopted by Council on August 18, 2003, continued with DRB and Council approval of Villebois SAP South PDP 4 in 2005 and 2006, and DRB and Council approval of Villebois SAP South PDP 5 I 2011. In recent years several citizens have expressed their dissatisfaction with the uncompleted state of Grahams Ferry Road and are looking forward to seeing its construction completed.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:**

A completed roadway will benefit motorists, bicyclists, and pedestrians by providing a smooth driving surface and 10-ft wide multi-use pathway, as well as homeowners in Villebois that back up to the uncompleted construction zone.

**ALTERNATIVES:**

Villebois development agreements placed responsibility of construction of Grahams Ferry Road on the master developer, Villebois LLC. Construction of the roadway was started in 2009, but never completed due to the economic downturn. City staff worked with both Villebois LLC and

Polygon in 2011 and entered into Contract Addendum No. 2 as a way to complete construction of the roadway in conjunction with constructing Villebois SAP South PDP 5.

**CITY MANAGER COMMENT:**

**ATTACHMENTS**

**RESOLUTION NO. 2367**

**A RESOLUTION OF THE CITY OF WILSONVILLE APPROVING THE AWARD OF A SOLE SOURCE CONTRACT FOR ROAD CONSTRUCTION TO POLYGON NORTHWEST COMPANY, L.L.C.**

WHEREAS, the City of Wilsonville ("City"), Villebois LLC ("Villebois") and Polygon Northwest Company L.L.C, a Washington limited liability company ("Polygon"), entered into Contract Addendum No. 2 on September 8, 2011 ("Addendum 2") to the Development Agreement, dated May 24, 2004 ("Development Agreement"), relating to the development of certain property ("Property") located within the residential community commonly known as Villebois; and

WHEREAS, a City imposed Conditions of Approval for the development of the Property is the obligation to make certain road improvements to Graham's Ferry Road ("Road Improvements") and although some of those Road Improvements were commenced by Villebois, using its contractor NEI, they were never completed due to lack of funds; and

WHEREAS because the Road Improvements were designed to serve other properties in the area, the City agreed to pay a proportionate share of the Road Improvements, as more particularly set forth in the Development Agreement; and

WHEREAS, Villebois has now sold the Property to Polygon, who now wishes to develop the Property, and as a condition of the sale, Villebois, the City and Polygon entered into Addendum No. 2 which, among other things, sets forth the continuing obligations of Villebois, Polygon and the City with respect to completion of the Graham's Ferry Road Improvements and land dedication for public right-of-way for the Road Improvements; and

WHEREAS, pursuant to the Development Agreement Polygon is obligated to complete the Road Improvements, as described in Addendum 2, by no later than November 1, 2012; and

WHEREAS, the total construction cost is estimated at FIVE HUNDRED THIRTY THREE THOUSAND TWENTY EIGHT DOLLARS AND NINETY THREE CENTS (\$533,028.93), including the bid estimate from the contractor as well as estimates for engineering, testing, and franchise utilities, which the city will advance approximately half in June 2012 and the balance in the ensuing months as construction occurs; and,

WHEREAS, pursuant to Addendum 2 and the May 2, 2012 Bid Proposal provided by Northwest Earthmovers Inc. to Polygon, the City and Polygon estimate that Polygon's share of the cost of the Road Improvements will be THREE HUNDRED SEVENTY NINE THOUSAND FIVE HUNDRED SEVENTY EIGHT DOLLARS AND SIXTY EIGHT CENTS (\$379,578.68) and the City's share of the cost of the Road Improvements will be ONE HUNDRED FIFTY THREE THOUSAND FOUR HUNDRED FIFTY DOLLARS AND TWENTY FIVE CENTS (\$153,450.25), subject to true-up, based on actual reasonable cost, which Polygon has agreed to manage and control; and

WHEREAS, Polygon will repay the City for Polygon's share of the Road Improvements by imposing a surcharge of THREE THOUSAND FOUR HUNDRED EIGHTY TWO DOLLARS AND THIRTY SEVEN CENTS (\$3,482.37) per lot on every house sold within the Property, to be paid at the time of issuance of each building permit, subject to true-up, based on actual reasonable cost; provided, however, if the City is not fully repaid in this way by July 1, 2014, then Polygon will repay the City the entire remaining unpaid balance to the City on July 1, 2014; and,

WHEREAS, there is sufficient budget authority in fiscal year 2011-12 for the expected payments however the budget for fiscal year 2012-13 will need a supplemental budget adjustment to record the reimbursements from Polygon (up to \$379,578.68); and,

WHEREAS, because NEI has already built a significant portion of the Road Improvements and is familiar with the plans and designs for the Road Improvements, Polygon believes it is most cost effective and time efficient to continue to retain NEI as its contractor; and

WHEREAS, Polygon is on a tight time frame to complete the Road Improvements and because the City and Polygon believe that Polygon is in the best position to negotiate, enter into and manage the contract and construction, and that there will be substantially less cost and substantially less potential for lack of coordination issues to use one contractor, retained by Polygon, rather than trying to mobilize and coordinate between a City retained contractor for the City's portion of the work and Polygon's contractor for Polygon's portion of the work; and

WHEREAS, Polygon has agreed that its contract with NEI will require NEI to pay prevailing wages on the entire contract in order to satisfy public contracting laws.

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

1. Incorporating all of the above Recitals, the City Council hereby approves a sole source contract with Polygon Northwest Company, L.L.C. for the completion of construction of the Graham's Ferry Road Improvements, including the City's share, with Polygon using NEI as its contractor, for the reasons articulated in the Recitals, and
2. City Council finds that it is unlikely that making this sole source exemption, under these unique facts and circumstances, will encourage favoritism in the awarding of other public contracts, nor will it substantially diminish competition for public improvement contracts; and



3. City Council finds that the award of this contract to Polygon will likely result in substantial cost savings to the City based upon the justification and information described in ORS 279C.330, and as more particularly set forth in the Recitals above.
4. City Council authorizes the disbursement of \$533,028.93 to Polygon from Street System Development Charges as budgeted in FY 2011-12 and FY 2012-13 from projects #4139 and #7032.
5. This Resolution is effective upon adoption.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this \_\_\_ day of \_\_\_\_\_, 2012, and filed with the Wilsonville City Recorder on this date.

\_\_\_\_\_  
Tim Knapp, Mayor

ATTEST:

\_\_\_\_\_  
Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Knapp	_____
Council President Núñez	_____
Councilor Hurst	_____
Councilor Goddard	_____
Councilor Starr	_____

# Grahams Ferry Road Construction - Phase 1 Improvements

city calculation - S. Adams, NEI Bid 5-2-2012

Exhibit

Item	VB 4 South	Notes
<b>NEI Bid Proposal</b>	<b>\$459,734.00</b>	<b>per NEI Bid date 5/2/12</b>
Outstanding NEI bill + retainage + int.	\$135,429.91	Remains obligation of Polygon NW
Revise construction dwgs, staking, inspection & as-built	\$37,912.89	PCD 2011 est. for total, split based on % improvements
Geotech	\$7,447.18	PCD guess
Plan check fee		Covered thru original fees
Permit fee		Covered thru original fees
DEQ permit		Covered thru original fees
PGE cost for street lights	\$6,947.37	2011 estimate
Verizon charges to underground	\$20,987.49	per Villebois LLC budget
<b>Total Construction Costs</b>	<b>\$533,028.93</b>	<b>does not include outstanding NEI bill</b>
SDC's recalculated, 5/2/2012	\$110,680.15	
Engineering & Surveying (10%)	--	covered in soft cost SDC
City Permitting Fee (7%)	--	covered in soft cost SDC
Geo-technical Inspections (2%)	--	covered in soft cost SDC
Construction Management by Developer (5%)	--	covered in soft cost SDC
Soft cost SDC reimbursement	\$42,770.10	Remaining Soft Costs 2011 Estimate pro rata basis
<b>TOTAL SDC'S and Soft Costs</b>	<b>\$153,450.25</b>	
<b>Remaining Funding Obligation - Developer</b>	<b>\$379,578.68</b>	
<b>Total Construction Costs</b>	<b>\$533,028.93</b>	
<b>50% Fronted by City</b>	<b>\$266,514.47</b>	
<b>40% at Substantial Completion</b>	<b>\$213,211.57</b>	
<b>10% at Final Acceptance by City*</b>	<b>\$53,302.89</b>	*VB 4 and 5 South final advance subject to true-up

**BID PROPOSAL**

Project: **Villebois Grahams Ferry Road Improvements - Jan 2012 BOLI Wages**  
 Owner: **Polygon Northwest**  
 Engineers: **Pacific Community Design**  
 Bid Date: **5/2/2012**



ITEM #	DESCRIPTION	UNIT	QTY	BID UNIT	BID TOTAL
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**SAP 4 SOUTH FRONTAGE IMPROVEMENTS Stations 37+83 to 54+00**

**GENERAL REQUIREMENTS**

A-1	Mobilization	LS	1	13,260.20	13,260.20
A-2	Traffic Control ( Signage for Detour )	LS	1	3,957.40	3,957.40
A-3	2 Portable Changeable Message Boards - If required by City <b>ALLOWANCE</b>	MO	4	2,070.00	8,280.00
A-4	Flaggers <b>ALLOWANCE</b>	HR	200	46.80	9,360.00
A-5	Silt Fence	LF	1200	1.90	2,280.00
A-6	Inlet Protection	EA	6	23.70	142.20
A-7	Bio Bag Check Dam	EA	20	28.30	566.00
A-8	Straw Mulch	AC	1.5	1,210.00	1,815.00
					<b>\$ 39,660.80</b>

**ROAD AND SITE CONSTRUCTION**

B-1	Clearing and Grubbing	LS	1	657.10	657.10
B-2	Mill Existing Asphalt Surfacing In Place, Dispose Offsite	SY	4268	3.30	14,084.40
B-3	Strip Site, Dispose Offsite	CY	970	15.10	14,647.00
B-4	Excavation, Cut to Fill	CY	1092	10.00	10,920.00
B-5	Excavation, Dispose Offsite, Including Underground Spoils	CY	94	7.80	733.20
B-6	Fine Grade Ditches	LF	1210	3.80	4,598.00
B-7	6" Depth Overexcavation Section, Includes Excavation, Base Rock and Geotextile Fabric (Construction of subgrade under local traffic will prohibit compaction of subgrade)	SY	4353	6.30	27,423.90
B-8	10" Depth 1-1/2"-0 Aggregate Base	SY	3366	7.70	25,918.20
B-9	8" Depth 1-1/2"-0 Aggregate Base	SY	387	7.10	2,747.70
B-10	2" Depth 3/4"-0 Leveling Course	SY	4712	2.20	10,366.40
B-11	16" Depth Shoulder Rock	SY	600	15.70	9,420.00
B-12	5" Depth Level 2 Asphalt Pavement	SY	4712	21.20	99,894.40
B-13	3" Depth Asphalt Driveway Connections	SY	174	35.10	6,107.40
B-15	Gravel Driveway Connections	SY	70	12.00	840.00
B-16	Existing Roadbed Restoration - Place Soil, Seed, and Straw	SY	513	1.80	923.40
B-17	Curb and Gutter	LF	180	9.70	1,746.00
B-22	6" Depth Handicap Ramps, Sidewalks, and Islands	SF	344	6.60	2,270.40
B-23	Extra for Truncated Domes	EA	8	275.00	2,200.00
B-24	4" Depth Sidewalks	SF	15278	3.80	58,056.40
B-26	Striping - Thermoplastic	LS	1	5,721.50	5,721.50
B-28	Sidewalk Barricades	EA	1	575.00	575.00
B-29	Signage Per Approved plans	LS	1	1,765.40	1,765.40
B-30	Centerline Monument Boxes	EA	2	262.80	525.60
B-31	Landscaping and Irrigation	LS	1	55,805.50	55,805.50
B-33	Segmental Retaining Wall - at Pond M	SF	200	22.90	4,580.00
<b>SUBTOTAL</b>					<b>\$ 362,526.90</b>

**STORM SEWER**

D-4	CG- 48 Inlets	EA	3	1,649.80	4,949.40
D-5	Ditch Inlets	EA	2	1,297.60	2,595.20
D-6	RipRap Outfall Pads and Headwalls	EA	3	643.40	1,930.20
D-7	Concrete Headwalls	EA	2	1,707.30	3,414.60
D-8	Retrofit Existing Flow Control Manhole	EA	1	2,880.50	2,880.50
D-11	Remove Temporary Culverts	LF	185	9.00	1,665.00
<b>SUBTOTAL</b>					<b>\$ 17,434.90</b>

**BID PROPOSAL**

Project: Villebois Grahams Ferry Road Improvements - Jan 2012 BOLI Wages  
 Owner: Polygon Northwest  
 Engineers: Pacific Community Design  
 Bid Date: 5/2/2012



ITEM #	DESCRIPTION	UNIT	QTY	BID UNIT	BID TOTAL
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**DRY UTILITIES AND LIGHTING - BASED ON PRELIMINARY PLANS - 4 SOUTH FRONTAGE**

F-1	Road Crossings	EA	2	1,345.80	2,691.60
F-5	PGE Micropad Prep	EA	3	200.00	600.00
F-6	Splice Pit for PGE Splices	EA	2	371.40	742.80
F-7	Bore for Residential Connections	LF	300	21.20	6,360.00
F-11	Conduit, 1" sch 40 (street light)	LF	150	1.60	240.00
F-16	Bends, 1-inch pvc, Street Light	EA	20	23.80	476.00
F-17	Street Lights - 200 Watt Brushed Aluminum Cobra	EA	10	2,410.10	24,101.00
F-18	Street Light Junction Box (13 x 24)	EA	10	325.00	3,250.00
F-22	Landscape Restoration at Residential Connections	LS	1	1,650.00	1,650.00

**SUBTOTAL** \$ 40,111.40

**TOTAL SAP 4 SOUTH FRONTAGE** \$ 459,734.00

**BALANCE DUE FOR WORK ALREADY COMPLETED** \$ 135,429.91

**TOTAL SAP 4 SOUTH FRONTAGE INCLUDING BALANCE DUE** \$ 595,163.91

**DRY UTILITIES AND LIGHTING - BASED ON PRELIMINARY PLANS - 1 NORTH FRONTAGE TO PGE POLE #02203**

F-1	Road Crossings	EA	1	1,345.80	1,345.80
F-2	Joint Trench W/Granular Backfill	LF	485	17.30	8,390.50
F-3	Joint Trench W/Native Backfill	LF	720	4.30	3,096.00
F-4	Vault, PGE 5106	EA	1	7,769.30	7,769.30
F-5	PGE Micropad Prep	EA	1	200.00	200.00
F-8	Conduit, 6" sch 40	LF	2050	5.50	11,275.00
F-9	Conduit, 4" sch 40	LF	875	3.90	3,412.50
F-10	Conduit, 2" sch 40 (street light)	LF	970	2.50	2,425.00
F-11	Conduit, 1" sch 40 (street light)	LF	135	1.60	216.00
F-12	Bends, 6-inch fiberglass	EA	10	260.10	2,601.00
F-13	Bends, 4-inch fiberglass	EA	4	147.30	589.20
F-14	Bends, 2-inch pvc	EA	10	34.00	340.00
F-15	Bends, 2-inch pvc, Street Light	EA	18	34.00	612.00
F-16	Bends, 1-inch pvc, Street Light	EA	18	23.80	428.40
F-17	Street Lights - 200 Watt Brushed Aluminum Cobra	EA	9	2,410.10	21,690.90
F-18	Street Light Junction Box (13 x 24)	EA	11	325.00	3,575.00
F-19	Conduit, 4" sch 40 Telephone	LF	1515	3.90	5,908.50
F-20	Bends, 4-inch pvc Telephone	EA	15	40.80	612.00
F-21	Frontier Telephone Vault - Vault Provided by Frontier	EA	3	469.10	1,407.30

**SUBTOTAL** \$ 75,894.40

**TOTAL SAP 4 SOUTH FRONTAGE INCLUDING BALANCE DUE AND COMPLETION OF UNDERGROUNDING TO NORTH BOUNDARY OF SAP 1 NORTH** \$ 671,058.31

**BID PROPOSAL**

Project: Villebois Grahams Ferry Road Improvements - Jan 2012 BOLI Wages  
 Owner: Polygon Northwest  
 Engineers: Pacific Community Design  
 Bid Date: 5/2/2012



ITEM #	DESCRIPTION	UNIT	QTY	BID UNIT	BID TOTAL
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*Exclusions:*

- 1 Engineering and Survey
- 2 Compaction Testing
- 3 Permits and Fees
- 4 Pipe foundation stabilization
- 5 Soft spot stabilization
- 6 Rock Excavation
- 7 Hazardous Material Identification, Characterization, and/or Disposal
- 8 Arborist to be provided by Owner

*Clarifications:*

- 1 This is a unit price bid based on an NEI estimate of quantities derived from preliminary plans by Pacific Community Design dated 11/30/2009(Revised Roundabout).
- 2 Asphalt paving prices are fixed through May 2012, after which they will be based on liquid asphalt prices in effect at time of paving, adjusted per the ODOT monthly posted liquid asphalt price. Bid is based on the current ODOT posted (March 2012) price of \$611.00 per liquid ton and a liquid asphalt content of 6.1%.
- 3 Pricing for Concrete Curbs, Roundabout Concrete, and Sidewalks includes one installation only. Removal and replacement of concrete work due to the City of Wilsonville's stringent inspection requirements to be performed on a time and materials basis. Contractor to take reasonable precautions to avoid damaging finished concrete work.
- 5 Pricing assumes Grahams Ferry Road can be closed to through traffic.
- 6 Irrigation Meter SDC Fees and Water provided by others.
- 7 Pricing is based on summer construction timing and methods.
- 9 The balance due with interest for the portion of work already completed on the project is \$135,429.91, as of January 31,2012.
- 10 Pricing assumes excess structural soils can be stockpiled on SAP 1 North.

**CITY COUNCIL MEETING  
STAFF REPORT**

<b>Meeting Date:</b>  <b>June 4, 2012</b>	<b>Subject:</b> <b>Supplemental Budget Adjustment</b>  <b>Staff Member: Cathy Rodocker</b> <b>Department: Finance</b>	
<b>Action Required</b> <input type="checkbox"/> Motion <input checked="" type="checkbox"/> <b>Public Hearing Date: 6/4/2012</b> <input type="checkbox"/> <b>Ordinance 1<sup>st</sup> Reading Date:</b> <input type="checkbox"/> <b>Ordinance 2<sup>nd</sup> Reading Date:</b> <input checked="" type="checkbox"/> <b>Resolution</b> <input type="checkbox"/> <b>Information or Direction</b> <input type="checkbox"/> <b>Information Only</b> <input type="checkbox"/> <b>Council Direction</b> <input type="checkbox"/> <b>Consent Agenda</b>	<b>Advisory Board/Commission Recommendation</b> <input type="checkbox"/> <b>Approval</b> <input type="checkbox"/> <b>Denial</b> <input type="checkbox"/> <b>None Forwarded</b> <input checked="" type="checkbox"/> <b>Not Applicable</b>  <b>Comments:</b>  	
<b>Staff Recommendation:</b> <b>Approve Resolution No. 2368 authorizing a budget supplemental adjustment to the Fiscal Year 2011-12 adopted budget.</b>		
<b>Recommended Language for Motion:</b> <b>I move to approve Resolution No. 2368.</b>		
<b>PROJECT / ISSUE RELATES TO: [Identify which goal(s), master plans(s) issue relates to.]</b>		
<input type="checkbox"/> <b>Council Goals/Priorities</b>	<input type="checkbox"/> <b>Adopted Master Plan(s)</b>	<input type="checkbox"/> <b>Not Applicable</b>

**ISSUE BEFORE COUNCIL:** Oregon Local Budget Law allows the Council to amend the adopted budget for an occurrence or condition that was not known at the time the adopted budget was prepared. The following supplemental budget primarily amends the current budget for numerous capital improvement projects.

**EXECUTIVE SUMMARY:** At its June 6, 2011, City Council meeting, the Council adopted the Fiscal Year 2011-12 budget. Since that time, several unanticipated projects and expenses have come to staff's attention and require additional authorization to proceed.

In total, the attached supplemental budget adjustment requests an additional \$4,565,782 in total

non-reoccurring expenditures for the Fiscal Year 2011-12 budget. \$57,000 of the expenditure requests are for personal services and material and services budget categories. The remaining requests are for capital improvement projects expenditures and capital outlay purchases.

The attached Schedule A of the resolution provides the fund level detail of each request. The following covers the major dollar requests.

**Waste Water Treatment Plan Rehabilitation-\$3,052,000**

Funded with existing bond proceeds, the requested expenditures are needed to match the budget to the estimated cash flow analysis provided by CH2MHill contract.

**Miscellaneous Capital Projects-\$558,950**

An additional 12 projects include requests totaling \$558,950. The requests range from project management fees for the Water and Stormwater master plans to SDC credit reimbursements for street and water projects.

**I5 Interchange Change Order-\$240,158**

During road construction a broken water pipe was repaired at Parkway and an additional water line was installed on Main St. Conduit was also installed to meet future requirements for fiber optics, telemetry lines, etc.

**Transit Fund Capital Outlay-\$225,000**

Two buses have been ordered by the Transit Fund and are expected to be received by the end of the fiscal year. One bus replaces a fire damaged bus and is partially funded with settlement funds from the insurance company totaling \$47,645. The second bus will be 80% grant funded. This request also includes a 100% grant funded amenity purchase for SMART Central.

**EXPECTED RESULTS:**

As stated in the Fiscal Management Policies, the City shall amend its annual budget in accordance with Oregon local budget law. The supplemental budget adjustment is adopted by the Council at a regularly scheduled meeting. The budget committee is not required.

**TIMELINE:** As required by Local Budget Law, a notice for the public hearing has been published in the Wilsonville Spokesman. Adoption of the Supplemental Budget Adjustment is required prior to the end of the fiscal year, June 30, 2012.

**CURRENT YEAR BUDGET IMPACTS:**

**All Funds – Summary of Adjustments**

<b>Resources:</b>		<b>Expenditures:</b>	
Bond Proceeds	3,052,000	WWTP Plant Rehabilitation	\$ 3,052,000
Interfund transfers	1,201,808	I5 Interchange Change Order Project	240,158
Other governments	100,600	Miscellaneous Capital Projects	558,950
Miscellaneous	47,645	Interfund transfers out for Capital Improvement Projects*	799,108
Restatement of beginning fund balance	163,729	Capital Outlay-Transit Fund	225,000
		One-time Operating Expenses	57,000
		Contingencies	(366,434)
Total Resources	<u>\$ 4,565,782</u>	Total Expenditures	<u>\$ 4,565,782</u>

\*In fund accounting, the cost of a capital project is recorded as an expense in the capital project fund and as an expense in the fund(s) that will be financially responsible for the costs of the project. The expense at the funding level is recorded as an interfund transfer out.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: Gary Wallis Date: May 22, 2012

Reviewed as to form and content. Sufficient resources exist for all planned adjustments.

**LEGAL REVIEW / COMMENT:**

Reviewed by: \_MEK\_Date: 5/21/2012

As stated in the report, the Resolution is in compliance with the applicable provisions of the Oregon Local Budget Law.

**COMMUNITY INVOLVEMENT PROCESS:** As required by Local Budget Law, a notice for the public hearing has been published in the Wilsonville Spokesman. The adoption process also requires a public hearing to be held for community input.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:** The amended budget provides for the delivery of services and construction of capital projects throughout the community.

**ALTERNATIVES:** Not approving the attached supplemental could result in funds overspending the current budget appropriations. The City is required to disclose all excess of expenditures over appropriations in the Comprehensive Annual Financial report.

**CITY MANAGER COMMENT:**

**ATTACHMENTS**

- A. Resolution No. 2368
- B. Schedule A



**RESOLUTION NO. 2368**

**A RESOLUTION AUTHORIZING A SUPPLEMENTAL BUDGET ADJUSTMENT FOR FISCAL YEAR 2011-12.**

WHEREAS, the City adopted a budget and appropriated funds for fiscal year 2011-12 by Resolutions 2295 and 2299; and,

WHEREAS, the City amended the adopted budget and appropriated funds for fiscal year 2011-12 by Resolution 2328; and,

WHEREAS, certain expenditures are expected to exceed the original adopted budget in some of the City's funds and budgetary transfers are necessary within these funds to provide adequate appropriation levels to expend the unforeseen costs; and,

WHEREAS, ORS 294.463 provides that a city may transfer appropriations within appropriation categories provided the enabling resolution states the need for the transfer, purpose of the expenditure and corresponding amount of appropriation; and,

WHEREAS, ORS 294.471 provides that a city may increase the current year adopted budget through supplemental appropriations provided publication notice is met and a public hearing is held; and,

WHEREAS, the publication requirement was met with a public notice in the Wilsonville Spokesman published on May 30, 2012 and a public hearing scheduled for June 4, 2012; and,

WHEREAS, to facilitate clarification of the adjustments in this resolutions Attachment A to this resolution provides a summary by fund of the appropriation categories affected by the proposed adjustments of budget appropriation and the purpose of the expenditure.

WHEREAS, consistent with local budget law and based upon the foregoing, the staff report in this matter and public hearing input, the public interest is served in the proposed supplemental budget adjustment.

**NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:**

The City amends the estimated revenues and appropriations within the funds and categories delineated and explained in Attachment A.

This resolution becomes effective upon adoption.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 4th day of June 2012 and filed with Wilsonville City Recorder this same date.

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TIM KNAPP, MAYOR

ATTEST:

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Sandra C. King, MMC, City Recorder

**SUMMARY OF VOTES:**

Mayor Knapp  
Councilor Hurst  
Councilor Goddard  
Councilor Stark  
Councilor Núñez

**ATTACHMENT A**  
**NEED, PURPOSE AND AMOUNT: DETAIL BY FUND & CATEGORY**

	Current Appropriations	Change in Appropriations	Amended Appropriations
<b>General Fund</b>			
Interfund transfers in	\$ (2,305,192)	\$ (173,000)	\$ (2,478,192)
Intergovernmental revenues	(1,447,500)	(15,000)	(1,462,500)
All other resources	(22,425,083)	-	(22,425,083)
Total increase in resources	\$ (26,177,775)	<b>\$ (188,000)</b>	\$ (26,365,775)
Finance	\$ 1,169,090	\$ 3,000	\$ 1,172,090
GIS	217,880	8,000	225,880
Legal	490,340	(2,000)	488,340
Public works administration	713,825	(4,000)	709,825
Community Services	1,008,580	15,000	1,023,580
Interfund transfers out	490,000	127,350	617,350
Contingency	11,693,960	40,650	11,734,610
All other requirements	12,429,380	-	12,429,380
Net change in requirements	\$ 26,177,775	<b>\$ 188,000</b>	\$ 28,401,055
<p>Interfund transfers in increase recognizes additional resources from capital improvement projects. Receipt of the ACHIEVE grant by the Community Services program will provide for additional training. A net zero transaction between the GIS, Finance, Legal and Public Works Administration program will fund the completion of the GIS's easement project. The interfund transfer out will be used for the following project: Conduit/Pipeline installation and repair at I5 Interchange.</p>			
<b>Community Development Fund</b>			
Interfund transfers in	\$ (2,658,991)	\$ (229,700)	\$ (2,888,691)
All other resources	(5,029,787)	-	(5,029,787)
Total increase in resources	\$ (7,688,778)	<b>\$ (229,700)</b>	\$ (7,918,478)
Contingency	\$ 3,381,498	\$ 229,700	\$ 3,611,198
All other requirements	4,307,280	-	4,307,280
Net change in requirements	\$ 7,688,778	<b>\$ 229,700</b>	\$ 7,918,478
<p>Interfund transfers increase recognizes additional resources for the project management of capital improvement projects.</p>			
<b>Transit Fund</b>			
Intergovernmental revenues	\$ (931,160)	\$ (85,600)	\$ (1,016,760)
Other Revenues	(460,000)	(47,645)	(507,645)
All other resources	(6,164,400)	-	(6,164,400)
Total increase in resources	\$ (7,555,560)	<b>\$ (133,245)</b>	\$ (7,688,805)
Capital Outlay	\$ 230,000	\$ 225,000	\$ 455,000
Transfers out	921,560	140,000	1,061,560
Contingency	1,619,540	(231,755)	1,387,785
All other requirements	4,784,460	-	4,784,460
Net change in requirements	\$ 7,555,560	<b>\$ 133,245</b>	\$ 7,688,805
<p>Intergovernmental revenues increases are due to grants received for bus and amenities purchases. Other revenues recognizes an insurance settlement for a damaged bus. Capital Outlay includes the purchase of two buses and amenities for the SMART Ops Facility. The interfund transfer out will also be used for the SMART Ops Facility project.</p>			

**ATTACHMENT A**  
**NEED, PURPOSE AND AMOUNT: DETAIL BY FUND & CATEGORY**

	Current Appropriations	Change in Appropriations	Amended Appropriations
<b>Water Operating Fund</b>			
Total resources	\$ (8,195,922)	\$ -	\$ (8,195,922)
Interfund transfers out	\$ 908,200	\$ 103,832	\$ 1,012,032
Contingency	1,864,922	(103,832)	1,761,090
All other requirements	5,422,800	-	5,422,800
Net change in requirements	\$ 8,195,922	\$ -	\$ 8,195,922
The interfund transfers out are for the following projects: Water Distribution System Miscellaneous Improvements and Conduit/Pipeline installation and repair at I5 Interchange.			
<b>Sewer Operations Fund</b>			
Total resources	\$ (17,853,500)	\$ -	\$ (17,853,500)
Sewer Collections	\$ 907,076	\$ 37,000	\$ 944,076
All other requirements	16,946,424	(37,000)	16,909,424
Total increase in requirements	\$ 17,853,500	\$ -	\$ 17,853,500
Additional materials and services are required for telemetry lines and other contractual services.			
<b>Stormwater Operations Fund</b>			
Total resources	\$ (1,532,324)	\$ -	\$ (1,532,324)
Interfund transfers out	\$ 496,073	\$ 148,000	\$ 644,073
Contingency	312,563	(148,000)	164,563
All other requirements	723,688	-	723,688
Net change in requirements	\$ 1,532,324	\$ -	\$ 1,532,324
The interfund transfers out are for the following projects: Morey's Landing Stabilization and Rivergreen drainage.			
<b>Water Capital Projects Fund</b>			
Interfund transfers in	\$ (2,604,400)	\$ (350,358)	\$ (2,954,758)
All other resources	(1,137,913)		(1,137,913)
Total increase in resources	\$ (3,742,313)	\$ (350,358)	\$ (4,092,671)
Capital outlay	3,031,800	273,158	3,304,958
Interfund transfers out	480,952	77,200	558,152
Contingency	229,561	-	229,561
Net change in requirements	\$ 3,742,313	\$ 350,358	\$ 4,092,671
The interfund transfers in and the corresponding requirements for capital outlay and interfund transfers out are for the following projects: Kinsman transmission line, Water Distribution System Improvements, Water Master Plan, Reimbursement, Water Private Development SDC Credits and Conduit/Pipeline installation and repair at I5 Interchange.			
<b>Sewer Capital Projects Fund</b>			
Other revenue	\$ (10,150,480)	\$ (3,052,000)	\$ (13,202,480)
All other resources	(4,002,125)		(4,002,125)
Total increase in resources	\$ (14,152,605)	\$ (3,052,000)	\$ (17,204,605)
Capital outlay	10,702,000	2,962,000	13,664,000
Interfund transfers out	808,160	90,000	898,160
Contingency	2,642,448	-	2,642,448
Net change in requirements	\$ 14,152,608	\$ 3,052,000	\$ 17,204,608
The interfund transfers in and the corresponding requirements for capital outlay and interfund transfers out are for the following project: Waste Water Treatment Plant Rehabilitation project.			

**ATTACHMENT A**  
**NEED, PURPOSE AND AMOUNT: DETAIL BY FUND & CATEGORY**

	Current Appropriations	Change in Appropriations	Amended Appropriations
<b>Streets Capital Projects Fund</b>			
Interfund transfers in	\$ (7,234,268)	\$ (116,750)	\$ (7,351,018)
All other resources	(2,303,631)	-	(2,303,631)
Total increase in resources	<u>\$ (9,537,899)</u>	<u>\$ (116,750)</u>	<u>\$ (9,654,649)</u>
Capital outlay	7,702,595	101,250	7,803,845
Interfund transfers out	1,109,113	15,500	1,124,613
Contingency	726,191	-	726,191
Net change in requirements	<u>\$ 9,537,899</u>	<u>\$ 116,750</u>	<u>\$ 9,654,649</u>
The interfund transfers in and the corresponding requirements for capital outlay and interfund transfers out are for the following projects: Boones Ferry Rd-Wilsonville Rd. to 5th, Kinsman Rd So @ Wilsonville Rd SDC Credit, Streets private development SDC reimbursements.			
<b>Storm Water Capital Projects Fund</b>			
Interfund transfers in	\$ (783,800)	\$ (192,000)	\$ (975,800)
All other resources	(420,272)	-	(420,272)
Total increase in resources	<u>\$ (1,204,072)</u>	<u>\$ (192,000)</u>	<u>\$ (1,396,072)</u>
Capital outlay	1,065,000	112,000	1,177,000
Interfund transfers out	128,800	80,000	208,800
Contingency	10,272	-	10,272
Net change in requirements	<u>\$ 1,204,072</u>	<u>\$ 192,000</u>	<u>\$ 1,396,072</u>
The interfund transfers in and the corresponding requirements for capital outlay and interfund transfers out are for the following project: Stormwater master plan, Rivergreen drainage, Kinsman Rd. So @ Wilsonville RD SDC Credits and Street Private Development SDC Credits.			
<b>Building Capital Fund</b>			
Interfund transfers in	\$ (2,292,280)	\$ (140,000)	\$ (2,432,280)
All other resources	(2,579,578)	-	(2,579,578)
Total increase in resources	<u>\$ (4,871,858)</u>	<u>\$ (140,000)</u>	<u>\$ (5,011,858)</u>
Interfund transfers out	\$ 49,280	\$ 140,000	\$ 189,280
All other requirements	4,822,578	-	4,822,578
Net change in requirements	<u>\$ 4,871,858</u>	<u>\$ 140,000</u>	<u>\$ 5,011,858</u>
The interfund transfers in and the corresponding requirements for interfund transfers out is for the following project: SMART Ops Facility			
<b>Water SDC Fund</b>			
Beginning Working Capital	\$ (2,179,738)	\$ (163,729)	\$ (2,343,467)
All other resources	(495,111)	-	(495,111)
Total resources	<u>\$ (2,674,849)</u>	<u>\$ (163,729)</u>	<u>\$ (2,838,578)</u>
Interfund transfers out	\$ 2,582,100	\$ 119,176	\$ 2,701,276
Contingency	82,649	44,553	127,202
All other requirements	10,100	-	10,100
Net change in requirements	<u>\$ 2,674,849</u>	<u>\$ 163,729</u>	<u>\$ 2,674,849</u>
Beginning working capital is restated to reflect the actual balance at the beginning of the fiscal year. Requirements for the interfund transfers out are for the following projects: Kinsman transmission Main: Phase 2, Water master plan, Conduit/Pipeline installation and repair at I5 Interchange and Water private development SDC reimbursements.			

**ATTACHMENT A**  
**NEED, PURPOSE AND AMOUNT: DETAIL BY FUND & CATEGORY**

	Current Appropriations	Change in Appropriations	Amended Appropriations
<b>Road SDC Fund</b>			
Total resources	\$ (5,931,139)	\$ -	\$ (5,931,139)
Interfund transfers out	\$ 4,146,188	\$ 116,750	\$ 4,262,938
Contingency	1,774,751	(116,750)	1,658,001
All other requirements	10,200	-	10,200
Net change in requirements	\$ 5,931,139	\$ -	\$ 5,931,139

Requirements for the interfund transfers out are for the following projects: Barber St. Extension-Kinsman to Coffee Lake Dr, Boones Ferry Rd-Wilsonville Rd to 5th, Street private development SDC reimbursements.

<b>Stormwater SDC Fund</b>			
Total resources	\$ (841,633)	\$ -	\$ (841,633)
Interfund transfers out	\$ 440,227	\$ 44,000	\$ 484,227
Contingency	399,976	(44,000)	355,976
All other requirements	1,430	-	1,430
Net change in requirements	\$ 841,633	\$ -	\$ 841,633

The requirements for the interfund transfers out are for the following project: Stormwater Master Plan and Kinsman Rd So @ Wilsonville Rd SDC Credit


**CITY COUNCIL MEETING  
 STAFF REPORT**

<b>Meeting Date: June 4, 2012</b>		<b>Subject: Sign Code Updates Public Hearing</b>	
		<b>Staff Member: Daniel Pauly, AICP Department: Planning</b>	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input checked="" type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable <b>Comments: Sign code updates unanimously recommended for approval by Planning Commission on April 11, 2012</b>	
<b>Staff Recommendation: Adopt Ordinance on 1<sup>st</sup> Reading. Adopt the associated fee resolution.</b>			
<b>Recommended Language for Motion: I move to adopt Ordinance 704 on first reading. I move to adopt Resolution 2369.</b>			
<b>PROJECT / ISSUE RELATES TO:</b>			
<input checked="" type="checkbox"/> Council Goals/Priorities Ensure constituents receive high quality, timely, and efficient products, processes, and services.		<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable

**ISSUE BEFORE COUNCIL:**

The sign code updates before the Council reflect the collaboration of the Chamber of Commerce, City staff, and other stakeholders. Also, a resolution is before Council to update the Planning Fee Schedule consistent with the sign code updates.

## **EXECUTIVE SUMMARY:**

In order to improve efficiency and consistency in administration and application of Wilsonville's sign regulations while maintaining a high quality visual environment, in which quality sign development plays a major role, a collaborative effort has been carried out to update Wilsonville's sign regulations. Wilsonville's current sign code has been in effect for 12 years, with changes surrounding the content neutrality of temporary sign regulations adopted in 2010. Stakeholders including the Wilsonville Chamber of Commerce, City Staff, sign professionals, residents, former members of the Development Review Boards, and developers have reviewed the current code and have together identified a number of opportunities for improvement. The Planning Commission has reviewed all the issues and recommendations through seven work sessions and, following a public hearing, unanimously recommended approval of related code revisions.

Specific objectives of the recommended code revisions include:

- Increase authority of staff to review sign applications that have historically been routine and non-controversial
- Establish clear and objective standards for number of signs and allowed sign area based on an inventory and analysis of existing signs within the City
- Create a more concise sign code purpose statement and objectives
- Establish a clear sign measurement method that balances ease of administration and use with including too much "empty space" in the calculation
- Clarify the allowance for semi-static digital changeable copy signs and add specific requirements for this type of sign
- Clarify and give added direction in what the Development Review Board needs to consider in granting a waiver to sign regulations
- Reduce the number of waivers routinely requested
- Simplify sign regulations and improve consistency by removing the majority of special regulations for the PDC-TC Zone
- Separate the allowance for building signs and freestanding signs to allow a more consistent allowance of freestanding signs throughout the City
- Use more positive language throughout the regulations
- Clarify the difference between architecture and signs
- Organize the sign regulations in a more user friendly manner
- Remove unnecessary redundancies in the sign regulations
- Increase consistency by basing building sign allowances on the elevation of individual tenant spaces rather than per lot.
- Update regulations for temporary signs for special events to be consistent with other regulations adopted by the City.
- Make other minor edits as necessary to improve consistency and functionality of the sign regulations

Fees: The recommended fee schedule modifications are meant to accommodate the changes in process and permit types in a manner reflective of currently established fees.



**EXPECTED RESULTS:**

More efficiency and consistency in administration and application of Wilsonville’s sign regulations while maintaining a high quality visual environment which contributes to the livability and economic vitality of the City.

**TIMELINE:**

- o November 2000: Majority of current sign code adopted by Ordinance 509
- o March 2010: Amendment to sign regulations to remove content based regulations adopted by Ordinance 675
- o June 2010 to early 2011: Chamber of Commerce sign code sub-committee representatives and City Staff met a number of times to gather businesses’ feedback on opportunities to improve the sign code.
- o July, September, October, November, December 2011 and February, March 2012: Planning Commission Work Sessions.
- o April 11, 2012: Planning Commission Public Hearing
- o May 21, 2012 City Council Work Session

**CURRENT YEAR BUDGET IMPACTS:**

No notable impacts on current FY budget.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: Gary Wallis Date: May 9, 2012

Pertaining to the sign code fees, Planning represents that the changes are expected to be revenue neutral. Not all fees will be changed. Fees for the bulk of application work will not be changing. In total, signage fees have averaged \$12,000 per year over the past four years.

**LEGAL REVIEW / COMMENT:**

Reviewed by: MEK \_\_\_\_\_ Date: 5/23/2012 \_\_\_\_\_

The Amendments to the sign code have properly followed the public process for community input, notice, and hearing before the Planning Commission. The recommendation by the Planning Commission to adopt the Ordinance amendments to the sign code is in proper form as is the Ordinance and the accompanying Fee Resolution. The Ordinance has been properly noticed for 1st reading at the City council regularly held meeting of June 4, 2012. Questions presented by the Mayor and Council at the City Council work session of May 21, 2012 are to be addressed at the Council June 4, 2012 hearing.

**COMMUNITY INVOLVEMENT PROCESS:**

Summary:

Feedback has been supportive of a more streamlined process, and the value of quality sign development on the livability and economic vitality of the community.

Involvement process:

- o Collaboration with the Chamber of Commerce to identify issues and review recommended solutions.

- Work session materials distributed to interested parties list and made available on the City's web site prior to each work session. Interested parties participated in work sessions.
- Public Hearing Notice sent to 721 parties.
- Information on the updates in the Boones Ferry Messenger multiple times.

**POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY**

Businesses:

Businesses will save time and money. More ability for the City to respond to sign permit requests in a streamlined and consistent manner.

Residents:

Care was taken to maintain the high quality visual environment that contributes to property values and quality of life, while helping residents find their way to, and identify, local businesses.

**ALTERNATIVES:**

1. Taking no action

Not selected because sign permit applicants and City staff would continue to deal with the identified issues with the current code

2. The Chamber of Commerce and City staff reviewed many approaches to sign regulations including model sign codes, sign codes from other jurisdictions. Many alternative approaches were available from the different documents, but after careful consideration, the recommended updates were found to be the alternative that works best in Wilsonville's unique context considering existing development and overall structure of the development code.

**CITY MANAGER COMMENT:**

**ATTACHMENTS**

- A. Planning Commission Resolution
- B. Planning Commission Record (large file available upon request, a copy will be available at Public Hearing)
- C. Recommended code text ("clean read" version)
- E. Presentation highlighting updates

**PLANNING COMMISSION  
RESOLUTION NO. LP12-0001**

**A WILSONVILLE PLANNING COMMISSION RESOLUTION RECOMMENDING  
THAT THE WILSONVILLE CITY COUNCIL ADOPT AN ORDINANCE AMENDING  
SECTIONS 4.001, 4.030-4.031, AND 4.156 OF THE PLANNING AND LAND  
DEVELOPMENT ORDINANCE (WILSONVILLE'S DEVELOPMENT CODE-  
PERTAINING TO SIGN REGULATIONS**

WHEREAS, the Wilsonville Planning Commission has held 7 work sessions between July 2011 and March 2012 to discuss and take public testimony concerning proposed revisions to the Wilsonville Sign Code; and

WHEREAS, the Wilsonville Planning Director, taking into consideration input and suggested revisions provided by the Planning Commission members and the public, submitted proposed Sign Code amendments to the Planning Commission, along with a Staff Report, in accordance with the public hearing and notice procedures that are set forth in Sections 4.008, 4.010, 4.011 and 4.012 of the Wilsonville Code (WC); and

WHEREAS, the Planning Commission, after providing the required public notice, held a Public Hearing on April 11, 2012 to review proposed amendments to Wilsonville's Sign Regulations and to gather additional testimony and evidence regarding the proposed amendments; and

WHEREAS, the Commission has afforded all interested parties an opportunity to be heard on this subject and has entered all available evidence and testimony into the public record of their proceeding; and

WHEREAS, the Planning Commission has duly considered the subject, including the staff recommendations and all the exhibits and testimony introduced and offered by all interested parties.

NOW, THEREFORE, BE IT RESOLVED that the Wilsonville Planning Commission does hereby adopt the Planning Staff Report, as presented at the April 11, 2012 public hearing, including the findings and recommendations contained therein and does hereby recommend to the Wilsonville City Council that the Wilsonville City Council approve and adopt the proposed Sign Regulations Amendments as approved on April 11, 2012 by the Planning Commission; and

BE IT RESOLVED that this Resolution shall be effective upon adoption.

ADOPTED by the Planning Commission of the City of Wilsonville at a regular meeting thereof this 11<sup>th</sup> day of April 2012 and filed with the Planning Administrative Assistant on April 16, 2012.

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Wilsonville Planning Commission

Attest:

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Linda Straessle, Administrative Assistant III

SUMMARY of Votes:

Chair Ben Altman:	<u>Aye</u>
Commissioner Eric Postma:	<u>Aye</u>
Commissioner Amy Dvorak:	<u>Aye</u>
Commissioner Peter Hurley:	<u>Aye</u>
Commissioner Al Levit:	<u>Aye</u>
Commissioner Marta McGuire:	<u>Aye</u>
Commissioner Ray Phelps:	<u>Aye</u>

**ORDINANCE NO. 704**

**AN ORDINANCE OF THE CITY OF WILSONVILLE AMENDING THE PLANNING AND LAND DEVELOPMENT ORDINANCE (WILSONVILLE'S DEVELOPMENT CODE) SECTIONS 4.001, 4.030-4.031, AND 4.156 AND DIVIDING SECTION 4.156 INTO SECTIONS 4.156.01 THROUGH 4.156.11 TO UPDATE THE CITY'S SIGN REGULATIONS AND THE PURPOSE AND OBJECTIVES OF SUCH REGULATIONS.**

WHEREAS, Wilsonville's current sign regulations have been in effect for 12 years, with changes surrounding the content neutrality of temporary sign regulations adopted in 2010; and

WHEREAS, a collaborative effort has been carried out to identify issues and recommendations to update the sign regulations involving stakeholders including the Wilsonville Area Chamber of Commerce, City staff, sign professionals, residents, former members of the City's Development Review Board, and developers; and

WHEREAS, the Planning Commission held a seven work sessions over period of July 2011 to March 2012 to review issues, recommendations, and Development Code amendments to implement the recommendations; and

WHEREAS, the recommendations aim to improve efficiency and consistency in administration and application of Wilsonville's sign regulations while maintaining a high quality visual environment, in which sign development plays a major role; and

WHEREAS, the updated sign regulations help foster an aesthetically pleasing, functional, and economically vital community, as well as promote public health, safety, and well-being by meeting the needs of sign owners while maintaining consistency with the development and design standards elsewhere in Chapter 4 of the Planning and Land Development Ordinance; and

WHEREAS, the Planning Commission conducted a public hearing on this matter on April 11, 2012 and upon consideration of testimony and evidence from the public and city staff, unanimously recommended that the City Council approve the proposed Development Code amendments; and

WHEREAS, the Council having conducted a public hearing on the proposal on June 4, 2012, and considering the entire record herein finds that the proposed Development Code amendment complies with applicable text amendment criteria and is in the best interest of the community by

providing for the needs of sign owners while ensuring a functional, aesthetically pleasing, economically vital, and safe community.

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

Section 1: Findings. The council adopts as findings and conclusions the foregoing recitals and the staff report in this matter attached hereto as Exhibit A and adopted as if set forth fully herein.

Section 2: Amendments.

1. That Wilsonville code section 4.001 Definitions, be amended to modify the definitions for “Sign”, “Addressing Signs”, “Changing image sign”, “Lawn Sign”, “Roof Sign”, “Sign Area”, add definitions for “Baseline”, “Bowl”, “Cap Height”, “Changeable copy sign”, “Descender”, “Blade Sign”, “Serif”, “Shoulder”, “Video Sign”, and “Wayfinding Sign”, delete the definition of “Building Graphics”, “District Sign”, “Electric Sign”, and “Street Graphics”, and move “Site Area, Net” from a sub definition of “Sign” to a stand-alone definition, as follows:

263. 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, - mural, 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. The scope of the term “sign” does not depend on the content of the message or image conveyed. A sign does not include architectural or landscape features that may attract attention but do not convey a message or image considered speech, or trademark, protected under federal or state law.

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. Baseline: The invisible line on which text or other characters sit, the bottom extent of the cap height of a typeface.**

**C. Bowl: In a font or typeface, an open or closed circular line that creates an interior space, such as in the letters “d” and “c.”**

~~Building Graphics: building mounted signs.~~

**B-D. Cap Height: In a font or typeface, the distance from the baseline to the top of uppercase letters like “H” and “J.”**

- E. Changing image sign. Any sign which, through the use of moving structural elements, flashing or sequential lights, lighting elements, **prisms**, or other ~~automated~~ method, results in movement, the appearance of movement, or change of sign image or text **except changeable copy signs defined below.**
- C.F. Changeable copy sign. **Any sign, digital or manual, which is designed to have the copy changed routinely and where the frequency of copy change does not exceed once every fifteen (15) minutes, except in emergency situations as requested by the City Manager or designee.**
- G. Descender: **In a font or typeface, the part of a letter extending below the baseline including lower portion of the lowercase letters “g,” “j,” “p,” “q,” and “y.”**
- D.H. Directional signs: Signs on private property that provide directions for the traveling public and are 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.I. Flashing Sign: ~~any~~ **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.J. 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.K. Ground-mounted Sign: A non-temporary 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.L. Inflatable Sign: ~~any~~ **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.M. Institutional Signs: ~~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.N. Integral Sign: ~~a~~ **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 a part of the structures.
- M.O. Lawn Sign. ~~a~~ **A** temporary freestanding sign commonly made of corrugated plastic, greyboard, or similar type of material, constructed and maintained to prevent being moved or heavily damaged by typical exposure to natural elements. Lawn signs in the rights-of-way under W.C. 4.156(-10).**11** may be constructed to be ~~movable~~ **portable**.
- N.P. Marquee Sign: ~~a~~ **A** canopy or covering structure bearing a signboard or graphics projecting from, and attached to, a building.

- ~~Q-Q.~~ **Permanent Sign:** ~~any~~ Any sign that does not meet the definition of a temporary sign, below.
- R. Portable Sign:** ~~a~~ A sign that is not permanently affixed to a building, structure, or the ground; a sign designed to be moved from place to place. These signs include, but are not limited to movable A-frame signs, sandwich board signs, signs on vehicles or trailers, and signs attached to wood or metal frames designed to be self-supporting and movable, including trailer reader boards.
- S. Projecting Sign:** ~~a~~ 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.
- 1. Blade Sign:** A sign hanging, perpendicular to a building façade, from a canopy, building projection, or mounting bracket intended to aid pedestrians in wayfinding.
- P.T. Rigid Sign:** ~~a~~ A temporary freestanding sign designed and constructed with materials of a grade and quality to withstand strong winds, rains, and harsh weather conditions, and maintained as a potentially year-long temporary sign to ensure that degradation or weathering does not present aesthetic and public safety concerns and the sign retains substantially the same quality throughout the year. Such signs may not be constructed of cardboard, poster board, or other similar lightweight paper products.
- U. Roof Sign:** A sign located on or above the roof of any building, not including a false mansard roof, canopy or other fascia.
- ~~Q-V.~~ **Selling slogans** **Slogans:** ~~a~~ A brief striking phrase used in advertising or promotion. The hours of operation of a business shall be considered to be a selling slogan.
- W. Serif:** In fonts and typefaces, the extra stroke at the end of a letter or character.
- X. Shoulder:** In fonts and typefaces, the curve at the beginning of a leg of a character such as the upper curved portion of the lowercase letters “m” and “n.”
- ~~R-Y.~~ **Sign Area:** ~~the~~ The display surface or face of the sign calculated as prescribed in Section 4.156.04, 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.~~
- ~~S-Z.~~ **Site Area, Net:** ~~The area of a development site, excepting all areas in streets or private drives, driveways, and parking spaces.~~
- ~~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.~~
- AA. Temporary Sign:** ~~a~~ A sign not permanently affixed to a building, structure, or the ground, intended to be displayed for a limited period of time.
- BB. Video Sign:** Moving visual messages projected on any surface.



CC. Wall Flat Sign: ~~a~~ 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.

DD. Wayfinding Sign: The term way finding sign has two different contextual meanings. First, it is used as a general description of one of the basic purposes or functions of signs, which is to assist in directing the general public to specific destinations within the community, so that they find their way. In this context almost all signs provide some degree of way finding information. Second, the term is used to describe a specific type of sign, such as local directional signs and district wayfinding signs, that provides specific identity and/or direction to particular businesses, facilities, or places of interest, such as parks, tourist attractions, public buildings, schools, special districts, or other locations to which the public commonly asks for directions.

264. Site Area, Net: The area of a development site, excepting all areas in streets or private drives, driveways, and parking spaces.

2. That Wilsonville code section 4.030 Jurisdiction and Powers of Planning Director and Community Development Director, subsection (.01), be amended as follows:

(.01) Authority of Planning Director. The Planning Director shall have authority over the daily administration and enforcement of the provisions of this Chapter, including dealing with non-discretionary matters, and shall have specific authority as follows:

A. A Class I application shall be processed as a ministerial action without public hearing, shall not require public notice, and shall not be subject to appeal or call-up, except as noted below. Pursuant to Class I procedures set forth in Section 4.035, and upon finding that a proposal is consistent with the provisions of this Code and any applicable Conditions of Approval, shall approve the following, with or without conditions:

1. Minor site clearing and grading, prior to the approval of a Site Development Plan, provided that:
  - a. no clearing or grading occurs within the Significant Resource Overlay Zone. Clearing or grading in the Significant Resource Overlay Zone shall require, at a minimum, approval of a Class II permit through the procedures specified below;
  - b. no clearing or grading occurs within twenty-five (25) feet of an area that has been identified by the City as a wetland;
  - c. not more than three (3) trees are proposed to be removed;
  - d. no fill or removal is proposed;
  - e. adequate measures are utilized to control erosion and runoff from the site and that the applicant will submit a final Site Development application within seven (7) days of submitting the minor site grading application. All grading activities require compliance with the requirements of the applicable building code and City Public Works standards.

2. **Class I Signs Sign Permits, and Temporary Sign Permits for thirty (30) days or less.** ~~authorized for administrative approval by the sign regulations and signs that are permitted outright by the sign regulations of this Code. This includes copy changes to an existing sign, provided that no other structural changes occur and provided that the change occurs to a sign that is otherwise legal.~~
3. Architectural, landscape, tree removal, grading and building plans that substantially conform to the plans approved by the Development Review Board and/or City Council. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters.
4. Building permits for single family or two-family dwellings, and in the Village zone, row houses or apartments, meeting zoning requirements and located on lots that have been legally created. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters. [Amended by Ord 557 adopted 9/5/03].
5. Lot line adjustments, where none of the lots increase in area by fifty percent (50%) or more, subject to the standards specified in Section 4.233.
6. A temporary use permit for not more than thirty (30) days, subject to the following standards:
  - a. the applicant has the written permission of the property owner to use the site;
  - b. the proposed use will not create an obstruction within a sight vision clearance area that would impair the vision of motorists entering onto or passing by the property;
  - c. adequate parking is provided;
  - d. signs shall meet the standards of Section 4.156.09. A maximum of two signs, not exceeding a combined total of 24 square feet, are allowed; and
  - e. the proposed use has the approval of the Fire Marshal.
7. Determination that an existing use or structure is a non-conforming use or non-conforming structure, as defined in this Code. Except, however, that the Planning Director may, in cases where there is any uncertainty as to the history of the property, choose to process such determinations through the Class II procedures below.
8. Actions taken subject to Site Development Permits which have been approved by the appropriate decision-making body of the City.
9. Final plats for condominiums, subdivisions, or partitions that are substantially the same as tentative plats approved by the City and which are submitted for review and signature prior to recordation with the appropriate county.
10. Type A tree removal permits as provided in Section 4.600.
11. Determination, based upon consultation with the City Attorney, whether a given development application is quasi-judicial or legislative. Except,

however, that the Planning Director may, in cases where there is any uncertainty as to the nature of the application, choose to process such determinations through the Class II procedures below.

12. Expedited land divisions. Applications for expedited land divisions, as provided for in Section 4.232 of this Code and ORS Chapter 197 shall be processed without public hearing, and shall be subject to appeal through the special appeal procedures specified in Section 4.232.
  - a. Authority of Planning Director. The Planning Director shall have authority to review applications for expedited land divisions and to take action approving, approving with conditions, or denying such applications, based on findings of fact.
  - b. Tentative Plat Requirements for Expedited Land Divisions. Tentative plats and all other application requirements for expedited land divisions shall be the same as for other forms of land divisions, except as those requirements are specifically altered by the Oregon Revised Statutes.
  - c. Administrative Relief Not Available. In taking action on an application for an expedited land division, the Planning Director is not authorized to grant Variances or waivers from the requirements of the Code.
  - d. Residential Areas Only. As specified in ORS 197, expedited land divisions shall only be approved in areas zoned for residential use.
- B. A Class II application shall be processed as an administrative action, with or without a public hearing, shall require public notice, and shall be subject to appeal or call-up, as noted below. Pursuant to Class II procedures set forth in Section 4.035, the Director shall approve, approve with conditions, deny, or refer the application to the Development Review Board for a hearing:
  1. Minor alterations to existing buildings or site improvements of less than twenty-five percent (25%) of the previous floor area of a building, but not to exceed 1,250 square feet, or including the addition or removal of not more than ten (10) parking spaces. Minor modifications to approved Architectural and Site Development Plans may also be approved, subject to the same standards.
  2. Residential accessory buildings or structures with less than one hundred and twenty (120) square feet of floor area located within the Willamette River Greenway Boundary pursuant to Section 4.500 and subject to the flood plain development standards of Section 4.172. Approval of such accessory structures in the Greenway shall be based on all of the following findings of fact:
    - a. The building or structure is located so that the maximum amount of landscape area, open space and/or vegetation is provided between the river and the building;
    - b. Public access to the river is preserved or is provided in accordance with an approved and adopted plan; and

- c. That the change of use, intensification of use, or development will be directed away from the river to the greatest possible degree while allowing a reasonable use of the property.
- ~~3. A temporary Use Permit for more than thirty (30) and fewer than sixty-one (61) days.~~
- 43.** Written interpretations of the text or maps of this Code, the Comprehensive Plan or sub-elements of the Comprehensive Plan, subject to appeal as provided in Section 4.022. The Planning Director may review and interpret the provisions and standards of Chapter 4 (Planning) of the Wilsonville Code upon receiving the required filing fee along with a specific written request. The Director shall publish and mail notice to affected parties and shall inform the Planning Commission and City Attorney prior to making a final written decision. The Director's letter and notice of decision shall be provided to the applicant, the Planning Commission, the City Council, and City Attorney and the notice shall clearly state that the decision may be appealed in accordance with Section 4.022 (Appeal Procedures). A log of such interpretations shall be kept in the office of the Planning Department for public review.
- 54.** A permit to locate an accessory use on a lot adjacent to the site of the principal use.
- 65.** Land partitions, other than expedited land divisions, pursuant to Section 4.210. Approval of land partitions shall be based on all of the following findings of fact:
- a. The applicant has made a complete submittal of materials for the Director to review, as required in Section 4.210;
  - b. The proposed plan meets the requirements of the Code regarding minimum lot size and yard setbacks;
  - c. The approval will not impede or adversely affect the orderly development of any adjoining property or access thereto;
  - d. The public right-of-way bordering the lots or parcels will meet City standards;
  - e. Any required public dedications of land have been approved for acceptance by the City and will be recorded with the County prior to final plat approval;
  - f. Adequate easements are proposed where an existing utility line crosses or encroaches upon any other parcel to be created by the partition;
  - g. All public utilities and facilities are available or can be provided prior to the issuance of any development permit for any lot or parcel; and
  - h. Roads extended or created as a result of the land division will meet City standards.
- 76.** Decisions on the following:
- a. Lot line adjustments, where any of the lots increase by more than fifty percent (50%) in area, subject to the provisions of Section 4.233.
  - b. Temporary use **and temporary sign** permits for periods exceeding thirty (30) days. Temporary use **and temporary sign** permits may allow

specific activities associated with the primary use or business located on the property for up to 120 days provided that:

- i. the property owners have given written permission;
- ii. no structure, sign or any other object shall exceed 20 feet in height;
- iii. adequate parking is provided in designated spaces;
- iv. signs are limited to a maximum of two and shall not exceed a total combined area of 24 square feet;
- v. electrical and building permits are obtained as required;
- vi. undue traffic congestion will not result and, if traffic congestion is expected, a traffic control plan is submitted along with the application that identifies the traffic control procedures that will be used;
- vii. the activity and/or use shall not unduly interfere with motorists driving on adjacent roads and streets, including I-5; and
- viii. public notice has been provided and the comments of interested parties have been considered in the action that has been taken.

8. Solar access permits, as specified in Section 4.137.3.

**9. Class II Sign Permits.**

- C. Other specific actions or duties delegated by Planning Commission or Development Review Board Resolution, or by order of the Council, setting forth the review procedure guided by clear and objective standards for administration.
- D. Administrative Relief: In issuing the permits in subsection "B," above, the Planning Director may grant limited relief in cases of hardship. The Director shall follow the Class II - Administrative Approval procedures to determine whether administrative relief shall be granted. If the Director receives a complete application, along with the required filing fee, and the request involves only the expansion or reduction by not more than 20 percent of one or more quantifiable provisions of yard, area, lot dimension, or parking requirements of the zone, the Director may approve the application, based upon findings of fact supported by evidence in the record. The Variance procedures and standards specified in Section 4.196 shall be used in determining whether administrative relief shall be granted.
- E. Emergency Situations: The Planning Director may review and approve any reasonable and necessary emergency measure, including the removal of trees and vegetation from the Willamette River Greenway, Significant Resource Overlay Zone and wetlands, necessary for the safety and/or protection of persons or property. The standard shall be that the least amount of activity or disruption is used to provide the necessary protection to the property or to avert damage to the property. The Director may require restoration of landscaping, vegetation or soil to repair any damage resulting from enacting emergency protection measures.

3. That Wilsonville code section 4.031 Authority of the Development Review Board, subsection (.01), be amended as follows:

- (.01) As specified in Chapter 2 of the Wilsonville Code and except as specified herein, the Board shall have authority to act on the following types of applications:
- A. Class II development applications referred to the Board by the Planning Director, as authorized in Section 4.030.
  - B. Call-ups or appeals of staff decisions or interpretations involving quasi-judicial applications or procedures, as authorized in Sections 4.022 and 4.172.
  - C. Review of tentative subdivision and condominium plats, as authorized in Section 4.210, other than those processed as expedited land divisions.
  - D. Conditional Use Permits, as authorized in Section 4.184.
  - E. Variances, as authorized in Section 4.196, other than those that are reviewed and acted upon by the Planning Director through Administrative Review processes.
  - F. Initial review of quasi-judicial applications for zone changes, as authorized in Section 4.197.
  - G. Initial review of quasi-judicial applications for amendments to one or maps in the Comprehensive Plan, as authorized in Section 4.198.
  - H. Site design review, as authorized in Section 4.400.
  - I. Review of Stage I and Stage II Planned Development applications.
  - J. Acceptance, rejection, or modification of traffic studies prepared for projects or developments. A traffic study prepared by the City's consultant shall not be rejected or modified by the Board unless substantial evidence exists in the record to justify such action. If the Board rejects a traffic study prepared by the City's consultant, the fee paid by the applicant for that study shall be refunded.
  - K. Initial review of requests for quasi-judicial annexations to the City of Wilsonville.
  - L. Street vacations, where a specific development application has been filed for the subject property. If no specific development application has been filed for the subject property, the vacation request shall be considered by the Planning Commission. Action of the Planning Commission or Board on a street vacation request shall be a recommendation to the City Council.
  - M. Class III Sign Permits, Master Sign Plans, and all sign permits and approvals not specifically authorized for administrative review or exempt from permitting requirements.**

- 4. That the heading "Section 4.156 Sign Regulations" be deleted in its entirety.
- 5. That Wilsonville code section 4.156 Sign Regulations, subsection (.01) Purpose, be renumbered and retitled as section 4.156.01 Sign Regulations Purpose and Objectives, and amended as follows:

**Section 4.156.01 Sign Regulations Purpose and Objectives.**

(.01) Purpose. The general purpose of ~~this~~ the Section is sign regulations are to provide one of the principal means of implementing the Wilsonville Comprehensive Plan by fostering an aesthetically pleasing, functional, and economically vital community, as well as promoting public health, safety, and well-being. The sign regulations strive to accomplish the above general purpose by meeting the needs of sign owners while maintaining consistency with the development and design standards elsewhere in Chapter 4. This code regulates the design, variety, number, size, location, and type of signs, as well as the processes required to permit various types of signs. Sign regulations have one or more of the following specific objectives:

- A. Well-designed and aesthetically pleasing signs sufficiently visible and comprehensible from streets and rights-of-way that abut a site as to aid in wayfinding, identification and provide other needed information.
- B. Sign design and placement that is compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district.
- C. A consistent and streamlined sign review process that maintains the quality of sign development and ensures due process.
- D. Consistent and equitable application and enforcement of sign regulations.
- E. All signs are designed, constructed, installed, and maintained so that public safety, particularly traffic safety, are not compromised.
- F. Sign regulations are content neutral.

~~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.~~

6. That Wilsonville code section 4.156 Sign Regulations, subsection (.02) Application For Sign Permits and subsection (.03) General Provisions Affecting Signs, be renumbered and retitled as sections 4.156.02 Sign Review Process and General Requirements, 4.156.03 Sign Measurement, and 4.156.04 Non-Conforming Signs, and amended as follows:

~~(.02) 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 4.022. 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, or in the Village zone, as part of a master signage and Wayfinding plan. (Amended by Ord 557, adopted 9/5/03).~~
- ~~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 4.156(.01) 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 4.196; 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 4.156(.01) and (.02) above, Section 4.196, 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 4.196.~~

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 4.196.~~

~~(.03) 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. The location of free standing or ground mounted signs located adjacent to or near the Public Right of Way shall be in compliance with the City's Public Works Standards for sight distance clearance. Prior to construction, the location of the sign shall be approved by the City of Wilsonville Engineering Division.~~

~~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.~~

#### **Section 4.156.02 Sign Review Process and General Requirements.**

**(.01) Permit Required: Unless exempt under Section 4.156.05, no sign, permanent or temporary, shall be displayed or installed in the City without first obtaining a sign permit.**

**(.02) Sign Permits and Master Sign Plans: Many properties in the City have signs pre-approved through a Master Sign Plan. For the majority of applications where a Master Sign Plan has been approved the applicant need not consult the sign requirements for the zone, but rather the Master Sign Plan, copies of which are available from the Planning Division. Signs conforming to a Master Sign Plan**

require only a Class I Sign Permit.

(.03) Classes of Sign Permits, Master Sign Plans, and Review Process: The City has three classes of sign permits for permanent signs: Class I, Class II, and Class III. In addition, non-residential developments with three or more tenants require a Master Sign Plan. Class I sign permits are reviewed through the Class I Administrative Review Process as outlined in Subsection 4.030 (.01) A., Class II sign permits are reviewed through the Class II Administrative Review Process as outlined in Subsection 4.030 (.01) B., Class III Sign Permits and Master Sign Plans are reviewed by the Development Review Board (DRB) as outlined in Section 4.031. Applicants shall, whenever possible, incorporate all proposed signage as a part of the initial submittal on new development projects.

(.04) Class I Sign Permit: Sign permit requests shall be processed as a Class I Sign Permit when the requested sign or signs conform to a Master Sign Plan or other previous sign approval. In addition, a Minor Adjustment to a Master Sign Plan or other previous sign approval may be approved in connection with a Class I Sign Permit.

A. Class I Sign Permit Submission Requirements: Application for a Class I Sign Permit shall include two (2) copies of the following along with all required application fees:

1. Completed application form prescribed by the City and signed by the property owner or the property owner's representative,
2. Sign drawings showing all materials, the sign area and dimensions used to calculate sign areas, and other details sufficient to judge the full scale of the associated sign or signs and related improvements,
3. Information showing how the proposed sign or signs conform with all applicable code requirements, Master Sign Plans, or other previous sign approvals for the property, and
4. Information supporting any minor adjustment requests.

B. Class I Sign Permit Review Criteria: The sign or signs conform with the applicable master sign plan or other previous sign approvals, and applicable code requirements.

C. Minor Adjustments: Notwithstanding approved Master Sign Plans or other previous sign approvals, as part of a Class I Sign Permit Minor Adjustments of not more than ten (10) percent from the sign height (not height from ground) and/or length may be approved for the reasons listed in 1. through 4. below, unless otherwise specifically prohibited in the Master Sign Plan. Minor Adjustments shall not cause the sign to cross the edge of any fascia, architectural element or area of a building facade identified as a sign band. The area of the sign exceeding the height or length as part of a Minor Adjustment shall not count against the sign area indicated in a Master Sign Plan or other previous sign approval. Minor Adjustments are valid only for the Sign Permit with which they are associated and do not carry over to future sign permits or copy changes.

1. To accommodate the descender on the lower case letters “q, v, p g, or j”, not otherwise accommodated by the measurement method used, where the letter matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter;
2. To accommodate stylized fonts where bowls, shoulders, or serifs of the stylized letters extend beyond the cap height;
3. To accommodate an arching or other non-straight baseline; or
4. To accommodate a federally registered trademark logo where compliance with the defined maximum sign height would result in the cap height of the text in the logo being ninety (90) percent or less of the cap height for letters otherwise allowed. (i.e. if a Master Sign Plan allowed 24” letters and 24” total sign height, and a 24” logo would result in the cap height of the text within the logo being less than 21.6”, the total height of the logo could be increased to 26.4”)

(.05) Class II Sign Permit: Sign permit requests meeting one or more of the descriptions listed in A. through C. below shall be processed as a Class II Sign Permit when the request does not conform with a Master Sign Plan or other previous sign approval but meets the requirements of the applicable sign regulations, unless the request would modify a condition of approval specifically imposed by the DRB or City Council:

A. Existing residential development;

B. Existing non-residential development with less than three (3) tenants unless the request involves a freestanding or ground mounted sign greater than eight (8) feet in height in a new location;

C. Major Adjustments to a Master Sign Plan when all of the following criteria are met:

1. The request is compatible with the pattern of signage established in the sign plan in terms of locations, placement on buildings, proportionality to fascia and building facade, architectural design, and materials used;
2. The request is due to special conditions or circumstances that make it difficult to comply with the established Master Sign Plan;
3. The request involves signs for a single tenant, a single multi-tenant freestanding or ground mounted sign, or a series of similar related multi-tenant freestanding or ground mounted signs in the same development; and
4. The request does not involve a freestanding or ground mounted sign greater than eight (8) feet in height at a new location.

D. Class II Sign Permit Submission Requirements: Application for a Class II Sign Permit shall include two (2) paper copies and one (1) electronic copy of the following in addition to all required fees:

1. Completed application form prescribed by the City and signed by the property owner or their authorized representative;

2. Sign drawings or descriptions of all materials, sign area and dimensions used to calculate areas, lighting methods, and other details sufficient to judge the full scale of the signs and related improvements;
3. Documentation of the lengths of building or tenant space facades used in calculating maximum allowed sign area;
4. Drawings of all building facades on which signs are proposed indicating the areas of the facades on which signs will be allowed;
5. Narrative describing the scope of the project, including written findings addressing all applicable review criteria, along with any other information showing how the proposed signage conforms with requirements for the applicable zone;

E. Class II Sign Permit Review Criteria: Class II Sign Permits shall satisfy the sign regulations for the applicable zoning district and the Site Design Review Criteria in Sections 4.400 through 4.421, as well as the following criteria:

1. 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 surrounding development;
2. The proposed signage will not create a nuisance or result in a significant reduction in the value or usefulness of surrounding development; and
3. Special attention is paid to the interface between signs and other site elements including building architecture and landscaping, including trees.

(.06) Class III Sign Permit: Sign permit requests shall be processed as a Class III Sign Permit when associated with new development, or redevelopment requiring DRB review, and not requiring a Master Sign Plan; when a sign permit request is associated with a waiver or non-administrative variance; or when the sign permit request involves one or more freestanding or ground mounted signs greater than eight (8) feet in height in a new location.

A. Class III Sign Permit Submission Requirements: Ten (10) paper and electronic copies of the submission requirements for Class II Sign Permits plus information on any requested waivers or variances in addition to all required fees.

B. Class III Sign Permit Review Criteria: The review criteria for Class II Sign Permits plus waiver or variance criteria when applicable.

(.07) Master Sign Plans: A Master Sign Plan is required for non-residential developments with three (3) or more tenants. In creating a Master Sign Plan thought should be given to needs of initial tenants as well as the potential needs of future tenants.

A. Master Sign Plan Submission Requirements: Applications for Master Sign Plans shall include ten (10) paper and electronic copies of all the submission requirements for Class II and III Sign Permits and the following in addition to all required fees:

1. A written explanation of the flexibility of the Master Sign Plan for different potential tenant space configurations over time;
  2. A written explanation of the extent to which different sign designs, including those incorporating logos, stylized letters, multiple lines of text, non-straight baselines, or different materials and illumination will be allowed and if allowed how the flexibility of the master sign plan will allow these different sign designs over time;
  3. A written explanation of how the sign plan provides for a consistent and compatible sign design throughout the subject development.
- B. Master Sign Plan Review Criteria: In addition to the review criteria for Class II and Class III Sign Permits, Master Sign Plans shall meet the following criteria:
1. The Master Sign Plan provides for consistent and compatible design of signs throughout the development; and
  2. The Master Sign Plan considers future needs, including potential different configurations of tenant spaces and different sign designs, if allowed.
- C. Modifications of a Master Sign Plan: Modifications of a Master Sign Plan, other than Minor and Major Adjustments, shall be reviewed the same as a new Master Sign Plan.

(.08) Waivers and Variances: Waivers and variances are similar in that they allow deviation from requirements such as area, and height from ground. They differ in that waivers are granted by the DRB as part of a comprehensive review of the design and function of an entire site to bring about an improved design and variances are granted by either the Planning Director or DRB to relieve a specific hardship caused by the regulations.

- A. Waivers: The DRB may grant waivers for sign area, sign height from ground (no waiver shall be granted to allow signs to exceed thirty-five (35) feet in height from ground), number of signs, or use of electronic changeable copy signs in order to better implement the purpose and objectives of the sign regulations as determined by making findings that all of the following criteria are met:
1. The waiver will result in improved sign design, in regards to both aesthetics and functionality.
  2. The waiver will result in a sign or signs more compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district than signs allowed without the waiver.
  3. The waiver will result in a sign or signs that improve, or at least do not negatively impact, public safety, especially traffic safety.
  4. Sign content is not being considered when determining whether or not to grant a waiver.
- B. Variances:
1. Administrative Variance: In reviewing a Sign Permit the Planning Director may grant or deny a variance to relieve a hardship through the Class II Administrative Review process. Such a variance shall only be approved

where the variance does not exceed twenty percent (20%) of area, height, or setback requirements. 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 4.196.

2. Other Variances: In addition to the authority of the Planning Director to issue administrative variances as noted above, the Development Review Board may authorize variances from sign requirements of the Code, subject to the standards and criteria listed in Section 4.196.

(.09) Temporary Sign Permits: Temporary sign permits shall be reviewed as follows:

A. 30 days and less- Class I Administrative Review

B. 31 days up to 120 days- Class II Administrative Review

C. Submission Requirements: Applications for a temporary sign permit shall include the following in addition to the required application fee:

1. Completed application form prescribed by the City and signed by the property owner or their authorized representative,

2. Two copies of sign drawings showing all materials, and showing sign area and dimensions used to calculate areas, and other details sufficient to judge the full scale of the sign or signs,

3. Information showing the proposed sign or signs conform with all applicable code requirements.

D. Review Criteria: Temporary Sign Regulations in Section 4.156.09.

E. When a temporary sign permit request is submitted as part of the broader temporary use permit request of the same duration, the sign request shall not require an additional fee.

(.10) Waiver of Documentation: The Planning Director may, in his or her discretion, waive an application document for Class I, Class II, and Temporary Sign Permits where the required information has already been made available to the City, or where the Planning Director determines the information contained in an otherwise required document is not necessary to review the application.

#### Section 4.156.03 Sign Measurement

B. Sign Measurement.

(.01) 1. Sign Area: Sign area shall be determined as follows:

A. a. Cabinet Signs and Similar: The area for signs enclosed by cabinet, frame, or other background (including lighted surface) not otherwise part of the architecture of a building or structure shall be ~~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 15: Sign Face Measurement).~~ the area of a shape drawn around the outer dimension of the cabinet, frame, or background.

1. If the cabinet, frame, or background is an irregular shape the signs perimeter shall be measured the same as an individual element sign under B. below.
2. Sign ~~The sign~~ area does not include:
  - a. ~~foundations~~ Foundations, supports, and other essential structures that are not designed to serve unless they are serving as a backdrop or border to the sign;
  - b. Architectural elements of a freestanding or ground mounted sign designed to match or complement the architectural design of buildings on the site not and otherwise meeting the definition of a sign;
  - c. A pole or other structural support, unless such pole or structural support is internally illuminated or otherwise so designed to constitute a display device.

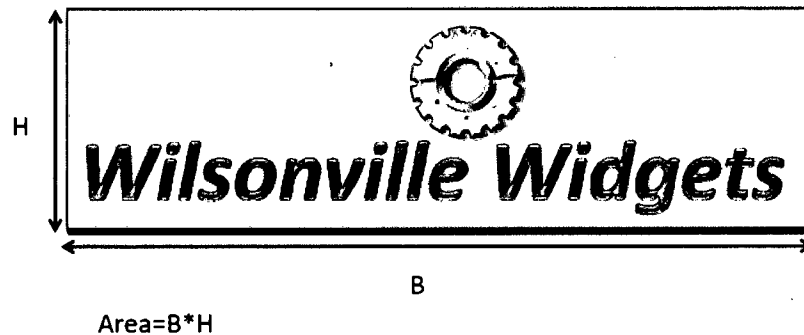
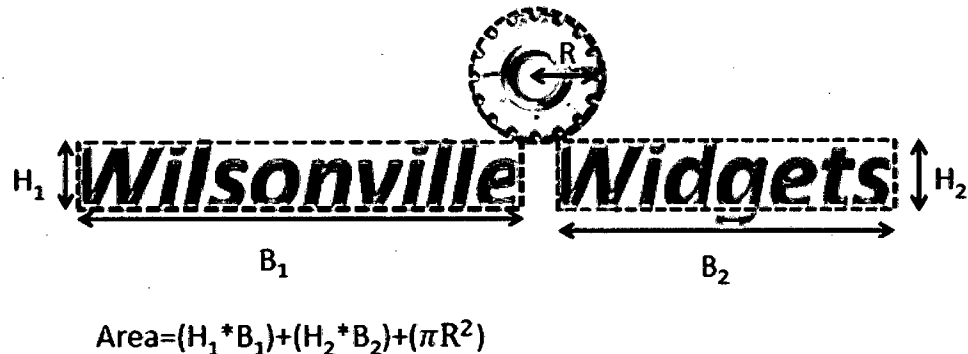


Figure 1. Measurement of Cabinet or Similar Signs

**B. b.** ~~When s~~ Individual Element Signs: The area for signs are constructed of individual elements (letters, figures, etc.) pieces attached to a building wall or similar surface or structure, sign area is determined by a perimeter drawn around all of the pieces (see Figure 17: Individual Element Sign). shall be the summed area of up to three squares, rectangles, circles, or triangles drawn around all sign elements.

1. The descender on the lower case letters “q, y, p g, or j.” shall not be included in sign area when the letter otherwise matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter.



## Figure 2. Measurement of Individual Element Signs

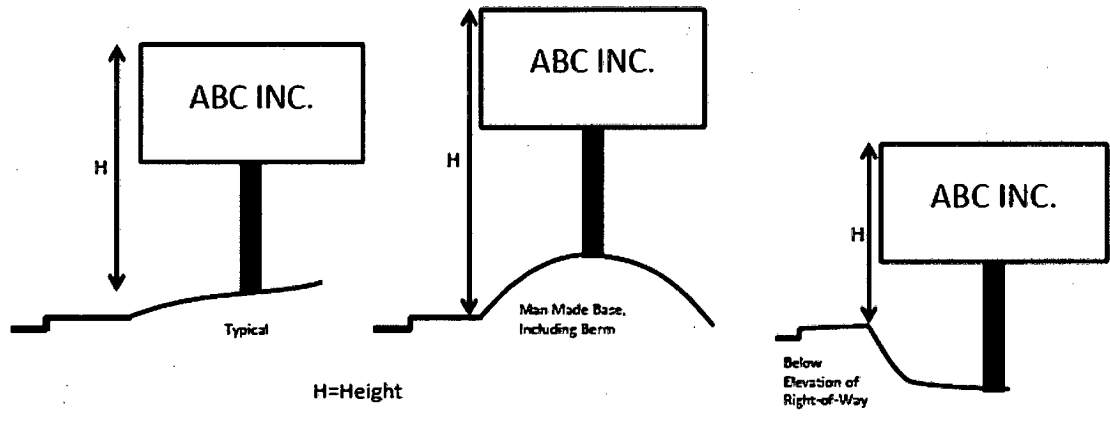
- A.C. e. — For a **Round or Three-Dimensional Signs: The area of a** round or three-dimensional sign, **shall be** the maximum surface area visible from any one location on the ground is used to determine sign area **measured the same as A. above** (see Figure 20: Sign Face Area). **except if the maximum surface area is an irregular shape the signs perimeter shall be measured the same as an individual element sign under B. above.**
- B.D. d. — When **Awning or Marquee Signs: The area of** signs are incorporated into awnings, walls, or marquees, **shall be the area of** the entire panel containing the sign is counted as the sign face **measured the same as A. above** unless it is clear that part of the panel contains no sign-related display or decoration, **other than the background color of the awning.**
- E. e. — **Painted Wall Signs: The area of painted wall signs shall be determined as follows:** 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.
- 1. If individual elements are painted without a background it shall be calculated in the manner indicated in B. above.**
  - 1.2. If a background is painted it shall be calculated in the manner indicated in A. above.**
- C.F. f. — ~~The Planning Director shall be responsible for determining the area of a sign, subject to appeal as specified in Section 4.022.~~ **Temporary Signs: The area of temporary signs including banners, lawn signs, and rigid signs shall be calculated in the manner indicated in A. above.**
- D.G. 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.

### (.02) 2. — Sign Height above Ground:

- A. The overall height **above ground** of a **freestanding or ground-mounted** sign or sign structure is measured from the average grade directly below the sign to the highest point of the sign or sign structure **except as follows-:**
- 1. A freestanding or ground mounted sign on a man-made base, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb to the highest point of the sign or sign structure. In all cases signs on a berm shall be allowed to be eight (8) feet in height from the top of the berm.**
  - 2. A freestanding or ground mounted sign placed below the elevation of the right-of-way it fronts shall be measured from the lowest point in the right-of-way along the frontage to the highest point of the sign.** 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.



How to Measure Height of a Freestanding or Ground Mounted Sign



**(.03) Sign Height and Length:**

- A. Height of a sign is the vertical distance between the lowest and highest points of the sign.**
- B. Length of a sign is the horizontal distance between the furthest left and right points of the sign.**

**(.04) Final Determination of Sign Measurement: The Planning Director shall be responsible for determining the area, height above ground and height and length of a sign, subject to appeal as specified in Section 4.022. Applicants for sign plans and permits shall provide the dimensions needed to calculate the area, height above ground, height, and length.**

**Section 4.156.04 Non-Conforming Signs.**

**(.01) C.** ~~Non-conforming~~ **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 Sections 4.189 through 4.190. 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. **However, a sign that is required to be moved solely because of a public taking may be replaced on the site, and maintain its non-conforming status, subject to a Class II Sign Permit, provided the replacement sign is found to not increase in non-conformity to current code standards other than required setbacks.**

**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.~~

7. That Wilsonville code section 4.156 Sign Regulations, subsection (.04) Signs Exempt From Sign Permit Requirements, be renumbered as section 4.156.05, and amended as follows:

**Section 4.156.05(.04) Signs Exempt From Sign Permit Requirements.**

- (.01)** A.—The following signs are exempt from the permit requirements of this ~~Section~~ code 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:
- A. 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.
  - B. 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.
  - C. 3.—Flags displayed from permanently-located freestanding or wall-mounted flagpoles that are designed to allow raising and lowering of flags. One site may have up to two (2) exempt flags; no exempt flag may be more than thirty (30) feet in height.

**(.02) 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.

- A. 1.—Signs inside a building **except for prohibited signs listed in Section 4.156.06** ~~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.~~
- B. 2.—Name Plates and Announcements.
1. a.—A sign identifying the name, street address, occupation and/or profession of the occupant of the premises in the aid of public health and safety. 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.
2. 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.
- C. 3.—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:
1. a.—~~The following directional signs are exempt from sign permit requirements:~~
1. i.—~~Those having a e maximum sign area of not more than~~ **does not exceed** three (3) square feet per sign face,
2. ~~The sign are not located~~ **location is not** within public rights-of-way and which ~~meet~~ **meets** City vision clearance requirements;
- 2.3. ii.—~~Those without lighting~~ **No sign lighting;**
- 3.4. iii.—~~Those without a No~~ logo or ~~those having a~~ logo that does not exceed one (1) square foot in size; and
- 4.5. iv.—~~Those where not~~ **No** more than one (1) directional sign is located on the same tax lot.
2. b.—~~The following directional signs require a sign permit:~~
- a. i.—~~Those having a maximum sign face area of more than three (3) and not exceeding six (6) square feet.~~
- b. ii.—~~Those having lighting that is limited to indirect or internal lighting. Flashing lights are prohibited.~~
- D. 4.—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.
- E. 5.—~~A sign that is~~ **Signs** 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.~~
- F. 6.—Holiday lights and decorations, in place between November 15 and January 15.
- G. 7.—Signs on scoreboards or ballfields located on public property.
- H. 8.—~~Additional to the signs that are otherwise permitted by this Code, o~~ **One** small decorative banner per dwelling unit ~~may be placed on site, in residential zones.~~

- I. ~~9.~~ Lawn Signs meeting the standards of Table S-1 and the following conditions:
  - 1. a. —Such signs shall not be intentionally illuminated and shall not display movement.
  - 2. b. —Such signs shall not obscure sight lines of the motoring public, obscure traffic or other government signs, or create a nuisance to the use or occupancy of any property.
  - 3. e. —Lawn signs associated with temporary events may be posted no longer than sixty (60) days before the beginning of an event and must be removed at the event's completion.
  - 4. d. —Lawn signs not associated with temporary events may be posted for one period of up to sixty (60) days in a calendar year.
  - 5. e. —Such signs may be up to six (6) feet in height.
  - 6. f. —Such signs may be one (1) or two (2) sided.
- J. ~~10.~~ Rigid Signs meeting the standards of Table S-1 and the following conditions:
  - 1. a. —Such signs shall not be intentionally illuminated and shall not display movement.
  - 2. b. —Such signs shall not obscure sight lines of the motoring public, obscure traffic or other government signs, or create a nuisance to the use or occupancy of any property.
  - 3. e. —Such signs may be up to six (6) feet in height, except signs on lots with an active construction project (active building permit), which may be up to ten (10) feet in height. (Note that signs exceeding six (6) feet in height typically require building permits.)
  - 4. d. —Such signs may be one (1), two (2), or three (3) sided.
  - 5. e. —On Residential and Agriculture zoned lots:
    - a. i. —A rigid sign not associated with an ongoing temporary event may be displayed for no more than sixty (60) days each calendar year.
    - b. ii. —A rigid sign associated with an ongoing temporary event may be displayed for the duration of that event. Note: Section 4.156~~(.05)(E.)(12.)~~**.06 (.01) Q.** of this Code prohibits signs associated with temporary events to remain posted after the completion of the event.
  - 6. f. —On Commercial, Industrial, or Public Facility zoned lots:
    - a. i. —A rigid sign not associated with an ongoing temporary event may be displayed for no more than ninety (90) days each calendar year.
    - b. ii. —A rigid sign associated with an ongoing temporary event may be displayed for the duration of that temporary event. Note: Section 4.156~~(.05)(E.)(12.)~~**.06 (.01) Q.** of this Code prohibits signs associated with temporary events to remain posted after the completion of the event.
    - c. iii. —A temporary event must have an end, marked by the occurrence of a specifically anticipated date or happening. A temporary event may not be a part of a broader, continuing event or of related, serial events. Temporary events shall not be defined by content, but may include isolated merchandise sales or discounts, or availability of real estate for sale or lease.

**K. Signs allowed in Subsections 6.150 (1) and (2) Wilsonville Code for special events.**

8. That Wilsonville code section 4.156 Sign Regulations, subsection (.05) Prohibited Signs, be renumbered as section 4.156.06, and amended as follows:

**Section 4.156.06 Prohibited Signs**

~~(.0501)~~ 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 through the waiver process provided for architectural features in planned developments.~~

**D. Changeable copy signs that use lighting changed digitally, unless specifically approved through a waiver process connected with a Class III Sign Permit or Master Sign Plan. In granting a waiver for a digital changeable copy signs the DRB shall ensure the following criteria will be met:**

- 1. The sign shall be equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with ambient light conditions and the sign owner shall ensure appropriate functioning of the dimming technology for the life of the sign.**
- 2. The luminance of the sign shall not exceed five thousand (5000) candelas per square meter between sunrise and sunset, and five hundred (500) candelas per square meter between sunset and sunrise.**

~~DE~~ 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 sign permit or annual pre-approved sign procedures of this Code. **or the architectural design of a building makes the slope of the roof below the peak a practicable location of signs on a building and the general location of signs on the roof is approved by the DRB during Stage II Approval, as applicable, and Site Design Review.**

~~E. Other Prohibitions: Additional to the signs listed above, the following are prohibited:~~

- ~~1~~**F.** Signs obstructing vision clearance areas.
- ~~2~~**G.** Pennants, streamers, festoon lights, **balloons**, and other similar devices intended to be moved by the wind, unless specifically authorized in an approved sign permit.
- ~~3~~**H.** Signs attached to trees, **public sign posts**, or public utility poles, other than those placed by appropriate government agencies or public utilities.

~~4I.~~ 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 **such as Digital Changeable Copy Signs**. This is not intended to prohibit the use of neon **or LED's** as a source of illumination.

~~5J.~~ Signs that use flame as a source of light or that emit smoke or odors.

~~6K.~~ 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.

~~7L.~~ 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.

~~8M.~~ \_\_\_\_\_ 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.

~~9N.~~ Signs located on public property in violation of ~~subsection~~ **Section 4.156 (-10) or (-11), 10** below.

~~10O.~~ Signs placed on private property without the property owner's permission.

~~11P.~~ Signs erected or installed in violation of standards prescribed by the City of Wilsonville, State of Oregon or the U.S. government.

~~12Q.~~ Signs associated with temporary events, after the temporary event is completed.

**R. Any private signs, including window signs, with a luminance greater than five thousand (5000) candelas per square meter between sunrise and sunset and five hundred (500) candelas per square meter between sunset and sunrise.**

**S. Video Signs**

~~(.06) Sign Area. The total square footage of signage per lot shall be regulated by Sign Table 6, 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.~~

9. That Wilsonville code section 4.156 Sign Regulations, subsection (.06) Sign Area, be deleted in its entirety.

10. That Wilsonville code section 4.156 Sign Regulations, subsection (.07) Sign Permit Requirements In Residential Zones, be renumbered as retitled as section 4.156.07 Sign Regulations In Residential Zones, and amended as follows:

**Section 4.156.07 Sign Regulations In Residential Zones.**

~~(.07) Sign Permit Requirements In Residential Zones. Notwithstanding the provisions of Sign Table 6, 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:~~

~~A. 1. Surface area shall not exceed three (3) square feet and sign shall not be artificially illuminated.~~

~~B. 2. The sign shall be located inside the dwelling or located flat against the dwelling.~~

~~C. 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 4.156(.10)(A.)(4.) through the Administrative Review process of Sections 4.030 and 4.035. 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 4.022. 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 corresponding with the opening of a new business or housing development may be permitted, subject to the Class I Administrative Review provisions of Section 4.030 and 4.035 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.~~

**(.01) E. Monument Ground Mounted Signs for Residential Developments.** One monument **ground mounted** sign, not exceeding eighteen (18) square feet in area **and six (6) feet in height above ground**, shall be permitted for each residential subdivision having fifty (50) or more lots or for any other residential **multi-family** development with fifty (50) or more dwelling units.

**1. Additional ground mounted signs of eighteen (18) square feet or less shall be permitted for additional entrances to the subdivision or development located on a separate street frontage or on the same street frontage located at least two hundred (200) feet apart.**

**2. For one entrance on a street frontage, an additional ground mounted sign may be placed on opposite side of the street or private drive at the intersection.**

**(.02) Ground Mounted Signs for Outdoor Recreational Areas on Separate Lots: Public or private Parks or other similar outdoor recreational areas on separate lots than dwelling units are allowed one (1) ground mounted sign of eighteen (18) square feet or less in area and six (6) square feet or less in height above ground.**

**(.03) Non-Residential Uses: Uses, other than residential and outdoor recreation, shall be subject to the sign regulations for PDC, PDI, and Public Facility zones.**

11. That Wilsonville code section 4.156 Sign Regulations, subsection (.08) Sign Permit Requirements In PDC and PDI Zones, be renumbered and retitled as section 4.156.08 Sign Regulations in the PDC, PDI, and PF Zones, and amended as follows:

**Section 4.156.08 Sign Regulations in the PDC, PDI, and PF Zones.**

~~(.08) Sign Permit Requirements In PDC And PDI Zones. In implementing the permanent sign footage per lot allowed by the provisions of Sign Table 6, the following standards and conditions shall apply to all signs in PDC and PDI zones, other than the Town Center area:~~

**(.01) Freestanding and Ground Mounted Signs**



**A.** One freestanding or ground mounted sign is allowed for the first two-hundred (200) linear feet of site frontage. One additional freestanding or ground mounted sign may be added for through and corner lots having at least two-hundred (200) feet of frontage on one street or right-of-way and one-hundred (100) feet on the other street or right-of-way.

**B.** The maximum-allowed height above ground of a freestanding or ground mounted sign shall be twenty (20) feet except as noted in 1.-2. below. ~~If there is a building on the site, the maximum height shall be twenty (20) feet above the average grade of the building footprint.~~

**a.** The maximum allowed height above ground for signs along the frontage of Interstate 5, and parallel contiguous portions of streets, as identified in Figure 4.156.08-1, associated with multiple tenants or businesses may be increased by three (3) feet for each tenant space of ten thousand (10,000) square feet or more of gross floor area up to a maximum of thirty-five (35) feet.

**b.** The allowed height above ground for signs in the PDC-TC Zone, Old Town Overlay Zone, and PDI Zone is eight (8) feet, except those signs along the frontage of Interstate 5 and parallel contiguous portions of streets noted in 1 above.

**C.** The maximum allowed area for each freestanding or ground-mounted sign is determined based on gross floor area and number of tenant spaces:

**1.** For frontages along streets other than those indicated in 2. below sign area allowed is calculated as follows:

**a.** The sign area allowed for signs pertaining to a single tenant:

<u>Gross Floor Area in a Single Building</u>	<u>Maximum Allowed Sign Area</u>
<u>Less than 11,000 sf</u>	<u>32 sf</u>
<u>11,000-25,999 sf</u>	<u>32 sf + 2 sf per 1000 sf of floor area greater than 10,000 rounded down to the nearest 1,000 sf</u>
<u>26,000 sf or more</u>	<u>64 sf</u>

**i.** For PF (Public Facility) zoned properties adjacent to residential zoned land the maximum allowed area is thirty-two (32) square feet.

**b.** The maximum allowed sign area for signs pertaining to multiple tenants or businesses is thirty-two (32) square feet plus the following for each tenant space:

<u>Gross Floor Area of Tenant Space</u>	<u>Additional Allowed Sign Area for Tenant Space</u>
<u>Less than 1,000 sf</u>	<u>3 sf</u>
<u>1,000-10,999</u>	<u>3 sf + 3 sf per 1,000 sf of floor area rounded down to the nearest 1,000 sf</u>
<u>11,000 sf or more</u>	<u>32 sf</u>

- i. The total sign area shall not exceed two hundred (200) square feet, except in the PDC-TC Zone, Old Town Overlay Zone, and PDI Zone the total sign area shall not exceed eighty (80) square feet.
    - ii. Though the maximum allowed sign area is calculated based on number of tenant spaces and their size, the content of the sign and area used for different content is at the discretion of the sign owner, except for required addressing.
  - 2. Signs fronting Interstate 5 and parallel contiguous street sections, as identified in Figure 4.156.08-1 on pages \_\_\_ to \_\_\_ :
    - a. For signs on properties or within developments with a single tenant or business the sign area allowed is sixty-four (64) square feet.
    - b. For signs on properties or within developments with multiple tenants or businesses the maximum allowed area is sixty-four (64) square feet plus an additional thirty-two (32) square feet for each tenant space of 10,000 square feet or more of gross floor area up to a maximum total sign area of three hundred (300) square feet.
      - i. Though the sign area allowed is calculated based on number of large tenant spaces, the content of the sign and area used for different content is at the discretion of the sign owner, except for any required addressing.
- C.D. 3. Pole or sign support placement shall be installed in a **full** vertical position (see Figure 16: Sign Position).
- E. 4. Freestanding **and ground mounted** signs shall not extend into or above public rights-of-way, **parking areas, or vehicle maneuvering areas.**
- F. The location of free standing or ground mounted signs located adjacent to or near the Public Right-of-Way shall be in compliance with the City's Public Works Standards for sight distance clearance. Prior to construction, the location of the sign shall be approved by the City of Wilsonville Engineering Division.
- G. Freestanding and ground mounted signs shall be designed to match or complement the architectural design of buildings on the site.
- H. For freestanding and ground mounted signs greater than eight (8) feet in height, the width of the sign shall not exceed the height.
- I. Along street frontages in the PDC-TC Zone and Old Town Overlay Zone monument style signs are required.
- J. Freestanding and ground mounted signs shall be no further than fifteen (15) feet from the property line and no closer than two (2) feet from a sidewalk or other hard surface in the public right-of-way.
- K. Except for those signs fronting Interstate 5, freestanding and ground mounted signs shall include the address number of associated buildings unless otherwise approved in writing by the City and the Fire District.
- L. When a sign is designed based on the number of planned tenant spaces it shall remain a legal, conforming sign regardless of the change in the number of tenants or configuration of tenant spaces.

5. Street side setbacks for freestanding signs may be reduced to ten (10) feet without requiring a waiver or variance.

(.02) B. Signs on Buildings

A. Sign Eligible Facades: Building signs are allowed on a facade of a tenant space or single tenant building when one or more of the following criteria are met:

1. The facade has one or more entrances open to the general public;
2. The facade faces a lot line with frontage on a street or private drive with a cross section similar to a public street, and no other buildings on the same lot obstruct the view of the building facade from the street or private drive; or
3. The facade is adjacent to the primary parking area for the building or tenant.

B. Sign Area Allowed:

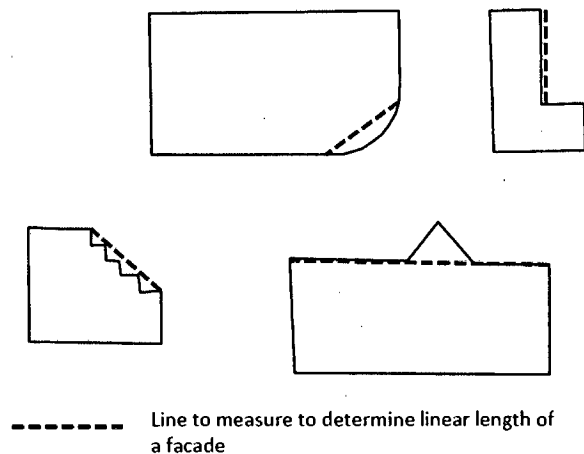
1. The sign area allowed for all building signs on a sign eligible facade is shown in the table below:

<u>Linear Length of Façade (feet)</u>	<u>Sign Area Allowed*</u>
<u>Less than 16</u>	<u>Area equal to linear length</u>
<u>16 to 24</u>	<u>24 sf</u>
<u>Greater than 24 to 32</u>	<u>32 sf</u>
<u>Greater than 32 to 36</u>	<u>Area equal to linear length</u>
<u>Greater than 36 to 72</u>	<u>36 sf</u>
<u>Greater than 72</u>	<u>36 sf plus 12 sf for each 24 linear feet or portion thereof greater than 72 up to a maximum of 200 sf</u>

\*Except as noted in 2. through 5. below

2. The sign area allowed for facades with a primary public entrance or with a frontage along a public street dominated by windows or glazing may be increased by transferring to the façade up to one half (1/2) the sign area allowed for adjacent facades up to fifty (50) square feet. In no case shall the allowed sign area exceed an area equal to the linear length of the façade.
3. The sign area allowed is increased as follows for signs at separate building entrances:
  - a. For building entrances open to the general public located at least fifty (50) feet apart on the same facade, the sign area allowed is increased by fifty (50) percent up to fifty (50) square feet.
  - b. For building entrances located less than fifty (50) feet apart on the same facades, the sign area allowed is increased by twenty (20) percent up to twenty (20) square feet.
4. For businesses occupying multiple buildings in a campus setting, sign area shall be limited to that allowed for the largest building, which may then be distributed throughout the campus.

- 5. If a façade otherwise not sign eligible faces a lot line with frontage on Interstate 5, the applicant can transfer sign area allowed from one (1) of the locations described in a. and b. below. In no case shall the allowed sign area exceed an area equal to the allowed sign area for a sign eligible façade of the same linear length.**
- a. The freestanding sign along the Interstate 5 frontage. This generally involves placing building signs on the subject façade in lieu of installing a freestanding sign.**
- b. Adjacent façade up to fifty (50) square feet, when a majority of the adjacent façade from which the sign area is being transferred is visible from Interstate 5.**
- 6. Calculating linear length of a façade for the purpose of determining maximum sign area allowed. For facades of a single tenant building the length the facade measured at the building line, except as noted in a. and b. below. For multi-tenant buildings the width of the façade of the tenant space shall be measured from the centerline of the party walls or the outer extent of the exterior wall at the building line, as applicable, except as noted in a. and b. below. Applicants shall provide the dimensions needed to calculate the length. Each tenant space or single occupant building shall not be considered to have more than five (5) total facades.**
- a. If a façade is curvilinear, stepped, or otherwise not a straight line, the façade shall be measured by drawing a straight line between the edges of the façade as shown in the figure below.**
- b. For an “L” shaped tenant space or single tenant building the longest leg of the interior of the “L” shall be basis for measuring the length of the L-shaped facade. Sign area allowed based on longest leg can be distributed between legs.**



- 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 “e” below. The length of building is to be measured at the building line.**

1.—

~~a. 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~~

~~B. e. 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. **The length of individual tenant signs shall not exceed seventy-five (75) percent of the length of the facade of the tenant space.**~~

~~C. **The height of building signs shall be within a definable sign band, fascia, or architectural feature and allow a definable space between the sign and the top and bottom of the sign band, fascia, or architectural feature.**~~

~~D. 2.—Types of signs permitted on buildings include wall flat, fascia, projecting, **blade**, marquee and awning signs. Roof-top signs are prohibited.~~

~~D.—~~

**(.03) C.—**Additional signs. Notwithstanding the sign footage allowed based on the site and building frontages as shown in Table 6 **in (.01) and (.02) above**, the following signs may be permitted, subject to standards and conditions in this **Section Code**:

**A. 1.—Directional signs: In addition to exempt directional signs allowed under Subsection 4.156.05 (.02) C. freestanding or ground mounted directional signs six (6) square feet or less in area and four (4) feet or less in height:**

**1. The signs shall be designed to match or complement the architectural design of buildings on the site;**

**2. The signs shall only be placed at the intersection of internal circulation drives; and**

**3. No more than one (1) sign shall be placed per intersection corner with no more than two (2) signs per intersection.**

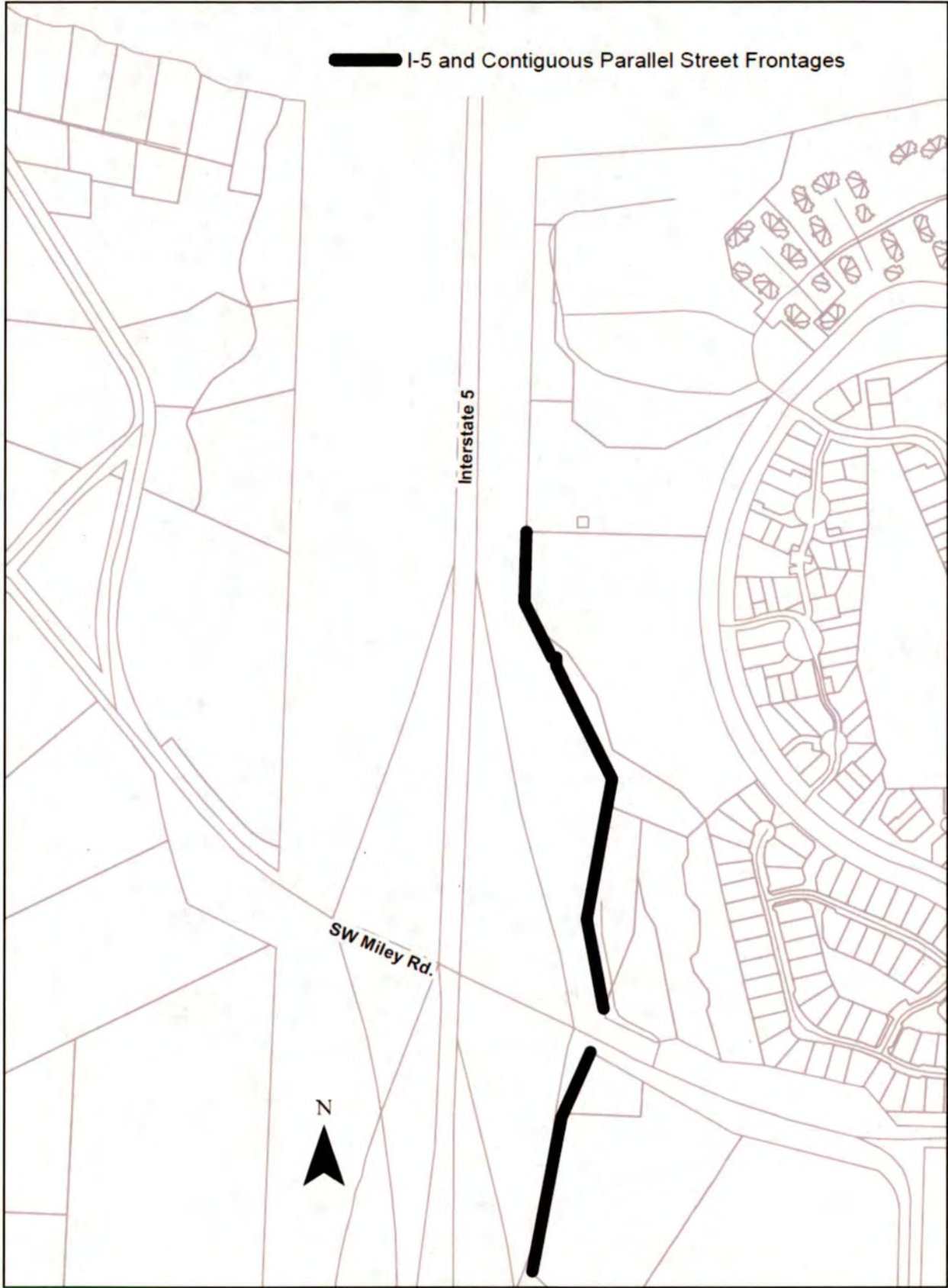
~~2.—Special event signs—signs advertising or pertaining to any special event taking place within the City. The Planning Director may issue a temporary use permit for special event signs to be located on site, off site, or within City rights of way, excluding those areas listed in subsection 4.156(.10)(A).(4.) through the Administrative Review process of Sections 4.030 and 4.035. 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 subsection 4.156(.07), 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 Sections 4.030 and 4.035. Inflatable signs shall be permitted for a maximum of fifteen (15) days of display use in any calendar year.~~

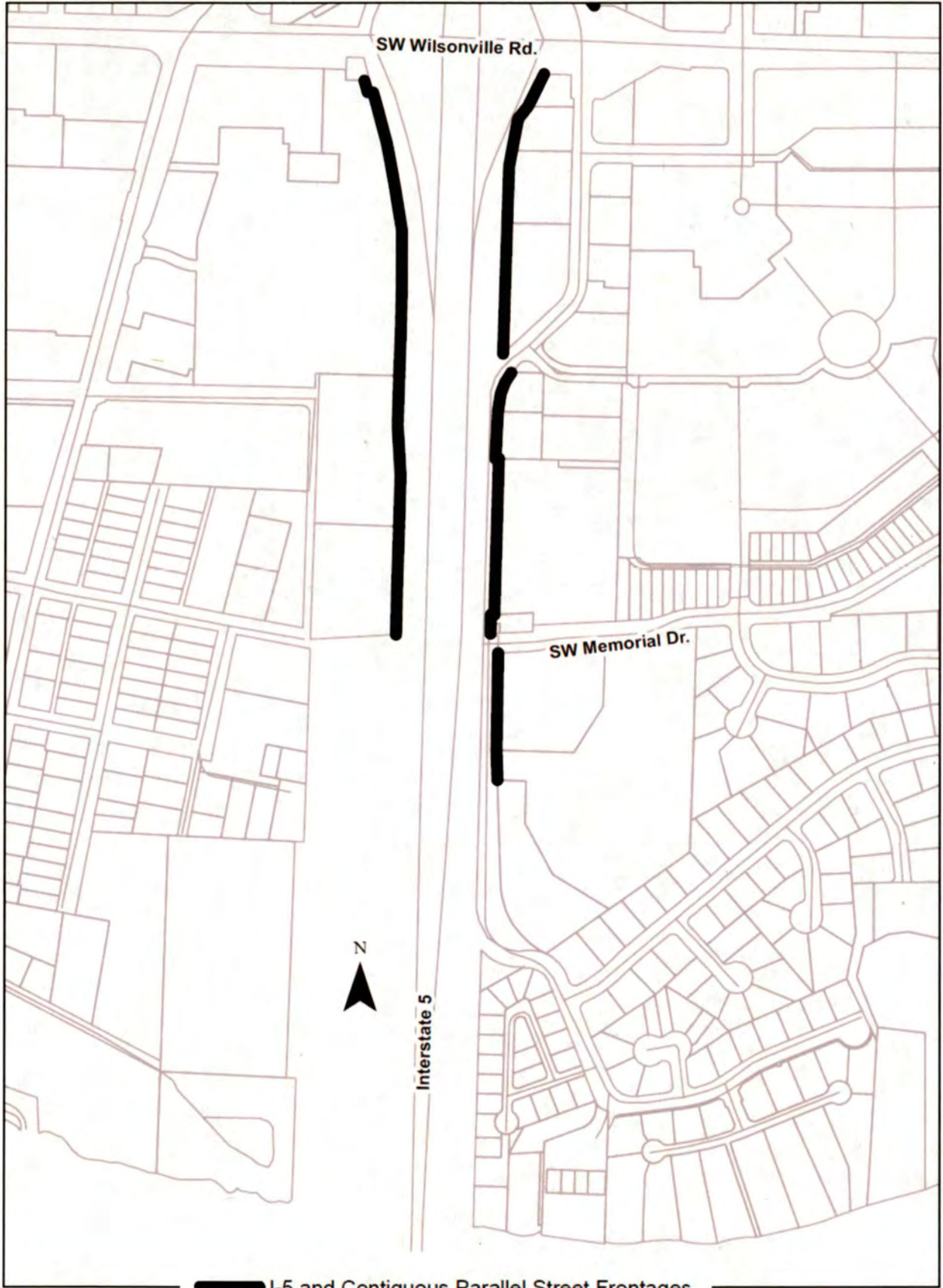
- A. ~~4. District or Planned Development signs -- **up to thirty (32) square feet of the allowed sign area for freestanding signs in a planned development may be used for a separate one (1) on-site monument sign, or one (1) off-site monument sign on an adjacent parcel identifying that the Planned Development project, may be permitted, subject to the following standards and conditions:**~~
- B. a. ~~The sign may be double faced, shall not exceed thirty two (32) square feet per face, and may be located within ten (10) feet of a street right of way without requiring a waiver or variance.~~
1. b. ~~The sign shall pertain only to identification of its subject development.~~
2. c. ~~Sign graphics may be changeable so as to indicate vacancies and occupancy changes.~~
- C. d. ~~The sign shall be reviewed by the Development Review Board in conjunction with the overall Planned Development.~~ **Blade Signs: To aid in pedestrian wayfinding, one (1) blade sign, not to exceed six (6) square feet, per facade eligible for building signs. Blade signs shall provide a minimum of eight (8) feet clearance from the ground.**
- C.D. ~~\_\_\_\_\_ Fuel or Service Station Price Signs. Two (2) e~~ **In addition to the freestanding or ground mounted signs allowed,** changeable copy signs shall be allowed for the purpose of advertising fuel prices, subject to the following standards and conditions:
1. a. ~~\_\_\_\_\_ The signs shall have a maximum of six~~ **eleven (611) square feet in area per face per type of fuel sold** and shall be permanently affixed to the building or a freestanding sign.
2. b. ~~\_\_\_\_\_ The signs shall not be considered in calculating the maximum sign area or number of signs permitted at the location~~ **allowed.**
3. e. ~~\_\_\_\_\_ 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 corresponding to a special event or opening may be permitted, subject to the Administrative Review provisions of Section 4.030 and 4.035, 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.~~

Figure 4.156.08-1

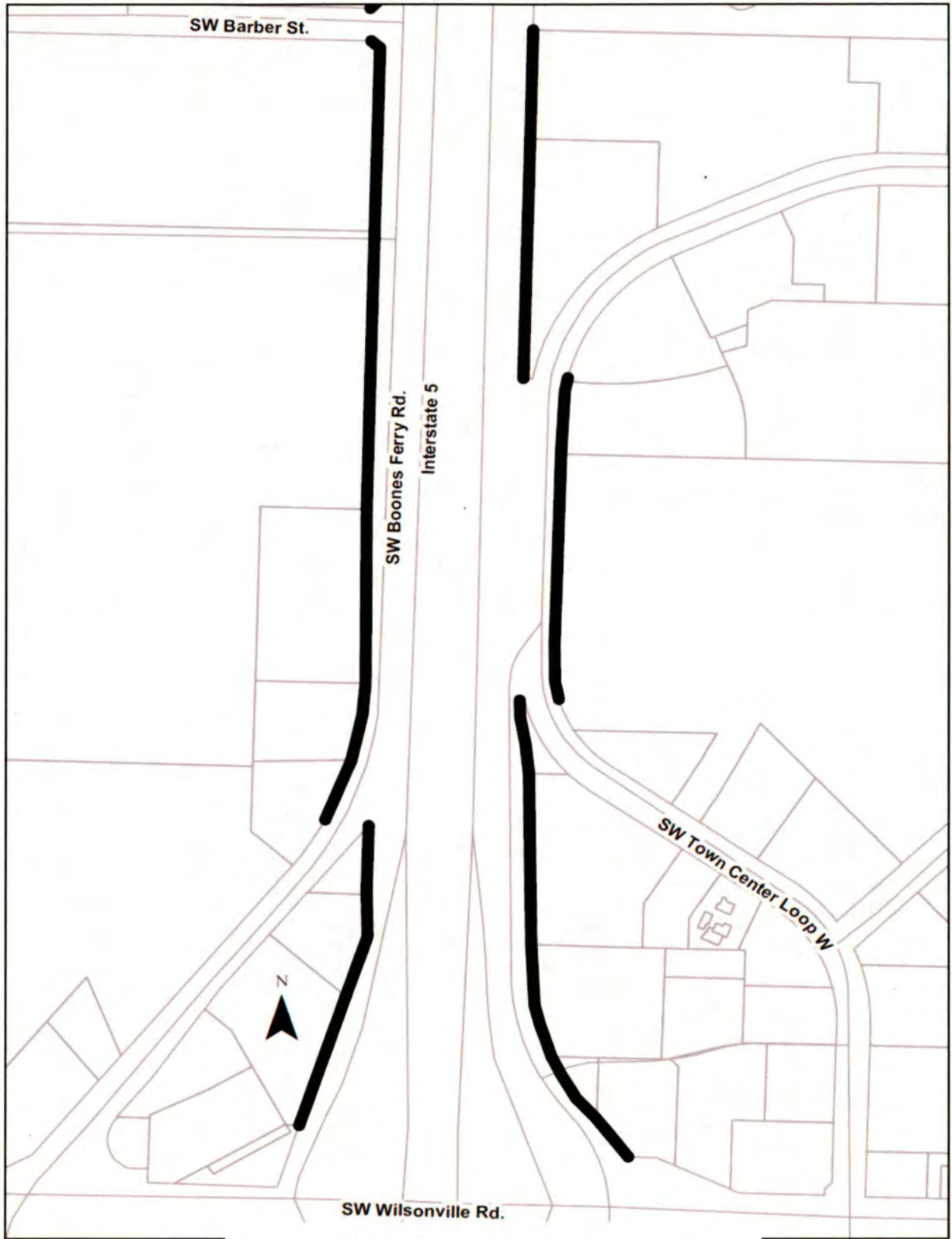
Interstate 5 and Contiguous Parallel Street Frontage



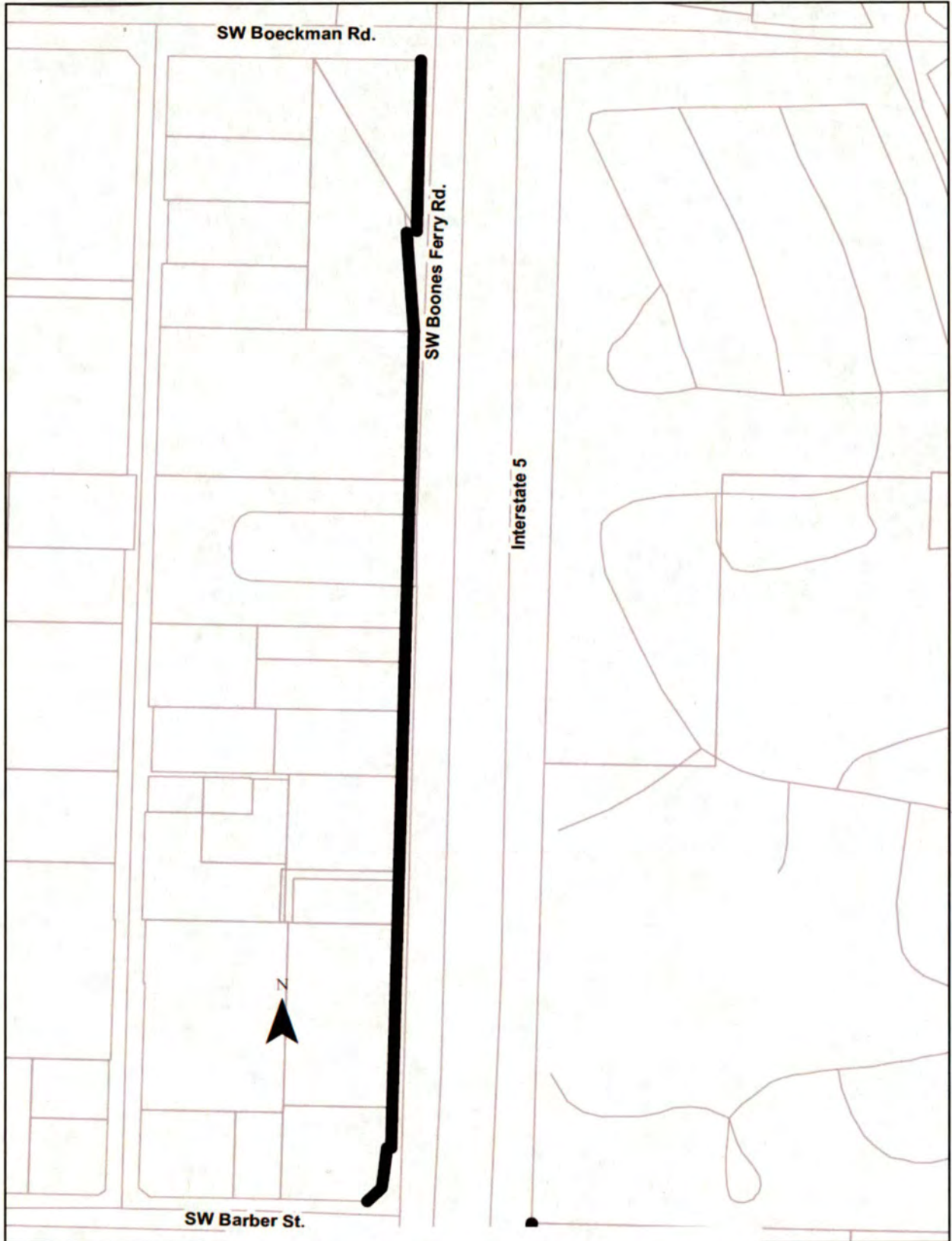








— I-5 and Contiguous Parallel Street Frontages



SW Boeckman Rd.

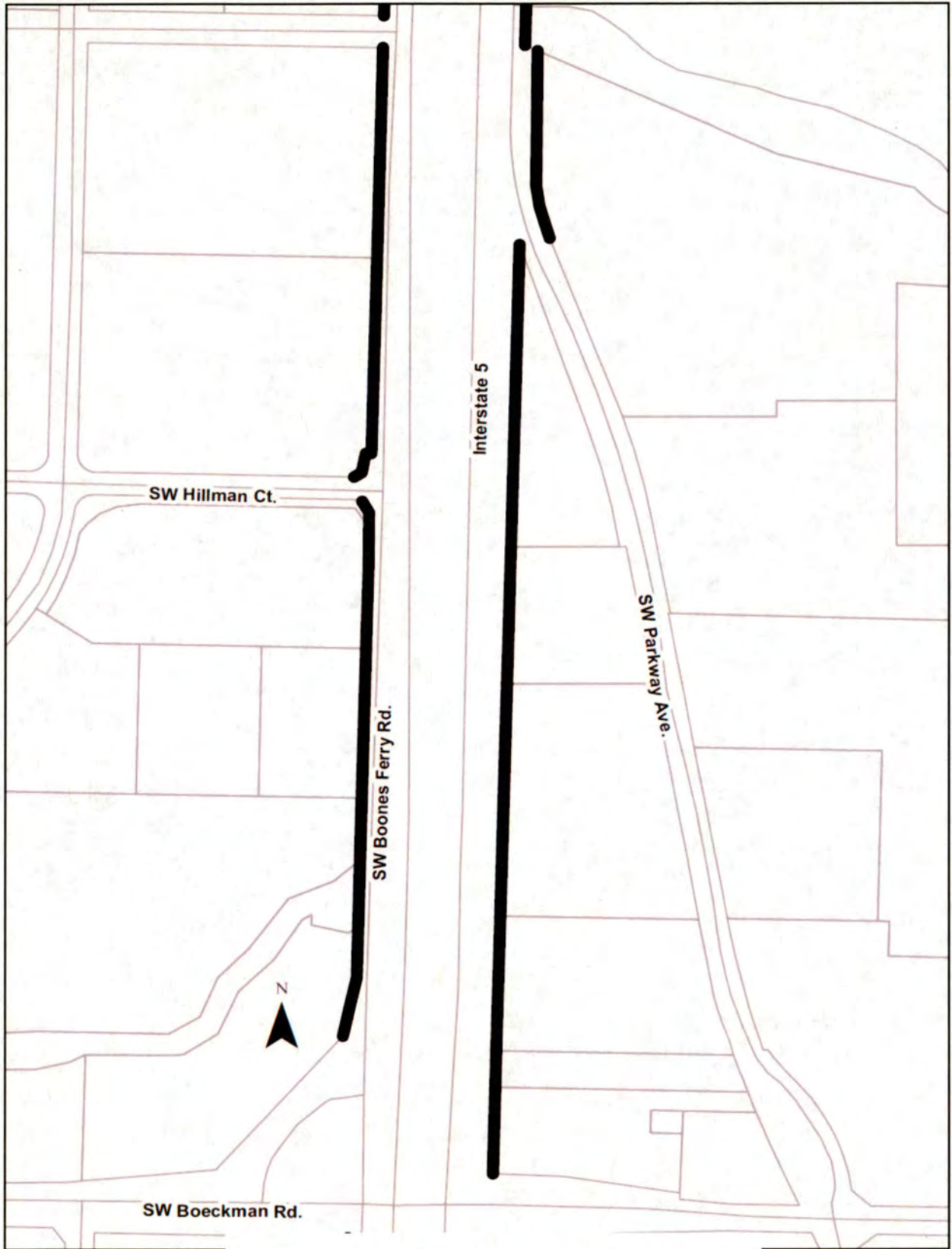
SW Boones Ferry Rd.

Interstate 5

N

SW Barber St.

■ I-5 and Contiguous Parallel Street Frontages

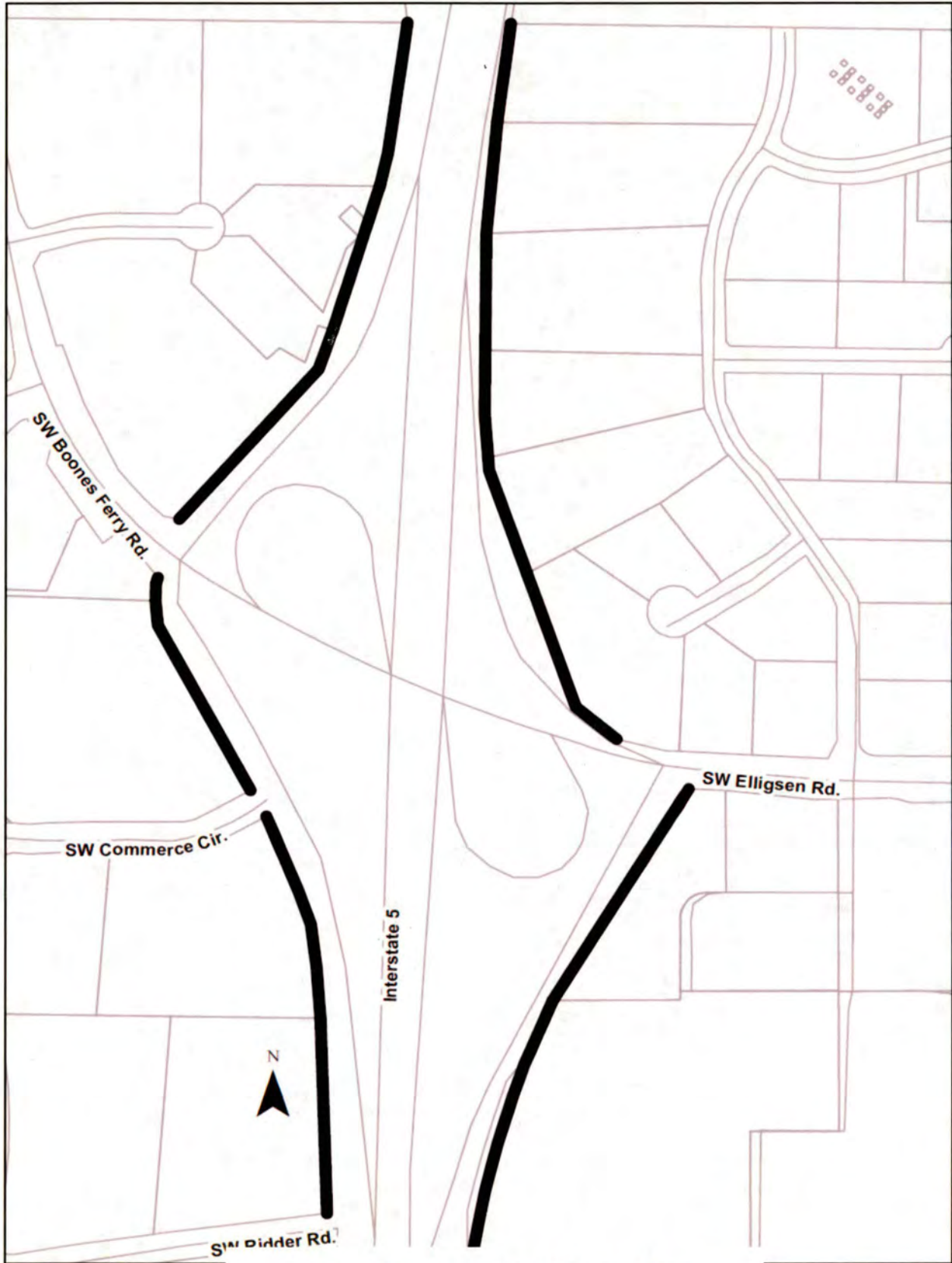


**— I-5 and Contiguous Parallel Street Frontages**





— I-5 and Contiguous Parallel Street Frontages



**— I-5 and Contiguous Parallel Street Frontages**

12. That Wilsonville code section 4.156 Sign Regulations, subsection (.09) Sign Permit Requirements In The Town Center Area Of The Planned Development Commercial Zone, be deleted in its entirety.
13. That a new section 4.156.09 Temporary Signs In All Zones, be added to the Wilsonville Code as follows consolidating and updating current temporary sign regulation language:

**Section 4.156.09 Temporary Signs In All Zones.**

**The following temporary signs may be permitted in addition to the permanent signs allowed in different zones and exempt temporary signs unless specifically prohibited in a master sign plan or other sign approval:**

- (.01) General Allowance: Except as noted in subsection (.02) below up to two (2) temporary signs not exceeding a combined total of twenty four (24) square feet may be permitted per lot or non-residential tenant. Such signs may be banners, rigid signs, lawn signs, portable signs, or other signs of similar construction.**
- (.02) Opening banner for a new business or housing development: A banner corresponding with the opening of a new business or housing development may be permitted, subject to the following standards and conditions:**
- A. 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.**
- A.B. Such banner may be two-sided but shall not exceed thirty-two (32) square feet per face.**
- C. Such signs shall not be permitted at the same time as general allowance signs in (.01) above.**
- (.03) Annual Event Signs: Up to ten (10) lawn signs may be permitted to be located in the public right-of-way for up to fourteen (14) days if all of the following are met:**
- A. Signs will not be located in the areas listed in Subsection 4.156.10 (.01) A. 4.**
- B. The applicant or event has not been issued a permit for and placed signs in the public right-of-way in the previous six (6) months;**
- C. Not more than one (1) other permit has been issued for lawn signs in the right-of-way during the time period the applicant is requesting;**
- D. The event to which the signs pertain is expected to attract two hundred fifty (250) or more people;**
- E. The request is not in addition to exempt lawn signs for large special events allowed for in Section 6.150; and**
- F. The applicant has indicated on a map the exact locations the signs will be placed and has submitted an application along with the required fee.**
- (.04) Inflatable Signs: Inflatable signs may be permitted for a maximum of fifteen (15) days of display use in any calendar year subject to the following standards and conditions:**
- A. Does not exceed ten (10) feet in overall height; and**

**B. If attached to a building in any manner, it meets applicable building code requirements including consideration of wind loads.**

14. That Wilsonville code section 4.156 Sign Regulations, subsections (.10) Signs on City Property and (.11) Signs Within ODOT Right-Of-Way, be renumbered and retitled as section 4.156.10 Signs on City Property and ODOT Right-Of-Way, and amended as follows:

**Section 4.156.10 Signs on City and ODOT Right-Of-Way.**

~~(.10.01)~~ Signs On City Property. For the purposes of this subsection, City property is defined as physical sites, City rights-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~~ parks Montebello ~~and~~ open space ~~on Wilsonville Road, Fox Chase Park,~~ Transit and Fleet Building, SMART Central, and the City's reservoir, pump station, or treatment plant properties.

- A. Allowed Signs. The following 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.
  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. This shall include signs authorized to conform with the State's Tourism Information program and any similar local government 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. Lawn signs may be placed, subject to the standards in subsection 4.156.10 ~~(.010)(A.)(5.)~~, below, on City rights-of-way and rights-of-way over which the City has jurisdiction except 1) those rights-of-way adjoining City properties defined in subsection 4.156.10 ~~(.010)~~ above, and 2) in the following locations where the placement of signs could damage City-landscaping or interfere with the City's maintenance of the rights-of-way:
    - a. In any median or landscaped strip inside the City limits as identified below in Sections 4.156.10 ~~(.010)(A.)(4.)(b.)~~ through ~~(ep.)~~.
    - 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.~~
  - ~~m.~~ Either side of Boeckman Road and all islands, from the railroad tracks west to 110<sup>th</sup>.
  - ~~nn.~~ Either side of 110<sup>th</sup> between Barber Street and Boeckman Road.
  - ~~on.~~ The eastern side of Grahams Ferry Road from Tooze Road to the City limits.
  - ~~po.~~ Either side of Barber Street between 110<sup>th</sup> and Brown Road, including islands and roundabouts.
  - ~~qp.~~ Such other areas as the City may designate as requiring protection from landscape damage.
5. Lawn signs shall meet the following standards and conditions:
- a. Allowed only between the hours of 6 a.m. Friday and 8 p.m. Sunday, and the hours of 9 a.m. and 4 p.m. Tuesdays;
  - b. Not greater than thirty (30) inches in height. A-frame signs may be 24" by 36" provided that they are designed to meet vision clearance requirements (typically not over 30 inches in height when standing);
  - b. Not placed on street surfaces, sidewalks, paths, median strips, or bicycle ways;
  - c. Located within forty (40) feet of an intersection;
  - d. No more than three (3) signs per person; and
  - e. Placed no more than one every fifty (50) feet and at least ten (10) feet away from any other temporary sign.

~~(.4402)~~ 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.



15. That Wilsonville code section 4.156 Sign Regulations, subsection (.12) Enforcement, be renumbered and retitled as section 4.156.11 Sign Enforcement.

Section 3. Directive. The City Council hereby authorizes and directs the City Recorder to make any conforming changes necessary to amend the Wilsonville Code (WC) in keeping with the adoption of these revisions.

Section 4. Severability. In the event any provisions of this Ordinance shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular scheduled meeting thereof on the 4<sup>th</sup> day of June, 2012, at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon, and scheduled for a second reading on the 18<sup>th</sup> day of June, 2012, commencing at 7:00 p.m. at the Wilsonville City Hall.

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Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the \_\_\_\_ day of June, 2012 by the following votes:

YEAS: \_\_\_\_\_ NAYS: \_\_\_\_\_

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Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this \_\_\_\_\_ day of June, 2012

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TIM KNAPP, MAYOR

**SUMMARY OF VOTES**

Mayor Knapp  
Council President Núñez  
Councilor Hurst  
Councilor Goddard  
Councilor Starr

## Sign Code Update Work Session

Wilsonville City Council

May 21, 2012

Presented by Daniel Pauly, AICP

Associate Planner

[pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us)

503-682-4960

## Outline of Presentation

- Background
- Recommended Updates

## Background

Most of Current Sign Code in Effect for 12 years

-Changes in 2010 regarding temporary signs

Current sign code reviewed by a variety of stakeholders to identify opportunities for improvement

Make the sign code purpose statement and objectives more concise and positive



## Highlights of Purpose Statement

- “Foster an aesthetically pleasing, functional, and economically vital community.”
- “Promote health, safety, and well-being”
- “Meet the needs of sign owners while maintaining consistency with Wilsonville’s development and design standards.”

## Objectives

- A. Well-designed and aesthetically pleasing signs sufficiently visible and comprehensible from streets and rights-of-way that abut a site as to aid in wayfinding, identification and provide other needed information.
- B. Sign design and placement that is compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district.
- C. A consistent and streamlined sign review process that maintains the quality of sign development and ensures due process.
- D. Consistent and equitable application and enforcement of sign regulations.
- E. All signs are designed, constructed, installed, and maintained so that public safety, particularly traffic safety, are not compromised.
- F. Sign regulations are content neutral.



Clarify the difference between  
architecture and signs

## Architecture or Sign

Recommended Code Language (added to  
definition of sign):

- A sign does not include architectural or landscape features that may attract attention but do not convey a message, image, or trademark considered speech protected under federal or state law.

Increase authority of staff to review sign applications that have historically been routine and non-controversial

## Review Process: Recommended Updates

<i>Recommended change</i> Same as current code		
Class I (staff)	Class II (staff)	Class III (DRB)
<ul style="list-style-type: none"> <li>• Signs conforming to a master sign plan or other previous approval</li> <li>• Temporary Signs 30 days or less</li> <li>• <b>Minor adjustments to master sign plans</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Signs for existing residential development</b></li> <li>• <b>Signs for existing non-residential development with less than 3 tenants</b></li> <li>• Temporary Signs 31-120 days</li> <li>• <b>Major adjustments to master sign plans which involve:</b> <ul style="list-style-type: none"> <li>• <i>Single tenants</i></li> <li>• <i>Single multi-tenant signs</i></li> <li>• <i>Series of related multi-tenant signs</i></li> </ul> </li> <li>• <b>Administrative variances</b></li> </ul>	<ul style="list-style-type: none"> <li>• Waivers</li> <li>• Non-administrative variances</li> <li>• New freestanding signs over 8 feet</li> <li>• Signs for new development</li> <li>• Signs for redevelopment being reviewed by DRB</li> <li>• Master Sign Plans</li> <li>• Master Sign Plan modifications other than adjustments</li> </ul>



Clarify and give added direction in what the Development Review Board needs to consider in granting a waiver to sign regulations

Reduce the number of waivers routinely requested

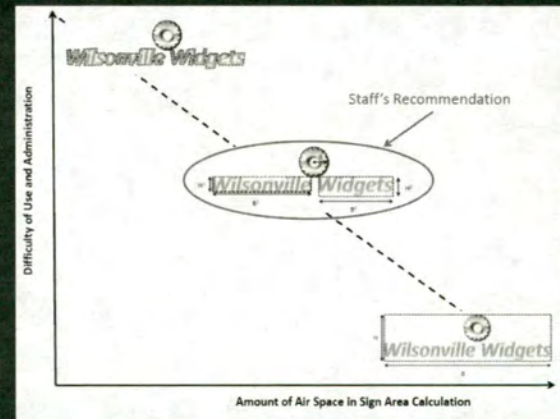
## Waivers: Recommended Updates

- Specific waiver criteria directly reflecting objectives of sign regulations
  - Focus on improved design
- Adjust sign allowances in different zones to allow the pattern of signs approved repeatedly as “reasonable” through Master Sign Plans
  - Greatly reduce the number of waivers requested
  - Provide for consistent application to different developments
  - Sign allowances will be discussed in more detail later
- Allow DRB to review waivers as part of Class III sign permits as well as Master Sign Plans
  - Eliminate “elective” Master Sign Plans

Establish a clear sign measurement method that balances ease of administration and use with including too much “empty space” in the calculation

## Sign Measurement Language

Recommended Area Measurement Method:





Simplify sign regulations and improve consistency by removing the majority of special regulations for the PDC-TC Zone

Town Center



Separate the allowance for building signs and freestanding signs to allow a more consistent allowance of freestanding signs throughout the City

Increase consistency by basing building sign allowances on the facades of individual tenant spaces rather than per lot



## Building Signs



## Building Signs: Recommended Updates

### Sign Eligible Facades:

1. The facade has one or more entrances open to the general public;
2. The facade faces a lot line with frontage on a street or private drive with a cross section similar to a public street, and no other buildings on the same lot obstruct the view of the building facade from the street or private drive; or
3. The facade is adjacent to the primary parking area for the building or tenant.

Establish clear and objective standards for number of signs and allowed sign area based on an inventory and analysis of existing signs within the City

## Recommended Freestanding Sign Allowance

I-5 and contiguous parallel adjacent streets

- Allowed Sign Area
  - Single Tenant: 64 sf allowed area
  - Multiple Tenants: 64 sf plus 32 sf for each tenant with 10,000 sf or more gross floor area
- Allowed Sign Height
  - 20 feet
  - May be increased by 3 feet per large tenant (10,000 sf gross floor area) in multiple tenant properties up to 35 feet



## Recommended Freestanding Sign Allowance

Other streets

Allowed Sign Area: Single Tenant

Gross Floor Area in a Single Building	Maximum Allowed Sign Area
Less than 11,000 sf	32 sf
11,000-25,999 sf	32 sf + 2 sf per 1000 sf of floor area greater than 10,000 rounded down to the nearest 1,000 sf
26,000 sf or more	64 sf

Public Facility Zone next to residential limited to 32 sf

## Recommended Freestanding Sign Allowance

Other streets continued

Allowed Sign Area: Multiple Tenants

32 sf plus the following:

Gross Floor Area of Tenant Space	Additional Allowed Sign Area for Tenant Space
Less than 1,000 sf	3 sf
1,000-10,999	3 sf + 3 sf per 1,000 sf of floor area rounded down to the nearest 1,000 sf
11,000 sf or more	32 sf

200 sf max, except in PDC-TC, Old Town and PDI 80 sf max

## Recommended Freestanding Sign Allowance

Other streets continued

Allowed height

- 8 feet in Town Center, Old Town, and Industrial Areas
  - Town Center and Old Town require monument style signs
- 20 feet other areas

## Recommended Building Sign Allowance

Sign area allowed for each sign eligible facade:

Linear Length of Façade (feet)	Sign Area Allowed*
Less than 16	Area equal to linear length
16 to 24	24 sf
Greater than 24 to 32	32 sf
Greater than 32 to 36	Area equal to linear length
Greater than 36 to 72	36 sf
Greater than 72	36 sf plus 12 sf for each 24 linear feet or portion thereof greater than 72 up to a maximum of 200 sf

\*Except as noted in 2-5 below



## Recommended Building Sign Allowance

### Exceptions and Flexibility to Sign Area Allowed (the \*):

- Ability to transfer allowed area to facades with primary public entrance or street frontage with windows from adjacent facades
- Increase allowed area for facades with multiple entrances
- Unique case of campus settings (Mentor Graphics, Xerox)
- Ability to transfer allowed sign area to otherwise non-sign eligible facades facing I-5 from freestanding signs or adjacent facades

Clarify the allowance for semi-static digital changeable copy signs and add specific requirements for this type of sign



## Digital Changeable Copy Signs: Recommended Updates

- Provide new definition of “changeable copy signs” that includes semi-static digital signs
- Change waiver allowance from planned development architecture waiver to sign waiver to allow it to apply to schools
- Establish specific conditions for granting of waivers for digital changeable copy signs
  - Time Limit (15) Minutes
  - Automatic Dimming Technology

Update regulations for temporary signs for special events to be consistent with other regulations adopted by the City



## Special Event Signs: Recommended Updates

- New language establishes the following:
  - Maximum of 10 signs per applicant
  - Can only be issued to an applicant or event once every 6 months
  - Only for events with 250 or more anticipate participants
  - Cannot be placed in places where lawn signs are prohibited (generally maintained planting strips and medians)
  - Maximum of 2 permits issued can overlap (maximum number of sign in the right-of-way at one time would be 20)
  - Cannot be in addition to signs allowed for large special events in Section 6.150 (Ordinance # 701)

Establish clear brightness standards

## Sign Brightness

- Simple criteria for daytime and nighttime
  - candelas per square meter
- All existing signs tested meet nighttime criteria
- Anticipate evolving lighting technology
- Written into prohibited signs section
- No additional submission requirements



Make other minor changes to  
improve consistency and  
functionality



## Other Minor Changes-Highlights

### **Sections 4.030-4.031 Jurisdiction and Powers of the Planning Director and Authority of DRB**

- Minor revisions to reflect recommended process language in Section 4.156

### **Section 4.156.02 Sign Review Process and General Requirements**

- Add language Planning Director to waive submission documents when not necessary

## Other Minor Changes-Highlights

### **Section 4.156.04 Non-Conforming Signs**

- Add language addressing public takings based on experiences with recent Wilsonville Road interchange work

### **Section 4.156.05 Permit Exempt Signs**

- Clarify language regarding interior signs, add language to reflect Ordinance # 701

## Other Minor Changes-Highlights

### **Subsection 4.156.07 Residential Sign Regulations**

- Remove planned development signs language and modify ground mounted (monument sign language) for simplified and consistent rules for all residential development
- Clarify sign allowance for parks and non-residential development in residential zones

## Other Minor Changes-Highlights

### **Subsection 4.156.08 (.03) Additional Signs in Commercial, Industrial, and Public Facility Zones**

- Clarify allowances for “Planned Development signs”
  - Separate or incorporated into freestanding sign
- Independent allowance for “blade signs” to assist in pedestrian wayfinding (consistent with current use of these types of signs)
- Update fuel price sign allowance based on inventory of existing signs and updated changeable copy sign language



**RESOLUTION NO. 2369**

**A RESOLUTION OF THE CITY OF WILSONVILLE ADOPTING AN UPDATED FEE SCHEDULE FOR SIGN RELATED PLANNING REVIEW FEES, AMENDING 'EXHIBIT A' OF RESOLUTION NO. 2050.**

WHEREAS, the Wilsonville City Council finds it necessary and reasonable to establish fees for actual cost impacts for individualized Land Use and Development Planning reviews; and

WHEREAS, the Wilsonville City Council has adopted updated sign regulations which include permit types and review processes not reflected in the fee schedule adopted by Resolution 2050; and

WHEREAS, the Wilsonville City Council finds it prudent to update the fee schedule to reflect these new permit types and review processes with fees reflective of the current fee schedule for comparable permit types and processes in terms of use of staff time and other City resources; and

WHEREAS, technology has evolved since adoption of Resolution 2050 to allow for staff to quickly and inexpensively produce mailing labels when public notice is required which allows the City to eliminate the fee for labels; and

WHEREAS, the Wilsonville City Council finds that Oregon state law allows the City to recover its actual costs.

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

Section 1. The City Council finds the proposed recovery of administrative costs for planning review and land use development services related to signs are actual, reasonable and necessary, therefore, the Planning fees are hereby established as set out in Exhibit "A", which is attached to this resolution and incorporated by reference as if fully set forth herein.

Section 2. The fee schedule as proposed shall become effective on the same date as Ordinance 704 in order to allow time for data entry into the EDEN System,

through which all applications and fees are processed. These fees may be adjusted annually to reflect the increase in the Portland/Salem area consumer price index.

Section 3. Resolution No. 2050 is hereby amended as shown in 'Exhibit A'.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 4<sup>th</sup> day of June, 2012, and filed with the Wilsonville City Recorder this date.

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TIM KNAPP, MAYOR

ATTEST:

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Sandra C. King, MMC, City Recorder

**SUMMARY OF VOTES:**

Mayor Knapp           \_\_\_  
Councilor Goddard   \_\_\_  
Councilor Hurst       \_\_\_  
Councilor Núñez      \_\_\_  
Councilor Starr       \_\_\_

## Planning Division Planning Fees

-Effective July 1, 2007 Sign Related Fees Updated June 4, 2012 Fees or descriptions deleted June 4, 2012

Fee Type	Fee
Fee to create property owner list: 250 feet for notification	\$160
<b>Preapplication Conference</b>	
<b>Sign Permit or Master Sign Plan as stand-alone request</b>	<b>\$160</b>
<b>Signs Permits and Review (Except Temporary Signs)</b>	
Administrative <b>Class I Sign Permit</b>	<b>\$160</b>
<b>Class II Sign Permit</b>	<b>\$400</b>
DRB-Review <b>Class III Sign Permit</b>	<b>\$400-560</b>
Master sign <b>Sign program permit Plan</b>	<b>\$960</b>
<b>Minor Adjustment as Part of Class I Sign Permit</b>	<b>\$80</b>
<b>Temporary Use and Sign Permits</b>	
<b>Class I &lt; 15 days</b>	<b>\$80</b>
<b>Class I 15 - 30 days</b>	<b>\$160</b>
<b>Class I Annual Event Signs</b>	<b>\$50</b>
<b>Class II 31-60 days</b>	<b>\$160-240</b>
<b>Class II 61-120 days (signs only)</b>	<b>\$320</b>
<b>Class II 61-120 days (other temporary uses, may incorporate concurrent sign request)</b>	<b>\$800</b>
<b>DRB Review 121 - 365 days more than 120 days (non-sign temporary uses only)</b>	<b>\$800</b>
<b>Temporary Use Permit &amp; Signage</b>	
Limitations	
Exempt: 57 hours/week; Weekend ( and Tuesday) Signs: limited locations	\$0
Exempt: < or = 10 days in 30 day period; Temporary Sales: 1 sign max; 6 sf max <=30" tall	\$0
Class 1: <15 days; signs and commonly associated (but not substantial) structures allowed	\$80
Class 1: >1 day and <+28 days; grand opening only	\$160
Class II: >=15 days and <= 30 days 2 signs max; combined total all signs max, 24sf with Temporary Use Permit	\$160
Class 2: >=31 days and <=60 days; 2 signs max, combined total all signs 24sf max, and no max ht, or, same, plus 20ft max ht.	\$160
Class 2: >=61 days and <=120 days; 2 signs max, combined total all signs 24sf max, and 20ft max ht, plus other considerations	\$800
Class 3: DRB Hearing required >120 days and <1 yr	\$800
Class 1 or 2 discretionary; if previously approved Master Sign Plan exists	-\$160 or \$800

### EXHIBIT 'A' RESOLUTION 2369

N:\City Recorder\Resolutions\Res2369 Exhibit A.docx N:\City Recorder\Resolutions\Res2369 Exhibit A.docx

**ORDINANCE NO. 704**

**AN ORDINANCE OF THE CITY OF WILSONVILLE AMENDING THE PLANNING AND LAND DEVELOPMENT ORDINANCE (WILSONVILLE'S DEVELOPMENT CODE) SECTIONS 4.001, 4.030-4.031, AND 4.156 AND DIVIDING SECTION 4.156 INTO SECTIONS 4.156.01 THROUGH 4.156.11 TO UPDATE THE CITY'S SIGN REGULATIONS AND THE PURPOSE AND OBJECTIVES OF SUCH REGULATIONS.**

WHEREAS, Wilsonville's current sign regulations have been in effect for 12 years, with changes surrounding the content neutrality of temporary sign regulations adopted in 2010; and

WHEREAS, a collaborative effort has been carried out to identify issues and recommendations to update the sign regulations involving stakeholders including the Wilsonville Area Chamber of Commerce, City staff, sign professionals, residents, former members of the City's Development Review Board, and developers; and

WHEREAS, the Planning Commission held seven work sessions over period of July 2011 to March 2012 to review issues, recommendations, and Development Code amendments to implement the recommendations; and

WHEREAS, the recommendations aim to improve efficiency and consistency in administration and application of Wilsonville's sign regulations while maintaining a high quality visual environment, in which sign development plays a major role; and

WHEREAS, the updated sign regulations help foster an aesthetically pleasing, functional, and economically vital community, as well as promote public health, safety, and well-being by meeting the needs of sign owners while maintaining consistency with the development and design standards elsewhere in Chapter 4 of the Planning and Land Development Ordinance; and

WHEREAS, the Planning Commission conducted a public hearing on this matter on April 11, 2012 and upon consideration of testimony and evidence from the public and city staff, unanimously recommended that the City Council approve the proposed Development Code amendments; and

WHEREAS, the Council having conducted a public hearing on the proposal on June 4, 2012, and considering the entire record herein finds that the proposed Development Code amendment complies with applicable text amendment criteria and is in the best interest of the community by



providing for the needs of sign owners while ensuring a functional, aesthetically pleasing, economically vital, and safe community.

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

Section 1: Findings. The council adopts as findings and conclusions the foregoing recitals and the staff report in this matter attached hereto as Exhibit A and adopted as if set forth fully herein.

Section 2: Amendments.

1. That Wilsonville code section 4.001 Definitions, be amended to modify the definitions for “Sign”, “Addressing Signs”, “Changing image sign”, “Lawn Sign”, “Roof Sign”, “Sign Area”, add definitions for “Baseline”, “Bowl”, “Cap Height”, “Changeable copy sign”, “Descender”, “Blade Sign”, “Serif”, “Shoulder”, “Video Sign”, and “Wayfinding Sign”, delete the definition of “Building Graphics”, “District Sign”, “Electric Sign”, and “Street Graphics”, and move “Site Area, Net” from a sub definition of “Sign” to a stand-alone definition, as follows:

263. **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, **mural**, 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. The scope of the term “sign” does not depend on the content of the message or image conveyed. **A sign does not include architectural or landscape features that may attract attention but do not convey a message or image considered speech, or trademark, protected under federal or state law.**

- A. Addressing Signs: Signs indicating, at a minimum, the numerical address of the building.
- B. Baseline: **The invisible line on which text or other characters sit, the bottom extent of the cap height of a typeface.**
- C. Bowl: **In a font or typeface, an open or closed circular line that creates an interior space, such as in the letters “d” and “c.”**
- D. Cap Height: **In a font or typeface, the distance from the baseline to the top of uppercase letters like “H” and “J.”**

- E. Changing image sign. Any sign which, through the use of moving structural elements, flashing or sequential lights, lighting elements, **prisms**, or other method, results in movement, the appearance of movement, or change of sign image or text **except changeable copy signs defined below**.
- F. **Changeable copy sign**. Any sign, digital or manual, which is designed to have the copy changed routinely and where the frequency of copy change does not exceed once every fifteen (15) minutes, except in emergency situations as requested by the City Manager or designee.
- G. **Descender**: In a font or typeface, the part of a letter extending below the baseline including lower portion of the lowercase letters “g,” “j,” “p,” “q,” and “y.”
- H. Directional signs: Signs on private property that provide directions for the traveling public and are deemed necessary for the safe traverse of the public.
- I. 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.
- J. 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.
- K. Ground-mounted Sign: A non-temporary 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.
- L. 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.
- M. 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.
- N. 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 a part of the structures.
- O. Lawn Sign. A temporary freestanding sign commonly made of corrugated plastic, greyboard, or similar type of material, constructed and maintained to prevent being moved or heavily damaged by typical exposure to natural elements. Lawn signs in the rights-of-way under W.C. 4.156.11 may be constructed to be **portable**.
- P. Marquee Sign: A canopy or covering structure bearing a signboard or graphics projecting from, and attached to, a building.
- Q. Permanent Sign: Any sign that does not meet the definition of a temporary sign, below.
- R. 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. These signs

include, but are not limited to movable A-frame signs, sandwich board signs, signs on vehicles or trailers, and signs attached to wood or metal frames designed to be self-supporting and movable, including trailer reader boards.

- S. **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.
- 1. Blade Sign:** A sign hanging, perpendicular to a building façade, from a canopy, building projection, or mounting bracket intended to aid pedestrians in wayfinding.
- T. **Rigid Sign:** A temporary freestanding sign designed and constructed with materials of a grade and quality to withstand strong winds, rains, and harsh weather conditions, and maintained as a potentially year-long temporary sign to ensure that degradation or weathering does not present aesthetic and public safety concerns and the sign retains substantially the same quality throughout the year. Such signs may not be constructed of cardboard, poster board, or other similar lightweight paper products.
- U. **Roof Sign:** A sign located on or above the roof of any building, not including a false mansard roof, canopy or other fascia.
- V. **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.
- W. **Serif:** In fonts and typefaces, the extra stroke at the end of a letter or character.
- X. **Shoulder:** In fonts and typefaces, the curve at the beginning of a leg of a character such as the upper curved portion of the lowercase letters “m” and “n.”
- Y. **Sign Area:** The display surface or face of the sign calculated as prescribed in **Section 4.156.04**
- Z. **Temporary Sign:** A sign not permanently affixed to a building, structure, or the ground, intended to be displayed for a limited period of time.
- AA. **Video Sign:** Moving visual messages projected on any surface.
- BB. **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.
- CC. **Wayfinding Sign:** The term way finding sign has two different contextual meanings. First, it is used as a general description of one of the basic purposes or functions of signs, which is to assist in directing the general public to specific destinations within the community, so that they find their way. In this context almost all signs provide some degree of way finding information. Second, the term is used to describe a specific type of sign, such as local directional signs and district wayfinding signs, that provides specific identity and/or direction to particular businesses, facilities, or places of interest, such as parks, tourist attractions, public buildings, schools, special districts, or other locations to which the public commonly asks for directions.
264. **Site Area, Net:** The area of a development site, excepting all areas in streets or private drives, driveways, and parking spaces.

2. That Wilsonville code section 4.030 Jurisdiction and Powers of Planning Director and Community Development Director, subsection (.01), be amended as follows:

(.01) Authority of Planning Director. The Planning Director shall have authority over the daily administration and enforcement of the provisions of this Chapter, including dealing with non-discretionary matters, and shall have specific authority as follows:

- A. A Class I application shall be processed as a ministerial action without public hearing, shall not require public notice, and shall not be subject to appeal or call-up, except as noted below. Pursuant to Class I procedures set forth in Section 4.035, and upon finding that a proposal is consistent with the provisions of this Code and any applicable Conditions of Approval, shall approve the following, with or without conditions:
1. Minor site clearing and grading, prior to the approval of a Site Development Plan, provided that:
    - a. no clearing or grading occurs within the Significant Resource Overlay Zone. Clearing or grading in the Significant Resource Overlay Zone shall require, at a minimum, approval of a Class II permit through the procedures specified below;
    - b. no clearing or grading occurs within twenty-five (25) feet of an area that has been identified by the City as a wetland;
    - c. not more than three (3) trees are proposed to be removed;
    - d. no fill or removal is proposed;
    - e. adequate measures are utilized to control erosion and runoff from the site and that the applicant will submit a final Site Development application within seven (7) days of submitting the minor site grading application. All grading activities require compliance with the requirements of the applicable building code and City Public Works standards.
  2. **Class I Sign Permits, and Temporary Sign Permits for thirty (30) days or less.**
  3. Architectural, landscape, tree removal, grading and building plans that substantially conform to the plans approved by the Development Review Board and/or City Council. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters.
  4. Building permits for single family or two-family dwellings, and in the Village zone, row houses or apartments, meeting zoning requirements and located on lots that have been legally created. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters. [Amended by Ord 557 adopted 9/5/03].
  5. Lot line adjustments, where none of the lots increase in area by fifty percent (50%) or more, subject to the standards specified in Section 4.233.

6. A temporary use permit for not more than thirty (30) days, subject to the following standards:
  - a. the applicant has the written permission of the property owner to use the site;
  - b. the proposed use will not create an obstruction within a sight vision clearance area that would impair the vision of motorists entering onto or passing by the property;
  - c. adequate parking is provided;
  - d. signs shall meet the standards of Section 4.156.09. A maximum of two signs, not exceeding a combined total of 24 square feet, are allowed; and
  - e. the proposed use has the approval of the Fire Marshal.
7. Determination that an existing use or structure is a non-conforming use or non-conforming structure, as defined in this Code. Except, however, that the Planning Director may, in cases where there is any uncertainty as to the history of the property, choose to process such determinations through the Class II procedures below.
8. Actions taken subject to Site Development Permits which have been approved by the appropriate decision-making body of the City.
9. Final plats for condominiums, subdivisions, or partitions that are substantially the same as tentative plats approved by the City and which are submitted for review and signature prior to recordation with the appropriate county.
10. Type A tree removal permits as provided in Section 4.600.
11. Determination, based upon consultation with the City Attorney, whether a given development application is quasi-judicial or legislative. Except, however, that the Planning Director may, in cases where there is any uncertainty as to the nature of the application, choose to process such determinations through the Class II procedures below.
12. Expedited land divisions. Applications for expedited land divisions, as provided for in Section 4.232 of this Code and ORS Chapter 197 shall be processed without public hearing, and shall be subject to appeal through the special appeal procedures specified in Section 4.232.
  - a. Authority of Planning Director. The Planning Director shall have authority to review applications for expedited land divisions and to take action approving, approving with conditions, or denying such applications, based on findings of fact.
  - b. Tentative Plat Requirements for Expedited Land Divisions. Tentative plats and all other application requirements for expedited land divisions shall be the same as for other forms of land divisions, except as those requirements are specifically altered by the Oregon Revised Statutes.
  - c. Administrative Relief Not Available. In taking action on an application for an expedited land division, the Planning Director is not authorized to grant Variances or waivers from the requirements of the Code.

- d. Residential Areas Only. As specified in ORS 197, expedited land divisions shall only be approved in areas zoned for residential use.
- B. A Class II application shall be processed as an administrative action, with or without a public hearing, shall require public notice, and shall be subject to appeal or call-up, as noted below. Pursuant to Class II procedures set forth in Section 4.035, the Director shall approve, approve with conditions, deny, or refer the application to the Development Review Board for a hearing:
1. Minor alterations to existing buildings or site improvements of less than twenty-five percent (25%) of the previous floor area of a building, but not to exceed 1,250 square feet, or including the addition or removal of not more than ten (10) parking spaces. Minor modifications to approved Architectural and Site Development Plans may also be approved, subject to the same standards.
  2. Residential accessory buildings or structures with less than one hundred and twenty (120) square feet of floor area located within the Willamette River Greenway Boundary pursuant to Section 4.500 and subject to the flood plain development standards of Section 4.172. Approval of such accessory structures in the Greenway shall be based on all of the following findings of fact:
    - a. The building or structure is located so that the maximum amount of landscape area, open space and/or vegetation is provided between the river and the building;
    - b. Public access to the river is preserved or is provided in accordance with an approved and adopted plan; and
    - c. That the change of use, intensification of use, or development will be directed away from the river to the greatest possible degree while allowing a reasonable use of the property.
  3. Written interpretations of the text or maps of this Code, the Comprehensive Plan or sub-elements of the Comprehensive Plan, subject to appeal as provided in Section 4.022. The Planning Director may review and interpret the provisions and standards of Chapter 4 (Planning) of the Wilsonville Code upon receiving the required filing fee along with a specific written request. The Director shall publish and mail notice to affected parties and shall inform the Planning Commission and City Attorney prior to making a final written decision. The Director's letter and notice of decision shall be provided to the applicant, the Planning Commission, the City Council, and City Attorney and the notice shall clearly state that the decision may be appealed in accordance with Section 4.022 (Appeal Procedures). A log of such interpretations shall be kept in the office of the Planning Department for public review.
  4. A permit to locate an accessory use on a lot adjacent to the site of the principal use.
  5. Land partitions, other than expedited land divisions, pursuant to Section 4.210. Approval of land partitions shall be based on all of the following findings of fact:

- a. The applicant has made a complete submittal of materials for the Director to review, as required in Section 4.210;
- b. The proposed plan meets the requirements of the Code regarding minimum lot size and yard setbacks;
- c. The approval will not impede or adversely affect the orderly development of any adjoining property or access thereto;
- d. The public right-of-way bordering the lots or parcels will meet City standards;
- e. Any required public dedications of land have been approved for acceptance by the City and will be recorded with the County prior to final plat approval;
- f. Adequate easements are proposed where an existing utility line crosses or encroaches upon any other parcel to be created by the partition;
- g. All public utilities and facilities are available or can be provided prior to the issuance of any development permit for any lot or parcel; and
- h. Roads extended or created as a result of the land division will meet City standards.

6. Decisions on the following:

- a. Lot line adjustments, where any of the lots increase by more than fifty percent (50%) in area, subject to the provisions of Section 4.233.
- b. Temporary use **and temporary sign** permits for periods exceeding thirty (30) days. Temporary use **and temporary sign** permits may allow specific activities associated with the primary use or business located on the property for up to 120 days provided that:
  - i. the property owners have given written permission;
  - ii. no structure, sign or any other object shall exceed 20 feet in height;
  - iii. adequate parking is provided in designated spaces;
  - iv. signs are limited to a maximum of two and shall not exceed a total combined area of 24 square feet;
  - v. electrical and building permits are obtained as required;
  - vi. undue traffic congestion will not result and, if traffic congestion is expected, a traffic control plan is submitted along with the application that identifies the traffic control procedures that will be used;
  - vii. the activity and/or use shall not unduly interfere with motorists driving on adjacent roads and streets, including I-5; and
  - viii. public notice has been provided and the comments of interested parties have been considered in the action that has been taken.

8. Solar access permits, as specified in Section 4.137.3.

**9. Class II Sign Permits.**

- C. Other specific actions or duties delegated by Planning Commission or Development Review Board Resolution, or by order of the Council, setting forth the review procedure guided by clear and objective standards for administration.

- D. Administrative Relief: In issuing the permits in subsection “B,” above, the Planning Director may grant limited relief in cases of hardship. The Director shall follow the Class II - Administrative Approval procedures to determine whether administrative relief shall be granted. If the Director receives a complete application, along with the required filing fee, and the request involves only the expansion or reduction by not more than 20 percent of one or more quantifiable provisions of yard, area, lot dimension, or parking requirements of the zone, the Director may approve the application, based upon findings of fact supported by evidence in the record. The Variance procedures and standards specified in Section 4.196 shall be used in determining whether administrative relief shall be granted.
- E. Emergency Situations: The Planning Director may review and approve any reasonable and necessary emergency measure, including the removal of trees and vegetation from the Willamette River Greenway, Significant Resource Overlay Zone and wetlands, necessary for the safety and/or protection of persons or property. The standard shall be that the least amount of activity or disruption is used to provide the necessary protection to the property or to avert damage to the property. The Director may require restoration of landscaping, vegetation or soil to repair any damage resulting from enacting emergency protection measures.

3. That Wilsonville code section 4.031 Authority of the Development Review Board, subsection (.01), be amended as follows:

- (.01) As specified in Chapter 2 of the Wilsonville Code and except as specified herein, the Board shall have authority to act on the following types of applications:
  - A. Class II development applications referred to the Board by the Planning Director, as authorized in Section 4.030.
  - B. Call-ups or appeals of staff decisions or interpretations involving quasi-judicial applications or procedures, as authorized in Sections 4.022 and 4.172.
  - C. Review of tentative subdivision and condominium plats, as authorized in Section 4.210, other than those processed as expedited land divisions.
  - D. Conditional Use Permits, as authorized in Section 4.184.
  - E. Variances, as authorized in Section 4.196, other than those that are reviewed and acted upon by the Planning Director through Administrative Review processes.
  - F. Initial review of quasi-judicial applications for zone changes, as authorized in Section 4.197.
  - G. Initial review of quasi-judicial applications for amendments to one or maps in the Comprehensive Plan, as authorized in Section 4.198.
  - H. Site design review, as authorized in Section 4.400.
  - I. Review of Stage I and Stage II Planned Development applications.



- J. Acceptance, rejection, or modification of traffic studies prepared for projects or developments. A traffic study prepared by the City's consultant shall not be rejected or modified by the Board unless substantial evidence exists in the record to justify such action. If the Board rejects a traffic study prepared by the City's consultant, the fee paid by the applicant for that study shall be refunded.
- K. Initial review of requests for quasi-judicial annexations to the City of Wilsonville.
- L. Street vacations, where a specific development application has been filed for the subject property. If no specific development application has been filed for the subject property, the vacation request shall be considered by the Planning Commission. Action of the Planning Commission or Board on a street vacation request shall be a recommendation to the City Council.
- M. Class III Sign Permits, Master Sign Plans, and all sign permits and approvals not specifically authorized for administrative review or exempt from permitting requirements.**

- 4. That the heading "Section 4.156 Sign Regulations" be deleted in its entirety.
- 5. That Wilsonville code section 4.156 Sign Regulations, subsection (.01) Purpose, be renumbered and retitled as section 4.156.01 Sign Regulations Purpose and Objectives, and amended as follows:

**Section 4.156.01 Sign Regulations Purpose and Objectives.**

- (.01) Purpose. The general purpose of **the sign regulations are** to provide one of the principal means of implementing the Wilsonville Comprehensive Plan by **fostering an aesthetically pleasing, functional, and economically vital community, as well as promoting public health, safety, and well-being. The sign regulations strive to accomplish the above general purpose by meeting the needs of sign owners while maintaining consistency with the development and design standards elsewhere in Chapter 4. This code regulates the design, variety, number, size, location, and type of signs, as well as the processes required to permit various types of signs. Sign regulations have one or more of the following specific objectives:**
  - A. Well-designed and aesthetically pleasing signs sufficiently visible and comprehensible from streets and rights-of-way that abut a site as to aid in wayfinding, identification and provide other needed information.
  - B. Sign design and placement that is compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district.
  - C. A consistent and streamlined sign review process that maintains the quality of sign development and ensures due process.
  - D. Consistent and equitable application and enforcement of sign regulations.
  - E. All signs are designed, constructed, installed, and maintained so that public safety, particularly traffic safety, are not compromised.

**F. Sign regulations are content neutral.**

6. That Wilsonville code section 4.156 Sign Regulations, subsection (.02) Application For Sign Permits and subsection (.03) General Provisions Affecting Signs, be renumbered and retitled as sections 4.156.02 Sign Review Process and General Requirements, 4.156.03 Sign Measurement, and 4.156.04 Non-Conforming Signs, and amended as follows:

**Section 4.156.02 Sign Review Process and General Requirements.**

- (.01) Permit Required:** Unless exempt under Section 4.156.05, no sign, permanent or temporary, shall be displayed or installed in the City without first obtaining a sign permit.
- (.02) Sign Permits and Master Sign Plans:** Many properties in the City have signs pre-approved through a Master Sign Plan. For the majority of applications where a Master Sign Plan has been approved the applicant need not consult the sign requirements for the zone, but rather the Master Sign Plan, copies of which are available from the Planning Division. Signs conforming to a Master Sign Plan require only a Class I Sign Permit.
- (.03) Classes of Sign Permits, Master Sign Plans, and Review Process:** The City has three classes of sign permits for permanent signs: Class I, Class II, and Class III. In addition, non-residential developments with three or more tenants require a Master Sign Plan. Class I sign permits are reviewed through the Class I Administrative Review Process as outlined in Subsection 4.030 (.01) A., Class II sign permits are reviewed through the Class II Administrative Review Process as outlined in Subsection 4.030 (.01) B., Class III Sign Permits and Master Sign Plans are reviewed by the Development Review Board (DRB) as outlined in Section 4.031.
- (.04) Class I Sign Permit:** Sign permit requests shall be processed as a Class I Sign Permit when the requested sign or signs conform to a Master Sign Plan or other previous sign approval. In addition, a Minor Adjustment to a Master Sign Plan or other previous sign approval may be approved in connection with a Class I Sign Permit.
- A. Class I Sign Permit Submission Requirements:** Application for a Class I Sign Permit shall include two (2) copies of the following along with all required application fees:

1. Completed application form prescribed by the City and signed by the property owner or the property owner's representative,
  2. Sign drawings showing all materials, the sign area and dimensions used to calculate sign areas, and other details sufficient to judge the full scale of the associated sign or signs and related improvements,
  3. Information showing how the proposed sign or signs conform with all applicable code requirements, Master Sign Plans, or other previous sign approvals for the property, and
  4. Information supporting any minor adjustment requests.
- B. Class I Sign Permit Review Criteria:** The sign or signs conform with the applicable master sign plan or other previous sign approvals, and applicable code requirements.
- C. Minor Adjustments:** Notwithstanding approved Master Sign Plans or other previous sign approvals, as part of a Class I Sign Permit Minor Adjustments of not more than ten (10) percent from the sign height (not height from ground) and/or length may be approved for the reasons listed in 1. through 4. below, unless otherwise specifically prohibited in the Master Sign Plan. Minor Adjustments shall not cause the sign to cross the edge of any fascia, architectural element or area of a building facade identified as a sign band. The area of the sign exceeding the height or length as part of a Minor Adjustment shall not count against the sign area indicated in a Master Sign Plan or other previous sign approval. Minor Adjustments are valid only for the Sign Permit with which they are associated and do not carry over to future sign permits or copy changes.
1. To accommodate the descender on the lower case letters "q, y, p g, or j", not otherwise accommodated by the measurement method used, where the letter matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter;
  2. To accommodate stylized fonts where bowls, shoulders, or serifs of the stylized letters extend beyond the cap height;
  3. To accommodate an arching or other non-straight baseline; or
  4. To accommodate a federally registered trademark logo where compliance with the defined maximum sign height would result in the cap height of the text in the logo being ninety (90) percent or less of the cap height for letters otherwise allowed. (i.e. if a Master Sign Plan allowed 24" letters and 24" total sign height, and a 24" logo would result in the cap height of the text within the logo being less than 21.6", the total height of the logo could be increased to 26.4")
- (.05) Class II Sign Permit:** Sign permit requests meeting one or more of the descriptions listed in A. through C. below shall be processed as a Class II Sign Permit when the request does not conform with a Master Sign Plan or other previous sign approval but meets the requirements of the applicable sign regulations, unless the request would modify a condition of approval specifically imposed by the DRB or City Council:

- A. Existing residential development;**
- B. Existing non-residential development with less than three (3) tenants unless the request involves a freestanding or ground mounted sign greater than eight (8) feet in height in a new location;**
- C. Major Adjustments to a Master Sign Plan when all of the following criteria are met:**
  - 1. The request is compatible with the pattern of signage established in the sign plan in terms of locations, placement on buildings, proportionality to fascia and building facade, architectural design, and materials used;**
  - 2. The request is due to special conditions or circumstances that make it difficult to comply with the established Master Sign Plan;**
  - 3. The request involves signs for a single tenant, a single multi-tenant freestanding or ground mounted sign, or a series of similar related multi-tenant freestanding or ground mounted signs in the same development; and**
  - 4. The request does not involve a freestanding or ground mounted sign greater than eight (8) feet in height at a new location.**
- D. Class II Sign Permit Submission Requirements: Application for a Class II Sign Permit shall include two (2) paper copies and one (1) electronic copy of the following in addition to all required fees:**
  - 1. Completed application form prescribed by the City and signed by the property owner or their authorized representative;**
  - 2. Sign drawings or descriptions of all materials, sign area and dimensions used to calculate areas, lighting methods, and other details sufficient to judge the full scale of the signs and related improvements;**
  - 3. Documentation of the lengths of building or tenant space facades used in calculating maximum allowed sign area;**
  - 4. Drawings of all building facades on which signs are proposed indicating the areas of the facades on which signs will be allowed;**
  - 5. Narrative describing the scope of the project, including written findings addressing all applicable review criteria, along with any other information showing how the proposed signage conforms with requirements for the applicable zone;**
- E. Class II Sign Permit Review Criteria: Class II Sign Permits shall satisfy the sign regulations for the applicable zoning district and the Site Design Review Criteria in Sections 4.400 through 4.421, as well as the following criteria:**
  - 1. 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 surrounding development;**
  - 2. The proposed signage will not create a nuisance or result in a significant reduction in the value or usefulness of surrounding development; and**

3. Special attention is paid to the interface between signs and other site elements including building architecture and landscaping, including trees.

- (.06) **Class III Sign Permit:** Sign permit requests shall be processed as a Class III Sign Permit when associated with new development, or redevelopment requiring DRB review, and not requiring a Master Sign Plan; when a sign permit request is associated with a waiver or non-administrative variance; or when the sign permit request involves one or more freestanding or ground mounted signs greater than eight (8) feet in height in a new location.
- A. **Class III Sign Permit Submission Requirements:** Ten (10) paper and electronic copies of the submission requirements for Class II Sign Permits plus information on any requested waivers or variances in addition to all required fees.
  - B. **Class III Sign Permit Review Criteria:** The review criteria for Class II Sign Permits plus waiver or variance criteria when applicable.
- (.07) **Master Sign Plans:** A Master Sign Plan is required for non-residential developments with three (3) or more tenants. In creating a Master Sign Plan thought should be given to needs of initial tenants as well as the potential needs of future tenants.
- A. **Master Sign Plan Submission Requirements:** Applications for Master Sign Plans shall include ten (10) paper and electronic copies of all the submission requirements for Class II and III Sign Permits and the following in addition to all required fees:
    1. A written explanation of the flexibility of the Master Sign Plan for different potential tenant space configurations over time;
    2. A written explanation of the extent to which different sign designs, including those incorporating logos, stylized letters, multiple lines of text, non-straight baselines, or different materials and illumination will be allowed and if allowed how the flexibility of the master sign plan will allow these different sign designs over time;
    3. A written explanation of how the sign plan provides for a consistent and compatible sign design throughout the subject development.
  - B. **Master Sign Plan Review Criteria:** In addition to the review criteria for Class II and Class III Sign Permits, Master Sign Plans shall meet the following criteria:
    1. The Master Sign Plan provides for consistent and compatible design of signs throughout the development; and
    2. The Master Sign Plan considers future needs, including potential different configurations of tenant spaces and different sign designs, if allowed.
  - C. **Modifications of a Master Sign Plan:** Modifications of a Master Sign Plan, other than Minor and Major Adjustments, shall be reviewed the same as a new Master Sign Plan.
- (.08) **Waivers and Variances:** Waivers and variances are similar in that they allow deviation from requirements such as area, and height from ground. They differ in

that waivers are granted by the DRB as part of a comprehensive review of the design and function of an entire site to bring about an improved design and variances are granted by either the Planning Director or DRB to relieve a specific hardship caused by the regulations.

A. **Waivers:** The DRB may grant waivers for sign area, sign height from ground (no waiver shall be granted to allow signs to exceed thirty-five (35) feet in height from ground), number of signs, or use of electronic changeable copy signs in order to better implement the purpose and objectives of the sign regulations as determined by making findings that all of the following criteria are met:

1. The waiver will result in improved sign design, in regards to both aesthetics and functionality.
2. The waiver will result in a sign or signs more compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district than signs allowed without the waiver.
3. The waiver will result in a sign or signs that improve, or at least do not negatively impact, public safety, especially traffic safety.
4. Sign content is not being considered when determining whether or not to grant a waiver.

B. **Variances:**

1. **Administrative Variance:** In reviewing a Sign Permit the Planning Director may grant or deny a variance to relieve a hardship through the Class II Administrative Review process. Such a variance shall only be approved where the variance does not exceed twenty percent (20%) of area, height, or setback requirements. 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 4.196.
2. **Other Variances:** In addition to the authority of the Planning Director to issue administrative variances as noted above, the Development Review Board may authorize variances from sign requirements of the Code, subject to the standards and criteria listed in Section 4.196.

**(.09) Temporary Sign Permits:** Temporary sign permits shall be reviewed as follows:

A. 30 days and less- Class I Administrative Review

B. 31 days up to 120 days- Class II Administrative Review

C. **Submission Requirements:** Applications for a temporary sign permit shall include the following in addition to the required application fee:

1. Completed application form prescribed by the City and signed by the property owner or their authorized representative,
2. Two copies of sign drawings showing all materials, and showing sign area and dimensions used to calculate areas, and other details sufficient to judge the full scale of the sign or signs,
3. Information showing the proposed sign or signs conform with all applicable code requirements.

**D. Review Criteria: Temporary Sign Regulations in Section 4.156.09.**

**E. When a temporary sign permit request is submitted as part of the broader temporary use permit request of the same duration, the sign request shall not require an additional fee.**

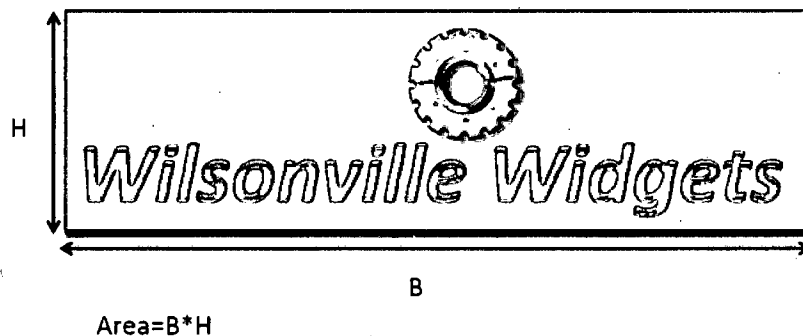
**(.10) Waiver of Documentation: The Planning Director may, in his or her discretion, waive an application document for Class I, Class II, and Temporary Sign Permits where the required information has already been made available to the City, or where the Planning Director determines the information contained in an otherwise required document is not necessary to review the application.**

### **Section 4.156.03 Sign Measurement**

**(.01). Sign Area:**

**A. Cabinet Signs and Similar: The area for signs enclosed by cabinet, frame, or other background (including lighted surface) not otherwise part of the architecture of a building or structure shall be the area of a shape drawn around the outer dimension of the cabinet, frame, or background.**

- 1. If the cabinet, frame, or background is an irregular shape the signs perimeter shall be measured the same as an individual element sign under B. below.**
- 2. The sign area does not include:**
  - a. Foundations, supports, and other essential structures that are not designed to serve as a backdrop or border to the sign;**
  - b. Architectural elements of a freestanding or ground mounted sign designed to match or complement the architectural design of buildings on the site not and otherwise meeting the definition of a sign;**
  - c. A pole or other structural support, unless such pole or structural support is internally illuminated or otherwise so designed to constitute a display device.**



**Figure 1. Measurement of Cabinet or Similar Signs**

**B. Individual Element Signs: The area for signs constructed of individual elements (letters, figures, etc.) attached to a building wall or similar surface or structure shall be the summed area of up to three squares, rectangles, circles, or triangles drawn around all sign elements.**

1. The descender on the lower case letters “q, y, p g, or j.” shall not be included in sign area when the letter otherwise matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter.



$$\text{Area}=(H_1 * B_1)+(H_2 * B_2)+(\pi R^2)$$

Figure 2. Measurement of Individual Element Signs

- C. **Round or Three-Dimensional Signs:** The area of a round or three-dimensional sign shall be the maximum surface area visible from any one location on the ground measured the same as A. above except if the maximum surface area is an irregular shape the sign's perimeter shall be measured the same as an individual element sign under B. above.
- D. **Awning or Marquee Signs:** The area of signs incorporated into awnings or marquees shall be the area of the entire panel containing the sign measured the same as A. above unless it is clear that part of the panel contains no sign-related display or decoration, other than the background color of the awning.
- E. **Painted Wall Signs:** The area of painted wall signs shall be determined as follows:
  1. If individual elements are painted without a background it shall be calculated in the manner indicated in B. above.
  2. If a background is painted it shall be calculated in the manner indicated in A. above.
- F. **Temporary Signs:** The area of temporary signs including banners, lawn signs, and rigid signs shall be calculated in the manner indicated in A. above.
- 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.

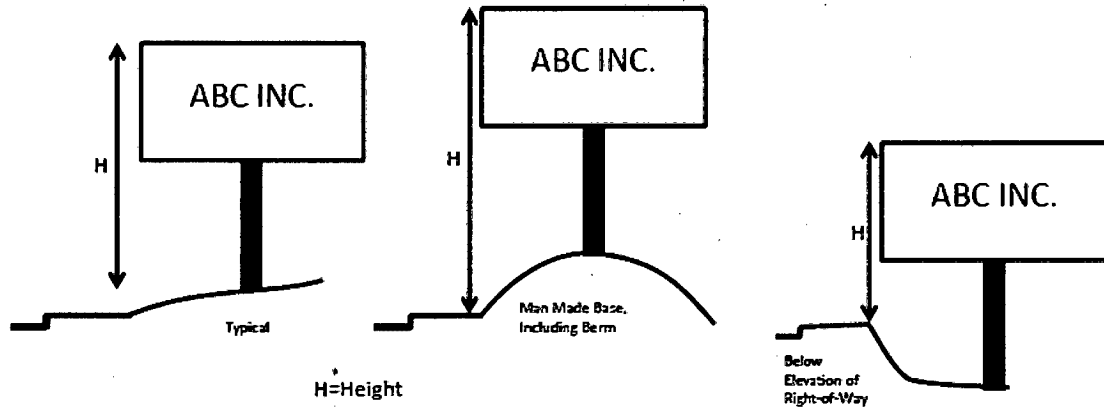
**(.02) Sign Height above Ground:**

- A. The height above ground of a freestanding or ground-mounted sign is measured from the average grade directly below the sign to the highest point of the sign or sign structure except as follows:
  1. A freestanding or ground mounted sign on a man-made base, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb to the highest point of the sign or sign structure. In all cases signs on a berm shall be allowed to be eight (8) feet in height from the top of the berm.



2. A freestanding or ground mounted sign placed below the elevation of the right-of-way it fronts shall be measured from the lowest point in the right-of-way along the frontage to the highest point of the sign.

How to Measure Height of a Freestanding or Ground Mounted Sign



(.03) Sign Height and Length:

- A. Height of a sign is the vertical distance between the lowest and highest points of the sign.
- B. Length of a sign is the horizontal distance between the furthest left and right points of the sign.

(.04) Final Determination of Sign Measurement: The Planning Director shall be responsible for determining the area, height above ground and height and length of a sign, subject to appeal as specified in Section 4.022. Applicants for sign plans and permits shall provide the dimensions needed to calculate the area, height above ground, height, and length.

Section 4.156.04 Non-Conforming Signs.

- (.01) 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 Sections 4.189 through 4.190. 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. **However, a sign that is required to be moved solely because of a public taking may be replaced on the site, and maintain its non-conforming status, subject to a Class II Sign Permit, provided the replacement sign is found to not increase in non-conformity to current code standards other than required setbacks.**

7. That Wilsonville code section 4.156 Sign Regulations, subsection (.04) Signs Exempt From Sign Permit Requirements, be renumbered as section 4.156.05, and amended as follows:

**Section 4.156.05 Signs Exempt From Sign Permit Requirements.**

- (.01) The following signs are exempt from the permit requirements of this code 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:
- A. Traffic or other governmental or directional signs, as may be authorized by the City or other units of government having jurisdiction within the City.
  - ~~B.~~ 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.
  - C. Flags displayed from permanently-located freestanding or wall-mounted flagpoles that are designed to allow raising and lowering of flags. One site may have up to two (2) exempt flags; no exempt flag may be more than thirty (30) feet in height.
- (.02) 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.
- A. Signs inside a building **except for prohibited signs listed in Section 4.156.06.**
  - B. Name Plates and Announcements.
    - 1. A sign identifying the name, street address, occupation and/or profession of the occupant of the premises in the aid of public health and safety. 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.
    - 2. 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.
  - C. 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:
    - 1. **The sign area does not exceed** three (3) square feet per sign face,
    - 2. **The sign location is not** within public rights-of-way and **meets** City vision clearance requirements;
    - 3. **No sign lighting;**
    - 4. **No** logo or a logo that does not exceed one (1) square foot in size; and
    - 5. **No** more than one (1) directional sign is located on the same tax lot.
  - D. 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.
  - E. **Signs** not visible from any off-site location.
  - F. Holiday lights and decorations, in place between November 15 and January 15.
  - G. Signs on scoreboards or ballfields located on public property.
  - H. One small decorative banner per dwelling unit placed on site, in residential zones.

- I. Lawn Signs meeting the standards of Table S-1 and the following conditions:
  - 1. Such signs shall not be intentionally illuminated and shall not display movement.
  - 2. Such signs shall not obscure sight lines of the motoring public, obscure traffic or other government signs, or create a nuisance to the use or occupancy of any property.
  - 3. Lawn signs associated with temporary events may be posted no longer than sixty (60) days before the beginning of an event and must be removed at the event's completion.
  - 4. Lawn signs not associated with temporary events may be posted for one period of up to sixty (60) days in a calendar year.
  - 5. Such signs may be up to six (6) feet in height.
  - 6. Such signs may be one (1) or two (2) sided.
- J. Rigid Signs meeting the standards of Table S-1 and the following conditions:
  - 1. Such signs shall not be intentionally illuminated and shall not display movement.
  - 2. Such signs shall not obscure sight lines of the motoring public, obscure traffic or other government signs, or create a nuisance to the use or occupancy of any property.
  - 3. Such signs may be up to six (6) feet in height, except signs on lots with an active construction project (active building permit), which may be up to ten (10) feet in height. (Note that signs exceeding six (6) feet in height typically require building permits.)
  - 4. Such signs may be one (1), two (2), or three (3) sided.
  - 5. On Residential and Agriculture zoned lots:
    - a. A rigid sign not associated with an ongoing temporary event may be displayed for no more than sixty (60) days each calendar year.
    - b. A rigid sign associated with an ongoing temporary event may be displayed for the duration of that event. Note: Section 4.156.06 (.01) Q. of this Code prohibits signs associated with temporary events to remain posted after the completion of the event.
  - 6. On Commercial, Industrial, or Public Facility zoned lots:
    - a. A rigid sign not associated with an ongoing temporary event may be displayed for no more than ninety (90) days each calendar year.
    - b. A rigid sign associated with an ongoing temporary event may be displayed for the duration of that temporary event. Note: Section 4.156.06 (.01) Q. of this Code prohibits signs associated with temporary events to remain posted after the completion of the event.
    - c. A temporary event must have an end, marked by the occurrence of a specifically anticipated date or happening. A temporary event may not be a part of a broader, continuing event or of related, serial events. Temporary events shall not be defined by content, but may include isolated merchandise sales or discounts, or availability of real estate for sale or lease.
- K. Signs allowed in Subsections 6.150 (1) and (2) Wilsonville Code for special events.**

8. That Wilsonville code section 4.156 Sign Regulations, subsection (.05) Prohibited Signs, be renumbered as section 4.156.06, and amended as follows:

**Section 4.156.06 Prohibited Signs**

- (.01) 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.
  - D. **Changeable copy signs that use lighting changed digitally, unless specifically approved through a waiver process connected with a Class III Sign Permit or Master Sign Plan. In granting a waiver for a digital changeable copy signs the DRB shall ensure the following criteria will be met:**
    - 1. The sign shall be equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with ambient light conditions and the sign owner shall ensure appropriate functioning of the dimming technology for the life of the sign.
    - 2. The luminance of the sign shall not exceed five thousand (5000) candelas per square meter between sunrise and sunset, and five hundred (500) candelas per square meter between sunset and sunrise.
  - E. 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 sign permit procedures **or the architectural design of a building makes the slope of the roof below the peak a practicable location of signs on a building and the general location of signs on the roof is approved by the DRB during Stage II Approval, as applicable, and Site Design Review.**
  - F. Signs obstructing vision clearance areas.
  - G. Pennants, streamers, festoon lights, **balloons**, and other similar devices intended to be moved by the wind, unless specifically authorized in an approved sign permit.
  - H. Signs attached to trees, **public sign posts**, or public utility poles, other than those placed by appropriate government agencies or public utilities.
  - I. 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 **such as Digital Changeable Copy Signs**. This is not intended to prohibit the use of neon or **LED's** as a source of illumination.
  - J. Signs that use flame as a source of light or that emit smoke or odors.

- K. 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.
- L. 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.
- M. 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.
- N. Signs located on public property in violation of **Section 4.156.10**.
- O. Signs placed on private property without the property owner's permission.
- P. Signs erected or installed in violation of standards prescribed by the City of Wilsonville, State of Oregon or the U.S. government.
- Q. Signs associated with temporary events, after the temporary event is completed.
- R. **Any private signs, including window signs, with a luminance greater than five thousand (5000) candelas per square meter between sunrise and sunset and five hundred (500) candelas per square meter between sunset and sunrise.**
- S. **Video Signs**

9. That Wilsonville code section 4.156 Sign Regulations, subsection (.06) Sign Area, be deleted in its entirety.

10. That Wilsonville code section 4.156 Sign Regulations, subsection (.07) Sign Permit Requirements In Residential Zones, be renumbered as retitled as section 4.156.07 Sign Regulations In Residential Zones, and amended as follows:

**Section 4.156.07 Sign Regulations In Residential Zones.**

- (.01) **Ground Mounted Signs for Residential Developments.** One ground mounted sign, not exceeding eighteen (18) square feet in area and six (6) feet in height above ground, shall be permitted for each residential subdivision or for any multi-family development.
  - 1. **Additional ground mounted signs of eighteen (18) square feet or less shall be permitted for additional entrances to the subdivision or development located on a separate street frontage or on the same street frontage located at least two hundred (200) feet apart.**
  - 2. **For one entrance on a street frontage, an additional ground mounted sign may be placed on opposite side of the street or private drive at the intersection.**

- (.02) **Ground Mounted Signs for Outdoor Recreational Areas on Separate Lots: Public or private Parks or other similar outdoor recreational areas on separate lots than dwelling units are allowed one (1) ground mounted sign of eighteen (18) square feet or less in area and six (6) square feet or less in height above ground.**
- (.03) **Non-Residential Uses: Uses, other than residential and outdoor recreation, shall be subject to the sign regulations for PDC, PDI, and Public Facility zones.**

11. That Wilsonville code section 4.156 Sign Regulations, subsection (.08) Sign Permit Requirements In PDC and PDI Zones, be renumbered and retitled as section 4.156.08 Sign Regulations in the PDC, PDI, and PF Zones, and amended as follows:

**Section 4.156.08 Sign Regulations in the PDC, PDI, and PF Zones.**

**(.01) Freestanding and Ground Mounted Signs**

- A. One freestanding or ground mounted sign is allowed for the first two-hundred (200) linear feet of site frontage. One additional freestanding or ground mounted sign may be added for through and corner lots having at least two-hundred (200) feet of frontage on one street or right-of-way and one-hundred (100) feet on the other street or right-of-way.**
- B. The allowed height above ground of a freestanding or ground mounted sign is twenty (20) feet except as noted in 1.-2. below.**
  - a. The maximum allowed height above ground for signs along the frontage of Interstate 5, and parallel contiguous portions of streets, as identified in Figure 4.156.08-1, associated with multiple tenants or businesses may be increased by three (3) feet for each tenant space of ten thousand (10,000) square feet or more of gross floor area up to a maximum of thirty-five (35) feet.**
  - b. The allowed height above ground for signs in the PDC-TC Zone, Old Town Overlay Zone, and PDI Zone is eight (8) feet, except those signs along the frontage of Interstate 5 and parallel contiguous portions of streets noted in 1 above.**
- C. The maximum allowed area for each freestanding or ground-mounted sign is determined based on gross floor area and number of tenant spaces:**
  - 1. For frontages along streets other than those indicated in 2. below sign area allowed is calculated as follows:**
    - a. The sign area allowed for signs pertaining to a single tenant:**

Gross Floor Area in a Single Building	Maximum Allowed Sign Area
Less than 11,000 sf	32 sf
11,000-25,999 sf	32 sf + 2 sf per 1000 sf of floor area greater than 10,000 rounded down to the nearest 1,000 sf
26,000 sf or more	64 sf

- i. For PF (Public Facility) zoned properties adjacent to residential zoned land the maximum allowed area is thirty-two (32) square feet.
- b. The maximum allowed sign area for signs pertaining to multiple tenants or businesses is thirty-two (32) square feet plus the following for each tenant space:

Gross Floor Area of Tenant Space	Additional Allowed Sign Area for Tenant Space
Less than 1,000 sf	3 sf
1,000-10,999	3 sf + 3 sf per 1,000 sf of floor area rounded down to the nearest 1,000 sf
11,000 sf or more	32 sf

- i. The total sign area shall not exceed two hundred (200) square feet, except in the PDC-TC Zone, Old Town Overlay Zone, and PDI Zone the total sign area shall not exceed eighty (80) square feet.
  - ii. Though the maximum allowed sign area is calculated based on number of tenant spaces and their size, the content of the sign and area used for different content is at the discretion of the sign owner, except for required addressing.
2. Signs fronting Interstate 5 and parallel contiguous street sections, as identified in Figure 4.156.08-1 on pages \_\_ to \_\_:
- a. For signs on properties or within developments with a single tenant or business the sign area allowed is sixty-four (64) square feet.
  - b. For signs on properties or within developments with multiple tenants or businesses the maximum allowed area is sixty-four (64) square feet plus an additional thirty-two (32) square feet for each tenant space of 10,000 square feet or more of gross floor area up to a maximum total sign area of three hundred (300) square feet.
    - i. Though the sign area allowed is calculated based on number of large tenant spaces, the content of the sign and area used for different content is at the discretion of the sign owner, except for any required addressing.
- D. Pole or sign support placement shall be installed in a full vertical position.
- E. Freestanding and ground mounted signs shall not extend into or above public rights-of-way, parking areas, or vehicle maneuvering areas.
- F. The location of free standing or ground mounted signs located adjacent to or near the Public Right-of-Way shall be in compliance with the City's Public Works Standards for sight distance clearance. Prior to construction, the location of the sign shall be approved by the City of Wilsonville Engineering Division.
- G. Freestanding and ground mounted signs shall be designed to match or complement the architectural design of buildings on the site.
- H. For freestanding and ground mounted signs greater than eight (8) feet in height, the width of the sign shall not exceed the height.
- I. Along street frontages in the PDC-TC Zone and Old Town Overlay Zone monument style signs are required.

- J. Freestanding and ground mounted signs shall be no further than fifteen (15) feet from the property line and no closer than two (2) feet from a sidewalk or other hard surface in the public right-of-way.
- K. Except for those signs fronting Interstate 5, freestanding and ground mounted signs shall include the address number of associated buildings unless otherwise approved in writing by the City and the Fire District.
- L. When a sign is designed based on the number of planned tenant spaces it shall remain a legal, conforming sign regardless of the change in the number of tenants or configuration of tenant spaces.
- A. (.02) Signs on Buildings\_Sign Eligible Facades: Building signs are allowed on a facade of a tenant space or single tenant building when one or more of the following criteria are met:
  - 1. The facade has one or more entrances open to the general public;
  - 2. The facade faces a lot line with frontage on a street or private drive with a cross section similar to a public street, and no other buildings on the same lot obstruct the view of the building facade from the street or private drive; or
  - 3. The facade is adjacent to the primary parking area for the building or tenant.

**B. Sign Area Allowed:**

- 1. The sign area allowed for all building signs on a sign eligible façade is shown in the table below:

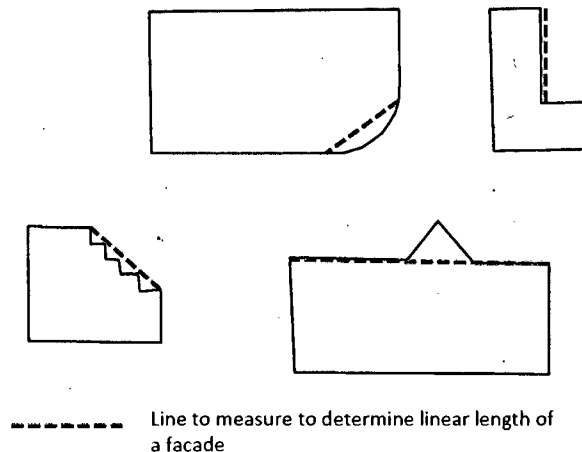
Linear Length of Façade (feet)	Sign Area Allowed*
Less than 16	Area equal to linear length
16 to 24	24 sf
Greater than 24 to 32	32 sf
Greater than 32 to 36	Area equal to linear length
Greater than 36 to 72	36 sf
Greater than 72	36 sf plus 12 sf for each 24 linear feet or portion thereof greater than 72 up to a maximum of 200 sf

\*Except as noted in 2. through 5. below

- 2. The sign area allowed for facades with a primary public entrance or with a frontage along a public street dominated by windows or glazing may be increased by transferring to the façade up to one half (1/2) the sign area allowed for adjacent facades up to fifty (50) square feet. In no case shall the allowed sign area exceed an area equal to the linear length of the façade.
- 3. The sign area allowed is increased as follows for signs at separate building entrances:
  - a. For building entrances open to the general public located at least fifty (50) feet apart on the same facade, the sign area allowed is increased by fifty (50) percent up to fifty (50) square feet.



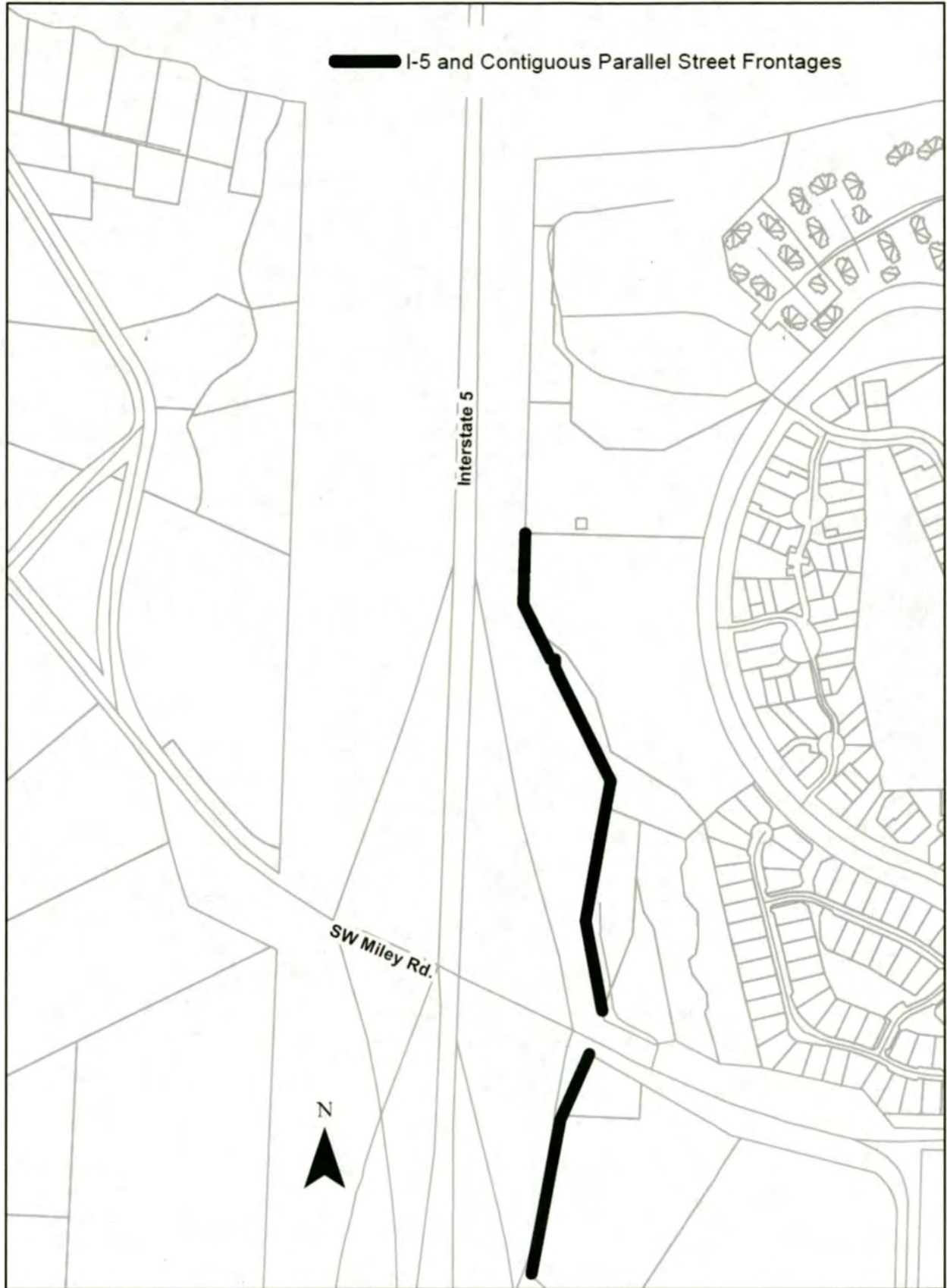
- b. For building entrances located less than fifty (50) feet apart on the same facades, the sign area allowed is increased by twenty (20) percent up to twenty (20) square feet.
- 4. For businesses occupying multiple buildings in a campus setting, sign area shall be limited to that allowed for the largest building, which may then be distributed throughout the campus.
- 5. If a façade otherwise not sign eligible faces a lot line with frontage on Interstate 5, the applicant can transfer sign area allowed from one (1) of the locations described in a. and b. below. In no case shall the allowed sign area exceed an area equal to the allowed sign area for a sign eligible façade of the same linear length.
  - a. The freestanding sign along the Interstate 5 frontage. This generally involves placing building signs on the subject façade in lieu of installing a freestanding sign.
  - b. Adjacent façade up to fifty (50) square feet, when a majority of the adjacent façade from which the sign area is being transferred is visible from Interstate 5.
- 6. Calculating linear length of a façade for the purpose of determining maximum sign area allowed. For facades of a single tenant building the length the facade measured at the building line, except as noted in a. and b. below. For multi-tenant buildings the width of the façade of the tenant space shall be measured from the centerline of the party walls or the outer extent of the exterior wall at the building line, as applicable, except as noted in a. and b. below. Applicants shall provide the dimensions needed to calculate the length. Each tenant space or single occupant building shall not be considered to have more than five (5) total facades.
  - a. If a façade is curvilinear, stepped, or otherwise not a straight line, the façade shall be measured by drawing a straight line between the edges of the façade as shown in the figure below.
  - b. For an “L” shaped tenant space or single tenant building the longest leg of the interior of the “L” shall be basis for measuring the length of the L-shaped facade. Sign area allowed based on longest leg can be distributed between legs.



- B. **The length of individual tenant signs shall not exceed seventy-five (75) percent of the length of the facade of the tenant space.**
  - C. **The height of building signs shall be within a definable sign band, fascia, or architectural feature and allow a definable space between the sign and the top and bottom of the sign band, fascia, or architectural feature.**
  - D. Types of signs permitted on buildings include wall flat, fascia, projecting, **blade**, marquee and awning signs. Roof-top signs are prohibited.
- (.03) Additional signs. Notwithstanding the signs allowed based on the site in (.01) and (.02) above, the following signs may be permitted, subject to standards and conditions in this Code:
- A. **Directional Signs: In addition to exempt directional signs allowed under Subsection 4.156.05 (.02) C. freestanding or ground mounted directional signs six (6) square feet or less in area and four (4) feet or less in height:**
    - 1. **The signs shall be designed to match or complement the architectural design of buildings on the site;**
    - 2. **The signs shall only be placed at the intersection of internal circulation drives; and**
    - 3. **No more than one (1) sign shall be placed per intersection corner with no more than two (2) signs per intersection.**
  - B. **Planned Development signs – up to thirty (32) square feet of the allowed sign area for freestanding signs in a planned development may be used for a separate on-site monument sign or off-site monument sign on an adjacent parcel identifying the Planned Development project.**
  - C. **Blade Signs: To aid in pedestrian wayfinding, one (1) blade sign, not to exceed six (6) square feet, per facade eligible for building signs. Blade signs shall provide a minimum of eight (8) feet clearance from the ground.**
  - D. **Fuel or Service Station Price Signs. In addition to the freestanding or ground mounted signs allowed, changeable copy signs shall be allowed for the purpose of advertising fuel prices, subject to the following standards and conditions:**
    - 1. **The signs shall have a maximum of eleven (11) square feet in area per face per type of fuel sold and shall be permanently affixed to the building or a freestanding sign.**
    - 2. **The signs shall not be considered in calculating the sign area or number of signs allowed.**
    - 3. **Signs on fuel pumps shall be permitted, providing that they do not project beyond the outer edge of the pump in any direction.**

Figure 4.156.08-1

Interstate 5 and Contiguous Parallel Street Frontage

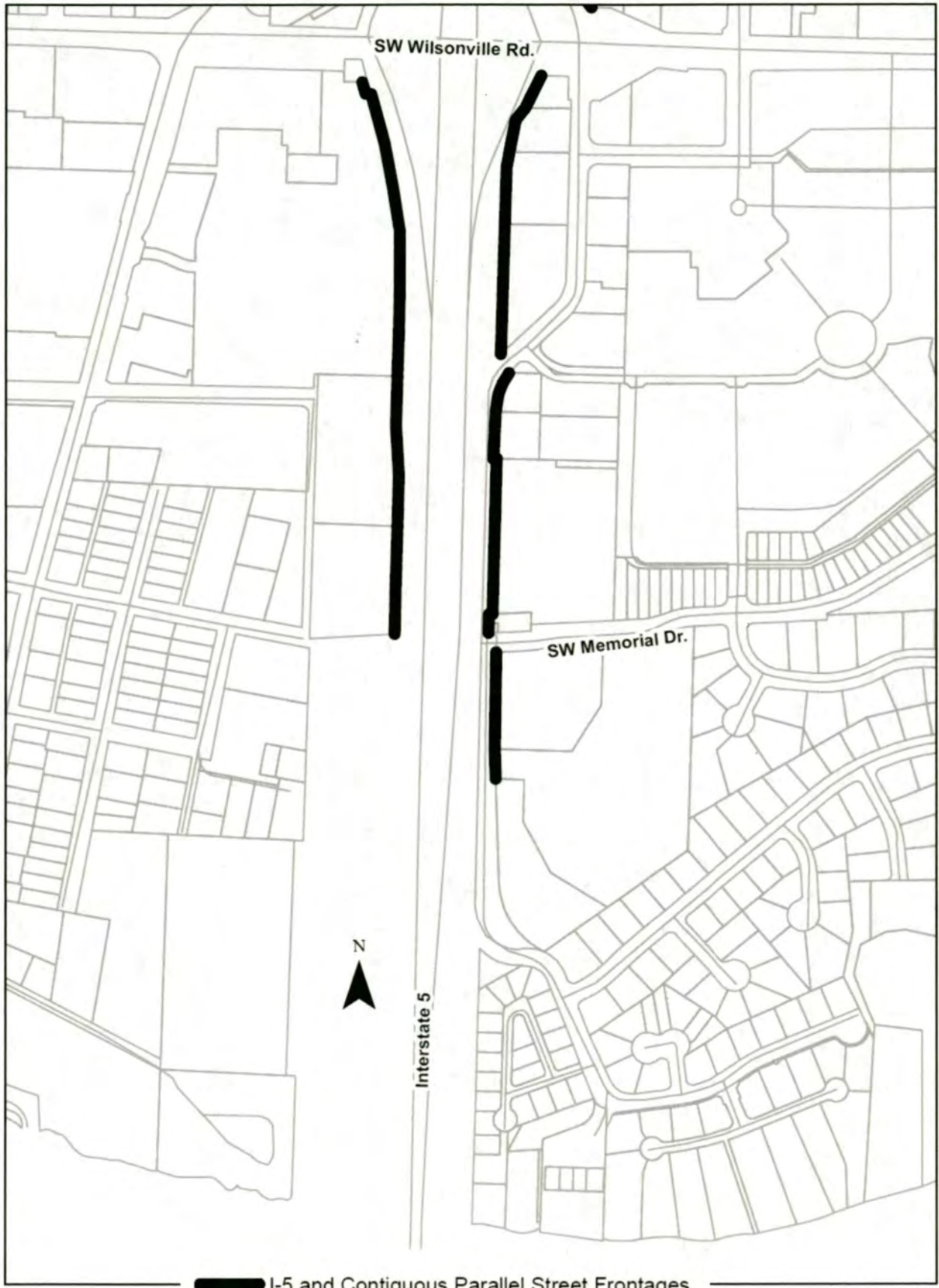


— I-5 and Contiguous Parallel Street Frontages

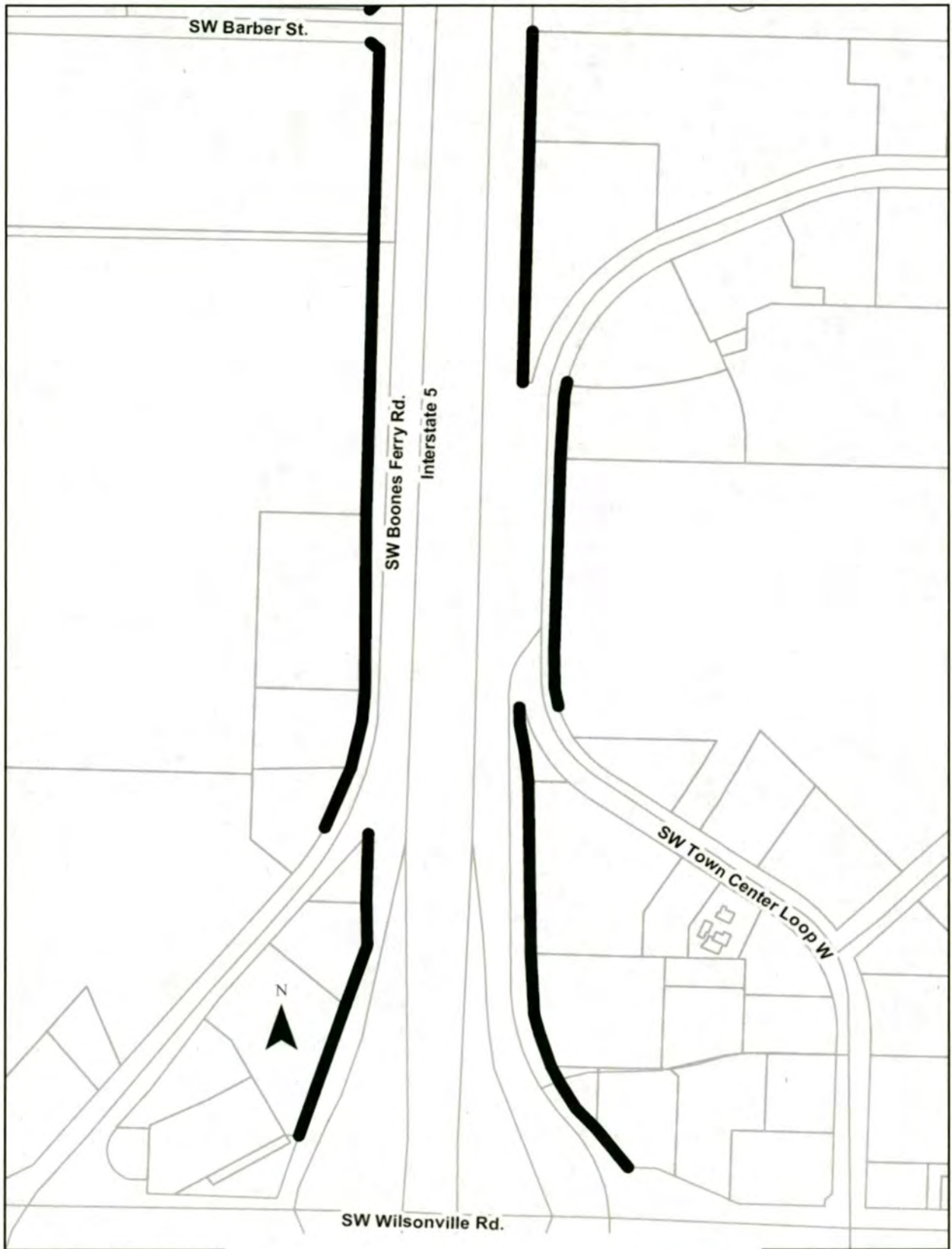
Interstate 5

SW Miley Rd.

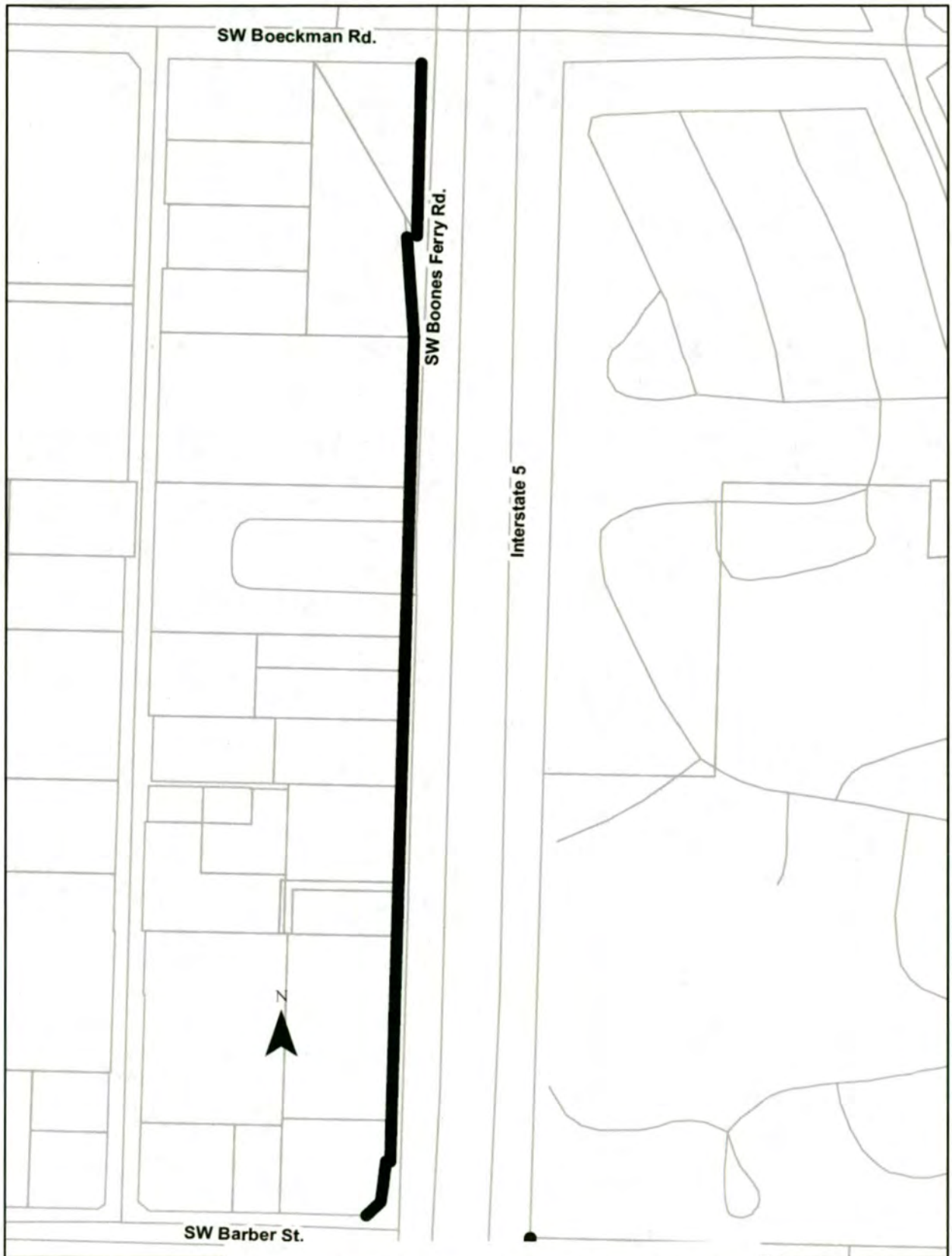




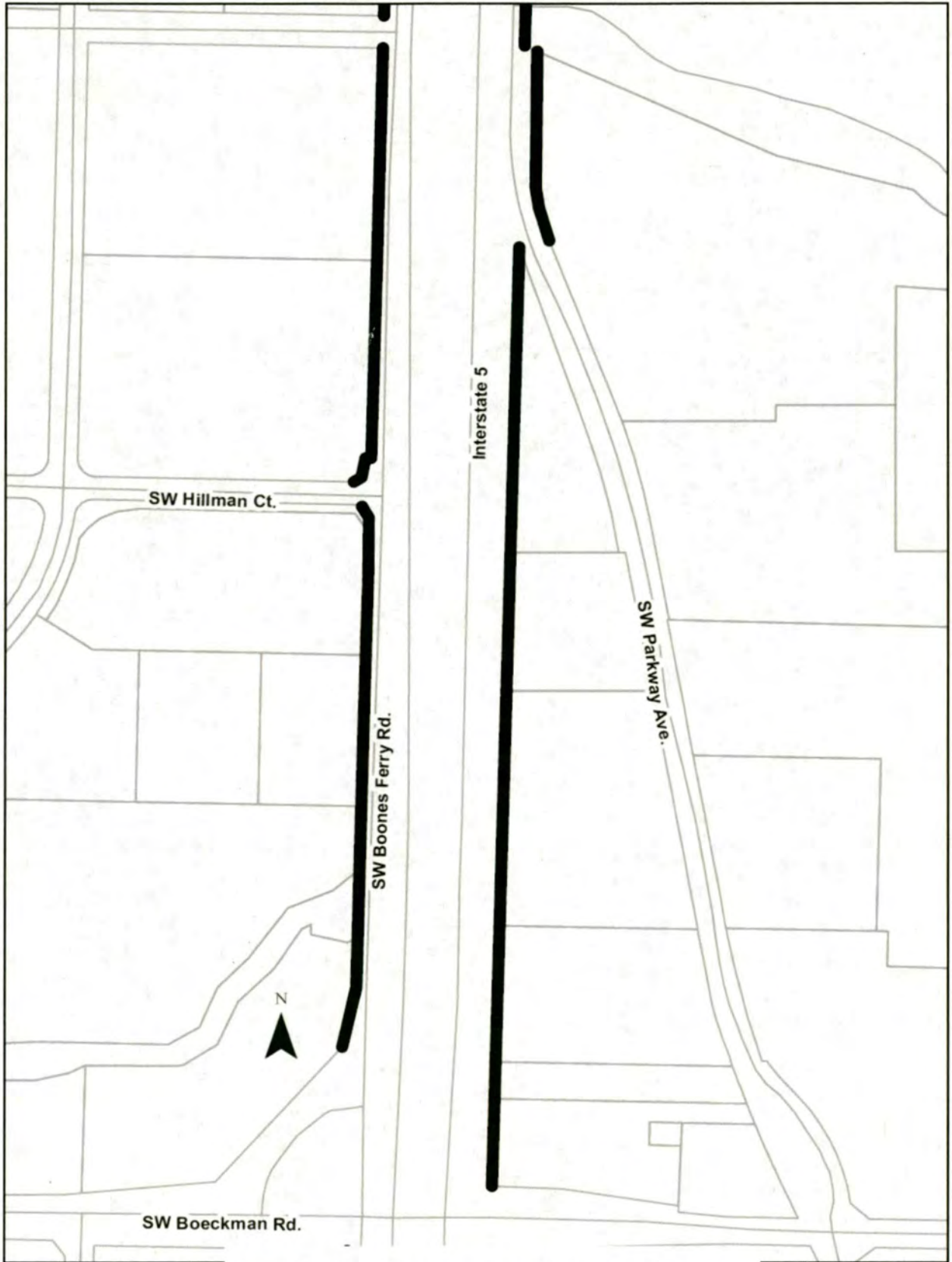




— I-5 and Contiguous Parallel Street Frontages



— I-5 and Contiguous Parallel Street Frontages



Interstate 5

SW Hillman Ct.

SW Boones Ferry Rd.

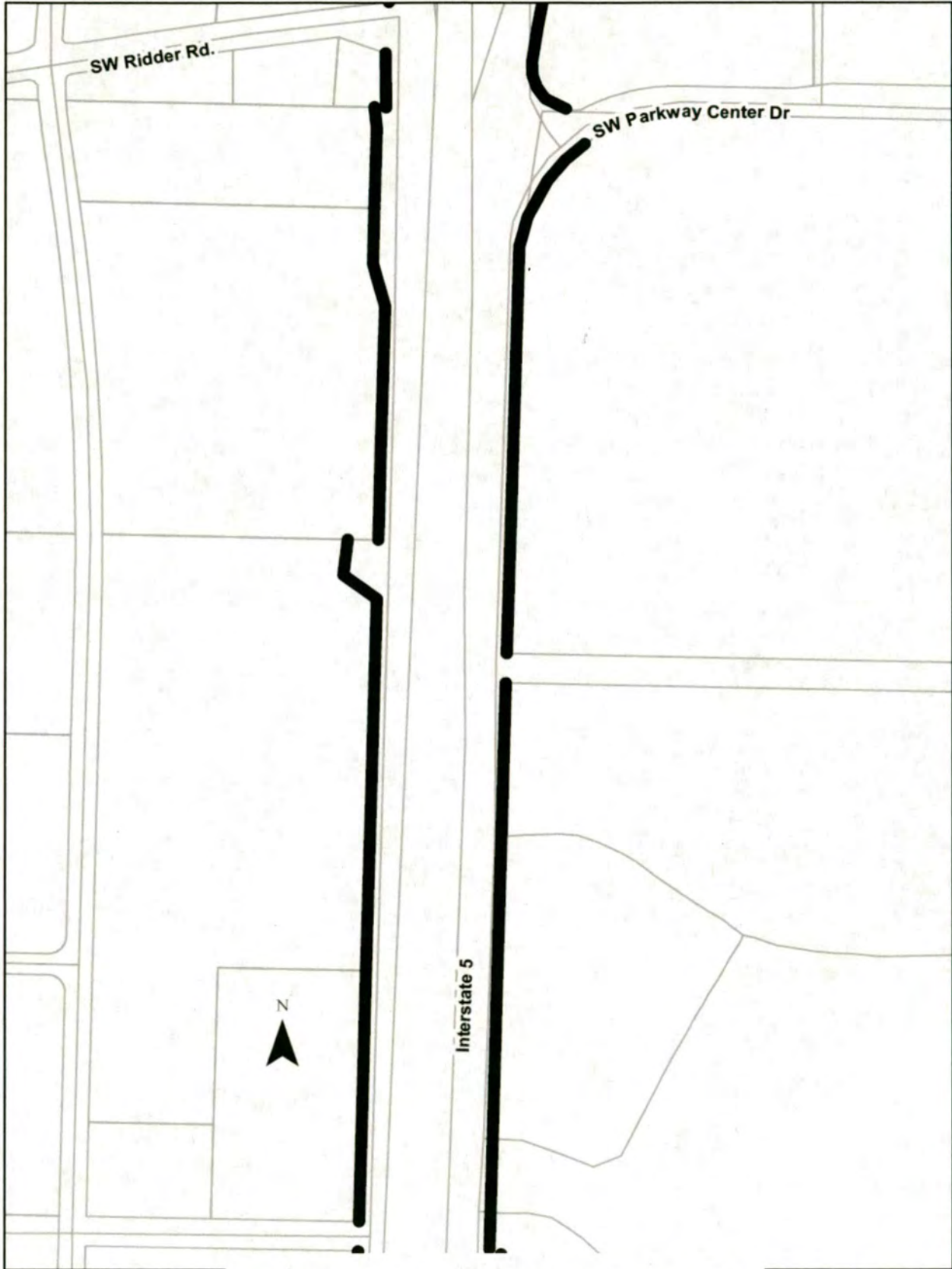
SW Parkway Ave.

N

SW Boeckman Rd.

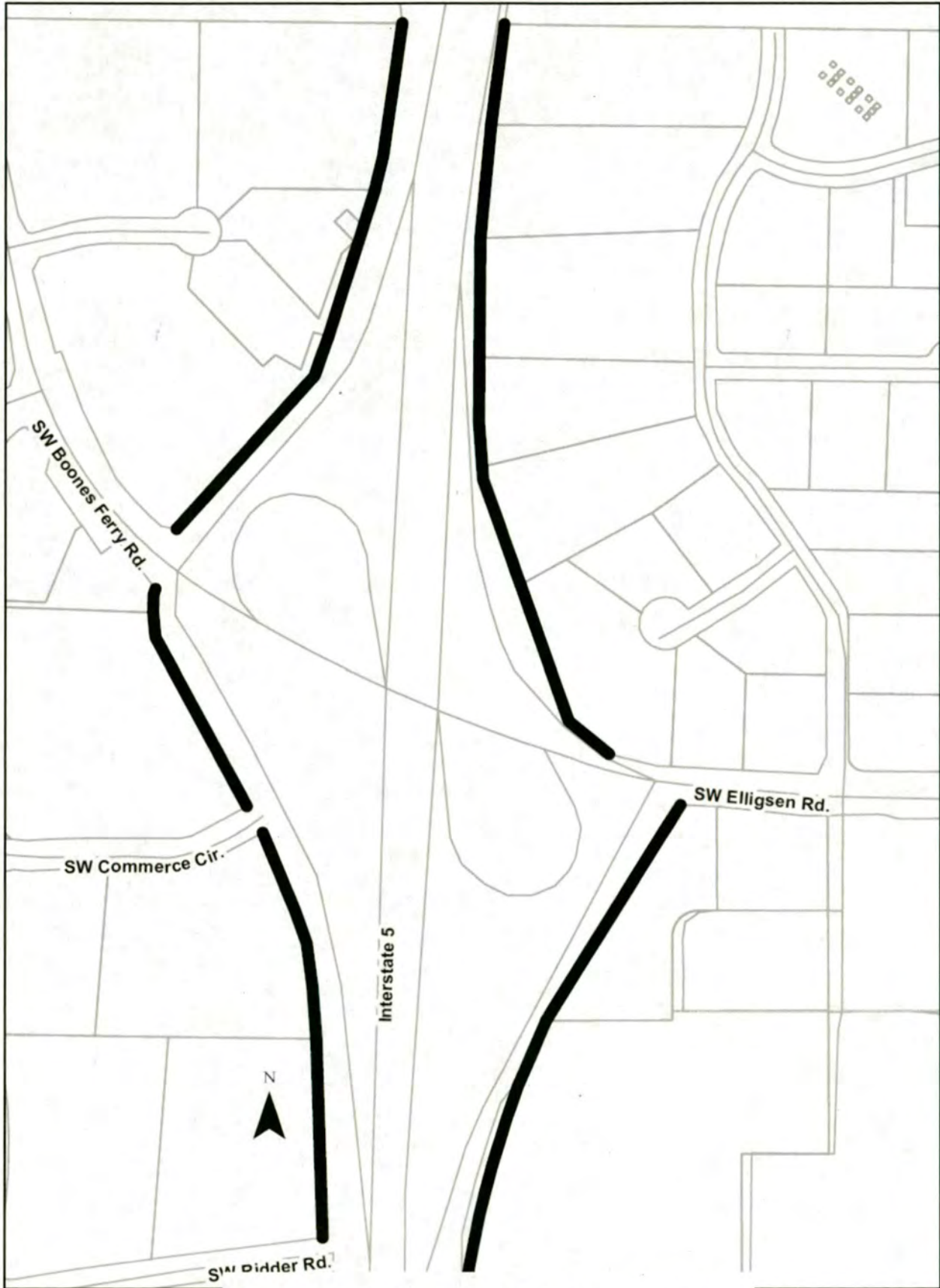
— I-5 and Contiguous Parallel Street Frontages





— I-5 and Contiguous Parallel Street Frontages





**—** I-5 and Contiguous Parallel Street Frontages

12. That Wilsonville code section 4.156 Sign Regulations, subsection (.09) Sign Permit Requirements In The Town Center Area Of The Planned Development Commercial Zone be deleted in its entirety.
13. That a new section 4.156.09 Temporary Signs In All Zones, be added to the Wilsonville Code as follows consolidating and updating current temporary sign regulation language:

**Section 4.156.09 Temporary Signs In All Zones.**

**The following temporary signs may be permitted in addition to the permanent signs allowed in different zones and exempt temporary signs unless specifically prohibited in a master sign plan or other sign approval:**

- (.01) **General Allowance:** Except as noted in subsection (.02) below up to two (2) temporary signs not exceeding a combined total of twenty four (24) square feet may be permitted per lot or non-residential tenant. Such signs may be banners, rigid signs, lawn signs, portable signs, or other signs of similar construction.
- (.02) **Opening banner for a new business or housing development:** A banner corresponding with the opening of a new business or housing development may be permitted, subject to the following standards and conditions:
- A. 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.
  - B. Such banner may be two-sided but shall not exceed thirty-two (32) square feet per face.
  - C. Such signs shall not be permitted at the same time as general allowance signs in (.01) above.
- (.03) **Annual Event Signs:** Up to ten (10) lawn signs may be permitted to be located in the public right-of-way for up to fourteen (14) days if all of the following are met:
- A. Signs will not be located in the areas listed in Subsection 4.156.10 (.01) A. 4.
  - B. The applicant or event has not been issued a permit for and placed signs in the public right-of-way in the previous six (6) months;
  - C. Not more than one (1) other permit has been issued for lawn signs in the right-of-way during the time period the applicant is requesting;
  - D. The event to which the signs pertain is expected to attract two hundred fifty (250) or more people;
  - E. The request is not in addition to exempt lawn signs for large special events allowed for in Section 6.150; and
  - F. The applicant has indicated on a map the exact locations the signs will be placed and has submitted an application along with the required fee.
- (.04) **Inflatable Signs:** Inflatable signs may be permitted for a maximum of fifteen (15) days of display use in any calendar year subject to the following standards and conditions:
- A. Does not exceed ten (10) feet in overall height; and

**B. If attached to a building in any manner, it meets applicable building code requirements including consideration of wind loads.**

14. That Wilsonville code section 4.156 Sign Regulations, subsections (.10) Signs on City Property and (.11) Signs Within ODOT Right-Of-Way, be renumbered and retitled as section 4.156.10 Signs on City Property and ODOT Right-Of-Way, and amended as follows:

**Section 4.156.10 Signs on City and ODOT Right-Of-Way.**

**(.01) Signs On City Property.** For the purposes of this section, City property is defined as physical sites, City rights-of-way, and rights-of-way over which the City has jurisdiction. City property includes, but is not limited to, the following: City Hall, , the Community Center, the Library, **parks and open space, Transit and Fleet Building, SMART Central**, and the City's reservoir, pump station, or treatment plant properties.

A. Allowed Signs. The following 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.
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. This shall include signs authorized to conform with the State's Tourism Information program **and any similar local government 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. Lawn signs may be placed, subject to the standards in subsection 4.156.10 (.01)A. 5., below, on City rights-of-way and rights-of-way over which the City has jurisdiction except 1) those rights-of-way adjoining City properties defined in subsection 4.156.10 (.01) above, and 2) in the following locations where the placement of signs could damage landscaping or interfere with the maintenance of the rights-of-way:
  - a. In any median or landscaped strip inside the City limits as identified below in Sections 4.156.10 (.01) A. 4. b. through p.
  - 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. Either side of Boeckman Road and all islands, from the railroad tracks west to 110<sup>th</sup>.
  - m. Either side of 110<sup>th</sup> between Barber Street and Boeckman Road.
  - n. The eastern side of Grahams Ferry Road from Tooze Road to the City limits.
  - o. Either side of Barber Street between 110<sup>th</sup> and Brown Road, including islands and roundabouts.
  - p. Such other areas as the City may designate as requiring protection from landscape damage.
5. Lawn signs shall meet the following standards and conditions:
- a. Allowed only between the hours of 6 a.m. Friday and 8 p.m. Sunday, and the hours of 9 a.m. and 4 p.m. Tuesdays;
  - b. Not greater than thirty (30) inches in height. A-frame signs may be 24” by 36” provided that they are designed to meet vision clearance requirements (typically not over 30 inches in height when standing);
  - b. Not placed on street surfaces, sidewalks, paths, median strips, or bicycle ways;
  - c. Located within forty (40) feet of an intersection;
  - d. No more than three (3) signs per person; and
  - e. Placed no more than one every fifty (50) feet and at least ten (10) feet away from any other temporary sign.

(.02) 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.

15. That Wilsonville code section 4.156 Sign Regulations, subsection (.12) Enforcement, be renumbered and retitled as section 4.156.11 Sign Enforcement.

SUBMITTED to the Wilsonville city council and read for the first time at a regular meeting thereof on the 4<sup>th</sup> day of June, 2012 and scheduled for second reading at a regular meeting of the Council on the 18<sup>th</sup> day of June, 2012 commencing at the hour of 7 p.m. at the Wilsonville City Hall.

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Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the \_\_\_\_ day of June, 2012 by the following votes:

YEAS: \_\_\_\_                      NAYS: \_\_\_\_

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Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this \_\_\_\_\_ day of June, 2012

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TIM KNAPP, MAYOR

**SUMMARY OF VOTES**

Mayor Knapp  
Council President Núñez  
Councilor Hurst  
Councilor Goddard  
Councilor Starr

King, Sandy

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**From:** Neamtzu, Chris  
**Sent:** Monday, June 04, 2012 12:21 PM  
**To:** Pauly, Daniel  
**Cc:** Cosgrove, Bryan  
**Subject:** FW: Sign Ord. #704

Dan,

Will you please take a shot at a response for the Mayor?

Thank you,

Chris Neamtzu, AICP  
Planning Director  
City of Wilsonville  
29799 SW Town Center Loop E  
Wilsonville, OR 97070  
503.570.1574  
[neamtzu@ci.wilsonville.or.us](mailto:neamtzu@ci.wilsonville.or.us)

Disclosure Notice: Messages to and from this email address may be subject to the Oregon Public Records Law.

**From:** Mayor Tim Knapp  
**Sent:** Monday, June 04, 2012 12:20 PM  
**To:** Neamtzu, Chris; Cosgrove, Bryan  
**Subject:** Sign Ord. #704

Hi C & B- In addition to questions I voiced during last work session, I have noticed the following:

- 1) 4.156.09 (.03) E.- Is Sec 6.150 an entirely separate section dealing with event signs? If so, shouldn't it be incorporated into the sign code section?
- 2) 4.156.05 (.01) C.- Flag limitation to 2 "per site" may work for a residential tract, but how about a multi-tenant commercial building containing 4, 6, or 8 businesses? Decorative flags or banners can add positively to a commercial business environment, but not at this restrictive of a level.
- 3) Is there any allowance left for placement of campaign signs along rights of way? If so, it is so buried in the detail that is very difficult to find. If so, we are going to need an easily understood map to show campaigns where they can place signs, not expect that they will ferret it out from all the pages of rules about where they cannot be placed. If not, I think we are too restrictive.

Thx/TK

*Sent from my Verizon Wireless Phone*

**King, Sandy**

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**From:** Pauly, Daniel  
**Sent:** Monday, June 04, 2012 11:48 AM  
**To:** King, Sandy  
**Subject:** FW: Sign Code Testimony

Testimony regarding Ordinance 704 for tonight.



Daniel Pauly, AICP  
Associate Planner  
Ext. 1536

Disclosure: Messages to and from this E-mail address may be subject to Oregon Public Records Law.

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**From:** Jerry Jones [<mailto:jjones@buybob.com>]  
**Sent:** Monday, June 04, 2012 10:25 AM  
**To:** Pauly, Daniel  
**Cc:** Dave Jachter; 'Steve@wilsonvillechamber.com'  
**Subject:** Sign Code Testimony

Hello Dan,

Regretfully I have had something come up and cannot make the City Council meeting tonight regarding the proposed sign code amendments. Please except this email as my written testimony.

As the Director of Construction & Development for Lanphere Enterprises, who is one of the owners of Wilsonville Toyota located at 9155 SW Boeckman Road, I have had many dealings with the current sign code and zoning regulations. Along with Wilsonville, I have also been involved with sign code amendments in other cities we operate in such as Beaverton and Renton, Washington. Having been involved in other amendments, I would first like to say what a great process you have run to get to this point and I am happy to support the amendment 100% as proposed. We, as well as other dealerships and business owners within the city, appreciate the staff time and efforts of the Planning Commission that have gone into looking at possible changes to the current sign code.

In our past experiences as we developed and manage the property along I-5 at Boeckman Road we have had difficulties in understanding the code which lead to some stressful times as we were gearing up, and very much excited, to open our new state of the art Toyota facility. The code language is just not straight forward and to a point at which a developer & business owner can sit across the table with city staff and understand what can and cannot be constructed. So, I applaud you for taking the steps to clean up the language, which ultimately will help staff work with us, to come to a common understanding of what the signs can look like and where we can place them.

As a retailer along I-5 we are glad to see attention made to increasing the allowable sign height. This added height is important. Like other larger retailers in the area, auto dealerships are a destination point for customers all over the region. We know that our customers also spend enjoy local restaurants, clothing shops, as well as many other businesses. It is our hope that with these taller signs we can attract even greater

outside business to our locations, and furthermore if other businesses are allowed more visible signs, our customers who are coming to purchase a car or service their vehicle will have the opportunity to notice these establishments and stop to stay awhile here in Wilsonville.

I also want to credit the hard work on drafting code changes that still focus on keeping Wilsonville aesthetically pleasing to all of us around here and those that are passing through, while at the same time giving businesses a way for increased visibility, and allowing staff the flexibility to work with the business community and developers to come to agreeable signage designs and placement. Not every project or business is the same and having this flexibility will allow for more reasonable signage throughout the City, this is key!

This certainly doesn't solve all the issues we have had in the past but we do see this as great first step to looking at the City's sign code requirements in whole, and hopefully the discussion can continue with staff regarding topics like way-finding signs and A-frames in the future.

Thank you for allowing my testimony, and if you have any questions please feel free to contact me.

Best Regards,  
Jerry

**Jerry Jones, Jr.**

Director: Construction - Development - Facilities | Lanphere Enterprises of Oregon & Washington  
4160 SW 109th Avenue | Beaverton, OR 97005 | Phone: 503.718.7934 | Fax: 503.718.7935  
[jjones@buybob.com](mailto:jjones@buybob.com) | [www.buybob.com](http://www.buybob.com) | [www.LanphereConstruction.com](http://www.LanphereConstruction.com)



**King, Sandy**

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**From:** Pauly, Daniel  
**Sent:** Monday, June 04, 2012 3:47 PM  
**To:** Mayor Tim Knapp  
**Cc:** Cosgrove, Bryan  
**Subject:** FW: Sign Ord. #704

Mayor Knapp

Please see responses to your questions below. Anything additional let me know.

Regards



Daniel Pauly, AICP  
Associate Planner

City of Wilsonville Planning Division  
503-682-4960  
[pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us)

Disclosure: Messages to and from this E-mail address may be subject to Oregon Public Records Law.

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**From:** Mayor Tim Knapp  
**Sent:** Monday, June 04, 2012 12:20 PM  
**To:** Neamtzu, Chris; Cosgrove, Bryan  
**Subject:** Sign Ord. #704

Hi C & B- In addition to questions I voiced during last work session, I have noticed the following:

1) 4.156.09 (.03) E.- Is Sec 6.150 an entirely separate section dealing with event signs? If so, shouldn't it be incorporated into the sign code section?

Section 6.150 regard exempt signs permitted as part of a special event requiring a Community Center permit. They are recommended to be exempt from further planning permitting to provide a more streamlined permitting experience for those holding special events on City property. 4.156.09 (.03) pertains to permits for events not on City property and not already requiring a City permit through the Community Center. Some examples may be the Fall Food Fest held on private property and events like fun runs held at schools. Subsection E. simply says that an event allowed signs through their community center permit cannot apply for additional signs through the sign code..

2) 4.156.05 (.01) C.- Flag limitation to 2 "per site" may work for a residential tract, but how about a multi-tenant commercial building containing 4, 6, or 8 businesses? Decorative flags or banners can add positively to a commercial business environment, but not at this restrictive of a level.

This language replaced language regarding the US flag, Oregon state flag during the 2010 content neutrality changes, Ordinance 675. This language refers to flags such as flags on permanent flag poles (i.e. US flag) rather than decorative banners. Decorative banners are only allowed in residential zones (see 4.156.05 (.02) H.) which is a continuation of

**PLANNING COMMISSION  
RESOLUTION NO. LP12-0001**

**A WILSONVILLE PLANNING COMMISSION RESOLUTION RECOMMENDING THAT THE WILSONVILLE CITY COUNCIL ADOPT AN ORDINANCE AMENDING SECTIONS 4.001, 4.030-4.031, AND 4.156 OF THE PLANNING AND LAND DEVELOPMENT ORDINANCE (WILSONVILLE'S DEVELOPMENT CODE-PERTAINING TO SIGN REGULATIONS**

WHEREAS, the Wilsonville Planning Commission has held 7 work sessions between July 2011 and March 2012 to discuss and take public testimony concerning proposed revisions to the Wilsonville Sign Code; and

WHEREAS, the Wilsonville Planning Director, taking into consideration input and suggested revisions provided by the Planning Commission members and the public, submitted proposed Sign Code amendments to the Planning Commission, along with a Staff Report, in accordance with the public hearing and notice procedures that are set forth in Sections 4.008, 4.010, 4.011 and 4.012 of the Wilsonville Code (WC); and

WHEREAS, the Planning Commission, after providing the required public notice, held a Public Hearing on April 11, 2012 to review proposed amendments to Wilsonville's Sign Regulations and to gather additional testimony and evidence regarding the proposed amendments; and

WHEREAS, the Commission has afforded all interested parties an opportunity to be heard on this subject and has entered all available evidence and testimony into the public record of their proceeding; and

WHEREAS, the Planning Commission has duly considered the subject, including the staff recommendations and all the exhibits and testimony introduced and offered by all interested parties.

NOW, THEREFORE, BE IT RESOLVED that the Wilsonville Planning Commission does hereby adopt the Planning Staff Report, as presented at the April 11, 2012 public hearing, including the findings and recommendations contained therein and does hereby recommend to the Wilsonville City Council that the Wilsonville City Council approve and adopt the proposed Sign Regulations Amendments as approved on April 11, 2012 by the Planning Commission; and

BE IT RESOLVED that this Resolution shall be effective upon adoption.

ADOPTED by the Planning Commission of the City of Wilsonville at a regular meeting thereof this 11<sup>th</sup> day of April 2012 and filed with the Planning Administrative Assistant on April 16, 2012.

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Wilsonville Planning Commission

Attest:

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Linda Straessle, Administrative Assistant III

SUMMARY of Votes:

Chair Ben Altman: Aye  
Commissioner Eric Postma: Aye  
Commissioner Amy Dvorak: Aye  
Commissioner Peter Hurley: Aye  
Commissioner Al Levit: Aye  
Commissioner Marta McGuire: Aye  
Commissioner Ray Phelps: Aye

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF WILSONVILLE AMENDING THE PLANNING AND LAND DEVELOPMENT ORDINANCE (WILSONVILLE'S DEVELOPMENT CODE) SECTIONS 4.001, 4.030-4.031, AND 4.156 AND DIVIDING SECTION 4.156 INTO SECTIONS 4.156.01 THROUGH 4.156.11 TO UPDATE THE CITY'S SIGN REGULATIONS AND REFINE THE PURPOSE AND OBJECTIVES OF SUCH REGULATIONS.**

WHEREAS, Wilsonville's current sign regulations ~~has~~have been in effect for 12 years, with changes surrounding the content neutrality of temporary sign regulations adopted in 2010; and

WHEREAS, a collaborative effort has been carried out to identify issues and recommendations to update the sign regulations involving stakeholders including the Wilsonville Area Chamber of Commerce, City staff, sign professionals, residents, former members of the City's Development Review Board, and developers; and

WHEREAS, the Planning Commission held ~~a series of~~ven work sessions over period of July 2011 to March 2012 to review issues, recommendations, and Development Code amendments to implement the recommendations; and

WHEREAS, the recommendations aim to improve efficiency and consistency in administration and application of Wilsonville's sign regulations while maintaining a high quality visual environment, in which sign development plays a major role; and

WHEREAS, the updated sign regulations help foster an aesthetically pleasing, functional, and economically vital community, as well as promote public health, safety, and well-being ~~purpose~~ by meeting the needs of sign owners while maintaining consistency with the development and design standards elsewhere in Chapter 4 of the Planning and Land Development Ordinance; and

WHEREAS, the Planning Commission conducted a public hearing on this matter on April 11, 2012 and upon consideration of testimony and evidence from the public and city staff, unanimously recommended that the City Council approve the proposed Development Code amendments; and

WHEREAS, the Council having conducted a public hearing on the proposal on June 4, 2012, and considering the entire record herein finds that the proposed Development Code amendment complies with applicable text amendment criteria and is in the best interest of the community by

providing for the needs of sign owners while ensuring a functional, aesthetically pleasing, economically vital, and safe community; and.

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

Section 1: Findings. The council adopts as findings and conclusions the foregoing recitals and the staff report in this matter attached hereto as Exhibit A and adopted as if set forth fully herein.

Section 2: Amendments.

1. That Wilsonville code section 4.001 Definitions, be amended to modify the definitions for “Sign”, “Addressing Signs”, “Changing image sign”, “Lawn Sign”, “Roof Sign”, “Sign Area”, add definitions for “Baseline”, “Bowl”, “Cap Height”, “Changeable copy sign”, “Descender”, “Blade Sign”, “Serif”, “Shoulder”, “Video Sign”, and “Wayfinding Sign”, delete the definition of “Building Graphics”, “District Sign”, “Electric Sign”, and “Street Graphics”, and move “Site Area, Net” from a sub definition of “Sign” to a stand-alone definition, as follows:

263. **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, mural, 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. The scope of the term “sign” does not depend on the content of the message or image conveyed. A sign does not include architectural or landscape features that may attract attention but do not convey a message or image considered speech, or trademark, protected under federal or state law.

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. Baseline: The invisible line on which text or other characters sit, the bottom extent of the cap height of a typeface.

C. Bowl: In a font or typeface, an open or closed circular line that creates an interior space, such as in the letters “d” and “c.”

Building Graphics: building mounted signs.

**B.D. Cap Height:** In a font or typeface, the distance from the baseline to the top of uppercase letters like "H" and "J."

**E. Changing image sign.** Any sign which, through the use of moving structural elements, flashing or sequential lights, lighting elements, prisms, or other automated-method, results in movement, the appearance of movement, or change of sign image or text except changeable copy signs defined below.

**C.F. Changeable copy sign.** Any sign, digital or manual, which is designed to have the copy changed routinely and where the frequency of copy change does not exceed once every fifteen (15) minutes, except in emergency situations as requested by the City Manager or designee.

**G. Descender:** In a font or typeface, the part of a letter extending below the baseline including lower portion of the lowercase letters "g," "j," "p," "q," and "y."

**D.H. Directional signs:** Signs on private property that provide directions for the traveling public and are 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.I. Flashing Sign:** ~~any~~ **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.J. 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.K. Ground-mounted Sign:** A non-temporary 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.L. Inflatable Sign:** ~~any~~ **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.M. Institutional Signs:** ~~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.N. Integral Sign:** ~~a~~ **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 a part of the structures.

**M.O. Lawn Sign.** ~~a~~ **A** temporary freestanding sign commonly made of corrugated plastic, greyboard, or similar type of material, constructed and maintained to prevent being moved or heavily damaged by typical exposure to natural elements. Lawn signs in the rights-of-way under W.C. 4.156(-10).**11** may be constructed to be ~~movable~~ **portable**.

~~N-P. Marquee Sign:~~ A canopy or covering structure bearing a signboard or graphics projecting from, and attached to, a building.

~~Q-Q. Permanent Sign:~~ Any sign that does not meet the definition of a temporary sign, below.

~~R. 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. These signs include, but are not limited to movable A-frame signs, sandwich board signs, signs on vehicles or trailers, and signs attached to wood or metal frames designed to be self-supporting and movable, including trailer reader boards.

~~S. 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.

**1. Blade Sign: A sign hanging, perpendicular to a building façade, from a canopy, building projection, or mounting bracket intended to aid pedestrians in wayfinding.**

~~P-T. Rigid Sign:~~ A temporary freestanding sign designed and constructed with materials of a grade and quality to withstand strong winds, rains, and harsh weather conditions, and maintained as a potentially year-long temporary sign to ensure that degradation or weathering does not present aesthetic and public safety concerns and the sign retains substantially the same quality throughout the year. Such signs may not be constructed of cardboard, poster board, or other similar lightweight paper products.

~~U. Roof Sign:~~ A sign located on or above the roof of any building, not including a false mansard roof, canopy or other fascia.

~~Q-V. Selling slogans~~**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.

~~W. Serif:~~ **In fonts and typefaces, the extra stroke at the end of a letter or character.**

~~X. Shoulder:~~ **In fonts and typefaces, the curve at the beginning of a leg of a character such as the upper curved portion of the lowercase letters "m" and "n."**

~~R-Y. Sign Area:~~ The display surface or face of the sign **calculated as prescribed in Section 4.156.04**, 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.

~~S-Z. Site Area, Net:~~ The area of a development site, excepting all areas in streets or private drives, driveways, and parking spaces.

~~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.

~~AA. Temporary Sign:~~ A sign not permanently affixed to a building, structure, or the ground, intended to be displayed for a limited period of time.

**BB. Video Sign: Moving visual messages projected on any surface.**

**CC. 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.

**DD. Wayfinding Sign: The term way finding sign has two different contextual meanings. First, it is used as a general description of one of the basic purposes or functions of signs, which is to assist in directing the general public to specific destinations within the community, so that they find their way. In this context almost all signs provide some degree of way finding information. Second, the term is used to describe a specific type of sign, such as local directional signs and district wayfinding signs, that provides specific identity and/or direction to particular businesses, facilities, or places of interest, such as parks, tourist attractions, public buildings, schools, special districts, or other locations to which the public commonly asks for directions.**

264. Site Area, Net: The area of a development site, excepting all areas in streets or private drives, driveways, and parking spaces.

2. That Wilsonville code section 4.030 Jurisdiction and Powers of Planning Director and Community Development Director, subsection (.01), be amended as follows:

(.01) Authority of Planning Director. The Planning Director shall have authority over the daily administration and enforcement of the provisions of this Chapter, including dealing with non-discretionary matters, and shall have specific authority as follows:

A. A Class I application shall be processed as a ministerial action without public hearing, shall not require public notice, and shall not be subject to appeal or call-up, except as noted below. Pursuant to Class I procedures set forth in Section 4.035, and upon finding that a proposal is consistent with the provisions of this Code and any applicable Conditions of Approval, shall approve the following, with or without conditions:

1. Minor site clearing and grading, prior to the approval of a Site Development Plan, provided that:
  - a. no clearing or grading occurs within the Significant Resource Overlay Zone. Clearing or grading in the Significant Resource Overlay Zone shall require, at a minimum, approval of a Class II permit through the procedures specified below;
  - b. no clearing or grading occurs within twenty-five (25) feet of an area that has been identified by the City as a wetland;
  - c. not more than three (3) trees are proposed to be removed;
  - d. no fill or removal is proposed;
  - e. adequate measures are utilized to control erosion and runoff from the site and that the applicant will submit a final Site Development application within seven (7) days of submitting the minor site grading application. All



grading activities require compliance with the requirements of the applicable building code and City Public Works standards.

2. Class I Signs, Sign Permits, and Temporary Sign Permits for thirty (30) days or less. ~~authorized for administrative approval by the sign regulations and signs that are permitted outright by the sign regulations of this Code. This includes copy changes to an existing sign, provided that no other structural changes occur and provided that the change occurs to a sign that is otherwise legal.~~
3. Architectural, landscape, tree removal, grading and building plans that substantially conform to the plans approved by the Development Review Board and/or City Council. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters.
4. Building permits for single family or two-family dwellings, and in the Village zone, row houses or apartments, meeting zoning requirements and located on lots that have been legally created. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters. [Amended by Ord 557 adopted 9/5/03].
5. Lot line adjustments, where none of the lots increase in area by fifty percent (50%) or more, subject to the standards specified in Section 4.233.
6. A temporary use permit for not more than thirty (30) days, subject to the following standards:
  - a. the applicant has the written permission of the property owner to use the site;
  - b. the proposed use will not create an obstruction within a sight vision clearance area that would impair the vision of motorists entering onto or passing by the property;
  - c. adequate parking is provided;
  - d. signs shall meet the standards of Section 4.156.09. A maximum of two signs, not exceeding a combined total of 24 square feet, are allowed; and
  - e. the proposed use has the approval of the Fire Marshal.
7. Determination that an existing use or structure is a non-conforming use or non-conforming structure, as defined in this Code. Except, however, that the Planning Director may, in cases where there is any uncertainty as to the history of the property, choose to process such determinations through the Class II procedures below.
8. Actions taken subject to Site Development Permits which have been approved by the appropriate decision-making body of the City.
9. Final plats for condominiums, subdivisions, or partitions that are substantially the same as tentative plats approved by the City and which are submitted for review and signature prior to recordation with the appropriate county.
10. Type A tree removal permits as provided in Section 4.600.

11. Determination, based upon consultation with the City Attorney, whether a given development application is quasi-judicial or legislative. Except, however, that the Planning Director may, in cases where there is any uncertainty as to the nature of the application, choose to process such determinations through the Class II procedures below.
  12. Expedited land divisions. Applications for expedited land divisions, as provided for in Section 4.232 of this Code and ORS Chapter 197 shall be processed without public hearing, and shall be subject to appeal through the special appeal procedures specified in Section 4.232.
    - a. Authority of Planning Director. The Planning Director shall have authority to review applications for expedited land divisions and to take action approving, approving with conditions, or denying such applications, based on findings of fact.
    - b. Tentative Plat Requirements for Expedited Land Divisions. Tentative plats and all other application requirements for expedited land divisions shall be the same as for other forms of land divisions, except as those requirements are specifically altered by the Oregon Revised Statutes.
    - c. Administrative Relief Not Available. In taking action on an application for an expedited land division, the Planning Director is not authorized to grant Variances or waivers from the requirements of the Code.
    - d. Residential Areas Only. As specified in ORS 197, expedited land divisions shall only be approved in areas zoned for residential use.
- B. A Class II application shall be processed as an administrative action, with or without a public hearing, shall require public notice, and shall be subject to appeal or call-up, as noted below. Pursuant to Class II procedures set forth in Section 4.035, the Director shall approve, approve with conditions, deny, or refer the application to the Development Review Board for a hearing:
1. Minor alterations to existing buildings or site improvements of less than twenty-five percent (25%) of the previous floor area of a building, but not to exceed 1,250 square feet, or including the addition or removal of not more than ten (10) parking spaces. Minor modifications to approved Architectural and Site Development Plans may also be approved, subject to the same standards.
  2. Residential accessory buildings or structures with less than one hundred and twenty (120) square feet of floor area located within the Willamette River Greenway Boundary pursuant to Section 4.500 and subject to the flood plain development standards of Section 4.172. Approval of such accessory structures in the Greenway shall be based on all of the following findings of fact:
    - a. The building or structure is located so that the maximum amount of landscape area, open space and/or vegetation is provided between the river and the building;
    - b. Public access to the river is preserved or is provided in accordance with an approved and adopted plan; and

- c. That the change of use, intensification of use, or development will be directed away from the river to the greatest possible degree while allowing a reasonable use of the property.
- ~~3.~~ A temporary Use Permit for more than thirty (30) and fewer than sixty-one (61) days.
  43. Written interpretations of the text or maps of this Code, the Comprehensive Plan or sub-elements of the Comprehensive Plan, subject to appeal as provided in Section 4.022. The Planning Director may review and interpret the provisions and standards of Chapter 4 (Planning) of the Wilsonville Code upon receiving the required filing fee along with a specific written request. The Director shall publish and mail notice to affected parties and shall inform the Planning Commission and City Attorney prior to making a final written decision. The Director's letter and notice of decision shall be provided to the applicant, the Planning Commission, the City Council, and City Attorney and the notice shall clearly state that the decision may be appealed in accordance with Section 4.022 (Appeal Procedures). A log of such interpretations shall be kept in the office of the Planning Department for public review.
  54. A permit to locate an accessory use on a lot adjacent to the site of the principal use.
  65. Land partitions, other than expedited land divisions, pursuant to Section 4.210. Approval of land partitions shall be based on all of the following findings of fact:
    - a. The applicant has made a complete submittal of materials for the Director to review, as required in Section 4.210;
    - b. The proposed plan meets the requirements of the Code regarding minimum lot size and yard setbacks;
    - c. The approval will not impede or adversely affect the orderly development of any adjoining property or access thereto;
    - d. The public right-of-way bordering the lots or parcels will meet City standards;
    - e. Any required public dedications of land have been approved for acceptance by the City and will be recorded with the County prior to final plat approval;
    - f. Adequate easements are proposed where an existing utility line crosses or encroaches upon any other parcel to be created by the partition;
    - g. All public utilities and facilities are available or can be provided prior to the issuance of any development permit for any lot or parcel; and
    - h. Roads extended or created as a result of the land division will meet City standards.
  76. Decisions on the following:
    - a. Lot line adjustments, where any of the lots increase by more than fifty percent (50%) in area, subject to the provisions of Section 4.233.
    - b. Temporary use and temporary sign permits for periods exceeding thirty (30) days. Temporary use and temporary sign permits may allow

specific activities associated with the primary use or business located on the property for up to 120 days provided that:

- i. the property owners have given written permission;
- ii. no structure, sign or any other object shall exceed 20 feet in height;
- iii. adequate parking is provided in designated spaces;
- iv. signs are limited to a maximum of two and shall not exceed a total combined area of 24 square feet;
- v. electrical and building permits are obtained as required;
- vi. undue traffic congestion will not result and, if traffic congestion is expected, a traffic control plan is submitted along with the application that identifies the traffic control procedures that will be used;
- vii. the activity and/or use shall not unduly interfere with motorists driving on adjacent roads and streets, including I-5; and
- viii. public notice has been provided and the comments of interested parties have been considered in the action that has been taken.

8. Solar access permits, as specified in Section 4.137.3.

**9. Class II Sign Permits.**

- C. Other specific actions or duties delegated by Planning Commission or Development Review Board Resolution, or by order of the Council, setting forth the review procedure guided by clear and objective standards for administration.
- D. Administrative Relief: In issuing the permits in subsection "B," above, the Planning Director may grant limited relief in cases of hardship. The Director shall follow the Class II - Administrative Approval procedures to determine whether administrative relief shall be granted. If the Director receives a complete application, along with the required filing fee, and the request involves only the expansion or reduction by not more than 20 percent of one or more quantifiable provisions of yard, area, lot dimension, or parking requirements of the zone, the Director may approve the application, based upon findings of fact supported by evidence in the record. The Variance procedures and standards specified in Section 4.196 shall be used in determining whether administrative relief shall be granted.
- E. Emergency Situations: The Planning Director may review and approve any reasonable and necessary emergency measure, including the removal of trees and vegetation from the Willamette River Greenway, Significant Resource Overlay Zone and wetlands, necessary for the safety and/or protection of persons or property. The standard shall be that the least amount of activity or disruption is used to provide the necessary protection to the property or to avert damage to the property. The Director may require restoration of landscaping, vegetation or soil to repair any damage resulting from enacting emergency protection measures.

3. That Wilsonville code section 4.031 Authority of the Development Review Board, subsection (.01), be amended as follows:

- (.01) As specified in Chapter 2 of the Wilsonville Code and except as specified herein, the Board shall have authority to act on the following types of applications:
- A. Class II development applications referred to the Board by the Planning Director, as authorized in Section 4.030.
  - B. Call-ups or appeals of staff decisions or interpretations involving quasi-judicial applications or procedures, as authorized in Sections 4.022 and 4.172.
  - C. Review of tentative subdivision and condominium plats, as authorized in Section 4.210, other than those processed as expedited land divisions.
  - D. Conditional Use Permits, as authorized in Section 4.184.
  - E. Variances, as authorized in Section 4.196, other than those that are reviewed and acted upon by the Planning Director through Administrative Review processes.
  - F. Initial review of quasi-judicial applications for zone changes, as authorized in Section 4.197.
  - G. Initial review of quasi-judicial applications for amendments to one or maps in the Comprehensive Plan, as authorized in Section 4.198.
  - H. Site design review, as authorized in Section 4.400.
  - I. Review of Stage I and Stage II Planned Development applications.
  - J. Acceptance, rejection, or modification of traffic studies prepared for projects or developments. A traffic study prepared by the City's consultant shall not be rejected or modified by the Board unless substantial evidence exists in the record to justify such action. If the Board rejects a traffic study prepared by the City's consultant, the fee paid by the applicant for that study shall be refunded.
  - K. Initial review of requests for quasi-judicial annexations to the City of Wilsonville.
  - L. Street vacations, where a specific development application has been filed for the subject property. If no specific development application has been filed for the subject property, the vacation request shall be considered by the Planning Commission. Action of the Planning Commission or Board on a street vacation request shall be a recommendation to the City Council.
  - M. Class III Sign Permits, Master Sign Plans, and all sign permits and approvals not specifically authorized for administrative review or exempt from permitting requirements.**

- 4. That the heading "Section 4.156 Sign Regulations" be deleted in its entirety.
- 5. That Wilsonville code section 4.156 Sign Regulations, subsection (.01) Purpose, be renumbered and retitled as section 4.156.01 Sign Regulations Purpose and Objectives, and amended as follows:

**Section 4.156.01 Sign Regulations Purpose and Objectives.**

(.01) Purpose. The general purpose of this ~~the Section is~~ sign regulations are to provide one of the principal means of implementing the Wilsonville Comprehensive Plan by fostering an aesthetically pleasing, functional, and economically vital community, as well as promoting public health, safety, and well-being. The sign regulations strive to accomplish the above general purpose by meeting the needs of sign owners while maintaining consistency with the development and design standards elsewhere in Chapter 4. This code regulates the design, variety, number, size, location, and type of signs, as well as the processes required to permit various types of signs. Sign regulations have one or more of the following specific objectives:

- A. Well-designed and aesthetically pleasing signs sufficiently visible and comprehensible from streets and rights-of-way that abut a site as to aid in wayfinding, identification and provide other needed information.
- B. Sign design and placement that is compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district.
- C. A consistent and streamlined sign review process that maintains the quality of sign development and ensures due process.
- D. Consistent and equitable application and enforcement of sign regulations.
- E. All signs are designed, constructed, installed, and maintained so that public safety, particularly traffic safety, are not compromised.
- F. Sign regulations are content neutral.

~~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.~~

6. That Wilsonville code section 4.156 Sign Regulations, subsection (.02) Application For Sign Permits and subsection (.03) General Provisions Affecting Signs, be renumbered and retitled as sections 4.156.02 Sign Review Process and General Requirements, 4.156.03 Sign Measurement, and 4.156.04 Non-Conforming Signs, and amended as follows:

~~(.02) 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 4.022. 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, or in the Village zone, as part of a master signage and Wayfinding plan. (Amended by Ord 557, adopted 9/5/03).~~

~~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 4.156(.01) 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 4.196; 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 4.156(.01) and (.02) above, Section 4.196, 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 4.196.~~

~~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 4.196.~~

~~(.03) 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. The location of free standing or ground mounted signs located adjacent to or near the Public Right of Way shall be in compliance with the City's Public Works Standards for sight distance clearance. Prior to construction, the location of the sign shall be approved by the City of Wilsonville Engineering Division.~~

~~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.~~

#### **Section 4.156.02 Sign Review Process and General Requirements.**

**(.01) Permit Required: Unless exempt under Section 4.156.05, no sign, permanent or temporary, shall be displayed or installed in the City without first obtaining a sign permit.**

**(.02) Sign Permits and Master Sign Plans: Many properties in the City have signs pre-approved through a Master Sign Plan. For the majority of applications where a Master Sign Plan has been approved the applicant need not consult the sign requirements for the zone, but rather the Master Sign Plan, copies of which are available from the Planning Division. Signs conforming to a Master Sign Plan**



require only a Class I Sign Permit.

(.03) Classes of Sign Permits, Master Sign Plans, and Review Process: The City has three classes of sign permits for permanent signs: Class I, Class II, and Class III. In addition, non-residential developments with three or more tenants require a Master Sign Plan. Class I sign permits are reviewed through the Class I Administrative Review Process as outlined in Subsection 4.030 (.01) A., Class II sign permits are reviewed through the Class II Administrative Review Process as outlined in Subsection 4.030 (.01) B., Class III Sign Permits and Master Sign Plans are reviewed by the Development Review Board (DRB) as outlined in Section 4.031. Applicants shall, whenever possible, incorporate all proposed signage as a part of the initial submittal on new development projects.

(.04) Class I Sign Permit: Sign permit requests shall be processed as a Class I Sign Permit when the requested sign or signs conform to a Master Sign Plan or other previous sign approval. In addition, a Minor Adjustment to a Master Sign Plan or other previous sign approval may be approved in connection with a Class I Sign Permit.

A. Class I Sign Permit Submission Requirements: Application for a Class I Sign Permit shall include two (2) copies of the following along with all required application fees:

1. Completed application form prescribed by the City and signed by the property owner or the property owner's representative,
2. Sign drawings showing all materials, the sign area and dimensions used to calculate sign areas, and other details sufficient to judge the full scale of the associated sign or signs and related improvements,
3. Information showing how the proposed sign or signs conform with all applicable code requirements, Master Sign Plans, or other previous sign approvals for the property, and
4. Information supporting any minor adjustment requests.

B. Class I Sign Permit Review Criteria: The sign or signs conform with the applicable master sign plan or other previous sign approvals, and applicable code requirements.

C. Minor Adjustments: Notwithstanding approved Master Sign Plans or other previous sign approvals, as part of a Class I Sign Permit Minor Adjustments of not more than ten (10) percent from the sign height (not height from ground) and/or length may be approved for the reasons listed in 1. through 4. below, unless otherwise specifically prohibited in the Master Sign Plan. Minor Adjustments shall not cause the sign to cross the edge of any fascia, architectural element or area of a building facade identified as a sign band. The area of the sign exceeding the height or length as part of a Minor Adjustment shall not count against the sign area indicated in a Master Sign Plan or other previous sign approval. Minor Adjustments are valid only for the Sign Permit with which they are associated and do not carry over to future sign permits or copy changes.

1. To accommodate the descender on the lower case letters “q, y, p g, or j”, not otherwise accommodated by the measurement method used, where the letter matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter;
2. To accommodate stylized fonts where bowls, shoulders, or serifs of the stylized letters extend beyond the cap height;
3. To accommodate an arching or other non-straight baseline; or
4. To accommodate a federally registered trademark logo where compliance with the defined maximum sign height would result in the cap height of the text in the logo being ninety (90) percent or less of the cap height for letters otherwise allowed. (i.e. if a Master Sign Plan allowed 24” letters and 24” total sign height, and a 24” logo would result in the cap height of the text within the logo being less than 21.6”, the total height of the logo could be increased to 26.4”)

(.05) Class II Sign Permit: Sign permit requests meeting one or more of the descriptions listed in A. through C. below shall be processed as a Class II Sign Permit when the request does not conform with a Master Sign Plan or other previous sign approval but meets the requirements of the applicable sign regulations, unless the request would modify a condition of approval specifically imposed by the DRB or City Council:

A. Existing residential development;

B. Existing non-residential development with less than three (3) tenants unless the request involves a freestanding or ground mounted sign greater than eight (8) feet in height in a new location;

C. Major Adjustments to a Master Sign Plan when all of the following criteria are met:

1. The request is compatible with the pattern of signage established in the sign plan in terms of locations, placement on buildings, proportionality to fascia and building facade, architectural design, and materials used;
2. The request is due to special conditions or circumstances that make it difficult to comply with the established Master Sign Plan;
3. The request involves signs for a single tenant, a single multi-tenant freestanding or ground mounted sign, or a series of similar related multi-tenant freestanding or ground mounted signs in the same development; and
4. The request does not involve a freestanding or ground mounted sign greater than eight (8) feet in height at a new location.

D. Class II Sign Permit Submission Requirements: Application for a Class II Sign Permit shall include two (2) paper copies and one (1) electronic copy of the following in addition to all required fees:

1. Completed application form prescribed by the City and signed by the property owner or their authorized representative;

2. Sign drawings or descriptions of all materials, sign area and dimensions used to calculate areas, lighting methods, and other details sufficient to judge the full scale of the signs and related improvements;
3. Documentation of the lengths of building or tenant space facades used in calculating maximum allowed sign area;
4. Drawings of all building facades on which signs are proposed indicating the areas of the facades on which signs will be allowed;
5. Narrative describing the scope of the project, including written findings addressing all applicable review criteria, along with any other information showing how the proposed signage conforms with requirements for the applicable zone;

**E. Class II Sign Permit Review Criteria: Class II Sign Permits shall satisfy the sign regulations for the applicable zoning district and the Site Design Review Criteria in Sections 4.400 through 4.421, as well as the following criteria:**

1. 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 surrounding development;
2. The proposed signage will not create a nuisance or result in a significant reduction in the value or usefulness of surrounding development; and
3. Special attention is paid to the interface between signs and other site elements including building architecture and landscaping, including trees.

**(.06) Class III Sign Permit: Sign permit requests shall be processed as a Class III Sign Permit when associated with new development, or redevelopment requiring DRB review, and not requiring a Master Sign Plan; when a sign permit request is associated with a waiver or non-administrative variance; or when the sign permit request involves one or more freestanding or ground mounted signs greater than eight (8) feet in height in a new location.**

**A. Class III Sign Permit Submission Requirements: Ten (10) paper and electronic copies of the submission requirements for Class II Sign Permits plus information on any requested waivers or variances in addition to all required fees.**

**B. Class III Sign Permit Review Criteria: The review criteria for Class II Sign Permits plus waiver or variance criteria when applicable.**

**(.07) Master Sign Plans: A Master Sign Plan is required for non-residential developments with three (3) or more tenants. In creating a Master Sign Plan thought should be given to needs of initial tenants as well as the potential needs of future tenants.**

**A. Master Sign Plan Submission Requirements: Applications for Master Sign Plans shall include ten (10) paper and electronic copies of all the submission requirements for Class II and III Sign Permits and the following in addition to all required fees:**

1. A written explanation of the flexibility of the Master Sign Plan for different potential tenant space configurations over time;
  2. A written explanation of the extent to which different sign designs, including those incorporating logos, stylized letters, multiple lines of text, non-straight baselines, or different materials and illumination will be allowed and if allowed how the flexibility of the master sign plan will allow these different sign designs over time;
  3. A written explanation of how the sign plan provides for a consistent and compatible sign design throughout the subject development.
- B. Master Sign Plan Review Criteria:** In addition to the review criteria for Class II and Class III Sign Permits, Master Sign Plans shall meet the following criteria:
1. The Master Sign Plan provides for consistent and compatible design of signs throughout the development; and
  2. The Master Sign Plan considers future needs, including potential different configurations of tenant spaces and different sign designs, if allowed.
- C. Modifications of a Master Sign Plan:** Modifications of a Master Sign Plan, other than Minor and Major Adjustments, shall be reviewed the same as a new Master Sign Plan.

**(.08) Waivers and Variances:** Waivers and variances are similar in that they allow deviation from requirements such as area, and height from ground. They differ in that waivers are granted by the DRB as part of a comprehensive review of the design and function of an entire site to bring about an improved design and variances are granted by either the Planning Director or DRB to relieve a specific hardship caused by the regulations.

**A. Waivers:** The DRB may grant waivers for sign area, sign height from ground (no waiver shall be granted to allow signs to exceed thirty-five (35) feet in height from ground), number of signs, or use of electronic changeable copy signs in order to better implement the purpose and objectives of the sign regulations as determined by making findings that all of the following criteria are met:

1. The waiver will result in improved sign design, in regards to both aesthetics and functionality.
2. The waiver will result in a sign or signs more compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district than signs allowed without the waiver.
3. The waiver will result in a sign or signs that improve, or at least do not negatively impact, public safety, especially traffic safety.
4. Sign content is not being considered when determining whether or not to grant a waiver.

**B. Variances:**

1. Administrative Variance: In reviewing a Sign Permit the Planning Director may grant or deny a variance to relieve a hardship through the Class II Administrative Review process. Such a variance shall only be approved

where the variance does not exceed twenty percent (20%) of area, height, or setback requirements. 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 4.196.

2. Other Variances: In addition to the authority of the Planning Director to issue administrative variances as noted above, the Development Review Board may authorize variances from sign requirements of the Code, subject to the standards and criteria listed in Section 4.196.

(.09) Temporary Sign Permits: Temporary sign permits shall be reviewed as follows:

A. 30 days and less- Class I Administrative Review

B. 31 days up to 120 days- Class II Administrative Review

C. Submission Requirements: Applications for a temporary sign permit shall include the following in addition to the required application fee:

1. Completed application form prescribed by the City and signed by the property owner or their authorized representative,

2. Two copies of sign drawings showing all materials, and showing sign area and dimensions used to calculate areas, and other details sufficient to judge the full scale of the sign or signs,

3. Information showing the proposed sign or signs conform with all applicable code requirements.

D. Review Criteria: Temporary Sign Regulations in Section 4.156.09.

E. When a temporary sign permit request is submitted as part of the broader temporary use permit request of the same duration, the sign request shall not require an additional fee.

(.10) Waiver of Documentation: The Planning Director may, in his or her discretion, waive an application document for Class I, Class II, and Temporary Sign Permits where the required information has already been made available to the City, or where the Planning Director determines the information contained in an otherwise required document is not necessary to review the application.

#### Section 4.156.03 Sign Measurement

B. Sign Measurement.

(.01) 1. Sign Area: Sign area shall be determined as follows:

A. a. Cabinet Signs and Similar: The area for signs enclosed by cabinet, frame, or other background (including lighted surface) not otherwise part of the architecture of a building or structure shall be 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 15: Sign Face Measurement). the area of a shape drawn around the outer dimension of the cabinet, frame, or background.

1. If the cabinet, frame, or background is an irregular shape the signs perimeter shall be measured the same as an individual element sign under B. below.
2. Sign ~~The sign~~ area does not include:
  - a. ~~foundations~~ Foundations, supports, and other essential structures that are not designed to serve ~~unless they are serving as a backdrop or border to the sign;~~
  - b. Architectural elements of a freestanding or ground mounted sign designed to match or complement the architectural design of buildings on the site not and otherwise meeting the definition of a sign;
  - c. A pole or other structural support, unless such pole or structural support is internally illuminated or otherwise so designed to constitute a display device.

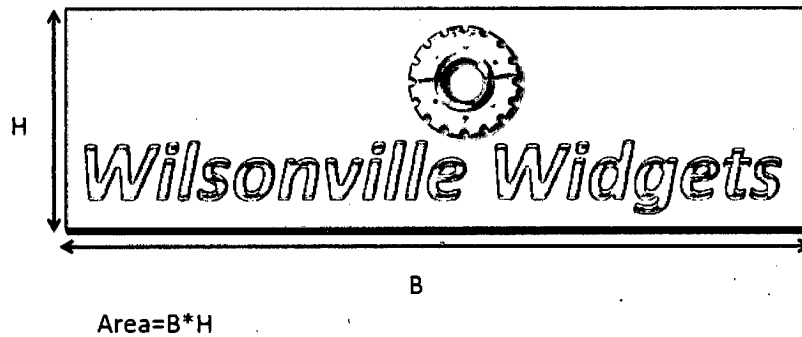
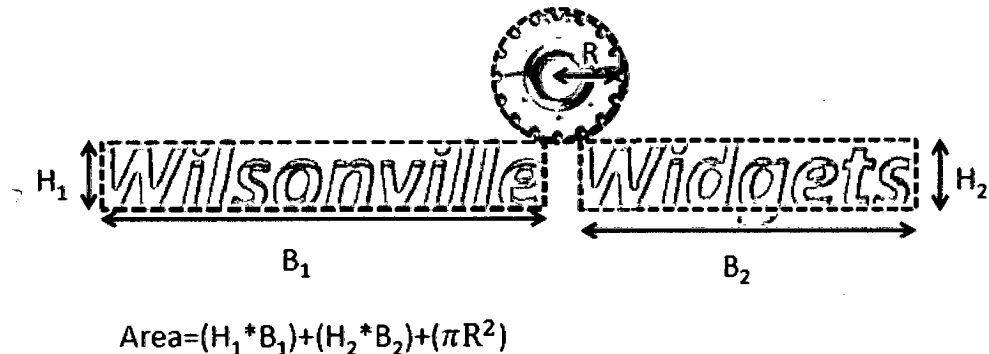


Figure 1. Measurement of Cabinet or Similar Signs

**B. b.** ~~When s~~ Individual Element Signs: The area for signs are constructed of individual elements (letters, figures, etc.) pieces attached to a building wall or similar surface or structure , sign area is determined by a perimeter drawn around all of the pieces (see Figure 17: Individual Element Sign). shall be the summed area of up to three squares, rectangles , circles, or triangles drawn around all sign elements.

1. The descender on the lower case letters “q, y, p g, or j.” shall not be included in sign area when the letter otherwise matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter.



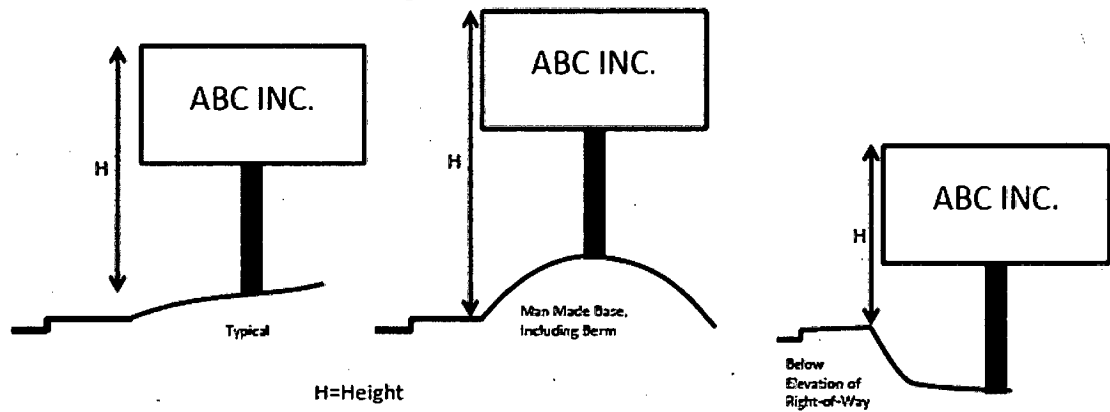
**Figure 2. Measurement of Individual Element Signs**

- A.C. ~~e.~~ — For a **Round or Three-Dimensional Signs: The area of a round or three-dimensional sign, shall be the maximum surface area visible from any one location on the ground is used to determine sign area measured the same as A. above (see Figure 20: Sign Face Area). except if the maximum surface area is an irregular shape the signs perimeter shall be measured the same as an individual element sign under B. above.**
- B.D. ~~d.~~ — When **Awning or Marquee Signs: The area of signs are incorporated into awnings, walls, or marquees, shall be the area of the entire panel containing the sign is counted as the sign face measured the same as A. above unless it is clear that part of the panel contains no sign-related display or decoration, other than the background color of the awning.**
- E. ~~e.~~ — **Painted Wall Signs: The area of painted wall signs shall be determined as follows: 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.**
- 1. If individual elements are painted without a background it shall be calculated in the manner indicated in B. above.**
  - 1.2. If a background is painted it shall be calculated in the manner indicated in A. above.**
- C.F. ~~f.~~ — ~~The Planning Director shall be responsible for determining the area of a sign, subject to appeal as specified in Section 4.022.~~ **Temporary Signs: The area of temporary signs including banners, lawn signs, and rigid signs shall be calculated in the manner indicated in A. above.**
- D.G. ~~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.

**(.02) 2. Sign Height above Ground:**

- A. The overall height **above ground** of a **freestanding or ground-mounted** sign or sign structure is measured from the average grade directly below the sign to the highest point of the sign or sign structure **except as follows:**
- 1. A freestanding or ground mounted sign on a man-made base, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb to the highest point of the sign or sign structure. In all cases signs on a berm shall be allowed to be eight (8) feet in height from the top of the berm.**
  - 2. A freestanding or ground mounted sign placed below the elevation of the right-of-way it fronts shall be measured from the lowest point in the right-of-way along the frontage to the highest point of the sign. 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.**

How to Measure Height of a Freestanding or Ground Mounted Sign



**(.03) Sign Height and Length:**

- A. Height of a sign is the vertical distance between the lowest and highest points of the sign.**
- B. Length of a sign is the horizontal distance between the furthest left and right points of the sign.**

**(.04) Final Determination of Sign Measurement: The Planning Director shall be responsible for determining the area, height above ground and height and length of a sign, subject to appeal as specified in Section 4.022. Applicants for sign plans and permits shall provide the dimensions needed to calculate the area, height above ground, height, and length.**

**Section 4.156.04 Non-Conforming Signs.**

**(.01) C. — Non-conforming-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 Sections 4.189 through 4.190. 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. **However, a sign that is required to be moved solely because of a public taking may be replaced on the site, and maintain its non-conforming status, subject to a Class II Sign Permit, provided the replacement sign is found to not increase in non-conformity to current code standards other than required setbacks.**

**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.

7. That Wilsonville code section 4.156 Sign Regulations, subsection (.04) Signs Exempt From Sign Permit Requirements, be renumbered as section 4.156.05, and amended as follows:

**Section 4.156.05(.04) Signs Exempt From Sign Permit Requirements.**

- (.01)** A. — The following signs are exempt from the permit requirements of this Section code 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:
- A. 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.
  - B. 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.
  - C. 3. — Flags displayed from permanently-located freestanding or wall-mounted flagpoles that are designed to allow raising and lowering of flags. One site may have up to two (2) exempt flags; no exempt flag may be more than thirty (30) feet in height.

(.02) 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.

- A. 1.—Signs inside a building except for prohibited signs listed in Section 4.156.06. ~~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.~~
- B. 2.—Name Plates and Announcements.
1. a.—A sign identifying the name, street address, occupation and/or profession of the occupant of the premises in the aid of public health and safety. 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.
2. 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.
- C. 3.—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:
1. a.—The following directional signs are exempt from sign permit requirements:
1. i.—Those having a e maximum sign area of not more than does not exceed three (3) square feet per sign face,
- 1.2. The sign ~~are not located~~ location is not within public rights-of-way and which ~~meet~~ meets City vision clearance requirements;
- 2.3. ii.—Those without lighting No sign lighting;
- 3.4. iii.—Those without a No logo or those having a logo that does not exceed one (1) square foot in size; and
- 4.5. iv.—Those where not No more than one (1) directional sign is located on the same tax lot.
2. b.—The following directional signs require a sign permit:
- a. i.—Those having a maximum sign face area of more than three (3) and not exceeding six (6) square feet.
- b. ii.—Those having lighting that is limited to indirect or internal lighting. ~~Flashing lights are prohibited.~~
- D. 4.—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.
- E. 5.—A sign that is Signs ~~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.
- F. 6.—Holiday lights and decorations, in place between November 15 and January 15.
- G. 7.—Signs on scoreboards or ballfields located on public property.
- H. 8.—Additional to the signs that are otherwise permitted by this Code, ~~o~~ One small decorative banner per dwelling unit may be placed on site, in residential zones.

- I. ~~9.~~ Lawn Signs meeting the standards of Table S-1 and the following conditions:
  - 1. a. ~~—~~Such signs shall not be intentionally illuminated and shall not display movement.
  - 2. b. ~~—~~Such signs shall not obscure sight lines of the motoring public, obscure traffic or other government signs, or create a nuisance to the use or occupancy of any property.
  - 3. e. ~~—~~Lawn signs associated with temporary events may be posted no longer than sixty (60) days before the beginning of an event and must be removed at the event's completion.
  - 4. d. ~~—~~Lawn signs not associated with temporary events may be posted for one period of up to sixty (60) days in a calendar year.
  - 5. e. ~~—~~Such signs may be up to six (6) feet in height.
  - 6. f. ~~—~~Such signs may be one (1) or two (2) sided.
- J. ~~10.~~ Rigid Signs meeting the standards of Table S-1 and the following conditions:
  - 1. a. ~~—~~Such signs shall not be intentionally illuminated and shall not display movement.
  - 2. b. ~~—~~Such signs shall not obscure sight lines of the motoring public, obscure traffic or other government signs, or create a nuisance to the use or occupancy of any property.
  - 3. e. ~~—~~Such signs may be up to six (6) feet in height, except signs on lots with an active construction project (active building permit), which may be up to ten (10) feet in height. (Note that signs exceeding six (6) feet in height typically require building permits.)
  - 4. d. ~~—~~Such signs may be one (1), two (2), or three (3) sided.
  - 5. e. ~~—~~On Residential and Agriculture zoned lots:
    - a. i. ~~—~~A rigid sign not associated with an ongoing temporary event may be displayed for no more than sixty (60) days each calendar year.
    - b. ii. ~~—~~A rigid sign associated with an ongoing temporary event may be displayed for the duration of that event. Note: Section 4.156(-05)(E.)(12).06 (.01) Q. of this Code prohibits signs associated with temporary events to remain posted after the completion of the event.
  - 6. f. ~~—~~On Commercial, Industrial, or Public Facility zoned lots:
    - a. i. ~~—~~A rigid sign not associated with an ongoing temporary event may be displayed for no more than ninety (90) days each calendar year.
    - b. ii. ~~—~~A rigid sign associated with an ongoing temporary event may be displayed for the duration of that temporary event. Note: Section 4.156(-05)(E.)(12).06 (.01) Q. of this Code prohibits signs associated with temporary events to remain posted after the completion of the event.
    - c. iii. ~~—~~A temporary event must have an end, marked by the occurrence of a specifically anticipated date or happening. A temporary event may not be a part of a broader, continuing event or of related, serial events. Temporary events shall not be defined by content, but may include isolated merchandise sales or discounts, or availability of real estate for sale or lease.

**K. Signs allowed in Subsections 6.150 (1) and (2) Wilsonville Code for special events.**

8. That Wilsonville code section 4.156 Sign Regulations, subsection (.05) Prohibited Signs, be renumbered as section 4.156.06, and amended as follows:

**Section 4.156.06 Prohibited Signs**

(.0501) ~~\_\_\_\_\_~~ 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 through the waiver process provided for architectural features in planned developments.~~
- D. **Changeable copy signs that use lighting changed digitally, unless specifically approved through a waiver process connected with a Class III Sign Permit or Master Sign Plan: In granting a waiver for a digital changeable copy signs the DRB shall ensure the following criteria will be met:**
  - 1. **The sign shall be equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with ambient light conditions and the sign owner shall ensure appropriate functioning of the dimming technology for the life of the sign.**
  - 2. **The luminance of the sign shall not exceed five thousand (5000) candelas per square meter between sunrise and sunset, and five hundred (500) candelas per square meter between sunset and sunrise.**
- ~~DE. \_\_\_\_\_~~ 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 sign permit or annual pre-approved sign procedures of this Code. **or the architectural design of a building makes the slope of the roof below the peak a practicable location of signs on a building and the general location of signs on the roof is approved by the DRB during Stage II Approval, as applicable, and Site Design Review.**
- E. ~~Other Prohibitions: Additional to the signs listed above, the following are prohibited:~~
- +F. Signs obstructing vision clearance areas.
- 2G. Pennants, streamers, festoon lights, **balloons**, and other similar devices intended to be moved by the wind, unless specifically authorized in an approved sign permit.
- 3H. Signs attached to trees, **public sign posts**, or public utility poles, other than those placed by appropriate government agencies or public utilities.

4I. 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 such as Digital Changeable Copy Signs. This is not intended to prohibit the use of neon or LED's as a source of illumination.

5J. Signs that use flame as a source of light or that emit smoke or odors.

6K. 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.

7L. 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.

8M. ~~\_\_\_\_\_~~ 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.

9N. Signs located on public property in violation of subsection Section 4.156 ~~(.10) or (.11)~~, 10 below.

10O. Signs placed on private property without the property owner's permission.

11P. Signs erected or installed in violation of standards prescribed by the City of Wilsonville, State of Oregon or the U.S. government.

12Q. Signs associated with temporary events, after the temporary event is completed.

**R. Any private signs, including window signs, with a luminance greater than five thousand (5000) candelas per square meter between sunrise and sunset and five hundred (500) candelas per square meter between sunset and sunrise.**

**S. Video Signs**

~~(.06) Sign Area. The total square footage of signage per lot shall be regulated by Sign Table 6, 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.~~

9. That Wilsonville code section 4.156 Sign Regulations, subsection (.06) Sign Area, be deleted in its entirety.

10. That Wilsonville code section 4.156 Sign Regulations, subsection (.07) Sign Permit Requirements In Residential Zones, be renumbered as retitled as section 4.156.07 Sign Regulations In Residential Zones, and amended as follows:

**Section 4.156.07 Sign Regulations In Residential Zones.**

~~(.07) Sign Permit Requirements In Residential Zones. Notwithstanding the provisions of Sign Table 6, 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:~~

- ~~A. 1. Surface area shall not exceed three (3) square feet and sign shall not be artificially illuminated.~~
- ~~B. 2. The sign shall be located inside the dwelling or located flat against the dwelling.~~
- ~~C. 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 4.156(.10)(A.) (4.) through the Administrative Review process of Sections 4.030 and 4.035. 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 4.022. 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 corresponding with the opening of a new business or housing development may be permitted, subject to the Class I Administrative Review provisions of Section 4.030 and 4.035 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.~~

**(.01) E. Monument Ground Mounted Signs for Residential Developments.** One monument ground mounted sign, not exceeding eighteen (18) square feet in area and six (6) feet in height above ground, shall be permitted for each residential subdivision having fifty (50) or more lots or for any other residential multi-family development with fifty (50) or more dwelling units.

**1. Additional ground mounted signs of eighteen (18) square feet or less shall be permitted for additional entrances to the subdivision or development located on a separate street frontage or on the same street frontage located at least two hundred (200) feet apart.**

**2. For one entrance on a street frontage, an additional ground mounted sign may be placed on opposite side of the street or private drive at the intersection.**

**(.02) Ground Mounted Signs for Outdoor Recreational Areas on Separate Lots: Public or private Parks or other similar outdoor recreational areas on separate lots than dwelling units are allowed one (1) ground mounted sign of eighteen (18) square feet or less in area and six (6) square feet or less in height above ground.**

**(.03) Non-Residential Uses: Uses, other than residential and outdoor recreation, shall be subject to the sign regulations for PDC, PDI, and Public Facility zones.**

11. That Wilsonville code section 4.156 Sign Regulations, subsection (.08) Sign Permit Requirements In PDC and PDI Zones, be renumbered and retitled as section 4.156.08 Sign Regulations in the PDC, PDI, and PF Zones, and amended as follows:

**Section 4.156.08 Sign Regulations in the PDC, PDI, and PF Zones.**

~~(.08) Sign Permit Requirements In PDC And PDI Zones. In implementing the permanent sign footage per lot allowed by the provisions of Sign Table 6, the following standards and conditions shall apply to all signs in PDC and PDI zones, other than the Town Center area:~~

**(.01) Freestanding and Ground Mounted Signs**

**A.** One freestanding or ground mounted sign is allowed for the first two-hundred (200) linear feet of site frontage. One additional freestanding or ground mounted sign may be added for through and corner lots having at least two-hundred (200) feet of frontage on one street or right-of-way and one-hundred (100) feet on the other street or right-of-way.

**B.** The maximum allowed height above ground of a freestanding or ground mounted sign shall be twenty (20) feet except as noted in 1.-2. below. If there is a building on the site, the maximum height shall be twenty (20) feet above the average grade of the building footprint.

**a.** The maximum allowed height above ground for signs along the frontage of Interstate 5, and parallel contiguous portions of streets, as identified in Figure 4.156.08-1, associated with multiple tenants or businesses may be increased by three (3) feet for each tenant space of ten thousand (10,000) square feet or more of gross floor area up to a maximum of thirty-five (35) feet.

**b.** The allowed height above ground for signs in the PDC-TC Zone, Old Town Overlay Zone, and PDI Zone is eight (8) feet, except those signs along the frontage of Interstate 5 and parallel contiguous portions of streets noted in 1 above.

**C.** The maximum allowed area for each freestanding or ground-mounted sign is determined based on gross floor area and number of tenant spaces:

**1.** For frontages along streets other than those indicated in 2. below sign area allowed is calculated as follows:

**a.** The sign area allowed for signs pertaining to a single tenant:

<u>Gross Floor Area in a Single Building</u>	<u>Maximum Allowed Sign Area</u>
<u>Less than 11,000 sf</u>	<u>32 sf</u>
<u>11,000-25,999 sf</u>	<u>32 sf + 2 sf per 1000 sf of floor area greater than 10,000 rounded down to the nearest 1,000 sf</u>
<u>26,000 sf or more</u>	<u>64 sf</u>

**i.** For PF (Public Facility) zoned properties adjacent to residential zoned land the maximum allowed area is thirty-two (32) square feet.

**b.** The maximum allowed sign area for signs pertaining to multiple tenants or businesses is thirty-two (32) square feet plus the following for each tenant space:

<u>Gross Floor Area of Tenant Space</u>	<u>Additional Allowed Sign Area for Tenant Space</u>
<u>Less than 1,000 sf</u>	<u>3 sf</u>
<u>1,000-10,999</u>	<u>3 sf + 3 sf per 1,000 sf of floor area rounded down to the nearest 1,000 sf</u>
<u>11,000 sf or more</u>	<u>32 sf</u>

**i.** The total sign area shall not exceed two hundred (200) square feet, except in the PDC-TC Zone, Old Town Overlay Zone, and PDI Zone the total sign area shall not exceed eighty (80) square feet.



- ii. Though the maximum allowed sign area is calculated based on number of tenant spaces and their size, the content of the sign and area used for different content is at the discretion of the sign owner, except for required addressing.
- 2. Signs fronting Interstate 5 and parallel contiguous street sections, as identified in Figure 4.156.08-1 on pages to :
  - a. For signs on properties or within developments with a single tenant or business the sign area allowed is sixty-four (64) square feet.
  - b. For signs on properties or within developments with multiple tenants or businesses the maximum allowed area is sixty-four (64) square feet plus an additional thirty-two (32) square feet for each tenant space of 10,000 square feet or more of gross floor area up to a maximum total sign area of three hundred (300) square feet.
    - i. Though the sign area allowed is calculated based on number of large tenant spaces, the content of the sign and area used for different content is at the discretion of the sign owner, except for any required addressing.
- C.D. 3. Pole or sign support placement shall be installed in a full vertical position (see Figure 16: Sign Position).
- E. 4. Freestanding and ground mounted signs shall not extend into or above public rights-of-way, parking areas, or vehicle maneuvering areas.
- F. The location of free standing or ground mounted signs located adjacent to or near the Public Right-of-Way shall be in compliance with the City's Public Works Standards for sight distance clearance. Prior to construction, the location of the sign shall be approved by the City of Wilsonville Engineering Division.
- G. Freestanding and ground mounted signs shall be designed to match or complement the architectural design of buildings on the site.
- H. For freestanding and ground mounted signs greater than eight (8) feet in height, the width of the sign shall not exceed the height.
- I. Along street frontages in the PDC-TC Zone and Old Town Overlay Zone monument style signs are required.
- J. Freestanding and ground mounted signs shall be no further than fifteen (15) feet from the property line and no closer than two (2) feet from a sidewalk or other hard surface in the public right-of-way.
- K. Except for those signs fronting Interstate 5, freestanding and ground mounted signs shall include the address number of associated buildings unless otherwise approved in writing by the City and the Fire District.
- L. When a sign is designed based on the number of planned tenant spaces it shall remain a legal, conforming sign regardless of the change in the number of tenants or configuration of tenant spaces.
  - 5. Street side setbacks for freestanding signs may be reduced to ten (10) feet without requiring a waiver or variance.

(.02) B. Signs on Buildings

- A. Sign Eligible Facades: Building signs are allowed on a facade of a tenant space or single tenant building when one or more of the following criteria are met:**
- 1. The facade has one or more entrances open to the general public;**
  - 2. The facade faces a lot line with frontage on a street or private drive with a cross section similar to a public street, and no other buildings on the same lot obstruct the view of the building facade from the street or private drive; or**
  - 3. The facade is adjacent to the primary parking area for the building or tenant.**

**B. Sign Area Allowed:**

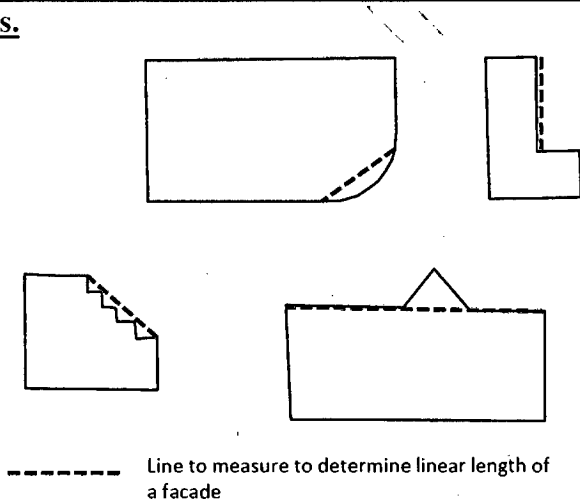
- 1. The sign area allowed for all building signs on a sign eligible facade is shown in the table below:**

<u>Linear Length of Façade (feet)</u>	<u>Sign Area Allowed*</u>
<u>Less than 16</u>	<u>Area equal to linear length</u>
<u>16 to 24</u>	<u>24 sf</u>
<u>Greater than 24 to 32</u>	<u>32 sf</u>
<u>Greater than 32 to 36</u>	<u>Area equal to linear length</u>
<u>Greater than 36 to 72</u>	<u>36 sf</u>
<u>Greater than 72</u>	<u>36 sf plus 12 sf for each 24 linear feet or portion thereof greater than 72 up to a maximum of 200 sf</u>

**\*Except as noted in 2. through 5. below**

- 2. The sign area allowed for facades with a primary public entrance or with a frontage along a public street dominated by windows or glazing may be increased by transferring to the facade up to one half (1/2) the sign area allowed for adjacent facades up to fifty (50) square feet. In no case shall the allowed sign area exceed an area equal to the linear length of the facade.**
- 3. The sign area allowed is increased as follows for signs at separate building entrances:**
  - a. For building entrances open to the general public located at least fifty (50) feet apart on the same facade, the sign area allowed is increased by fifty (50) percent up to fifty (50) square feet.**
  - b. For building entrances located less than fifty (50) feet apart on the same facades, the sign area allowed is increased by twenty (20) percent up to twenty (20) square feet.**
- 4. For businesses occupying multiple buildings in a campus setting, sign area shall be limited to that allowed for the largest building, which may then be distributed throughout the campus.**
- 5. If a facade otherwise not sign eligible faces a lot line with frontage on Interstate 5, the applicant can transfer sign area allowed from one (1) of the locations described in a. and b. below. In no case shall the allowed sign area exceed an area equal to the allowed sign area for a sign eligible facade of the same linear length.**

- a. The freestanding sign along the Interstate 5 frontage. This generally involves placing building signs on the subject façade in lieu of installing a freestanding sign.
  - b. Adjacent façade up to fifty (50) square feet, when a majority of the adjacent façade from which the sign area is being transferred is visible from Interstate 5.
6. Calculating linear length of a façade for the purpose of determining maximum sign area allowed. For facades of a single tenant building the length the facade measured at the building line, except as noted in a. and b. below. For multi-tenant buildings the width of the facade of the tenant space shall be measured from the centerline of the party walls or the outer extent of the exterior wall at the building line, as applicable, except as noted in a. and b. below. Applicants shall provide the dimensions needed to calculate the length. Each tenant space or single occupant building shall not be considered to have more than five (5) total facades.
- a. If a façade is curvilinear, stepped, or otherwise not a straight line, the façade shall be measured by drawing a straight line between the edges of the façade as shown in the figure below.
  - b. For an "L" shaped tenant space or single tenant building the longest leg of the interior of the "L" shall be basis for measuring the length of the L-shaped facade. Sign area allowed based on longest leg can be distributed between legs.



~~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.~~

~~a. 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~~

~~B. e. — 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. **The length of individual tenant signs shall not exceed seventy-five (75) percent of the length of the facade of the tenant space.**~~

~~C. **The height of building signs shall be within a definable sign band, fascia, or architectural feature and allow a definable space between the sign and the top and bottom of the sign band, fascia, or architectural feature.**~~

~~D. 2.—Types of signs permitted on buildings include wall flat, fascia, projecting, **blade,** marquee and awning signs. Roof-top signs are prohibited.~~

~~D.—~~

~~(.03) C.—Additional signs. Notwithstanding the sign-footage allowed based on the site and building frontages as shown in Table 6 **in (.01) and (.02) above,** the following signs may be permitted, subject to standards and conditions in this Section **Code:**~~

~~A. 4.—**Directional signs:** **In addition to exempt directional signs allowed under Subsection 4.156.05 (.02) C. freestanding or ground mounted directional signs six (6) square feet or less in area and four (4) feet or less in height:**~~

~~1. **The signs shall be designed to match or complement the architectural design of buildings on the site;**~~

~~2. **The signs shall only be placed at the intersection of internal circulation drives; and**~~

~~3. **No more than one (1) sign shall be placed per intersection corner with no more than two (2) signs per intersection.**~~

~~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 special event signs to be located on site, off site, or within City rights of way, excluding those areas listed in subsection 4.156(.10)(A.)(4.) through the Administrative Review process of Sections 4.030 and 4.035. 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 subsection 4.156(.07), 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 Sections 4.030 and 4.035. Inflatable signs shall be permitted for a maximum of fifteen (15) days of display use in any calendar year.~~

~~A. 4.—District or Planned Development signs — **up to thirty (32) square feet of the allowed sign area for freestanding signs in a planned development may be used for a separate one (1) on-site monument sign; or one (1) off-site monument sign on**~~

an adjacent parcel identifying that ~~the~~ Planned Development project, may be permitted, subject to the following standards and conditions:

**B.** ~~a.~~ The sign may be double faced, shall not exceed thirty two (32) square feet per face, and may be located within ten (10) feet of a street right of way without requiring a waiver or variance.

1. ~~b.~~ The sign shall pertain only to identification of its subject development.

2. ~~c.~~ Sign graphics may be changeable so as to indicate vacancies and occupancy changes.

**C.** ~~d.~~ The sign shall be reviewed by the Development Review Board in conjunction with the overall Planned Development.

**Blade Signs: To aid in pedestrian wayfinding, one (1) blade sign, not to exceed six (6) square feet, per facade eligible for building signs. Blade signs shall provide a minimum of eight (8) feet clearance from the ground.**

**C.D.** ~~e.~~ Fuel or Service Station Price Signs. ~~Two (2)~~ **In addition to the freestanding or ground mounted signs allowed, changeable copy signs** shall be allowed for the purpose of advertising fuel prices, subject to the following standards and conditions:

1. ~~a.~~ The signs shall have a maximum of ~~six~~ **eleven (11)** square feet in area per face **per type of fuel sold** and shall be permanently affixed to the building or a freestanding sign.

2. ~~b.~~ The signs shall not be considered in calculating the ~~maximum~~ **sign** area or number of signs permitted at the location **allowed**.

3. ~~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 corresponding to a special event or opening may be permitted, subject to the Administrative Review provisions of Section 4.030 and 4.035, and the following standards and conditions:~~

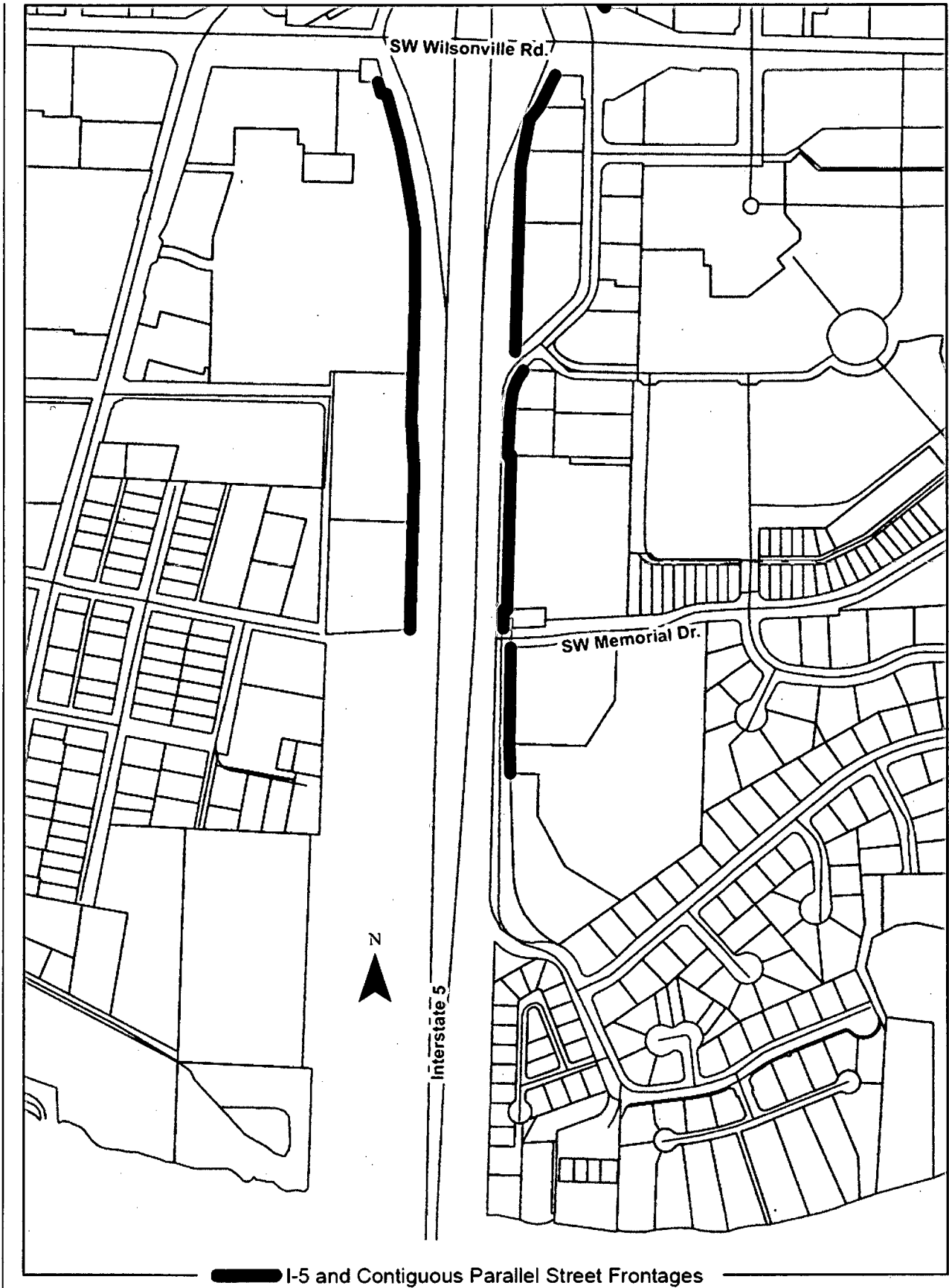
~~a. One (1) such banner shall be allowed either from the date of issuance of Building Permits until four (4) weeks after issuance of Certificates of Occupancy, or if no Building Permit is issued, for four (4) weeks after occupancy of a new business.~~

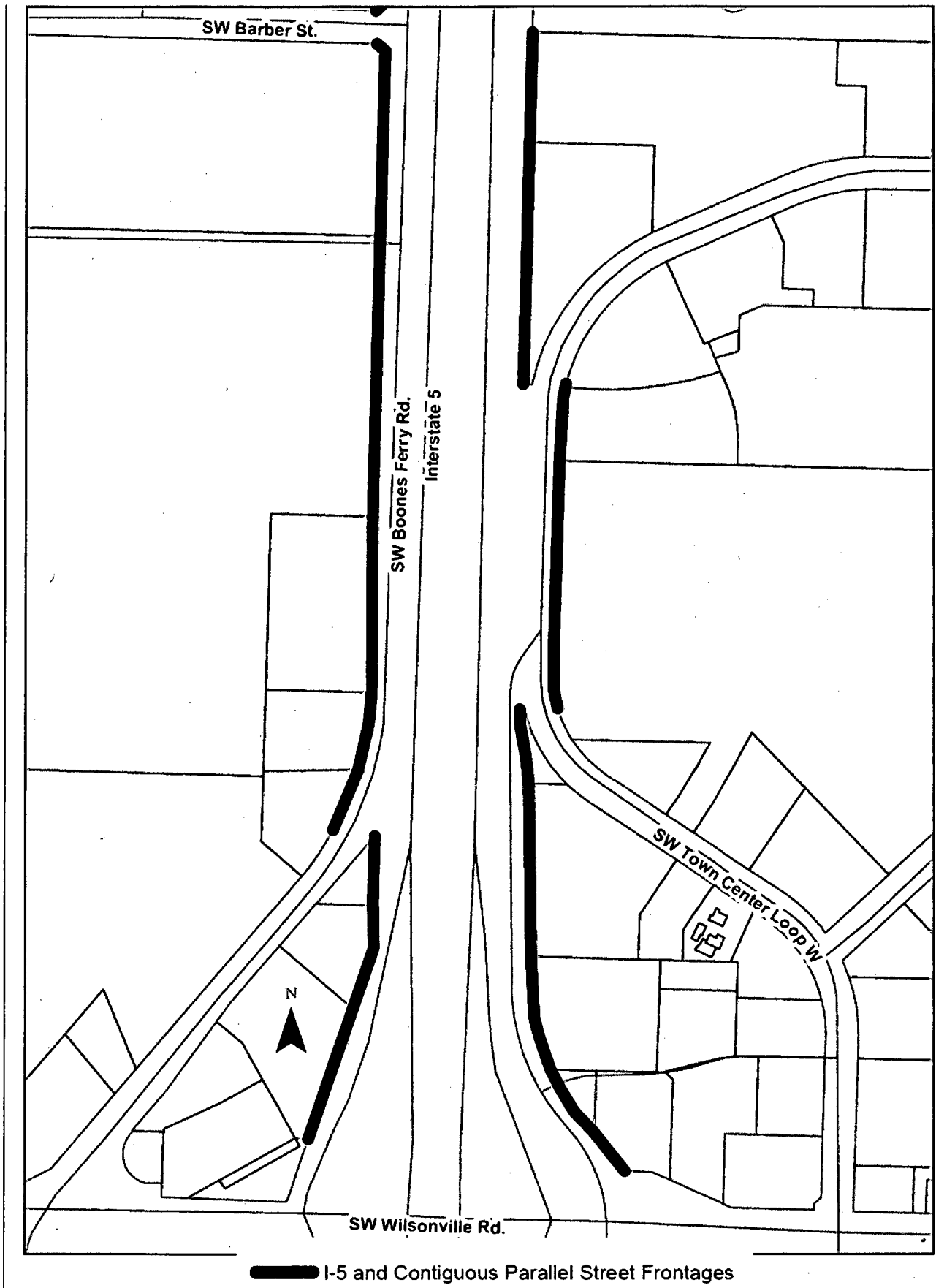
~~b. Such banner may be two sided but shall not exceed thirty two (32) square feet per face.~~

Figure 4.156.08-1

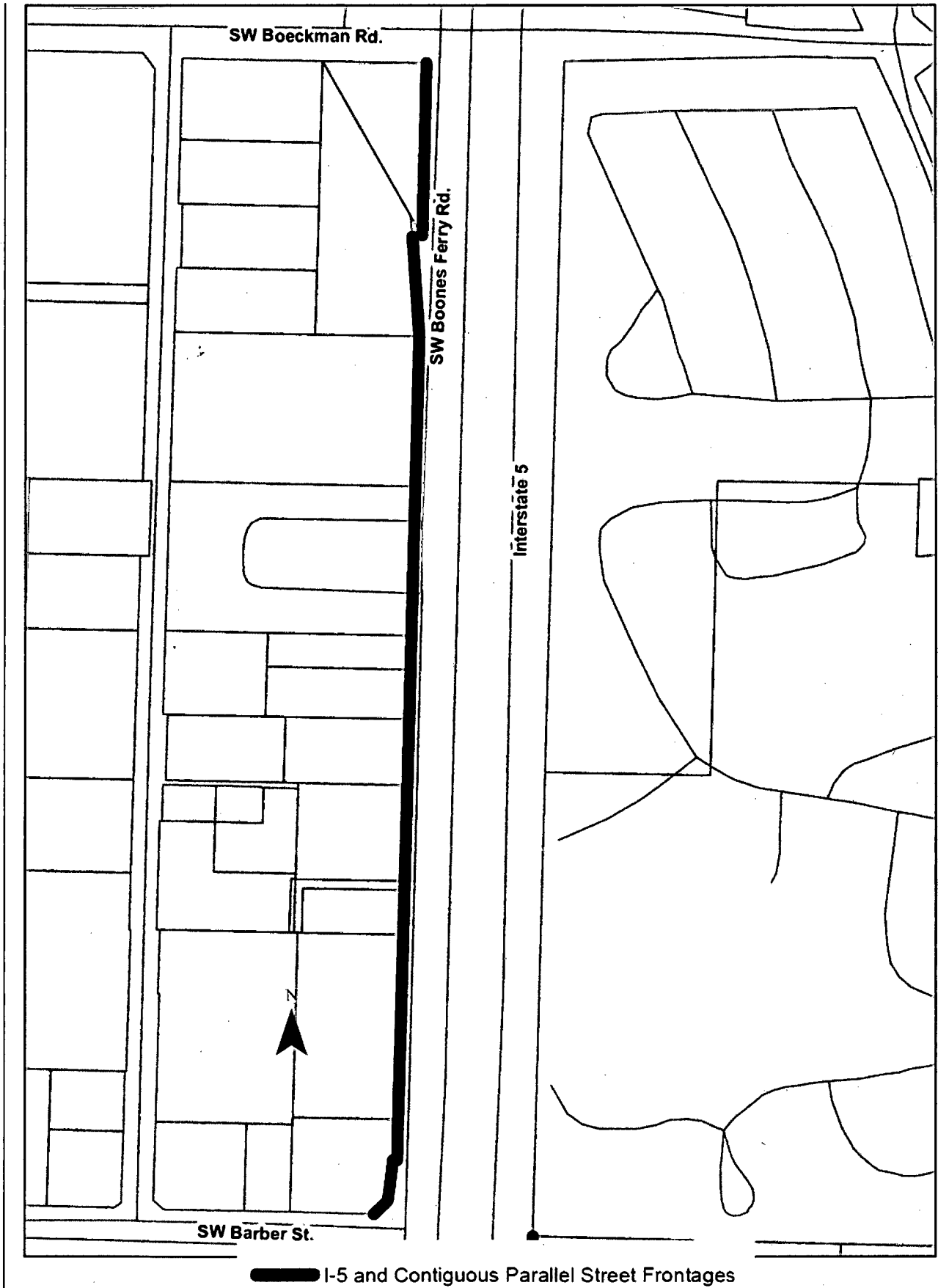
Interstate 5 and Contiguous Parallel Street Frontage

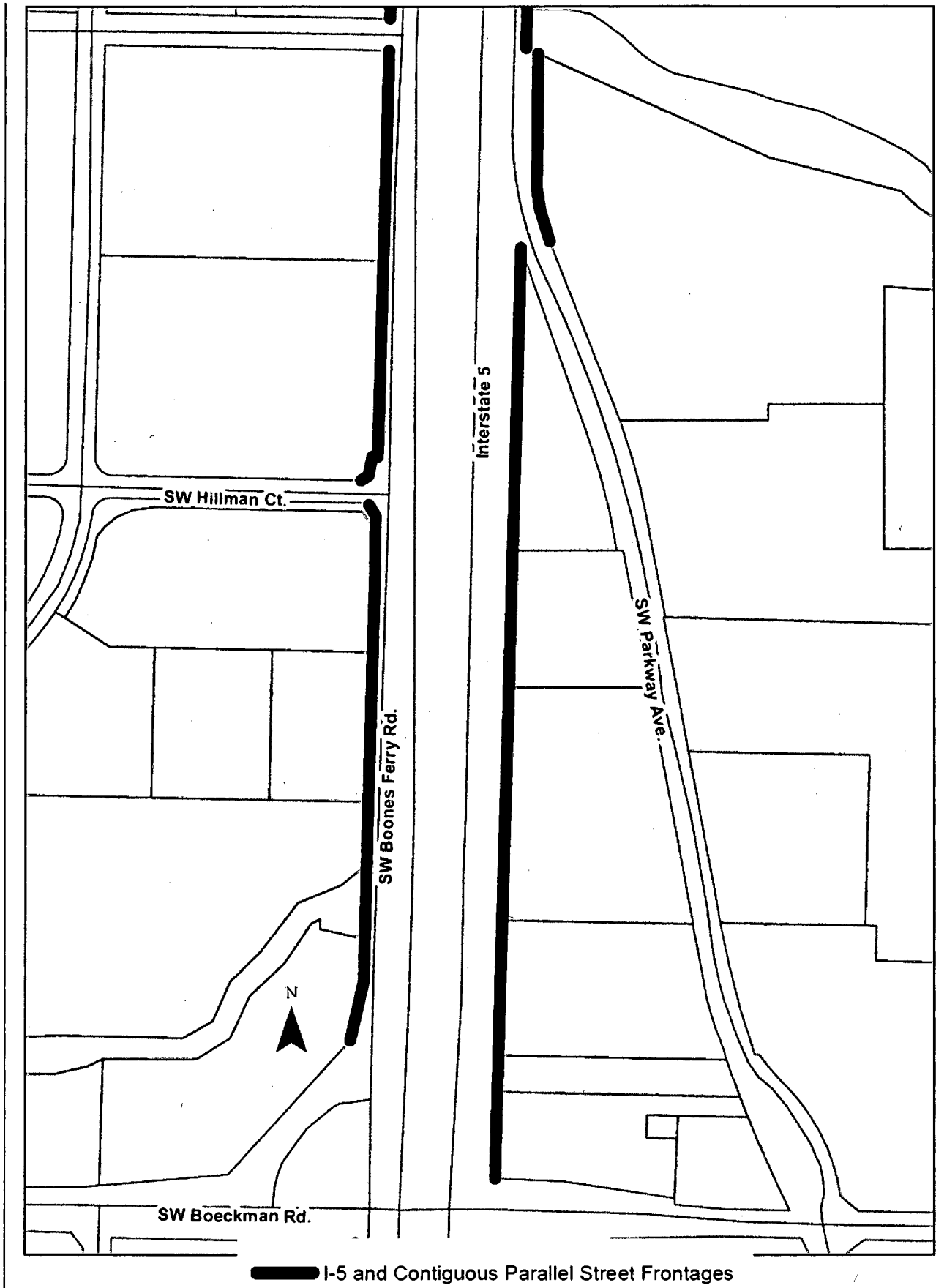


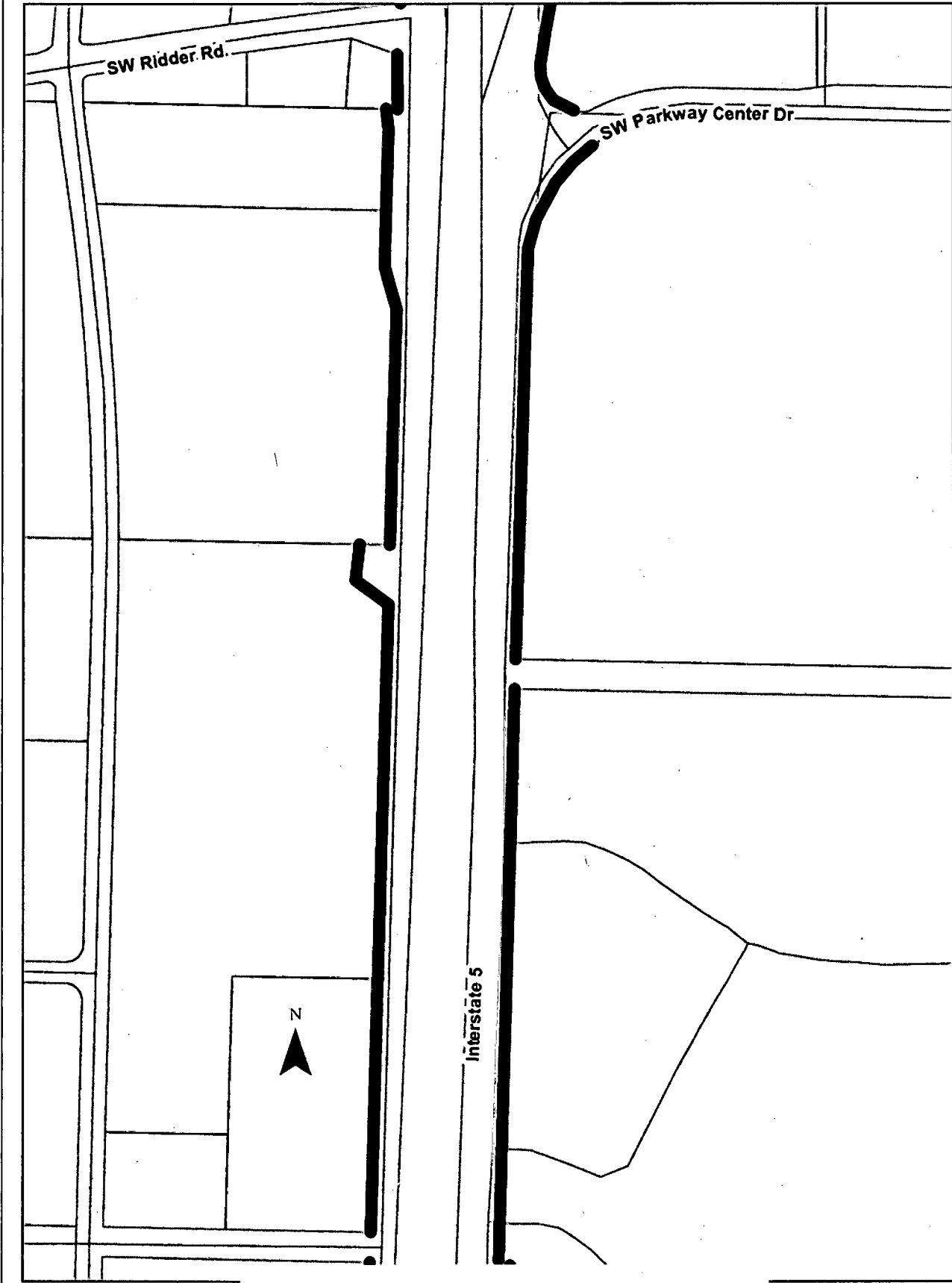




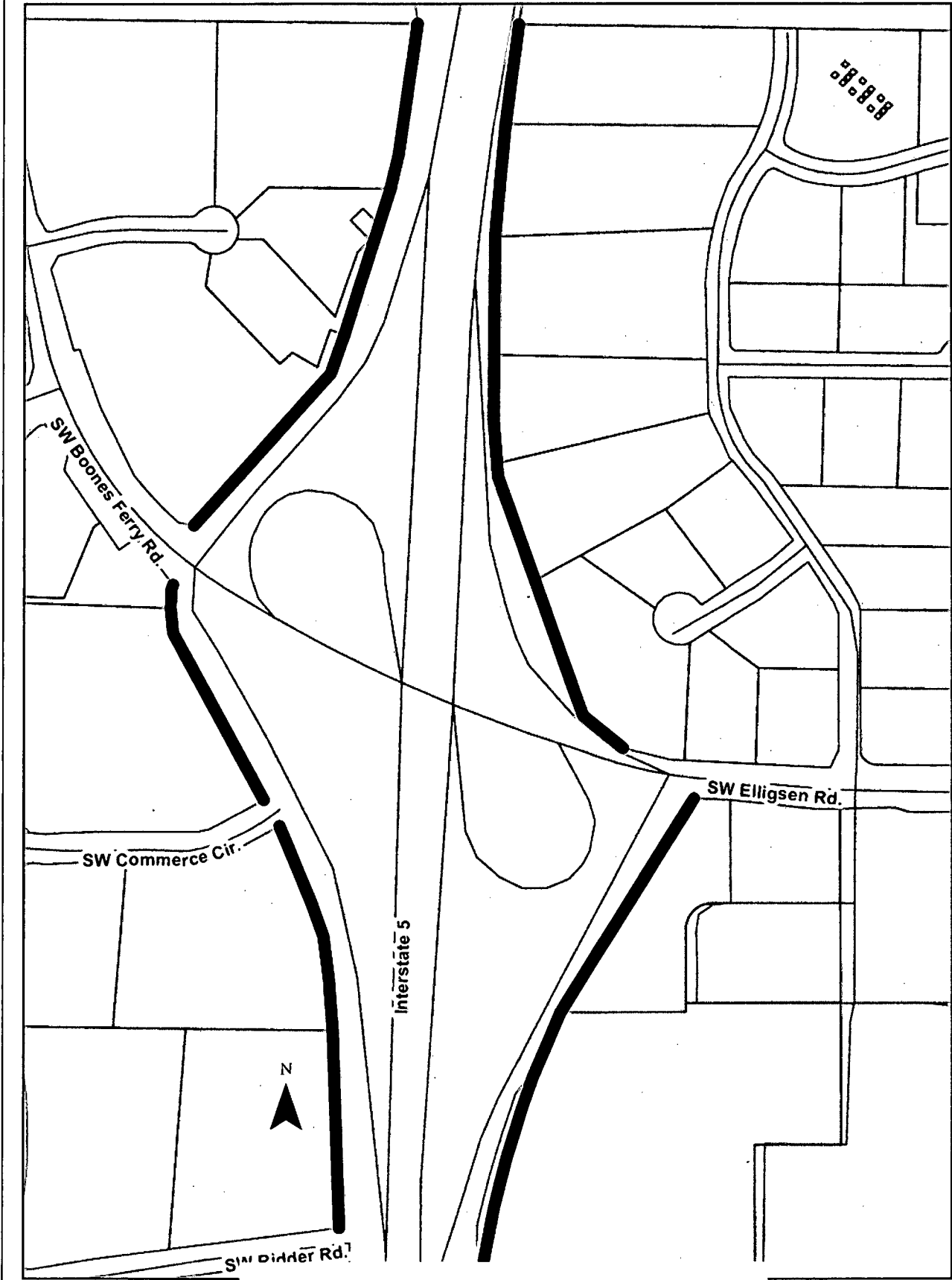








— I-5 and Contiguous Parallel Street Frontages



— I-5 and Contiguous Parallel Street Frontages

12. That Wilsonville code section 4.156 Sign Regulations, subsection (.09) Sign Permit Requirements In The Town Center Area Of The Planned Development Commercial Zone, be deleted in its entirety.

13. That a new section 4.156.09 Temporary Signs In All Zones, be added to the Wilsonville Code as follows consolidating and updating current temporary sign regulation language:

**Section 4.156.09 Temporary Signs In All Zones.**

**The following temporary signs may be permitted in addition to the permanent signs allowed in different zones and exempt temporary signs unless specifically prohibited in a master sign plan or other sign approval:**

- (.01) General Allowance: Except as noted in subsection (.02) below up to two (2) temporary signs not exceeding a combined total of twenty four (24) square feet may be permitted per lot or non-residential tenant. Such signs may be banners, rigid signs, lawn signs, portable signs, or other signs of similar construction.**
- (.02) Opening banner for a new business or housing development: A banner corresponding with the opening of a new business or housing development may be permitted, subject to the following standards and conditions:**
- A. 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.**
- A.B. Such banner may be two-sided but shall not exceed thirty-two (32) square feet per face.**
- C. Such signs shall not be permitted at the same time as general allowance signs in (.01) above.**
- (.03) Annual Event Signs: Up to ten (10) lawn signs may be permitted to be located in the public right-of-way for up to fourteen (14) days if all of the following are met:**
- A. Signs will not be located in the areas listed in Subsection 4.156.10 (.01) A. 4.**
- B. The applicant or event has not been issued a permit for and placed signs in the public right-of-way in the previous six (6) months;**
- C. Not more than one (1) other permit has been issued for lawn signs in the right-of-way during the time period the applicant is requesting;**
- D. The event to which the signs pertain is expected to attract two hundred fifty (250) or more people;**
- E. The request is not in addition to exempt lawn signs for large special events allowed for in Section 6.150; and**
- F. The applicant has indicated on a map the exact locations the signs will be placed and has submitted an application along with the required fee.**
- (.04) Inflatable Signs: Inflatable signs may be permitted for a maximum of fifteen (15) days of display use in any calendar year subject to the following standards and conditions:**
- A. Does not exceed ten (10) feet in overall height; and**

**B. If attached to a building in any manner, it meets applicable building code requirements including consideration of wind loads.**

14. That Wilsonville code section 4.156 Sign Regulations, subsections (.10) Signs on City Property and (.11) Signs Within ODOT Right-Of-Way, be renumbered and retitled as section 4.156.10 Signs on City Property and ODOT Right-Of-Way, and amended as follows:

**Section 4.156.10 Signs on City and ODOT Right-Of-Way.**

~~(.10.01)~~ Signs On City Property. For the purposes of this subsection, City property is defined as physical sites, City rights-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, Beones Ferry Park, the Burlington Northern park site, Town Center Park, Tranquil Park, Wilsonville Memorial Park, the Boozier property, the parks Montebello and open space on Wilsonville Road, Fox Chase Park, Transit and Fleet Building, SMART Central, and the City's reservoir, pump station, or treatment plant properties.

- A. Allowed Signs. The following 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.
  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. This shall include signs authorized to conform with the State's Tourism Information program and any similar local government 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. Lawn signs may be placed, subject to the standards in subsection 4.156.10 ~~(.010)(A.)(5.)~~, below, on City rights-of-way and rights-of-way over which the City has jurisdiction except 1) those rights-of-way adjoining City properties defined in subsection 4.156.10 ~~(.010)~~ above, and 2) in the following locations where the placement of signs could damage City-landscaping or interfere with the City's maintenance of the rights-of-way:
    - a. In any median or landscaped strip inside the City limits as identified below in Sections 4.156.10 ~~(.010)(A.)(4.)(b.)~~ through ~~(ep.)~~
    - 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.~~
  - ~~m. Either side of Boeckman Road and all islands, from the railroad tracks west to 110<sup>th</sup>.~~
  - ~~mm. Either side of 110<sup>th</sup> between Barber Street and Boeckman Road.~~
  - ~~nn. The eastern side of Grahams Ferry Road from Tooze Road to the City limits.~~
  - ~~oo. Either side of Barber Street between 110<sup>th</sup> and Brown Road, including islands and roundabouts.~~
  - ~~pp. Such other areas as the City may designate as requiring protection from landscape damage.~~
5. Lawn signs shall meet the following standards and conditions:
- a. Allowed only between the hours of 6 a.m. Friday and 8 p.m. Sunday, and the hours of 9 a.m. and 4 p.m. Tuesdays;
  - b. Not greater than thirty (30) inches in height. A-frame signs may be 24" by 36" provided that they are designed to meet vision clearance requirements (typically not over 30 inches in height when standing);
  - b. Not placed on street surfaces, sidewalks, paths, median strips, or bicycle ways;
  - c. Located within forty (40) feet of an intersection;
  - d. No more than three (3) signs per person; and
  - e. Placed no more than one every fifty (50) feet and at least ten (10) feet away from any other temporary sign.

~~(.102)~~ 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.

15. That Wilsonville code section 4.156 Sign Regulations, subsection (.12) Enforcement, be renumbered and retitled as section 4.156.11 Sign Enforcement.



263. 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, mural, 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. The scope of the term "sign" does not depend on the content of the message or image conveyed. A sign does not include architectural or landscape features that may attract attention but do not convey a message or image considered speech, or trademark, protected under federal or state law.
- A. Addressing Signs: Signs indicating, at a minimum, the numerical address of the building.
  - B. Baseline: The invisible line on which text or other characters sit, the bottom extent of the cap height of a typeface.
  - C. Bowl: In a font or typeface, an open or closed circular line that creates an interior space, such as in the letters "d" and "c."
  - D. Cap Height: In a font or typeface, the distance from the baseline to the top of uppercase letters like "H" and "J."
  - E. Changing image sign. Any sign which, through the use of moving structural elements, flashing or sequential lights, lighting elements, prisms, or other method, results in movement, the appearance of movement, or change of sign image or text except changeable copy signs defined below.
  - F. Changeable copy sign. Any sign, digital or manual, which is designed to have the copy changed routinely and where the frequency of copy change does not exceed once every fifteen (15) minutes, except in emergency situations as requested by the City Manager or designee.
  - G. Descender: In a font or typeface, the part of a letter extending below the baseline including lower portion of the lowercase letters "g," "j," "p," "q," and "y."
  - H. Directional signs: Signs on private property that provide directions for the traveling public and are deemed necessary for the safe traverse of the public.
  - I. 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.
  - J. 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.
  - K. Ground-mounted Sign: A non-temporary 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.

- L. 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.
- M. 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.
- N. 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 a part of the structures.
- O. Lawn Sign. A temporary freestanding sign commonly made of corrugated plastic, greyboard, or similar type of material, constructed and maintained to prevent being moved or heavily damaged by typical exposure to natural elements. Lawn signs in the rights-of-way under W.C. 4.156.11 may be constructed to be portable.
- P. Marquee Sign: A canopy or covering structure bearing a signboard or graphics projecting from, and attached to, a building.
- Q. Permanent Sign: Any sign that does not meet the definition of a temporary sign, below.
- R. 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. These signs include, but are not limited to movable A-frame signs, sandwich board signs, signs on vehicles or trailers, and signs attached to wood or metal frames designed to be self-supporting and movable, including trailer reader boards.
- S. 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.
  - 1. Blade Sign: A sign hanging, perpendicular to a building façade, from a canopy, building projection, or mounting bracket intended to aid pedestrians in wayfinding.
- T. Rigid Sign: A temporary freestanding sign designed and constructed with materials of a grade and quality to withstand strong winds, rains, and harsh weather conditions, and maintained as a potentially year-long temporary sign to ensure that degradation or weathering does not present aesthetic and public safety concerns and the sign retains substantially the same quality throughout the year. Such signs may not be constructed of cardboard, poster board, or other similar lightweight paper products.
- U. Roof Sign: A sign located on or above the roof of any building, not including a false mansard roof, canopy or other fascia.
- V. 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.
- W. Serif: In fonts and typefaces, the extra stroke at the end of a letter or character.
- X. Shoulder: In fonts and typefaces, the curve at the beginning of a leg of a character such as the upper curved portion of the lowercase letters "m" and "n."

- Y. Sign Area: The display surface or face of the sign calculated as prescribed in Section 4.156.04
  - Z. Temporary Sign: A sign not permanently affixed to a building, structure, or the ground, intended to be displayed for a limited period of time.
  - AA. Video Sign: Moving visual messages projected on any surface.
  - BB. 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.
  - CC. Wayfinding Sign: The term way finding sign has two different contextual meanings. First, it is used as a general description of one of the basic purposes or functions of signs, which is to assist in directing the general public to specific destinations within the community, so that they find their way. In this context almost all signs provide some degree of way finding information. Second, the term is used to describe a specific type of sign, such as local directional signs and district wayfinding signs, that provides specific identity and/or direction to particular businesses, facilities, or places of interest, such as parks, tourist attractions, public buildings, schools, special districts, or other locations to which the public commonly asks for directions.
264. Site Area, Net: The area of a development site, excepting all areas in streets or private drives, driveways, and parking spaces.

## **Section 4.030 Jurisdiction and Powers of Planning Director and Community**

### **Development Director**

- (.01) Authority of Planning Director. The Planning Director shall have authority over the daily administration and enforcement of the provisions of this Chapter, including dealing with non-discretionary matters, and shall have specific authority as follows:
  - A. A Class I application shall be processed as a ministerial action without public hearing, shall not require public notice, and shall not be subject to appeal or call-up, except as noted below. Pursuant to Class I procedures set forth in Section 4.035, and upon finding that a proposal is consistent with the provisions of this Code and any applicable Conditions of Approval, shall approve the following, with or without conditions:
    - 1. Minor site clearing and grading, prior to the approval of a Site Development Plan, provided that:
      - a. no clearing or grading occurs within the Significant Resource Overlay Zone. Clearing or grading in the Significant Resource Overlay Zone shall require, at a minimum, approval of a Class II permit through the procedures specified below;
      - b. no clearing or grading occurs within twenty-five (25) feet of an area that has been identified by the City as a wetland;
      - c. not more than three (3) trees are proposed to be removed;
      - d. no fill or removal is proposed;

- e. adequate measures are utilized to control erosion and runoff from the site and that the applicant will submit a final Site Development application within seven (7) days of submitting the minor site grading application. All grading activities require compliance with the requirements of the applicable building code and City Public Works standards.
2. Class I Sign Permits, and Temporary Sign Permits for thirty (30) days or less.
3. Architectural, landscape, tree removal, grading and building plans that substantially conform to the plans approved by the Development Review Board and/or City Council. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters.
4. Building permits for single family or two-family dwellings, and in the Village zone, row houses or apartments, meeting zoning requirements and located on lots that have been legally created. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters. [Amended by Ord 557 adopted 9/5/03].
5. Lot line adjustments, where none of the lots increase in area by fifty percent (50%) or more, subject to the standards specified in Section 4.233.
6. A temporary use permit for not more than thirty (30) days, subject to the following standards:
  - a. the applicant has the written permission of the property owner to use the site;
  - b. the proposed use will not create an obstruction within a sight vision clearance area that would impair the vision of motorists entering onto or passing by the property;
  - c. adequate parking is provided;
  - d. signs shall meet the standards of Section 4.156.09. A maximum of two signs, not exceeding a combined total of 24 square feet, are allowed; and
  - e. the proposed use has the approval of the Fire Marshal.
7. Determination that an existing use or structure is a non-conforming use or non-conforming structure, as defined in this Code. Except, however, that the Planning Director may, in cases where there is any uncertainty as to the history of the property, choose to process such determinations through the Class II procedures below.
8. Actions taken subject to Site Development Permits which have been approved by the appropriate decision-making body of the City.
9. Final plats for condominiums, subdivisions, or partitions that are substantially the same as tentative plats approved by the City and which are submitted for review and signature prior to recordation with the appropriate county.
10. Type A tree removal permits as provided in Section 4.600.
11. Determination, based upon consultation with the City Attorney, whether a given development application is quasi-judicial or legislative. Except,

however, that the Planning Director may, in cases where there is any uncertainty as to the nature of the application, choose to process such determinations through the Class II procedures below.

12. Expedited land divisions. Applications for expedited land divisions, as provided for in Section 4.232 of this Code and ORS Chapter 197 shall be processed without public hearing, and shall be subject to appeal through the special appeal procedures specified in Section 4.232.
  - a. Authority of Planning Director. The Planning Director shall have authority to review applications for expedited land divisions and to take action approving, approving with conditions, or denying such applications, based on findings of fact.
  - b. Tentative Plat Requirements for Expedited Land Divisions. Tentative plats and all other application requirements for expedited land divisions shall be the same as for other forms of land divisions, except as those requirements are specifically altered by the Oregon Revised Statutes.
  - c. Administrative Relief Not Available. In taking action on an application for an expedited land division, the Planning Director is not authorized to grant Variances or waivers from the requirements of the Code.
  - d. Residential Areas Only. As specified in ORS 197, expedited land divisions shall only be approved in areas zoned for residential use.
- B. A Class II application shall be processed as an administrative action, with or without a public hearing, shall require public notice, and shall be subject to appeal or call-up, as noted below. Pursuant to Class II procedures set forth in Section 4.035, the Director shall approve, approve with conditions, deny, or refer the application to the Development Review Board for a hearing:
  1. Minor alterations to existing buildings or site improvements of less than twenty-five percent (25%) of the previous floor area of a building, but not to exceed 1,250 square feet, or including the addition or removal of not more than ten (10) parking spaces. Minor modifications to approved Architectural and Site Development Plans may also be approved, subject to the same standards.
  2. Residential accessory buildings or structures with less than one hundred and twenty (120) square feet of floor area located within the Willamette River Greenway Boundary pursuant to Section 4.500 and subject to the flood plain development standards of Section 4.172. Approval of such accessory structures in the Greenway shall be based on all of the following findings of fact:
    - a. The building or structure is located so that the maximum amount of landscape area, open space and/or vegetation is provided between the river and the building;
    - b. Public access to the river is preserved or is provided in accordance with an approved and adopted plan; and

- c. That the change of use, intensification of use, or development will be directed away from the river to the greatest possible degree while allowing a reasonable use of the property.
4. Written interpretations of the text or maps of this Code, the Comprehensive Plan or sub-elements of the Comprehensive Plan, subject to appeal as provided in Section 4.022. The Planning Director may review and interpret the provisions and standards of Chapter 4 (Planning) of the Wilsonville Code upon receiving the required filing fee along with a specific written request. The Director shall publish and mail notice to affected parties and shall inform the Planning Commission and City Attorney prior to making a final written decision. The Director's letter and notice of decision shall be provided to the applicant, the Planning Commission, the City Council, and City Attorney and the notice shall clearly state that the decision may be appealed in accordance with Section 4.022 (Appeal Procedures). A log of such interpretations shall be kept in the office of the Planning Department for public review.
5. A permit to locate an accessory use on a lot adjacent to the site of the principal use.
6. Land partitions, other than expedited land divisions, pursuant to Section 4.210. Approval of land partitions shall be based on all of the following findings of fact:
  - a. The applicant has made a complete submittal of materials for the Director to review, as required in Section 4.210;
  - b. The proposed plan meets the requirements of the Code regarding minimum lot size and yard setbacks;
  - c. The approval will not impede or adversely affect the orderly development of any adjoining property or access thereto;
  - d. The public right-of-way bordering the lots or parcels will meet City standards;
  - e. Any required public dedications of land have been approved for acceptance by the City and will be recorded with the County prior to final plat approval;
  - f. Adequate easements are proposed where an existing utility line crosses or encroaches upon any other parcel to be created by the partition;
  - g. All public utilities and facilities are available or can be provided prior to the issuance of any development permit for any lot or parcel; and
  - h. Roads extended or created as a result of the land division will meet City standards.
7. Decisions on the following:
  - a. Lot line adjustments, where any of the lots increase by more than fifty percent (50%) in area, subject to the provisions of Section 4.233.
  - b. Temporary use and temporary sign permits for periods exceeding thirty (30) days. Temporary use and temporary sign permits may allow specific activities associated with the primary use or business located on the property for up to 120 days provided that:

- i. the property owners have given written permission;
  - ii. no structure, sign or any other object shall exceed 20 feet in height;
  - iii. adequate parking is provided in designated spaces;
  - iv. signs are limited to a maximum of two and shall not exceed a total combined area of 24 square feet;
  - v. electrical and building permits are obtained as required;
  - vi. undue traffic congestion will not result and, if traffic congestion is expected, a traffic control plan is submitted along with the application that identifies the traffic control procedures that will be used;
  - vii. the activity and/or use shall not unduly interfere with motorists driving on adjacent roads and streets, including I-5; and
  - viii. public notice has been provided and the comments of interested parties have been considered in the action that has been taken.
8. Solar access permits, as specified in Section 4.137.3.
  9. Class II Sign Permits.
- C. Other specific actions or duties delegated by Planning Commission or Development Review Board Resolution, or by order of the Council, setting forth the review procedure guided by clear and objective standards for administration.
- D. Administrative Relief: In issuing the permits in subsection "B," above, the Planning Director may grant limited relief in cases of hardship. The Director shall follow the Class II - Administrative Approval procedures to determine whether administrative relief shall be granted. If the Director receives a complete application, along with the required filing fee, and the request involves only the expansion or reduction by not more than 20 percent of one or more quantifiable provisions of yard, area, lot dimension, or parking requirements of the zone, the Director may approve the application, based upon findings of fact supported by evidence in the record. The Variance procedures and standards specified in Section 4.196 shall be used in determining whether administrative relief shall be granted.
- E. Emergency Situations: The Planning Director may review and approve any reasonable and necessary emergency measure, including the removal of trees and vegetation from the Willamette River Greenway, Significant Resource Overlay Zone and wetlands, necessary for the safety and/or protection of persons or property. The standard shall be that the least amount of activity or disruption is used to provide the necessary protection to the property or to avert damage to the property. The Director may require restoration of landscaping, vegetation or soil to repair any damage resulting from enacting emergency protection measures.

#### **Section 4.031 Authority of the Development Review Board**

- (.01) As specified in Chapter 2 of the Wilsonville Code and except as specified herein, the Board shall have authority to act on the following types of applications:

- A. Class II development applications referred to the Board by the Planning Director, as authorized in Section 4.030.
- B. Call-ups or appeals of staff decisions or interpretations involving quasi-judicial applications or procedures, as authorized in Sections 4.022 and 4.172.
- C. Review of tentative subdivision and condominium plats, as authorized in Section 4.210, other than those processed as expedited land divisions.
- D. Conditional Use Permits, as authorized in Section 4.184.
- E. Variances, as authorized in Section 4.196, other than those that are reviewed and acted upon by the Planning Director through Administrative Review processes.
- F. Initial review of quasi-judicial applications for zone changes, as authorized in Section 4.197.
- G. Initial review of quasi-judicial applications for amendments to one or maps in the Comprehensive Plan, as authorized in Section 4.198.
- H. Site design review, as authorized in Section 4.400.
- I. Review of Stage I and Stage II Planned Development applications.
- J. Acceptance, rejection, or modification of traffic studies prepared for projects or developments. A traffic study prepared by the City's consultant shall not be rejected or modified by the Board unless substantial evidence exists in the record to justify such action. If the Board rejects a traffic study prepared by the City's consultant, the fee paid by the applicant for that study shall be refunded.
- K. Initial review of requests for quasi-judicial annexations to the City of Wilsonville.
- L. Street vacations, where a specific development application has been filed for the subject property. If no specific development application has been filed for the subject property, the vacation request shall be considered by the Planning Commission. Action of the Planning Commission or Board on a street vacation request shall be a recommendation to the City Council.
- M. Class III Sign Permits, Master Sign Plans, and all sign permits and approvals not specifically authorized for administrative review or exempt from permitting requirements.

**Section 4.156.01 Sign Regulations Purpose and Objectives.**

- (.01) Purpose. The general purpose of the sign regulations are to provide one of the principal means of implementing the Wilsonville Comprehensive Plan by fostering an aesthetically pleasing, functional, and economically vital community, as well as promoting public health, safety, and well-being. The sign regulations strive to accomplish the above general purpose by meeting the needs of sign owners while maintaining consistency with the development and design standards elsewhere in Chapter 4. This code regulates the design, variety, number, size, location, and type of signs, as well as the processes required to permit various types of signs. Sign regulations have one or more of the following specific objectives:



- A. Well-designed and aesthetically pleasing signs sufficiently visible and comprehensible from streets and rights-of-way that abut a site as to aid in wayfinding, identification and provide other needed information.
- B. Sign design and placement that is compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district.
- C. A consistent and streamlined sign review process that maintains the quality of sign development and ensures due process.
- D. Consistent and equitable application and enforcement of sign regulations.
- E. All signs are designed, constructed, installed, and maintained so that public safety, particularly traffic safety, are not compromised.
- F. Sign regulations are content neutral.

**Section 4.156.02 Sign Review Process and General Requirements:**

- (.01) Permit Required: Unless exempt under Section 4.156.05, no sign, permanent or temporary, shall be displayed or installed in the City without first obtaining a sign permit.
- (.02) Sign Permits and Master Sign Plans: Many properties in the City have signs pre-approved through a Master Sign Plan. For the majority of applications where a Master Sign Plan has been approved the applicant need not consult the sign requirements for the zone, but rather the Master Sign Plan, copies of which are available from the Planning Division. Signs conforming to a Master Sign Plan require only a Class I Sign Permit.
- (.03) Classes of Sign Permits, Master Sign Plans, and Review Process: The City has three classes of sign permits for permanent signs: Class I, Class II, and Class III. In addition, non-residential developments with three or more tenants require a Master Sign Plan. Class I sign permits are reviewed through the Class I Administrative Review Process as outlined in Subsection 4.030 (.01) A., Class II sign permits are reviewed through the Class II Administrative Review Process as outlined in Subsection 4.030 (.01) B., Class III Sign Permits and Master Sign Plans are reviewed by the Development Review Board (DRB) as outlined in Section 4.031.
- (.04) Class I Sign Permit: Sign permit requests shall be processed as a Class I Sign Permit when the requested sign or signs conform to a Master Sign Plan or other previous sign approval. In addition, a Minor Adjustment to a Master Sign Plan or other previous sign approval may be approved in connection with a Class I Sign Permit.
  - A. Class I Sign Permit Submission Requirements: Application for a Class I Sign Permit shall include two (2) copies of the following along with all required application fees:
    - 1. Completed application form prescribed by the City and signed by the property owner or the property owner's representative,
    - 2. Sign drawings showing all materials, the sign area and dimensions used to calculate sign areas, and other details sufficient to judge the full scale of the associated sign or signs and related improvements,

3. Information showing how the proposed sign or signs conform with all applicable code requirements, Master Sign Plans, or other previous sign approvals for the property, and
  4. Information supporting any minor adjustment requests.
- B. Class I Sign Permit Review Criteria: The sign or signs conform with the applicable master sign plan or other previous sign approvals, and applicable code requirements.
- C. Minor Adjustments: Notwithstanding approved Master Sign Plans or other previous sign approvals, as part of a Class I Sign Permit minor adjustments of not more than ten (10) percent from the sign height (not height from ground) and/or length may be approved for the reasons listed in 1. through 4. below, unless otherwise specifically prohibited in the Master Sign Plan. Minor adjustments shall not cause the sign to cross the edge of any fascia, architectural element or area of a building facade identified as a sign band. The area of the sign exceeding the height or length as part of a minor adjustment shall not count against the sign area indicated in a Master Sign Plan or other previous sign approval. Minor Adjustments are valid only for the Sign Permit with which they are associated and do not carry over to future sign permits or copy changes.
1. To accommodate the descender on the lower case letters “q, y, p g, or j”, not otherwise accommodated by the measurement method used, where the letter matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter;
  2. To accommodate stylized fonts where bowls, shoulders, or serifs of the stylized letters extend beyond the cap height;
  3. To accommodate an arching or other non-straight baseline; or
  4. To accommodate a federally registered trademark logo where compliance with the defined maximum sign height would result in the cap height of the text in the logo being ninety (90) percent or less of the cap height for letters otherwise allowed. (i.e. if a Master Sign Plan allowed 24” letters and 24” total sign height, and a 24” logo would result in the cap height of the text within the logo being less than 21.6”, the total height of the logo could be increased to 26.4”)
- (.05) Class II Sign Permit: Sign permit requests for meeting one or more of the descriptions listed in A. through C. below shall be processed as a Class II Sign Permit when the request does not conform with a Master Sign Plan or other previous sign approval but meets the requirements of the applicable sign regulations, unless the request would modify a condition of approval specifically imposed by the DRB or City Council:
- A. Existing residential development;
  - B. Existing non-residential development with less than three (3) tenants unless the request involves a freestanding or ground mounted sign greater than eight (8) feet in height in a new location;
  - C. Major Adjustments to a Master Sign Plan when all of the following criteria are met:
    1. The request is compatible with the pattern of signage established in the sign plan in terms of locations, placement on buildings, proportionality to fascia and building facade, architectural design, and materials used;

2. The request is due to special conditions or circumstances that make it difficult to comply with the established Master Sign Plan;
  3. The request involves signs for a single tenant, a single multi-tenant freestanding or ground mounted sign, or a series of similar related multi-tenant freestanding or ground mounted signs in the same development; and
  4. The request does not involve a freestanding or ground mounted sign greater than eight (8) feet in height at a new location.
- D. Class II Sign Permit Submission Requirements: Application for a Class II Sign Permit shall include two (2) paper copies and one (1) electronic copy of the following in addition to all required fees:
1. Completed application form prescribed by the City and signed by the property owner or their authorized representative;
  2. Sign drawings or descriptions of all materials, sign area and dimensions used to calculate areas, lighting methods, and other details sufficient to judge the full scale of the signs and related improvements;
  3. Documentation of the lengths of building or tenant space facades used in calculating maximum allowed sign area;
  4. Drawings of all building facades on which signs are proposed indicating the areas of the facades on which signs will be allowed;
  5. Narrative describing the scope of the project, including written findings addressing all applicable review criteria, along with any other information showing how the proposed signage conforms with requirements for the applicable zone;
- E. Class II Sign Permit Review Criteria: Class II Sign Permits shall satisfy the sign regulations for the applicable zoning district and the Site Design Review Criteria in Sections 4.400 through 4.421, as well as the following criteria:
1. 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 surrounding development;
  2. The proposed signage will not create a nuisance or result in a significant reduction in the value or usefulness of surrounding development; and
  3. Special attention is paid to the interface between signs and other site elements including building architecture and landscaping, including trees.
- (.06) Class III Sign Permit: Sign permit requests shall be processed as a Class III Sign Permit when associated with new development, or redevelopment requiring DRB review, and not requiring a Master Sign Plan; when a sign permit request is associated with a waiver or non-administrative variance; or when the sign permit request involves one or more freestanding or ground mounted signs greater than eight (8) feet in height in a new location.

- A. **Class III Sign Permit Submission Requirements:** Ten (10) paper and electronic copies of the submission requirements for Class II Sign Permits plus information on any requested waivers or variances in addition to all required fees.
- B. **Class III Sign Permit Review Criteria:** The review criteria for Class II Sign Permits plus waiver or variance criteria when applicable.

(.07) **Master Sign Plans:** A Master Sign Plan is required for non-residential developments with three (3) or more tenants. In creating a Master Sign Plan thought should be given to needs of initial tenants as well as the potential needs of future tenants.

- A. **Master Sign Plan Submission Requirements:** Applications for Master Sign Plans shall include ten (10) paper and electronic copies of all the submission requirements for Class II and III Sign Permits and the following in addition to all required fees:
  - 1. A written explanation of the flexibility of the Master Sign Plan for different potential tenant space configurations over time;
  - 2. A written explanation of the extent to which different sign designs, including those incorporating logos, stylized letters, multiple lines of text, non-straight baselines, or different materials and illumination will be allowed and if allowed how the flexibility of the master sign plan will allow these different sign designs over time;
  - 3. A written explanation of how the sign plan provides for a consistent and compatible sign design throughout the subject development.
- B. **Master Sign Plan Review Criteria:** In addition to the review criteria for Class II and Class III Sign Permits, Master Sign Plans shall meet the following criteria:
  - 1. The Master Sign Plan provides for consistent and compatible design of signs throughout the development; and
  - 2. The Master Sign Plan considers future needs, including potential different configurations of tenant spaces and different sign designs, if allowed.
- C. **Modifications of a Master Sign Plan:** Modifications of a Master Sign Plan, other than Minor and Major Adjustments, shall be reviewed the same as a new Master Sign Plan.

(.08) **Waivers and Variances:** Waivers and variances are similar in that they allow deviation from requirements such as area, and height from ground. They differ in that waivers are granted by the DRB as part of a comprehensive review of the design and function of an entire site to bring about an improved design and variances are granted by either the Planning Director or DRB to relieve a specific hardship caused by the regulations.

- A. **Waivers:** The DRB may grant waivers for sign area, sign height from ground (no waiver shall be granted to allow signs to exceed thirty-five (35) feet in height), number of signs, or use of electronic changeable copy signs in order to better implement the purpose and objectives of the sign regulations as determined by making findings that all of the following criteria are met:
  - 1. The waiver will result in improved sign design, in regards to both aesthetics and functionality.

2. The waiver will result in a sign or signs more compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district than signs allowed without the waiver.
3. The waiver will result in a sign or signs that improve, or at least do not negatively impact, public safety, especially traffic safety.
4. Sign content is not being considered when determining whether or not to grant a waiver.

B. Variances:

1. Administrative Variance: In reviewing a Sign Permit the Planning Director may grant or deny a variance to relieve a hardship through the Class II Administrative Review process. Such a variance shall only be approved where the variance does not exceed twenty percent (20%) of area, height, or setback requirements. 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 4.196.
2. Other Variances: In addition to the authority of the Planning Director to issue administrative variances as noted above, the Development Review Board may authorize variances from sign requirements of the Code, subject to the standards and criteria listed in Section 4.196.

(.09) Temporary Sign Permits: Temporary sign permits shall be reviewed as follows:

- A. 30 days and less- Class I Administrative Review
- B. 31 days up to 120 days- Class II Administrative Review
- C. Submission Requirements: Applications for a temporary sign permit shall include the following in addition to the required application fee:
  1. Completed application form prescribed by the City and signed by the property owner or their authorized representative,
  2. Two (2) copies of sign drawings or descriptions showing all materials, sign area and dimensions used to calculate areas, number of signs, location and placement of signs, and other details sufficient to judge the full scale of the sign or signs,
  3. Information showing the proposed sign or signs conform with all applicable code requirements.
- D. Review Criteria: Temporary Sign Regulations in Section 4.156.09
- E. When a temporary sign permit request is submitted as part of the broader temporary use permit request of the same duration, the sign request shall not require an additional fee.

(.10) Waiver of Documentation: The Planning Director may, in his or her discretion, waive an application document for Class I, Class II, and temporary sign permits where the required information has already been made available to the City, or where the Planning Director determines the information contained in an otherwise required document is not necessary to review the application.

**Section 4.156.03 Sign Measurement**

(.01) Sign Area:

- A. **Cabinet Signs and Similar:** The area for signs enclosed by cabinet, frame, or other background (including lighted surface) not otherwise part of the architecture of a building or structure shall be the area of a shape drawn around the outer dimension of the cabinet, frame, or background.
  - 1. If the cabinet, frame, or background is an irregular shape the signs perimeter shall be measured the same as an individual element sign under B. below.
  - 2. The sign area does not include:
    - a. Foundations, supports, and other essential structures that are not designed to serve as a backdrop or border to the sign;
    - b. Architectural elements of a freestanding or ground mounted sign designed to match or complement the architectural design of buildings on the site not and otherwise meeting the definition of a sign;
    - c. A pole or other structural support, unless such pole or structural support is internally illuminated or otherwise so designed to constitute a display device.

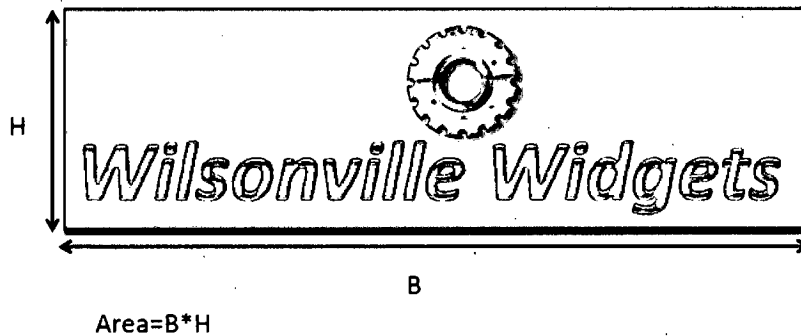


Figure 1. Measurement of Cabinet or Similar Signs

- B. **Individual Element Signs:** The area for signs constructed of individual elements (letters, figures, etc.) attached to a building wall or similar surface or structure shall be the summed area of up to three squares, rectangles, circles, or triangles drawn around all sign elements.
  - 1. The descender on the lower case letters "q, y, p g, or j." shall not be included in sign area when the letter otherwise matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter.

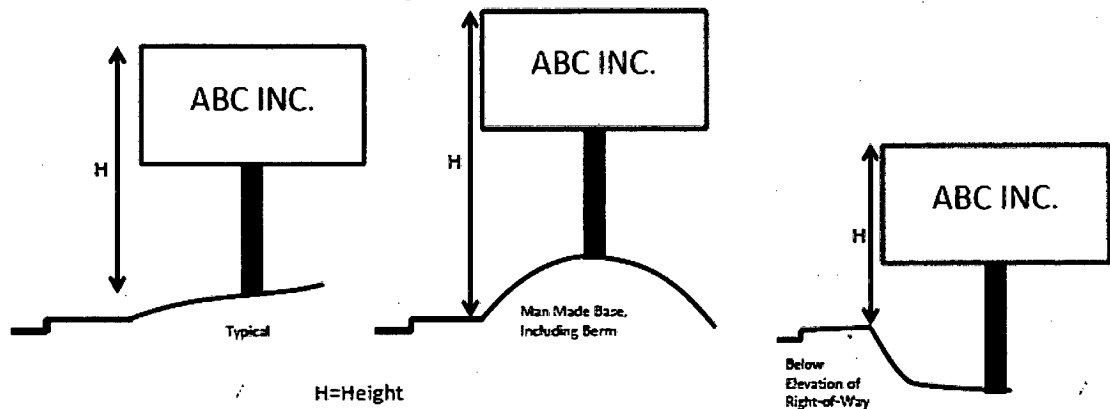


$$\text{Area} = (H_1 * B_1) + (H_2 * B_2) + (\pi R^2)$$

Figure 2. Measurement of Individual Element Signs

- C. Round or Three-Dimensional Signs: The area of a round or three-dimensional sign shall be the maximum surface area visible from any one location on the ground measured the same as A. above except if the maximum surface area is an irregular shape the signs perimeter shall be measured the same as an individual element sign under B. above.
- D. Awning or Marquee Signs: The area of signs incorporated into awnings or marquees shall be the area of the entire panel containing the sign measured the same as A. above unless it is clear that part of the panel contains no sign-related display or decoration, other than the background color of the awning.
- E. Painted Wall Signs: The area of painted wall signs shall be determined as follows:
1. If individual elements are painted without a background it shall be calculated in the manner indicated in B. above.
  2. If a background is painted it shall be calculated in the manner indicated in A. above.
- F. Temporary Signs: The area of temporary signs including banners, lawn signs, and rigid signs shall be calculated in the manner indicated in A. above.
- 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.
- (.02) Sign Height above Ground:
- A. The height above ground of a freestanding or ground-mounted sign is measured from the average grade directly below the sign to the highest point of the sign or sign structure except as follows:
1. A freestanding or ground mounted sign on a man-made base, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb to the highest point of the sign or sign structure. In all cases signs on a berm shall be allowed to be eight (8) feet in height from the top of the berm.
  2. A freestanding or ground mounted sign placed below the elevation of the right-of-way it fronts shall be measured from the lowest point in the right-of-way along the frontage to the highest point of the sign.

### How to Measure Height of a Freestanding or Ground Mounted Sign



(.03) **Sign Height and Length:**

- A. Height of a sign is the vertical distance between the lowest and highest points of the sign.
- B. Length of a sign is the horizontal distance between the furthest left and right points of the sign.

(.04) **Final Determination of Sign Measurement:** The Planning Director shall be responsible for determining the area, height above ground and height and length of a sign, subject to appeal as specified in Section 4.022. Applicants for sign plans and permits shall provide the dimensions needed to calculate the area, height above ground, height, and length.

#### **Section 4.156.04 Non-Conforming Signs.**

- (.01) **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 Sections 4.189 through 4.190. 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. However, a sign that is required to be moved solely because of a public taking may be replaced on the site, and maintain its non-conforming status, subject to a Class II Sign Permit, provided the replacement sign is found to not increase in non-conformity to current code standards other than required setbacks.

#### **Section 4.156.05 Signs Exempt From Sign Permit Requirements.**

- (.01) The following signs are exempt from the permit requirements of this code 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:



- A. Traffic or other governmental or directional signs, as may be authorized by the City or other units of government having jurisdiction within the City.
  - B. 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.
  - C. Flags displayed from permanently-located freestanding or wall-mounted flagpoles that are designed to allow raising and lowering of flags. One site may have up to two (2) exempt flags; no exempt flag may be more than thirty (30) feet in height.
- (.02) 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.
- A. Signs inside a building except for prohibited signs listed in Section 4.156.06.
  - B. Name Plates and Announcements.
    - 1. A sign identifying the name, street address, occupation and/or profession of the occupant of the premises in the aid of public health and safety. 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.
    - 2. 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.
  - C. 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:
    - 1. The sign area does not exceed three (3) square feet per sign face,
    - 2. The sign location is not within public rights-of-way and meets City vision clearance requirements;
    - 3. No sign lighting;
    - 4. No logo or a logo that does not exceed one (1) square foot in size; and
    - 5. No more than one (1) directional sign is located on the same tax lot.
  - D. 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.
  - E. Signs not visible from any off-site location.
  - F. Holiday lights and decorations, in place between November 15 and January 15.
  - G. Signs on scoreboards or ballfields located on public property.
  - H. One small decorative banner per dwelling unit placed on site, in residential zones.
  - I. Lawn Signs meeting the standards of Table S-1 and the following conditions:
    - 1. Such signs shall not be intentionally illuminated and shall not display movement.
    - 2. Such signs shall not obscure sight lines of the motoring public, obscure traffic or other government signs, or create a nuisance to the use or occupancy of any property.
    - 3. Lawn signs associated with temporary events may be posted no longer than sixty (60) days before the beginning of an event and must be removed at the event's completion.

4. Lawn signs not associated with temporary events may be posted for one period of up to sixty (60) days in a calendar year.
  5. Such signs may be up to six (6) feet in height.
  6. Such signs may be one (1) or two (2) sided.
- J. Rigid Signs meeting the standards of Table S-1 and the following conditions:
1. Such signs shall not be intentionally illuminated and shall not display movement.
  2. Such signs shall not obscure sight lines of the motoring public, obscure traffic or other government signs, or create a nuisance to the use or occupancy of any property.
  3. Such signs may be up to six (6) feet in height, except signs on lots with an active construction project (active building permit), which may be up to ten (10) feet in height. (Note that signs exceeding six (6) feet in height typically require building permits.)
  4. Such signs may be one (1), two (2), or three (3) sided.
  5. On Residential and Agriculture zoned lots:
    - a. A rigid sign not associated with an ongoing temporary event may be displayed for no more than sixty (60) days each calendar year.
    - b. A rigid sign associated with an ongoing temporary event may be displayed for the duration of that event. Note: Section 4.156.06 (.01) Q. of this Code prohibits signs associated with temporary events to remain posted after the completion of the event.
  6. On Commercial, Industrial, or Public Facility zoned lots:
    - a. A rigid sign not associated with an ongoing temporary event may be displayed for no more than ninety (90) days each calendar year.
    - b. A rigid sign associated with an ongoing temporary event may be displayed for the duration of that temporary event. Note: Section 4.156.06 (.01) Q. of this Code prohibits signs associated with temporary events to remain posted after the completion of the event.
    - c. A temporary event must have an end, marked by the occurrence of a specifically anticipated date or happening. A temporary event may not be a part of a broader, continuing event or of related, serial events. Temporary events shall not be defined by content, but may include isolated merchandise sales or discounts, or availability of real estate for sale or lease.
- K. Signs allowed in Subsections 6.150 (1) and (2) Wilsonville Code for special events.

#### **Section 4.156.06 Prohibited Signs**

- (.01) 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.
- D. Changeable copy signs that use lighting changed digitally, unless specifically approved through a waiver process connected with a Class III Sign Permit or Master Sign Plan. In granting a waiver for a digital changeable copy signs the DRB shall ensure the following criteria will be met:
  - 1. The sign shall be equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with ambient light conditions and the sign owner shall ensure appropriate functioning of the dimming technology for the life of the sign.
  - 2. The luminance of the sign shall not exceed five thousand (5000) candelas per square meter between sunrise and sunset, and five hundred (500) candelas per square meter between sunset and sunrise.
- E. Roof 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 sign permit procedures or the architectural design of a building makes the slope of the roof below the peak a practicable location of signs on a building and the general location of signs on the roof is approved by the DRB during Stage II Approval, as applicable, and Site Design Review.
- F. Signs obstructing vision clearance areas.
- G. Pennants, streamers, festoon lights, balloons, and other similar devices intended to be moved by the wind, unless specifically authorized in an approved sign permit.
- H. Signs attached to trees, public sign posts, or public utility poles, other than those placed by appropriate government agencies or public utilities.
- I. 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 such as Digital Changeable Copy Signs. This is not intended to prohibit the use of neon or LED's as a source of illumination.
- J. Signs that use flame as a source of light or that emit smoke or odors.
- K. 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.
- L. 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.
- M. 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.

- N. Signs located on public property in violation of Section 4.156.10.
- O. Signs placed on private property without the property owner's permission.
- P. Signs erected or installed in violation of standards prescribed by the City of Wilsonville, State of Oregon or the U.S. government.
- Q. Signs associated with temporary events, after the temporary event is completed.
- R. Any private signs, including window signs, with a luminance greater than five thousand (5000) candelas per square meter between sunrise and sunset and five hundred (500) candelas per square meter between sunset and sunrise.
- S. Video Signs

**Section 4.156.07 Sign Regulations In Residential Zones.**

- (.01) Ground Mounted Signs for Residential Developments. One ground mounted sign, not exceeding eighteen (18) square feet in area and six (6) feet in height above ground, shall be permitted for each residential subdivision or for any multi-family development.
  - A. Additional ground mounted signs of eighteen (18) square feet or less shall be permitted for additional entrances to the subdivision or development located on a separate street frontage or on the same street frontage located at least two hundred (200) feet apart.
  - B. For one entrance on a street frontage, an additional ground mounted sign may be placed on opposite side of the street or private drive at the intersection.
- (.02) Ground Mounted Signs for Outdoor Recreational Areas on Separate Lots. Public or private Parks or other similar outdoor recreational areas on separate lots than dwelling units are allowed one (1) ground mounted sign of eighteen (18) square feet or less in area and six (6) square feet or less in height above ground.
- (.03) Non-Residential Uses: Uses, other than residential and outdoor recreation, shall be subject to the sign regulations for PDC, PDI, and Public Facility zones.

**Section 4.156.08 Sign Regulations in the PDC, PDI, and PF Zones.**

- (.01) Freestanding and Ground Mounted Signs
  - A. One freestanding or ground mounted sign is allowed for the first two-hundred (200) linear feet of site frontage. One additional freestanding or ground mounted sign may be added for through and corner lots having at least two-hundred (200) feet of frontage on one street or right-of-way and one-hundred (100) feet on the other street or right-of-way. The allowed height above ground of a freestanding or ground mounted sign is twenty (20) feet except as noted in 1-2 below.
    - 1. The maximum allowed height above ground for signs along the frontage of Interstate 5, and parallel contiguous portions of streets, as identified in Figure 4.156.08-1, associated with multiple tenants or businesses may be increased by three (3) feet for each tenant space of ten thousand (10,000) square feet or more of gross floor area up to a maximum of thirty-five (35) feet.
    - 2. The allowed height above ground for signs in the PDC-TC Zone, Old Town Overlay Zone, and PDI Zone is eight (8) feet, except those signs along the

frontage of Interstate 5 and parallel contiguous portions of streets noted in 1 above.

B. The maximum allowed area for each freestanding or ground-mounted sign is determined based on gross floor area and number of tenant spaces:

1. For frontages along streets other than those indicated in 2 below sign area allowed is calculated as follows:

a. The sign area allowed for signs pertaining to a single tenant:

Gross Floor Area in a Single Building	Maximum Allowed Sign Area
Less than 11,000 sf	32 sf
11,000-25,999 sf	32 sf + 2 sf per 1000 sf of floor area greater than 10,000 rounded down to the nearest 1,000 sf
26,000 sf or more	64 sf

i. For PF (Public Facility) zoned properties adjacent to residential zoned land the maximum allowed area is thirty-two (32) square feet.

b. The maximum allowed sign area for signs pertaining to multiple tenants or businesses is thirty-two (32) square feet plus the following for each tenant space:

Gross Floor Area of Tenant Space	Additional Allowed Sign Area for Tenant Space
Less than 1,000 sf	3 sf
1,000-10,999	3 sf + 3 sf per 1,000 sf of floor area rounded down to the nearest 1,000 sf
11,000 sf or more	32 sf

i. The total sign area shall not exceed two hundred (200) square feet, except in the PDC-TC Zone, Old Town Overlay Zone, and PDI Zone the total sign area shall not exceed eighty (80) square feet.

ii. Though the maximum allowed sign area is calculated based on number of tenant spaces and their size, the content of the sign and area used for different content is at the discretion of the sign owner, except for required addressing.

2. Signs fronting Interstate 5 and parallel contiguous street sections, as identified in Figure 4.156.08-1 on pages \_\_ to \_\_:

a. For signs on properties or within developments with a single tenant or business the sign area allowed is sixty-four (64) square feet.

b. For signs on properties or within developments with multiple tenants or businesses the maximum allowed area is sixty-four (64) square feet plus an additional thirty-two (32) square feet for each tenant space of 10,000 square feet or more of gross floor area up to a maximum total sign area of three hundred (300) square feet.

i. Though the sign area allowed is calculated based on number of large tenant spaces, the content of the sign and area used for different content is at the discretion of the sign owner, except for any required addressing.

C. Pole or sign support placement shall be installed in a full vertical position.

D. Freestanding and ground mounted signs shall not extend into or above public rights-of-way, parking areas, or vehicle maneuvering areas.

E. The location of free standing or ground mounted signs located adjacent to or near the Public Right-of-Way shall be in compliance with the City's Public Works Standards

for sight distance clearance. Prior to construction, the location of the sign shall be approved by the City of Wilsonville Engineering Division.

- F. Freestanding and ground mounted signs shall be designed to match or complement the architectural design of buildings on the site.
- G. For freestanding and ground mounted signs greater than eight (8) feet in height, the width of the sign shall not exceed the height.
- H. Along street frontages in the PDC-TC Zone and Old Town Overlay Zone monument style signs are required.
- I. Freestanding and ground mounted signs shall be no further than fifteen (15) feet from the property line and no closer than two (2) feet from a sidewalk or other hard surface in the public right-of-way.
- J. Except for those signs fronting Interstate 5, freestanding and ground mounted signs shall include the address number of associated buildings unless otherwise approved in writing by the City and the Fire District.
- K. When a sign is designed based on the number of planned tenant spaces it shall remain a legal, conforming sign regardless of the change in the number of tenants or configuration of tenant spaces.

(.02) Signs on Buildings

- A. Sign Eligible Facades: Building signs are allowed on a facade of a tenant space or single tenant building when one or more of the following criteria are met:
  - 1. The facade has one or more entrances open to the general public;
  - 2. The facade faces a lot line with frontage on a street or private drive with a cross section similar to a public street, and no other buildings on the same lot obstruct the view of the building facade from the street or private drive; or
  - 3. The facade is adjacent to the primary parking area for the building or tenant.

B. Sign Area Allowed:

- 1. The sign area allowed for all building signs on a sign eligible facade is shown in the table below:

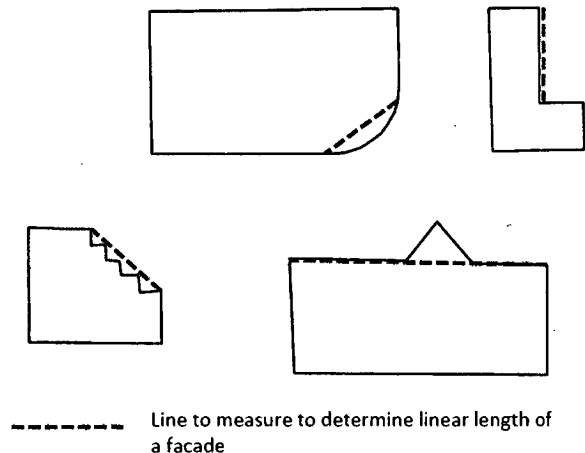
Linear Length of Façade (feet)	Sign Area Allowed*
Less than 16	Area equal to linear length
16 to 24	24 sf
Greater than 24 to 32	32 sf
Greater than 32 to 36	Area equal to linear length
Greater than 36 to 72	36 sf
Greater than 72	36 sf plus 12 sf for each 24 linear feet or portion thereof greater than 72 up to a maximum of 200 sf

\*Except as noted in 2. through 5. below

- 2. The sign area allowed for facades with a primary public entrance or with a frontage along a public street dominated by windows or glazing may be increased by transferring to the façade up to one half (1/2) the sign area allowed for adjacent

facades up to fifty (50) square feet. In no case shall the allowed sign area exceed an area equal to the linear length of the façade.

3. The sign area allowed is increased as follows for signs at separate building entrances:
  - a. For building entrances open to the general public located at least fifty (50) feet apart on the same facade, the sign area allowed is increased by fifty (50) percent up to fifty (50) square feet.
  - b. For building entrances located less than fifty (50) feet apart on the same facades, the sign area allowed is increased by twenty (20) percent up to twenty (20) square feet.
4. For businesses occupying multiple buildings in a campus setting, sign area shall be limited to that allowed for the largest building, which may then be distributed throughout the campus.
5. If a façade otherwise not sign eligible faces a lot line with frontage on Interstate 5, the applicant can transfer sign area allowed from one (1) of the locations described in a. and b. below. In no case shall the allowed sign area exceed an area equal to the allowed sign area for a sign eligible façade of the same linear length.
  - a. The freestanding sign along the Interstate 5 frontage. This generally involves placing building signs on the subject façade in lieu of installing a freestanding sign.
  - b. Adjacent façade up to fifty (50) square feet, when a majority of the adjacent façade from which the sign area is being transferred is visible from Interstate 5.
6. Calculating linear length of a façade for the purpose of determining maximum sign area allowed. For facades of a single tenant building the length the facade measured at the building line, except as noted in a. and b. below. For multi-tenant buildings the width of the façade of the tenant space shall be measured from the centerline of the party walls or the outer extent of the exterior wall at the building line, as applicable, except as noted in a. and b. below. Applicants shall provide the dimensions needed to calculate the length. Each tenant space or single occupant building shall not be considered to have more than five (5) total facades.
  - a. If a façade is curvilinear, stepped, or otherwise not a straight line, the façade shall be measured by drawing a straight line between the edges of the façade as shown in the figure below.
  - b. For an "L" shaped tenant space or single tenant building the longest leg of the interior of the "L" shall be basis for measuring the length of the L-shaped facade. Sign area allowed based on the longest leg can be distributed between legs.



- C. The length of individual tenant signs shall not exceed seventy-five (75) percent of the length of the facade of the tenant space.
  - D. The height of building signs shall be within a definable sign band, fascia, or architectural feature and allow a definable space between the sign and the top and bottom of the sign band, fascia, or architectural feature.
  - E. Types of signs permitted on buildings include wall flat, fascia, projecting, blade, marquee and awning signs. Roof-top signs are prohibited.
- (.03) Additional signs. Notwithstanding the signs allowed based on the site in (.01) and (.02) above, the following signs may be permitted, subject to standards and conditions in this Code:
- A. Directional Signs: In addition to exempt directional signs allowed under Subsection 4.156.05 (.02) C: freestanding or ground mounted directional signs six (6) square feet or less in area and four (4) feet or less in height:
    - 1. The signs shall be designed to match or complement the architectural design of buildings on the site;
    - 2. The signs shall only be placed at the intersection of internal circulation drives; and
    - 3. No more than one (1) sign shall be placed per intersection corner with no more than two (2) signs per intersection.
  - B. Planned Development Signs. Up to thirty (32) square feet of the allowed sign area for freestanding signs in a planned development may be used for a separate on-site monument sign or off-site monument sign on an adjacent parcel identifying the Planned Development project.
  - C. Blade Signs. To aid in pedestrian wayfinding, one (1) blade sign, not to exceed six (6) square feet, per facade eligible for building signs. Blade signs shall provide a minimum of eight (8) feet of clearance from the ground.
  - D. Fuel or Service Station Price Signs. In addition to the freestanding or ground mounted signs allowed, changeable copy signs shall be allowed for the purpose of advertising fuel prices, subject to the following standards and conditions:



1. The signs shall have a maximum of eleven (11) square feet in area per face per type of fuel sold and shall be permanently affixed to the building or a freestanding sign.
2. The signs shall not be considered in calculating the sign area or number of signs allowed.
3. Signs on fuel pumps shall be permitted, providing that they do not project beyond the outer edge of the pump in any direction.

**Section 4.156.09 Temporary Signs In All Zones.**

The following temporary signs may be permitted in addition to the permanent signs allowed in different zones and exempt temporary signs unless specifically prohibited in a master sign plan or other sign approval:

- (.01) General Allowance: Except as noted in subsection (.02) below up to two (2) temporary signs not exceeding a combined total of twenty four (24) square feet may be permitted per lot or non-residential tenant. Such signs may be banners, rigid signs, lawn signs, portable signs, or other signs of similar construction.
- (.02) Opening banner for a new business or housing development: A banner corresponding with the opening of a new business or housing development may be permitted, subject to the following standards and conditions:
  - A. 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.
  - B. Such banner may be two-sided but shall not exceed thirty-two (32) square feet per face.
  - C. Such signs shall not be permitted at the same time as general allowance signs in (.01) above.
- (.03) Annual Event Signs: Up to ten (10) lawn signs may be permitted to be located in the public right-of-way for up to fourteen (14) days if all of the following are met:
  - A. Signs will not be located in the areas listed in Subsection 4.156.10 (.01) A. 4.
  - B. The applicant or event has not been issued a permit for and placed signs in the public right-of-way in the previous six (6) months;
  - C. Not more than one (1) other permit has been issued for lawn signs in the right-of-way during the time period the applicant is requesting;
  - D. The event to which the signs pertain is expected to attract two hundred fifty (250) or more people;
  - E. The request is not in addition to exempt lawn signs for large special events allowed for in Section 6.150; and
  - F. The applicant has indicated on a map the exact locations the signs will be placed and has submitted an application along with the required fee.
- (.04) Inflatable Signs: Inflatable signs may be permitted for a maximum of fifteen (15) days of display use in any calendar year subject to the following standards and conditions:
  - A. Does not exceed ten (10) feet in overall height; and
  - B. If attached to a building in any manner, it meets applicable building code requirements including consideration of wind loads.

**Section 4.156.10 Signs on City and ODOT Right-Of-Way**

(.01) Signs On City Property. For the purposes of this section, City property is defined as physical sites, City rights-of-way, and rights-of-way over which the City has jurisdiction. City property includes, but is not limited to, the following: City Hall, the Community Center, the Library, parks and open space, Transit and Fleet Building, SMART Central, and the City's reservoir, pump station, and treatment plant properties.

A. Allowed Signs. The following 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.
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. This shall include signs authorized to conform with the State's Tourism Information program and any similar local government 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. Lawn signs may be placed, subject to the standards in subsection 4.156.10 (.01)A. 5., below, on City rights-of-way and rights-of-way over which the City has jurisdiction except 1) those rights-of-way adjoining City properties defined in subsection 4.156.10 (.01) above, and 2) in the following locations where the placement of signs could damage landscaping or interfere with the maintenance of the rights-of-way:
  - a. In any median or landscaped strip inside the City limits as identified below in Sections 4.156.10 (.01) A. 4. b. through p.
  - 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. Either side of Boeckman Road and all islands, from the railroad tracks west to 110<sup>th</sup>.
  - m. Either side of 110<sup>th</sup> between Barber Street and Boeckman Road.
  - n. The eastern side of Grahams Ferry Road from Tooze Road to the City limits.
  - o. Either side of Barber Street between 110<sup>th</sup> and Brown Road, including islands and roundabouts.
  - p. Such other areas as the City may designate as requiring protection from landscape damage.
5. Lawn signs shall meet the following standards and conditions:
- a. Allowed only between the hours of 6 a.m. Friday and 8 p.m. Sunday, and the hours of 9 a.m. and 4 p.m. Tuesdays;
  - b. Not greater than thirty (30) inches in height. A-frame signs may be 24" by 36" provided that they are designed to meet vision clearance requirements (typically not over 30 inches in height when standing);
  - b. Not placed on street surfaces, sidewalks, paths, median strips, or bicycle ways;
  - c. Located within forty (40) feet of an intersection;
  - d. No more than three (3) signs per person; and
  - e. Placed no more than one every fifty (50) feet and at least ten (10) feet away from any other temporary sign.

(.02) 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.

**Section 4.156.11 Sign Enforcement.**

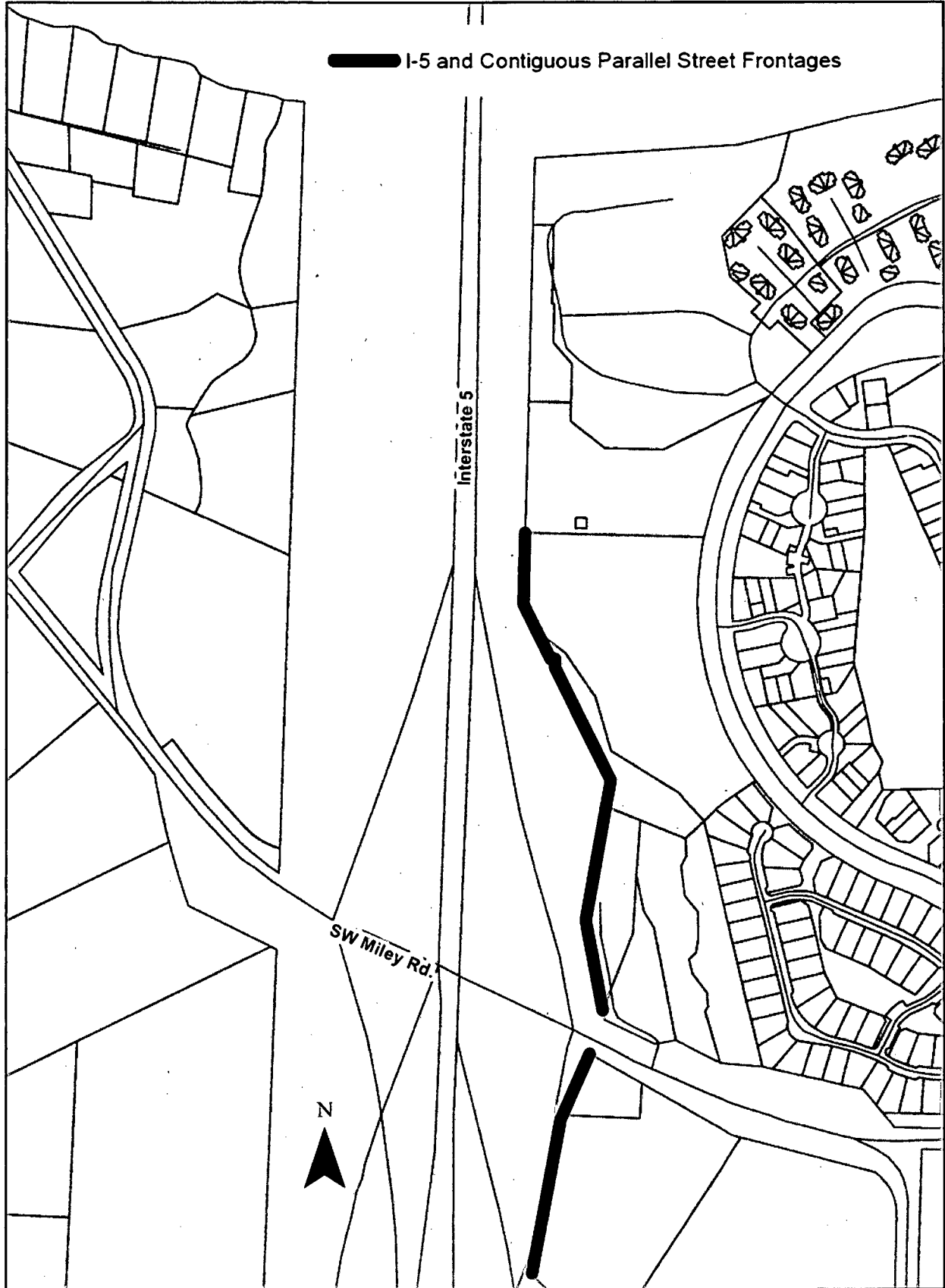
- (.01) General: Any person who places a sign that requires a permit under this section, and who fails to obtain a permit before installing the sign, shall be subject to penalties and fines as established in Wilsonville Code 4.025.
- (.02) Removal of signs. Any sign placed on public property in violation 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.

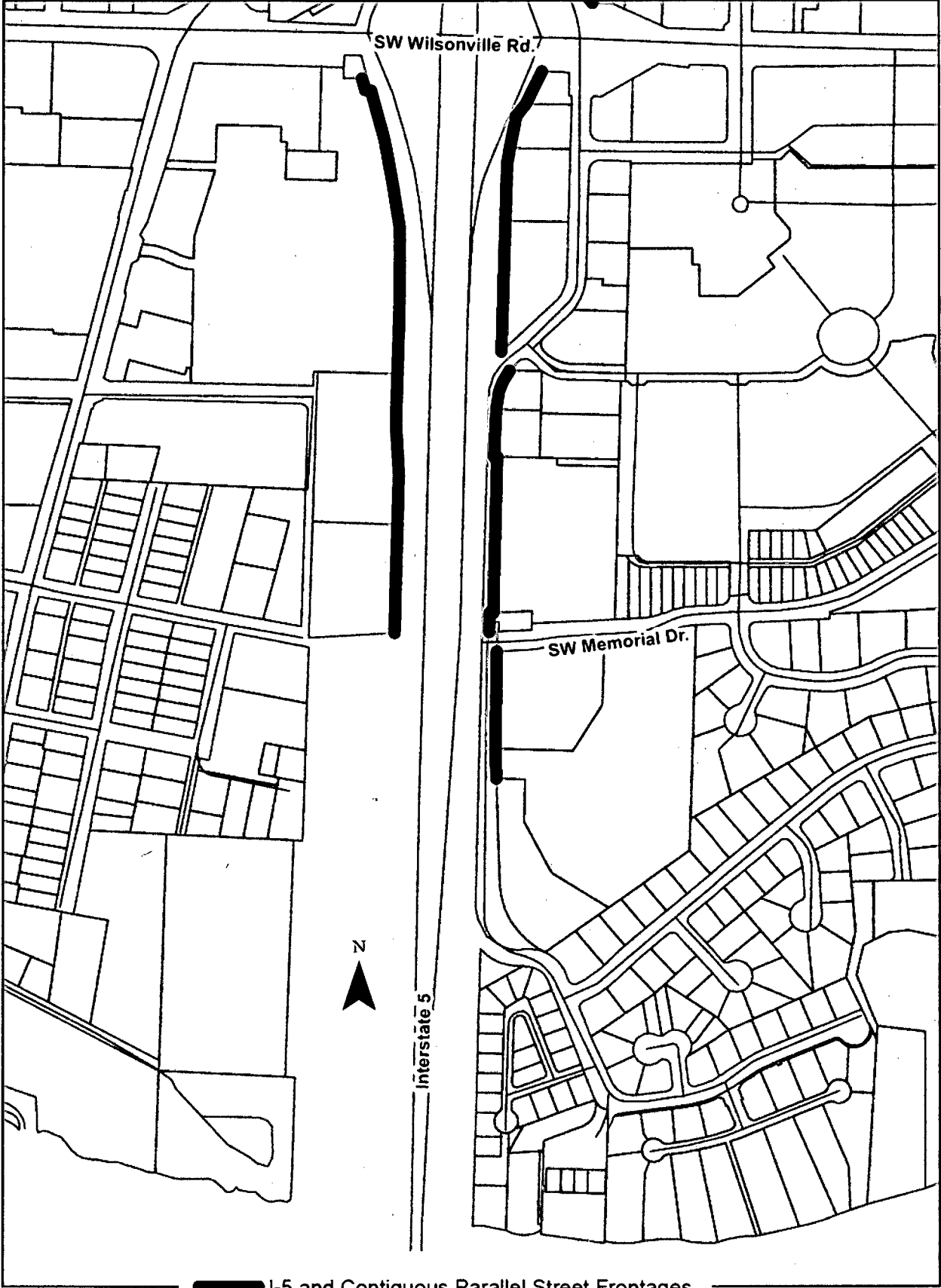
- (.03) Civil enforcement. Any sign which is intentionally placed in violation of the provisions of this code after the owner of the sign has been notified of the initial sign removal and reason for its removal, shall subject the owner to a civil violation not to exceed \$100.00 as and for a civil fine for each day that a violation continues to exist.
- (.04) Additional enforcement. The remedies described herein are not exclusive and may be used in addition to those prescribed elsewhere in the Wilsonville Code, including Sections 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.

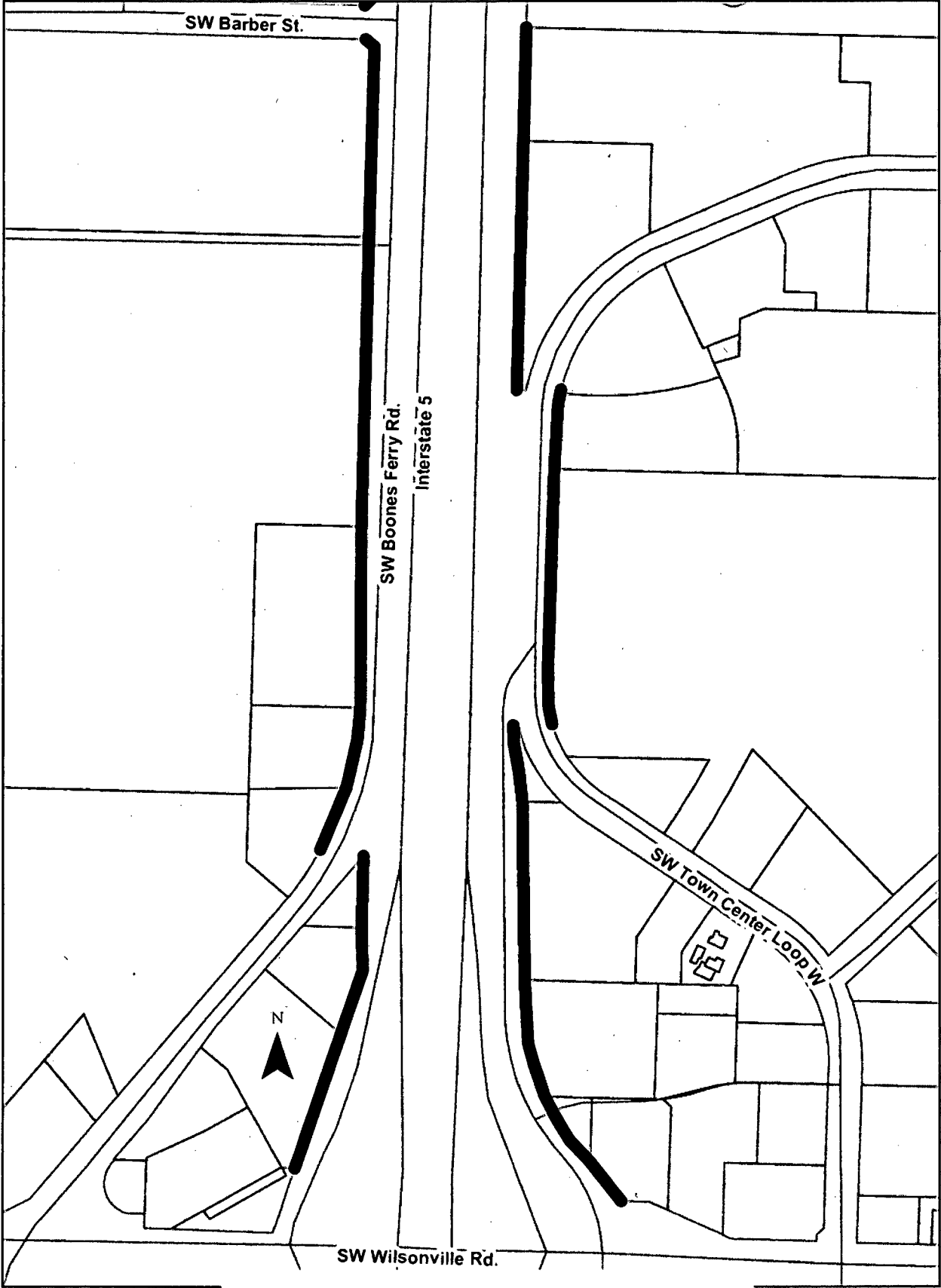
Figure 4.156.08-1

Interstate 5 and Contiguous Parallel Street Frontage

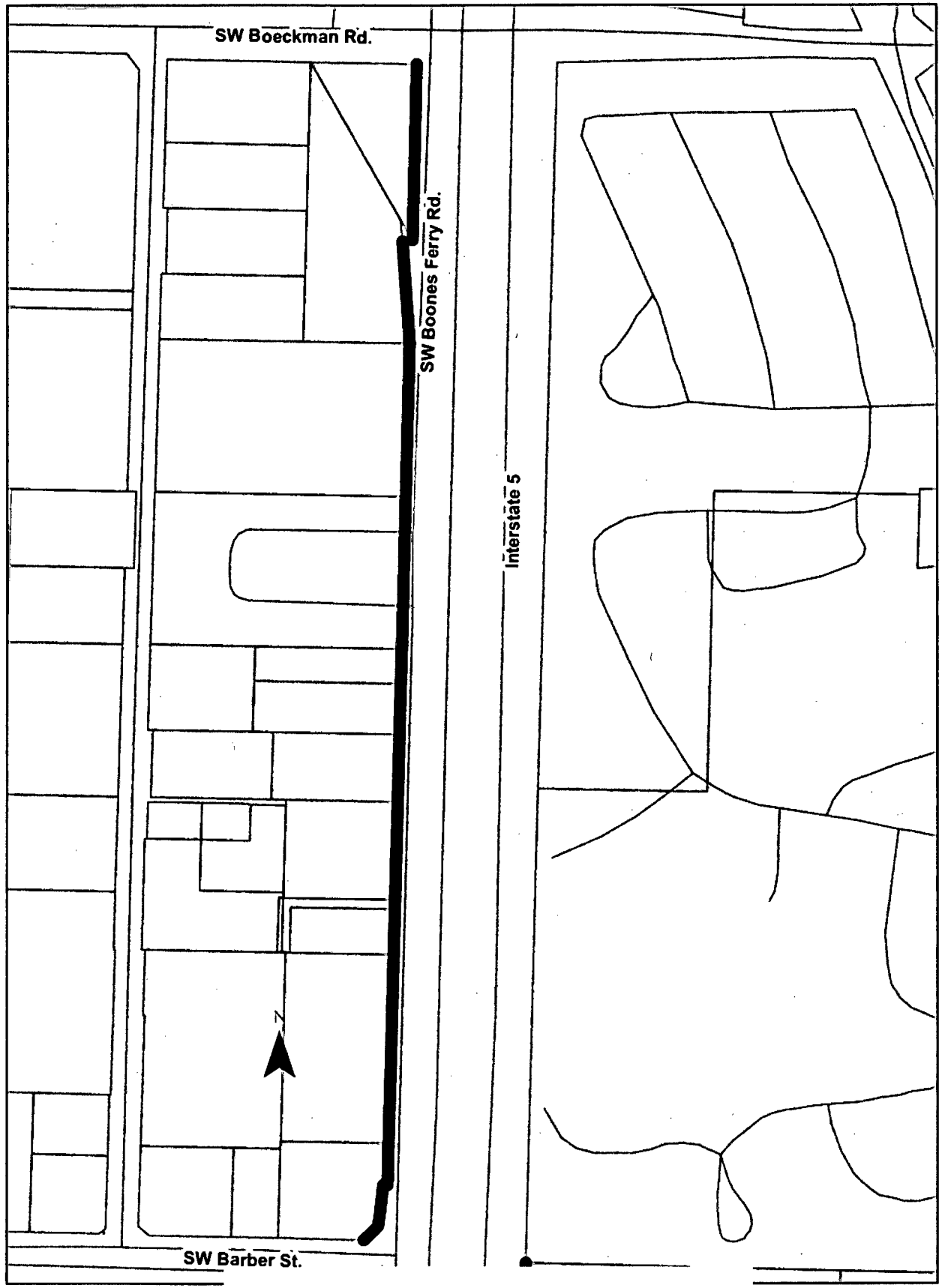






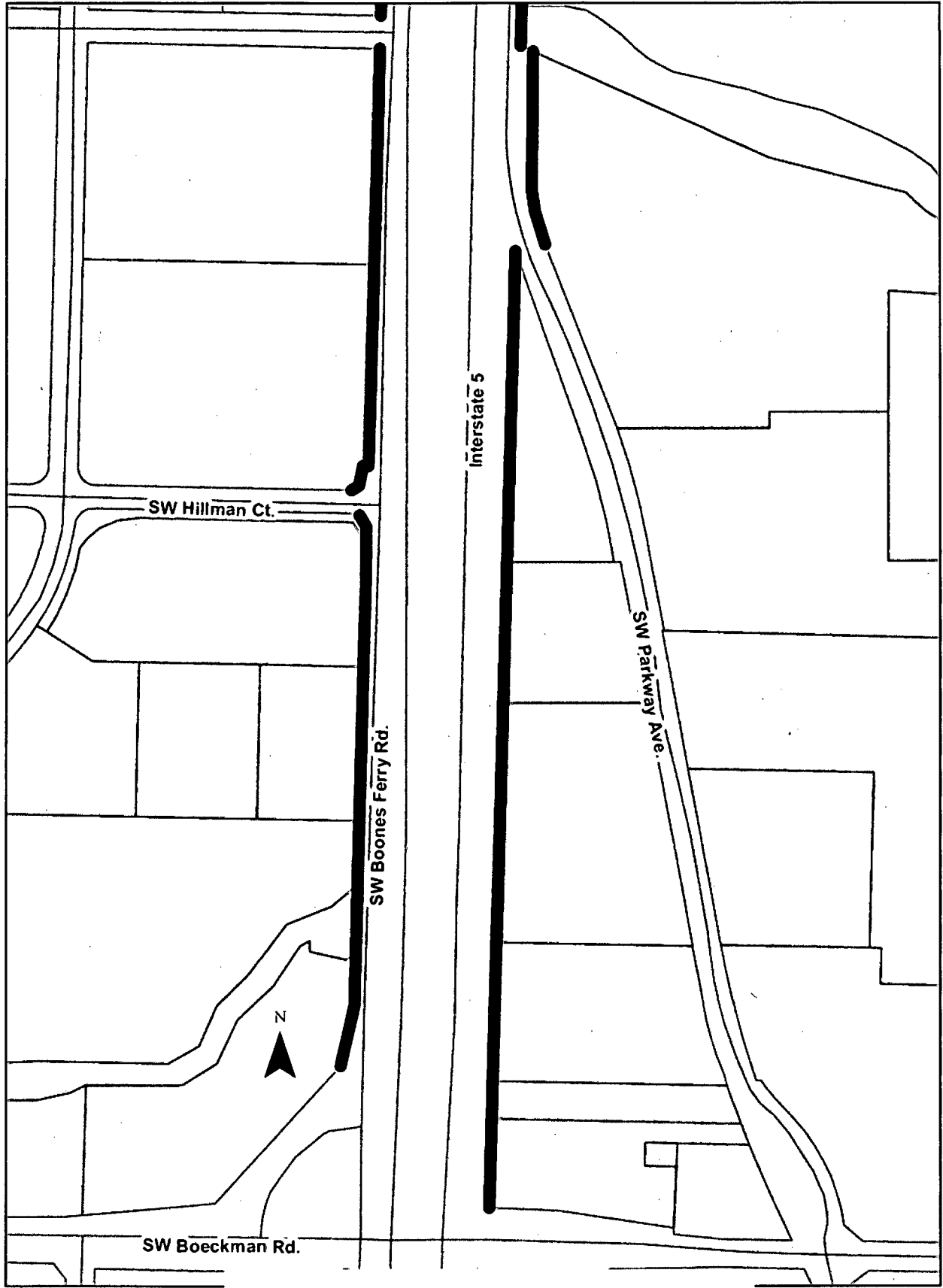


**— I-5 and Contiguous Parallel Street Frontages**

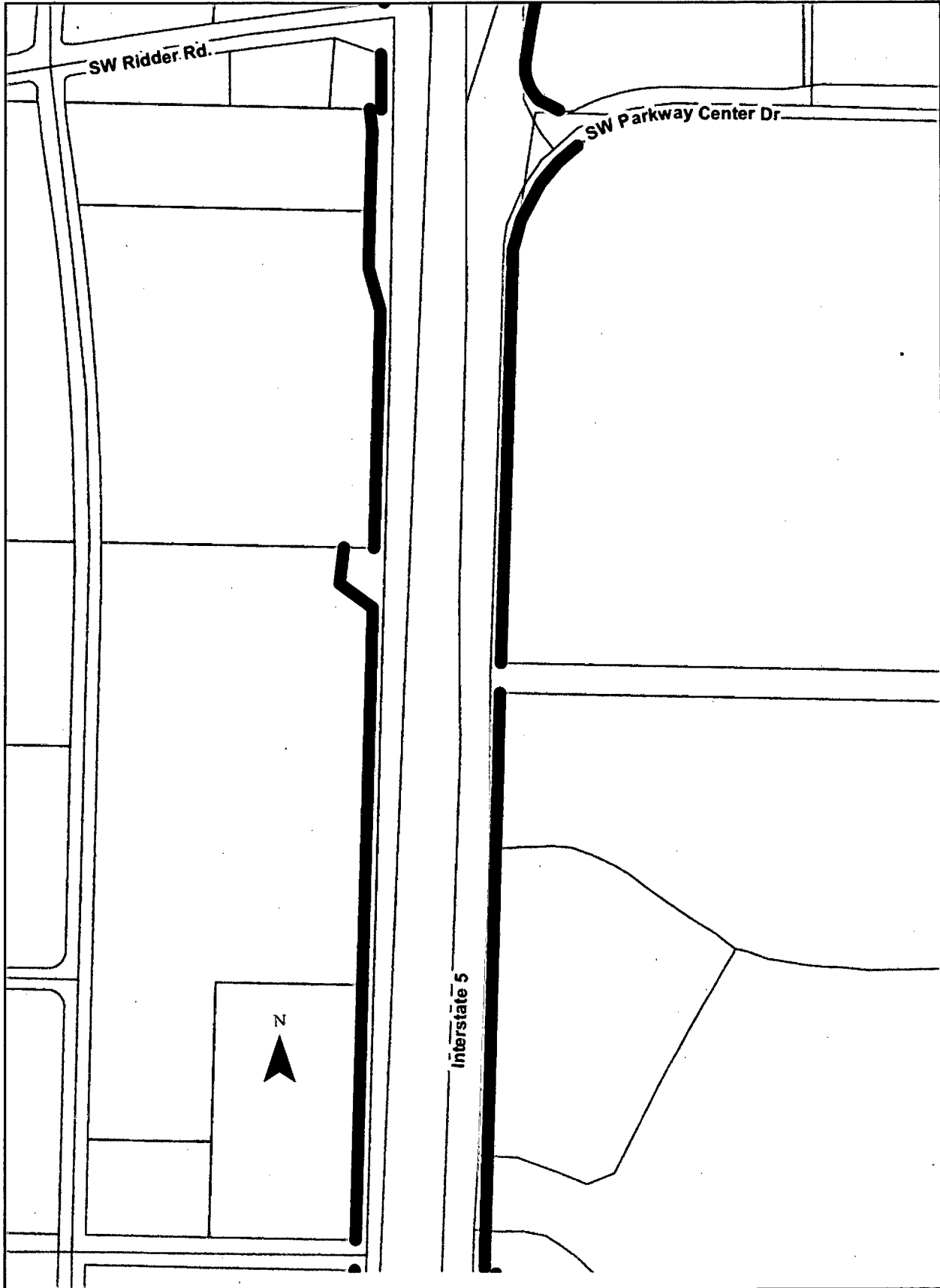


**— I-5 and Contiguous Parallel Street Frontages**

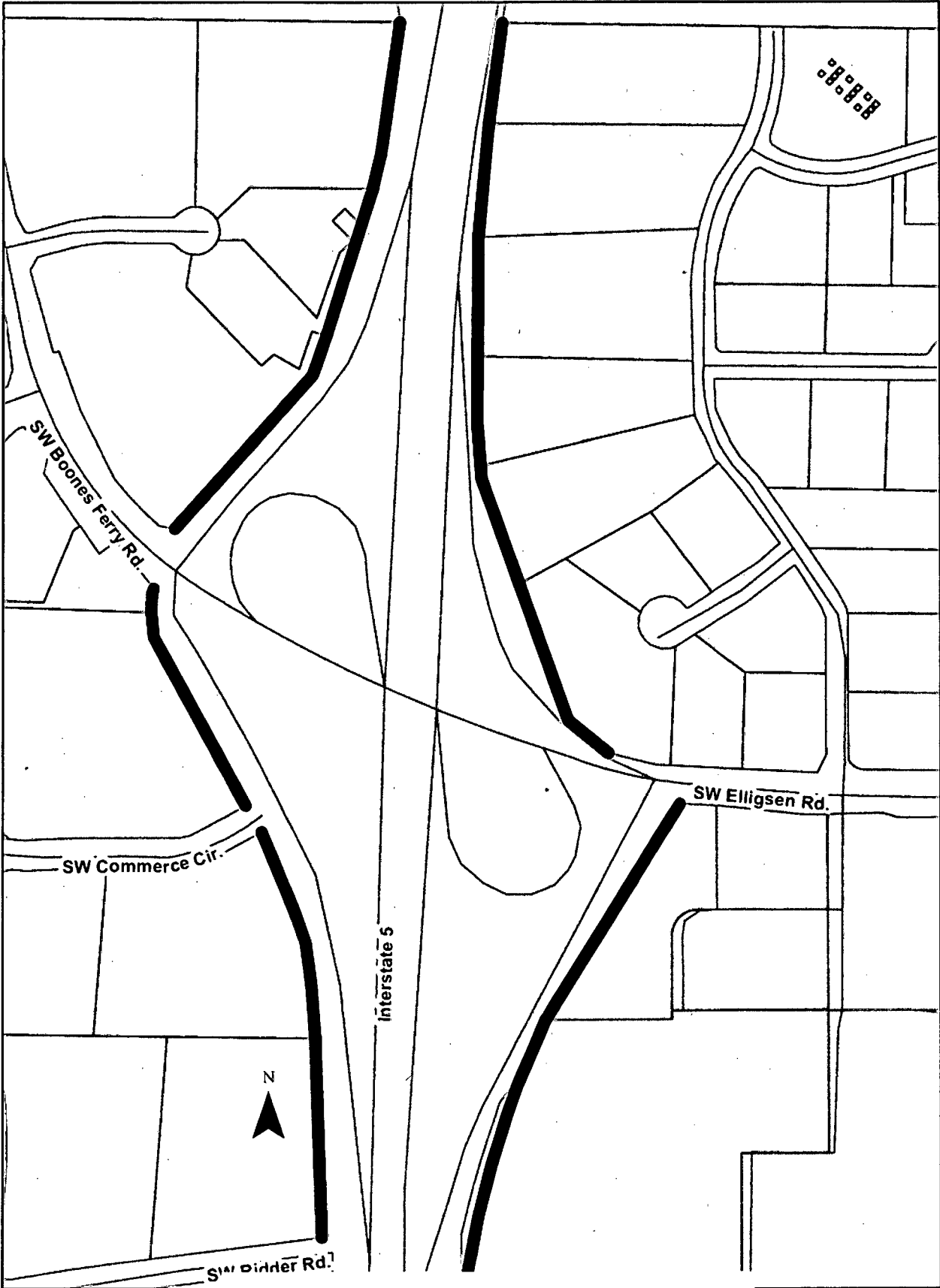




● I-5 and Contiguous Parallel Street Frontages



— I-5 and Contiguous Parallel Street Frontages



— I-5 and Contiguous Parallel Street Frontages



## Sign Code Update Work Session

Wilsonville City Council

May 21, 2012

Presented by Daniel Pauly, AICP

Associate Planner

[pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us)

503-682-4960

## Outline of Presentation

- Background
- Recommended Updates



## Background

Most of Current Sign Code in Effect for 12 years

-Changes in 2010 regarding temporary signs

Current sign code reviewed by a variety of stakeholders to identify opportunities for improvement

Make the sign code purpose statement and objectives more concise and positive

## Highlights of Purpose Statement

- “Foster an aesthetically pleasing, functional, and economically vital community.”
- “Promote health, safety, and well-being”
- “Meet the needs of sign owners while maintaining consistency with Wilsonville’s development and design standards.”

## Objectives

- A. Well-designed and aesthetically pleasing signs sufficiently visible and comprehensible from streets and rights-of-way that abut a site as to aid in wayfinding, identification and provide other needed information.
- B. Sign design and placement that is compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district.
- C. A consistent and streamlined sign review process that maintains the quality of sign development and ensures due process.
- D. Consistent and equitable application and enforcement of sign regulations.
- E. All signs are designed, constructed, installed, and maintained so that public safety, particularly traffic safety, are not compromised.
- F. Sign regulations are content neutral.



Clarify the difference between  
architecture and signs

## Architecture or Sign

Recommended Code Language (added to  
definition of sign):

- A sign does not include architectural or landscape features that may attract attention but do not convey a message, image, or trademark considered speech protected under federal or state law.



Increase authority of staff to review sign applications that have historically been routine and non-controversial

## Review Process: Recommended Updates

<i>Recommended change</i> Same as current code		
Class I (staff)	Class II (staff)	Class III (DRB)
<ul style="list-style-type: none"> <li>• Signs conforming to a master sign plan or other previous approval</li> <li>• Temporary Signs 30 days or less</li> <li>• <b>Minor adjustments to master sign plans</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Signs for existing residential development</b></li> <li>• <b>Signs for existing non-residential development with less than 3 tenants</b></li> <li>• Temporary Signs 31-120 days</li> <li>• <b>Major adjustments to master sign plans which involve:</b> <ul style="list-style-type: none"> <li>• <i>Single tenants</i></li> <li>• <i>Single multi-tenant signs</i></li> <li>• <i>Series of related multi-tenant signs</i></li> </ul> </li> <li>• <b>Administrative variances</b></li> </ul>	<ul style="list-style-type: none"> <li>• Waivers</li> <li>• Non-administrative variances</li> <li>• New freestanding signs over 8 feet</li> <li>• Signs for new development</li> <li>• Signs for redevelopment being reviewed by DRB</li> <li>• Master Sign Plans</li> <li>• Master Sign Plan modifications other than adjustments</li> </ul>



Clarify and give added direction in what the Development Review Board needs to consider in granting a waiver to sign regulations

Reduce the number of waivers routinely requested

## Waivers: Recommended Updates

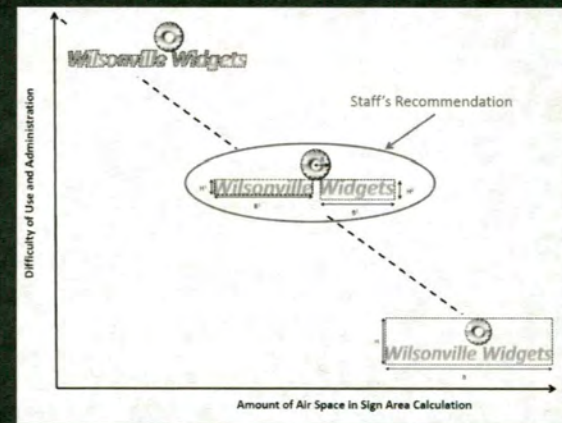
- Specific waiver criteria directly reflecting objectives of sign regulations
  - Focus on improved design
- Adjust sign allowances in different zones to allow the pattern of signs approved repeatedly as “reasonable” through Master Sign Plans
  - Greatly reduce the number of waivers requested
  - Provide for consistent application to different developments
  - Sign allowances will be discussed in more detail later
- Allow DRB to review waivers as part of Class III sign permits as well as Master Sign Plans
  - Eliminate “elective” Master Sign Plans



Establish a clear sign measurement method that balances ease of administration and use with including too much “empty space” in the calculation

## Sign Measurement Language

Recommended Area Measurement Method:



Simplify sign regulations and  
improve consistency by removing  
the majority of special regulations  
for the PDC-TC Zone

Town Center





Separate the allowance for building signs and freestanding signs to allow a more consistent allowance of freestanding signs throughout the City

Increase consistency by basing building sign allowances on the facades of individual tenant spaces rather than per lot

## Building Signs



## Building Signs: Recommended Updates

### Sign Eligible Facades:

1. The facade has one or more entrances open to the general public;
2. The facade faces a lot line with frontage on a street or private drive with a cross section similar to a public street, and no other buildings on the same lot obstruct the view of the building facade from the street or private drive; or
3. The facade is adjacent to the primary parking area for the building or tenant.



Establish clear and objective standards for number of signs and allowed sign area based on an inventory and analysis of existing signs within the City

## Recommended Freestanding Sign Allowance

I-5 and contiguous parallel adjacent streets

- Allowed Sign Area
  - Single Tenant: 64 sf allowed area
  - Multiple Tenants: 64 sf plus 32 sf for each tenant with 10,000 sf or more gross floor area
- Allowed Sign Height
  - 20 feet
  - May be increased by 3 feet per large tenant (10,000 sf gross floor area) in multiple tenant properties up to 35 feet



## Recommended Freestanding Sign Allowance

Other streets

Allowed Sign Area: Single Tenant

Gross Floor Area in a Single Building	Maximum Allowed Sign Area
Less than 11,000 sf	32 sf
11,000-25,999 sf	32 sf + 2 sf per 1000 sf of floor area greater than 10,000 rounded down to the nearest 1,000 sf
26,000 sf or more	64 sf

Public Facility Zone next to residential limited to 32 sf

## Recommended Freestanding Sign Allowance

Other streets continued

Allowed Sign Area: Multiple Tenants

32 sf plus the following:

Gross Floor Area of Tenant Space	Additional Allowed Sign Area for Tenant Space
Less than 1,000 sf	3 sf
1,000-10,999	3 sf + 3 sf per 1,000 sf of floor area rounded down to the nearest 1,000 sf
11,000 sf or more	32 sf

200 sf max, except in PDC-TC, Old Town and PDI 80 sf max



## Recommended Freestanding Sign Allowance

Other streets continued

Allowed height

- 8 feet in Town Center, Old Town, and Industrial Areas
  - Town Center and Old Town require monument style signs
- 20 feet other areas

## Recommended Building Sign Allowance

Sign area allowed for each sign eligible facade:

Linear Length of Façade (feet)	Sign Area Allowed*
Less than 16	Area equal to linear length
16 to 24	24 sf
Greater than 24 to 32	32 sf
Greater than 32 to 36	Area equal to linear length
Greater than 36 to 72	36 sf
Greater than 72	36 sf plus 12 sf for each 24 linear feet or portion thereof greater than 72 up to a maximum of 200 sf

\*Except as noted in 2-5 below



## Recommended Building Sign

### Allowance

Exceptions and Flexibility to Sign Area Allowed (the \*):

- Ability to transfer allowed area to facades with primary public entrance or street frontage with windows from adjacent facades
- Increase allowed area for facades with multiple entrances
- Unique case of campus settings (Mentor Graphics, Xerox)
- Ability to transfer allowed sign area to otherwise non-sign eligible facades facing I-5 from freestanding signs or adjacent facades

Clarify the allowance for semi-static digital changeable copy signs and add specific requirements for this type of sign



## Digital Changeable Copy Signs: Recommended Updates

- Provide new definition of “changeable copy signs” that includes semi-static digital signs
- Change waiver allowance from planned development architecture waiver to sign waiver to allow it to apply to schools
- Establish specific conditions for granting of waivers for digital changeable copy signs
  - Time Limit (15) Minutes
  - Automatic Dimming Technology

Update regulations for temporary signs for special events to be consistent with other regulations adopted by the City

## Special Event Signs: Recommended Updates

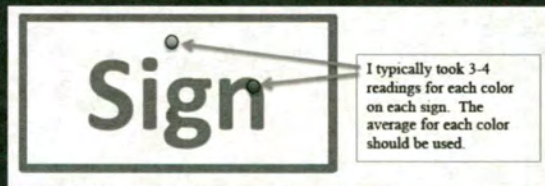
- New language establishes the following:
  - Maximum of 10 signs per applicant
  - Can only be issued to an applicant or event once every 6 months
  - Only for events with 250 or more anticipate participants
  - Cannot be placed in places where lawn signs are prohibited (generally maintained planting strips and medians)
  - Maximum of 2 permits issued can overlap (maximum number of sign in the right-of-way at one time would be 20)
  - Cannot be in addition to signs allowed for large special events in Section 6.150 (Ordinance # 701)

Establish clear brightness standards



## Sign Brightness

- Simple criteria for daytime and nighttime
  - candelas per square meter
- All existing signs tested meet nighttime criteria
- Anticipate evolving lighting technology
- Written into prohibited signs section
- No additional submission requirements



Make other minor changes to  
improve consistency and  
functionality



## Other Minor Changes-Highlights

### **Sections 4.030-4.031 Jurisdiction and Powers of the Planning Director and Authority of DRB**

- Minor revisions to reflect recommended process language in Section 4.156

### **Section 4.156.02 Sign Review Process and General Requirements**

- Add language Planning Director to waive submission documents when not necessary

## Other Minor Changes-Highlights

### **Section 4.156.04 Non-Conforming Signs**

- Add language addressing public takings based on experiences with recent Wilsonville Road interchange work

### **Section 4.156.05 Permit Exempt Signs**

- Clarify language regarding interior signs, add language to reflect Ordinance # 701



## Other Minor Changes-Highlights

### **Subsection 4.156.07 Residential Sign Regulations**

- Remove planned development signs language and modify ground mounted (monument sign language) for simplified and consistent rules for all residential development
- Clarify sign allowance for parks and non-residential development in residential zones

## Other Minor Changes-Highlights

### **Subsection 4.156.08 (.03) Additional Signs in Commercial, Industrial, and Public Facility Zones**

- Clarify allowances for “Planned Development signs”
  - Separate or incorporated into freestanding sign
- Independent allowance for “blade signs” to assist in pedestrian wayfinding (consistent with current use of these types of signs)
- Update fuel price sign allowance based on inventory of existing signs and updated changeable copy sign language

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION OF THE CITY OF WILSONVILLE ADOPTING AN UPDATED FEE SCHEDULE FOR SIGN RELATED PLANNING REVIEW FEES, AMENDING 'EXHIBIT A' OF RESOLUTION NO. 2050.**

WHEREAS, the Wilsonville City Council finds it necessary and reasonable to establish fees for the purpose of defraying actual costs for Land Use and Development Planning reviews; and

WHEREAS, the Wilsonville City Council has adopted updated sign regulations which include permit types and processes not reflected in the fee schedule adopted by Resolution 2050; and

WHEREAS, the Wilsonville City Council finds it prudent to update the fee schedule to reflect these new permit types and processes with fees reflective of the current fee schedule for comparable permit types and processes in terms of use of staff time and other City resources; and

WHEREAS, technology has evolved since adoption of Resolution 2050 to allow for staff to quickly and inexpensively produce mailing labels when public notice is required; and

WHEREAS, the Wilsonville City Council finds that Oregon state law allows the City to recover its actual costs.

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

Section 1. The City Council finds the proposed recovery of administrative costs for planning review and land use development services related to signs are actual, reasonable and necessary, therefore, the Planning fees are hereby established as set out in Exhibit "A", which is attached to this resolution and incorporated by reference as if fully set forth herein.

Section 2. The fee schedule as proposed shall become effective on the same date as Ordinance \_\_\_\_ in order to allow time for data entry into the EDEN System,



through which all applications and fees are processed. These fees may be adjusted annually to reflect the increase in the Portland/Salem area consumer price index.

Section 3. Resolution No. 2050 is hereby amended as shown in 'Exhibit A'.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 4<sup>th</sup> day of June, 2012, and filed with the Wilsonville City Recorder this date.

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TIM KNAPP, MAYOR

ATTEST:

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Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Knapp            \_\_\_  
Councilor Goddard    \_\_\_  
Councilor Hurst        \_\_\_  
Councilor Núñez       \_\_\_  
Councilor Starr        \_\_\_

**Planning Division Planning Fees**  
 -Effective July 1, 2007 Sign Related Fees Updated June 4, 2012

Fee Type

Fee

Fee to create property owner list: 250 feet for notification	\$160
Preapplication Conference	
<b><u>Sign Permit or Master Sign Plan as stand-alone request</u></b>	<b><u>\$160</u></b>
<b><u>Signs Permits and Review (Except Temporary Signs)</u></b>	
Administrative <b><u>Class I Sign Permit</u></b>	\$160
<b><u>Class II Sign Permit</u></b>	<b><u>\$400</u></b>
DRB Review <b><u>Class III Sign Permit</u></b>	<b><u>\$400-560</u></b>
Master sign <b><u>Sign program permit Plan</u></b>	\$960
<b><u>Minor Adjustment as Part of Class I Sign Permit</u></b>	<b><u>\$80</u></b>
<b><u>Temporary Use and Sign Permits</u></b>	
<b><u>Class I &lt; 15 days</u></b>	\$80
<b><u>Class I 15 - 30 days</u></b>	\$160
<b><u>Class I Annual Event Signs</u></b>	<b><u>\$50</u></b>
<b><u>Class II 31-60 days</u></b>	<b><u>\$160-240</u></b>
<b><u>Class II 61-120 days (signs only)</u></b>	<b><u>\$320</u></b>
<b><u>Class II 61-120 days (other temporary uses, may incorporate concurrent sign request)</u></b>	\$800
<b><u>DRB Review 121-365 days more than 120 days (non-sign temporary uses only)</u></b>	\$800
<b><u>Temporary Use Permit &amp; Signage</u></b>	
Limitations	
Exempt: 57 hours/week; Weekend (and Tuesday) Signs: limited locations	\$0
Exempt: < or = 10 days in 30 day period; Temporary Sales: 1 sign max; 6 sf max <=30" tall	\$0
Class 1: <15 days; signs and commonly associated (but not substantial) structures allowed	\$80
Class 1: >1 day and <= 28 days; grand opening only	\$160
Class II: >=15 days and <= 30 days 2 signs max; combined total all signs max, 24sf with Temporary Use Permit	\$160
Class 2: >=31 days and <=60 days; 2 signs max, combined total all signs 24sf max, and no max ht, or, same, plus 20ft max ht.	\$160
Class 2: >=61 days and <=120 days; 2 signs max, combined total all signs 24sf max, and 20ft max ht, plus other considerations	\$800
Class 3: DRB Hearing required >120 days and <1 yr	\$800
Class 1 or 2 discretionary; if previously approved Master Sign Plan exists	\$160 or \$800

**King, Sandy**

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**From:** Pauly, Daniel  
**Sent:** Wednesday, May 23, 2012 12:10 PM  
**To:** Neamtzu, Chris; King, Sandy; Kohlhoff, Mike; Cosgrove, Bryan; Wallis, Gary  
**Subject:** Sign Code Packet Materials for June 4th City Council  
**Attachments:** SIGN CODE JUNE 4th CITY COUNCIL PUBLIC HEARING SR.docm; Ordinance 704.docx; LP12-01 PC Resolution.doc; Clean Read Version of Recommended Code Text.docx; Staff Presentation for CC\_PH\_2012\_06\_04.pdf; Resolution 2369.docx; Exhibit A Resolution 2369.docx

Attached you will find the following for the June 4<sup>th</sup> Council Meeting Packet related to the sign code update. My apologies for being a day late due to being out sick.

Staff report for Ordinance 704 and Resolution 2369  
Ordinance 704 (Sign Code Update)  
Planning Commission Resolution  
"Clean Read" version of code text  
Presentation highlighting updates  
Resolution 2369 (sign related fee updates)  
Resolution 2369 Exhibit A (updated fee schedule)

I have not made any changes based on Mayor Knapp's work session comments, but have prepared responses to his concerns for the hearing.



Daniel Pauly, AICP  
Associate Planner  
Ext. 1536

Disclosure: Messages to and from this E-mail address may be subject to Oregon Public Records Law.


**CITY COUNCIL MEETING  
 STAFF REPORT**

<b>Meeting Date: June 4, 2012</b>	<b>Subject: Sign Code Updates Public Hearing</b>
	<b>Staff Member: Daniel Pauly, AICP</b> <b>Department: Planning</b>
<b>Action Required</b>	<b>Advisory Board/Commission Recommendation</b>
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input checked="" type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable <b>Comments:</b> Sign code updates unanimously recommended for approval by Planning Commission on April 11, 2012

**Staff Recommendation:** Adopt Ordinance on 1<sup>st</sup> Reading. Adopt the associated fee resolution.

**Recommended Language for Motion:** I move to adopt Ordinance 704 on 1<sup>st</sup> Reading. I move to adopt Resolution 2369.

**PROJECT / ISSUE RELATES TO:**

<input checked="" type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable
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**ISSUE BEFORE COUNCIL:**

The sign code updates before the Council reflect the collaboration of the Chamber of Commerce, City staff, and other stakeholders. Also, a resolution is before Council to update the Planning Fee Schedule consistent with the sign code updates.

## **EXECUTIVE SUMMARY:**

In order to improve efficiency and consistency in administration and application of Wilsonville's sign regulations while maintaining a high quality visual environment, in which quality sign development plays a major role, a collaborative effort has been carried out to update Wilsonville's sign regulations. Wilsonville's current sign code has been in effect for 12 years, with changes surrounding the content neutrality of temporary sign regulations adopted in 2010. Stakeholders including the Wilsonville Chamber of Commerce, City Staff, sign professionals, residents, former members of the Development Review Boards, and developers have reviewed the current code and have together identified a number of opportunities for improvement. The Planning Commission has reviewed all the issues and recommendations through seven work sessions and, following a public hearing, unanimously recommended approval of related code revisions.

Specific objectives of the recommended code revisions include:

- Increase authority of staff to review sign applications that have historically been routine and non-controversial
- Establish clear and objective standards for number of signs and allowed sign area based on an inventory and analysis of existing signs within the City
- Create a more concise sign code purpose statement and objectives
- Establish a clear sign measurement method that balances ease of administration and use with including too much "empty space" in the calculation
- Clarify the allowance for semi-static digital changeable copy signs and add specific requirements for this type of sign
- Clarify and give added direction in what the Development Review Board needs to consider in granting a waiver to sign regulations
- Reduce the number of waivers routinely requested
- Simplify sign regulations and improve consistency by removing the majority of special regulations for the PDC-TC Zone
- Separate the allowance for building signs and freestanding signs to allow a more consistent allowance of freestanding signs throughout the City
- Use more positive language throughout the regulations
- Clarify the difference between architecture and signs
- Organize the sign regulations in a more user friendly manner
- Remove unnecessary redundancies in the sign regulations
- Increase consistency by basing building sign allowances on the elevation of individual tenant spaces rather than per lot.
- Update regulations for temporary signs for special events to be consistent with other regulations adopted by the City.
- Make other minor edits as necessary to improve consistency and functionality of the sign regulations

Fees: The recommended fee schedule modifications are meant to accommodate the changes in process and permit types in a manner reflective of currently established fees.

**EXPECTED RESULTS:**

More efficiency and consistency in administration and application of Wilsonville’s sign regulations while maintaining a high quality visual environment which contributes to the livability and economic vitality of the City.

**TIMELINE:**

- o November 2000: Majority of current sign code adopted by Ordinance 509
- o March 2010: Amendment to sign regulations to remove content based regulations adopted by Ordinance 675
- o June 2010 to early 2011: Chamber of Commerce sign code sub-committee representatives and City Staff met a number of times to gather businesses’ feedback on opportunities to improve the sign code.
- o July, September, October, November, December 2011 and February, March 2012: Planning Commission Work Sessions.
- o April 11, 2012: Planning Commission Public Hearing
- o May 21, 2012 City Council Work Session

**CURRENT YEAR BUDGET IMPACTS:**

No notable impacts on current FY budget.

**FINANCIAL REVIEW / COMMENTS:**

Reviewed by: Gary Wallis Date: May 9, 2012

Pertaining to the sign code fees, Planning represents that the changes are expected to be revenue neutral. Not all fees will be changed. Fees for the bulk of application work will not be changing. In total, signage fees have averaged \$12,000 per year over the past four years.

**LEGAL REVIEW / COMMENT:**

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

**COMMUNITY INVOLVEMENT PROCESS:**

Summary:

Feedback has been supportive of a more streamlined process, and the value of quality sign development on the livability and economic vitality of the community.

Involvement process:

- o Collaboration with the Chamber of Commerce to identify issues review recommended solutions.

- Work session materials distributed to interested parties list and made available on the City's web site prior to each work session. Interested parties participated in work sessions.
- Public Hearing Notice sent to 721 parties.
- Information on the updates in the Boones Ferry Messenger multiple times.

## **POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY**

### Businesses:

Businesses will save time and money. More ability for the City to respond to sign permit requests in a streamlined and consistent manner.

### Residents:

Care was taken to maintain the high quality visual requirement that contributes to property values and quality of life, while helping residents find their ways to and identify local businesses.

## **ALTERNATIVES:**

1. Taking no action

Not selected because sign permit applicants and City staff would continue to deal with the identified issues with the current code

2. The Chamber of Commerce and City staff reviewed many approaches to sign regulations including model sign codes, sign codes from other jurisdictions. Many alternative approaches were available from the different documents, but after careful consideration, the recommended updates were found to be the alternative that works best in Wilsonville's unique context considering existing development and overall structure of the development code.

## **CITY MANAGER COMMENT:**

## **ATTACHMENTS**

- A. Planning Commission Resolution
- B. Planning Commission Record (large file available upon request, a copy will be available at Public Hearing)
- C. Recommended code text ("clean read" version)
- E. Presentation highlighting updates



**ORDINANCE NO. 704**

**AN ORDINANCE OF THE CITY OF WILSONVILLE AMENDING THE PLANNING AND LAND DEVELOPMENT ORDINANCE (WILSONVILLE'S DEVELOPMENT CODE) SECTIONS 4.001, 4.030-4.031, AND 4.156 AND DIVIDING SECTION 4.156 INTO SECTIONS 4.156.01 THROUGH 4.156.11 TO UPDATE THE CITY'S SIGN REGULATIONS AND THE PURPOSE AND OBJECTIVES OF SUCH REGULATIONS.**

WHEREAS, Wilsonville's current sign regulations have been in effect for 12 years, with changes surrounding the content neutrality of temporary sign regulations adopted in 2010; and

WHEREAS, a collaborative effort has been carried out to identify issues and recommendations to update the sign regulations involving stakeholders including the Wilsonville Area Chamber of Commerce, City staff, sign professionals, residents, former members of the City's Development Review Board, and developers; and

WHEREAS, the Planning Commission held a seven work sessions over period of July 2011 to March 2012 to review issues, recommendations, and Development Code amendments to implement the recommendations; and

WHEREAS, the recommendations aim to improve efficiency and consistency in administration and application of Wilsonville's sign regulations while maintaining a high quality visual environment, in which sign development plays a major role; and

WHEREAS, the updated sign regulations help foster an aesthetically pleasing, functional, and economically vital community, as well as promote public health, safety, and well-being by meeting the needs of sign owners while maintaining consistency with the development and design standards elsewhere in Chapter 4 of the Planning and Land Development Ordinance; and

WHEREAS, the Planning Commission conducted a public hearing on this matter on April 11, 2012 and upon consideration of testimony and evidence from the public and city staff, unanimously recommended that the City Council approve the proposed Development Code amendments; and

WHEREAS, the Council having conducted a public hearing on the proposal on June 4, 2012, and considering the entire record herein finds that the proposed Development Code amendment complies with applicable text amendment criteria and is in the best interest of the community by

providing for the needs of sign owners while ensuring a functional, aesthetically pleasing, economically vital, and safe community.

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

Section 1: Findings. The council adopts as findings and conclusions the foregoing recitals and the staff report in this matter attached hereto as Exhibit A and adopted as if set forth fully herein.

Section 2: Amendments.

1. That Wilsonville code section 4.001 Definitions, be amended to modify the definitions for “Sign”, “Addressing Signs”, “Changing image sign”, “Lawn Sign”, “Roof Sign”, “Sign Area”, add definitions for “Baseline”, “Bowl”, “Cap Height”, “Changeable copy sign”, “Descender”, “Blade Sign”, “Serif”, “Shoulder”, “Video Sign”, and “Wayfinding Sign”, delete the definition of “Building Graphics”, “District Sign”, “Electric Sign”, and “Street Graphics”, and move “Site Area, Net” from a sub definition of “Sign” to a stand-alone definition, as follows:

263. 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, - mural, 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. The scope of the term “sign” does not depend on the content of the message or image conveyed. A sign does not include architectural or landscape features that may attract attention but do not convey a message or image considered speech, or trademark, protected under federal or state law.

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. Baseline: The invisible line on which text or other characters sit, the bottom extent of the cap height of a typeface.**

**C. Bowl: In a font or typeface, an open or closed circular line that creates an interior space, such as in the letters “d” and “c.”**

~~Building Graphics: building mounted signs.~~

**B.D. Cap Height: In a font or typeface, the distance from the baseline to the top of uppercase letters like “H” and “J.”**

- E. Changing image sign. Any sign which, through the use of moving structural elements, flashing or sequential lights, lighting elements, **prisms**, or other ~~automated~~ method, results in movement, the appearance of movement, or change of sign image or text **except changeable copy signs defined below.**
- C.F. Changeable copy sign. **Any sign, digital or manual, which is designed to have the copy changed routinely and where the frequency of copy change does not exceed once every fifteen (15) minutes, except in emergency situations as requested by the City Manager or designee.**
- G. Descender: **In a font or typeface, the part of a letter extending below the baseline including lower portion of the lowercase letters “g,” “j,” “p,” “q,” and “y.”**
- D.H. Directional signs: Signs on private property that provide directions for the traveling public and are 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.I. Flashing Sign: ~~any~~ **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.J. 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.K. Ground-mounted Sign: A non-temporary 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.L. Inflatable Sign: ~~any~~ **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.M. Institutional Signs: ~~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.N. Integral Sign: ~~a~~ **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 a part of the structures.
- M.O. Lawn Sign. ~~a~~ **A** temporary freestanding sign commonly made of corrugated plastic, greyboard, or similar type of material, constructed and maintained to prevent being moved or heavily damaged by typical exposure to natural elements. Lawn signs in the rights-of-way under W.C. 4.156(-10).**11** may be constructed to be ~~movable~~ **portable**.
- N.P. Marquee Sign: ~~a~~ **A** canopy or covering structure bearing a signboard or graphics projecting from, and attached to, a building.

~~Q.Q.~~ Permanent Sign: ~~any~~ Any sign that does not meet the definition of a temporary sign, below.

R. Portable Sign: ~~a~~ A sign that is not permanently affixed to a building, structure, or the ground; a sign designed to be moved from place to place. These signs include, but are not limited to movable A-frame signs, sandwich board signs, signs on vehicles or trailers, and signs attached to wood or metal frames designed to be self-supporting and movable, including trailer reader boards.

S. Projecting Sign: ~~a~~ 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.

**1. Blade Sign: A sign hanging, perpendicular to a building façade, from a canopy, building projection, or mounting bracket intended to aid pedestrians in wayfinding.**

P.T. Rigid Sign: ~~a~~ A temporary freestanding sign designed and constructed with materials of a grade and quality to withstand strong winds, rains, and harsh weather conditions, and maintained as a potentially year-long temporary sign to ensure that degradation or weathering does not present aesthetic and public safety concerns and the sign retains substantially the same quality throughout the year. Such signs may not be constructed of cardboard, poster board, or other similar lightweight paper products.

U. Roof Sign: A sign located on or above the roof of any building, not including a false mansard roof, canopy or other fascia.

Q.V. Selling slogans~~Slogans~~: ~~a~~ A brief striking phrase used in advertising or promotion. The hours of operation of a business shall be considered to be a selling slogan.

**W. Serif: In fonts and typefaces, the extra stroke at the end of a letter or character.**

**X. Shoulder: In fonts and typefaces, the curve at the beginning of a leg of a character such as the upper curved portion of the lowercase letters "m" and "n."**

~~R.Y. Sign Area: the~~ The display surface or face of the sign calculated as prescribed in Section 4.156.04, 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.~~

~~S.Z. Site Area, Net: The area of a development site, excepting all areas in streets or private drives, driveways, and parking spaces.~~

~~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.~~

AA. Temporary Sign: ~~a~~ A sign not permanently affixed to a building, structure, or the ground, intended to be displayed for a limited period of time.

**BB. Video Sign: Moving visual messages projected on any surface.**

CC. Wall Flat Sign: ~~a~~**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.

**DD. Wayfinding Sign: The term way finding sign has two different contextual meanings. First, it is used as a general description of one of the basic purposes or functions of signs, which is to assist in directing the general public to specific destinations within the community, so that they find their way. In this context almost all signs provide some degree of way finding information. Second, the term is used to describe a specific type of sign, such as local directional signs and district wayfinding signs, that provides specific identity and/or direction to particular businesses, facilities, or places of interest, such as parks, tourist attractions, public buildings, schools, special districts, or other locations to which the public commonly asks for directions.**

264. Site Area, Net: The area of a development site, excepting all areas in streets or private drives, driveways, and parking spaces.

2. That Wilsonville code section 4.030 Jurisdiction and Powers of Planning Director and Community Development Director, subsection (.01), be amended as follows:

(.01) Authority of Planning Director. The Planning Director shall have authority over the daily administration and enforcement of the provisions of this Chapter, including dealing with non-discretionary matters, and shall have specific authority as follows:

A. A Class I application shall be processed as a ministerial action without public hearing, shall not require public notice, and shall not be subject to appeal or call-up, except as noted below. Pursuant to Class I procedures set forth in Section 4.035, and upon finding that a proposal is consistent with the provisions of this Code and any applicable Conditions of Approval, shall approve the following, with or without conditions:

1. Minor site clearing and grading, prior to the approval of a Site Development Plan, provided that:
  - a. no clearing or grading occurs within the Significant Resource Overlay Zone. Clearing or grading in the Significant Resource Overlay Zone shall require, at a minimum, approval of a Class II permit through the procedures specified below;
  - b. no clearing or grading occurs within twenty-five (25) feet of an area that has been identified by the City as a wetland;
  - c. not more than three (3) trees are proposed to be removed;
  - d. no fill or removal is proposed;
  - e. adequate measures are utilized to control erosion and runoff from the site and that the applicant will submit a final Site Development application within seven (7) days of submitting the minor site grading application. All grading activities require compliance with the requirements of the applicable building code and City Public Works standards.

2. ~~**Class I Signs Sign Permits, and Temporary Sign Permits for thirty (30) days or less.**~~ authorized for administrative approval by the sign regulations and signs that are permitted outright by the sign regulations of this Code. ~~This includes copy changes to an existing sign, provided that no other structural changes occur and provided that the change occurs to a sign that is otherwise legal.~~
3. Architectural, landscape, tree removal, grading and building plans that substantially conform to the plans approved by the Development Review Board and/or City Council. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters.
4. Building permits for single family or two-family dwellings, and in the Village zone, row houses or apartments, meeting zoning requirements and located on lots that have been legally created. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters. [Amended by Ord 557 adopted 9/5/03].
5. Lot line adjustments, where none of the lots increase in area by fifty percent (50%) or more, subject to the standards specified in Section 4.233.
6. A temporary use permit for not more than thirty (30) days, subject to the following standards:
  - a. the applicant has the written permission of the property owner to use the site;
  - b. the proposed use will not create an obstruction within a sight vision clearance area that would impair the vision of motorists entering onto or passing by the property;
  - c. adequate parking is provided;
  - d. signs shall meet the standards of Section 4.156.09. A maximum of two signs, not exceeding a combined total of 24 square feet, are allowed; and
  - e. the proposed use has the approval of the Fire Marshal.
7. Determination that an existing use or structure is a non-conforming use or non-conforming structure, as defined in this Code. Except, however, that the Planning Director may, in cases where there is any uncertainty as to the history of the property, choose to process such determinations through the Class II procedures below.
8. Actions taken subject to Site Development Permits which have been approved by the appropriate decision-making body of the City.
9. Final plats for condominiums, subdivisions, or partitions that are substantially the same as tentative plats approved by the City and which are submitted for review and signature prior to recordation with the appropriate county.
10. Type A tree removal permits as provided in Section 4.600.
11. Determination, based upon consultation with the City Attorney, whether a given development application is quasi-judicial or legislative. Except,

however, that the Planning Director may, in cases where there is any uncertainty as to the nature of the application, choose to process such determinations through the Class II procedures below.

12. Expedited land divisions. Applications for expedited land divisions, as provided for in Section 4.232 of this Code and ORS Chapter 197 shall be processed without public hearing, and shall be subject to appeal through the special appeal procedures specified in Section 4.232.
  - a. Authority of Planning Director. The Planning Director shall have authority to review applications for expedited land divisions and to take action approving, approving with conditions, or denying such applications, based on findings of fact.
  - b. Tentative Plat Requirements for Expedited Land Divisions. Tentative plats and all other application requirements for expedited land divisions shall be the same as for other forms of land divisions, except as those requirements are specifically altered by the Oregon Revised Statutes.
  - c. Administrative Relief Not Available. In taking action on an application for an expedited land division, the Planning Director is not authorized to grant Variances or waivers from the requirements of the Code.
  - d. Residential Areas Only. As specified in ORS 197, expedited land divisions shall only be approved in areas zoned for residential use.

B. A Class II application shall be processed as an administrative action, with or without a public hearing, shall require public notice, and shall be subject to appeal or call-up, as noted below. Pursuant to Class II procedures set forth in Section 4.035, the Director shall approve, approve with conditions, deny, or refer the application to the Development Review Board for a hearing:

1. Minor alterations to existing buildings or site improvements of less than twenty-five percent (25%) of the previous floor area of a building, but not to exceed 1,250 square feet, or including the addition or removal of not more than ten (10) parking spaces. Minor modifications to approved Architectural and Site Development Plans may also be approved, subject to the same standards.
2. Residential accessory buildings or structures with less than one hundred and twenty (120) square feet of floor area located within the Willamette River Greenway Boundary pursuant to Section 4.500 and subject to the flood plain development standards of Section 4.172. Approval of such accessory structures in the Greenway shall be based on all of the following findings of fact:
  - a. The building or structure is located so that the maximum amount of landscape area, open space and/or vegetation is provided between the river and the building;
  - b. Public access to the river is preserved or is provided in accordance with an approved and adopted plan; and

- c. That the change of use, intensification of use, or development will be directed away from the river to the greatest possible degree while allowing a reasonable use of the property.
- ~~3. A temporary Use Permit for more than thirty (30) and fewer than sixty one (61) days.~~
43. Written interpretations of the text or maps of this Code, the Comprehensive Plan or sub-elements of the Comprehensive Plan, subject to appeal as provided in Section 4.022. The Planning Director may review and interpret the provisions and standards of Chapter 4 (Planning) of the Wilsonville Code upon receiving the required filing fee along with a specific written request. The Director shall publish and mail notice to affected parties and shall inform the Planning Commission and City Attorney prior to making a final written decision. The Director's letter and notice of decision shall be provided to the applicant, the Planning Commission, the City Council, and City Attorney and the notice shall clearly state that the decision may be appealed in accordance with Section 4.022 (Appeal Procedures). A log of such interpretations shall be kept in the office of the Planning Department for public review.
54. A permit to locate an accessory use on a lot adjacent to the site of the principal use.
65. Land partitions, other than expedited land divisions, pursuant to Section 4.210. Approval of land partitions shall be based on all of the following findings of fact:
- a. The applicant has made a complete submittal of materials for the Director to review, as required in Section 4.210;
  - b. The proposed plan meets the requirements of the Code regarding minimum lot size and yard setbacks;
  - c. The approval will not impede or adversely affect the orderly development of any adjoining property or access thereto;
  - d. The public right-of-way bordering the lots or parcels will meet City standards;
  - e. Any required public dedications of land have been approved for acceptance by the City and will be recorded with the County prior to final plat approval;
  - f. Adequate easements are proposed where an existing utility line crosses or encroaches upon any other parcel to be created by the partition;
  - g. All public utilities and facilities are available or can be provided prior to the issuance of any development permit for any lot or parcel; and
  - h. Roads extended or created as a result of the land division will meet City standards.
76. Decisions on the following:
- a. Lot line adjustments, where any of the lots increase by more than fifty percent (50%) in area, subject to the provisions of Section 4.233.
  - b. Temporary use **and temporary sign** permits for periods exceeding thirty (30) days: Temporary use **and temporary sign** permits may allow



specific activities associated with the primary use or business located on the property for up to 120 days provided that:

- i. the property owners have given written permission;
- ii. no structure, sign or any other object shall exceed 20 feet in height;
- iii. adequate parking is provided in designated spaces;
- iv. signs are limited to a maximum of two and shall not exceed a total combined area of 24 square feet;
- v. electrical and building permits are obtained as required;
- vi. undue traffic congestion will not result and, if traffic congestion is expected, a traffic control plan is submitted along with the application that identifies the traffic control procedures that will be used;
- vii. the activity and/or use shall not unduly interfere with motorists driving on adjacent roads and streets, including I-5; and
- viii. public notice has been provided and the comments of interested parties have been considered in the action that has been taken.

8. Solar access permits, as specified in Section 4.137.3.

**9. Class II Sign Permits.**

- C. Other specific actions or duties delegated by Planning Commission or Development Review Board Resolution, or by order of the Council, setting forth the review procedure guided by clear and objective standards for administration.
- D. Administrative Relief: In issuing the permits in subsection "B," above, the Planning Director may grant limited relief in cases of hardship. The Director shall follow the Class II - Administrative Approval procedures to determine whether administrative relief shall be granted. If the Director receives a complete application, along with the required filing fee, and the request involves only the expansion or reduction by not more than 20 percent of one or more quantifiable provisions of yard, area, lot dimension, or parking requirements of the zone, the Director may approve the application, based upon findings of fact supported by evidence in the record. The Variance procedures and standards specified in Section 4.196 shall be used in determining whether administrative relief shall be granted.
- E. Emergency Situations: The Planning Director may review and approve any reasonable and necessary emergency measure, including the removal of trees and vegetation from the Willamette River Greenway, Significant Resource Overlay Zone and wetlands, necessary for the safety and/or protection of persons or property. The standard shall be that the least amount of activity or disruption is used to provide the necessary protection to the property or to avert damage to the property. The Director may require restoration of landscaping, vegetation or soil to repair any damage resulting from enacting emergency protection measures.

3. That Wilsonville code section 4.031 Authority of the Development Review Board, subsection (.01), be amended as follows:

- (.01) As specified in Chapter 2 of the Wilsonville Code and except as specified herein, the Board shall have authority to act on the following types of applications:
- A. Class II development applications referred to the Board by the Planning Director, as authorized in Section 4.030.
  - B. Call-ups or appeals of staff decisions or interpretations involving quasi-judicial applications or procedures, as authorized in Sections 4.022 and 4.172.
  - C. Review of tentative subdivision and condominium plats, as authorized in Section 4.210, other than those processed as expedited land divisions.
  - D. Conditional Use Permits, as authorized in Section 4.184.
  - E. Variances, as authorized in Section 4.196, other than those that are reviewed and acted upon by the Planning Director through Administrative Review processes.
  - F. Initial review of quasi-judicial applications for zone changes, as authorized in Section 4.197.
  - G. Initial review of quasi-judicial applications for amendments to one or maps in the Comprehensive Plan, as authorized in Section 4.198.
  - H. Site design review, as authorized in Section 4.400.
  - I. Review of Stage I and Stage II Planned Development applications.
  - J. Acceptance, rejection, or modification of traffic studies prepared for projects or developments. A traffic study prepared by the City's consultant shall not be rejected or modified by the Board unless substantial evidence exists in the record to justify such action. If the Board rejects a traffic study prepared by the City's consultant, the fee paid by the applicant for that study shall be refunded.
  - K. Initial review of requests for quasi-judicial annexations to the City of Wilsonville.
  - L. Street vacations, where a specific development application has been filed for the subject property. If no specific development application has been filed for the subject property, the vacation request shall be considered by the Planning Commission. Action of the Planning Commission or Board on a street vacation request shall be a recommendation to the City Council.
  - M. Class III Sign Permits, Master Sign Plans, and all sign permits and approvals not specifically authorized for administrative review or exempt from permitting requirements.**

- 4. That the heading "Section 4.156 Sign Regulations" be deleted in its entirety.
- 5. That Wilsonville code section 4.156 Sign Regulations, subsection (.01) Purpose, be renumbered and retitled as section 4.156.01 Sign Regulations Purpose and Objectives, and amended as follows:

**Section 4.156.01 Sign Regulations Purpose and Objectives.**

(.01) Purpose. The general purpose of this ~~the~~ Section is sign regulations are to provide one of the principal means of implementing the Wilsonville Comprehensive Plan by fostering an aesthetically pleasing, functional, and economically vital community, as well as promoting public health, safety, and well-being. The sign regulations strive to accomplish the above general purpose by meeting the needs of sign owners while maintaining consistency with the development and design standards elsewhere in Chapter 4. This code regulates the design, variety, number, size, location, and type of signs, as well as the processes required to permit various types of signs. Sign regulations have one or more of the following specific objectives:

- A. Well-designed and aesthetically pleasing signs sufficiently visible and comprehensible from streets and rights-of-way that abut a site as to aid in wayfinding, identification and provide other needed information.
- B. Sign design and placement that is compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district.
- C. A consistent and streamlined sign review process that maintains the quality of sign development and ensures due process.
- D. Consistent and equitable application and enforcement of sign regulations.
- E. All signs are designed, constructed, installed, and maintained so that public safety, particularly traffic safety, are not compromised.
- F. Sign regulations are content neutral.

~~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.~~

6. That Wilsonville code section 4.156 Sign Regulations, subsection (.02) Application For Sign Permits and subsection (.03) General Provisions Affecting Signs, be renumbered and retitled as sections 4.156.02 Sign Review Process and General Requirements, 4.156.03 Sign Measurement, and 4.156.04 Non-Conforming Signs, and amended as follows:

~~(.02) 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 4.022. 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, or in the Village zone, as part of a master signage and Wayfinding plan. (Amended by Ord 557, adopted 9/5/03).~~
- ~~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 4.156(.01) 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 4.196; 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 4.156(.01) and (.02) above, Section 4.196, 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 4.196.~~

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 4.196.~~

~~(.03) 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. The location of free standing or ground mounted signs located adjacent to or near the Public Right of Way shall be in compliance with the City's Public Works Standards for sight distance clearance. Prior to construction, the location of the sign shall be approved by the City of Wilsonville Engineering Division.~~

~~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.~~

#### **Section 4.156.02 Sign Review Process and General Requirements.**

**(.01) Permit Required: Unless exempt under Section 4.156.05, no sign, permanent or temporary, shall be displayed or installed in the City without first obtaining a sign permit.**

**(.02) Sign Permits and Master Sign Plans: Many properties in the City have signs pre-approved through a Master Sign Plan. For the majority of applications where a Master Sign Plan has been approved the applicant need not consult the sign requirements for the zone, but rather the Master Sign Plan, copies of which are available from the Planning Division. Signs conforming to a Master Sign Plan**

require only a Class I Sign Permit.

(.03) Classes of Sign Permits, Master Sign Plans, and Review Process: The City has three classes of sign permits for permanent signs: Class I, Class II, and Class III. In addition, non-residential developments with three or more tenants require a Master Sign Plan. Class I sign permits are reviewed through the Class I Administrative Review Process as outlined in Subsection 4.030 (.01) A., Class II sign permits are reviewed through the Class II Administrative Review Process as outlined in Subsection 4.030 (.01) B., Class III Sign Permits and Master Sign Plans are reviewed by the Development Review Board (DRB) as outlined in Section 4.031. Applicants shall, whenever possible, incorporate all proposed signage as a part of the initial submittal on new development projects.

(.04) Class I Sign Permit: Sign permit requests shall be processed as a Class I Sign Permit when the requested sign or signs conform to a Master Sign Plan or other previous sign approval. In addition, a Minor Adjustment to a Master Sign Plan or other previous sign approval may be approved in connection with a Class I Sign Permit.

A. Class I Sign Permit Submission Requirements: Application for a Class I Sign Permit shall include two (2) copies of the following along with all required application fees:

1. Completed application form prescribed by the City and signed by the property owner or the property owner's representative,
2. Sign drawings showing all materials, the sign area and dimensions used to calculate sign areas, and other details sufficient to judge the full scale of the associated sign or signs and related improvements,
3. Information showing how the proposed sign or signs conform with all applicable code requirements, Master Sign Plans, or other previous sign approvals for the property, and
4. Information supporting any minor adjustment requests.

B. Class I Sign Permit Review Criteria: The sign or signs conform with the applicable master sign plan or other previous sign approvals, and applicable code requirements.

C. Minor Adjustments: Notwithstanding approved Master Sign Plans or other previous sign approvals, as part of a Class I Sign Permit Minor Adjustments of not more than ten (10) percent from the sign height (not height from ground) and/or length may be approved for the reasons listed in 1. through 4. below, unless otherwise specifically prohibited in the Master Sign Plan. Minor Adjustments shall not cause the sign to cross the edge of any fascia, architectural element or area of a building facade identified as a sign band. The area of the sign exceeding the height or length as part of a Minor Adjustment shall not count against the sign area indicated in a Master Sign Plan or other previous sign approval. Minor Adjustments are valid only for the Sign Permit with which they are associated and do not carry over to future sign permits or copy changes.

1. To accommodate the descender on the lower case letters “q, y, p g, or j”, not otherwise accommodated by the measurement method used, where the letter matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter;
2. To accommodate stylized fonts where bowls, shoulders, or serifs of the stylized letters extend beyond the cap height;
3. To accommodate an arching or other non-straight baseline; or
4. To accommodate a federally registered trademark logo where compliance with the defined maximum sign height would result in the cap height of the text in the logo being ninety (90) percent or less of the cap height for letters otherwise allowed. (i.e. if a Master Sign Plan allowed 24” letters and 24” total sign height, and a 24” logo would result in the cap height of the text within the logo being less than 21.6”, the total height of the logo could be increased to 26.4”)

(.05) Class II Sign Permit: Sign permit requests meeting one or more of the descriptions listed in A. through C. below shall be processed as a Class II Sign Permit when the request does not conform with a Master Sign Plan or other previous sign approval but meets the requirements of the applicable sign regulations, unless the request would modify a condition of approval specifically imposed by the DRB or City Council:

A. Existing residential development;

B. Existing non-residential development with less than three (3) tenants unless the request involves a freestanding or ground mounted sign greater than eight (8) feet in height in a new location;

C. Major Adjustments to a Master Sign Plan when all of the following criteria are met:

1. The request is compatible with the pattern of signage established in the sign plan in terms of locations, placement on buildings, proportionality to fascia and building facade, architectural design, and materials used;
2. The request is due to special conditions or circumstances that make it difficult to comply with the established Master Sign Plan;
3. The request involves signs for a single tenant, a single multi-tenant freestanding or ground mounted sign, or a series of similar related multi-tenant freestanding or ground mounted signs in the same development; and
4. The request does not involve a freestanding or ground mounted sign greater than eight (8) feet in height at a new location.

D. Class II Sign Permit Submission Requirements: Application for a Class II Sign Permit shall include two (2) paper copies and one (1) electronic copy of the following in addition to all required fees:

1. Completed application form prescribed by the City and signed by the property owner or their authorized representative;

2. Sign drawings or descriptions of all materials, sign area and dimensions used to calculate areas, lighting methods, and other details sufficient to judge the full scale of the signs and related improvements;
3. Documentation of the lengths of building or tenant space facades used in calculating maximum allowed sign area;
4. Drawings of all building facades on which signs are proposed indicating the areas of the facades on which signs will be allowed;
5. Narrative describing the scope of the project, including written findings addressing all applicable review criteria, along with any other information showing how the proposed signage conforms with requirements for the applicable zone;

E. Class II Sign Permit Review Criteria: Class II Sign Permits shall satisfy the sign regulations for the applicable zoning district and the Site Design Review Criteria in Sections 4.400 through 4.421, as well as the following criteria:

1. 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 surrounding development;
2. The proposed signage will not create a nuisance or result in a significant reduction in the value or usefulness of surrounding development; and
3. Special attention is paid to the interface between signs and other site elements including building architecture and landscaping, including trees.

(.06) Class III Sign Permit: Sign permit requests shall be processed as a Class III Sign Permit when associated with new development, or redevelopment requiring DRB review, and not requiring a Master Sign Plan; when a sign permit request is associated with a waiver or non-administrative variance; or when the sign permit request involves one or more freestanding or ground mounted signs greater than eight (8) feet in height in a new location.

A. Class III Sign Permit Submission Requirements: Ten (10) paper and electronic copies of the submission requirements for Class II Sign Permits plus information on any requested waivers or variances in addition to all required fees.

B. Class III Sign Permit Review Criteria: The review criteria for Class II Sign Permits plus waiver or variance criteria when applicable.

(.07) Master Sign Plans: A Master Sign Plan is required for non-residential developments with three (3) or more tenants. In creating a Master Sign Plan thought should be given to needs of initial tenants as well as the potential needs of future tenants.

A. Master Sign Plan Submission Requirements: Applications for Master Sign Plans shall include ten (10) paper and electronic copies of all the submission requirements for Class II and III Sign Permits and the following in addition to all required fees:



1. A written explanation of the flexibility of the Master Sign Plan for different potential tenant space configurations over time;
  2. A written explanation of the extent to which different sign designs, including those incorporating logos, stylized letters, multiple lines of text, non-straight baselines, or different materials and illumination will be allowed and if allowed how the flexibility of the master sign plan will allow these different sign designs over time;
  3. A written explanation of how the sign plan provides for a consistent and compatible sign design throughout the subject development.
- B. Master Sign Plan Review Criteria: In addition to the review criteria for Class II and Class III Sign Permits, Master Sign Plans shall meet the following criteria:**
1. The Master Sign Plan provides for consistent and compatible design of signs throughout the development; and
  2. The Master Sign Plan considers future needs, including potential different configurations of tenant spaces and different sign designs, if allowed.
- C. Modifications of a Master Sign Plan: Modifications of a Master Sign Plan, other than Minor and Major Adjustments, shall be reviewed the same as a new Master Sign Plan.**

**(.08) Waivers and Variances: Waivers and variances are similar in that they allow deviation from requirements such as area, and height from ground. They differ in that waivers are granted by the DRB as part of a comprehensive review of the design and function of an entire site to bring about an improved design and variances are granted by either the Planning Director or DRB to relieve a specific hardship caused by the regulations.**

- A. Waivers: The DRB may grant waivers for sign area, sign height from ground (no waiver shall be granted to allow signs to exceed thirty-five (35) feet in height from ground), number of signs, or use of electronic changeable copy signs in order to better implement the purpose and objectives of the sign regulations as determined by making findings that all of the following criteria are met:**
1. The waiver will result in improved sign design, in regards to both aesthetics and functionality.
  2. The waiver will result in a sign or signs more compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district than signs allowed without the waiver.
  3. The waiver will result in a sign or signs that improve, or at least do not negatively impact, public safety, especially traffic safety.
  4. Sign content is not being considered when determining whether or not to grant a waiver.
- B. Variances:**
1. Administrative Variance: In reviewing a Sign Permit the Planning Director may grant or deny a variance to relieve a hardship through the Class II Administrative Review process. Such a variance shall only be approved

where the variance does not exceed twenty percent (20%) of area, height, or setback requirements. 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 4.196.

2. Other Variances: In addition to the authority of the Planning Director to issue administrative variances as noted above, the Development Review Board may authorize variances from sign requirements of the Code, subject to the standards and criteria listed in Section 4.196.

(.09) Temporary Sign Permits: Temporary sign permits shall be reviewed as follows:

A. 30 days and less- Class I Administrative Review

B. 31 days up to 120 days- Class II Administrative Review

C. Submission Requirements: Applications for a temporary sign permit shall include the following in addition to the required application fee:

1. Completed application form prescribed by the City and signed by the property owner or their authorized representative,

2. Two copies of sign drawings showing all materials, and showing sign area and dimensions used to calculate areas, and other details sufficient to judge the full scale of the sign or signs,

3. Information showing the proposed sign or signs conform with all applicable code requirements.

D. Review Criteria: Temporary Sign Regulations in Section 4.156.09.

E. When a temporary sign permit request is submitted as part of the broader temporary use permit request of the same duration, the sign request shall not require an additional fee.

(.10) Waiver of Documentation: The Planning Director may, in his or her discretion, waive an application document for Class I, Class II, and Temporary Sign Permits where the required information has already been made available to the City, or where the Planning Director determines the information contained in an otherwise required document is not necessary to review the application.

#### Section 4.156.03 Sign Measurement

B. Sign Measurement.

(.01) 1. Sign Area: Sign area shall be determined as follows:

A. a. Cabinet Signs and Similar: The area for signs enclosed by cabinet, frame, or other background (including lighted surface) not otherwise part of the architecture of a building or structure shall be ~~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 15: Sign Face Measurement).~~ the area of a shape drawn around the outer dimension of the cabinet, frame, or background.

1. If the cabinet, frame, or background is an irregular shape the signs perimeter shall be measured the same as an individual element sign under B. below.
2. Sign ~~The sign~~ area does not include:
  - a. ~~foundations~~ Foundations, supports, and other essential structures that are not designed to serve unless they are serving as a backdrop or border to the sign;
  - b. Architectural elements of a freestanding or ground mounted sign designed to match or complement the architectural design of buildings on the site not and otherwise meeting the definition of a sign;
  - c. A pole or other structural support, unless such pole or structural support is internally illuminated or otherwise so designed to constitute a display device.

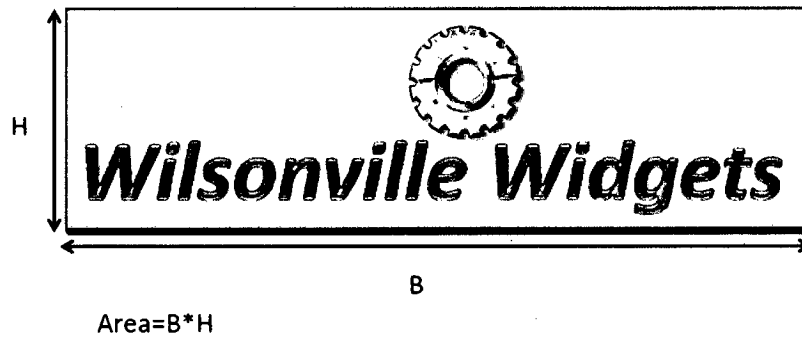
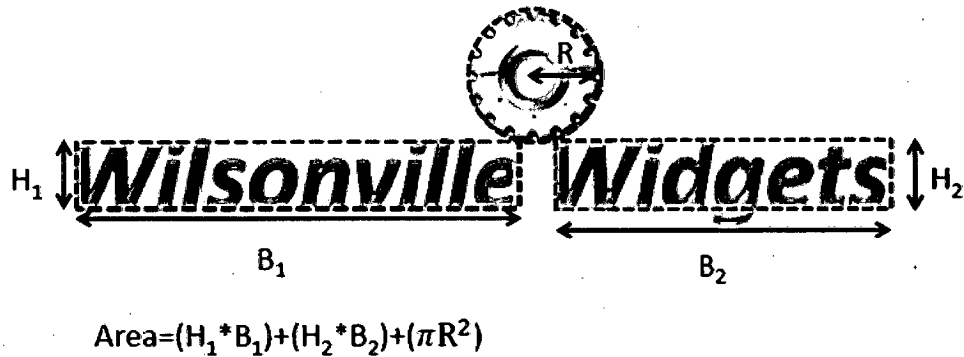


Figure 1. Measurement of Cabinet or Similar Signs

**B. b.** ~~When s~~ Individual Element Signs: The area for signs are constructed of individual elements (letters, figures, etc.) pieces attached to a building wall or similar surface or structure , sign area is determined by a perimeter drawn around all of the pieces (see Figure 17: Individual Element Sign). shall be the summed area of up to three squares, rectangles , circles, or triangles drawn around all sign elements.

1. The descender on the lower case letters “q, y, p g, or j.” shall not be included in sign area when the letter otherwise matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter.



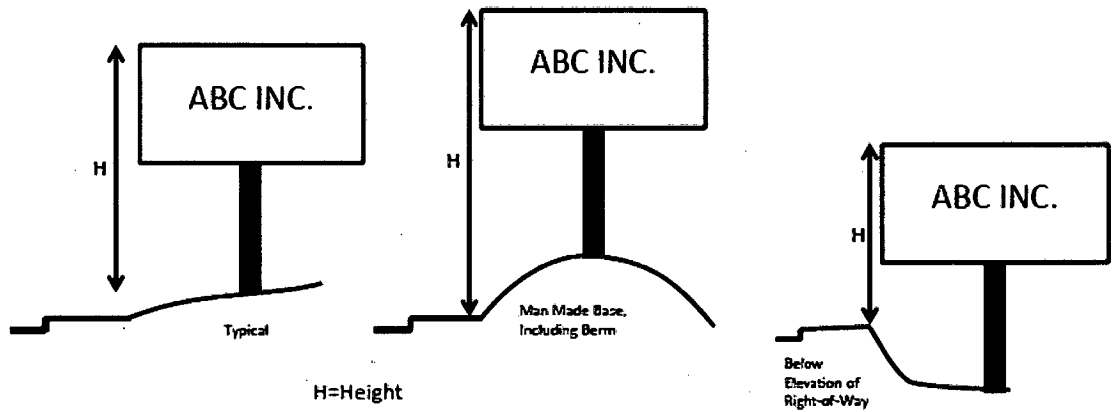
**Figure 2. Measurement of Individual Element Signs**

- A.C. e. — For a **Round or Three-Dimensional Signs: The area of a** round or three-dimensional sign, **shall be** the maximum surface area visible from any one location on the ground is used to determine sign area **measured the same as A. above** (see Figure 20: Sign Face Area). **except if the maximum surface area is an irregular shape the signs perimeter shall be measured the same as an individual element sign under B. above.**
- B.D. d. — When **Awning or Marquee Signs: The area of signs** are incorporated into awnings, walls, or marquees, **shall be the area of** the entire panel containing the sign is counted as the sign face **measured the same as A. above** unless it is clear that part of the panel contains no sign-related display or decoration, **other than the background color of the awning.**
- E. e. — **Painted Wall Signs: The area of painted wall signs shall be determined as follows:** 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.
- 1. If individual elements are painted without a background it shall be calculated in the manner indicated in B. above.**
  - 1.2. If a background is painted it shall be calculated in the manner indicated in A. above.**
- C.F. f. — ~~The Planning Director shall be responsible for determining the area of a sign, subject to appeal as specified in Section 4.022.~~ **Temporary Signs: The area of temporary signs including banners, lawn signs, and rigid signs shall be calculated in the manner indicated in A. above.**
- D.G. 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.

**(.02) 2. — Sign Height above Ground:**

- A. The overall height **above ground** of a **freestanding or ground-mounted** sign or sign structure is measured from the average grade directly below the sign to the highest point of the sign or sign structure **except as follows-:**
- 1. A freestanding or ground mounted sign on a man-made base, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb to the highest point of the sign or sign structure. In all cases signs on a berm shall be allowed to be eight (8) feet in height from the top of the berm.**
  - 2. A freestanding or ground mounted sign placed below the elevation of the right-of-way it fronts shall be measured from the lowest point in the right-of-way along the frontage to the highest point of the sign.** 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.

How to Measure Height of a Freestanding or Ground Mounted Sign



**(.03) Sign Height and Length:**

- A. Height of a sign is the vertical distance between the lowest and highest points of the sign.**
- B. Length of a sign is the horizontal distance between the furthest left and right points of the sign.**

**(.04) Final Determination of Sign Measurement: The Planning Director shall be responsible for determining the area, height above ground and height and length of a sign, subject to appeal as specified in Section 4.022. Applicants for sign plans and permits shall provide the dimensions needed to calculate the area, height above ground, height, and length.**

**Section 4.156.04 Non-Conforming Signs.**

**(.01) C.**—~~Non-conforming~~ **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 Sections 4.189 through 4.190. 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. **However, a sign that is required to be moved solely because of a public taking may be replaced on the site, and maintain its non-conforming status, subject to a Class II Sign Permit, provided the replacement sign is found to not increase in non-conformity to current code standards other than required setbacks.**

**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.~~

7. That Wilsonville code section 4.156 Sign Regulations, subsection (.04) Signs Exempt From Sign Permit Requirements, be renumbered as section 4.156.05, and amended as follows:

**Section 4.156.05(.04) Signs Exempt From Sign Permit Requirements.**

- (.01)** A.—The following signs are exempt from the permit requirements of this ~~Section~~ code 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:
- A. ~~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.
  - B. ~~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.
  - C. ~~3.~~—Flags displayed from permanently-located freestanding or wall-mounted flagpoles that are designed to allow raising and lowering of flags. One site may have up to two (2) exempt flags; no exempt flag may be more than thirty (30) feet in height.

- (.02) 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.
- A. 1.—Signs inside a building **except for prohibited signs listed in Section 4.156.06** ~~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.~~
- B. 2.—Name Plates and Announcements.
1. a.—A sign identifying the name, street address, occupation and/or profession of the occupant of the premises in the aid of public health and safety. 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.
2. 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.
- C. 3.—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:
1. a.—~~The following directional signs are exempt from sign permit requirements:~~
1. i.—~~Those having a e~~ **maximum sign area of not more than does not exceed** three (3) square feet per sign face,
- 1.2. **The sign are not located location is not** within public rights-of-way and which **meetmeets** City vision clearance requirements;
- 2.3. ii.—~~Those without lighting~~ **No sign lighting;**
- 3.4. iii.—~~Those without a No~~ logo or those ~~having a~~ logo that does not exceed one (1) square foot in size; and
- 4.5. iv.—~~Those where not~~ **No** more than one (1) directional sign is located on the same tax lot.
2. b.—~~The following directional signs require a sign permit:~~
- a. i.—~~Those having a maximum sign face area of more than three (3) and not exceeding six (6) square feet.~~
- b. ii.—~~Those having lighting that is limited to indirect or internal lighting. Flashing lights are prohibited.~~
- D. 4.—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.
- E. 5.—~~A sign that is~~ **Signs** 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.~~
- F. 6.—Holiday lights and decorations, in place between November 15 and January 15.
- G. 7.—Signs on scoreboards or ballfields located on public property.
- H. 8.—~~Additional to the signs that are otherwise permitted by this Code, o~~ **One** small decorative banner per dwelling unit ~~may be placed on site, in residential zones.~~

- I. 9.—Lawn Signs meeting the standards of Table S-1 and the following conditions:
  - 1. a.—Such signs shall not be intentionally illuminated and shall not display movement.
  - 2. b.—Such signs shall not obscure sight lines of the motoring public, obscure traffic or other government signs, or create a nuisance to the use or occupancy of any property.
  - 3. e.—Lawn signs associated with temporary events may be posted no longer than sixty (60) days before the beginning of an event and must be removed at the event's completion.
  - 4. d.—Lawn signs not associated with temporary events may be posted for one period of up to sixty (60) days in a calendar year.
  - 5. e.—Such signs may be up to six (6) feet in height.
  - 6. f.—Such signs may be one (1) or two (2) sided.
- J. 10.—Rigid Signs meeting the standards of Table S-1 and the following conditions:
  - 1. a.—Such signs shall not be intentionally illuminated and shall not display movement.
  - 2. b.—Such signs shall not obscure sight lines of the motoring public, obscure traffic or other government signs, or create a nuisance to the use or occupancy of any property.
  - 3. e.—Such signs may be up to six (6) feet in height, except signs on lots with an active construction project (active building permit), which may be up to ten (10) feet in height. (Note that signs exceeding six (6) feet in height typically require building permits.)
  - 4. d.—Such signs may be one (1), two (2), or three (3) sided.
  - 5. e.—On Residential and Agriculture zoned lots:
    - a. i.—A rigid sign not associated with an ongoing temporary event may be displayed for no more than sixty (60) days each calendar year.
    - b. ii.—A rigid sign associated with an ongoing temporary event may be displayed for the duration of that event. Note: Section 4.156(.05)(E.)(12-).**.06 (.01) Q.** of this Code prohibits signs associated with temporary events to remain posted after the completion of the event.
  - 6. f.—On Commercial, Industrial, or Public Facility zoned lots:
    - a. i.—A rigid sign not associated with an ongoing temporary event may be displayed for no more than ninety (90) days each calendar year.
    - b. ii.—A rigid sign associated with an ongoing temporary event may be displayed for the duration of that temporary event. Note: Section 4.156(.05)(E.)(12-).**.06 (.01) Q.** of this Code prohibits signs associated with temporary events to remain posted after the completion of the event.
    - c. iii.—A temporary event must have an end, marked by the occurrence of a specifically anticipated date or happening. A temporary event may not be a part of a broader, continuing event or of related, serial events. Temporary events shall not be defined by content, but may include isolated merchandise sales or discounts, or availability of real estate for sale or lease.

**K. Signs allowed in Subsections 6.150 (1) and (2) Wilsonville Code for special events.**



8. That Wilsonville code section 4.156 Sign Regulations, subsection (.05) Prohibited Signs, be renumbered as section 4.156.06, and amended as follows:

**Section 4.156.06 Prohibited Signs**

(.0501) ~~\_\_\_\_\_~~ 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 through the waiver process provided for architectural features in planned developments.~~

**D. Changeable copy signs that use lighting changed digitally, unless specifically approved through a waiver process connected with a Class III Sign Permit or Master Sign Plan. In granting a waiver for a digital changeable copy signs the DRB shall ensure the following criteria will be met:**

- 1. The sign shall be equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with ambient light conditions and the sign owner shall ensure appropriate functioning of the dimming technology for the life of the sign.**
- 2. The luminance of the sign shall not exceed five thousand (5000) candelas per square meter between sunrise and sunset, and five hundred (500) candelas per square meter between sunset and sunrise.**

~~DE. \_\_\_\_\_~~ 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 sign permit or annual pre-approved sign procedures of this Code. **or the architectural design of a building makes the slope of the roof below the peak a practicable location of signs on a building and the general location of signs on the roof is approved by the DRB during Stage II Approval, as applicable, and Site Design Review.**

~~E. Other Prohibitions: Additional to the signs listed above, the following are prohibited:~~

- ~~1~~**F.** Signs obstructing vision clearance areas.
- ~~2~~**G.** Pennants, streamers, festoon lights, **balloons**, and other similar devices intended to be moved by the wind, unless specifically authorized in an approved sign permit.
- ~~3~~**H.** Signs attached to trees, **public sign posts**, or public utility poles, other than those placed by appropriate government agencies or public utilities.

4I. 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 **such as Digital Changeable Copy Signs**. This is not intended to prohibit the use of neon **or LED's** as a source of illumination.

5J. Signs that use flame as a source of light or that emit smoke or odors.

6K. 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.

7L. 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.

8M. \_\_\_\_\_ 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!

9N. Signs located on public property in violation of ~~subsection~~ **Section 4.156(-10) or (-11), 10** below.

10O. Signs placed on private property without the property owner's permission.

11P. Signs erected or installed in violation of standards prescribed by the City of Wilsonville, State of Oregon or the U.S. government.

12Q. Signs associated with temporary events, after the temporary event is completed.

**R. Any private signs, including window signs, with a luminance greater than five thousand (5000) candelas per square meter between sunrise and sunset and five hundred (500) candelas per square meter between sunset and sunrise.**

#### **S. Video Signs**

~~(.06) Sign Area. The total square footage of signage per lot shall be regulated by Sign Table 6, 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.~~

9. That Wilsonville code section 4.156 Sign Regulations, subsection (.06) Sign Area, be deleted in its entirety.

10. That Wilsonville code section 4.156 Sign Regulations, subsection (.07) Sign Permit Requirements In Residential Zones, be renumbered as retitled as section 4.156.07 Sign Regulations In Residential Zones, and amended as follows:

#### **Section 4.156.07 Sign Regulations In Residential Zones.**

~~(.07) Sign Permit Requirements In Residential Zones. Notwithstanding the provisions of Sign Table 6, 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:~~

~~A. 1. Surface area shall not exceed three (3) square feet and sign shall not be artificially illuminated.~~

~~B. 2. The sign shall be located inside the dwelling or located flat against the dwelling.~~

~~C. 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 4.156(.10)(A.)(4.) through the Administrative Review process of Sections 4.030 and 4.035. 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 4.022. 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 corresponding with the opening of a new business or housing development may be permitted, subject to the Class I Administrative Review provisions of Section 4.030 and 4.035 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.~~

**(.01) E. Monument Ground Mounted Signs for Residential Developments.** One monument **ground mounted** sign, not exceeding eighteen (18) square feet in area **and six (6) feet in height above ground**, shall be permitted for each residential subdivision having fifty (50) or more lots or for any other residential **multi-family** development with fifty (50) or more dwelling units.

**1. Additional ground mounted signs of eighteen (18) square feet or less shall be permitted for additional entrances to the subdivision or development located on a separate street frontage or on the same street frontage located at least two hundred (200) feet apart.**

**2. For one entrance on a street frontage, an additional ground mounted sign may be placed on opposite side of the street or private drive at the intersection.**

**(.02) Ground Mounted Signs for Outdoor Recreational Areas on Separate Lots: Public or private Parks or other similar outdoor recreational areas on separate lots than dwelling units are allowed one (1) ground mounted sign of eighteen (18) square feet or less in area and six (6) square feet or less in height above ground.**

**(.03) Non-Residential Uses: Uses, other than residential and outdoor recreation, shall be subject to the sign regulations for PDC, PDI, and Public Facility zones.**

11. That Wilsonville code section 4.156 Sign Regulations, subsection (.08) Sign Permit Requirements In PDC and PDI Zones, be renumbered and retitled as section 4.156.08 Sign Regulations in the PDC, PDI, and PF Zones, and amended as follows:

**Section 4.156.08 Sign Regulations in the PDC, PDI, and PF Zones.**

~~(.08) Sign Permit Requirements In PDC And PDI Zones. In implementing the permanent sign footage per lot allowed by the provisions of Sign Table 6, the following standards and conditions shall apply to all signs in PDC and PDI zones, other than the Town Center area:~~

**(.01) Freestanding and Ground Mounted Signs**

**A.** One freestanding or ground mounted sign is allowed for the first two-hundred (200) linear feet of site frontage. One additional freestanding or ground mounted sign may be added for through and corner lots having at least two-hundred (200) feet of frontage on one street or right-of-way and one-hundred (100) feet on the other street or right-of-way.

**B.** The maximum-allowed height above ground of a freestanding or ground mounted sign shall be twenty (20) feet **except as noted in 1.-2. below.** ~~If there is a building on the site, the maximum height shall be twenty (20) feet above the average grade of the building footprint.~~

**a.** The maximum allowed height above ground for signs along the frontage of Interstate 5, and parallel contiguous portions of streets, as identified in Figure 4.156.08-1, associated with multiple tenants or businesses may be increased by three (3) feet for each tenant space of ten thousand (10,000) square feet or more of gross floor area up to a maximum of thirty-five (35) feet.

**b.** The allowed height above ground for signs in the PDC-TC Zone, Old Town Overlay Zone, and PDI Zone is eight (8) feet, except those signs along the frontage of Interstate 5 and parallel contiguous portions of streets noted in 1 above.

**C.** The maximum allowed area for each freestanding or ground-mounted sign is determined based on gross floor area and number of tenant spaces:

**1.** For frontages along streets other than those indicated in 2. below sign area allowed is calculated as follows:

**a.** The sign area allowed for signs pertaining to a single tenant:

<u>Gross Floor Area in a Single Building</u>	<u>Maximum Allowed Sign Area</u>
<u>Less than 11,000 sf</u>	<u>32 sf</u>
	<u>32 sf + 2 sf per 1000 sf of floor area greater than 10,000 rounded down to the nearest</u>
<u>11,000-25,999 sf</u>	<u>1,000 sf</u>
<u>26,000 sf or more</u>	<u>64 sf</u>

**i.** For PF (Public Facility) zoned properties adjacent to residential zoned land the maximum allowed area is thirty-two (32) square feet.

**b.** The maximum allowed sign area for signs pertaining to multiple tenants or businesses is thirty-two (32) square feet plus the following for each tenant space:

<u>Gross Floor Area of Tenant Space</u>	<u>Additional Allowed Sign Area for Tenant Space</u>
<u>Less than 1,000 sf</u>	<u>3 sf</u>
	<u>3 sf + 3 sf per 1,000 sf of floor area rounded down to the nearest 1,000 sf</u>
<u>1,000-10,999</u>	
<u>11,000 sf or more</u>	<u>32 sf</u>

- i. The total sign area shall not exceed two hundred (200) square feet, except in the PDC-TC Zone, Old Town Overlay Zone, and PDI Zone the total sign area shall not exceed eighty (80) square feet.
    - ii. Though the maximum allowed sign area is calculated based on number of tenant spaces and their size, the content of the sign and area used for different content is at the discretion of the sign owner, except for required addressing.
  - 2. Signs fronting Interstate 5 and parallel contiguous street sections, as identified in Figure 4.156.08-1 on pages to :
    - a. For signs on properties or within developments with a single tenant or business the sign area allowed is sixty-four (64) square feet.
    - b. For signs on properties or within developments with multiple tenants or businesses the maximum allowed area is sixty-four (64) square feet plus an additional thirty-two (32) square feet for each tenant space of 10,000 square feet or more of gross floor area up to a maximum total sign area of three hundred (300) square feet.
      - i. Though the sign area allowed is calculated based on number of large tenant spaces, the content of the sign and area used for different content is at the discretion of the sign owner, except for any required addressing.
- C.D. 3. Pole or sign support placement shall be installed in a full vertical position (see Figure 16: Sign Position).
- E. 4. Freestanding and ground mounted signs shall not extend into or above public rights-of-way, parking areas, or vehicle maneuvering areas.
- F. The location of free standing or ground mounted signs located adjacent to or near the Public Right-of-Way shall be in compliance with the City's Public Works Standards for sight distance clearance. Prior to construction, the location of the sign shall be approved by the City of Wilsonville Engineering Division.
- G. Freestanding and ground mounted signs shall be designed to match or complement the architectural design of buildings on the site.
- H. For freestanding and ground mounted signs greater than eight (8) feet in height, the width of the sign shall not exceed the height.
- I. Along street frontages in the PDC-TC Zone and Old Town Overlay Zone monument style signs are required.
- J. Freestanding and ground mounted signs shall be no further than fifteen (15) feet from the property line and no closer than two (2) feet from a sidewalk or other hard surface in the public right-of-way.
- K. Except for those signs fronting Interstate 5, freestanding and ground mounted signs shall include the address number of associated buildings unless otherwise approved in writing by the City and the Fire District.
- L. When a sign is designed based on the number of planned tenant spaces it shall remain a legal, conforming sign regardless of the change in the number of tenants or configuration of tenant spaces.

5. Street side setbacks for freestanding signs may be reduced to ten (10) feet without requiring a waiver or variance.

(.02) B. Signs on Buildings

A. Sign Eligible Facades: Building signs are allowed on a facade of a tenant space or single tenant building when one or more of the following criteria are met:

1. The facade has one or more entrances open to the general public;
2. The facade faces a lot line with frontage on a street or private drive with a cross section similar to a public street, and no other buildings on the same lot obstruct the view of the building facade from the street or private drive; or
3. The facade is adjacent to the primary parking area for the building or tenant.

B. Sign Area Allowed:

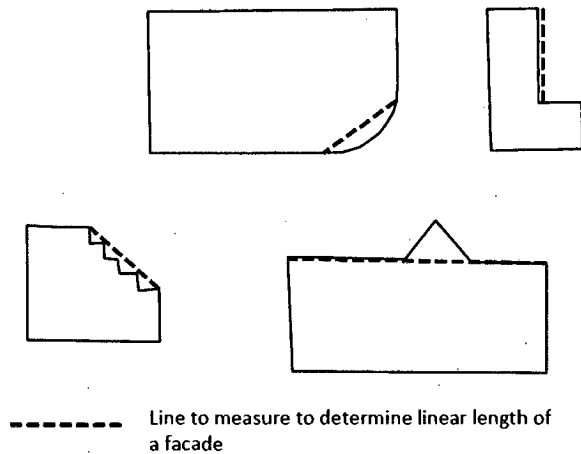
1. The sign area allowed for all building signs on a sign eligible facade is shown in the table below:

<u>Linear Length of Facade (feet)</u>	<u>Sign Area Allowed*</u>
<u>Less than 16</u>	<u>Area equal to linear length</u>
<u>16 to 24</u>	<u>24 sf</u>
<u>Greater than 24 to 32</u>	<u>32 sf</u>
<u>Greater than 32 to 36</u>	<u>Area equal to linear length</u>
<u>Greater than 36 to 72</u>	<u>36 sf</u>
<u>Greater than 72</u>	<u>36 sf plus 12 sf for each 24 linear feet or portion thereof greater than 72 up to a maximum of 200 sf</u>

\*Except as noted in 2. through 5. below

2. The sign area allowed for facades with a primary public entrance or with a frontage along a public street dominated by windows or glazing may be increased by transferring to the facade up to one half (1/2) the sign area allowed for adjacent facades up to fifty (50) square feet. In no case shall the allowed sign area exceed an area equal to the linear length of the facade.
3. The sign area allowed is increased as follows for signs at separate building entrances:
  - a. For building entrances open to the general public located at least fifty (50) feet apart on the same facade, the sign area allowed is increased by fifty (50) percent up to fifty (50) square feet.
  - b. For building entrances located less than fifty (50) feet apart on the same facades, the sign area allowed is increased by twenty (20) percent up to twenty (20) square feet.
4. For businesses occupying multiple buildings in a campus setting, sign area shall be limited to that allowed for the largest building, which may then be distributed throughout the campus.

- 5. If a façade otherwise not sign eligible faces a lot line with frontage on Interstate 5, the applicant can transfer sign area allowed from one (1) of the locations described in a. and b. below. In no case shall the allowed sign area exceed an area equal to the allowed sign area for a sign eligible façade of the same linear length.**
- a. The freestanding sign along the Interstate 5 frontage. This generally involves placing building signs on the subject façade in lieu of installing a freestanding sign.**
- b. Adjacent façade up to fifty (50) square feet, when a majority of the adjacent façade from which the sign area is being transferred is visible from Interstate 5.**
- 6. Calculating linear length of a façade for the purpose of determining maximum sign area allowed. For facades of a single tenant building the length the facade measured at the building line, except as noted in a. and b. below. For multi-tenant buildings the width of the façade of the tenant space shall be measured from the centerline of the party walls or the outer extent of the exterior wall at the building line, as applicable, except as noted in a. and b. below. Applicants shall provide the dimensions needed to calculate the length. Each tenant space or single occupant building shall not be considered to have more than five (5) total facades.**
- a. If a façade is curvilinear, stepped, or otherwise not a straight line, the façade shall be measured by drawing a straight line between the edges of the façade as shown in the figure below.**
- b. For an “L” shaped tenant space or single tenant building the longest leg of the interior of the “L” shall be basis for measuring the length of the L-shaped facade. Sign area allowed based on longest leg can be distributed between legs.**



- 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.**

1.—



a. ~~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

~~B.~~ 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. **The length of individual tenant signs shall not exceed seventy-five (75) percent of the length of the facade of the tenant space.**

C. **The height of building signs shall be within a definable sign band, fascia, or architectural feature and allow a definable space between the sign and the top and bottom of the sign band, fascia, or architectural feature.**

D. 2.—Types of signs permitted on buildings include wall flat, fascia, projecting, blade, marquee and awning signs. Roof-top signs are prohibited.

~~D.~~

(.03) C.—Additional signs. Notwithstanding the sign footage allowed based on the site and building frontages as shown in Table 6 in (.01) and (.02) above, the following signs may be permitted, subject to standards and conditions in this Section Code:

A. 1.—Directional signs**Signs: In addition to exempt directional signs allowed under Subsection 4.156.05 (.02) C. freestanding or ground mounted directional signs six (6) square feet or less in area and four (4) feet or less in height:**

**1. The signs shall be designed to match or complement the architectural design of buildings on the site;**

**2. The signs shall only be placed at the intersection of internal circulation drives; and**

**3. No more than one (1) sign shall be placed per intersection corner with no more than two (2) signs per intersection.**

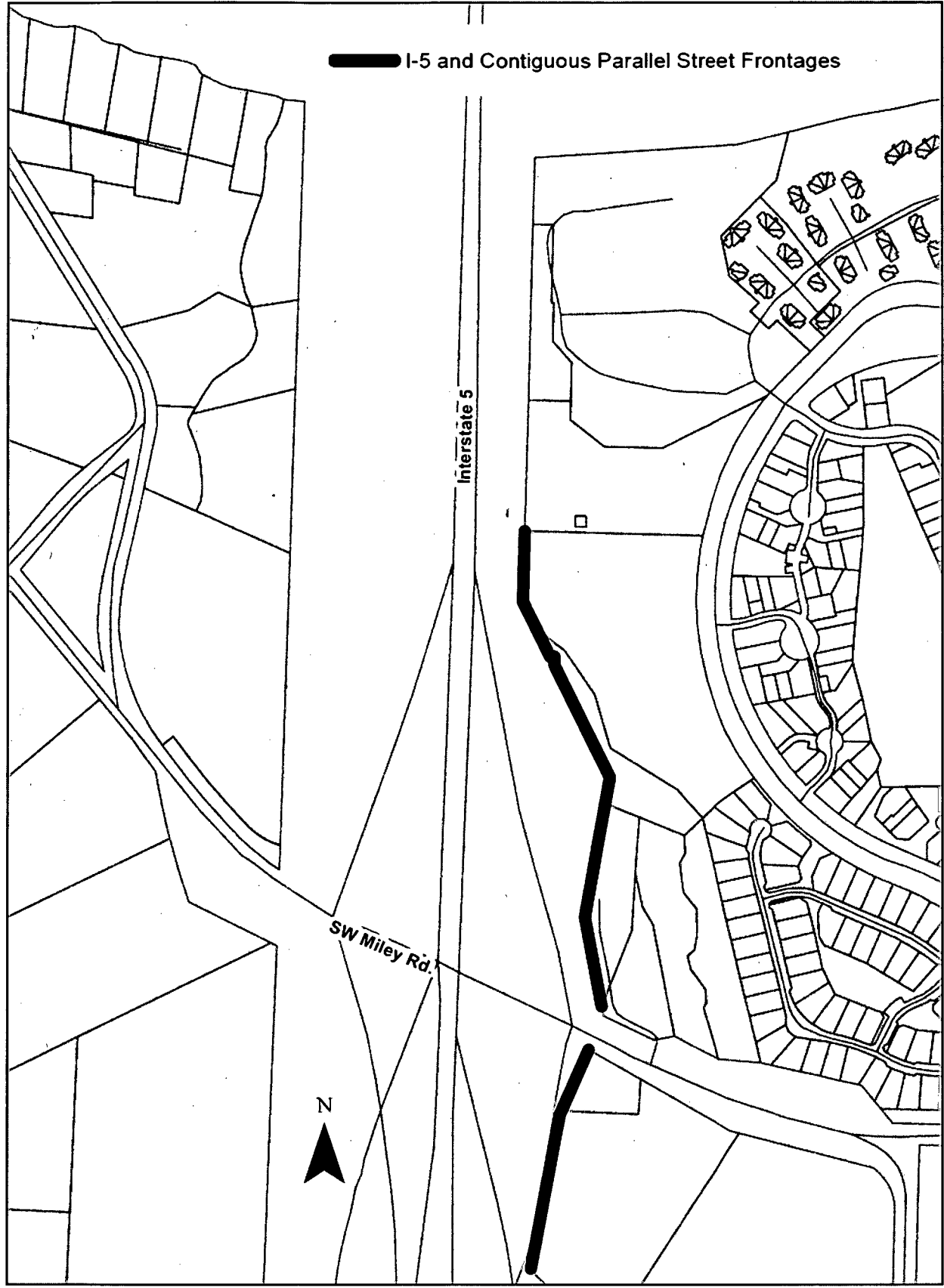
~~2.~~ Special event signs—signs advertising or pertaining to any special event taking place within the City. The Planning Director may issue a temporary use permit for special event signs to be located on site, off site, or within City rights of way, excluding those areas listed in subsection 4.156(.10)(A)(4) through the Administrative Review process of Sections 4.030 and 4.035. 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 subsection 4.156(.07), above.

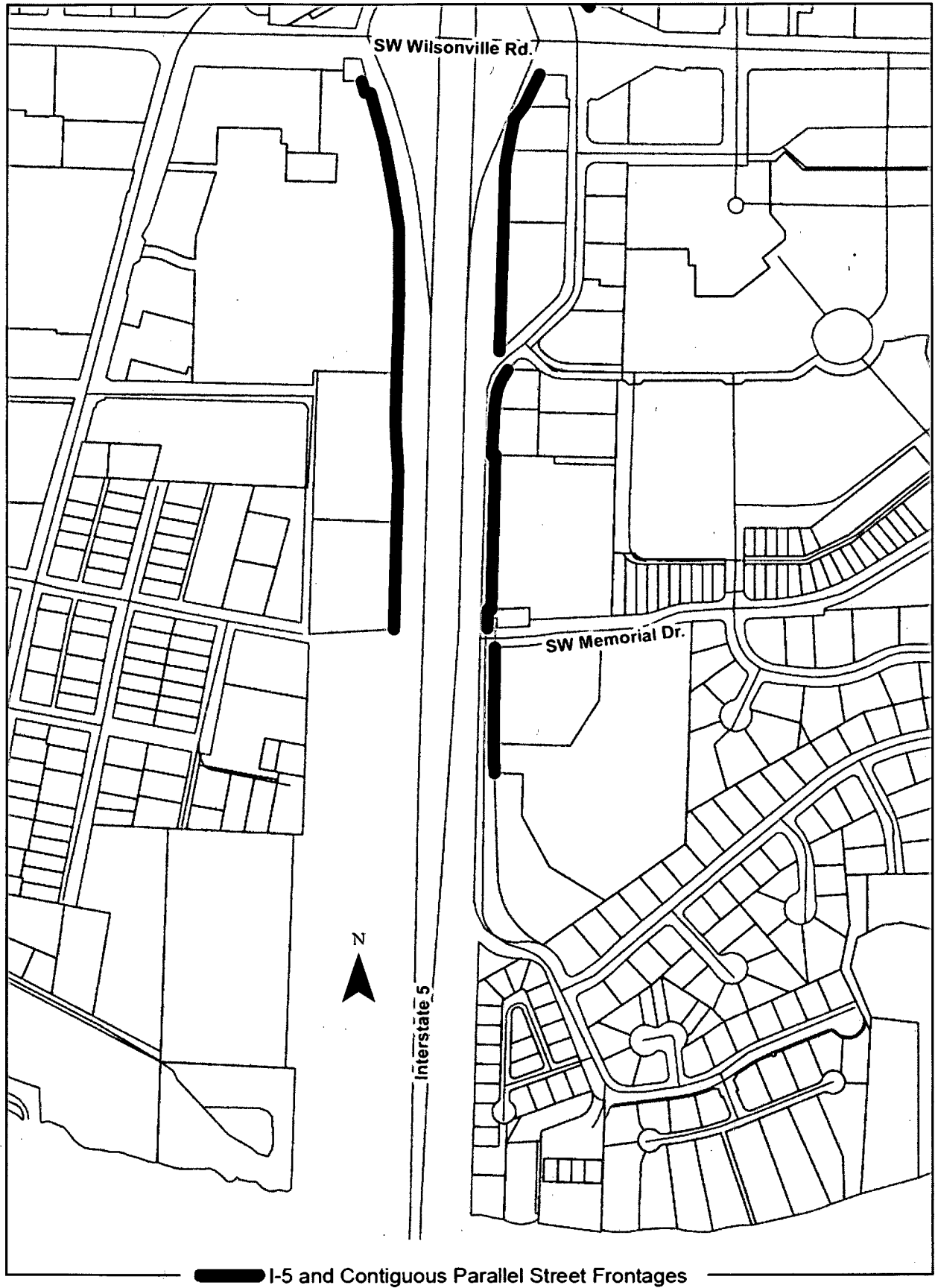
~~3.~~ Inflatable signs—Inflatable signs shall not be mounted or suspended from a roof unless specifically authorized through a temporary use permit or annual pre-approved event permit, nor shall a ground-mounted inflatable sign exceed ten (10) feet in overall height. If attached to a building in any 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 Sections 4.030 and 4.035. Inflatable signs shall be permitted for a maximum of fifteen (15) days of display use in any calendar year.

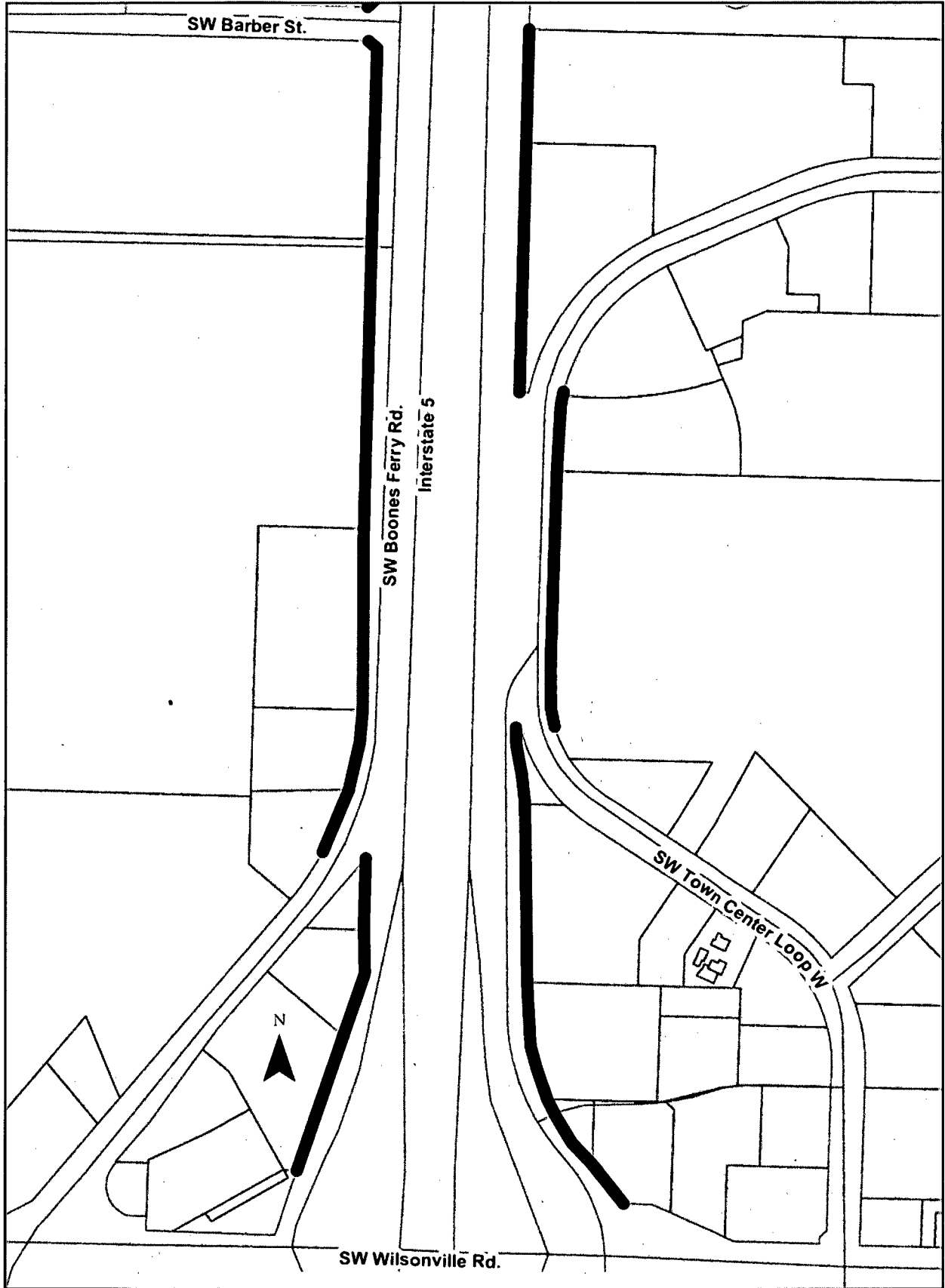
- A. 4. ~~Distriet or Planned Development signs — up to thirty (32) square feet of the allowed sign area for freestanding signs in a planned development may be used for a separate one (1) on-site monument sign, or one (1) off-site monument sign on an adjacent parcel identifying that the Planned Development project, may be permitted, subject to the following standards and conditions:~~
- B. a. ~~The sign may be double faced, shall not exceed thirty two (32) square feet per face, and may be located within ten (10) feet of a street right of way without requiring a waiver or variance.~~
1. b. ~~The sign shall pertain only to identification of its subject development.~~
2. c. ~~Sign graphics may be changeable so as to indicate vacancies and occupancy changes.~~
- C. d. ~~The sign shall be reviewed by the Development Review Board in conjunction with the overall Planned Development.~~ **Blade Signs: To aid in pedestrian wayfinding, one (1) blade sign, not to exceed six (6) square feet, per facade eligible for building signs. Blade signs shall provide a minimum of eight (8) feet clearance from the ground.**
- C.D. ~~— Fuel or Service Station Price Signs. Two (2) e~~ **In addition to the freestanding or ground mounted signs allowed,** changeable copy signs shall be allowed for the purpose of advertising fuel prices, subject to the following standards and conditions:
1. a. ~~The signs shall have a maximum of six~~ **eleven (611)** square feet in area per face **per type of fuel sold** and shall be permanently affixed to the building or a freestanding sign.
2. b. ~~The signs shall not be considered in calculating the maximum sign area or number of signs permitted at the location~~ **allowed.**
3. e. ~~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 corresponding to a special event or opening may be permitted, subject to the Administrative Review provisions of Section 4.030 and 4.035, 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.~~

Figure 4.156.08-1

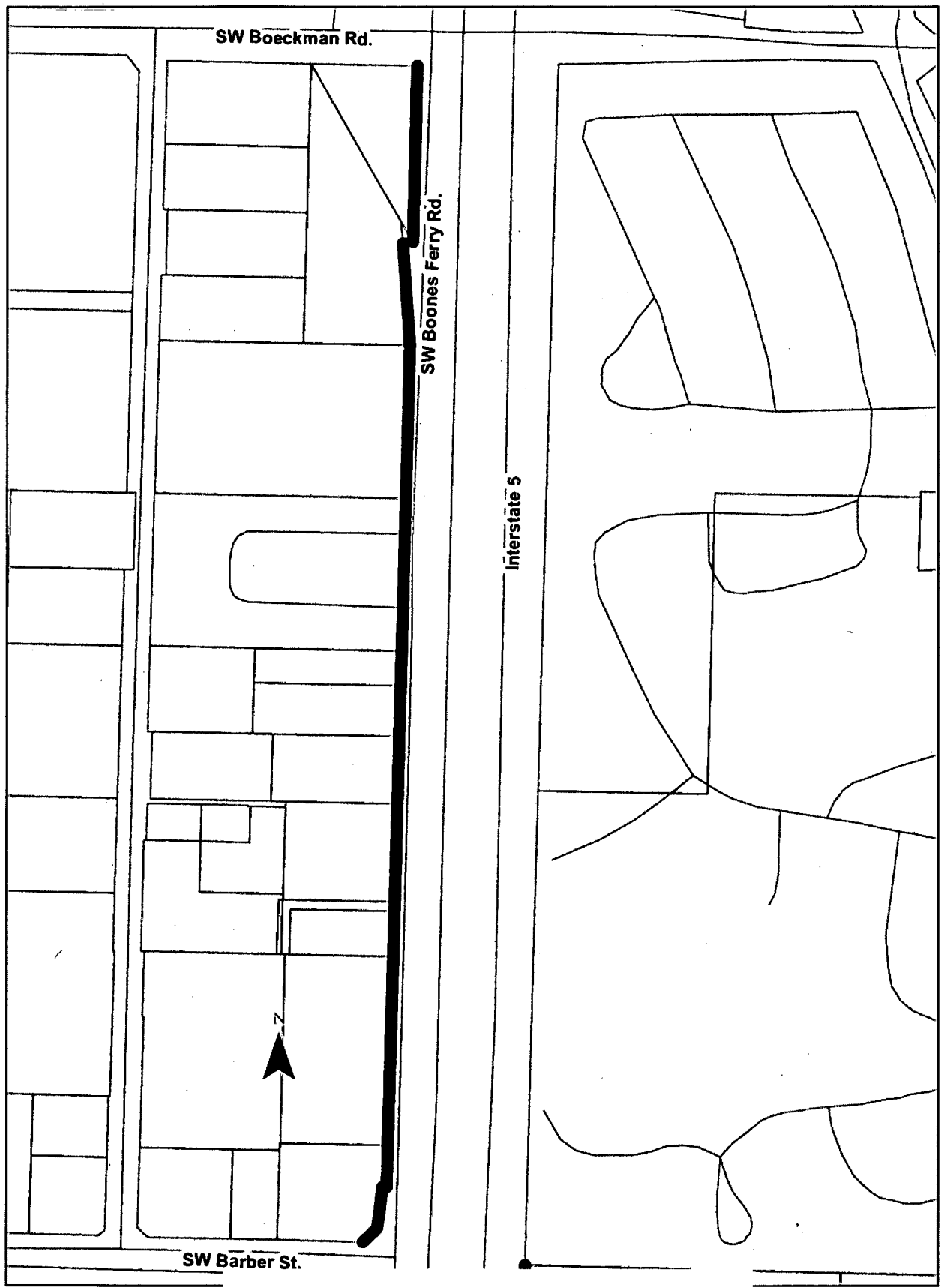
Interstate 5 and Contiguous Parallel Street Frontage



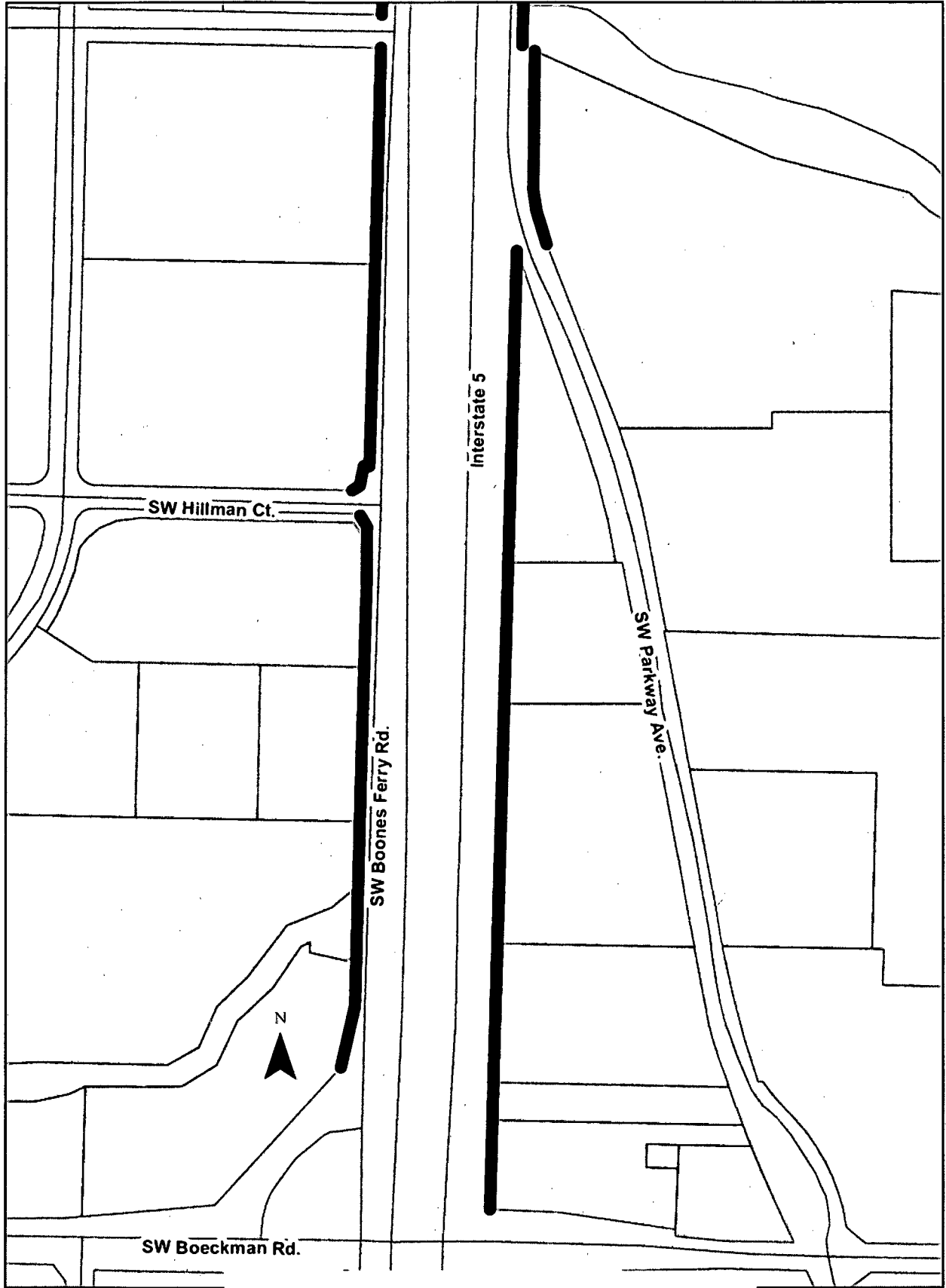




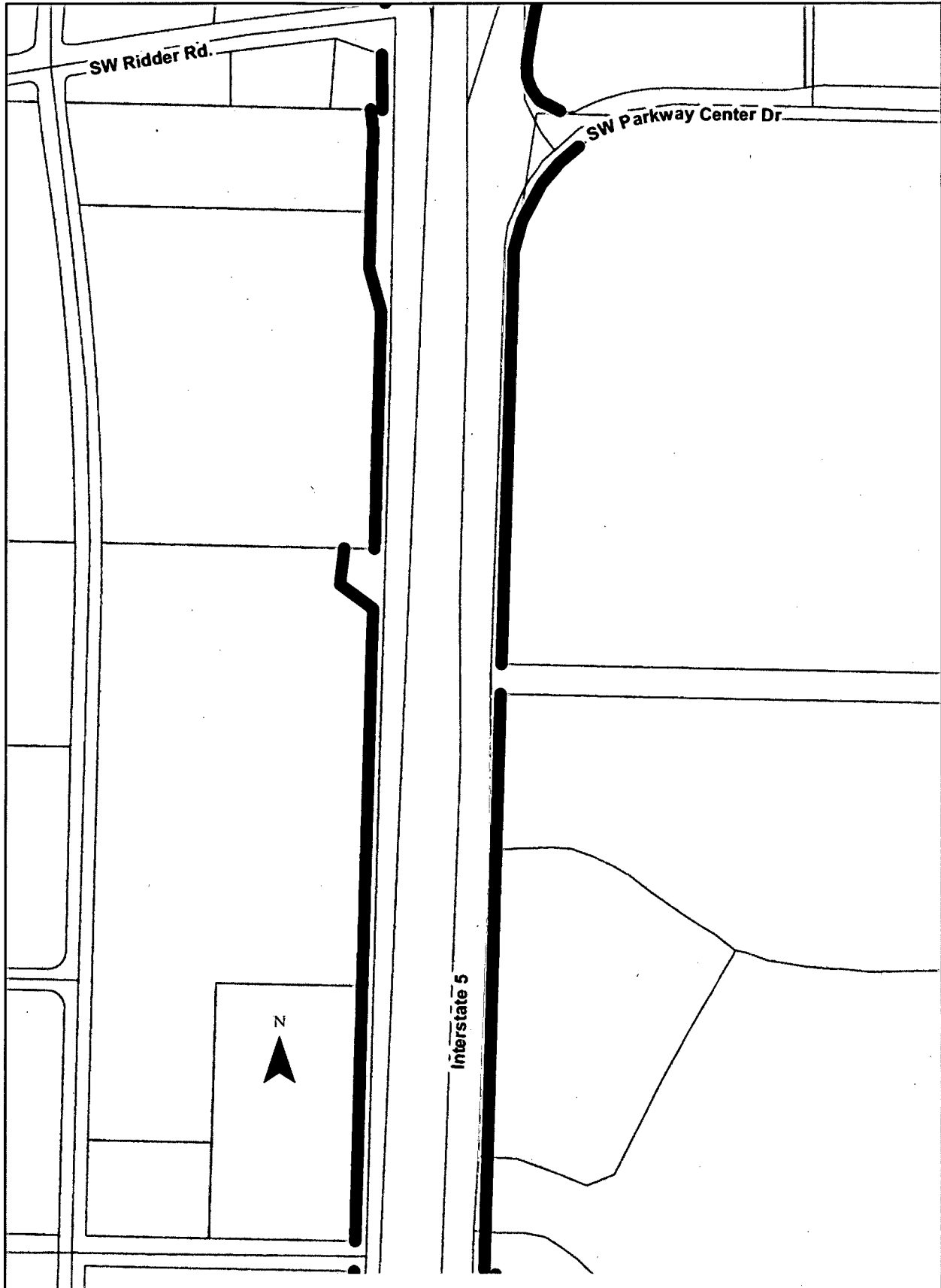
**—** I-5 and Contiguous Parallel Street Frontages



■ I-5 and Contiguous Parallel Street Frontages

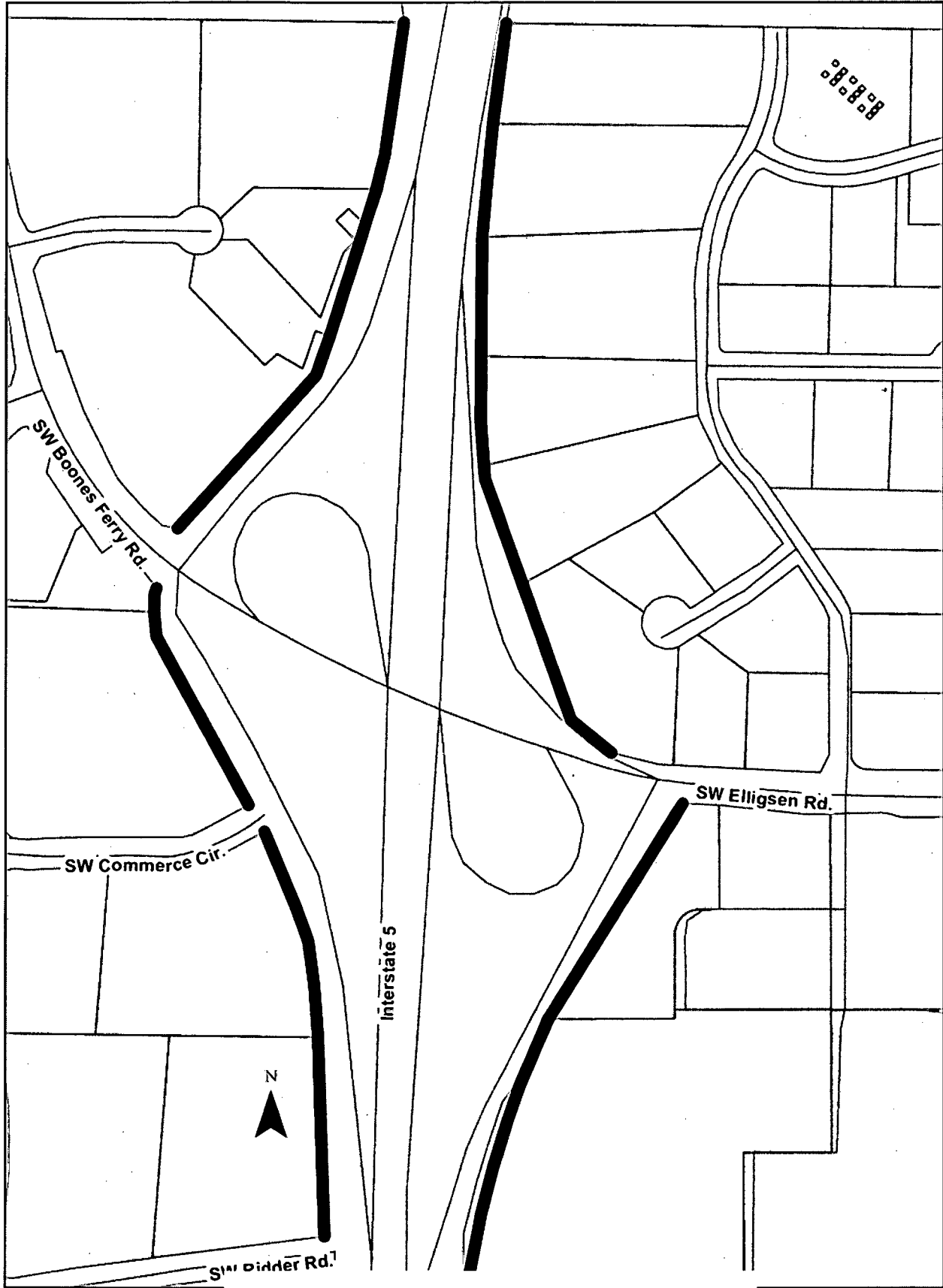


■ I-5 and Contiguous Parallel Street Frontages



**— I-5 and Contiguous Parallel Street Frontages**





— I-5 and Contiguous Parallel Street Frontages

12. That Wilsonville code section 4.156 Sign Regulations, subsection (.09) Sign Permit Requirements In The Town Center Area Of The Planned Development Commercial Zone, be deleted in its entirety.
13. That a new section 4.156.09 Temporary Signs In All Zones, be added to the Wilsonville Code as follows consolidating and updating current temporary sign regulation language:

**Section 4.156.09 Temporary Signs In All Zones.**

**The following temporary signs may be permitted in addition to the permanent signs allowed in different zones and exempt temporary signs unless specifically prohibited in a master sign plan or other sign approval:**

- (.01) General Allowance: Except as noted in subsection (.02) below up to two (2) temporary signs not exceeding a combined total of twenty four (24) square feet may be permitted per lot or non-residential tenant. Such signs may be banners, rigid signs, lawn signs, portable signs, or other signs of similar construction.**
- (.02) Opening banner for a new business or housing development: A banner corresponding with the opening of a new business or housing development may be permitted, subject to the following standards and conditions:**
- A. 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.**
- A.B. Such banner may be two-sided but shall not exceed thirty-two (32) square feet per face.**
- C. Such signs shall not be permitted at the same time as general allowance signs in (.01) above.**
- (.03) Annual Event Signs: Up to ten (10) lawn signs may be permitted to be located in the public right-of-way for up to fourteen (14) days if all of the following are met:**
- A. Signs will not be located in the areas listed in Subsection 4.156.10 (.01) A. 4.**
- B. The applicant or event has not been issued a permit for and placed signs in the public right-of-way in the previous six (6) months;**
- C. Not more than one (1) other permit has been issued for lawn signs in the right-of-way during the time period the applicant is requesting;**
- D. The event to which the signs pertain is expected to attract two hundred fifty (250) or more people;**
- E. The request is not in addition to exempt lawn signs for large special events allowed for in Section 6.150; and**
- F. The applicant has indicated on a map the exact locations the signs will be placed and has submitted an application along with the required fee.**
- (.04) Inflatable Signs: Inflatable signs may be permitted for a maximum of fifteen (15) days of display use in any calendar year subject to the following standards and conditions:**
- A. Does not exceed ten (10) feet in overall height; and**

**B. If attached to a building in any manner, it meets applicable building code requirements including consideration of wind loads.**

14. That Wilsonville code section 4.156 Sign Regulations, subsections (.10) Signs on City Property and (.11) Signs Within ODOT Right-Of-Way, be renumbered and retitled as section 4.156.10 Signs on City Property and ODOT Right-Of-Way, and amended as follows:

**Section 4.156.10 Signs on City and ODOT Right-Of-Way.**

~~(.10.01)~~ Signs On City Property. For the purposes of this subsection, City property is defined as physical sites, City rights-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 parks Montebello~~ **and** open space ~~on Wilsonville Road~~, ~~Fox Chase Park~~, **Transit and Fleet Building, SMART Central**, and the City's reservoir, pump station, or treatment plant properties.

- A. Allowed Signs. The following 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.
  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. This shall include signs authorized to conform with the State's Tourism Information program **and any similar local government 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. Lawn signs may be placed, subject to the standards in subsection 4.156.10 ~~(.010)(A.)(5.)~~, below, on City rights-of-way and rights-of-way over which the City has jurisdiction except 1) those rights-of-way adjoining City properties defined in subsection 4.156.10 ~~(.010)~~ above, and 2) in the following locations where the placement of signs could damage City-landscaping or interfere with the City's-maintenance of the rights-of-way:
    - a. In any median or landscaped strip inside the City limits as identified below in Sections 4.156.10 ~~(.010)(A.)(4.)(b.)~~ through ~~(ep.)~~.
    - 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.~~
- ~~m.~~ Either side of Boeckman Road and all islands, from the railroad tracks west to 110<sup>th</sup>.
- ~~nn.~~ Either side of 110<sup>th</sup> between Barber Street and Boeckman Road.
- ~~oo.~~ The eastern side of Grahams Ferry Road from Tooze Road to the City limits.
- ~~pp.~~ Either side of Barber Street between 110<sup>th</sup> and Brown Road, including islands and roundabouts.
- ~~qq.~~ Such other areas as the City may designate as requiring protection from landscape damage.

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

~~(.1402)~~ 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.

15. That Wilsonville code section 4.156 Sign Regulations, subsection (.12) Enforcement, be renumbered and retitled as section 4.156.11 Sign Enforcement.

Section 3. Directive. The City Council hereby authorizes and directs the City Recorder to make any conforming changes necessary to amend the Wilsonville Code (WC) in keeping with the adoption of these revisions.

Section 4. Severability. In the event any provisions of this Ordinance shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular scheduled meeting thereof on the 4<sup>th</sup> day of June, 2012, at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon, and scheduled for a second reading on the 18<sup>th</sup> day of June, 2012, commencing at 7:00 p.m. at the Wilsonville City Hall.

**PLANNING COMMISSION  
RESOLUTION NO. LP12-0001**

**A WILSONVILLE PLANNING COMMISSION RESOLUTION RECOMMENDING  
THAT THE WILSONVILLE CITY COUNCIL ADOPT AN ORDINANCE AMENDING  
SECTIONS 4.001, 4.030-4.031, AND 4.156 OF THE PLANNING AND LAND  
DEVELOPMENT ORDINANCE (WILSONVILLE'S DEVELOPMENT CODE-  
PERTAINING TO SIGN REGULATIONS**

WHEREAS, the Wilsonville Planning Commission has held 7 work sessions between July 2011 and March 2012 to discuss and take public testimony concerning proposed revisions to the Wilsonville Sign Code; and

WHEREAS, the Wilsonville Planning Director, taking into consideration input and suggested revisions provided by the Planning Commission members and the public, submitted proposed Sign Code amendments to the Planning Commission, along with a Staff Report, in accordance with the public hearing and notice procedures that are set forth in Sections 4.008, 4.010, 4.011 and 4.012 of the Wilsonville Code (WC); and

WHEREAS, the Planning Commission, after providing the required public notice, held a Public Hearing on April 11, 2012 to review proposed amendments to Wilsonville's Sign Regulations and to gather additional testimony and evidence regarding the proposed amendments; and

WHEREAS, the Commission has afforded all interested parties an opportunity to be heard on this subject and has entered all available evidence and testimony into the public record of their proceeding; and

WHEREAS, the Planning Commission has duly considered the subject, including the staff recommendations and all the exhibits and testimony introduced and offered by all interested parties.

NOW, THEREFORE, BE IT RESOLVED that the Wilsonville Planning Commission does hereby adopt the Planning Staff Report, as presented at the April 11, 2012 public hearing, including the findings and recommendations contained therein and does hereby recommend to the Wilsonville City Council that the Wilsonville City Council approve and adopt the proposed Sign Regulations Amendments as approved on April 11, 2012 by the Planning Commission; and

BE IT RESOLVED that this Resolution shall be effective upon adoption.

ADOPTED by the Planning Commission of the City of Wilsonville at a regular meeting thereof this 11<sup>th</sup> day of April 2012 and filed with the Planning Administrative Assistant on April 16, 2012.

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Wilsonville Planning Commission

Attest:

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Linda Straessle, Administrative Assistant III

SUMMARY of Votes:

Chair Ben Altman: Aye  
Commissioner Eric Postma: Aye  
Commissioner Amy Dvorak: Aye  
Commissioner Peter Hurley: Aye  
Commissioner Al Levit: Aye  
Commissioner Marta McGuire: Aye  
Commissioner Ray Phelps: Aye

263. 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, mural, 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. The scope of the term “sign” does not depend on the content of the message or image conveyed. A sign does not include architectural or landscape features that may attract attention but do not convey a message or image considered speech, or trademark, protected under federal or state law.
- A. Addressing Signs: Signs indicating, at a minimum, the numerical address of the building.
  - B. Baseline: The invisible line on which text or other characters sit, the bottom extent of the cap height of a typeface.
  - C. Bowl: In a font or typeface, an open or closed circular line that creates an interior space, such as in the letters “d” and “c.”
  - D. Cap Height: In a font or typeface, the distance from the baseline to the top of uppercase letters like “H” and “J.”
  - E. Changing image sign. Any sign which, through the use of moving structural elements, flashing or sequential lights, lighting elements, prisms, or other method, results in movement, the appearance of movement, or change of sign image or text except changeable copy signs defined below.
  - F. Changeable copy sign. Any sign, digital or manual, which is designed to have the copy changed routinely and where the frequency of copy change does not exceed once every fifteen (15) minutes, except in emergency situations as requested by the City Manager or designee.
  - G. Descender: In a font or typeface, the part of a letter extending below the baseline including lower portion of the lowercase letters “g,” “j,” “p,” “q,” and “y.”
  - H. Directional signs: Signs on private property that provide directions for the traveling public and are deemed necessary for the safe traverse of the public.
  - I. 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.
  - J. 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.
  - K. Ground-mounted Sign: A non-temporary 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.



- L. 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.
- M. 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.
- N. 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 a part of the structures.
- O. Lawn Sign. A temporary freestanding sign commonly made of corrugated plastic, greyboard, or similar type of material, constructed and maintained to prevent being moved or heavily damaged by typical exposure to natural elements. Lawn signs in the rights-of-way under W.C. 4.156.11 may be constructed to be portable.
- P. Marquee Sign: A canopy or covering structure bearing a signboard or graphics projecting from, and attached to, a building.
- Q. Permanent Sign: Any sign that does not meet the definition of a temporary sign, below.
- R. 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. These signs include, but are not limited to movable A-frame signs, sandwich board signs, signs on vehicles or trailers, and signs attached to wood or metal frames designed to be self-supporting and movable, including trailer reader boards.
- S. 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.
  - 1. Blade Sign: A sign hanging, perpendicular to a building façade, from a canopy, building projection, or mounting bracket intended to aid pedestrians in wayfinding.
- T. Rigid Sign: A temporary freestanding sign designed and constructed with materials of a grade and quality to withstand strong winds, rains, and harsh weather conditions, and maintained as a potentially year-long temporary sign to ensure that degradation or weathering does not present aesthetic and public safety concerns and the sign retains substantially the same quality throughout the year. Such signs may not be constructed of cardboard, poster board, or other similar lightweight paper products.
- U. Roof Sign: A sign located on or above the roof of any building, not including a false mansard roof, canopy or other fascia.
- V. 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.
- W. Serif: In fonts and typefaces, the extra stroke at the end of a letter or character.
- X. Shoulder: In fonts and typefaces, the curve at the beginning of a leg of a character such as the upper curved portion of the lowercase letters "m" and "n."

- Y. Sign Area: The display surface or face of the sign calculated as prescribed in Section 4.156.04
  - Z. Temporary Sign: A sign not permanently affixed to a building, structure, or the ground, intended to be displayed for a limited period of time.
  - AA. Video Sign: Moving visual messages projected on any surface.
  - BB. 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.
  - CC. Wayfinding Sign: The term way finding sign has two different contextual meanings. First, it is used as a general description of one of the basic purposes or functions of signs, which is to assist in directing the general public to specific destinations within the community, so that they find their way. In this context almost all signs provide some degree of way finding information. Second, the term is used to describe a specific type of sign, such as local directional signs and district wayfinding signs, that provides specific identity and/or direction to particular businesses, facilities, or places of interest, such as parks, tourist attractions, public buildings, schools, special districts, or other locations to which the public commonly asks for directions.
264. Site Area, Net: The area of a development site, excepting all areas in streets or private drives, driveways, and parking spaces.

## **Section 4.030 Jurisdiction and Powers of Planning Director and Community**

### **Development Director**

- (.01) Authority of Planning Director. The Planning Director shall have authority over the daily administration and enforcement of the provisions of this Chapter, including dealing with non-discretionary matters, and shall have specific authority as follows:
- A. A Class I application shall be processed as a ministerial action without public hearing, shall not require public notice, and shall not be subject to appeal or call-up, except as noted below. Pursuant to Class I procedures set forth in Section 4.035, and upon finding that a proposal is consistent with the provisions of this Code and any applicable Conditions of Approval, shall approve the following, with or without conditions:
    - 1. Minor site clearing and grading, prior to the approval of a Site Development Plan, provided that:
      - a. no clearing or grading occurs within the Significant Resource Overlay Zone. Clearing or grading in the Significant Resource Overlay Zone shall require, at a minimum, approval of a Class II permit through the procedures specified below;
      - b. no clearing or grading occurs within twenty-five (25) feet of an area that has been identified by the City as a wetland;
      - c. not more than three (3) trees are proposed to be removed;
      - d. no fill or removal is proposed;

- e. adequate measures are utilized to control erosion and runoff from the site and that the applicant will submit a final Site Development application within seven (7) days of submitting the minor site grading application. All grading activities require compliance with the requirements of the applicable building code and City Public Works standards.
2. Class I Sign Permits, and Temporary Sign Permits for thirty (30) days or less.
3. Architectural, landscape, tree removal, grading and building plans that substantially conform to the plans approved by the Development Review Board and/or City Council. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters.
4. Building permits for single family or two-family dwellings, and in the Village zone, row houses or apartments, meeting zoning requirements and located on lots that have been legally created. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters. [Amended by Ord 557 adopted 9/5/03].
5. Lot line adjustments, where none of the lots increase in area by fifty percent (50%) or more, subject to the standards specified in Section 4.233.
6. A temporary use permit for not more than thirty (30) days, subject to the following standards:
  - a. the applicant has the written permission of the property owner to use the site;
  - b. the proposed use will not create an obstruction within a sight vision clearance area that would impair the vision of motorists entering onto or passing by the property;
  - c. adequate parking is provided;
  - d. signs shall meet the standards of Section 4.156.09. A maximum of two signs, not exceeding a combined total of 24 square feet, are allowed; and
  - e. the proposed use has the approval of the Fire Marshal.
7. Determination that an existing use or structure is a non-conforming use or non-conforming structure, as defined in this Code. Except, however, that the Planning Director may, in cases where there is any uncertainty as to the history of the property, choose to process such determinations through the Class II procedures below.
8. Actions taken subject to Site Development Permits which have been approved by the appropriate decision-making body of the City.
9. Final plats for condominiums, subdivisions, or partitions that are substantially the same as tentative plats approved by the City and which are submitted for review and signature prior to recordation with the appropriate county.
10. Type A tree removal permits as provided in Section 4.600.
11. Determination, based upon consultation with the City Attorney, whether a given development application is quasi-judicial or legislative. Except,

however, that the Planning Director may, in cases where there is any uncertainty as to the nature of the application, choose to process such determinations through the Class II procedures below.

12. Expedited land divisions. Applications for expedited land divisions, as provided for in Section 4.232 of this Code and ORS Chapter 197 shall be processed without public hearing, and shall be subject to appeal through the special appeal procedures specified in Section 4.232.
  - a. Authority of Planning Director. The Planning Director shall have authority to review applications for expedited land divisions and to take action approving, approving with conditions, or denying such applications, based on findings of fact.
  - b. Tentative Plat Requirements for Expedited Land Divisions. Tentative plats and all other application requirements for expedited land divisions shall be the same as for other forms of land divisions, except as those requirements are specifically altered by the Oregon Revised Statutes.
  - c. Administrative Relief Not Available. In taking action on an application for an expedited land division, the Planning Director is not authorized to grant Variances or waivers from the requirements of the Code.
  - d. Residential Areas Only. As specified in ORS 197, expedited land divisions shall only be approved in areas zoned for residential use.
- B. A Class II application shall be processed as an administrative action, with or without a public hearing, shall require public notice, and shall be subject to appeal or call-up, as noted below. Pursuant to Class II procedures set forth in Section 4.035, the Director shall approve, approve with conditions, deny, or refer the application to the Development Review Board for a hearing:
  1. Minor alterations to existing buildings or site improvements of less than twenty-five percent (25%) of the previous floor area of a building, but not to exceed 1,250 square feet, or including the addition or removal of not more than ten (10) parking spaces. Minor modifications to approved Architectural and Site Development Plans may also be approved, subject to the same standards.
  2. Residential accessory buildings or structures with less than one hundred and twenty (120) square feet of floor area located within the Willamette River Greenway Boundary pursuant to Section 4.500 and subject to the flood plain development standards of Section 4.172. Approval of such accessory structures in the Greenway shall be based on all of the following findings of fact:
    - a. The building or structure is located so that the maximum amount of landscape area, open space and/or vegetation is provided between the river and the building;
    - b. Public access to the river is preserved or is provided in accordance with an approved and adopted plan; and

- c. That the change of use, intensification of use, or development will be directed away from the river to the greatest possible degree while allowing a reasonable use of the property.
4. Written interpretations of the text or maps of this Code, the Comprehensive Plan or sub-elements of the Comprehensive Plan, subject to appeal as provided in Section 4.022. The Planning Director may review and interpret the provisions and standards of Chapter 4 (Planning) of the Wilsonville Code upon receiving the required filing fee along with a specific written request. The Director shall publish and mail notice to affected parties and shall inform the Planning Commission and City Attorney prior to making a final written decision. The Director's letter and notice of decision shall be provided to the applicant, the Planning Commission, the City Council, and City Attorney and the notice shall clearly state that the decision may be appealed in accordance with Section 4.022 (Appeal Procedures). A log of such interpretations shall be kept in the office of the Planning Department for public review.
5. A permit to locate an accessory use on a lot adjacent to the site of the principal use.
6. Land partitions, other than expedited land divisions, pursuant to Section 4.210. Approval of land partitions shall be based on all of the following findings of fact:
  - a. The applicant has made a complete submittal of materials for the Director to review, as required in Section 4.210;
  - b. The proposed plan meets the requirements of the Code regarding minimum lot size and yard setbacks;
  - c. The approval will not impede or adversely affect the orderly development of any adjoining property or access thereto;
  - d. The public right-of-way bordering the lots or parcels will meet City standards;
  - e. Any required public dedications of land have been approved for acceptance by the City and will be recorded with the County prior to final plat approval;
  - f. Adequate easements are proposed where an existing utility line crosses or encroaches upon any other parcel to be created by the partition;
  - g. All public utilities and facilities are available or can be provided prior to the issuance of any development permit for any lot or parcel; and
  - h. Roads extended or created as a result of the land division will meet City standards.
7. Decisions on the following:
  - a. Lot line adjustments, where any of the lots increase by more than fifty percent (50%) in area, subject to the provisions of Section 4.233.
  - b. Temporary use and temporary sign permits for periods exceeding thirty (30) days. Temporary use and temporary sign permits may allow specific activities associated with the primary use or business located on the property for up to 120 days provided that:

- i. the property owners have given written permission;
  - ii. no structure, sign or any other object shall exceed 20 feet in height;
  - iii. adequate parking is provided in designated spaces;
  - iv. signs are limited to a maximum of two and shall not exceed a total combined area of 24 square feet;
  - v. electrical and building permits are obtained as required;
  - vi. undue traffic congestion will not result and, if traffic congestion is expected, a traffic control plan is submitted along with the application that identifies the traffic control procedures that will be used;
  - vii. the activity and/or use shall not unduly interfere with motorists driving on adjacent roads and streets, including I-5; and
  - viii. public notice has been provided and the comments of interested parties have been considered in the action that has been taken.
8. Solar access permits, as specified in Section 4.137.3.
  9. Class II Sign Permits.
- C. Other specific actions or duties delegated by Planning Commission or Development Review Board Resolution, or by order of the Council, setting forth the review procedure guided by clear and objective standards for administration.
- D. Administrative Relief: In issuing the permits in subsection “B,” above, the Planning Director may grant limited relief in cases of hardship. The Director shall follow the Class II - Administrative Approval procedures to determine whether administrative relief shall be granted. If the Director receives a complete application, along with the required filing fee, and the request involves only the expansion or reduction by not more than 20 percent of one or more quantifiable provisions of yard, area, lot dimension, or parking requirements of the zone, the Director may approve the application, based upon findings of fact supported by evidence in the record. The Variance procedures and standards specified in Section 4.196 shall be used in determining whether administrative relief shall be granted.
- E. Emergency Situations: The Planning Director may review and approve any reasonable and necessary emergency measure, including the removal of trees and vegetation from the Willamette River Greenway, Significant Resource Overlay Zone and wetlands, necessary for the safety and/or protection of persons or property. The standard shall be that the least amount of activity or disruption is used to provide the necessary protection to the property or to avert damage to the property. The Director may require restoration of landscaping, vegetation or soil to repair any damage resulting from enacting emergency protection measures.

#### **Section 4.031 Authority of the Development Review Board**

- (.01) As specified in Chapter 2 of the Wilsonville Code and except as specified herein, the Board shall have authority to act on the following types of applications:

- A. Class II development applications referred to the Board by the Planning Director, as authorized in Section 4.030.
- B. Call-ups or appeals of staff decisions or interpretations involving quasi-judicial applications or procedures, as authorized in Sections 4.022 and 4.172.
- C. Review of tentative subdivision and condominium plats, as authorized in Section 4.210, other than those processed as expedited land divisions.
- D. Conditional Use Permits, as authorized in Section 4.184.
- E. Variances, as authorized in Section 4.196, other than those that are reviewed and acted upon by the Planning Director through Administrative Review processes.
- F. Initial review of quasi-judicial applications for zone changes, as authorized in Section 4.197.
- G. Initial review of quasi-judicial applications for amendments to one or maps in the Comprehensive Plan, as authorized in Section 4.198.
- H. Site design review, as authorized in Section 4.400.
- I. Review of Stage I and Stage II Planned Development applications.
- J. Acceptance, rejection, or modification of traffic studies prepared for projects or developments. A traffic study prepared by the City's consultant shall not be rejected or modified by the Board unless substantial evidence exists in the record to justify such action. If the Board rejects a traffic study prepared by the City's consultant, the fee paid by the applicant for that study shall be refunded.
- K. Initial review of requests for quasi-judicial annexations to the City of Wilsonville.
- L. Street vacations, where a specific development application has been filed for the subject property. If no specific development application has been filed for the subject property, the vacation request shall be considered by the Planning Commission. Action of the Planning Commission or Board on a street vacation request shall be a recommendation to the City Council.
- M. Class III Sign Permits, Master Sign Plans, and all sign permits and approvals not specifically authorized for administrative review or exempt from permitting requirements.

**Section 4.156.01 Sign Regulations Purpose and Objectives.**

- (.01) Purpose. The general purpose of the sign regulations are to provide one of the principal means of implementing the Wilsonville Comprehensive Plan by fostering an aesthetically pleasing, functional, and economically vital community, as well as promoting public health, safety, and well-being. The sign regulations strive to accomplish the above general purpose by meeting the needs of sign owners while maintaining consistency with the development and design standards elsewhere in Chapter 4. This code regulates the design, variety, number, size, location, and type of signs, as well as the processes required to permit various types of signs. Sign regulations have one or more of the following specific objectives:

- A. Well-designed and aesthetically pleasing signs sufficiently visible and comprehensible from streets and rights-of-way that abut a site as to aid in wayfinding, identification and provide other needed information.
- B. Sign design and placement that is compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district.
- C. A consistent and streamlined sign review process that maintains the quality of sign development and ensures due process.
- D. Consistent and equitable application and enforcement of sign regulations.
- E. All signs are designed, constructed, installed, and maintained so that public safety, particularly traffic safety, are not compromised.
- F. Sign regulations are content neutral.

**Section 4.156.02 Sign Review Process and General Requirements.**

- (.01) Permit Required: Unless exempt under Section 4.156.05, no sign, permanent or temporary, shall be displayed or installed in the City without first obtaining a sign permit.
- (.02) Sign Permits and Master Sign Plans: Many properties in the City have signs pre-approved through a Master Sign Plan. For the majority of applications where a Master Sign Plan has been approved the applicant need not consult the sign requirements for the zone, but rather the Master Sign Plan, copies of which are available from the Planning Division. Signs conforming to a Master Sign Plan require only a Class I Sign Permit.
- (.03) Classes of Sign Permits, Master Sign Plans, and Review Process: The City has three classes of sign permits for permanent signs: Class I, Class II, and Class III. In addition, non-residential developments with three or more tenants require a Master Sign Plan. Class I sign permits are reviewed through the Class I Administrative Review Process as outlined in Subsection 4.030 (.01) A., Class II sign permits are reviewed through the Class II Administrative Review Process as outlined in Subsection 4.030 (.01) B., Class III Sign Permits and Master Sign Plans are reviewed by the Development Review Board (DRB) as outlined in Section 4.031.
- (.04) Class I Sign Permit: Sign permit requests shall be processed as a Class I Sign Permit when the requested sign or signs conform to a Master Sign Plan or other previous sign approval. In addition, a Minor Adjustment to a Master Sign Plan or other previous sign approval may be approved in connection with a Class I Sign Permit.
  - A. Class I Sign Permit Submission Requirements: Application for a Class I Sign Permit shall include two (2) copies of the following along with all required application fees:
    - 1. Completed application form prescribed by the City and signed by the property owner or the property owner's representative,
    - 2. Sign drawings showing all materials, the sign area and dimensions used to calculate sign areas, and other details sufficient to judge the full scale of the associated sign or signs and related improvements,



3. Information showing how the proposed sign or signs conform with all applicable code requirements, Master Sign Plans, or other previous sign approvals for the property, and
  4. Information supporting any minor adjustment requests.
- B. Class I Sign Permit Review Criteria: The sign or signs conform with the applicable master sign plan or other previous sign approvals, and applicable code requirements.
- C. Minor Adjustments: Notwithstanding approved Master Sign Plans or other previous sign approvals, as part of a Class I Sign Permit minor adjustments of not more than ten (10) percent from the sign height (not height from ground) and/or length may be approved for the reasons listed in 1. through 4. below, unless otherwise specifically prohibited in the Master Sign Plan. Minor adjustments shall not cause the sign to cross the edge of any fascia, architectural element or area of a building facade identified as a sign band. The area of the sign exceeding the height or length as part of a minor adjustment shall not count against the sign area indicated in a Master Sign Plan or other previous sign approval. Minor Adjustments are valid only for the Sign Permit with which they are associated and do not carry over to future sign permits or copy changes.
1. To accommodate the descender on the lower case letters “q, y, p g, or j”, not otherwise accommodated by the measurement method used, where the letter matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter;
  2. To accommodate stylized fonts where bowls, shoulders, or serifs of the stylized letters extend beyond the cap height;
  3. To accommodate an arching or other non-straight baseline; or
  4. To accommodate a federally registered trademark logo where compliance with the defined maximum sign height would result in the cap height of the text in the logo being ninety (90) percent or less of the cap height for letters otherwise allowed. (i.e. if a Master Sign Plan allowed 24” letters and 24” total sign height, and a 24” logo would result in the cap height of the text within the logo being less than 21.6”, the total height of the logo could be increased to 26.4”)
- (.05) Class II Sign Permit: Sign permit requests for meeting one or more of the descriptions listed in A. through C. below shall be processed as a Class II Sign Permit when the request does not conform with a Master Sign Plan or other previous sign approval but meets the requirements of the applicable sign regulations, unless the request would modify a condition of approval specifically imposed by the DRB or City Council:
- A. Existing residential development;
  - B. Existing non-residential development with less than three (3) tenants unless the request involves a freestanding or ground mounted sign greater than eight (8) feet in height in a new location;
  - C. Major Adjustments to a Master Sign Plan when all of the following criteria are met:
    1. The request is compatible with the pattern of signage established in the sign plan in terms of locations, placement on buildings, proportionality to fascia and building facade, architectural design, and materials used;

2. The request is due to special conditions or circumstances that make it difficult to comply with the established Master Sign Plan;
  3. The request involves signs for a single tenant, a single multi-tenant freestanding or ground mounted sign, or a series of similar related multi-tenant freestanding or ground mounted signs in the same development; and
  4. The request does not involve a freestanding or ground mounted sign greater than eight (8) feet in height at a new location.
- D. Class II Sign Permit Submission Requirements: Application for a Class II Sign Permit shall include two (2) paper copies and one (1) electronic copy of the following in addition to all required fees:
1. Completed application form prescribed by the City and signed by the property owner or their authorized representative;
  2. Sign drawings or descriptions of all materials, sign area and dimensions used to calculate areas, lighting methods, and other details sufficient to judge the full scale of the signs and related improvements;
  3. Documentation of the lengths of building or tenant space facades used in calculating maximum allowed sign area;
  4. Drawings of all building facades on which signs are proposed indicating the areas of the facades on which signs will be allowed;
  5. Narrative describing the scope of the project, including written findings addressing all applicable review criteria, along with any other information showing how the proposed signage conforms with requirements for the applicable zone;
- E. Class II Sign Permit Review Criteria: Class II Sign Permits shall satisfy the sign regulations for the applicable zoning district and the Site Design Review Criteria in Sections 4.400 through 4.421, as well as the following criteria:
1. 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 surrounding development;
  2. The proposed signage will not create a nuisance or result in a significant reduction in the value or usefulness of surrounding development; and
  3. Special attention is paid to the interface between signs and other site elements including building architecture and landscaping, including trees.
- (.06) Class III Sign Permit: Sign permit requests shall be processed as a Class III Sign Permit when associated with new development, or redevelopment requiring DRB review, and not requiring a Master Sign Plan; when a sign permit request is associated with a waiver or non-administrative variance; or when the sign permit request involves one or more freestanding or ground mounted signs greater than eight (8) feet in height in a new location.

- A. **Class III Sign Permit Submission Requirements:** Ten (10) paper and electronic copies of the submission requirements for Class II Sign Permits plus information on any requested waivers or variances in addition to all required fees.
  - B. **Class III Sign Permit Review Criteria:** The review criteria for Class II Sign Permits plus waiver or variance criteria when applicable.
- (.07) **Master Sign Plans:** A Master Sign Plan is required for non-residential developments with three (3) or more tenants. In creating a Master Sign Plan thought should be given to needs of initial tenants as well as the potential needs of future tenants.
- A. **Master Sign Plan Submission Requirements:** Applications for Master Sign Plans shall include ten (10) paper and electronic copies of all the submission requirements for Class II and III Sign Permits and the following in addition to all required fees:
    - 1. A written explanation of the flexibility of the Master Sign Plan for different potential tenant space configurations over time;
    - 2. A written explanation of the extent to which different sign designs, including those incorporating logos, stylized letters, multiple lines of text, non-straight baselines, or different materials and illumination will be allowed and if allowed how the flexibility of the master sign plan will allow these different sign designs over time;
    - 3. A written explanation of how the sign plan provides for a consistent and compatible sign design throughout the subject development.
  - B. **Master Sign Plan Review Criteria:** In addition to the review criteria for Class II and Class III Sign Permits, Master Sign Plans shall meet the following criteria:
    - 1. The Master Sign Plan provides for consistent and compatible design of signs throughout the development; and
    - 2. The Master Sign Plan considers future needs, including potential different configurations of tenant spaces and different sign designs, if allowed.
  - C. **Modifications of a Master Sign Plan:** Modifications of a Master Sign Plan, other than Minor and Major Adjustments, shall be reviewed the same as a new Master Sign Plan.
- (.08) **Waivers and Variances:** Waivers and variances are similar in that they allow deviation from requirements such as area, and height from ground. They differ in that waivers are granted by the DRB as part of a comprehensive review of the design and function of an entire site to bring about an improved design and variances are granted by either the Planning Director or DRB to relieve a specific hardship caused by the regulations.
- A. **Waivers:** The DRB may grant waivers for sign area, sign height from ground (no waiver shall be granted to allow signs to exceed thirty-five (35) feet in height), number of signs, or use of electronic changeable copy signs in order to better implement the purpose and objectives of the sign regulations as determined by making findings that all of the following criteria are met:
    - 1. The waiver will result in improved sign design, in regards to both aesthetics and functionality.

2. The waiver will result in a sign or signs more compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district than signs allowed without the waiver.
3. The waiver will result in a sign or signs that improve, or at least do not negatively impact, public safety, especially traffic safety.
4. Sign content is not being considered when determining whether or not to grant a waiver.

B. Variances:

1. Administrative Variance: In reviewing a Sign Permit the Planning Director may grant or deny a variance to relieve a hardship through the Class II Administrative Review process. Such a variance shall only be approved where the variance does not exceed twenty percent (20%) of area, height, or setback requirements. 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 4.196.
2. Other Variances: In addition to the authority of the Planning Director to issue administrative variances as noted above, the Development Review Board may authorize variances from sign requirements of the Code, subject to the standards and criteria listed in Section 4.196.

(.09) Temporary Sign Permits: Temporary sign permits shall be reviewed as follows:

- A. 30 days and less- Class I Administrative Review
- B. 31 days up to 120 days- Class II Administrative Review
- C. Submission Requirements: Applications for a temporary sign permit shall include the following in addition to the required application fee:
  1. Completed application form prescribed by the City and signed by the property owner or their authorized representative,
  2. Two (2) copies of sign drawings or descriptions showing all materials, sign area and dimensions used to calculate areas, number of signs, location and placement of signs, and other details sufficient to judge the full scale of the sign or signs,
  3. Information showing the proposed sign or signs conform with all applicable code requirements.
- D. Review Criteria: Temporary Sign Regulations in Section 4.156.09
- E. When a temporary sign permit request is submitted as part of the broader temporary use permit request of the same duration, the sign request shall not require an additional fee.

(.10) Waiver of Documentation: The Planning Director may, in his or her discretion, waive an application document for Class I, Class II, and temporary sign permits where the required information has already been made available to the City, or where the Planning Director determines the information contained in an otherwise required document is not necessary to review the application.

**Section 4.156.03 Sign Measurement**

(.01) Sign Area:

- A. **Cabinet Signs and Similar:** The area for signs enclosed by cabinet, frame, or other background (including lighted surface) not otherwise part of the architecture of a building or structure shall be the area of a shape drawn around the outer dimension of the cabinet, frame, or background.
1. If the cabinet, frame, or background is an irregular shape the signs perimeter shall be measured the same as an individual element sign under B. below.
  2. The sign area does not include:
    - a. Foundations, supports, and other essential structures that are not designed to serve as a backdrop or border to the sign;
    - b. Architectural elements of a freestanding or ground mounted sign designed to match or complement the architectural design of buildings on the site not and otherwise meeting the definition of a sign;
    - c. A pole or other structural support, unless such pole or structural support is internally illuminated or otherwise so designed to constitute a display device.

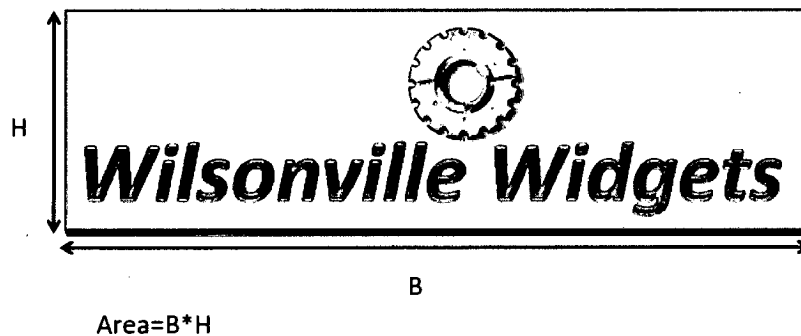


Figure 1. Measurement of Cabinet or Similar Signs

- B. **Individual Element Signs:** The area for signs constructed of individual elements (letters, figures, etc.) attached to a building wall or similar surface or structure shall be the summed area of up to three squares, rectangles, circles, or triangles drawn around all sign elements.
1. The descender on the lower case letters "q, y, p g, or j." shall not be included in sign area when the letter otherwise matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter.

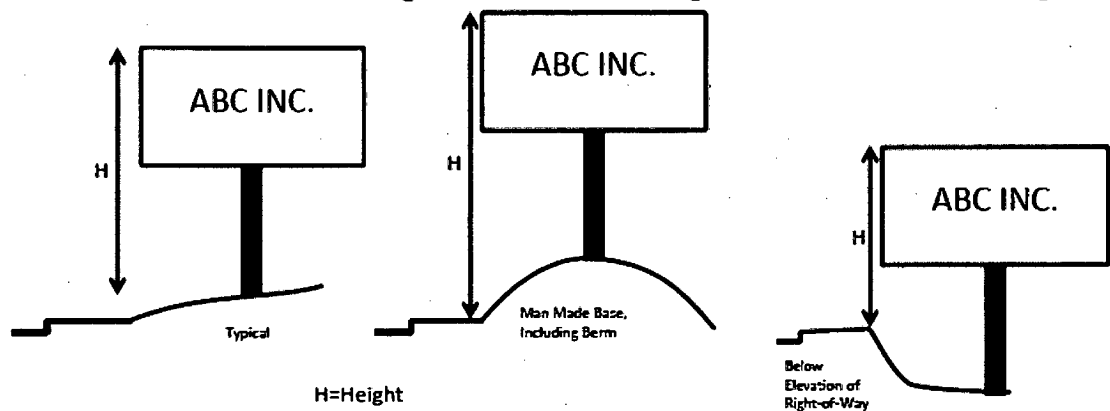


$$Area = (H_1 * B_1) + (H_2 * B_2) + (\pi R^2)$$

Figure 2. Measurement of Individual Element Signs

- C. Round or Three-Dimensional Signs: The area of a round or three-dimensional sign shall be the maximum surface area visible from any one location on the ground measured the same as A. above except if the maximum surface area is an irregular shape the signs perimeter shall be measured the same as an individual element sign under B. above.
  - D. Awning or Marquee Signs: The area of signs incorporated into awnings or marquees shall be the area of the entire panel containing the sign measured the same as A. above unless it is clear that part of the panel contains no sign-related display or decoration, other than the background color of the awning.
  - E. Painted Wall Signs: The area of painted wall signs shall be determined as follows:
    1. If individual elements are painted without a background it shall be calculated in the manner indicated in B. above.
    2. If a background is painted it shall be calculated in the manner indicated in A. above.
  - F. Temporary Signs: The area of temporary signs including banners, lawn signs, and rigid signs shall be calculated in the manner indicated in A. above.
  - 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.
- (.02) Sign Height above Ground:
- A. The height above ground of a freestanding or ground-mounted sign is measured from the average grade directly below the sign to the highest point of the sign or sign structure except as follows:
    1. A freestanding or ground mounted sign on a man-made base, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb to the highest point of the sign or sign structure. In all cases signs on a berm shall be allowed to be eight (8) feet in height from the top of the berm.
    2. A freestanding or ground mounted sign placed below the elevation of the right-of-way it fronts shall be measured from the lowest point in the right-of-way along the frontage to the highest point of the sign.

### How to Measure Height of a Freestanding or Ground Mounted Sign



(.03) Sign Height and Length:

- A. Height of a sign is the vertical distance between the lowest and highest points of the sign.
- B. Length of a sign is the horizontal distance between the furthest left and right points of the sign.

(.04) Final Determination of Sign Measurement: The Planning Director shall be responsible for determining the area, height above ground and height and length of a sign, subject to appeal as specified in Section 4.022. Applicants for sign plans and permits shall provide the dimensions needed to calculate the area, height above ground, height, and length.

#### **Section 4.156.04 Non-Conforming Signs.**

(.01) 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 Sections 4.189 through 4.190. 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. However, a sign that is required to be moved solely because of a public taking may be replaced on the site, and maintain its non-conforming status, subject to a Class II Sign Permit, provided the replacement sign is found to not increase in non-conformity to current code standards other than required setbacks.

#### **Section 4.156.05 Signs Exempt From Sign Permit Requirements.**

(.01) The following signs are exempt from the permit requirements of this code 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:

- A. Traffic or other governmental or directional signs, as may be authorized by the City or other units of government having jurisdiction within the City.
  - B. 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.
  - C. Flags displayed from permanently-located freestanding or wall-mounted flagpoles that are designed to allow raising and lowering of flags. One site may have up to two (2) exempt flags; no exempt flag may be more than thirty (30) feet in height.
- (.02) 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.
- A. Signs inside a building except for prohibited signs listed in Section 4.156.06.
  - B. Name Plates and Announcements.
    - 1. A sign identifying the name, street address, occupation and/or profession of the occupant of the premises in the aid of public health and safety. 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.
    - 2. 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.
  - C. 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:
    - 1. The sign area does not exceed three (3) square feet per sign face,
    - 2. The sign location is not within public rights-of-way and meets City vision clearance requirements;
    - 3. No sign lighting;
    - 4. No logo or a logo that does not exceed one (1) square foot in size; and
    - 5. No more than one (1) directional sign is located on the same tax lot.
  - D. 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.
  - E. Signs not visible from any off-site location.
  - F. Holiday lights and decorations, in place between November 15 and January 15.
  - G. Signs on scoreboards or ballfields located on public property.
  - H. One small decorative banner per dwelling unit placed on site, in residential zones.
  - I. Lawn Signs meeting the standards of Table S-1 and the following conditions:
    - 1. Such signs shall not be intentionally illuminated and shall not display movement.
    - 2. Such signs shall not obscure sight lines of the motoring public, obscure traffic or other government signs, or create a nuisance to the use or occupancy of any property.
    - 3. Lawn signs associated with temporary events may be posted no longer than sixty (60) days before the beginning of an event and must be removed at the event's completion.



4. Lawn signs not associated with temporary events may be posted for one period of up to sixty (60) days in a calendar year.
  5. Such signs may be up to six (6) feet in height.
  6. Such signs may be one (1) or two (2) sided.
- J. Rigid Signs meeting the standards of Table S-1 and the following conditions:
1. Such signs shall not be intentionally illuminated and shall not display movement.
  2. Such signs shall not obscure sight lines of the motoring public, obscure traffic or other government signs, or create a nuisance to the use or occupancy of any property.
  3. Such signs may be up to six (6) feet in height, except signs on lots with an active construction project (active building permit), which may be up to ten (10) feet in height. (Note that signs exceeding six (6) feet in height typically require building permits.)
  4. Such signs may be one (1), two (2), or three (3) sided.
  5. On Residential and Agriculture zoned lots:
    - a. A rigid sign not associated with an ongoing temporary event may be displayed for no more than sixty (60) days each calendar year.
    - b. A rigid sign associated with an ongoing temporary event may be displayed for the duration of that event. Note: Section 4.156.06 (.01) Q. of this Code prohibits signs associated with temporary events to remain posted after the completion of the event.
  6. On Commercial, Industrial, or Public Facility zoned lots:
    - a. A rigid sign not associated with an ongoing temporary event may be displayed for no more than ninety (90) days each calendar year.
    - b. A rigid sign associated with an ongoing temporary event may be displayed for the duration of that temporary event. Note: Section 4.156.06 (.01) Q. of this Code prohibits signs associated with temporary events to remain posted after the completion of the event.
    - c. A temporary event must have an end, marked by the occurrence of a specifically anticipated date or happening. A temporary event may not be a part of a broader, continuing event or of related, serial events. Temporary events shall not be defined by content, but may include isolated merchandise sales or discounts, or availability of real estate for sale or lease.
- K. Signs allowed in Subsections 6.150 (1) and (2) Wilsonville Code for special events.

#### **Section 4.156.06 Prohibited Signs**

- (.01) 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.
- D. Changeable copy signs that use lighting changed digitally, unless specifically approved through a waiver process connected with a Class III Sign Permit or Master Sign Plan. In granting a waiver for a digital changeable copy signs the DRB shall ensure the following criteria will be met:
  - 1. The sign shall be equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with ambient light conditions and the sign owner shall ensure appropriate functioning of the dimming technology for the life of the sign.
  - 2. The luminance of the sign shall not exceed five thousand (5000) candelas per square meter between sunrise and sunset, and five hundred (500) candelas per square meter between sunset and sunrise.
- E. Roof 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 sign permit procedures or the architectural design of a building makes the slope of the roof below the peak a practicable location of signs on a building and the general location of signs on the roof is approved by the DRB during Stage II Approval, as applicable, and Site Design Review.
- F. Signs obstructing vision clearance areas.
- G. Pennants, streamers, festoon lights, balloons, and other similar devices intended to be moved by the wind, unless specifically authorized in an approved sign permit.
- H. Signs attached to trees, public sign posts, or public utility poles, other than those placed by appropriate government agencies or public utilities.
- I. 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 such as Digital Changeable Copy Signs. This is not intended to prohibit the use of neon or LED's as a source of illumination.
- J. Signs that use flame as a source of light or that emit smoke or odors.
- K. 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.
- L. 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.
- M. 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.

- N. Signs located on public property in violation of Section 4.156.10.
- O. Signs placed on private property without the property owner's permission.
- P. Signs erected or installed in violation of standards prescribed by the City of Wilsonville, State of Oregon or the U.S. government.
- Q. Signs associated with temporary events, after the temporary event is completed.
- R. Any private signs, including window signs, with a luminance greater than five thousand (5000) candelas per square meter between sunrise and sunset and five hundred (500) candelas per square meter between sunset and sunrise.
- S. Video Signs

**Section 4.156.07 Sign Regulations In Residential Zones.**

- (.01) Ground Mounted Signs for Residential Developments. One ground mounted sign, not exceeding eighteen (18) square feet in area and six (6) feet in height above ground, shall be permitted for each residential subdivision or for any multi-family development.
  - A. Additional ground mounted signs of eighteen (18) square feet or less shall be permitted for additional entrances to the subdivision or development located on a separate street frontage or on the same street frontage located at least two hundred (200) feet apart.
  - B. For one entrance on a street frontage, an additional ground mounted sign may be placed on opposite side of the street or private drive at the intersection.
- (.02) Ground Mounted Signs for Outdoor Recreational Areas on Separate Lots. Public or private Parks or other similar outdoor recreational areas on separate lots than dwelling units are allowed one (1) ground mounted sign of eighteen (18) square feet or less in area and six (6) square feet or less in height above ground.
- (.03) Non-Residential Uses: Uses, other than residential and outdoor recreation, shall be subject to the sign regulations for PDC, PDI, and Public Facility zones.

**Section 4.156.08 Sign Regulations in the PDC, PDI, and PF Zones.**

- (.01) Freestanding and Ground Mounted Signs
  - A. One freestanding or ground mounted sign is allowed for the first two-hundred (200) linear feet of site frontage. One additional freestanding or ground mounted sign may be added for through and corner lots having at least two-hundred (200) feet of frontage on one street or right-of-way and one-hundred (100) feet on the other street or right-of-way. The allowed height above ground of a freestanding or ground mounted sign is twenty (20) feet except as noted in 1-2 below.
    - 1. The maximum allowed height above ground for signs along the frontage of Interstate 5, and parallel contiguous portions of streets, as identified in Figure 4.156.08-1, associated with multiple tenants or businesses may be increased by three (3) feet for each tenant space of ten thousand (10,000) square feet or more of gross floor area up to a maximum of thirty-five (35) feet.
    - 2. The allowed height above ground for signs in the PDC-TC Zone, Old Town Overlay Zone, and PDI Zone is eight (8) feet, except those signs along the



for sight distance clearance. Prior to construction, the location of the sign shall be approved by the City of Wilsonville Engineering Division.

- F. Freestanding and ground mounted signs shall be designed to match or complement the architectural design of buildings on the site.
- G. For freestanding and ground mounted signs greater than eight (8) feet in height, the width of the sign shall not exceed the height.
- H. Along street frontages in the PDC-TC Zone and Old Town Overlay Zone monument style signs are required.
- I. Freestanding and ground mounted signs shall be no further than fifteen (15) feet from the property line and no closer than two (2) feet from a sidewalk or other hard surface in the public right-of-way.
- J. Except for those signs fronting Interstate 5, freestanding and ground mounted signs shall include the address number of associated buildings unless otherwise approved in writing by the City and the Fire District.
- K. When a sign is designed based on the number of planned tenant spaces it shall remain a legal, conforming sign regardless of the change in the number of tenants or configuration of tenant spaces.

(.02) Signs on Buildings

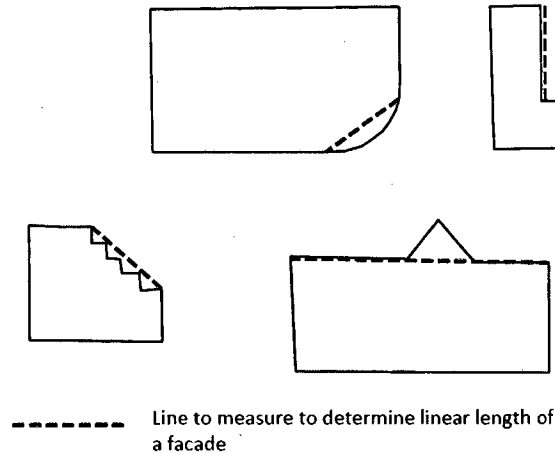
- A. Sign Eligible Facades: Building signs are allowed on a facade of a tenant space or single tenant building when one or more of the following criteria are met:
  - 1. The facade has one or more entrances open to the general public;
  - 2. The facade faces a lot line with frontage on a street or private drive with a cross section similar to a public street, and no other buildings on the same lot obstruct the view of the building facade from the street or private drive; or
  - 3. The facade is adjacent to the primary parking area for the building or tenant.
- B. Sign Area Allowed:
  - 1. The sign area allowed for all building signs on a sign eligible façade is shown in the table below:

Linear Length of Façade (feet)	Sign Area Allowed*
Less than 16	Area equal to linear length
16 to 24	24 sf
Greater than 24 to 32	32 sf
Greater than 32 to 36	Area equal to linear length
Greater than 36 to 72	36 sf
Greater than 72	36 sf plus 12 sf for each 24 linear feet or portion thereof greater than 72 up to a maximum of 200 sf

\*Except as noted in 2. through 5. below

- 2. The sign area allowed for facades with a primary public entrance or with a frontage along a public street dominated by windows or glazing may be increased by transferring to the façade up to one half (1/2) the sign area allowed for adjacent

- facades up to fifty (50) square feet. In no case shall the allowed sign area exceed an area equal to the linear length of the façade.
3. The sign area allowed is increased as follows for signs at separate building entrances:
    - a. For building entrances open to the general public located at least fifty (50) feet apart on the same facade, the sign area allowed is increased by fifty (50) percent up to fifty (50) square feet.
    - b. For building entrances located less than fifty (50) feet apart on the same facades, the sign area allowed is increased by twenty (20) percent up to twenty (20) square feet.
  4. For businesses occupying multiple buildings in a campus setting, sign area shall be limited to that allowed for the largest building, which may then be distributed throughout the campus.
  5. If a façade otherwise not sign eligible faces a lot line with frontage on Interstate 5, the applicant can transfer sign area allowed from one (1) of the locations described in a. and b. below. In no case shall the allowed sign area exceed an area equal to the allowed sign area for a sign eligible façade of the same linear length.
    - a. The freestanding sign along the Interstate 5 frontage. This generally involves placing building signs on the subject façade in lieu of installing a freestanding sign.
    - b. Adjacent façade up to fifty (50) square feet, when a majority of the adjacent façade from which the sign area is being transferred is visible from Interstate 5.
  6. Calculating linear length of a façade for the purpose of determining maximum sign area allowed. For facades of a single tenant building the length the facade measured at the building line, except as noted in a. and b. below. For multi-tenant buildings the width of the façade of the tenant space shall be measured from the centerline of the party walls or the outer extent of the exterior wall at the building line, as applicable, except as noted in a. and b. below. Applicants shall provide the dimensions needed to calculate the length. Each tenant space or single occupant building shall not be considered to have more than five (5) total facades.
    - a. If a façade is curvilinear, stepped, or otherwise not a straight line, the façade shall be measured by drawing a straight line between the edges of the façade as shown in the figure below.
    - b. For an "L" shaped tenant space or single tenant building the longest leg of the interior of the "L" shall be basis for measuring the length of the L-shaped facade. Sign area allowed based on the longest leg can be distributed between legs.



- C. The length of individual tenant signs shall not exceed seventy-five (75) percent of the length of the facade of the tenant space.
  - D. The height of building signs shall be within a definable sign band, fascia, or architectural feature and allow a definable space between the sign and the top and bottom of the sign band, fascia, or architectural feature.
  - E. Types of signs permitted on buildings include wall flat, fascia, projecting, blade, marquee and awning signs. Roof-top signs are prohibited.
- (.03) Additional signs. Notwithstanding the signs allowed based on the site in (.01) and (.02) above, the following signs may be permitted, subject to standards and conditions in this Code:
- A. Directional Signs: In addition to exempt directional signs allowed under Subsection 4.156.05 (.02) C. freestanding or ground mounted directional signs six (6) square feet or less in area and four (4) feet or less in height:
    - 1. The signs shall be designed to match or complement the architectural design of buildings on the site;
    - 2. The signs shall only be placed at the intersection of internal circulation drives; and
    - 3. No more than one (1) sign shall be placed per intersection corner with no more than two (2) signs per intersection.
  - B. Planned Development Signs. Up to thirty (32) square feet of the allowed sign area for freestanding signs in a planned development may be used for a separate on-site monument sign or off-site monument sign on an adjacent parcel identifying the Planned Development project.
  - C. Blade Signs. To aid in pedestrian wayfinding, one (1) blade sign, not to exceed six (6) square feet, per facade eligible for building signs. Blade signs shall provide a minimum of eight (8) feet of clearance from the ground.
  - D. Fuel or Service Station Price Signs. In addition to the freestanding or ground mounted signs allowed, changeable copy signs shall be allowed for the purpose of advertising fuel prices, subject to the following standards and conditions:

1. The signs shall have a maximum of eleven (11) square feet in area per face per type of fuel sold and shall be permanently affixed to the building or a freestanding sign.
2. The signs shall not be considered in calculating the sign area or number of signs allowed.
3. Signs on fuel pumps shall be permitted, providing that they do not project beyond the outer edge of the pump in any direction.

**Section 4.156.09 Temporary Signs In All Zones.**

The following temporary signs may be permitted in addition to the permanent signs allowed in different zones and exempt temporary signs unless specifically prohibited in a master sign plan or other sign approval:

- (.01) General Allowance: Except as noted in subsection (.02) below up to two (2) temporary signs not exceeding a combined total of twenty four (24) square feet may be permitted per lot or non-residential tenant. Such signs may be banners, rigid signs, lawn signs, portable signs, or other signs of similar construction.
- (.02) Opening banner for a new business or housing development: A banner corresponding with the opening of a new business or housing development may be permitted, subject to the following standards and conditions:
  - A. 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.
  - B. Such banner may be two-sided but shall not exceed thirty-two (32) square feet per face.
  - C. Such signs shall not be permitted at the same time as general allowance signs in (.01) above.
- (.03) Annual Event Signs: Up to ten (10) lawn signs may be permitted to be located in the public right-of-way for up to fourteen (14) days if all of the following are met:
  - A. Signs will not be located in the areas listed in Subsection 4.156.10 (.01) A. 4.
  - B. The applicant or event has not been issued a permit for and placed signs in the public right-of-way in the previous six (6) months;
  - C. Not more than one (1) other permit has been issued for lawn signs in the right-of-way during the time period the applicant is requesting;
  - D. The event to which the signs pertain is expected to attract two hundred fifty (250) or more people;
  - E. The request is not in addition to exempt lawn signs for large special events allowed for in Section 6.150; and
  - F. The applicant has indicated on a map the exact locations the signs will be placed and has submitted an application along with the required fee.
- (.04) Inflatable Signs: Inflatable signs may be permitted for a maximum of fifteen (15) days of display use in any calendar year subject to the following standards and conditions:
  - A. Does not exceed ten (10) feet in overall height; and
  - B. If attached to a building in any manner, it meets applicable building code requirements including consideration of wind loads.



**Section 4.156.10 Signs on City and ODOT Right-Of-Way**

(.01) Signs On City Property. For the purposes of this section, City property is defined as physical sites, City rights-of-way, and rights-of-way over which the City has jurisdiction. City property includes, but is not limited to, the following: City Hall, the Community Center, the Library, parks and open space, Transit and Fleet Building, SMART Central, and the City's reservoir, pump station, and treatment plant properties.

- A. Allowed Signs. The following 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.
  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. This shall include signs authorized to conform with the State's Tourism Information program and any similar local government 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. Lawn signs may be placed, subject to the standards in subsection 4.156.10 (.01)A. 5., below, on City rights-of-way and rights-of-way over which the City has jurisdiction except 1) those rights-of-way adjoining City properties defined in subsection 4.156.10 (.01) above, and 2) in the following locations where the placement of signs could damage landscaping or interfere with the maintenance of the rights-of-way:
    - a. In any median or landscaped strip inside the City limits as identified below in Sections 4.156.10 (.01) A. 4. b. through p.
    - 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. Either side of Boeckman Road and all islands, from the railroad tracks west to 110<sup>th</sup>.
  - m. Either side of 110<sup>th</sup> between Barber Street and Boeckman Road.
  - n. The eastern side of Grahams Ferry Road from Tooze Road to the City limits.
  - o. Either side of Barber Street between 110<sup>th</sup> and Brown Road, including islands and roundabouts.
  - p. Such other areas as the City may designate as requiring protection from landscape damage.
5. Lawn signs shall meet the following standards and conditions:
- a. Allowed only between the hours of 6 a.m. Friday and 8 p.m. Sunday, and the hours of 9 a.m. and 4 p.m. Tuesdays;
  - b. Not greater than thirty (30) inches in height. A-frame signs may be 24" by 36" provided that they are designed to meet vision clearance requirements (typically not over 30 inches in height when standing);
  - b. Not placed on street surfaces, sidewalks, paths, median strips, or bicycle ways;
  - c. Located within forty (40) feet of an intersection;
  - d. No more than three (3) signs per person; and
  - e. Placed no more than one every fifty (50) feet and at least ten (10) feet away from any other temporary sign.
- (.02) 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.

**Section 4.156.11 Sign Enforcement.**

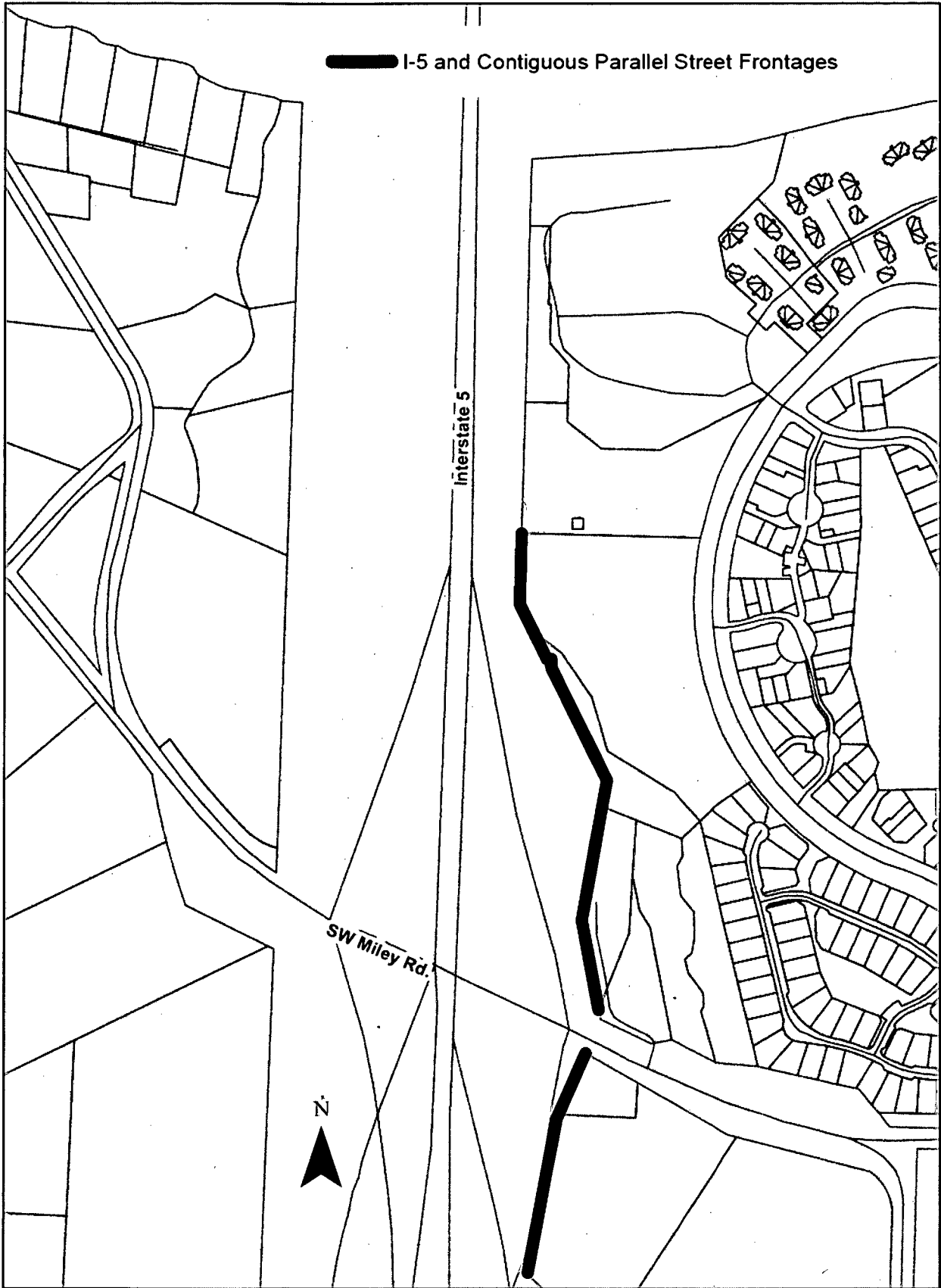
- (.01) General: Any person who places a sign that requires a permit under this section, and who fails to obtain a permit before installing the sign, shall be subject to penalties and fines as established in Wilsonville Code 4.025.
- (.02) Removal of signs. Any sign placed on public property in violation 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.

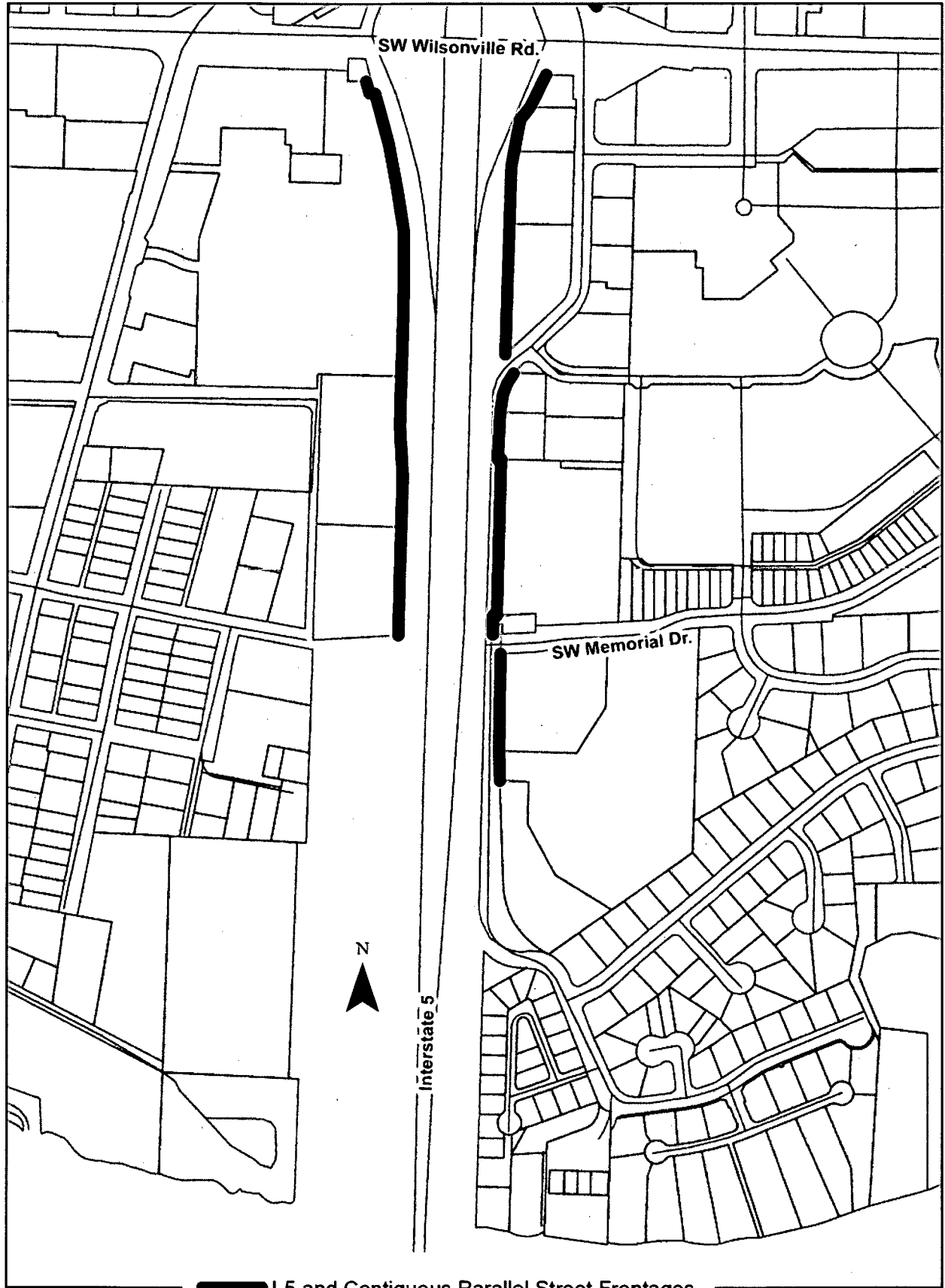
- (.03) Civil enforcement. Any sign which is intentionally placed in violation of the provisions of this code after the owner of the sign has been notified of the initial sign removal and reason for its removal, shall subject the owner to a civil violation not to exceed \$100.00 as and for a civil fine for each day that a violation continues to exist.
- (.04) Additional enforcement. The remedies described herein are not exclusive and may be used in addition to those prescribed elsewhere in the Wilsonville Code, including Sections 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.

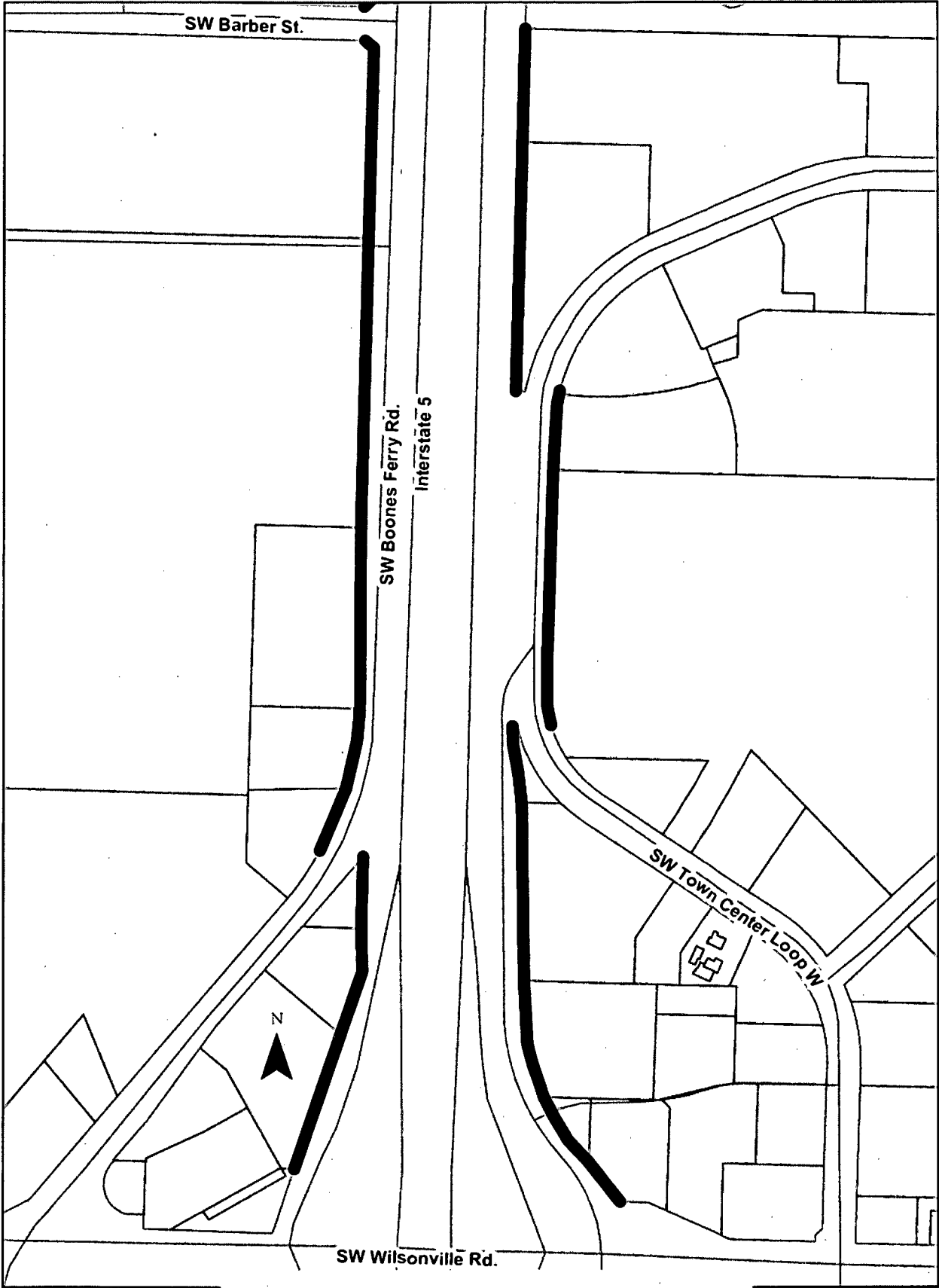
Figure 4.156.08-1

Interstate 5 and Contiguous Parallel Street Frontage

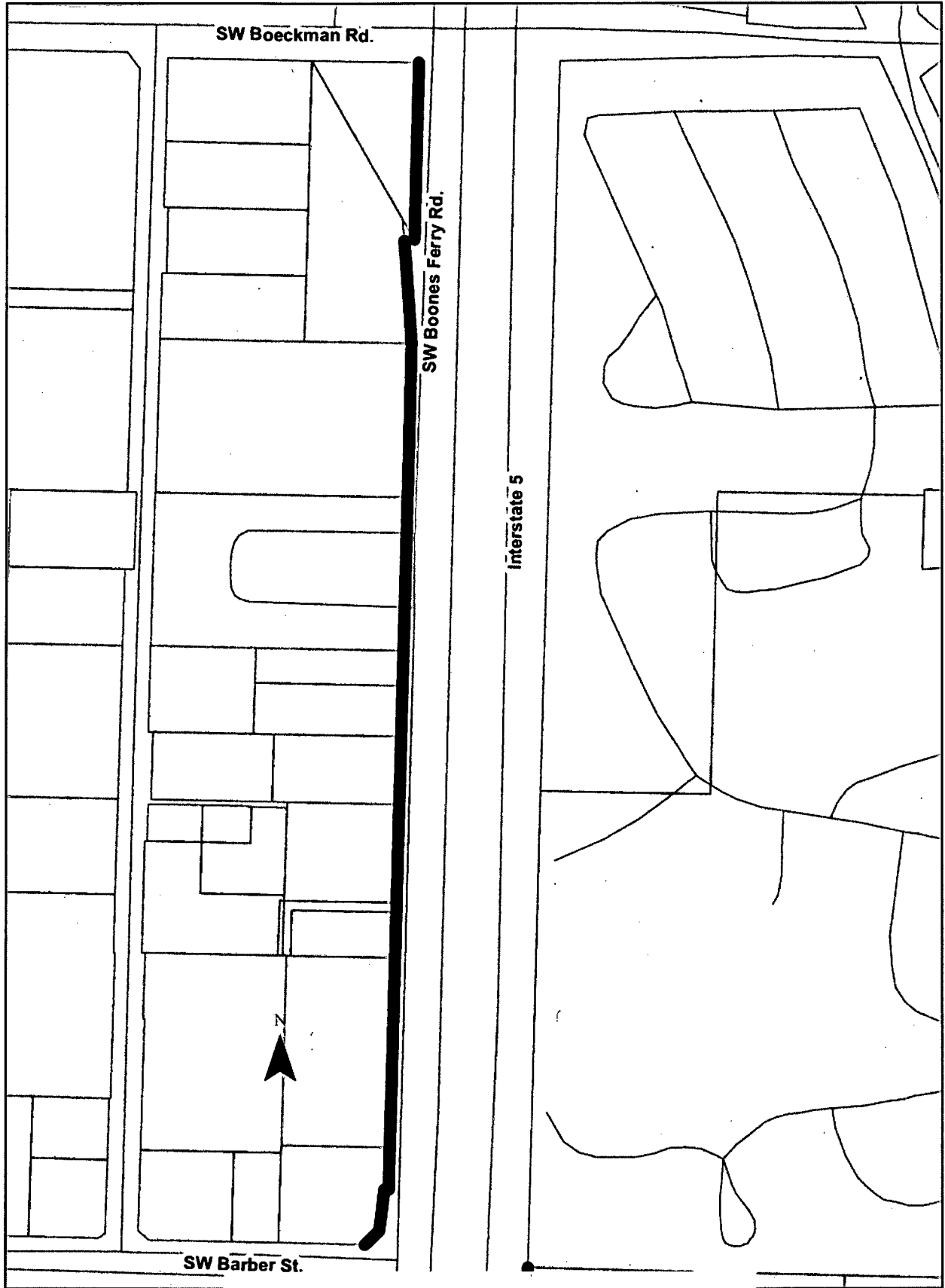




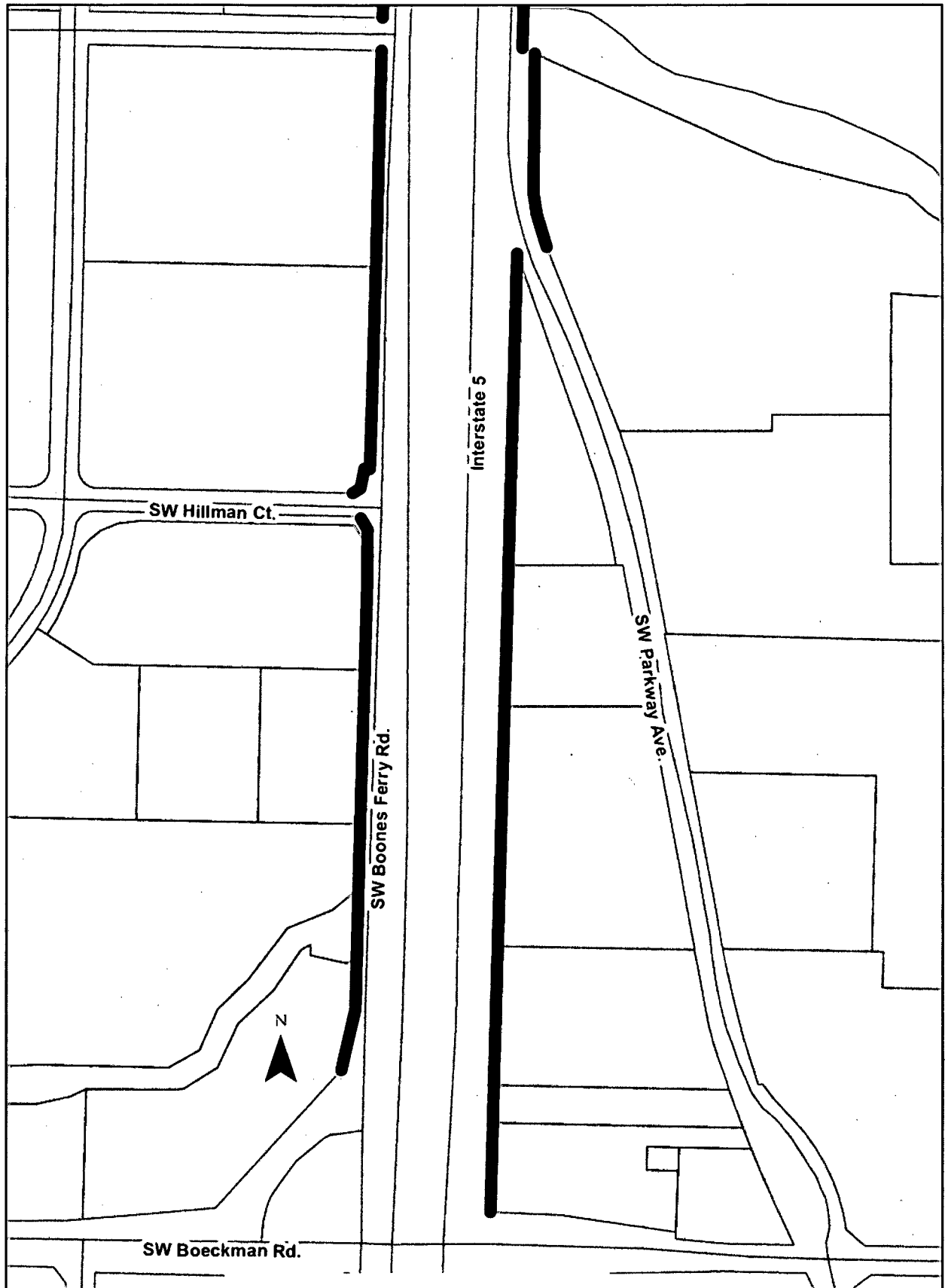




**— I-5 and Contiguous Parallel Street Frontages**

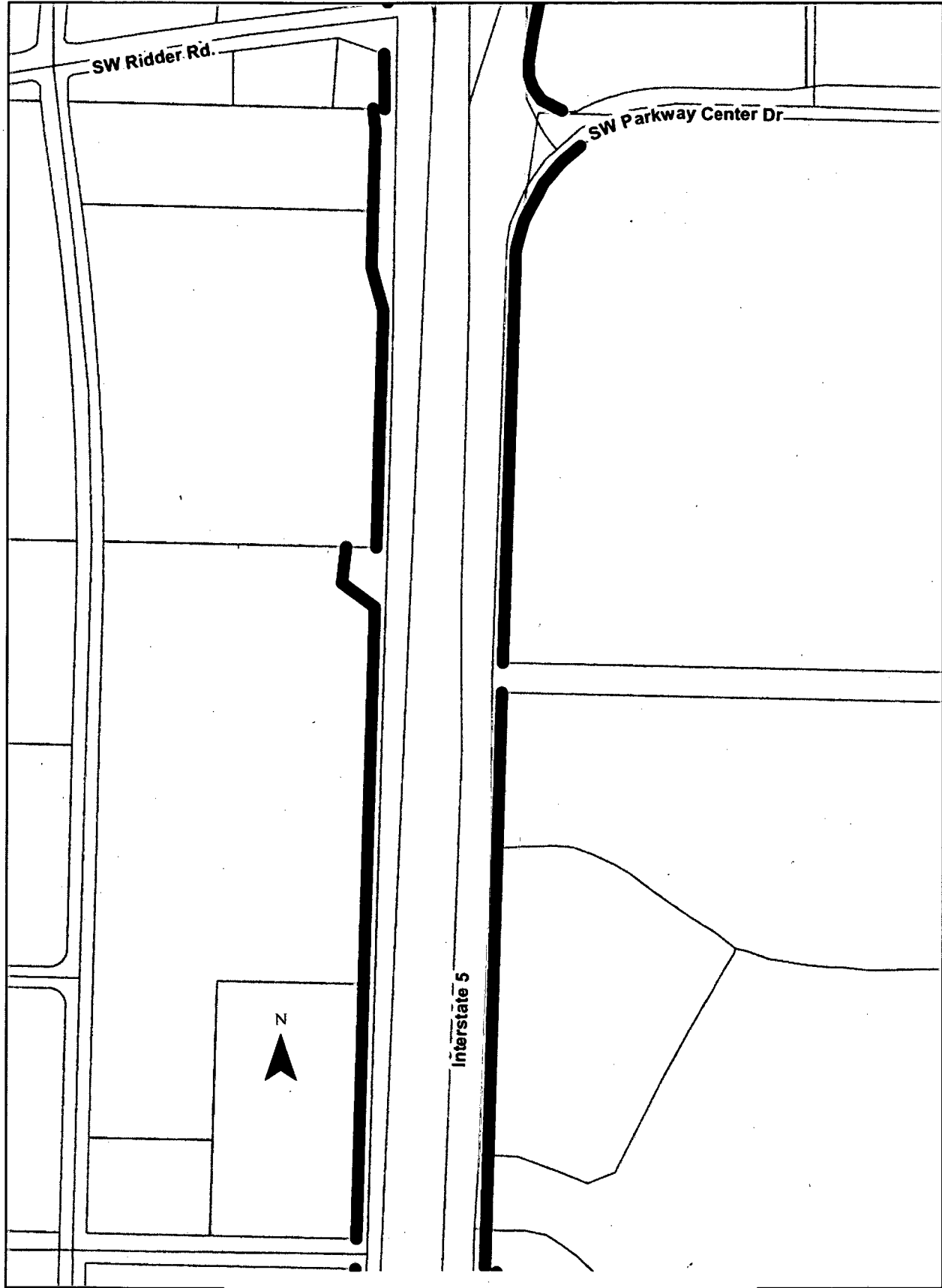


**— I-5 and Contiguous Parallel Street Frontages**

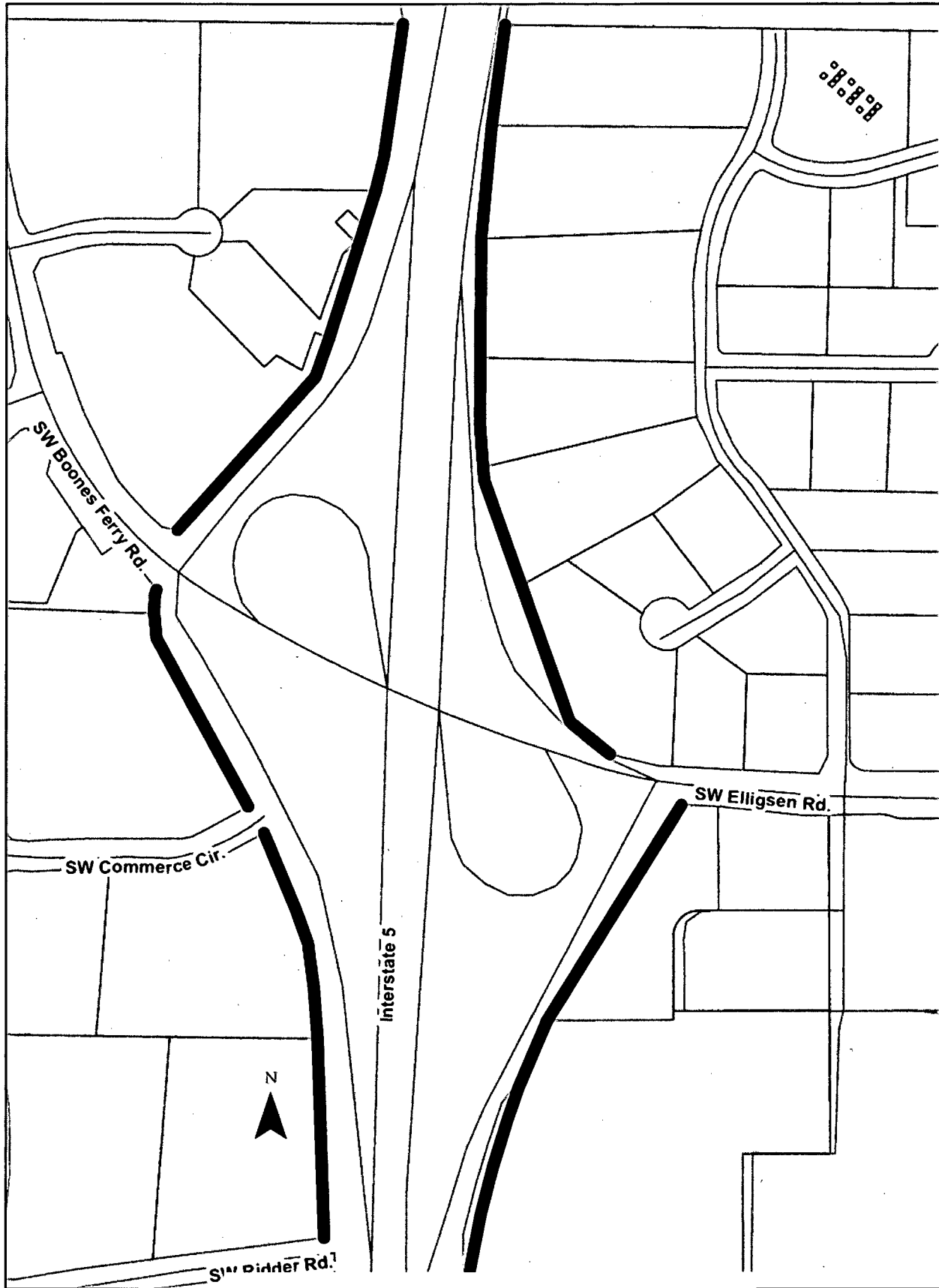


**■ I-5 and Contiguous Parallel Street Frontages**





— I-5 and Contiguous Parallel Street Frontages



**— I-5 and Contiguous Parallel Street Frontages**



# Sign Code Update Work Session

Wilsonville City Council

May 21, 2012

Presented by Daniel Pauly, AICP

Associate Planner

[pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us)

503-682-4960

# Outline of Presentation

- Background
- Recommended Updates

# Background

Most of Current Sign Code in Effect for 12 years

-Changes in 2010 regarding temporary signs

Current sign code reviewed by a variety of stakeholders to identify opportunities for improvement

Make the sign code purpose  
statement and objectives more  
concise and positive

# Highlights of Purpose Statement

- “Foster an aesthetically pleasing, functional, and economically vital community.”
- “Promote health, safety, and well-being”
- “Meet the needs of sign owners while maintaining consistency with Wilsonville’s development and design standards.”



# Objectives

- A. Well-designed and aesthetically pleasing signs sufficiently visible and comprehensible from streets and rights-of-way that abut a site as to aid in wayfinding, identification and provide other needed information.
- B. Sign design and placement that is compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district.
- C. A consistent and streamlined sign review process that maintains the quality of sign development and ensures due process.
- D. Consistent and equitable application and enforcement of sign regulations.
- E. All signs are designed, constructed, installed, and maintained so that public safety, particularly traffic safety, are not compromised.
- F. Sign regulations are content neutral.

Clarify the difference between  
architecture and signs

# Architecture or Sign

Recommended Code Language (added to definition of sign):

- A sign does not include architectural or landscape features that may attract attention but do not convey a message, image, or trademark considered speech protected under federal or state law.

Increase authority of staff to review  
sign applications that have  
historically been routine and non-  
controversial

# Review Process: Recommended Updates

**Recommended change** Same as current

Class I (staff)	Class II (staff)	Class III (DRB)
<ul style="list-style-type: none"> <li>• Signs conforming to a master sign plan or other previous approval</li> <li>• Temporary Signs 30 days or less</li> <li>• <b>Minor adjustments to master sign plans</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Signs for existing residential development</b></li> <li>• <b>Signs for existing non-residential development with less than 3 tenants</b></li> <li>• Temporary Signs 31-120 days</li> <li>• <b>Major adjustments to master sign plans which involve:</b> <ul style="list-style-type: none"> <li>• <i>Single tenants</i></li> <li>• <i>Single multi-tenant signs</i></li> <li>• <i>Series of related multi-tenant signs</i></li> </ul> </li> <li>• <b>Administrative variances</b></li> </ul>	<ul style="list-style-type: none"> <li>• Waivers</li> <li>• Non-administrative variances</li> <li>• New freestanding signs over 8 feet</li> <li>• Signs for new development</li> <li>• Signs for redevelopment being reviewed by DRB</li> <li>• Master Sign Plans</li> <li>• Master Sign Plan modifications other than adjustments</li> </ul>

Clarify and give added direction in what the Development Review Board needs to consider in granting a waiver to sign regulations

Reduce the number of waivers routinely requested

# Waivers: Recommended Updates

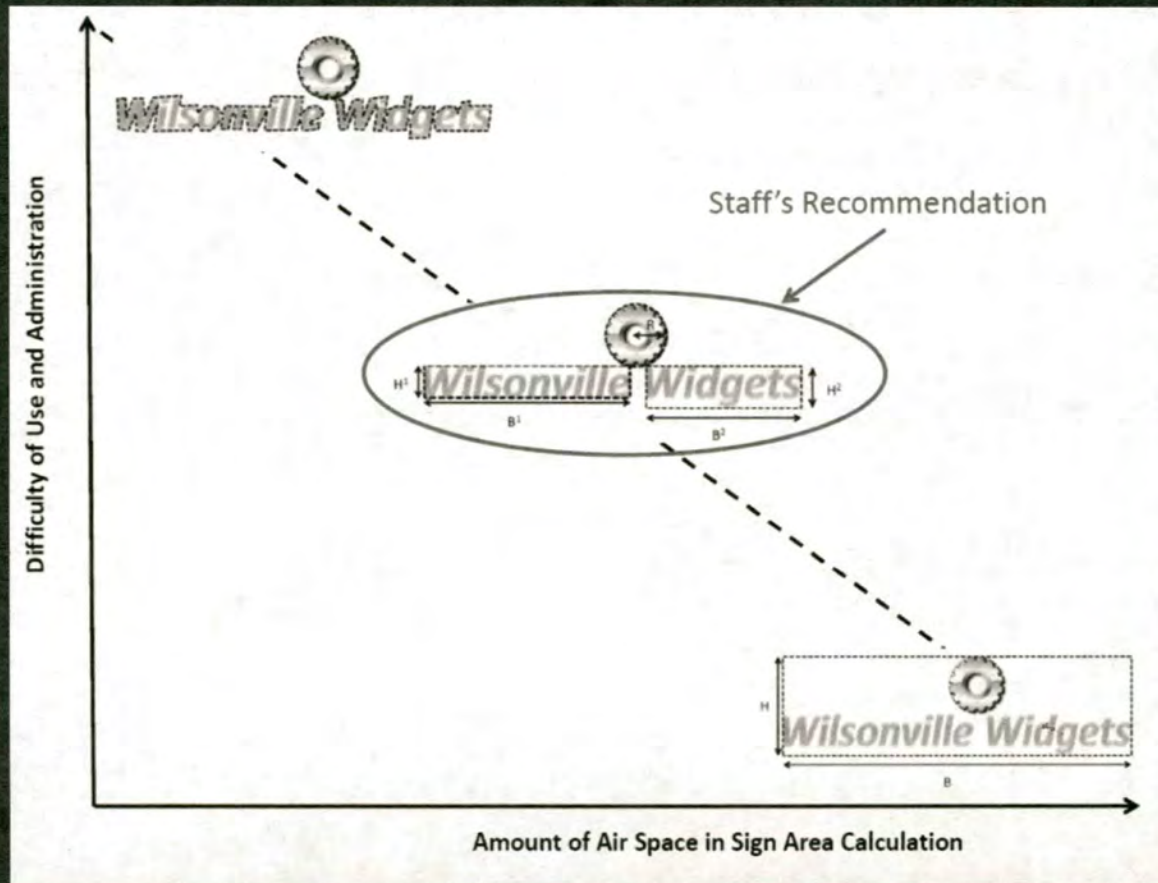
- Specific waiver criteria directly reflecting objectives of sign regulations
  - Focus on improved design
- Adjust sign allowances in different zones to allow the pattern of signs approved repeatedly as “reasonable” through Master Sign Plans
  - Greatly reduce the number of waivers requested
  - Provide for consistent application to different developments
  - Sign allowances will be discussed in more detail later
- Allow DRB to review waivers as part of Class III sign permits as well as Master Sign Plans
  - Eliminate “elective” Master Sign Plans

Establish a clear sign measurement method that balances ease of administration and use with including too much “empty space” in the calculation



# Sign Measurement Language

Recommended Area Measurement Method:



Simplify sign regulations and  
improve consistency by removing  
the majority of special regulations  
for the PDC-TC Zone



# Town Center

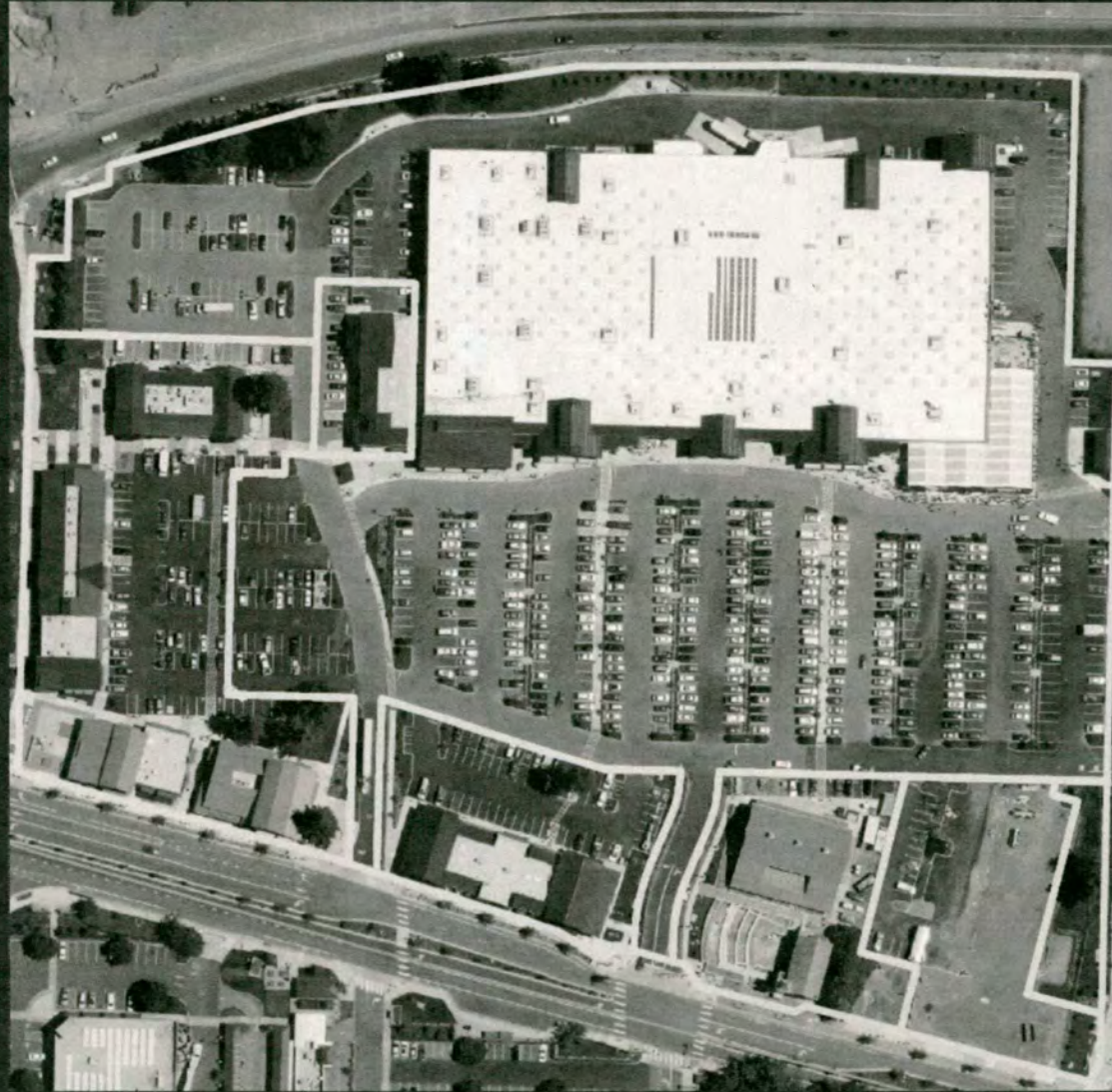


Separate the allowance for building  
signs and freestanding signs to  
allow a more consistent allowance  
of freestanding signs throughout  
the City

Increase consistency by basing  
building sign allowances on the  
facades of individual tenant spaces  
rather than per lot



# Building Signs



# Building Signs: Recommended Updates

## Sign Eligible Facades:

1. The facade has one or more entrances open to the general public;
2. The facade faces a lot line with frontage on a street or private drive with a cross section similar to a public street, and no other buildings on the same lot obstruct the view of the building facade from the street or private drive; or
3. The facade is adjacent to the primary parking area for the building or tenant.

Establish clear and objective standards for number of signs and allowed sign area based on an inventory and analysis of existing signs within the City



# Recommended Freestanding Sign Allowance

## I-5 and contiguous parallel adjacent streets

- Allowed Sign Area
  - Single Tenant: 64 sf allowed area
  - Multiple Tenants: 64 sf plus 32 sf for each tenant with 10,000 sf or more gross floor area
- Allowed Sign Height
  - 20 feet
  - May be increased by 3 feet per large tenant (10,000 sf gross floor area) in multiple tenant properties up to 35 feet

# Recommended Freestanding Sign Allowance

Other streets

Allowed Sign Area: Single Tenant

Gross Floor Area in a Single Building	Maximum Allowed Sign Area
Less than 11,000 sf	32 sf
11,000-25,999 sf	32 sf + 2 sf per 1000 sf of floor area greater than 10,000 rounded down to the nearest 1,000 sf
26,000 sf or more	64 sf

Public Facility Zone next to residential limited to 32 sf



# Recommended Freestanding Sign Allowance

Other streets continued

Allowed Sign Area: Multiple Tenants

32 sf plus the following:

Gross Floor Area of Tenant Space	Additional Allowed Sign Area for Tenant Space
Less than 1,000 sf	3 sf
1,000-10,999	3 sf + 3 sf per 1,000 sf of floor area rounded down to the nearest 1,000 sf
11,000 sf or more	32 sf

200 sf max, except in PDC-TC, Old Town and PDI 80 sf max

# Recommended Freestanding Sign Allowance

Other streets continued

Allowed height

- 8 feet in Town Center, Old Town, and Industrial Areas
  - Town Center and Old Town require monument style signs
- 20 feet other areas



# Recommended Building Sign Allowance

Sign area allowed for each sign eligible facade:

Linear Length of Façade (feet)	Sign Area Allowed*
Less than 16	Area equal to linear length
16 to 24	24 sf
Greater than 24 to 32	32 sf
Greater than 32 to 36	Area equal to linear length
Greater than 36 to 72	36 sf
Greater than 72	36 sf plus 12 sf for each 24 linear feet or portion thereof greater than 72 up to a maximum of 200 sf

\*Except as noted in 2-5 below

# Recommended Building Sign Allowance

## Exceptions and Flexibility to Sign Area Allowed (the \*):

- Ability to transfer allowed area to facades with primary public entrance or street frontage with windows from adjacent facades
- Increase allowed area for facades with multiple entrances
- Unique case of campus settings (Mentor Graphics, Xerox)
- Ability to transfer allowed sign area to otherwise non-sign eligible facades facing I-5 from freestanding signs or adjacent facades

Clarify the allowance for semi-static  
digital changeable copy signs and  
add specific requirements for this  
type of sign

# Digital Changeable Copy Signs: Recommended Updates

- Provide new definition of “changeable copy signs” that includes semi-static digital signs
- Change waiver allowance from planned development architecture waiver to sign waiver to allow it to apply to schools
- Establish specific conditions for granting of waivers for digital changeable copy signs
  - Time Limit (15) Minutes
  - Automatic Dimming Technology



Update regulations for temporary  
signs for special events to be  
consistent with other regulations  
adopted by the City

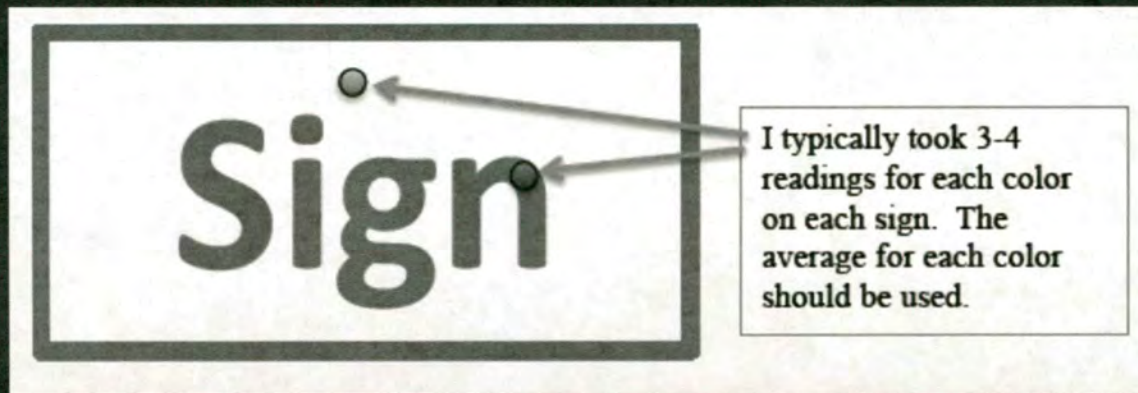
# Special Event Signs: Recommended Updates

- New language establishes the following:
  - Maximum of 10 signs per applicant
  - Can only be issued to an applicant or event once every 6 months
  - Only for events with 250 or more anticipate participants
  - Cannot be placed in places where lawn signs are prohibited (generally maintained planting strips and medians)
  - Maximum of 2 permits issued can overlap (maximum number of sign in the right-of-way at one time would be 20)
  - Cannot be in addition to signs allowed for large special events in Section 6.150 (Ordinance # 701)

Establish clear brightness standards

# Sign Brightness

- Simple criteria for daytime and nighttime
  - candelas per square meter
- All existing signs tested meet nighttime criteria
- Anticipate evolving lighting technology
- Written into prohibited signs section
- No additional submission requirements



Make other minor changes to  
improve consistency and  
functionality

# Other Minor Changes-Highlights

## **Sections 4.030-4.031 Jurisdiction and Powers of the Planning Director and Authority of DRB**

- Minor revisions to reflect recommended process language in Section 4.156

## **Section 4.156.02 Sign Review Process and General Requirements**

- Add language Planning Director to waive submission documents when not necessary



# Other Minor Changes-Highlights

## **Section 4.156.04 Non-Conforming Signs**

- Add language addressing public takings based on experiences with recent Wilsonville Road interchange work

## **Section 4.156.05 Permit Exempt Signs**

- Clarify language regarding interior signs, add language to reflect Ordinance # 701

# Other Minor Changes-Highlights

## **Subsection 4.156.07 Residential Sign Regulations**

- Remove planned development signs language and modify ground mounted (monument sign language) for simplified and consistent rules for all residential development
- Clarify sign allowance for parks and non-residential development in residential zones



# Other Minor Changes-Highlights

## **Subsection 4.156.08 (.03) Additional Signs in Commercial, Industrial, and Public Facility Zones**

- Clarify allowances for “Planned Development signs”
  - Separate or incorporated into freestanding sign
- Independent allowance for “blade signs” to assist in pedestrian wayfinding (consistent with current use of these types of signs)
- Update fuel price sign allowance based on inventory of existing signs and updated changeable copy sign language

**RESOLUTION NO. 2369**

**A RESOLUTION OF THE CITY OF WILSONVILLE ADOPTING AN UPDATED FEE SCHEDULE FOR SIGN RELATED PLANNING REVIEW FEES, AMENDING 'EXHIBIT A' OF RESOLUTION NO. 2050.**

WHEREAS, the Wilsonville City Council finds it necessary and reasonable to establish fees for actual cost impacts for individualized Land Use and Development Planning reviews; and

WHEREAS, the Wilsonville City Council has adopted updated sign regulations which include permit types and review processes not reflected in the fee schedule adopted by Resolution 2050; and

WHEREAS, the Wilsonville City Council finds it prudent to update the fee schedule to reflect these new permit types and review processes with fees reflective of the current fee schedule for comparable permit types and processes in terms of use of staff time and other City resources; and

WHEREAS, technology has evolved since adoption of Resolution 2050 to allow for staff to quickly and inexpensively produce mailing labels when public notice is required which allows the City to eliminate the fee for labels; and

WHEREAS, the Wilsonville City Council finds that Oregon state law allows the City to recover its actual costs.

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

Section 1. The City Council finds the proposed recovery of administrative costs for planning review and land use development services related to signs are actual, reasonable and necessary, therefore, the Planning fees are hereby established as set out in Exhibit "A", which is attached to this resolution and incorporated by reference as if fully set forth herein.

Section 2. The fee schedule as proposed shall become effective on the same date as Ordinance 704 in order to allow time for data entry into the EDEN System,

through which all applications and fees are processed. These fees may be adjusted annually to reflect the increase in the Portland/Salem area consumer price index.

Section 3. Resolution No. 2050 is hereby amended as shown in 'Exhibit A'.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 4<sup>th</sup> day of June, 2012, and filed with the Wilsonville City Recorder this date.

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TIM KNAPP, MAYOR

ATTEST:

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Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Knapp           \_\_\_  
Councilor Goddard   \_\_\_  
Councilor Hurst       \_\_\_  
Councilor Núñez      \_\_\_  
Councilor Starr       \_\_\_

Planning Division Planning Fees

-Effective July 1, 2007 Sign Related Fees Updated June 4, 2012 Fees or descriptions deleted June 4, 2012

Fee Type

Fee

Fee to create property owner list: 250 feet for notification	\$160
Preapplication Conference	
<b>Sign Permit or Master Sign Plan as stand-alone request</b>	<b>\$160</b>
<u>Signs Permits and Review (Except Temporary Signs)</u>	
Administrative <u>Class I Sign Permit</u>	\$160
<u>Class II Sign Permit</u>	<b>\$400</b>
DRB-Review <u>Class III Sign Permit</u>	\$400- <b>560</b>
Master sign <u>Sign program permit Plan</u>	\$960
<b>Minor Adjustment as Part of Class I Sign Permit</b>	<b>\$80</b>
<u>Temporary Use and Sign Permits</u>	
<u>Class I &lt; 15 days</u>	\$80
<u>Class I 15 - 30 days</u>	\$160
<u>Class I Annual Event Signs</u>	<b>\$50</b>
<u>Class II 31-60 days</u>	\$160- <b>240</b>
<u>Class II 61-120 days (signs only)</u>	<b>\$320</b>
<u>Class II 61-120 days (other temporary uses, may incorporate concurrent sign request)</u>	\$800
<u>DRB Review 121 - 365 days more than 120 days (non-sign temporary uses only)</u>	\$800
<u>Temporary Use Permit &amp; Signage</u>	
Limitations	
Exempt: 57 hours/week; Weekend ( and Tuesday) Signs: limited locations	\$0
Exempt: < or = 10 days in 30 day period; Temporary Sales: 1 sign max; 6 sf max <=30" tall	\$0
Class 1: <15 days; signs and commonly associated (but not substantial) structures allowed	\$80
Class 1: >1 day and <+28 days; grand opening only	\$160
Class II: >=15 days and <= 30 days 2 signs max; combined total all signs max, 24sf with Temporary Use Permit	\$160
Class 2: >=31 days and <=60 days; 2 signs max, combined total all signs 24sf max, and no max ht, or, same, plus 20ft max ht.	\$160
Class 2: >=61 days and <=120 days; 2 signs max, combined total all signs 24sf max, and 20ft max ht, plus other considerations	\$800
Class 3: DRB Hearing required >120 days and <1 yr	\$800
Class 1 or 2 discretionary; if previously approved Master Sign Plan exists	-\$160 or \$800



**CITY OF WILSONVILLE  
CITY COUNCIL**

**NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE is hereby given that the Wilsonville City Council will hold a **PUBLIC HEARING** on: **Monday, June 4, 2012, at 7:00 p.m.** at Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Clackamas County, OR 97070

Applicant: City of Wilsonville

**Proposal and Summary of Case File # LP12-0001:**

Amendments to the Wilsonville Planning and Land Development Ordinance Section 4.156: Sign Regulations in order to improve efficiency and consistency in administration and application of Wilsonville's sign regulations while maintaining a high quality visual environment.

**Who is Affected:**

The proposed revisions apply to chiefly to current and future commercial, industrial, and public facility development. Aspects of the proposed provisions apply as well to current and future single-family residential subdivisions, as a whole, and current and future multi-family residential development.

**Key Provisions:**

- More concise and positive sign code purpose statement and objectives
- Establish a clear sign measurement method that balances ease of administration and use with including too much "empty space" in the calculation
- Clarify the difference between architecture and signs
- Increase authority of city staff to review sign applications that have historically been routine and non-controversial
- Clarify what the Development Review Board needs to consider in granting a waiver to sign regulations
- Remove the majority of special regulations for the PDC-TC Zone
- Separate the allowance for building signs and freestanding signs to allow a more consistent allowance of freestanding signs throughout the City
- Establish new methods to calculate the maximum allowed height and area for freestanding and building mounted signs for commercial, industrial, and public uses.
- Base building sign allowances on the building elevation of individual tenant spaces rather than per lot.
- Consolidate and simplify sign allowances for residential subdivisions and multi-family developments.
- Update regulations for temporary signs for special events to consolidate language and be consistent with other regulations adopted by the City.
- Clarify the allowance for semi-static digital signs and add specific requirements for this type of sign.

## Criteria:

Statewide Land Use Goals: 1: Citizen Involvement,

### Wilsonville Comprehensive Plan:

Section A: Citizen Involvement, Goal 1.1, Policy 1.1.1, Implementation Measures 1.1.1a, 1.1.1.e, 1.1.1.f, 1.1.1.g, 1.1.1.h.; Goal 1.2, Policy 1.2.1, Policy 1.3, Implementation Measure 1.3.1.b, Goal 4.1, Section D: Land Use and Development, Goal 4.1, Policy 4.1.1, Implementation Measures 4.1.1.c, 4.1.1.d, 4.1.1.h, 4.1.1.n, Policy 4.1.2, Implementation Measures: 4.1.2.a, 4.1.2.d, 4.1.2.g, 4.1.2.i, Policy 4.1.3, Implementation Measures 4.1.3.a, 4.1.3.b, 4.1.3.d, Policy 4.1.4, Implementation Measures 4.1.4.c, 4.1.4.t, Policy 4.1.5, Implementation Measures 4.1.5.ii, 4.1.5.mm.

### Land Use and Development Code:

4.197 Zone changes and Amendments to the Code - Procedures

**Contact Person:** Daniel Pauly, [Pauly@ci.wilsonville.or.us](mailto:Pauly@ci.wilsonville.or.us), (503) 682-4960

### **How to Obtain Copies:**

Copies of the approval criteria and proposed development code amendments are available from the Wilsonville Planning Division, located at 29799 SW Town Center Loop East, and may be purchased at the cost of twenty-five cents per page. A complete copy of the relevant file information, including the staff report and recommendations, will be available for inspection seven days prior to each public hearing. Copies will also be available for review at the Wilsonville Public Library. The staff report will be posted on the City web site one week prior to the hearing at [www.ci.wilsonville.or.us](http://www.ci.wilsonville.or.us). All testimony and evidence shall be directed to the applicable criteria, or the person providing testimony shall state which other criteria is believed to apply to this proposal.

### **How to Submit Comments:**

Oral and written public testimony regarding this matter will be accepted at the hearings. Written statements are encouraged and may be submitted prior to each hearing date. **Mail written statements to: 29799 SW Town Center Loop E, Wilsonville, OR 97070 or email them to [pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us).**

Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting. The City will also endeavor to provide qualified sign language interpreters and/or bilingual interpreters, without cost, if requested at least 48 hours prior to the meeting. To obtain such services, please call Sandra King, City Recorder, 503-570-1506.



**NOTICE OF DECISION**

**PLANNING COMMISSION**

**RECOMMENDATION OF APPROVAL  
TO CITY COUNCIL**

**FILE NO.:** LP12-0001

**APPLICANT:** City of Wilsonville

**REQUEST:** Sign Code Revisions. Amendments of Development Code Sections 4.001, 4.030-4.031, and 4.156 to update Wilsonville's Sign Regulations.

After conducting seven work sessions between July 2011 and March 2012, and a public hearing on April 12, 2012, the Wilsonville Planning Commission voted to recommend this action to the City Council by passing Resolution No. LP12-0001.

The City Council Public Hearing date for LP12-0001 Sign Code Revisions is to be noticed at a later date.

For further information, please contact the Wilsonville Planning Division, 29799 SW Town Center Loop East, or telephone (503) 682-4960.

**PLANNING COMMISSION  
RESOLUTION NO. LP12-0001**

**A WILSONVILLE PLANNING COMMISSION RESOLUTION RECOMMENDING THAT THE WILSONVILLE CITY COUNCIL ADOPT AN ORDINANCE AMENDING SECTIONS 4.001, 4.030-4.031, AND 4.156 OF THE PLANNING AND LAND DEVELOPMENT ORDINANCE (WILSONVILLE'S DEVELOPMENT CODE- PERTAINING TO SIGN REGULATIONS**

WHEREAS, the Wilsonville Planning Commission has held 7 work sessions between July 2011 and March 2012 to discuss and take public testimony concerning proposed revisions to the Wilsonville Sign Code; and

WHEREAS, the Wilsonville Planning Director, taking into consideration input and suggested revisions provided by the Planning Commission members and the public, submitted proposed Sign Code amendments to the Planning Commission, along with a Staff Report, in accordance with the public hearing and notice procedures that are set forth in Sections 4.008, 4.010, 4.011 and 4.012 of the Wilsonville Code (WC); and

WHEREAS, the Planning Commission, after providing the required public notice, held a Public Hearing on April 11, 2012 to review proposed amendments to Wilsonville's Sign Regulations and to gather additional testimony and evidence regarding the proposed amendments; and

WHEREAS, the Commission has afforded all interested parties an opportunity to be heard on this subject and has entered all available evidence and testimony into the public record of their proceeding; and

WHEREAS, the Planning Commission has duly considered the subject, including the staff recommendations and all the exhibits and testimony introduced and offered by all interested parties.

NOW, THEREFORE, BE IT RESOLVED that the Wilsonville Planning Commission does hereby adopt the Planning Staff Report, as presented at the April 11, 2012 public hearing, including the findings and recommendations contained therein and does hereby recommend to the Wilsonville City Council that the Wilsonville City Council approve and adopt the proposed Sign Regulations Amendments as approved on April 11, 2012 by the Planning Commission; and

BE IT RESOLVED that this Resolution shall be effective upon adoption.

ADOPTED by the Planning Commission of the City of Wilsonville at a regular meeting thereof this 11<sup>th</sup> day of April 2012 and filed with the Planning Administrative Assistant on April 16, 2012.

  
\_\_\_\_\_  
Wilsonville Planning Commission



Attest:

  
\_\_\_\_\_  
Linda Straessle, Administrative Assistant III

SUMMARY of Votes:

Chair Ben Altman:	<u>Aye</u>
Commissioner Eric Postma:	<u>Aye</u>
Commissioner Amy Dvorak:	<u>Aye</u>
Commissioner Peter Hurley:	<u>Aye</u>
Commissioner Al Levit:	<u>Aye</u>
Commissioner Marta McGuire:	<u>Aye</u>
Commissioner Ray Phelps:	<u>Aye</u>

**PLANNING COMMISSION  
WEDNESDAY, APRIL 11, 2012  
6:00 PM**

**Wilsonville City Hall  
29799 SW Town Center Loop East  
Wilsonville, Oregon**

**MOTIONS**

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**VI. PUBLIC HEARING**

- A. LP12-0001 – Sign Code Revisions. Amendments of Development Code Sections 4.001, 4.030-4.031, and 4.156 to update Wilsonville’s Sign Regulations. (Pauly)**

The following exhibits were entered into the record:

- Exhibit I: A letter dated April 10, 2012, from Wendy Veliz Buck, President, Wilsonville Area Chamber of Commerce
- Exhibit J: Email dated April 10, 2012 from Melissa Hayden of Security Signs, regarding Sign Code
- Exhibit K: Email dated April 11, 2012, from Al Levit, regarding Comments for April 11 meeting.
- Exhibit L: PowerPoint shown at the April 11, 2012 Public Hearing, “Sign Code Update Public Hearing”.

**Commissioner Phelps moved to adopt Resolution No. LP12-0001. Commissioner Postma seconded the motion, which passed unanimously.**



**PLANNING COMMISSION  
WEDNESDAY, APRIL 11, 2012  
6:00 P.M.**

**Wilsonville City Hall  
29799 SW Town Center Loop East  
Wilsonville, Oregon**

**Approved  
May 9, 2012**

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**Minutes Excerpt**

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**I. CALL TO ORDER - ROLL CALL**

Chair Altman called the meeting to order at 6:03 p.m. Those present:

Planning Commission: Ben Altman, Eric Postma, Ray Phelps, Marta McGuire, Al Levit, and Peter Hurley.  
Amy Dvorak arrived after roll call. City Councilor Steve Hurst was absent.

City Staff: Chris Neamtzu and Barbara Jacobson

**VI. PUBLIC HEARING**

- A. LP12-0001 – Sign Code Revisions. Amendments of Development Code Sections 4.001, 4.030-4.031, and 4.156 to update Wilsonville’s Sign Regulations. (Pauly)

Chair Altman called the public hearing to order at 6:08 p.m. He reviewed the conduct of hearing format and called for the Staff report.

Chris Neamtzu, Planning Director, thanked the citizens present for coming to share their thoughts on the Sign Code revisions and introduced Associate Planner Dan Pauly, who had done the bulk of the work on the Sign Code amendments. The Planning Commission and Staff had already met a number of times over the last year to discuss the Sign Code revisions, which came about through collaboration with the Chamber of Commerce about making the Sign Code work better for the community and for businesses. The revision process included meetings and public work sessions, and now the public hearing process. After Planning Commission made its recommendation to City Council, at least two public hearings would be required at City Council, because the proposed ordinance would amend the Development Code. Mr. Pauly's presentation would review some of the Sign Code revisions' background and process to lay the foundation for those new to the process, but more detail could be provided if needed, and Staff was also available to answer any questions.

Commissioner Dvorak arrived at 6:09 p.m.

Daniel Pauly, AICP, Associate Planner, presented the Staff report via PowerPoint (Exhibit L) with these key comments:

- Most of the existing Sign Code has been in effect for 12 years, although changes were made to temporary signs in 2010 to make it content neutral. A variety of stakeholders, including the Chamber of Commerce, business community, sign professionals, developers, and residents, reviewed the existing Sign Code to identify opportunities for improvement. Since July 2011, seven work sessions had been held with the most recent being held last month.
- The recommended updates were reviewed as follows:

- Two work sessions were held to make the Sign Code purpose statement and objectives more concise and positive, and the end product served as a good foundation throughout the update process and would serve the community well.
- Clarifying the difference between architecture and signs had come up as an issue in public hearings before the Development Review Board (DRB) several times. With the new language proposed for the definition of sign, lighting bands or stripes around a building, for example, would not be considered signs.
- Increasing Staff's authority to review sign applications historically considered routine and non-controversial would move some sign applications from the public hearing process before the DRB to a Staff level review, which could be appealed or referred to the DRB. This update could cut review time by about half.
- Updates regarding waivers help clarify and give added direction to what the DRB has to consider in granting waivers, as well as reduce the number of waivers routinely requested. Specific waiver criteria that reflect the Sign Code's objectives include: adjusting the allowances in different zones to allow signs repeatedly approved as reasonable through the waiver process; and allowing waivers to be approved as part of a Class III sign permit, as well as master sign plans.
- The proposed sign measurement method balanced ease of administration and use without including too much "empty space" in the calculation.
- Removing the majority of special regulations for the Planned Development Commercial-Town Center (PDC-TC) Zone would simplify the sign regulations and improve consistency by making the PDC-TC Zone regulations consistent with those of other commercial areas.
  - Town Center has been the topic of visioning over the years, yet the current regulations talk about the zone being in the early stages of development and in need of a unified sign plan. The PDC-TC Zone has developed significantly and similarly to other commercial areas in Wilsonville that have high design standards.
- Revised language would separate the allowance for building and freestanding signs to have a more consistent allowance of freestanding signs throughout the city, enabling freestanding signs to be considered on their own merits.
  - Under the current Sign Code, an applicant with a large building would have to borrow from the building sign allowance to get a freestanding sign without a waiver. Conversely, an applicant with a small building would have a leftover amount that could be used to obtain a freestanding sign.
- Basing building sign allowances on the facades of individual tenant spaces rather than the length of the longest building up to 200 sq ft per lot would increase consistency. The recent Fred Meyer development in Old Town Square illustrated the issues about basing building sign allowances on lot size.
  - Criteria from a model sign code were used to define what facades are sign eligible, including facades with entrances open to the public, facing a street, and being adjacent to primary parking areas.
  - Clear and objective standards were established for number of signs and allowed sign area based on existing signs approved through waiver process and considered reasonable and functional.
  - Freestanding signs:
    - The allowed sign area for signs facing I-5 or a parallel street would be based upon the number and size of tenants.
    - On other streets, the sign allowance would be based on the gross floor area for a single tenant while multiple tenants would have a 32-sq ft allowance base plus additional square footage based upon the number and size of tenants.
    - The current height limit would remain at 20 ft, except for Town Center, Old Town, and industrial areas where the allowed height would be 8 ft, which is consistent with signs that currently exist today. Town Center and Old Town already require monument style signs.
  - Building signs would be allowed for each eligible façade, based on the linear length of the façade. Exceptions for sign area allowed were based on what was already working in the city and include:

- Transferring the sign allowance from adjacent facades to facades with primary public entrances or street frontage with windows.
- Increasing a building sign area for facades with multiple public entrances.
- Consideration of unique situations created by campus settings, such as at Xerox and Mentor Graphics.
- Transferring sign area to facades facing I-5 that would otherwise not be eligible for signage.
- Revisions regarding the allowances and specific requirements for semi-static digital changeable copy signs would allow cleaner, more modern signs to replace the traditional plastic panel changing signs.
  - A new definition of changeable copy signs was added that included digital semi-static signs.
  - The waiver allowance was adjusted to allow semi-static digital changeable copy signs in all zones of the City.
  - Specific conditions were established, including a time limit of 15 minutes, which was supported by additional information provided in the meeting packet.
- New language for temporary signs for special events would be consistent with other recent changes adopted by the City. The revisions would apply to temporary lawn signs placed in a public right-of-way to promote large events.
- The proposed revisions established clear brightness standards, defining glare by measuring brightness in terms of candelas per square meter. The current term "glare" was subjective and difficult to enforce.
  - As discussed in the packet, the most accurate way to measure luminance or brightness is for a lighting engineer to make calculations using a luminance meter because it considers ambient light. However, using the candelas per square meter would be the most consistent way to measure brightness for enforcement purposes or to get a quick turnaround from a consultant taking measurements.
    - Additionally, this method provides more ready access so a tree or having to measure from the middle of the street would not inhibit taking readings.
  - Staff and a lighting consultant took brightness readings of existing signs and used other research to establish simple criteria for both daytime and nighttime brightness.
  - All existing signs that were tested meet the recommended nighttime brightness criteria.
  - By establishing a clear brightness standard, Staff would have a means of addressing complaints.
  - No additional submission requirements would be mandated for sign applicants, but the brightness standard would be used for enforcement if someone complained about glare.
- Additional minor revisions were made to improve consistency and functionality, for example:
  - A mural is considered a sign. Staff researched the practices of other jurisdictions and some consider murals to be signs; others do not. Given Wilsonville's unique context and Sign Code structure with the waiver process and site design standards, addressing murals as signs made the most sense.
    - The Code would not prohibit murals, but would allow them after due consideration of the various standards and objectives through the waiver process and a public hearing.
  - Residential sign regulations were simplified and made more consistent for the different types of residential development. The sign allowance was also clarified for parks and other non-residential developments in residential zones.
- He clarified that the current Sign Code mandates a 20-ft height limit for freestanding signs along the freeway. Based on areas where waivers had been granted in the past, a new provision would allow freestanding signs for multiple large tenants to be increased by three feet per large tenant, up to a maximum height of 35 ft. There would be no opportunity to obtain a waiver for a freestanding sign higher than 35 ft.
- In response to a question raised in an email about how sign height was measured, he confirmed he had checked the revision and was confident that the proposed language did match the provided graphic.

Chair Altman agreed the revision looked good, and explained the measurement would be based on an average grade. Signs located on top of a mound would result in a reduced sign height. The initial concern involved business sites below street grade, such as Toyota, where the sign height calculation would result in the sign

being below the grade of the street. The Xerox sign, which sits on top of a berm, required the opposite consideration.

Mr. Pauly entered Staff's PowerPoint presentation into the record as Exhibit L, and noted the following new exhibits, which were distributed to the Commission:

- Exhibit I: Letter from Wendy Veliz Buck, President, Wilsonville Area Chamber of Commerce dated April 10, 2012.
- Exhibit J: Email dated April 10, 2012 from Melissa Hayden, Project Manager, Security Signs.
- Exhibit K: Email dated April 11, 2012 from Commissioner Levit noting his questions, comments and concerns regarding the Sign Code Revisions.
- He confirmed the changes discussed at the last Planning Commission meeting had been included in the revised document and were highlighted in the Staff report.

Chair Altman called for public testimony, noting the Commission would hear all public input and then provide opportunity for Staff to respond to any questions.

Daniel Drake, LRS Architects, representing the Tonkin Family of Dealerships, 720 NW Davis, Portland, OR 97217, stated he had become aware of the Sign Code revisions a couple weeks earlier and had questions regarding two of the Tonkin dealerships in town, the Nissan-Audi dealership and the old Grand Prix building.

- He asked how the Master Sign Plans of both dealerships would be affected by the Sign Code revisions and if the plans would need to be modified.
- He asked about empty space within areas of pylon signs, such as the Audi and Nissan signs across the freeway. The Nissan sign would have had red stripes down the middle of its legs, which would be considered area, but there would have been space in between the stripes. He asked if that space on the Nissan sign would be modified with these revisions.
- He asked if the architectural elements used to convey the branding of national retailers would be considered signage. This has been an issue in other jurisdictions and should be discussed and clarified.
- Would the new Sign Code allow for the same signage area for separate tenants in the same building that have no walls separating them? For example, if Audi and Nissan were in one building, would each tenant be allowed to have the same signage area?
  - Additionally, would separate pylon signs be allowed for each tenant?
  - If only one sign was allowed, could the signage be divided into two portions equal to the size of the larger allowed sign?
- He concluded that he would continue reviewing the revisions and likely pose further questions to Mr. Pauly.

Jerry Jones, Construction and Development Director, Bob Lanphere Enterprises, an owner of Wilsonville Toyota, 9155 SW Boeckman Rd, Wilsonville, OR added emphasis to Mr. Drake's comments regarding pylon signs and architectural elements versus a sign. He appreciated that the City was considering changes to the Sign Code, because the current version could be difficult to understand for businesses and developers.

- As a retailer along I-5, Bob Lanphere Enterprises was glad to see revisions to increase the allowable sign height, which is very important. Like other larger retailers in the area, auto dealerships are destination points for customers in the region, and the hope was that taller signs would attract more customers, who in turn spend money at local restaurants, clothing stores and other business. Taller signs would hopefully attract greater outside businesses to the Lanphere locations, and if those businesses were allowed more visible signs, Lanphere customers would have opportunity to notice these other businesses and establishments to stop and shop in Wilsonville.
- He praised the City for drafting revisions that still focus on keeping Wilsonville aesthetically pleasing. At the same time, the revisions provided a way for businesses to have increased visibility and Staff to have the flexibility to work with the business community and come up with agreeable sign designs and placement.

- He noted the revisions did not address all the past concerns regarding signage, but were a great step toward looking at the Sign Code requirements as a whole. He hoped future discussion would address topics such as wayfinding and A-board signs.

Glenna Harris, 29585 SW Park Place, Ste G, Wilsonville, OR, said she was the owner of Whipper-Snipper's, which is known to have possibly the worst sign in Wilsonville. Sign Code is more than language; it has a daily impact on small business owners.

- She has discussions with customers about her sign every week. Many customers cannot see her sign and have a hard time finding her business. She always has to make investments in other ways to let people know where her business is located.
- Signage is a major investment for small businesses like hers. She had one shot to get an effective sign, and hired a reputable sign company for that purpose. She provided her marketing objectives and wanted the sign to include brand elements to somewhat identify the look and feel of her business. She then trusted the experts and the process to come up with a sign that would work for her business. When her tiny sign was installed, her heart sank because she knew she had one shot for her investment dollars, and would not be able to redo the sign in the short term. Looking back, perhaps she could have made different decisions, but ultimately she trusted a process to be business friendly that was not.
- She has reviewed the Sign Code revisions and concluded that had they been in place when she was getting her sign made, there would have been a much different result. While she could not invest in a new sign right away if the revisions are adopted, the revisions did create a path forward for her that did not exist today. In her opinion, the revisions are reasonable and would allow far better signage.
- She wanted everyone to understand that the Sign Code had a day-to-day impact on her business and would continue to do so in the short term. The revisions show that the City understands the Sign Code issues and is willing to engage with businesses of all sizes to solve problems. Making changes to the Sign Code was a big deal.

Michael Harris, Owner, Snap Fitness, 3215 NW Sparks Ave, Albany OR, stated he was looking at opening a Snap Fitness gym in the Wilsonville Business Center. He supported the City increasing the allowed signage dimensions. Under the current Sign Code, his sign would be small and less visible than desired because of its length. The average Snap Fitness sign is 50 sq ft, and that dimension is allowed in other cities. The average sign size for Snap Fitness owners in Corvallis and Albany is larger than the 26 sq ft allowed under the existing Sign Code. He believed the revisions would allow his sign to be 36 sq ft. He would like the City to be flexible to allow small business owners, like himself, to have the opportunity for a larger sign.

Mark Pruitt, Professional Sign & Graphics 25999 SW Canyon Creek Rd, Wilsonville, OR, thanked the Staff and Planning Commission for all their work on the Sign Code revisions. The process of revising the Code started about three years earlier when the Chamber of Commerce started looking at the Sign Code. By reviewing a model sign code and the codes of neighboring communities, the Chamber identified five key areas that needed to be addressed in any rewrite to Wilsonville's Sign Code.

- The process initially got side tracked with the content neutrality issues, and the Chamber helped Staff and legal counsel understand what such rewrites would do to the sign code and their implications. Through that process, City Staff agreed to begin reviewing the rest of the Sign Code.
- While there is always room for things one might want to change, the proposed Sign Code revisions addressed the five key areas identified by the Chamber.
- He was aware some controversy still existed of some things, like the semi-static changing text signs. Emails had been received requesting that the text be allowed to change more frequently. However, when the semi-static display concept was first proposed, a 15-minute interval was desired. The intent was to allow churches, schools, movie theaters, and similar entities to update their reader board signs to be more functional, attractive and easy to maintain. A semi-static sign with a 15-minute interim between changes

would accomplish that goal. While other cities allow more dynamic, changing messages, that was not desired for Wilsonville nor was it being requested.

- As a sign professional, he supported the proposed revisions and knew the Chamber of Commerce had also written a letter in support of the Sign Code Revisions.

Scott Starr, 28750 SW Cascade Loop, Wilsonville, said he wanted to echo some of the previous comments. Shortly after he became the Chamber of Commerce President in 2009, the Chamber changed its mission and vision. The Whipper-Snippers sign, the most futile sign ever, provided inspiration for bringing the Sign Code up to date and not have people be forced into some kind of minimum standards that did not achieve what anyone wanted. As Commissioner Phelps says, nothing is totally worthless if it can serve as a horrible example.

- He thanked Mr. Pruitt, the Chamber, Staff, and the Planning Commission for doing the tedious work required to make the necessary and thorough revisions. The Sign Code revisions accomplish what the City wants, and make Wilsonville more competitive in helping businesses succeed.
- His recommended that the Commission move the proposed revisions forward to City Council and reiterated his appreciation for all the work everyone did on updating the Sign Code.

Chair Altman, Mr. Pauly and Mr. Neamtzu addressed the questions posed during public testimony and from the Planning Commission with these comments:

- The Sign Code revisions would not create any legal, non-conformity issues with existing master sign plans. Signs that conform to an existing master sign plan would remain legal under the new revisions.
- The Sign Code is clear that the allowed area is content neutral, meaning the area can be used however the developer or business wanted, not necessarily for tenants.
  - The sign measurement language states that architectural parts of a pylon sign designed to match a building would not be considered signs. When reviewing the Audi pylon sign, Staff concluded that only "Audi" the rings were considered signage.
  - The signage allowance is calculated per façade, so the square footage allowed for that façade would be set; no additional square footage could be obtained unless by waiver. The allowed sign area could be divided amongst multiple tenants in the same footprint however they wanted. The City would not prescribe what is best for those tenants or that owner regarding how to allocate the signage.
  - The new provisions would allow an allocation for each visible elevation. The current Sign Code determined the sign area by the longest side of the building, regardless of the sign's locations on the building.
- All existing master sign plans, including those for the two auto dealerships, would remain valid, but could be changed to benefit from the Sign Code revisions. Extra effort was made during the revision process not to create any nonconforming signs.
- The new Sign Code provisions would allow a single pole sign per elevation. The Audi-Nissan dealer having two pylon signs on the same property was unique in Wilsonville. Two entities operating from the same building and wanting two pole signs would be unusual enough that a waiver would probably be required. The waiver process was still available under the new revisions.
- Under the Development Code, architectural elements are considered either a sign or a design element. Elements, such as light walls, have been considered signs, but the DRBs granted waivers for a large amount of sign area to allow them. The architectural elements could be considered design elements subject to site design review where the DRB could mandate specific requirements. Mr. Pauly was comfortable that the Sign Code was now clearer about how architectural elements would be considered. Applicants could call the element a sign and request a waiver, or deem it architecture and be subject to site design review.
- The Wilsonville Road Business Center, where Snap Fitness would be located, was already operating under a Master Sign Plan, so signage for Snap Fitness would be guided by that criteria, not the City Sign Code, per se. Wilsonville Road Business Center has four large buildings on a single lot and had been granted a waiver for up to 600 sq ft of signage. However, a tenant occupying a single unit would only get 26 sq ft of signage.



- Master Sign Plans are usually designed to prevent the initial tenants from using up all the permitted sign square footage. The space for the proposed tenant, Snap Fitness, faced Wilsonville Rd, so Mr. Pauly believed the square footage allowed for the Snap Fitness sign would be 36 sq ft., which would be consistent with signs allowed for facades of that size in Wilsonville.
- The existing Wilsonville Road Business Center Master Sign Plan could be revised or the tenant/applicant could go through a Class II review for that particular tenant space.
- The City had not received a sign application for Lowrie Elementary School located in Villebois and zoned Village, rather than Public Facility, which is unique to Villebois. Mr. Pauly did not know whether a sign package was approved when the school went through the public design review process. If the school was going to be located in a Public Facility zone, a waiver would need to be obtained. The waiver process provided opportunity for community input to determine if the sign would be appropriate for the neighborhood.

Commissioner Levit:

- Noted his email (Exhibit K), which included several questions about the Sign Code revisions, and stated his main concern regarded the measure of the luminance of the signs.
  - Mr. Pauly clarified that sign companies are not set up to test luminance, the DRB would not review luminance, nor would luminance levels need to be submitted with an application. A sign's brightness would be measured if the City received a complaint about glare.
    - A concern came in regarding the sign at the new Mattress Discounter store. The measurement he and the lighting consultant took showed the sign's brightness was about the same as other similar white signs in the city, which was well below the proposed Sign Code standards.
- Stated he was concerned about the angle of measurement. The technical reports in the exhibits showed that the angle of measurement was critical by up to a factor of 10. It would be almost impossible to measure brightness without using a lift once a sign was in place, because brightness is supposed to be measured normal to the face.
  - Mr. Pauly stated he could forward Commissioner Levit's concerns to Jim Benya, adding the only sign Mr. Benya was unable to get an accurate measure of brightness was the large 76 Station sign. Valid brightness measurements were taken from the ground for other signs, including the Holiday Inn sign. He had not measured exactly how far the measurements were taken from the signs.
- Asked if the signs the Staff and consultant measured had glass or plastic covers, or were exposed LED lights.
  - Mr. Pauly replied all the gas station signs have plastic over the lights as a condition of approval because bare bulb illumination was not allowed by the current Sign Code. Under the revised Sign Code, bare bulb illumination would be permitted for signs with LEDs based on feedback from the sign industry about the automatic dimming technology and brightness standard. They had concerns about the sign covers becoming dingy and not having a good purpose.
  - As far as the angle of measurement, he noted Mr. Benya's memo stated the 500 and 5,000 candelas standard was reasonable and would allow virtually all the signs that currently exist in Wilsonville. Mr. Benya also said he could teach Staff to use the luminance meters in an hour's time.
- Asked if the City would purchase a NIT gun.
  - Mr. Pauly replied a couple options were available. Mr. Benya lived locally and was available for consultation. The City could purchase its own NIT gun for a reasonable price, but unless complaints become routine, it might be better to call in a lighting consultant as needed for the occasional complaint.

Commissioner Postma asked if simply indicating the measurements the City sought would be sufficient for someone within the sign industry to measure luminance or did the Sign Code revisions need to specify the methodology?

- Mr. Pauly responded a lighting consultant could write a methodology memo, but he understood the methodology discussed in Mr. Benya's memo was standard in the sign industry, and the methodology Mr. Benya used to take the readings was in the record.

Commissioner Levit:

- Noted the methodology in the memo for measuring luminance was not specified in the Sign Code. There was no way of knowing a sign would conform, until a sign was installed, a complaint was received and the sign was then found to be too bright.
  - The Code was setting a brightness standard without any way to measure brightness before installation, which could create big issues. There had already been several instances where legitimate sign companies have gotten businesses into trouble by doing something that did not comply with the current Sign Code. He did not want the City to open itself up to those types of problems again.
  - Mr. Pauly explained the question regarded having a specific brightness standard, as stated in the proposed criteria, or leave the Sign Code as written with the subjective prohibition about glare.

Chair Altman said he liked the way the revision was written; it gave a specific measurement standard and focused on enforcement. Field tests showed that existing signs were consistent with that proposed standard. He did not believe a situation was being created where the next 20 signs would be that much brighter.

Commissioner Hurley asked if the language could simply state that brightness shall be measured at a specific distance from the sign face.

- Mr. Pauly responded such as a standard would not take into account different scenarios and might require a measurement to be taken while in traffic or from up in a tree.

Commissioner Postma explained his point was that the Code should provide flexibility. The Sign Code would state the objective measurements, and the standard for how brightness is measured would be based on the industry standard, which could change as technology advances, but would allow sign professionals to work within their standards to take the measurements.

Commissioner McGuire noted the sign's location must also be considered. The standard might work well in a commercial area, but could be problematic in a residential area.

Commissioner Levit clarified he was not against having a hard numerical standard for brightness, which he preferred to "glare," the current fuzzy standard. The lighting sciences attachment in the meeting packet included a chart clearly showing that a change in angle of 30 degrees would change the intensity, or candelas per square meter, by a factor of 10. A sign might appear to be within the standard from ground level, but could appear to be out of compliance once elevated and measured from a different angle. He was concerned about the City being put into an untenable situation, which could create trouble for the sign owner. Also, how would the sign be fixed if it was out of spec. He was uncomfortable with the brightness standard without having something more fixed. He reiterated he was not against having a particular type of sign or specific brightness standard.

Chair Altman responded that the angle was where people viewed the sign from, which is at street or ground level, so it would make sense to take the brightness measurement from street or ground level. He did not see the angle issue as a big problem.

Commissioner Dvorak asked if Staff could provide additional guidance or industry information to sign applicants ahead of time, so potential problems could be caught before a sign was installed.

- Mr. Pauly replied the sign industry explained that within their industry, signs are not generally made brighter than the revised Sign Code standards, because the signs would not be readable. Furthermore, the City had data available on existing signs that have been approved and measured, so the lighting elements

and signs' construction were on record. Previous sign permits could be accessed and a new sign could be made with equivalent lighting, if a sign applicant was concerned about exceeding the brightness standard. He noted brightness could be affected by the color of the sign as well.

Commissioner Postma noted Section 4.156.06 Prohibited Signs on page 40 of 274 stated a prohibited sign would have luminance greater than 5,000 candelas per square meter sunrise to sunset and 500 candelas per square meter sunset to sunrise, which would be irrespective of measurement. At any point that the highest measurement was outside those standards, it would be a prohibited sign.

Commissioner Levit responded he was not sure that would eliminate his concern about valid measurements.

- Mr. Pauly added Staff would make sure they had a valid reading before taking an enforcement action in court.

Chair Altman understood Commissioner Levit's concerns, but noted sign companies are not geared to do brightness measurements. They do not have the equipment or lighting engineers to take luminance measurements before a sign is installed. Sign companies rely upon the sign industry to provide signs within a reasonable standard. The important part was that the City was not putting the brightness standard into the Sign Code as part of the permit criteria. Sign applicants would not have to prove to Staff or the DRB that the brightness standard was being met. The standard was within the Code, and if violated, it would be a problem.

- Mr. Pauly noted a violation could be fixed to conform to the new standard, such as changing the color of plastic used on the sign or dimming LED lights.

Commissioner McGuire asked if language could be inserted that prohibited glare in addition to the standards in the revisions to provide some flexibility for the City in the future. A subjective glare standard would provide a backup if measuring candelas failed.

Chair Altman replied that adding the glare standard back would open the door that the City was trying to close.

Commissioner Levit agreed that inserting glare language would be too subjective.

Chair Altman called for further public comment to ensure all questions had been addressed.

Mr. Drake said he had gone through a land use review in the City of Portland that involved architectural elements and how to measure glare, which is considered a bare bulb shining directly into the eye. A cover over the bare bulb diffuses glare. The element they were educated on was to place the bulb behind frosted glass with a fritted surface to create a warm glow. The City of Portland also determined that foot-candle measurement depends upon both the amount of light and the distance from the light source. His concern about having a strict measurement on brightness might limit the exposure of the company's advertisement. The standard should take into account how far from the property line luminance is measured and where the public would see the sign. Signage with limited brightness on a building that was setback from the street would not be seen. As for Commissioner Levit's concern regarding measurement, Mr. Pauly's response about measuring light from a 20-ft or 30-ft sign was legitimate because the City no longer allows signs that high. He reiterated that when limiting light brightness, the City should keep in mind that visibility decreases farther from the property line.

Commissioner Levit responded that two issues existed with light measurement. According to the exhibits, candelas are a measurement that does not decrease with distance, whereas foot-candles do decrease. If the standard is in candelas per square meter, the distance should not matter, which was a bit surprising.

- Secondly, he agreed that having a sign bright enough to see from beyond the property line was certainly an issue. He was not sure how the revised Sign Code would address something like the Toyota dealer's wall of

light. The intensity of the light was low, but if that intensity of light were used on an advertising sign in town, it would be too intense.

Commissioner Dvorak asked if it would be possible to get a waiver to increase the luminance of a sign for buildings that were setback.

- Mr. Pauly answered the luminance standard was not a permit criterion, and therefore could not be waived. The standard was for enforcement only.

Chair Altman noted the assumption was that sign companies would provide readable signs within the standards set by the revisions to the Sign Code. Existing approved signs in Wilsonville were used as the model for guiding the new Sign Code standards. The expectation was that no matter the building setback, businesses should be able to have signs that are readable from the street. The revised Sign Code would allow signage on each elevation, freestanding signs, and for adjustments based upon location factors. The revised Sign Code was certainly an improvement over the existing one.

Chair Altman confirmed there was no further testimony and closed hearing at 7:31 p.m.

**Commissioner Phelps moved to adopt Resolution No. LP12-0001. Commissioner Postma seconded the motion.**

Chair Altman called for Commission discussion.

Commissioner Postma commended Mr. Pauly, Mr. Neamtzu, Mr. Edmonds, and the other City Staff; the Chamber of Commerce; sign professionals and others for their hard work on the Sign Code revisions, which involved a lot of minutia. He had sat through many DRB meetings on approving signs and was glad to see that the new Sign Code would provide a more efficient mechanism for businesses to get sign approval in a cost-efficient manner.

Commissioner Phelps thanked Mark Pruitt and Ben Altman, who represented the Chamber during the heavy lifting portions of the meetings on the Sign Code. He did not want the significant and substantial contributions of Mr. Pruitt and Mr. Altman to be overlooked.

Chair Altman echoed the thanks to Staff, particularly to Mr. Pauly, who did excellent work on the Sign Code revisions. He was very pleased with the outcome and believed the Code had been substantially improved.

Commissioner Levit added his appreciation for the work that was done. Reading code was difficult, and trying to amend it via committee was even more difficult.

Commissioner Dvorak added she was touched by the testimony from all the community members and thanked them for providing their input.

**Resolution LP12-0001 passed unanimously.**

**PLANNING COMMISSION MEETING**

**WEDNESDAY, APRIL 11, 2012**

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**VI. PUBLIC HEARING**

- A. LP12-0001 – Sign Code Revisions. Amendments of Development Code Sections 4.001, 4.030-4.031, and 4.156 to update Wilsonville’s Sign Regulations. (Pauly)

**WILSONVILLE PLANNING DIVISION**  
*Legislative STAFF REPORT*

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**HEARING DATE:** April 11, 2012

**DATE OF REPORT:** April 4, 2012

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**APPLICATION NO:** LP12-0001

**REQUEST:** Proposed amendment of the Planning and Land Development Ordinance (Wilsonville's Development Code) Section 4.156 as well as portions of Sections 4.001, 4.030, and 4.031 adding and modifying language to update the City's sign regulations.

*The Planning Commission action is in the form of a recommendation to the City Council.*

**LOCATION:** All developed and developable lands within the City, especially commercial and industrial properties.

**APPLICANT:** City of Wilsonville

**STAFF REVIEWER:** Daniel Pauly AICP, Associate Planner, (503) 682-4960  
or [pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us).

**CRITERIA:**

Wilsonville Comprehensive Plan:

Section A: Citizen Involvement, Goal 1.1, Policy 1.1.1, Implementation Measures 1.1.1.a, 1.1.1.e, 1.1.1.f, 1.1.1.g, 1.1.1.h.; Goal 1.2, Policy 1.2.1, Policy 1.3, Implementation Measure 1.3.1.b, Goal 4.1, Section D: Land Use and Development, Goal 4.1, Policy 4.1.1, Implementation Measures 4.1.1.c, 4.1.1.d, 4.1.1.h, 4.1.1.n, Policy 4.1.2, Implementation Measures: 4.1.2.a, 4.1.2.d, 4.1.2.g, 4.1.2.i, Policy 4.1.3, Implementation Measures 4.1.3.a, 4.1.3.b, 4.1.3.d, Policy 4.1.4, Implementation Measures 4.1.4.c, 4.1.4.t, Policy 4.1.5, Implementation Measures 4.1.5.ii, 4.1.5.mm.

Land Use and Development Code:

4.197 Zone Changes and Amendments to the Code - Procedures

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## **SUMMARY:**

In order to improve efficiency and consistency in administration and application of Wilsonville's sign regulations while maintaining a high quality visual environment, in which quality sign development plays a major role, a collaborative effort has been carried out to update Wilsonville's sign regulations. Wilsonville's current sign code has been in effect for 12 years, with changes surrounding the content neutrality of temporary sign regulations adopted in 2010. Stakeholders including the Wilsonville Chamber of Commerce, City Staff, sign professionals, residents, former members of the Development Review Boards, and developers have reviewed the current code and have together identified a number of opportunities for improvement. The Planning Commission has reviewed all the issues and recommendations through seven work sessions while inviting participation from stakeholders and interested parties.

Specific objectives of the recommended code revisions include:

### Key Objectives:

- Increase authority of staff to review sign applications that have historically been routine and non-controversial
- Establish clear and objective standards for number of signs and allowed sign area based on an inventory and analysis of existing signs within the City.
- Create a more concise sign code purpose statement and objectives
- Establish a clear sign measurement method that balances ease of administration and use with including too much "empty space" in the calculation
- Clarify the allowance for semi-static digital changeable copy signs and add specific requirements for this type of sign.
- Clarify and give added direction in what the Development Review Board needs to consider in granting a waiver to sign regulations
- Reduce the number of waivers routinely requested
- Simplify sign regulations and improve consistency by removing the majority of special regulations for the PDC-TC Zone
- Separate the allowance for building signs and freestanding signs to allow a more consistent allowance of freestanding signs throughout the City
- Use more positive language throughout the regulations
- Clarify the difference between architecture and signs
- Organize the sign regulations in a more user friendly manner
- Remove unnecessary redundancies in the sign regulations
- Increase consistency by basing building sign allowances on the elevation of individual tenant spaces rather than per lot.
- Update regulations for temporary signs for special events to be consistent with other regulations adopted by the City.
- Make other minor edits as necessary to improve consistency and functionality of sign regulations.

## **Modifications from Version Presented in March 2012 Work Session**

### *Section 4.001 Definitions*

- Add language to general sign definition clarifying that a mural is considered a sign.
- Remove definition of “Building Graphics” as unnecessarily redundant.
- Update definitions of changing image sign and changeable copy sign to clarify difference and change duration for copy change for changeable copy sign to fifteen (15) minutes as suggested in the March Work Session.

### *Section 4.156.02 Sign Review Process and General Requirements*

- Subsection (.01) Change “erected” to “displayed or installed” for additional clarity.
- Subsection (.03) Remove language about incorporating signs as part of initial submittal as redundant of Site Design Review requirements
- Subsection (.08) Remove waiver requirement of being substantially consistent with signs on similar development, due to concerns raised during the March work session.

### *Section 4.156.03 Sign Measurement*

- Subsection (.01) Add language clarifying architectural elements of a freestanding or ground mounted sign are not counted as sign area.
- Subsection (.02) Modification of language concerning height above ground for signs to make language more concise and guarantee at least an eight (8) foot sign on top of a berm.

### *Section 4.156.06 Prohibited Signs*

- Addition of luminance limits for digital changeable copy signs and signs in general as discussed in March work session.
- Add language that the DRB can approve certain roof top signs (i.e. McMenamins and The Original Wow Burger in Old Town Square).

### *Section 4.156.07 Sign Regulations in Residential Zones*

- Addition of language addressing signs for parks and open space as well as non-residential uses.

### *Section 4.156.08 Sign Regulations in PDC, PDI, and PF Zones*

- (.01) Add “PDI zone” to areas where signs are limited to eight (8) feet in height, consistent with what exists in the zone today.
- (.02) “Sign area allowed” refined based on additional inventorying of existing signs and other staff research. “Sign area allowed” reflects the majority of signs around the City. The revised language includes a table clearly stating the sign area allowed for different



lengths of sign eligible facades, language allowing transfer of sign area to certain types of facades, and bonuses for multiple entrances.

- (.02) Also, language was added to consider I-5 frontages differently than street frontages. Again, the language is a refinement that more closely mirrors sign development in the City today. Facades facing Interstate 5 that don't otherwise qualify for signs, don't have an allowance for building signs. However, a provision is added to allow transfer of sign area from the freeway facing freestanding sign or adjacent sign eligible facades. In relation to this, language regarding limit and freestanding signs with nearby building signs previously in Subsection (.01) has been removed.

*Section 4.156.09 Temporary Signs in All Zones*

- (.03) Add requirement for number of people expected to attend for Annual Event signs consistent with the definition of "large special event" in Wilsonville Code Chapter 6.

**RECOMMENDATION:** Staff respectfully recommends that the Planning Commission conduct the public hearing, and when appropriate, forward a recommendation of approval onto the City Council.

**BACKGROUND:**

- June 2010 to early 2011 Chamber of Commerce sign code sub-committee representatives and City Staff met a number of times to gather business's feedback on opportunities to improve the sign code.
- July, September, October, November, December 2011 and February, March 2012 Planning Commission Work Sessions.
- Work session materials distributed to interested parties list and made available on the City's web site prior to each work session.
- The minutes and materials distributed at the work sessions are contained in the public record for this application (Exhibit B).
- Public Hearing Notice sent to 721 parties

**EXHIBITS:**

- A. Draft Revised Code Language: Section 4.001 (red lined version only), Sections 4.030-4.031 (red lined version only), Sections 4.156.01-4.156.11 (red lined and clean read versions) *page 14 of 274*
- B. Planning Commission Record of materials and meeting minutes from 7 work sessions from July 2011 to March 2012. (Different versions of draft code language have been omitted. Copies are available from the Planning Division) *page 89 of 274*
- C. Sign inventory data used for basis of number and sign area allowed. *page 222 of 274*
- D. *Boones Ferry Messenger* articles related to sign code, March and April 2012 Issues *page 225*

- E. Article "Sign Code: Aesthetics vs. Practicality," from *Wilsonville Spokesman* October 18, 2011. *page 228 of 274*
- F. Undated letter from Wilsonville High School ASB Leadership Team requesting digital reader board. *page 230 of 274*
- G. Emails correspondence staff has had on sign code revisions since March work session. *page 231 of 274*
- H. Email dated April 3, 2012 from Mark Pruitt regarding Chamber of Commerce discussion of the interval for copy changes for digital changeable copy sign. *page 274.*

**CONCLUSIONARY FINDING(S):**

***GOAL 1.1 To encourage and provide means for interested parties to be involved in land use planning processes, on individual cases and City-wide programs and policies.***

Response: Interested parties have been encouraged to participate through targeted outreach and through public notices and provided means to participate in seven (7) Planning Commission work sessions, with one additional work session planned in addition to a public hearing on the subject topic. In addition, comments on drafts of the text changes were solicited from a variety of interested parties. By noticing they will be continue have the opportunity to be involved in City Council meetings regarding the proposed Development Code amendments. This criterion is met.

***Policy 1.1.1 The City of Wilsonville shall provide opportunities for a wide range of public involvement in City planning programs and processes.***

Response: The work sessions and hearing process being undertaken for the proposed Development Code amendments are part of a wide range of opportunities for public involvement in City planning programs and processes. The public have been notified and welcomed to participate throughout the work session and public hearing process.

*Implementation Measure 1.1.1.a Provide for early public involvement to address neighborhood or community concerns regarding Comprehensive Plan and Development Code changes. Whenever practical to do so, City staff will provide information for public review while it is still in "draft" form, thereby allowing for community involvement before decisions have been made.*

Response: A number of work sessions have been held and feedback on text changes solicited as well as meetings with stakeholders, allowing early and ample time for community concerns regarding the Development Code changes to be addressed. Staff has provided the changes for public review while still in draft form. The "draft" code language has been made available for the public at the Planning Commission work sessions, by email to interested parties, on the City's web site, and will be in the Public Hearing notice packet. This criterion is satisfied.

*Implementation Measure 1.1.1.e Encourage the participation of individuals who meet any of the following criteria:*

1. *They reside within the City of Wilsonville.*

2. *They are employers or employees within the City of Wilsonville.*
3. *They own real property within the City of Wilsonville.*
4. *They reside or own property within the City's planning area or Urban Growth Boundary adjacent to Wilsonville.*

Response: Through the work session schedule, targeted outreach, public hearing notices, and available Planning Commission records on the web, Staff has encouraged the participation of a wide variety of individuals addressing each of the groups above. This criterion is met.

*Implementation Measure 1.1.1.f Establish and maintain procedures that will allow any interested parties to supply information.*

Response: The established procedures are being followed that allow any interested parties to supply information. This criterion is met.

*Implementation Measure 1.1.1.g The Planning Commission will continue to conduct three different kinds of meetings, all of which are open to the public. Whenever feasible and practical, and time allows, the Commission and staff will conduct additional informal meetings to gather public suggestions prior to drafting formal documents for public hearings. The different kinds of meetings conducted by the Commission will include:*

1. *Public hearings;*
2. *Work sessions and other meetings during which citizen input is limited in order to assure that the Commission has ample time to complete the work that is pending; and*
3. *Informal work sessions and other meetings during which the general public is invited to sit with the Commission and play an interactive part in discussions. These sessions are intended to provide an open and informal exchange of ideas among the members of the general public and the Commissioners. Such meetings will happen at least two or three times each year.*

*Implementation Measure 1.1.1.h In preparing public notices for Planning Commission meetings, the staff will clarify whether the meeting will involve a public hearing and/or a work session.*

Response: In each of the public notices for Planning Commission meetings, Staff has clarified whether the meeting involved a public hearing or a work session. This criterion is met.

**GOAL 1.2:** *For Wilsonville to have an interested, informed, and involved citizenry.*

**Policy 1.2.1** *The City of Wilsonville shall provide user-friendly information to assist the public in participating in City planning programs and processes.*

Response: Staff has prepared user-friendly information for each of the work sessions including tables, slide shows, drawings, and lists that have been available to the public at the

work sessions and made part of the Planning Commission record available on the City's web site. This criterion is met.

**Policy 1.3** *The City of Wilsonville shall coordinate with other agencies and organizations involved with Wilsonville's planning programs and policies.*

*Implementation Measure 1.3.1.b Where appropriate, the City shall continue to coordinate its planning activities with affected public agencies and private utilities. Draft documents will be distributed to such agencies and utilities and their comments shall be considered and kept on file by the City.*

Response: Affected agencies are being notified and draft code amendments made available via the City's web site or upon request. This criterion is satisfied.

**GOAL 4.1** *To have an attractive, functional, economically vital community with a balance of different types of land uses.*

**Policy 4.1.1** *The City of Wilsonville shall make land use and planning decisions to achieve Goal 4.1.*

Response: The proposed purpose statement states that the purpose of the sign code is "to provide a principal means of implementing the Wilsonville Comprehensive Plan by fostering an aesthetically pleasing, functional, and economically vital community." This purpose statement has guided the proposed updates, and achieving Goal 4.1 is a central consideration of planning decision on the recommended changes. This criterion is met.

*Implementation Measure 4.1.1.c The City will continue to support a cooperative and active working relationship with the business community through the Chamber of Commerce as well as those businesses that are not members of the Chamber of Commerce and will seek their input when making decisions having economic impacts on the business community.*

Response: Signs are an important aspect of many business operations, and sign regulations have an economic impact on the business community both in what signs are allowed and the time and expense it takes to get signs reviewed by the City. Throughout the process of updating the sign code the City has supported a cooperative and active working relationship with the Chamber of Commerce and the broader business community. This includes the series of meetings from June 2010 to early 2011 with the Chamber of Commerce to discuss potential updates, and keeping the Chamber of Commerce and other interested businesses, including sign professionals and developers, notified of the updates throughout the process and getting and incorporating their feedback on proposed updates. These criteria are met.

*Implementation Measure 4.1.1.d In the process of administering the City's Comprehensive Plan, careful consideration will be given to the economic impacts of proposed policies, programs and regulations. Efforts will be made to simplify and streamline the planning and zoning review process while maintaining the quality of development.*

Response: The process of reviewing and updating the sign code has carefully considered the economic impacts of proposed policies. This includes consideration of the economic value of an aesthetically pleasing environment as outlined elsewhere in the comprehensive plan, consideration of the time and money costs of different sign permitting processes, and the economic importance to businesses of properly functioning signs. The process has looked to simplify and streamline the sign review process, specifically looking at experience of staff and the business community to see which current review requirements and processes are unnecessary for different types of applications. Proposed objective D. of the sign code is “a consistent and streamlined sign review process that maintains the quality of sign development and ensures due process.” These criteria are met.

*Implementation Measure 4.1.1.h Application for proposed developments will be accompanied by site plans which at a minimum:*

1. *Identify and protect adjacent properties.*
2. *Designate access points; and where possible, coordinate these points with adjacent uses.*
3. *Provide for adequate on and off-site vehicular and pedestrian/bike circulation.*
4. *Identify proposed building locations, heights, set-backs, and landscaped areas, architectural drawings or sketches sufficient to demonstrate the intent, impact, character, and intensity of use of the proposed development. Detailed specifications will be required as part of final development plans, which may occur in phases.*

Response: The proposed sign code updates will continue to require applicants to provide materials sufficient to demonstrate the intent, impact, character, and intensity of sign development. Proposed Section 4.156.03, which includes submission requirements for different types of sign applications, includes a number of requirements to submit materials that will show the information required of this implementation measure. The applicable criteria of this implementation measure are met.

*Implementation Measure 4.1.1.n As existing businesses are renovated and new ones are constructed, the Development Review Board will require high standards of compatibility with surrounding development, landscaping, architecture and signage. The ability of a site to function properly in relation to the surrounding area will be emphasized.*

Response: The proposed sign code updates will continue to allow the DRB to require high standards of compatibility with surrounding development, landscaping, architecture, and signage. Proposed objective B. of the sign code reads “sign design and placement that is compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district.”

A number of sign reviews are proposed to be moved from DRB review to Class II Administrative Review. Under Class II Administrative Review the DRB will be notified of staff decisions and have the opportunity to call up staff decisions if they feel necessary to ensure this implementation measure is met. The Planning Director will also continue to have the option to refer applications to the DRB.

A number of proposed review criteria and submission requirements help ensure this implementation measure is met. This includes a proposed requirement for Class II Sign Permit, Class III Sign Permits, and Master Sign Plans that “special attention be paid to the interface between signs and other site elements including building architecture and landscaping, including trees” and a requirement for freestanding and ground mounted signs be designed to match or complement the buildings on the property.

Signs will also continue to be subject to Site Design Review requirements, which also help ensure this implementation measure is met.

This criterion is met.

***Policy 4.1.2 The City of Wilsonville shall encourage commercial growth primarily to serve local needs as well as adjacent rural and agricultural lands.***

*Implementation Measure 4.1.2.a Encourage commercial uses which are compatible with the residential nature of the community, and are complementary to or supportive of industrial development in the City.*

Response: The proposed sign code updates will maintain a similar level of commercial signs to what exists in the City today to help maintain the residential nature of the community, and are complementary to or supportive of industrial development. This criterion is met.

*Implementation Measure 4.1.2.d Cluster commercial activity near the freeway interchanges and encourage service or freeway-oriented commerce to locate near the Stafford Interchange. Encourage retail and other local-oriented commerce to locate in commercial districts along Wilsonville Road to minimize transient traffic impacts on the Wilsonville Interchange.*

Response: The proposed sign code updates will maintain a similar level of commercial signs to what exists in the City today to continue to encourage meeting this implementation measure. The proposed code furthers the current pattern of freestanding and ground mounted signs being of a size and nature to be visible from the adjacent street, rather than further away, thus helping discourage non-local-oriented commerce in areas other than the commercial districts around the interchanges and immediately adjacent to Interstate 5. These criteria are met.

*Implementation Measure 4.1.2.g The location and development of commercial areas within the community should be given very careful consideration. Although they may occupy a relatively small percentage of the total land area, commercial developments customarily occur at points of maximum traffic movement and, therefore, have a tremendous impact on people's impressions of the visual quality of the community. If Wilsonville is to retain an image as a desirable place to live, its commercial areas must reflect that quality.*

Response: The proposed sign code updates will maintain a similar level of commercial signs to what exists in the City today. In addition, the proposed updates maintain or further the requirements for a high quality visual environment. These criteria are met. See also Findings for Implementation Measure 4.1.1.n above.

*Implementation Measure 4.1.2.i As existing businesses are renovated and new ones are constructed, the Development Review Board will require high standards of compatibility with surrounding development, landscaping, architecture, and signage. The ability of a site to function properly in relation to the surrounding area will be emphasized.*

Response: The proposed sign code updates, including specific review processes and requirements for new and existing development, will enable the DRB to continue to maintain the high standards stated in this implementation measure in relation to signs. In addition functionality of signs in relation to the surrounding area is emphasized in proposed objectives A. and B. which state:

“A. Well-designed and aesthetically pleasing signs sufficiently visible and comprehensible from streets and rights-of-way that abut a site as to aid in wayfinding, identification and provide other needed information.

B. Sign design and placement that is compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district.”

These criteria are met. See also Findings for Implementation Measure 4.1.1.n above.

***Policy 4.1.3 City of Wilsonville shall encourage light industry compatible with the residential and urban nature of the City.***

*Implementation Measure 4.1.3.a Develop an attractive and economically sound community.*

Response: As stated in the proposed purpose statement, the proposed sign code update contributes to an attractive and economically sound community by meeting the needs of sign owners while maintaining consistency with the development and design standards of Wilsonville’s Development Code. This criterion is met. See also findings for Implementation Measure 4.1.1.n above.

*Implementation Measure 4.1.3.b Maintain high-quality industrial development that enhances the livability of the area and promotes diversified economic growth and a broad tax base.*

Response: The proposed sign code updates are supportive of the site design review standards and require high-quality sign development in industrial areas contributing to accomplishing this implementation measure. This criterion is met.

*Implementation Measure 4.1.3.d Encourage industries interested in and willing to participate in development and preservation of a high-quality environment. Continue to require adherence to performance standards for all industrial operations within the City.*

Response: The proposed sign code updates are supportive of the site design review standards and require high-quality sign development in industrial areas contributing to accomplishing this implementation measure. The applicable criteria in this implementation measure are met.

**Policy 4.1.4 The City of Wilsonville shall provide opportunities for a wide range of housing types, sizes, and densities at prices and rent levels to accommodate people who are employed in Wilsonville.**

*Implementation Measure 4.1.4.c Establish residential areas that are safe, convenient, healthful, and attractive places to live while encouraging variety through the use of planned developments and clusters.*

Response: The proposed sign code updates are supportive of attractive residential areas. First, the proposed regulations maintain a similar level of signs in residential development as has proven to contribute to safe and attractive residential development under the current regulations. Second, the sign review process and criteria require signs for non-residential development in and around residential areas to be compatible and complementary. Notably, digital changeable copy signs are proposed to be allowed in the Public Facility as well as other zones, this includes schools. All of Wilsonville's major public schools are in residential areas. A waiver process is proposed for this type of sign to help ensure a community discussion about compatibility with residential areas and appropriate steps are taken to ensure compatibility with residential areas. The applicable criteria of this implementation measure are satisfied.

*Implementation Measure 4.1.4.t Site plans will provide for adequate open space to (a) protect adjacent properties; and (b) provide ample yard space and play areas for residents. The residential character of established neighborhoods, particularly low density developments, shall also be protected as surrounding development occurs. Site development standards shall continue to be applied to ensure compatibility with adjacent land uses. High design standards will be established for signage and appearance, including the landscaping of setback areas and the designation of access points.*

Response: The proposed sign code updates require high design standards for signage and appearance in residential areas. First, the proposed regulations maintain a similar level of signs in



residential development as has proven to contribute to safe and attractive residential development under the current regulations. Second, the sign review process and criteria require signs for non-residential development in and around residential areas to be compatible and complementary. Notably, digital changeable copy signs are proposed to be allowed in the Public Facility as well as other zones, this includes schools. All of Wilsonville's major public schools are in residential areas. A waiver process is proposed for this type of sign, to help ensure a community discussion about compatibility and high design standards with residential areas and appropriate steps are taken to ensure compatibility with residential areas. The applicable criteria of this implementation measure are satisfied.

***Policy 4.1.5 Protect valuable resource lands from incompatible development and protect people and property from natural hazards.***

*Implementation Measure 4.1.5.ii The design of developments within the community can be regarded from two viewpoints: the design of structures as they relate to site and function (architectural design) and, their relationship to the surrounding area (community design). Both aspects shall be considered to be of equal importance. Good architectural design is necessary to provide visual variety and allow for individual identity. At the same time, good community design provides a sense of unity with other development while eliminating conflicting appearances.*

Response: The proposed sign code updates consider both site design and community design. Both site and community design are reflected in proposed objective B. which states, "Sign design and placement that is compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district." This criterion is met.

*Implementation Measure 4.1.5.mm Sign standards have been established to control the visual impact of signs on the community and minimize sign clutter*

Response: Sign standards have long been established in Wilsonville to control the visual impact of signs on the community and minimize sign clutter. By maintaining a similar pattern of signs as the current sign code, the proposed sign code updates continue to ensure this implementation measure is accomplished. This criterion is met.

**Planning and Land Development Code, Section 4.197, Zone Changes and Amendments to This Code:**

*(.01) The following procedure shall be followed in applying for an amendment to the text of this Chapter:*

*A. The Planning Commission shall conduct a public hearing on the proposed amendment at its earliest practicable meeting after it is proposed and shall, within forty (40) days after concluding the hearing, provide a report and recommendation to the City Council regarding the*

*proposed amendment. The findings and recommendations of the Commission shall be adopted by resolution and shall be signed by the Chair of the Commission.*

Response: The Commission has taken ample time to create the proposed code in preparation for public hearings. Following public hearings, a recommendation to the City Council will be provided. This criterion is met.

*B. In recommending approval of a proposed text amendment, the Planning Commission shall, at a minimum, adopt findings relative to the following:*

- 1. That the application was submitted in compliance with the procedures set forth in Section 4.008; and*
- 2. The amendment substantially complies with all applicable goals, policies and objectives set forth in the Comprehensive Plan; and*
- 3. The amendment does not materially conflict with, nor endanger, other provisions of the text of the Code; and*
- 4. If applicable, the amendment is necessary to insure that the City's Land Use and Development Ordinance complies with mandated requirements of State or Federal laws and/or statutes.*

Response: The above criteria are substantially met as is evidenced by the file on this matter, the Planning Commission record and the narrative and findings of fact contained in this staff report. State and Federal laws/statutes are not in conflict with the proposal.

#### **CONCLUSION:**

These findings above demonstrate compliance with the applicable requirements of the City of Wilsonville Comprehensive Plan and Planning & Land Development Ordinance for approval of the requested text amendment.

1. 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, ~~- mural,~~ 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. The scope of the term "sign" does not depend on the content of the message or image conveyed. A sign does not include architectural or landscape features that may attract attention but do not convey a message, image, or trademark considered speech protected under federal or state law.
  - 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. Baseline: The invisible line on which text or other characters sit, the bottom extent of the cap height of a typeface.
  - C. Bowl: In a font or typeface, an open or closed circular line that creates an interior space, such as in the letters "d" and "c."
  - D. Building Graphics: ~~building mounted signs.~~
  - ~~B-E.~~ Cap Height: In a font or typeface, the distance from the baseline to the top of uppercase letters like "H" and "J."
  - F. Changing image sign. Any sign which, through the use of moving structural elements, flashing or sequential lights, lighting elements, prisms, or other ~~automated~~ method, results in movement, the appearance of movement, or change of sign image or text except changeable copy signs defined below.
  - ~~C-G.~~ Changeable copy sign. Any sign, digital or manual, which is designed to have the copy changed at regular intervals at a frequency not exceeding once every fifteen (15) minutes, except in emergency situations as requested by the City Manager or designee.
  - H. Descender: In a font or typeface, the part of a letter extending below the baseline including lower portion of the lowercase letters "g," "j," "p," "q," and "y."
  - ~~D-I.~~ Directional signs: Signs on private property that provide directions for the traveling public and are 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-J.~~ 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-K.~~ 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.L. Ground-mounted Sign: A non-temporary 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.M. 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.N. 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.O. 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 a part of the structures.
- M.P. Lawn Sign. a temporary freestanding sign commonly made of corrugated plastic, greyboard, or similar type of material, constructed and maintained to prevent being moved or heavily damaged by typical exposure to natural elements. Lawn signs in the rights-of-way under W.C. 4.156(-10).11 may be constructed to be movableportable.
- N.Q. Marquee Sign: a canopy or covering structure bearing a signboard or graphics projecting from, and attached to, a building.
- O.R. Permanent Sign: any sign that does not meet the definition of a temporary sign, below.
- S. 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. These signs include, but are not limited to movable A-frame signs, sandwich board signs, signs on vehicles or trailers, and signs attached to wood or metal frames designed to be self-supporting and movable, including trailer reader boards.
- T. 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.
1. Blade Sign: a sign hanging, perpendicular to a building façade, from a canopy, building projection, or mounting bracket intended to aid pedestrians in wayfinding.
- P.U. Rigid Sign: a temporary freestanding sign designed and constructed with materials of a grade and quality to withstand strong winds, rains, and harsh weather conditions, and maintained as a potentially year-long temporary sign to ensure that degradation or weathering does not present aesthetic and public safety concerns and the sign retains substantially the same quality throughout the year. Such signs may not be constructed of cardboard, poster board, or other similar lightweight paper products.
- V. Roof Top Sign: A sign located on or above the roof of any building, not including a false mansard roof, canopy or other fascia.
- Q.W. 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.

- X. Serif: In fonts and typefaces, the extra stroke at the end of a letter or character.
- Y. Shoulder: In fonts and typefaces, the curve at the beginning of a leg of a character such as the upper curved portion of the lowercase letters “m” and “n.”
- R-Z. Sign Area: the display surface or face of the sign calculated as prescribed in Section 4.156.04, 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.
- ~~Site Area, Net: The area of a development site, excepting all areas in streets or private drives, driveways, and parking spaces.~~
- ~~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.~~
- AA. Temporary Sign: a sign not permanently affixed to a building, structure, or the ground, intended to be displayed for a limited period of time.
- BB. Video Sign: moving visual messages projected on any surface.
- CC. 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.
- DD. Wayfinding Sign: The term way finding sign has two different contextual meanings. First, it is used as a general description of one of the basic purposes or functions of signs, which is to assist in directing the general public to specific destinations within the community, so that they find their way. In this context almost all signs provide some degree of way finding information. Second, the term is used to describe a specific type of sign, such as local directional signs and district wayfinding signs, that provides specific identity and/or direction to particular businesses, facilities, or places of interest, such as parks, tourist attractions, public buildings, schools, special districts, or other locations to which the public commonly asks for directions.
2. Site Area, Net: The area of a development site, excepting all areas in streets or private drives, driveways, and parking spaces.

**Section 4.030. Jurisdiction and Powers of Planning Director and Community Development Director.**

- (.01) Authority of Planning Director. The Planning Director shall have authority over the daily administration and enforcement of the provisions of this Chapter, including dealing with non-discretionary matters, and shall have specific authority as follows:
- A. A Class I application shall be processed as a ministerial action without public hearing, shall not require public notice, and shall not be subject to appeal or call-up, except as noted below. Pursuant to Class I procedures set forth in Section 4.035, and upon finding that a proposal is consistent with the provisions of this Code and any applicable Conditions of Approval, shall approve the following, with or without conditions:
1. Minor site clearing and grading, prior to the approval of a Site Development Plan, provided that:
    - a. no clearing or grading occurs within the Significant Resource Overlay Zone. Clearing or grading in the Significant Resource Overlay Zone shall require, at a minimum, approval of a Class II permit through the procedures specified below;
    - b. no clearing or grading occurs within twenty-five (25) feet of an area that has been identified by the City as a wetland;
    - c. not more than three (3) trees are proposed to be removed;
    - d. no fill or removal is proposed;
    - e. adequate measures are utilized to control erosion and runoff from the site and that the applicant will submit a final Site Development application within seven (7) days of submitting the minor site grading application. All grading activities require compliance with the requirements of the applicable building code and City Public Works standards.
  2. Class I Signs-Sign Permits, and Temporary Sign Permits for thirty (30) days or less. ~~authorized for administrative approval by the sign regulations and signs that are permitted outright by the sign regulations of this Code. This includes copy changes to an existing sign, provided that no other structural changes occur and provided that the change occurs to a sign that is otherwise legal.~~
  3. Architectural, landscape, tree removal, grading and building plans that substantially conform to the plans approved by the Development Review Board and/or City Council. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters.
  4. Building permits for single family or two-family dwellings, and in the Village zone, row houses or apartments, meeting zoning requirements and located on lots that have been legally created. The Planning Director's approval of such plans shall apply only to Development Code requirements and shall not alter the authority of the Building Official or City Engineer on these matters.
- [Amended by Ord 557 adopted 9/5/03].

5. Lot line adjustments, where none of the lots increase in area by fifty percent (50%) or more, subject to the standards specified in Section 4.233.
6. A temporary use permit for not more than thirty (30) days, subject to the following standards:
  - a. the applicant has the written permission of the property owner to use the site;
  - b. the proposed use will not create an obstruction within a sight vision clearance area that would impair the vision of motorists entering onto or passing by the property;
  - c. adequate parking is provided;
  - d. signs shall meet the standards of Section 4.156.09. A maximum of two signs, not exceeding a combined total of 24 square feet, are allowed; and
  - e. the proposed use has the approval of the Fire Marshal.
7. Determination that an existing use or structure is a non-conforming use or non-conforming structure, as defined in this Code. Except, however, that the Planning Director may, in cases where there is any uncertainty as to the history of the property, choose to process such determinations through the Class II procedures below.
8. Actions taken subject to Site Development Permits which have been approved by the appropriate decision-making body of the City.
9. Final plats for condominiums, subdivisions, or partitions that are substantially the same as tentative plats approved by the City and which are submitted for review and signature prior to recordation with the appropriate county.
10. Type A tree removal permits as provided in Section 4.600.
11. Determination, based upon consultation with the City Attorney, whether a given development application is quasi-judicial or legislative. Except, however, that the Planning Director may, in cases where there is any uncertainty as to the nature of the application, choose to process such determinations through the Class II procedures below.
12. Expedited land divisions. Applications for expedited land divisions, as provided for in Section 4.232 of this Code and ORS Chapter 197 shall be processed without public hearing, and shall be subject to appeal through the special appeal procedures specified in Section 4.232.
  - a. Authority of Planning Director. The Planning Director shall have authority to review applications for expedited land divisions and to take action approving, approving with conditions, or denying such applications, based on findings of fact.
  - b. Tentative Plat Requirements for Expedited Land Divisions. Tentative plats and all other application requirements for expedited land divisions shall be the same as for other forms of land divisions, except as those requirements are specifically altered by the Oregon Revised Statutes.
  - c. Administrative Relief Not Available. In taking action on an application for an expedited land division, the Planning Director is not authorized to grant Variances or waivers from the requirements of the Code.

- d. Residential Areas Only. As specified in ORS 197, expedited land divisions shall only be approved in areas zoned for residential use.
- B. A Class II application shall be processed as an administrative action, with or without a public hearing, shall require public notice, and shall be subject to appeal or call-up, as noted below. Pursuant to Class II procedures set forth in Section 4.035, the Director shall approve, approve with conditions, deny, or refer the application to the Development Review Board for a hearing:
1. Minor alterations to existing buildings or site improvements of less than twenty-five percent (25%) of the previous floor area of a building, but not to exceed 1,250 square feet, or including the addition or removal of not more than ten (10) parking spaces. Minor modifications to approved Architectural and Site Development Plans may also be approved, subject to the same standards.
  2. Residential accessory buildings or structures with less than one hundred and twenty (120) square feet of floor area located within the Willamette River Greenway Boundary pursuant to Section 4.500 and subject to the flood plain development standards of Section 4.172. Approval of such accessory structures in the Greenway shall be based on all of the following findings of fact:
    - a. The building or structure is located so that the maximum amount of landscape area, open space and/or vegetation is provided between the river and the building;
    - b. Public access to the river is preserved or is provided in accordance with an approved and adopted plan; and
    - c. That the change of use, intensification of use, or development will be directed away from the river to the greatest possible degree while allowing a reasonable use of the property.
  3. ~~A temporary Use Permit for more than thirty (30) and fewer than sixty-one (61) days.~~
  4. Written interpretations of the text or maps of this Code, the Comprehensive Plan or sub-elements of the Comprehensive Plan, subject to appeal as provided in Section 4.022. The Planning Director may review and interpret the provisions and standards of Chapter 4 (Planning) of the Wilsonville Code upon receiving the required filing fee along with a specific written request. The Director shall publish and mail notice to affected parties and shall inform the Planning Commission and City Attorney prior to making a final written decision. The Director's letter and notice of decision shall be provided to the applicant, the Planning Commission, the City Council, and City Attorney and the notice shall clearly state that the decision may be appealed in accordance with Section 4.022 (Appeal Procedures). A log of such interpretations shall be kept in the office of the Planning Department for public review.
  5. A permit to locate an accessory use on a lot adjacent to the site of the principal use.



6. Land partitions, other than expedited land divisions, pursuant to Section 4.210. Approval of land partitions shall be based on all of the following findings of fact:
  - a. The applicant has made a complete submittal of materials for the Director to review, as required in Section 4.210;
  - b. The proposed plan meets the requirements of the Code regarding minimum lot size and yard setbacks;
  - c. The approval will not impede or adversely affect the orderly development of any adjoining property or access thereto;
  - d. The public right-of-way bordering the lots or parcels will meet City standards;
  - e. Any required public dedications of land have been approved for acceptance by the City and will be recorded with the County prior to final plat approval;
  - f. Adequate easements are proposed where an existing utility line crosses or encroaches upon any other parcel to be created by the partition;
  - g. All public utilities and facilities are available or can be provided prior to the issuance of any development permit for any lot or parcel; and
  - h. Roads extended or created as a result of the land division will meet City standards.
7. Decisions on the following:
  - a. Lot line adjustments, where any of the lots increase by more than fifty percent (50%) in area, subject to the provisions of Section 4.233.
  - b. Temporary use and temporary sign permits for periods exceeding thirty (30) days. Temporary use and temporary sign permits may allow specific activities associated with the primary use or business located on the property for up to 120 days provided that:
    - i. the property owners have given written permission;
    - ii. no structure, sign or any other object shall exceed 20 feet in height;
    - iii. adequate parking is provided in designated spaces;
    - iv. signs are limited to a maximum of two and shall not exceed a total combined area of 24 square feet;
    - v. electrical and building permits are obtained as required;
    - vi. undue traffic congestion will not result and, if traffic congestion is expected, a traffic control plan is submitted along with the application that identifies the traffic control procedures that will be used;
    - vii. the activity and/or use shall not unduly interfere with motorists driving on adjacent roads and streets, including I-5; and
    - viii. public notice has been provided and the comments of interested parties have been considered in the action that has been taken.
8. Solar access permits, as specified in Section 4.137.3.

9. Class II Sign Permits.

[Correction of numbering order for Section 4.030(.01)(B.) by Ordinance No. 538, 2/21/02.]

- C. Other specific actions or duties delegated by Planning Commission or Development Review Board Resolution, or by order of the Council, setting forth the review procedure guided by clear and objective standards for administration.
  - D. Administrative Relief: In issuing the permits in subsection "B," above, the Planning Director may grant limited relief in cases of hardship. The Director shall follow the Class II - Administrative Approval procedures to determine whether administrative relief shall be granted. If the Director receives a complete application, along with the required filing fee, and the request involves only the expansion or reduction by not more than 20 percent of one or more quantifiable provisions of yard, area, lot dimension, or parking requirements of the zone, the Director may approve the application, based upon findings of fact supported by evidence in the record. The Variance procedures and standards specified in Section 4.196 shall be used in determining whether administrative relief shall be granted.
  - E. Emergency Situations: The Planning Director may review and approve any reasonable and necessary emergency measure, including the removal of trees and vegetation from the Willamette River Greenway, Significant Resource Overlay Zone and wetlands, necessary for the safety and/or protection of persons or property. The standard shall be that the least amount of activity or disruption is used to provide the necessary protection to the property or to avert damage to the property. The Director may require restoration of landscaping, vegetation or soil to repair any damage resulting from enacting emergency protection measures.
- (.02) Authority of Community Development Director. The Community Development Director shall serve as the City's Flood Plain Administrator and shall have specific additional authority as follows:
- A. Reviewing proposed site development applications to assure compliance with the requirements of Section 4.172 (Flood Plain Regulations);
  - B. Reviewing proposed site development applications to determine whether sufficient information exists to waive the requirement of a traffic study.
  - C. Reviewing and determining the adequacy of security provided in lieu of improvements for a development.
  - D. Reviewing final plats for compliance with conditions of approval and City engineering standards.

**Section 4.031. Authority of the Development Review Board.**

- (.01) As specified in Chapter 2 of the Wilsonville Code and except as specified herein, the Board shall have authority to act on the following types of applications:
- A. Class II development applications referred to the Board by the Planning Director, as authorized in Section 4.030.
  - B. Call-ups or appeals of staff decisions or interpretations involving quasi-judicial applications or procedures, as authorized in Sections 4.022 and 4.172.

- C. Review of tentative subdivision and condominium plats, as authorized in Section 4.210, other than those processed as expedited land divisions.
- D. Conditional Use Permits, as authorized in Section 4.184.
- E. Variances, as authorized in Section 4.196, other than those that are reviewed and acted upon by the Planning Director through Administrative Review processes.
- F. Initial review of quasi-judicial applications for zone changes, as authorized in Section 4.197.
- G. Initial review of quasi-judicial applications for amendments to one or maps in the Comprehensive Plan, as authorized in Section 4.198.
- H. Site design review, as authorized in Section 4.400.
- I. Review of Stage I and Stage II Planned Development applications.
- J. Acceptance, rejection, or modification of traffic studies prepared for projects or developments. A traffic study prepared by the City's consultant shall not be rejected or modified by the Board unless substantial evidence exists in the record to justify such action. If the Board rejects a traffic study prepared by the City's consultant, the fee paid by the applicant for that study shall be refunded.
- K. Initial review of requests for quasi-judicial annexations to the City of Wilsonville.
- L. Street vacations, where a specific development application has been filed for the subject property. If no specific development application has been filed for the subject property, the vacation request shall be considered by the Planning Commission. Action of the Planning Commission or Board on a street vacation request shall be a recommendation to the City Council.
- M. Class III Sign Permits, Master Sign Plans, and all sign permits and approvals not specifically authorized for administrative review.

- (.02) Once an application is determined or deemed to be complete pursuant to Section 4.011, it shall be scheduled for public hearing before the Development Review Board. The City shall provide public notice of the hearing as specified in Section 4.012.
- (.03) At the public hearing, the staff, any applicant, and interested persons may present information relevant to the policies, criteria and standards pertinent to the proposal, giving reasons why the application should or should not be approved or proposing modifications or conditions and the reasons the person believes they are necessary for approval. The hearing body shall make a finding for each of the applicable policies, criteria and standards, including whether the proposal conforms to the Comprehensive Plan. The decision, including findings of the hearing body shall be adopted by Resolution, setting forth all Conditions of Approval and relevant time periods for compliance with said conditions.
  - A. If the application is approved, that approval shall constitute a Development Permit when the applicant has complied with the other requirements of this Chapter or the applicant has filed with the Planning Director a written agreement to comply with all conditions of approval.

- B. A decision of the Board may be appealed to the City Council by any party to the hearing in accordance with Section 4.022.

**Section 4.156.01 Sign Regulations Purpose and Objectives.**

(.01) Purpose. The general purpose of ~~this the Section~~ sign regulations are to provide one of the principal means of implementing the Wilsonville Comprehensive Plan by fostering an aesthetically pleasing, functional, and economically vital community, as well as promoting public health, safety, and well-being. The sign regulations strive to accomplish the above general purpose by meeting the needs of sign owners while maintaining consistency with the development and design standards elsewhere in Chapter 4. This code regulates the design, variety, number, size, location, and type of signs, as well as the processes required to permit various types of signs. Sign regulations have one or more of the following specific objectives:

- A. Well-designed and aesthetically pleasing signs sufficiently visible and comprehensible from streets and rights-of-way that abut a site as to aid in wayfinding, identification and provide other needed information.
- B. Sign design and placement that is compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district.
- C. A consistent and streamlined sign review process that maintains the quality of sign development and ensures due process.
- D. Consistent and equitable application and enforcement of sign regulations.
- E. All signs are designed, constructed, installed, and maintained so that public safety, particularly traffic safety, are not compromised.
- F. Sign regulations are content neutral.

~~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.~~

~~(.02) 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 4.022. 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, or in the Village zone, as part of a master signage and Wayfinding plan. (Amended by Ord 557, adopted 9/5/03).~~
- ~~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 4.156(.01) 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 4.196; 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 4.156(.01) and (.02) above, Section 4.196, 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 4.196.~~
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 4.196.~~
- ~~(.03) 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. The location of free standing or ground mounted signs located adjacent to or near the Public Right of Way shall be in compliance with the City's Public Works Standards for sight distance clearance. Prior to construction, the location of the sign shall be approved by the City of Wilsonville Engineering Division. [Section 4.156(.03) amended by Ord. 610, 5/1/06]~~
- 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.~~

**Section 4.156.02 Sign Review Process and General Requirements.**

- (.01) Permit Required: Unless exempt under Section 4.156.05, no sign, permanent or temporary, shall be displayed or installed in the City without first obtaining a sign permit.
- (.02) Sign Permits and Master Sign Plans: Many properties in the City have signs pre-approved through a Master Sign Plan. For the majority of applications where a Master Sign Plan has been approved the applicant need not consult the sign requirements for the zone, but

rather the Master Sign Plan, copies of which are available from the Planning Division. Signs conforming to a Master Sign Plan require only a Class I Sign Permit.

- (.03) Classes of Sign Permits, Master Sign Plans, and Review Process: The City has three classes of sign permits: Class I, Class II, and Class III. In addition, non-residential developments with three or more tenants require a Master Sign Plan. Class I sign permits are reviewed through the Class I Administrative Review Process as outlined in Subsection 4.030 (.01) A., Class II sign permits are reviewed through the Class II Administrative Review Process as outlined in Subsection 4.030 (.01) B., Class III Sign Permits and Master Sign Plans are reviewed by the Development Review Board (DRB) as outlined in Section 4.031. Applicants shall, whenever possible, incorporate all proposed signage as a part of the initial submittal on new development projects.
- (.04) Class I Sign Permit: Sign Permit requests shall be processed as a Class I Sign Permit when the requested sign or signs conform to a Master Sign Plan or other previous sign approval. In addition, a Minor Adjustment to a Master Sign Plan or other previous sign approval may be approved in connection with a Class I Sign Permit.
- A. Class I Sign Permit Submission Requirements: Application for a Class I Sign Permit shall include two (2) copies of the following along with all required application fees:
1. Completed application form prescribed by the City and signed by the property owner or the property owner's representative,
  2. Sign drawings showing all materials, the sign area and dimensions used to calculate sign areas, and other details sufficient to judge the full scale of the associated sign or signs and related improvements,
  3. Information showing how the proposed sign or signs conform with all applicable code requirements, Master Sign Plans, or other previous sign approvals for the property, and
  4. Information supporting any minor adjustment requests.
- B. Class I Sign Permit Review Criteria: The sign or signs conform with the applicable master sign plan or other previous sign approvals, and applicable code requirements.
- C. Minor Adjustments: Notwithstanding approved Master Sign Plans or other previous sign approvals, as part of a Class I Sign Permit minor adjustments of not more than ten (10) percent from the sign height (not height from ground) and/or length may be approved for the reasons listed in 1. through 4. below, unless otherwise specifically prohibited in the Master Sign Plan. Minor adjustments shall not cause the sign to cross the edge of any fascia, architectural element or area of a building facade identified as a sign band. The area of the sign exceeding the height or length as part of a minor adjustment shall not count against the sign area indicated in a Master Sign Plan or other previous sign approval. Minor adjustments are valid only for the Sign Permit with which they are associated and do not carry over to future sign permits or copy changes.



1. To accommodate the descender on the lower case letters “q, y, p g, or j”, not otherwise accommodated by the measurement method used, where the letter matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter;
2. To accommodate stylized fonts where bowls, shoulders, or serifs of the stylized letters extend beyond the cap height;
3. To accommodate an arching or other non-straight baseline; or
4. To accommodate a federally registered trademark logo where compliance with the defined maximum sign height would result in the cap height of the text in the logo being ninety (90) percent or less of the cap height for letters otherwise allowed. (i.e. if a Master Sign Plan allowed 24” letters and 24” total sign height, and a 24” logo would result in the cap height of the text within the logo being less than 21.6”, the total height of the logo could be increased to 26.5”)

(.05) Class II Sign Permit: Sign permit requests for those situations listed in A. through C. below shall be processed as a Class II Sign Permit when the request does not conform with a Master Sign Plan or other previous sign approval but meets the requirements of the applicable sign regulations, unless the request would modify a condition of approval specifically imposed by the DRB or City Council:

A. Existing residential development;

B. Existing non-residential development with less than three (3) tenants unless the request involves a freestanding or ground mounted sign greater than eight (8) feet in height in a new location;

C. Major Adjustments to a Master Sign Plan when all of the following criteria are met:

1. The request is compatible with the pattern of signage established in the sign plan in terms of locations, placement on buildings, proportionality to fascia and building facade, architectural design, and materials used;
2. The request is due to special conditions or circumstances that make it difficult to comply with the established Master Sign Plan;
3. The request involves signs for a single tenant, a single multi-tenant freestanding or ground mounted sign, or a series of similar related multi-tenant freestanding or ground mounted signs in the same development; and
4. The request does not involve a freestanding or ground mounted sign greater than eight (8) feet in height at a new location.

D. Class II Sign Permit Submission Requirements: Application for a Class II Sign Permit shall include two (2) paper copies and one (1) electronic copy of the following in addition to all required fees:

1. Completed application form prescribed by the City and signed by the property owner or their authorized representative;

2. Sign drawings or descriptions of all materials, sign area and dimensions used to calculate areas, lighting methods, and other details sufficient to judge the full scale of the signs and related improvements;
3. Documentation of the lengths of building or tenant space facades used in calculating maximum allowed sign area;
4. Drawings of all building facades on which signs are proposed indicating the areas of the facades on which signs will be allowed;
5. Narrative describing the scope of the project, including written findings addressing all applicable review criteria, along with any other information showing how the proposed signage conforms with requirements for the applicable zone;

E. Class II Sign Permit Review Criteria: Class II Sign Permits shall satisfy the sign regulations for the applicable zoning district as well as the Site Design Review Criteria in Sections 4.400 through 4.421, as well as the following criteria:

1. 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 surrounding development;
2. The proposed signage will not create a nuisance or result in a significant reduction in the value or usefulness of surrounding development; and
3. Special attention is paid to the interface between signs and other site elements including building architecture and landscaping, including trees.

(.06) Class III Sign Permit: Sign permit requests shall be processed as a Class III sign permit when associated with new development, or redevelopment requiring DRB review, and not requiring a Master Sign Plan; when a sign permit request is associated with a waiver or non-administrative variance; or when the sign permit request involves one or more freestanding or ground mounted signs greater than eight (8) feet in height in a new location.

A. Class III Sign Permit Submission Requirements: Ten (10) paper and electronic copies of the submission requirements for Class II Sign Permits plus information on any requested waivers or variances.

B. Class III Sign Permit Review Criteria: The review criteria for Class II Sign Permits plus waiver or variance criteria when applicable.

(.07) Master Sign Plans: A Master Sign Plan is required for non-residential developments with three (3) or more tenants. In creating a Master Sign Plan thought should be given to needs of initial tenants as well as the potential needs of future tenants.

- A. Master Sign Plan Submission Requirements: Applications for Master Sign Plans shall include ten (10) paper and electronic copies of all the submission requirements for Class II and III Sign Permits and the following along with applicable application fees:
1. A written explanation of the flexibility of the Master Sign Plan for different potential tenant space configurations over time;
  2. A written explanation of the extent to which different sign designs, including those incorporating logos, stylized letters, multiple lines of text, non-straight baselines, or different materials and illumination will be allowed and if allowed how the flexibility of the master sign plan will allow these different sign designs over time;
  3. A written explanation of how the sign plan provides for a consistent and compatible sign design throughout the subject development.
- B. Master Sign Plan Review Criteria: In addition the review criteria for Class II and Class III Sign Permits, Master Sign Plans shall meet the following criteria:
1. The Master Sign Plan provides for consistent and compatible design of signs throughout the development; and
  2. The Master Sign Plan considers future needs, including potential different configurations of tenant spaces and different sign designs, if allowed.
- C. Modifications of a Master Sign Plan: Modifications of a Master Sign Plan, other than Minor and Major Adjustments, shall be reviewed the same as a new Master Sign Plan.

(.08) Waivers and Variances: Waivers and variances are similar in that they allow deviation from requirements such as area, and height from ground. They differ in that waivers are granted by the DRB as part of a comprehensive review of the design and function of an entire site to bring about an improved design and variances are granted by either Planning Director or DRB to relieve a specific hardship caused by the regulations.

- A. Waivers: The DRB may grant waivers for sign area, sign height from ground (no waiver shall be granted to allow signs to exceed thirty-five (35) feet), number of signs, or use of electronic changeable copy signs in order to better implement the purpose and objectives of the sign regulations as determined by making findings that all of the following criteria are met:
1. The waiver will result in improved sign design, in regards to both aesthetics and functionality.
  2. The waiver will result in a sign or signs more compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district than signs allowed without the waiver.
  3. The waiver will result in a sign or signs that improve, or at least do not negatively impact, public safety, especially traffic safety.
  4. Sign content is not being considered when determining whether or not to grant a waiver.

B. Variances:

1. Administrative Variance: In reviewing a Sign Permit the Planning Director may grant or deny a variance to relieve a hardship through the Class II Administrative Review process. Such a variance shall only be approved where the variance does not exceed twenty percent (20%) of area, height, or setback requirements. 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 4.196.
2. Other Variances: Additional to the authority of the Planning Director to issue administrative variances as noted above, the Development Review Board may authorize variances from sign requirements of the Code, subject to the standards and criteria listed in Section 4.196.

(.09) Temporary Sign Permits: Temporary sign permits shall be reviewed as follows:

- A. 30 days and less- Class I Administrative Review
- B. 31 days up to 120 days- Class II Administrative Review
- C. When a temporary sign permit is submitted with another temporary use permit the temporary sign permit can be considered part of the broader temporary use permit.
- D. Submission Requirements: Applications for a temporary sign permit shall include the following in addition to the required application fee:
  1. Completed application form prescribed by the City and signed by the property owner or their authorized representative,
  2. Two copies of sign drawings showing all materials, and showing sign area and dimensions used to calculate areas, and other details sufficient to judge the full scale of the sign or signs,
  3. Information showing the proposed sign or signs conform with all applicable code requirements.
- E. Review Criteria: Temporary Sign Regulations in Section 4.156.09

(.10) Waiver of Documentation: The Planning Director may, in his or her discretion, waive an application document for Class I and Class II sign permits where the required information has already been made available to the City, or where the Planning Director determines the information contained in an otherwise required document is not necessary to review the application.

### **Section 4.156.03 Sign Measurement**

#### **B. Sign Measurement.**

(.01). 1. — Sign Area: Sign area shall be determined as follows:

- A. a. — Cabinet Signs and Similar: The area for signs enclosed by cabinet, frame, or other background (including lighted surface) not otherwise part of the architecture of a building or structure shall be ~~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 15: Sign Face Measurement). the area of a shape drawn around the outer dimension of the cabinet, frame, or background.

1. If the cabinet, frame, or background is an irregular shape the signs perimeter shall be measured the same as an individual element sign under B. below.
2. Sign The sign area does not include:
  - a. foundations Foundations, supports, and other essential structures that are not designed to serve unless they are serving as a backdrop or border to the sign;
  - b. Architectural elements of a freestanding or ground mounted sign designed to match or complement the architectural design of buildings on the site not and otherwise meeting the definition of a sign;
  - c. A pole or other structural support, unless such pole or structural support is internally illuminated or otherwise so designed to constitute a display device.

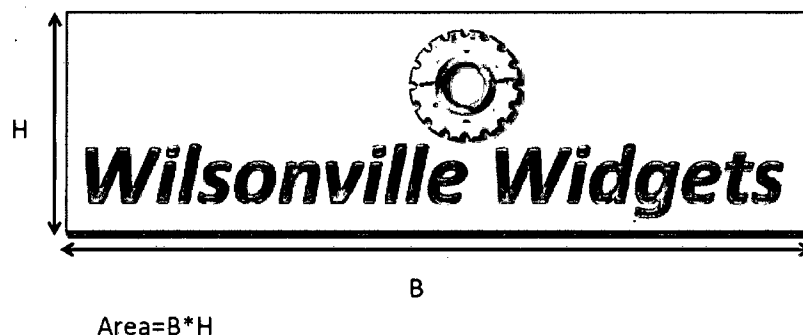


Figure 1. Measurement of Cabinet or Similar Signs

- B. b. When sIndividual Element Signs: The area for signs are constructed of individual elements (letters, figures, etc.) pieces attached to a building wall or similar surface or structure, sign area is determined by a perimeter drawn around all of the pieces (see Figure 17: Individual Element Sign). shall be the summed area of up to three squares, rectangles, circles, or triangles drawn around all sign elements.
1. The descender on the lower case letters "q, y, p g, or j." shall not be included in sign area when the letter otherwise matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter.

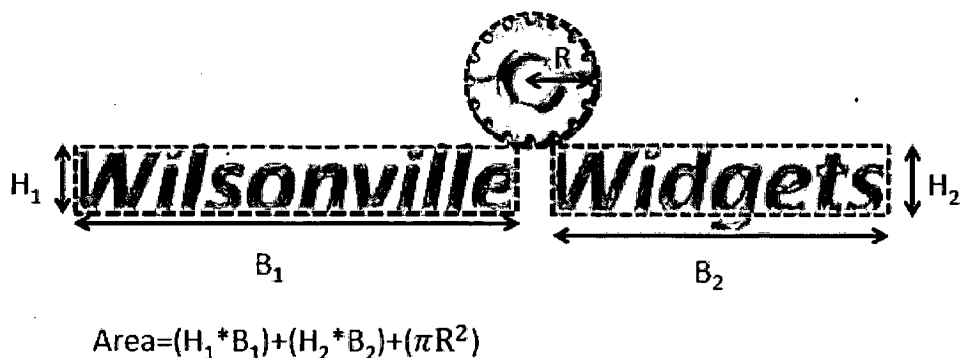


Figure 2. Measurement of Individual Element Signs

~~A.C. e.~~ For a Round or Three-Dimensional Signs: The area of a round or three-dimensional sign, shall be the maximum surface area visible from any one location on the ground is used to determine sign area measured the same as A. above (see Figure 20: Sign Face Area). except if the maximum surface area is an irregular shape the signs perimeter shall be measured the same as an individual element sign under B. above.

~~B.D. d.~~ When a Awning or Marquee Signs: The area of signs are incorporated into awnings, walls, or marquees, shall be the area of the entire panel containing the sign is counted as the sign face measured the same as A. above unless it is clear that part of the panel contains no sign-related display or decoration, other than the background color of the awning.

~~E. e.~~ Painted Wall Signs: The area of painted wall signs shall be determined as follows: 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.

1. If individual elements are painted without a background it shall be calculated in the manner indicated in B. above.

2. If a background is painted it shall be calculated in the manner indicated in A. above.

~~C.F. f.~~ The Planning Director shall be responsible for determining the area of a sign, subject to appeal as specified in Section 4.022. Temporary Signs: The area of temporary signs including banners, lawn, and rigid signs shall be calculated in the manner indicated in A. above.

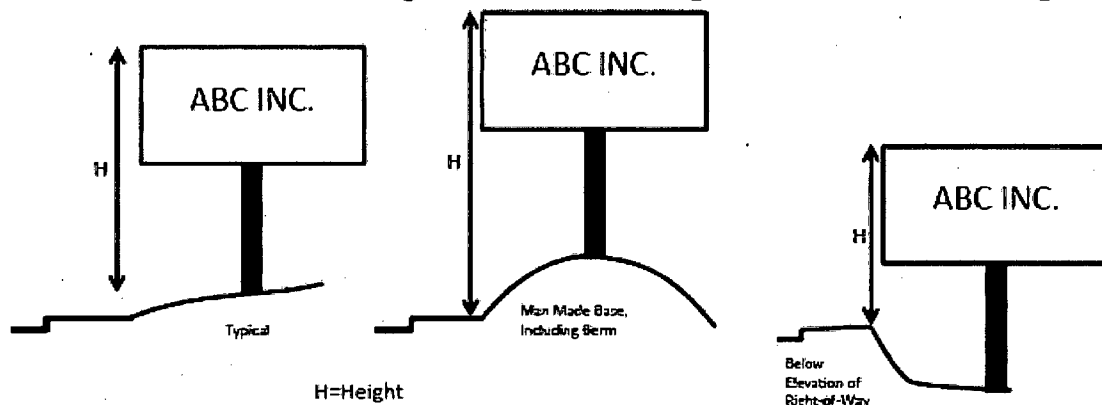
~~D.G. g.~~ Unless otherwise specified, the sign area of a two-sided sign, with two matching sides, shall be considered to be the area of one side. For example, the sign area of a two-sided sign having thirty-two (32) square feet per sign face shall be considered to be thirty-two (32) square feet, unless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

(.02) 2. Sign Height above Ground:

A. The overall height above ground of a freestanding or ground-mounted sign or sign structure is measured from the average grade directly below the sign to the highest point of the sign or sign structure except as follows:-:

1. A freestanding or ground mounted sign on a man-made base, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb to the highest point of the sign or sign structure. In all cases signs on a berm shall be allowed to be eight (8) feet in height from the top of the berm.
2. A freestanding or ground mounted sign placed below the elevation of the right-of-way it fronts shall be measured from the lowest point in the right-of-way along the frontage to the highest point of the sign. 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.

**How to Measure Height of a Freestanding or Ground Mounted Sign**



**(.03) Sign Height and Length:**

- A. Height of a sign is the vertical distance between the lowest and highest points of the sign.
- B. Length of a sign is horizontal distance between the furthest left and right points of the sign.

**(.04) Final Determination of Sign Measurement:** The Planning Director shall be responsible for determining the area, height above ground and height and length of a sign, subject to appeal as specified in Section 4.022. Applicants for sign plans and permits shall provide the dimensions needed to calculate the area, height above ground, height, and length.

**Section 4.156.04 Non-Conforming Signs.**

**(.01) 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 Sections 4.189 through 4.190. 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. However, a sign that is required to be moved solely because of a public taking may be replaced on the site, and maintain its non-conforming status, subject to a Class II Sign Permit, provided the replacement sign is found to not increase in non-conformity to current code standards other than required setbacks.

~~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.~~



**Section 4.156.05(.04) Signs Exempt From Sign Permit Requirements.**

- (.01) 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:
- A. 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.
  - B. 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.
  - C. 3.—Flags displayed from permanently-located freestanding or wall-mounted flagpoles that are designed to allow raising and lowering of flags. One site may have up to two (2) exempt flags; no exempt flag may be more than thirty (30) feet in height.
- (.02) 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.
- A. 1.—Signs inside a building except for prohibited signs listed in Section 4.156.06 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.
  - B. 2.—Name Plates and Announcements.
    - 1. a.—A sign identifying the name, street address, occupation and/or profession of the occupant of the premises in the aid of public health and safety. 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.
    - 2. 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.
  - C. 3.—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:
    - 1. a.—~~The following directional signs are exempt from sign permit requirements:~~
      - 1. i.—~~These having a e maximum sign area of not more than~~does not exceed three (3) square feet per sign face,
      - 1.2.~~The sign are not located location is not~~ location is not within public rights-of-way and ~~which meetmeets~~ meets City vision clearance requirements;
      - 2.3.ii.—~~Those without lighting~~ No sign lighting;
      - 3.4.iii.—~~Those without a No logo or those having a logo that does not exceed one~~ No logo or those having a logo that does not exceed one (1) square foot in size; and

- ~~4.5.iv. — Those where not~~No more than one (1) directional sign is located on the same tax lot.
- ~~2. b. — The following directional signs require a sign permit:~~
  - ~~a. i. — Those having a maximum sign face area of more than three (3) and not exceeding six (6) square feet.~~
  - ~~b. ii. — Those having lighting that is limited to indirect or internal lighting. Flashing lights are prohibited.~~
- D. ~~4. — 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.~~
- E. ~~5. — A sign that is~~Signs 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.~~
- F. ~~6. — Holiday lights and decorations, in place between November 15 and January 15.~~
- G. ~~7. — Signs on scoreboards or ballfields located on public property.~~
- H. ~~8. — Additional to the signs that are otherwise permitted by this Code, o~~One small decorative banner per dwelling unit ~~may be placed on site, in residential zones.~~
- I. ~~9. — Lawn Signs meeting the standards of Table S-1 and the following conditions:~~
  - ~~1. a. — Such signs shall not be intentionally illuminated and shall not display movement.~~
  - ~~2. b. — Such signs shall not obscure sight lines of the motoring public, obscure traffic or other government signs, or create a nuisance to the use or occupancy of any property.~~
  - ~~3. e. — Lawn signs associated with temporary events may be posted no longer than sixty (60) days before the beginning of an event and must be removed at the event's completion.~~
  - ~~4. d. — Lawn signs not associated with temporary events may be posted for one period of up to sixty (60) days in a calendar year.~~
  - ~~5. e. — Such signs may be up to six (6) feet in height.~~
  - ~~6. f. — Such signs may be one (1) or two (2) sided.~~
- J. ~~10. Rigid Signs meeting the standards of Table S-1 and the following conditions:~~
  - ~~1. a. — Such signs shall not be intentionally illuminated and shall not display movement.~~
  - ~~2. b. — Such signs shall not obscure sight lines of the motoring public, obscure traffic or other government signs, or create a nuisance to the use or occupancy of any property.~~
  - ~~3. e. — Such signs may be up to six (6) feet in height, except signs on lots with an active construction project (active building permit), which may be up to ten (10) feet in height. (Note that signs exceeding six (6) feet in height typically require building permits.)~~
  - ~~4. d. — Such signs may be one (1), two (2), or three (3) sided.~~
  - ~~5. e. — On Residential and Agriculture zoned lots:~~

- a. i.—A rigid sign not associated with an ongoing temporary event may be displayed for no more than sixty (60) days each calendar year.
  - b. ii.—A rigid sign associated with an ongoing temporary event may be displayed for the duration of that event. Note: Section 4.156~~(.05)(E-)(12-)~~.06 (.01) Q. of this Code prohibits signs associated with temporary events to remain posted after the completion of the event.
6. f.—On Commercial, Industrial, or Public Facility zoned lots:
- a. i.—A rigid sign not associated with an ongoing temporary event may be displayed for no more than ninety (90) days each calendar year.
  - b. ii.—A rigid sign associated with an ongoing temporary event may be displayed for the duration of that temporary event. Note: Section 4.156~~(.05)(E-)(12-)~~.06 (.01) Q. of this Code prohibits signs associated with temporary events to remain posted after the completion of the event.
  - c. iii.—A temporary event must have an end, marked by the occurrence of a specifically anticipated date or happening. A temporary event may not be a part of a broader, continuing event or of related, serial events. Temporary events shall not be defined by content, but may include isolated merchandise sales or discounts, or availability of real estate for sale or lease.
- K. Signs allowed in Subsections 6.150 (1) and (2) Wilsonville Code for special events.

#### **Section 4.156.06 Prohibited Signs**

~~(.0501)~~—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 through the waiver process provided for architectural features in planned developments.~~
- D. Changeable copy signs that use lighting changed digitally, unless specifically approved through a waiver process connected with a Class III Sign Permit or Master Sign Plan. In granting a waiver for a digital changeable copy signs the DRB shall ensure the following criteria will be met:
  - 1. The sign shall be equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with ambient light conditions and the sign owner shall ensure appropriate functioning of the dimming technology for the life of the sign.
  - 2. The luminance of the sign shall not exceed five thousand (5000) candelas per

square meter between sunrise and sunset, and five hundred (500) candelas per square meter between sunset and sunrise.

~~DE.~~ \_\_\_\_\_ 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 sign permit or annual pre-approved sign procedures of this Code.~~ or the architectural design of a building makes the roof below the roofline a practicable location of signs on a building and the general location of signs on the roof is approved by the DRB during Stage II Approval, as applicable, and Site Design Review.

~~E. Other Prohibitions: Additional to the signs listed above, the following are prohibited:~~

~~4F.~~ Signs obstructing vision clearance areas.

~~2G.~~ Pennants, streamers, festoon lights, balloons, and other similar devices intended to be moved by the wind, unless specifically authorized in an approved sign permit.-

~~3H.~~ Signs attached to trees, public sign posts, or public utility poles, other than those placed by appropriate government agencies or public utilities.

~~4I.~~ 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 such as Digital Changeable Copy Signs. This is not intended to prohibit the use of neon or LED's as a source of illumination.

~~5J.~~ Signs that use flame as a source of light or that emit smoke or odors.

~~6K.~~ 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.

~~7L.~~ 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.

~~8M.~~ \_\_\_\_\_ 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.

~~9N.~~ Signs located on public property in violation of ~~subsection Section 4.156(-10) or (-11), 10 below.~~

~~10O.~~ Signs placed on private property without the property owner's permission.

~~11P.~~ Signs erected or installed in violation of standards prescribed by the City of Wilsonville, State of Oregon or the U.S. government.

~~12Q.~~ Signs associated with temporary events, after the temporary event is completed.

R. Any private signs, including window signs, with a luminance greater than five thousand (5000) candelas per square meter between sunrise and sunset and five hundred (500) candelas per square meter between sunset and sunrise.

S. Video Signs

~~(.06) Sign Area. The total square footage of signage per lot shall be regulated by Sign Table 6, 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.~~

**Section 4.156.07 Sign Regulations In Residential Zones.**

~~(.07) Sign Permit Requirements In Residential Zones. Notwithstanding the provisions of Sign Table 6, 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:~~

~~A. 1. Surface area shall not exceed three (3) square feet and sign shall not be artificially illuminated.~~

~~B. 2. The sign shall be located inside the dwelling or located flat against the dwelling.~~

~~C. 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 4.156(.10)(A.)(4.) through the Administrative Review process of Sections 4.030 and 4.035. 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 4.022. 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 corresponding with the opening of a new business or housing development may be permitted, subject to the Class I Administrative Review provisions of Section 4.030 and 4.035 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.~~

~~(.01) E. Monument Ground Mounted Signs for Residential Developments. One monument ground mounted sign, not exceeding eighteen (18) square feet in area and six (6) feet in height above ground, shall be permitted for each residential subdivision having fifty (50) or more lots or for any other residential multi-family development with fifty (50) or more dwelling units.~~

- ~~1. Additional ground mounted signs of eighteen (18) square feet or less shall be permitted for additional entrances to the subdivision or development located on a separate street frontage or on the same street frontage located at least two hundred (200) feet apart.~~
- ~~2. For one entrance on a street frontage, an additional ground mounted sign may be placed on opposite side of the street or private drive at the intersection.~~

~~(.02) Ground Mounted Signs for Outdoor Recreational Areas on Separate Lots: Public or private Parks or other similar outdoor recreational areas on separate lots than dwelling units are allowed one (1) ground mounted sign of eighteen (18) square feet or less in area and six (6) square feet or less in height above ground.~~

(.03) Non-Residential Uses: Non-residential or recreation uses shall be subject to the sign regulations for PDC, PDI, and Public Facility zones.

**Section 4.156.08 Sign Regulations in the PDC, PDI, and PF Zones.**

~~(.08) Sign Permit Requirements In PDC And PDI Zones. In implementing the permanent sign footage per lot allowed by the provisions of Sign Table 6, the following standards and conditions shall apply to all signs in PDC and PDI zones, other than the Town Center area:~~

(.01) A. Freestanding and Ground Mounted Signs

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

B. 2. The maximum allowed height above ground of a freestanding or ground mounted sign shall be twenty (20) feet except as noted in 1.-2. below. If there is a building on the site, the maximum height shall be twenty (20) feet above the average grade of the building footprint.

1. The maximum allowed height above ground for signs along the frontage of Interstate 5, and parallel contiguous portions of streets, as identified in Figure 4.156.08-1, associated with multiple tenants or businesses may be increased by three (3) feet for each tenant space of ten thousand (10,000) square feet or more of gross floor area up to a maximum of thirty-five (35) feet.

2. The allowed height above ground for signs in the PDC-TC Zone, Old Town Overlay Zone, and PDI Zone is eight (8) feet, except those signs along the frontage of Interstate 5 and parallel contiguous portions of streets noted in 1 above.

C. The maximum allowed area for each freestanding or ground-mounted sign is determined based on gross floor area and number of tenant spaces:

1. For frontages along streets other than those indicated in 2. below sign area allowed is calculated as follows:

a. The sign area allowed for signs pertaining to a single tenant:

<u>Gross Floor Area in a Single Building</u>	<u>Maximum Allowed Sign Area</u>
<u>Less than 11,000 sf</u>	<u>32 sf</u>
<u>11,000-25,999 sf</u>	<u>32 sf + 2 sf per 1000 sf of floor area greater than 10,000 rounded down to the nearest 1,000 sf</u>
<u>26,000 sf or more</u>	<u>64 sf</u>

i. For PF (Public Facility) zoned properties adjacent to residential zoned land the maximum allowed area is thirty-two (32) square feet.

b. The maximum allowed sign area for signs pertaining to multiple tenants or businesses is thirty-two (32) square feet plus the following for each tenant space:

Gross Floor Area of Tenant Space	Additional Allowed Sign Area for Tenant Space
Less than 1,000 sf	3 sf
1,000-10,999	3 sf + 3 sf per 1,000 sf of floor area rounded down to the nearest 1,000 sf
11,000 sf or more	32 sf

- i. The total sign area shall not exceed two hundred (200) square feet, except in the PDC-TC Zone, Old Town Overlay Zone, and PDI Zone the total sign area shall not exceed eighty (80) square feet.
  - ii. Though the maximum allowed sign area is calculated based on number of tenant spaces and their size, the content of the sign and area used for different content is at the discretion of the sign owner, except for required addressing.
- 2. Signs fronting Interstate 5 and parallel contiguous street sections, as identified in Figure 4.156.08-1 on pages to :
  - a. For signs on properties or within developments with a single tenant or business the sign area allowed is sixty-four (64) square feet.
  - b. For signs on properties or within developments with multiple tenants or businesses the maximum allowed area is sixty-four (64) square feet plus an additional thirty-two (32) square feet for each tenant space of 10,000 square feet or more of gross floor area up to a maximum total sign area of three hundred (300) square feet.
    - i. Though the sign area allowed is calculated based on number of large tenant spaces, the content of the sign and area used for different content is at the discretion of the sign owner, except for any required addressing.
- C.D. 3. Pole or sign support placement shall be installed in a full vertical position (see Figure 16: Sign Position).
- E. 4. Freestanding and ground mounted signs shall not extend into or above public rights-of-way, parking areas, or vehicle maneuvering areas.
- F. The location of free standing or ground mounted signs located adjacent to or near the Public Right-of-Way shall be in compliance with the City's Public Works Standards for sight distance clearance. Prior to construction, the location of the sign shall be approved by the City of Wilsonville Engineering Division.
- G. Freestanding and ground mounted signs shall be designed to match or complement the architectural design of buildings on the site.
- H. For freestanding and ground mounted signs greater than eight (8) feet in height, the width of the sign shall not exceed the height.
- I. Along street frontages in the PDC-TC Zone and Old Town Overlay Zone monument style signs are required.
- J. Freestanding and ground mounted signs shall be no further than fifteen (15) feet from the property line and no closer than two (2) feet from a sidewalk or other hard surface in the public right-of-way.



K. Except for those signs fronting Interstate 5, freestanding and ground mounted signs shall include the address number of associated buildings unless otherwise approved in writing by the City and the Fire District.

L. When a sign is designed based on the number of planned tenant spaces it shall remain a legal, conforming sign regardless of the change in the number of tenants or configuration of tenant spaces.

~~5. Street side setbacks for freestanding signs may be reduced to ten (10) feet without requiring a waiver or variance.~~

(.02) B. Signs on Buildings

A. Sign Eligible Facades: Building signs are allowed on a facade of a tenant space or single tenant building when one or more of the following criteria are met:

1. The facade has one or more entrances open to the general public;
2. The facade faces a lot line with frontage on a street or private drive with a cross section similar to a public street, and no other buildings on the same lot obstruct the view of the building facade from the street or private drive; or
3. The facade is adjacent to the primary parking area for the building or tenant.

B. Sign Area Allowed:

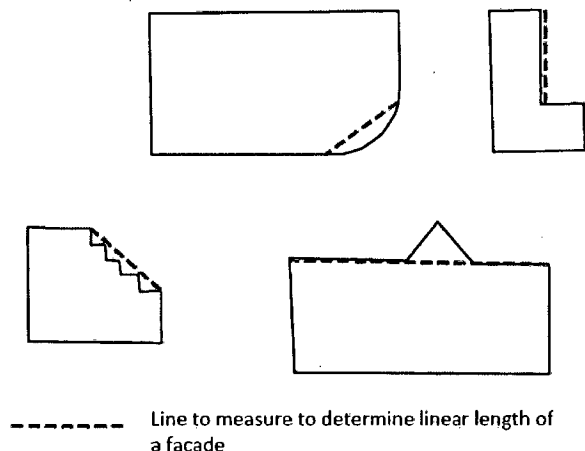
1. The sign area allowed for all building signs on a sign eligible facade is shown in the table below:

<u>Linear Length of Façade (feet)</u>	<u>Sign Area Allowed*</u>
<u>Less than 16</u>	<u>Area equal to linear length</u>
<u>16 to 24</u>	<u>24 sf</u>
<u>Greater than 24 to 32</u>	<u>32 sf</u>
<u>Greater than 32 to 36</u>	<u>Area equal to linear length.</u>
<u>Greater than 36 to 72</u>	<u>36 sf</u>
<u>Greater than 72</u>	<u>36 sf plus 12 sf for each 24 linear feet or portion thereof greater than 72 up to a maximum of 200 sf</u>

\*Except as noted in 2. through 5. below

2. The sign area allowed for facades with a primary public entrance or with a frontage along a public street dominated by windows or glazing may be increased by transferring to the facade up to one half (1/2) the sign area allowed for adjacent facades up to fifty (50) square feet. In no case shall the allowed sign area exceed an area equal to the linear length of the facade.
3. The sign area allowed is increased as follows for signs at separate building entrances:
  - a. For building entrances open to the general public located at least fifty (50) feet apart on the same facade, the sign area allowed is increased by fifty (50) percent up to fifty (50) square feet.
  - b. For building entrances located less than fifty (50) feet apart on the same facades, the sign area allowed is increased by twenty (20) percent up to twenty (20) square feet.

4. For businesses occupying multiple buildings in a campus setting, sign area shall be limited to that allowed for the largest building, which may then be distributed throughout the campus.
5. If a façade otherwise not sign eligible faces a lot line with frontage on Interstate 5, the applicant can transfer sign area allowed from one (1) of the locations described in a. and b. below. In no case shall the allowed sign area exceed an area equal to the allowed sign area for a sign eligible façade of the same linear length.
  - a. The freestanding sign along the Interstate 5 frontage. This generally involves placing building signs on the subject façade in lieu of installing a freestanding sign.
  - b. Adjacent façade up to fifty (50) square feet, when a majority of the adjacent façade from which the sign area is being transferred is visible from Interstate 5.
6. Calculating linear length of a façade for the purpose of determining maximum sign area allowed. For facades of a single tenant building the length the facade measured at the building line, except as noted in a. and b. below. For multi-tenant buildings the width of the façade of the tenant space shall be measured from the centerline of the party walls or the outer extent of the exterior wall at the building line, as applicable, except as noted in a. and b. below. Applicants shall provide the dimensions needed to calculate the length. Each tenant space or single occupant building shall not be considered to have more than five (5) total facades.
  - a. If a façade is curvilinear, stepped, or otherwise not a straight line, the façade shall be measured by drawing a straight line between the edges of the façade as shown in the figure below.
  - b. For an “L” shaped tenant space or single tenant building the longest leg of the interior of the “L” shall be basis for measuring the length of the L-shaped facade. Sign area allowed based on longest leg can be distributed between legs.



~~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.

1.

a. 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

B. e. 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. The length of individual tenant signs shall not exceed seventy-five (75) percent of the length of the facade of the tenant space.

C. The height of building signs shall be within a definable sign band, fascia, or architectural feature and allow a definable space between the sign and the top and bottom of the sign band, fascia, or architectural feature.

D. 2.—Types of signs permitted on buildings include wall flat, fascia, projecting, blade, marquee and awning signs. Roof-top signs are prohibited.

D.—

(.03) C.—Additional signs. Notwithstanding the sign footage allowed based on the site and building frontages as shown in Table 6 in (.01) and (.02) above, the following signs may be permitted, subject to standards and conditions in this Section Code:

A. 1.—Directional signs—In addition to exempt directional signs allowed under Subsection 4.156.05 (.02) C. freestanding or ground mounted directional signs six (6) square feet or less in area and four (4) feet or less in height:

1. The signs shall be designed to match or complement the architectural design of buildings on the site;
2. The signs shall only be placed at the intersection of internal circulation drives; and
3. No more than one (1) sign shall be placed per intersection corner with no more than two (2) signs per intersection.

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 special event signs to be located on-site, off-site, or within City rights-of-way, excluding those areas listed in subsection 4.156(.10)(A.)(4.) through the Administrative Review process of Sections 4.030 and 4.035. 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 subsection 4.156(.07), 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 Sections 4.030 and 4.035. Inflatable signs shall be permitted for a maximum of fifteen (15) days of display use in any calendar year.~~

- ~~A. 4. District or Planned Development signs — up to thirty (32) square feet of the allowed sign area for freestanding signs in a planned development may be used for a separate one (1) on-site monument sign, or one (1) off-site monument sign on an adjacent parcel identifying that the Planned Development project, may be permitted, subject to the following standards and conditions:~~
- ~~B. a. The sign may be double faced, shall not exceed thirty two (32) square feet per face, and may be located within ten (10) feet of a street right of way without requiring a waiver or variance.~~
- ~~1. b. The sign shall pertain only to identification of its subject development.~~
- ~~2. c. Sign graphics may be changeable so as to indicate vacancies and occupancy changes.~~
- ~~C. d. The sign shall be reviewed by the Development Review Board in conjunction with the overall Planned Development. Blade Signs: To aid in pedestrian wayfinding, one (1) blade sign, not to exceed six (6) square feet, per facade eligible for building signs. Blade signs shall provide a minimum of eight (8) feet clearance from the ground.~~
- ~~C.D. — Fuel or Service Station Price Signs. Two (2) e In addition to the freestanding or ground mounted signs allowed, changeable copy signs shall be allowed for the purpose of advertising fuel prices, subject to the following standards and conditions:~~
- ~~1. a. The signs shall have a maximum of six eleven (611) square feet in area per face per type of fuel sold and shall be permanently affixed to the building or a freestanding sign.~~
- ~~2. b. The signs shall not be considered in calculating the maximum sign area or number of signs permitted at the location allowed.~~
- ~~3. e. 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 corresponding to a special event or opening may be permitted, subject to the Administrative Review provisions of Section 4.030 and 4.035, 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.~~

~~(.09) 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. When not part of the street graphics sign, the address sign shall be not more than four (4) square feet in area.~~

~~d. The maximum height of an address sign shall not exceed four (4) feet above the adjacent grade.~~

~~e. 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 4.030 and 4.035, 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 4.156(.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 4.156(.07), 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.~~

~~e. The maximum height of signs shall be as shown in Figure 18: Maximum Sign Height - Town Center.~~

#### **Section 4.156.09 Temporary Signs In All Zones.**

The following temporary signs may be permitted in addition to the permanent signs allowed in different zones and exempt temporary signs unless specifically prohibited in a master sign plan or other sign approval:

- (.01) General Allowance: Except as noted in subsection (.02) below up to two (2) temporary signs not exceeding a combined total of twenty four (24) square feet may be permitted per lot or non-residential tenant. Such signs may be banners, rigid signs, lawn signs, portable signs, or other signs of similar construction.
- (.02) Opening banner for a new business or housing development: A banner corresponding with the opening of a new business or housing development may be permitted, subject to the following standards and conditions:
  - A. 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.
  - B. Such banner may be two-sided but shall not exceed thirty-two (32) square feet per face.
- (.03) Annual Event Signs: Up to ten (10) lawn signs may be permitted to be located in the public right-of-way for up to fourteen (14) days if all of the following are met:
  - A. Signs will not be located in the areas listed in Subsection 4.156.10 (.01) A. 4.
  - B. The applicant or event has not been issued a permit for and placed signs in the public right-of-way in the previous six (6) months;
  - C. Not more than one (1) other permit has been issued for lawn signs in the right-of-way during the time period the applicant is requesting;
  - D. The event to which the signs pertain is expected to attract two hundred fifty (250) or more people;
  - E. The request is not in addition to exempt lawn signs for large special events allowed for in Section 6.150; and
  - F. The applicant has indicated on a map the exact locations the signs will be placed and has submitted an application along with the required fee.
- (.04) Inflatable Signs: Inflatable signs may be permitted for a maximum of fifteen (15) days of display use in any calendar year subject to the following standards and conditions:
  - A. Does not exceed ten (10) feet in overall height; and
  - B. If attached to a building in any manner, it meets applicable building code requirements including consideration of wind loads.

#### **Section 4.156.10 Signs on City and ODOT Property.**

- ~~(.01)~~ Signs On City Property. For the purposes of this subsection, City property is defined as physical sites, City rights-of-ways, and rights-of-way over which the City has

Draft Revisions to Section 4.156 Wilsonville Code for Sign Code Update

Planning Commission Public Hearing April 11, 2012

“Redlined Version”

Page 27 of 37

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 parks Montebello and open space on Wilsonville Road, Fox Chase Park, Transit and Fleet Building, SMART Central~~, and the City's reservoir, pump station, or treatment plant properties.

- A. Allowed Signs. The following 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.
  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. This shall include signs authorized to conform with the State's Tourism Information program and any similar local government 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. Lawn signs may be placed, subject to the standards in subsection 4.156.10 (.010)(A.)(5.), below, on City rights-of-way and rights-of-way over which the City has jurisdiction except 1) those rights-of-way adjoining City properties defined in subsection 4.156.10 (.010) above, and 2) in the following locations where the placement of signs could damage City-landscaping or interfere with the City's maintenance of the rights-of-way:
    - a. In any median or landscaped strip inside the City limits as identified below in Sections 4.156.10 (.010)(A.)(4.)(b.) through ~~(ep.)~~
    - 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.~~
  - ~~m. Either side of Boeckman Road and all islands, from the railroad tracks west to 110<sup>th</sup>.~~
  - ~~nn. Either side of 110<sup>th</sup> between Barber Street and Boeckman Road.~~
  - ~~oo. The eastern side of Grahams Ferry Road from Tooze Road to the City limits.~~
  - ~~pp. Either side of Barber Street between 110<sup>th</sup> and Brown Road, including islands and roundabouts.~~
  - ~~qq. Such other areas as the City may designate as requiring protection from landscape damage.~~
5. Lawn signs shall meet the following standards and conditions:
- a. Allowed only between the hours of 6 a.m. Friday and 8 p.m. Sunday, and the hours of 9 a.m. and 4 p.m. Tuesdays;
  - b. Not greater than thirty (30) inches in height. A-frame signs may be 24" by 36" provided that they are designed to meet vision clearance requirements (typically not over 30 inches in height when standing);
  - b. Not placed on street surfaces, sidewalks, paths, median strips, or bicycle ways;
  - c. Located within forty (40) feet of an intersection;
  - d. No more than three (3) signs per person; and
  - e. Placed no more than one every fifty (50) feet and at least ten (10) feet away from any other temporary sign.

~~(.102)~~ 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.

#### **Section 4.156.11 Sign Enforcement**

~~(.12)~~ Enforcement.

~~(.01)~~ General: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 4.025.

~~(.02)~~ 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

Draft Revisions to Section 4.156 Wilsonville Code for Sign Code Update  
Planning Commission Public Hearing April 11, 2012  
"Redlined Version"

Page 29 of 37

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.

(.03) 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.

(.04) D.—Additional enforcement. The remedies described herein are not exclusive and may be used in addition to those prescribed elsewhere in the Wilsonville Code, including Sections 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.

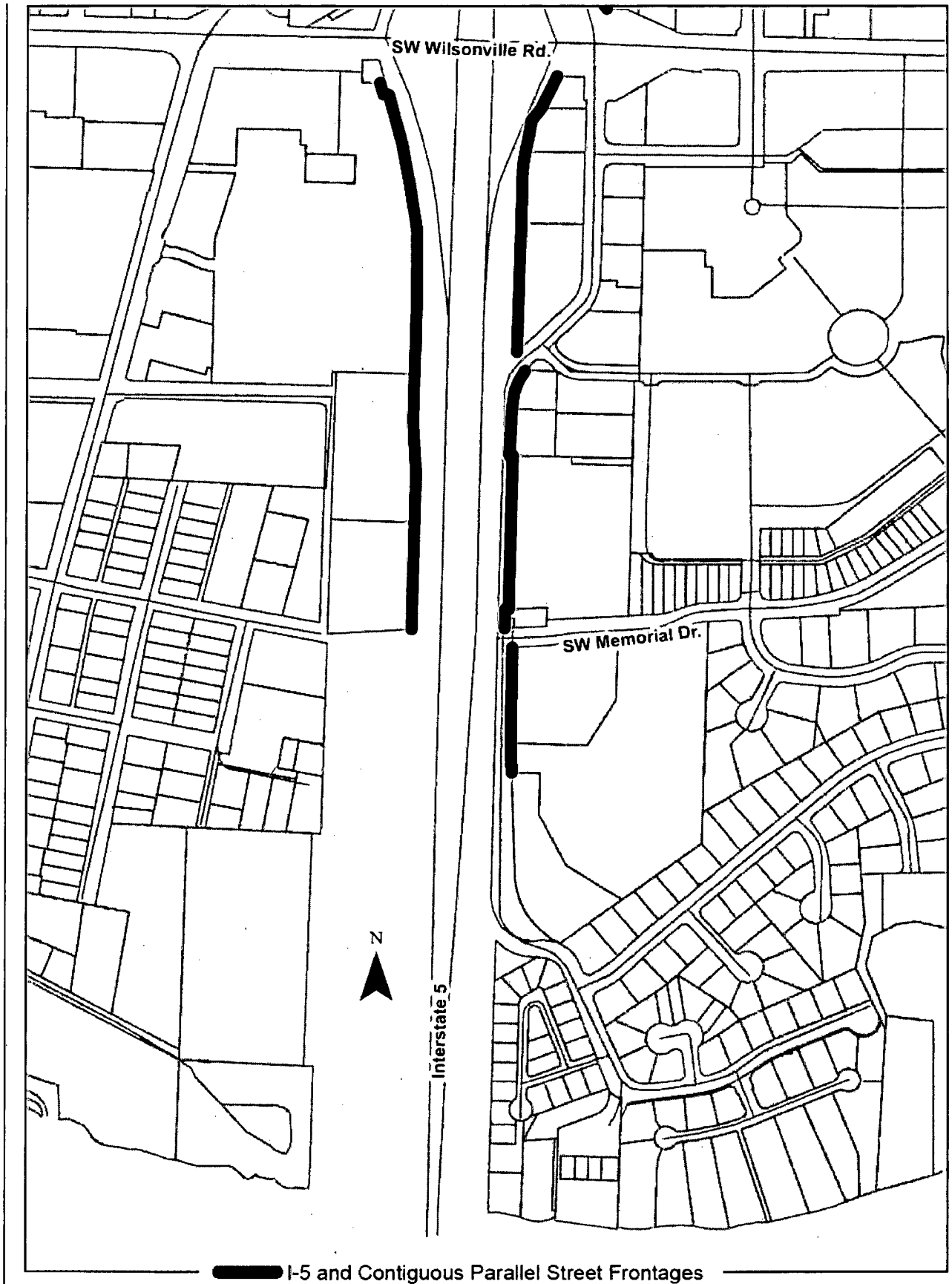
[Minor Edits to Section 4.156 by Ordinance No. 538, 2/21/02, Section 4.156 amended by Ordinance No. 675, 3/1/10]

Figure 4.156.08-1

Interstate 5 and Contiguous Parallel Street Frontage

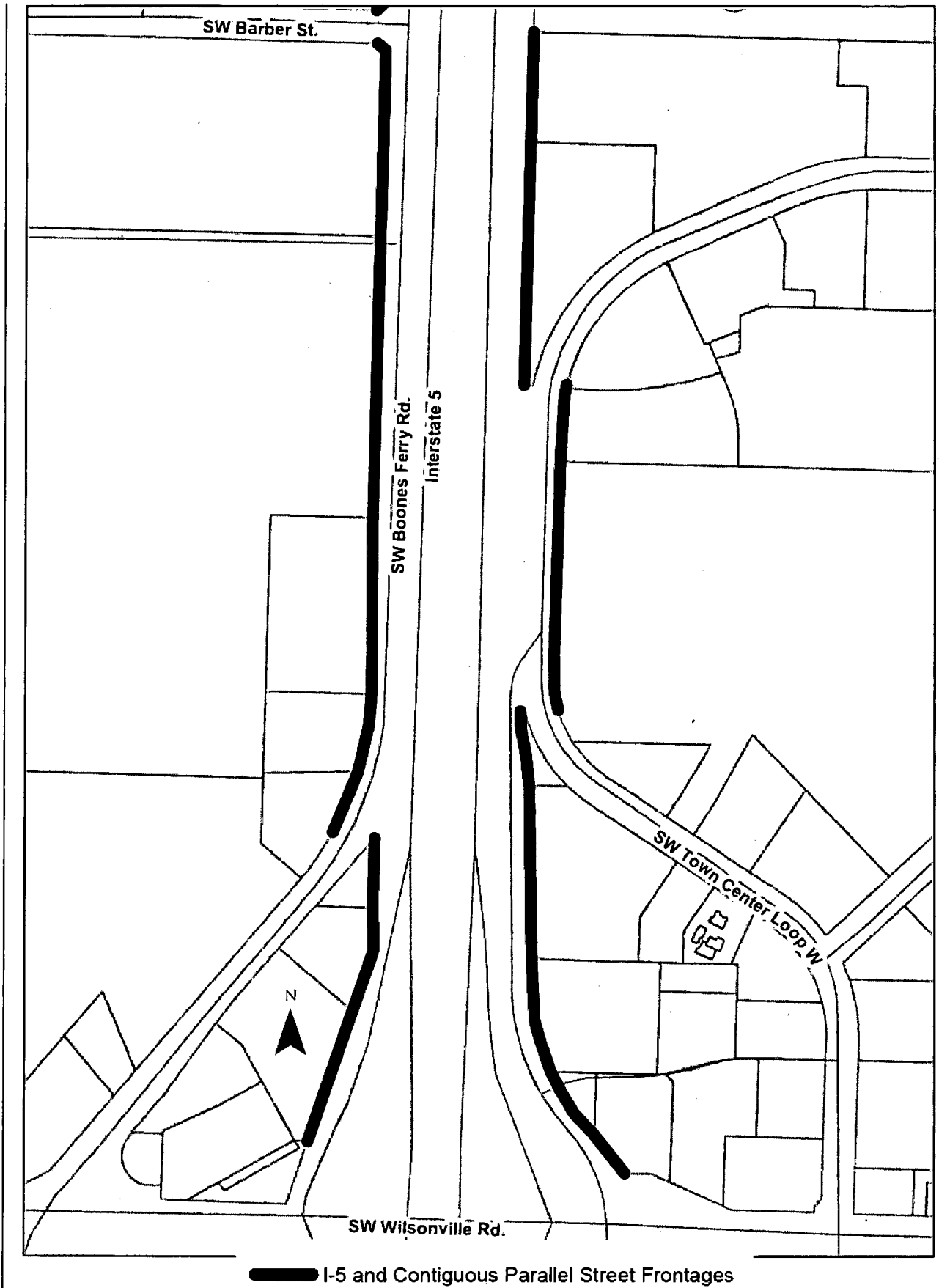


“Redlined Version”  
Page 31 of 37

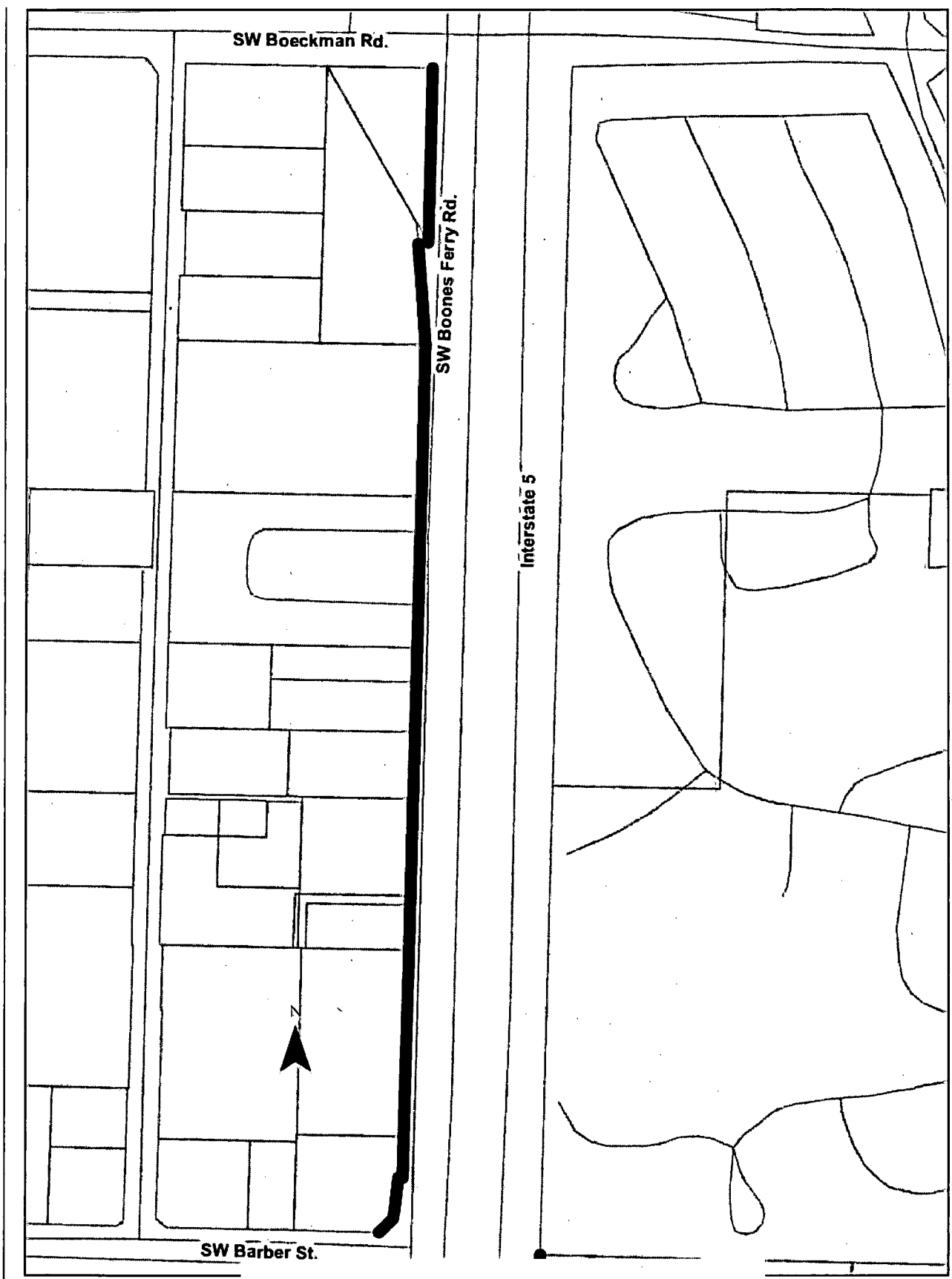


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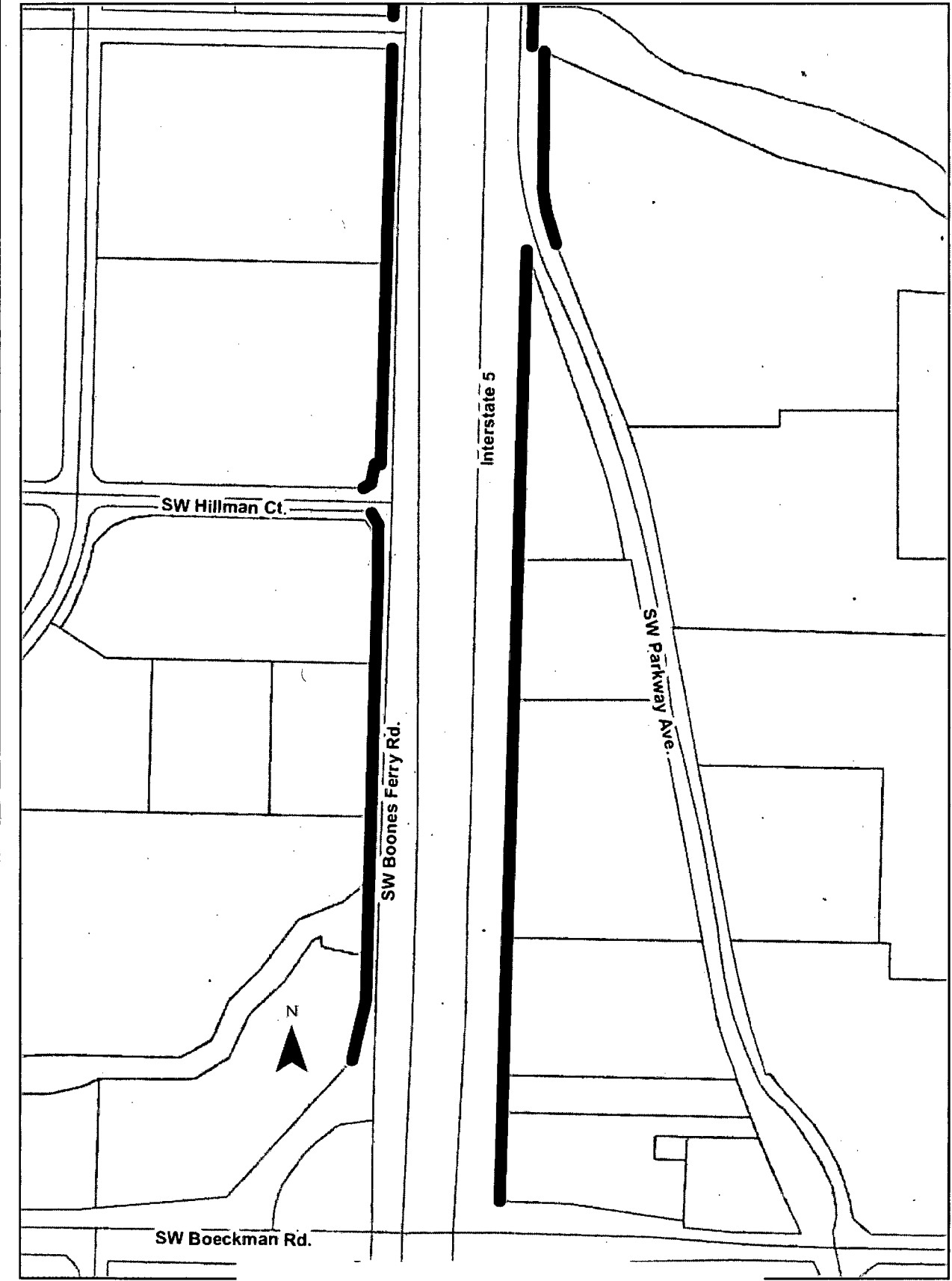
Page 32 of 37



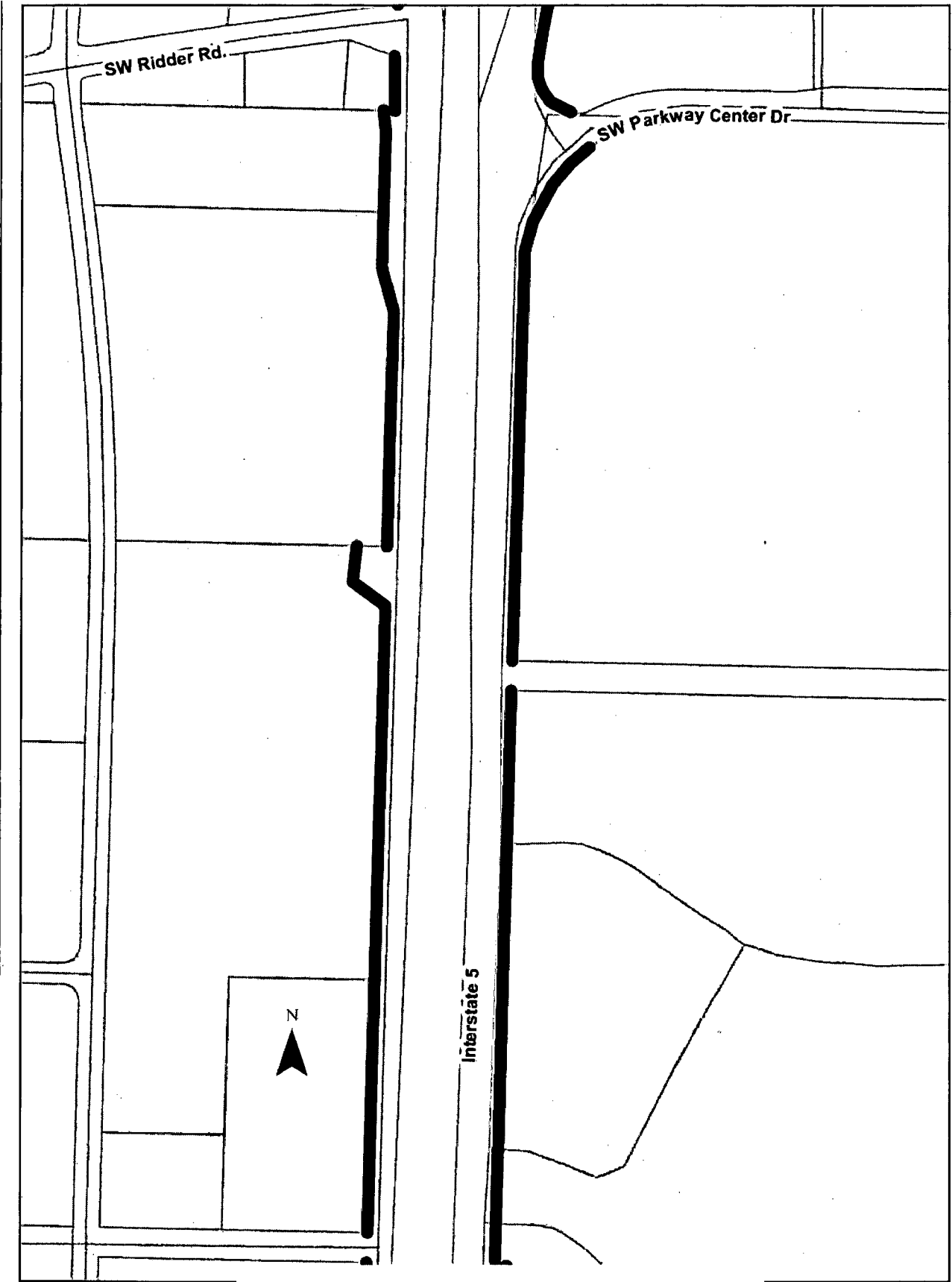
**— I-5 and Contiguous Parallel Street Frontages**



— I-5 and Contiguous Parallel Street Frontages

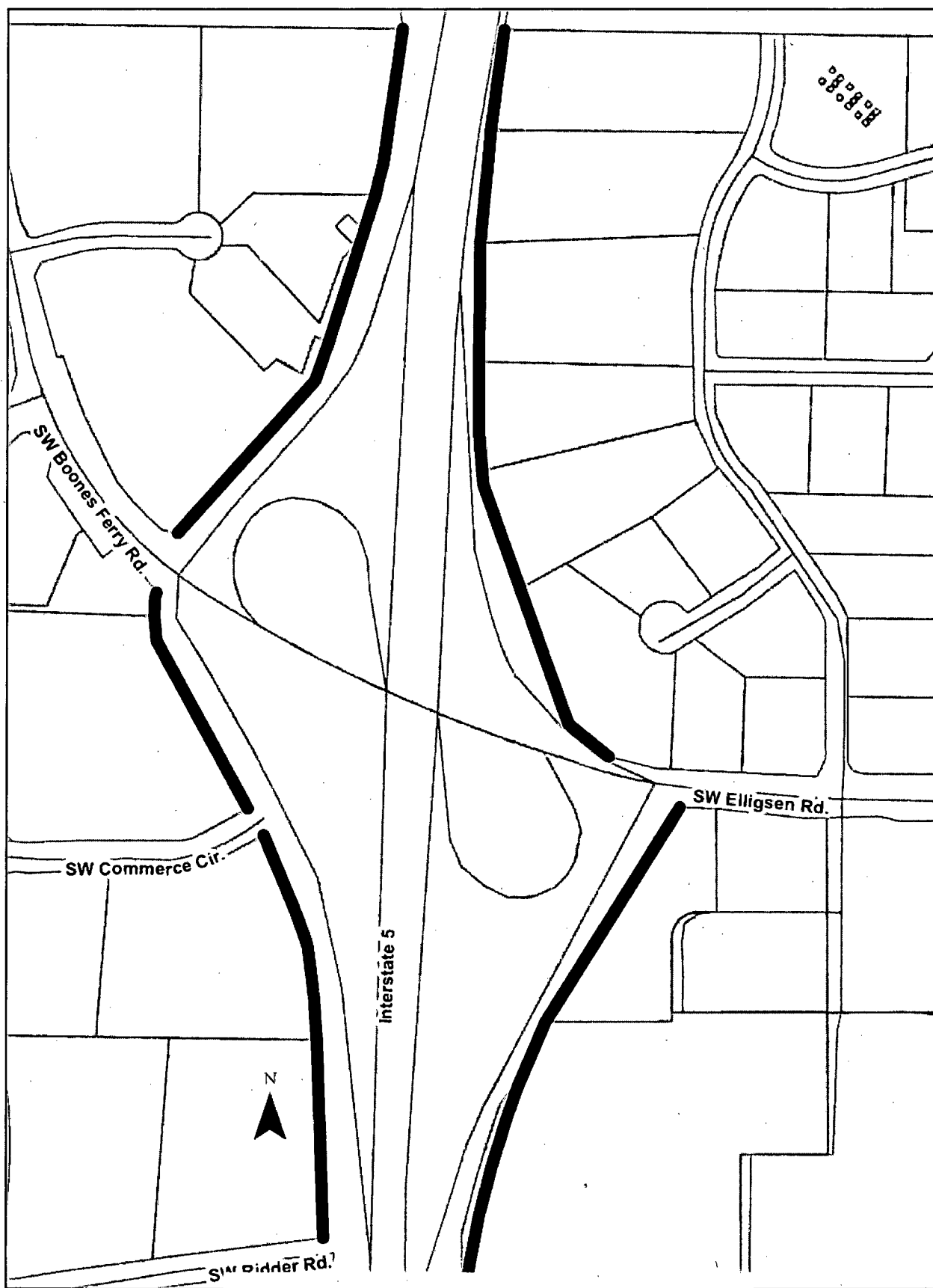


**— I-5 and Contiguous Parallel Street Frontages**



— I-5 and Contiguous Parallel Street Frontages





— I-5 and Contiguous Parallel Street Frontages

**Section 4.156.01 Sign Regulations Purpose and Objectives.**

(.01) Purpose. The general purpose of the sign regulations are to provide one of the principal means of implementing the Wilsonville Comprehensive Plan by fostering an aesthetically pleasing, functional, and economically vital community, as well as promoting public health, safety, and well-being. The sign regulations strive to accomplish the above general purpose by meeting the needs of sign owners while maintaining consistency with the development and design standards elsewhere in Chapter 4. This code regulates the design, variety, number, size, location, and type of signs, as well as the processes required to permit various types of signs. Sign regulations have one or more of the following specific objectives:

- A. Well-designed and aesthetically pleasing signs sufficiently visible and comprehensible from streets and rights-of-way that abut a site as to aid in wayfinding, identification and provide other needed information.
- B. Sign design and placement that is compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district.
- C. A consistent and streamlined sign review process that maintains the quality of sign development and ensures due process.
- D. Consistent and equitable application and enforcement of sign regulations.
- E. All signs are designed, constructed, installed, and maintained so that public safety, particularly traffic safety, are not compromised.
- F. Sign regulations are content neutral.

**Section 4.156.02 Sign Review Process and General Requirements.**

(.01) Permit Required: Unless exempt under Section 4.156.05, no sign, permanent or temporary, shall be displayed or installed in the City without first obtaining a sign permit.

(.02) Sign Permits and Master Sign Plans: Many properties in the City have signs pre-approved through a Master Sign Plan. For the majority of applications where a Master Sign Plan has been approved the applicant need not consult the sign requirements for the zone, but rather the Master Sign Plan, copies of which are available from the Planning Division. Signs conforming to a Master Sign Plan require only a Class I Sign Permit.

(.03) Classes of Sign Permits, Master Sign Plans, and Review Process: The City has three classes of sign permits: Class I, Class II, and Class III. In addition, non-residential developments with three or more tenants require a Master Sign Plan. Class I sign permits are reviewed through the Class I Administrative Review Process as outlined in Subsection 4.030 (.01) A., Class II sign permits are reviewed through the Class II Administrative Review Process as outlined in Subsection 4.030 (.01) B., Class III Sign Permits and Master Sign Plans are reviewed by the Development Review Board (DRB) as outlined in Section 4.031.

- (.04) Class I Sign Permit: Sign Permit requests shall be processed as a Class I Sign Permit when the requested sign or signs conform to a Master Sign Plan or other previous sign approval. In addition, a Minor Adjustment to a Master Sign Plan or other previous sign approval may be approved in connection with a Class I Sign Permit.
- A. Class I Sign Permit Submission Requirements: Application for a Class I Sign Permit shall include two (2) copies of the following along with all required application fees:
1. Completed application form prescribed by the City and signed by the property owner or the property owner's representative,
  2. Sign drawings showing all materials, the sign area and dimensions used to calculate sign areas, and other details sufficient to judge the full scale of the associated sign or signs and related improvements,
  3. Information showing how the proposed sign or signs conform with all applicable code requirements, Master Sign Plans, or other previous sign approvals for the property, and
  4. Information supporting any minor adjustment requests.
- B. Class I Sign Permit Review Criteria: The sign or signs conform with the applicable master sign plan or other previous sign approvals, and applicable code requirements.
- C. Minor Adjustments: Notwithstanding approved Master Sign Plans or other previous sign approvals, as part of a Class I Sign Permit minor adjustments of not more than ten (10) percent from the sign height (not height from ground) and/or length may be approved for the reasons listed in 1. through 4. below, unless otherwise specifically prohibited in the Master Sign Plan. Minor adjustments shall not cause the sign to cross the edge of any fascia, architectural element or area of a building facade identified as a sign band. The area of the sign exceeding the height or length as part of a minor adjustment shall not count against the sign area indicated in a Master Sign Plan or other previous sign approval. Minor adjustments are valid only for the Sign Permit with which they are associated and do not carry over to future sign permits or copy changes.
1. To accommodate the descender on the lower case letters "q, y, p g, or j", not otherwise accommodated by the measurement method used, where the letter matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter;
  2. To accommodate stylized fonts where bowls, shoulders, or serifs of the stylized letters extend beyond the cap height;
  3. To accommodate an arching or other non-straight baseline; or
  4. To accommodate a federally registered trademark logo where compliance with the defined maximum sign height would result in the cap height of the text in the logo being ninety (90) percent or less of the cap height for letters otherwise allowed. (i.e. if a Master Sign Plan allowed 24" letters and 24" total sign height, and a 24"

logo would result in the cap height of the text within the logo being less than 21.6”, the total height of the logo could be increased to 26.5”)

- (.05) Class II Sign Permit: Sign permit requests for those situations listed in A. through C. below shall be processed as a Class II Sign Permit when the request does not conform with a Master Sign Plan or other previous sign approval but meets the requirements of the applicable sign regulations, unless the request would modify a condition of approval specifically imposed by the DRB or City Council:
- A. Existing residential development;
  - B. Existing non-residential development with less than three (3) tenants unless the request involves a freestanding or ground mounted sign greater than eight (8) feet in height in a new location;
  - C. Major Adjustments to a Master Sign Plan when all of the following criteria are met:
    - 1. The request is compatible with the pattern of signage established in the sign plan in terms of locations, placement on buildings, proportionality to fascia and building facade, architectural design, and materials used;
    - 2. The request is due to special conditions or circumstances that make it difficult to comply with the established Master Sign Plan;
    - 3. The request involves signs for a single tenant, a single multi-tenant freestanding or ground mounted sign, or a series of similar related multi-tenant freestanding or ground mounted signs in the same development; and
    - 4. The request does not involve a freestanding or ground mounted sign greater than eight (8) feet in height at a new location.
  - D. Class II Sign Permit Submission Requirements: Application for a Class II Sign Permit shall include two (2) paper copies and one (1) electronic copy of the following in addition to all required fees:
    - 1. Completed application form prescribed by the City and signed by the property owner or their authorized representative;
    - 2. Sign drawings or descriptions of all materials, sign area and dimensions used to calculate areas, lighting methods, and other details sufficient to judge the full scale of the signs and related improvements;
    - 3. Documentation of the lengths of building or tenant space facades used in calculating maximum allowed sign area;
    - 4. Drawings of all building facades on which signs are proposed indicating the areas of the facades on which signs will be allowed;
    - 5. Narrative describing the scope of the project, including written findings addressing all applicable review criteria, along with any other information showing how the proposed signage conforms with requirements for the applicable zone;
  - E. Class II Sign Permit Review Criteria: Class II Sign Permits shall satisfy the sign regulations for the applicable zoning district as well as the Site Design Review Criteria in Sections 4.400 through 4.421, as well as the following criteria:

Draft Revisions to Section 4.156 Wilsonville Code for Sign Code Update

Planning Commission Public Hearing April 11, 2012

“Clean Read Version”

Page 3 of 28

1. 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 surrounding development;
  2. The proposed signage will not create a nuisance or result in a significant reduction in the value or usefulness of surrounding development; and
  3. Special attention is paid to the interface between signs and other site elements including building architecture and landscaping, including trees.
- (.06) Class III Sign Permit: Sign permit requests shall be processed as a Class III sign permit when associated with new development, or redevelopment requiring DRB review, and not requiring a Master Sign Plan; when a sign permit request is associated with a waiver or non-administrative variance; or when the sign permit request involves one or more freestanding or ground mounted signs greater than eight (8) feet in height in a new location.
- A. Class III Sign Permit Submission Requirements: Ten (10) paper and electronic copies of the submission requirements for Class II Sign Permits plus information on any requested waivers or variances.
  - B. Class III Sign Permit Review Criteria: The review criteria for Class II Sign Permits plus waiver or variance criteria when applicable.
- (.07) Master Sign Plans: A Master Sign Plan is required for non-residential developments with three (3) or more tenants. In creating a Master Sign Plan thought should be given to needs of initial tenants as well as the potential needs of future tenants.
- A. Master Sign Plan Submission Requirements: Applications for Master Sign Plans shall include ten (10) paper and electronic copies of all the submission requirements for Class II and III Sign Permits and the following along with applicable application fees:
    1. A written explanation of the flexibility of the Master Sign Plan for different potential tenant space configurations over time;
    2. A written explanation of the extent to which different sign designs, including those incorporating logos, stylized letters, multiple lines of text, non-straight baselines, or different materials and illumination will be allowed and if allowed how the flexibility of the master sign plan will allow these different sign designs over time;
    3. A written explanation of how the sign plan provides for a consistent and compatible sign design throughout the subject development.
  - B. Master Sign Plan Review Criteria: In addition the review criteria for Class II and Class III Sign Permits, Master Sign Plans shall meet the following criteria:
    1. The Master Sign Plan provides for consistent and compatible design of signs throughout the development; and

2. The Master Sign Plan considers future needs, including potential different configurations of tenant spaces and different sign designs, if allowed.
- C. Modifications of a Master Sign Plan: Modifications of a Master Sign Plan, other than Minor and Major Adjustments, shall be reviewed the same as a new Master Sign Plan.
- (.08) Waivers and Variances: Waivers and variances are similar in that they allow deviation from requirements such as area, and height from ground. They differ in that waivers are granted by the DRB as part of a comprehensive review of the design and function of an entire site to bring about an improved design and variances are granted by either Planning Director or DRB to relieve a specific hardship caused by the regulations.
- A. Waivers: The DRB may grant waivers for sign area, sign height from ground (no waiver shall be granted to allow signs to exceed thirty-five (35) feet), number of signs, or use of electronic changeable copy signs in order to better implement the purpose and objectives of the sign regulations as determined by making findings that all of the following criteria are met:
1. The waiver will result in improved sign design, in regards to both aesthetics and functionality.
  2. The waiver will result in a sign or signs more compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, surrounding areas, and the zoning district than signs allowed without the waiver.
  3. The waiver will result in a sign or signs that improve, or at least do not negatively impact, public safety, especially traffic safety.
  4. Sign content is not being considered when determining whether or not to grant a waiver.
- B. Variances:
1. Administrative Variance: In reviewing a Sign Permit the Planning Director may grant or deny a variance to relieve a hardship through the Class II Administrative Review process. Such a variance shall only be approved where the variance does not exceed twenty percent (20%) of area, height, or setback requirements. 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 4.196.
  2. Other Variances: Additional to the authority of the Planning Director to issue administrative variances as noted above; the Development Review Board may authorize variances from sign requirements of the Code, subject to the standards and criteria listed in Section 4.196.
- (.09) Temporary Sign Permits: Temporary sign permits shall be reviewed as follows:
- A. 30 days and less- Class I Administrative Review
  - B. 31 days up to 120 days- Class II Administrative Review

- C. When a temporary sign permit is submitted with another temporary use permit the temporary sign permit can be considered part of the broader temporary use permit.
- D. Submission Requirements: Applications for a temporary sign permit shall include the following in addition to the required application fee:
  - 1. Completed application form prescribed by the City and signed by the property owner or their authorized representative,
  - 2. Two copies of sign drawings showing all materials, and showing sign area and dimensions used to calculate areas, and other details sufficient to judge the full scale of the sign or signs,
  - 3. Information showing the proposed sign or signs conform with all applicable code requirements.
- E. Review Criteria: Temporary Sign Regulations in Section 4.156.09

(.10) Waiver of Documentation: The Planning Director may, in his or her discretion, waive an application document for Class I and Class II sign permits where the required information has already been made available to the City, or where the Planning Director determines the information contained in an otherwise required document is not necessary to review the application.

#### **Section 4.156.03 Sign Measurement**

(.01). Sign Area:

- A. Cabinet Signs and Similar: The area for signs enclosed by cabinet, frame, or other background (including lighted surface) not otherwise part of the architecture of a building or structure shall be the area of a shape drawn around the outer dimension of the cabinet, frame, or background.
  - 1. If the cabinet, frame, or background is an irregular shape the signs perimeter shall be measured the same as an individual element sign under B. below.
  - 2. The sign area does not include:
    - a. Foundations, supports, and other essential structures that are not designed to serve as a backdrop or border to the sign;
    - b. Architectural elements of a freestanding or ground mounted sign designed to match or complement the architectural design of buildings on the site not and otherwise meeting the definition of a sign;
    - c. A pole or other structural support, unless such pole or structural support is internally illuminated or otherwise so designed to constitute a display device.

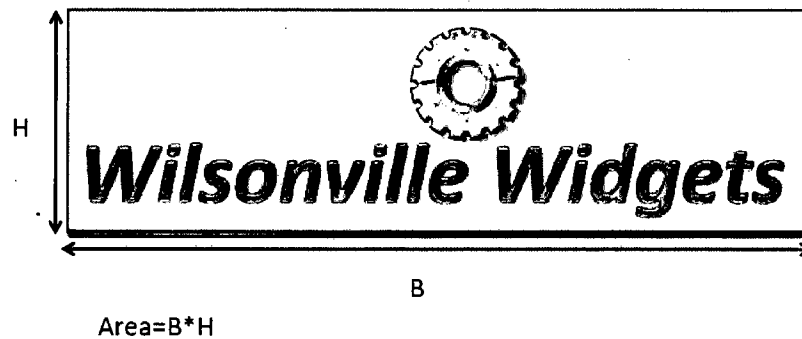


Figure 1. Measurement of Cabinet or Similar Signs

- B. Individual Element Signs: The area for signs constructed of individual elements (letters, figures, etc.) attached to a building wall or similar surface or structure shall be the summed area of up to three squares, rectangles, circles, or triangles drawn around all sign elements.
1. The descender on the lower case letters “q, y, p g, or j.” shall not be included in sign area when the letter otherwise matches the font of other letters in the sign, the descender is no more than 1/2 the cap height of the font, and the descender is no wider than the main body of the letter.

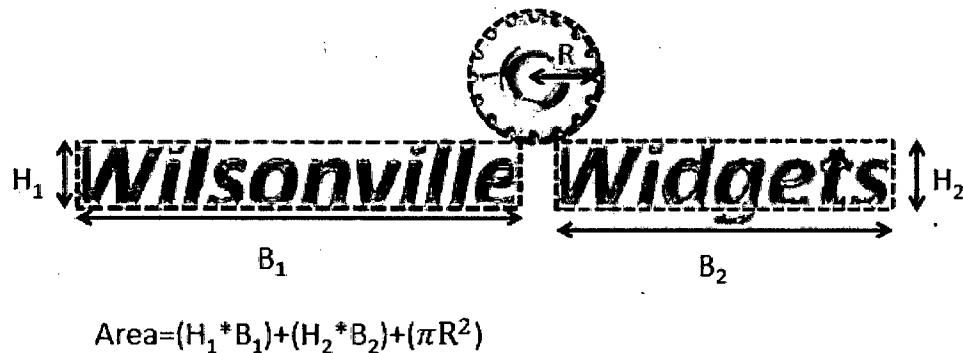


Figure 2. Measurement of Individual Element Signs

- C. Round or Three-Dimensional Signs: The area of a round or three-dimensional sign shall be the maximum surface area visible from any one location on the ground is used to determine sign area measured the same as A. above except if the maximum surface area is an irregular shape the signs perimeter shall be measured the same as an individual element sign under B. above.
- D. Awning or Marquee Signs: The area of signs incorporated into awnings or marquees shall be the area of the entire panel containing the sign measured the same as A. above unless it is clear that part of the panel contains no sign-related display or decoration, other than the background color of the awning.
- E. Painted Wall Signs: The area of painted wall signs shall be determined as follows:
1. If individual elements are painted without a background it shall be calculated in the manner indicated in B. above.



2. If a background is painted it shall be calculated in the manner indicated in A. above.

F. Temporary Signs: The area of temporary signs including banners, lawn, and rigid signs shall be calculated in the manner indicated in A. above.

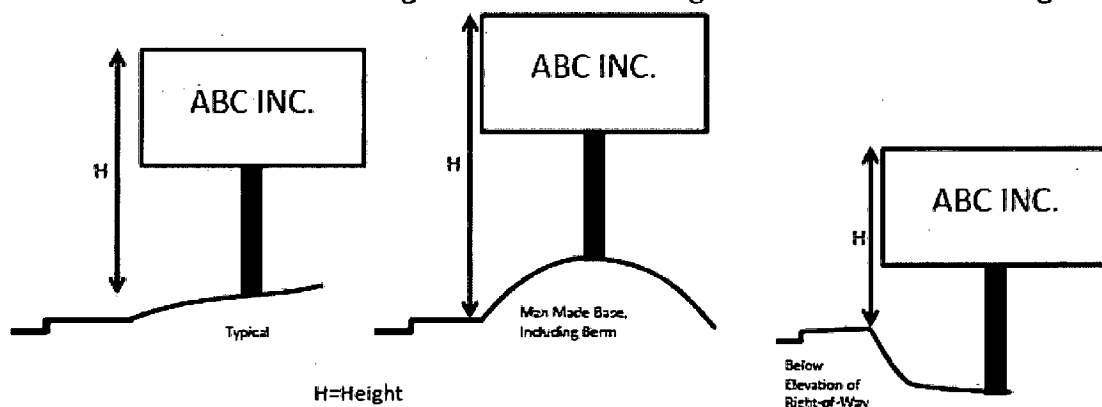
G. Unless otherwise specified, the sign area of a two-sided sign, with two matching sides, shall be considered to be the area of one side. For example, the sign area of a two-sided sign having thirty-two (32) square feet per sign face shall be considered to be thirty-two (32) square feet, unless this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

(.02) Sign Height above Ground:

A. The height above ground of a freestanding or ground-mounted sign is measured from the average grade directly below the sign to the highest point of the sign or sign structure except as follows:

1. A freestanding or ground mounted sign on a man-made base, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb to the highest point of the sign or sign structure. In all cases signs on a berm shall be allowed to be eight (8) feet in height from the top of the berm.
2. A freestanding or ground mounted sign placed below the elevation of the right-of-way it fronts shall be measured from the lowest point in the right-of-way along the frontage to the highest point of the sign.

How to Measure Height of a Freestanding or Ground Mounted Sign



(.03) Sign Height and Length:

- A. Height of a sign is the vertical distance between the lowest and highest points of the sign.
- B. Length of a sign is horizontal distance between the furthest left and right points of the sign.

(.04) Final Determination of Sign Measurement: The Planning Director shall be responsible for determining the area, height above ground and height and length of a sign, subject to appeal as specified in Section 4.022. Applicants for sign plans and permits shall provide the dimensions needed to calculate the area, height above ground, height, and length.

**Section 4.156.04 Non-Conforming Signs.**

- (.01) 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 Sections 4.189 through 4.190. 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. However, a sign that is required to be moved solely because of a public taking may be replaced on the site, and maintain its non-conforming status, subject to a Class II Sign Permit, provided the replacement sign is found to not increase in non-conformity to current code standards other than required setbacks.

**Section 4.156.05 Signs Exempt From Sign Permit Requirements.**

- (.01) 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:
- A. Traffic or other governmental or directional signs, as may be authorized by the City or other units of government having jurisdiction within the City.
  - B. 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.
  - C. Flags displayed from permanently-located freestanding or wall-mounted flagpoles that are designed to allow raising and lowering of flags. One site may have up to two (2) exempt flags; no exempt flag may be more than thirty (30) feet in height.
- (.02) 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.
- A. Signs inside a building except for prohibited signs listed in Section 4.156.06.
  - B. Name Plates and Announcements.
    - 1. A sign identifying the name, street address, occupation and/or profession of the occupant of the premises in the aid of public health and safety. 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.
    - 2. 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.

- C. 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:
  - 1. The sign area does not exceed three (3) square feet per sign face,
  - 2. The sign location is not within public rights-of-way and meets City vision clearance requirements;
  - 3. No sign lighting;
  - 4. No logo or a logo that does not exceed one (1) square foot in size; and
  - 5. No more than one (1) directional sign is located on the same tax lot.
- D. 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.
- E. Signs not visible from any off-site location.
- F. Holiday lights and decorations, in place between November 15 and January 15.
- G. Signs on scoreboards or ballfields located on public property.
- H. One small decorative banner per dwelling unit placed on site, in residential zones.
- I. Lawn Signs meeting the standards of Table S-1 and the following conditions:
  - 1. Such signs shall not be intentionally illuminated and shall not display movement.
  - 2. Such signs shall not obscure sight lines of the motoring public, obscure traffic or other government signs, or create a nuisance to the use or occupancy of any property.
  - 3. Lawn signs associated with temporary events may be posted no longer than sixty (60) days before the beginning of an event and must be removed at the event's completion.
  - 4. Lawn signs not associated with temporary events may be posted for one period of up to sixty (60) days in a calendar year.
  - 5. Such signs may be up to six (6) feet in height.
  - 6. Such signs may be one (1) or two (2) sided.
- J. 10. Rigid Signs meeting the standards of Table S-1 and the following conditions:
  - 1. Such signs shall not be intentionally illuminated and shall not display movement.
  - 2. Such signs shall not obscure sight lines of the motoring public, obscure traffic or other government signs, or create a nuisance to the use or occupancy of any property.
  - 3. Such signs may be up to six (6) feet in height, except signs on lots with an active construction project (active building permit), which may be up to ten (10) feet in height. (Note that signs exceeding six (6) feet in height typically require building permits.)
  - 4. Such signs may be one (1), two (2), or three (3) sided.
  - 5. On Residential and Agriculture zoned lots:
    - a. A rigid sign not associated with an ongoing temporary event may be displayed for no more than sixty (60) days each calendar year.
    - b. A rigid sign associated with an ongoing temporary event may be displayed for the duration of that event. Note: Section 4.156.06 (.01) Q. of this Code

prohibits signs associated with temporary events to remain posted after the completion of the event.

6. On Commercial, Industrial, or Public Facility zoned lots:
    - a. A rigid sign not associated with an ongoing temporary event may be displayed for no more than ninety (90) days each calendar year.
    - b. A rigid sign associated with an ongoing temporary event may be displayed for the duration of that temporary event. Note: Section 4.156.06 (.01) Q. of this Code prohibits signs associated with temporary events to remain posted after the completion of the event.
    - c. A temporary event must have an end, marked by the occurrence of a specifically anticipated date or happening. A temporary event may not be a part of a broader, continuing event or of related, serial events. Temporary events shall not be defined by content, but may include isolated merchandise sales or discounts, or availability of real estate for sale or lease.
- K. Signs allowed in Subsections 6.150 (1) and (2) Wilsonville Code for special events.

#### **Section 4.156.06 Prohibited Signs**

- (.01) **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.
  - D. Changeable copy signs that use lighting changed digitally, unless specifically approved through a waiver process connected with a Class III Sign Permit or Master Sign Plan. In granting a waiver for a digital changeable copy signs the DRB shall ensure the following criteria will be met:
    1. The sign shall be equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with ambient light conditions and the sign owner shall ensure appropriate functioning of the dimming technology for the life of the sign.
    2. The luminance of the sign shall not exceed five thousand (5000) candelas per square meter between sunrise and sunset, and five hundred (500) candelas per square meter between sunset and sunrise.
  - E. 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 sign permit procedures or the architectural design of a building makes the

roof below the roofline a practicable location of signs on a building and the general location of signs on the roof is approved by the DRB during Stage II Approval, as applicable, and Site Design Review. The DRB shall not approve a permanent sign that extends above the roofline.

- F. Signs obstructing vision clearance areas.
- G. Pennants, streamers, festoon lights, balloons, and other similar devices intended to be moved by the wind, unless specifically authorized in an approved sign permit.-
- H. Signs attached to trees, public sign posts, or public utility poles, other than those placed by appropriate government agencies or public utilities.
- I. 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 such as Digital Changeable Copy Signs. This is not intended to prohibit the use of neon or LED's as a source of illumination.
- J. Signs that use flame as a source of light or that emit smoke or odors.
- K. 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.
- L. 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.
- M. 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.
- N. Signs located on public property in violation of Section 4.156.10.
- O. Signs placed on private property without the property owner's permission.
- P. Signs erected or installed in violation of standards prescribed by the City of Wilsonville, State of Oregon or the U.S. government.
- Q. Signs associated with temporary events, after the temporary event is completed.
- R. Any private signs, including window signs, with a luminance greater than five thousand (5000) candelas per square meter between sunrise and sunset and five hundred (500) candelas per square meter between sunset and sunrise.
- S. Video Signs

**Section 4.156.07 Sign Regulations In Residential Zones.**

- (.01) Ground Mounted Signs for Residential Developments. One ground mounted sign, not exceeding eighteen (18) square feet in area and six (6) feet in height above ground, shall be permitted for each residential subdivision or for any multi-family development.
  - A. Additional ground mounted signs of eighteen (18) square feet or less shall be permitted for additional entrances to the subdivision or development located on a separate street frontage or on the same street frontage located at least two hundred (200) feet apart.
  - B. For one entrance on a street frontage, an additional ground mounted sign may be placed on opposite side of the street or private drive at the intersection.
- (.02) Ground Mounted Signs for Outdoor Recreational Areas on Separate Lots: Public or private Parks or other similar outdoor recreational areas on separate lots than dwelling units are allowed one (1) ground mounted sign of eighteen (18) square feet or less in area and six (6) square feet or less in height above ground.
- (.03) Non-Residential Uses: Non-residential or recreation uses shall be subject to the sign regulations for PDC, PDI, and Public Facility zones.

**Section 4.156.08 Sign Regulations in the PDC, PDI, and PF Zones.**

- (.01) Freestanding and Ground Mounted Signs
  - A. One freestanding or ground mounted sign is allowed for the first two-hundred (200) linear feet of site frontage. One additional freestanding or ground mounted sign may be added for through and corner lots having at least two-hundred (200) feet of frontage on one street or right-of-way and one-hundred (100) feet on the other street or right-of-way. The allowed height above ground of a freestanding or ground mounted sign is twenty (20) feet except as noted in 1.-2. below.
    - 1. The maximum allowed height above ground for signs along the frontage of Interstate 5, and parallel contiguous portions of streets, as identified in Figure 4.156.08-1, associated with multiple tenants or businesses may be increased by three (3) feet for each tenant space of ten thousand (10,000) square feet or more of gross floor area up to a maximum of thirty-five (35) feet.
    - 2. The allowed height above ground for signs in the PDC-TC Zone, Old Town Overlay Zone, and PDI Zone is eight (8) feet, except those signs along the frontage of Interstate 5 and parallel contiguous portions of streets noted in 1 above.
  - B. The maximum allowed area for each freestanding or ground-mounted sign is determined based on gross floor area and number of tenant spaces:
    - 1. For frontages along streets other than those indicated in 2. below sign area allowed is calculated as follows:
      - a. The sign area allowed for signs pertaining to a single tenant:

Gross Floor Area in a Single Building	Maximum Allowed Sign Area
Less than 11,000 sf	32 sf
11,000-25,999 sf	32 sf + 2 sf per 1000 sf of floor area greater than 10,000 rounded down to the nearest 1,000 sf

26,000 sf or more	64 sf
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- i. For PF (Public Facility) zoned properties adjacent to residential zoned land the maximum allowed area is thirty-two (32) square feet.
- b. The maximum allowed sign area for signs pertaining to multiple tenants or businesses is thirty-two (32) square feet plus the following for each tenant space:

Gross Floor Area of Tenant Space	Additional Allowed Sign Area for Tenant Space
Less than 1,000 sf	3 sf
1,000-10,999	3 sf + 3 sf per 1,000 sf of floor area rounded down to the nearest 1,000 sf
11,000 sf or more	32 sf

- i. The total sign area shall not exceed two hundred (200) square feet, except in the PDC-TC Zone, Old Town Overlay Zone, and PDI Zone the total sign area shall not exceed eighty (80) square feet.
  - ii. Though the maximum allowed sign area is calculated based on number of tenant spaces and their size, the content of the sign and area used for different content is at the discretion of the sign owner, except for required addressing.
2. Signs fronting Interstate 5 and parallel contiguous street sections, as identified in Figure 4.156.08-1 on pages \_\_ to \_\_:
- a. For signs on properties or within developments with a single tenant or business the sign area allowed is sixty-four (64) square feet.
  - b. For signs on properties or within developments with multiple tenants or businesses the maximum allowed area is sixty-four (64) square feet plus an additional thirty-two (32) square feet for each tenant space of 10,000 square feet or more of gross floor area up to a maximum total sign area of three hundred (300) square feet.
    - i. Though the sign area allowed is calculated based on number of large tenant spaces, the content of the sign and area used for different content is at the discretion of the sign owner, except for any required addressing.
- C. Pole or sign support placement shall be installed in a full vertical position.
- D. Freestanding and ground mounted signs shall not extend into or above public rights-of-way, parking areas, or vehicle maneuvering areas.
- E. The location of free standing or ground mounted signs located adjacent to or near the Public Right-of-Way shall be in compliance with the City’s Public Works Standards for sight distance clearance. Prior to construction, the location of the sign shall be approved by the City of Wilsonville Engineering Division.
- F. Freestanding and ground mounted signs shall be designed to match or complement the architectural design of buildings on the site.
- G. For freestanding and ground mounted signs greater than eight (8) feet in height, the width of the sign shall not exceed the height.
- H. Along street frontages in the PDC-TC Zone and Old Town Overlay Zone monument style signs are required.

- I. Freestanding and ground mounted signs shall be no further than fifteen (15) feet from the property line and no closer than two (2) feet from a sidewalk or other hard surface in the public right-of-way.
- J. Except for those signs fronting Interstate 5, freestanding and ground mounted signs shall include the address number of associated buildings unless otherwise approved in writing by the City and the Fire District.
- K. When a sign is designed based on the number of planned tenant spaces it shall remain a legal, conforming sign regardless of the change in the number of tenants or configuration of tenant spaces.

(.02) Signs on Buildings

- A. Sign Eligible Facades: Building signs are allowed on a facade of a tenant space or single tenant building when one or more of the following criteria are met:
  - 1. The facade has one or more entrances open to the general public;
  - 2. The facade faces a lot line with frontage on a street or private drive with a cross section similar to a public street, and no other buildings on the same lot obstruct the view of the building facade from the street or private drive; or
  - 3. The facade is adjacent to the primary parking area for the building or tenant.
- B. Sign Area Allowed:
  - 1. The sign area allowed for all building signs on a sign eligible façade is shown in the table below:

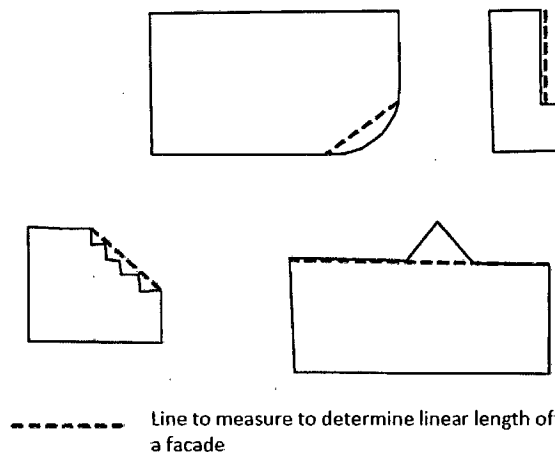
Linear Length of Façade (feet)	Sign Area Allowed*
Less than 16	Area equal to linear length
16 to 24	24 sf
Greater than 24 to 32	32 sf
Greater than 32 to 36	Area equal to linear length
Greater than 36 to 72	36 sf
Greater than 72	36 sf plus 12 sf for each 24 linear feet or portion thereof greater than 72 up to a maximum of 200 sf

\*Except as noted in 2. through 5. below

- 2. The sign area allowed for facades with a primary public entrance or with a frontage along a public street dominated by windows or glazing may be increased by transferring to the façade up to one half (1/2) the sign area allowed for adjacent facades up to fifty (50) square feet. In no case shall the allowed sign area exceed an area equal to the linear length of the façade.
- 3. The sign area allowed is increased as follows for signs at separate building entrances:
  - a. For building entrances open to the general public located at least fifty (50) feet apart on the same facade, the sign area allowed is increased by fifty (50) percent up to fifty (50) square feet.
  - b. For building entrances located less than fifty (50) feet apart on the same facades, the sign area allowed is increased by twenty (20) percent up to twenty (20) square feet.



4. For businesses occupying multiple buildings in a campus setting, sign area shall be limited to that allowed for the largest building, which may then be distributed throughout the campus.
5. If a façade otherwise not sign eligible faces a lot line with frontage on Interstate 5, the applicant can transfer sign area allowed from one (1) of the locations described in a. and b. below. In no case shall the allowed sign area exceed an area equal to the allowed sign area for a sign eligible façade of the same linear length.
  - a. The freestanding sign along the Interstate 5 frontage. This generally involves placing building signs on the subject façade in lieu of installing a freestanding sign.
  - b. Adjacent façade, when a majority of the adjacent façade from which the sign area is being transferred is visible from Interstate 5.
6. Calculating linear length of a façade for the purpose of determining maximum sign area allowed. For facades of a single tenant building the length the facade measured at the building line, except as noted in a. and b. below. For multi-tenant buildings the width of the façade of the tenant space shall be measured from the centerline of the party walls or the outer extent of the exterior wall at the building line, as applicable, except as noted in a. and b. below. Applicants shall provide the dimensions needed to calculate the length. Each tenant space or single occupant building shall not be considered to have more than five (5) total facades.
  - a. If a façade is curvilinear, stepped, or otherwise not a straight line, the façade shall be measured by drawing a straight line between the edges of the façade as shown in the figure below.
  - b. For an “L” shaped tenant space or single tenant building the longest leg of the interior of the “L” shall be basis for measuring the length of the L-shaped facade. Sign area allowed based on longest leg can be distributed between legs.



B. The length of individual tenant signs shall not exceed seventy-five (75) percent of the length of the facade of the tenant space.

- C. The height of building signs shall be within a definable sign band, fascia, or architectural feature and allow a definable space between the sign and the top and bottom of the sign band, fascia, or architectural feature.
  - D. Types of signs permitted on buildings include wall flat, fascia, projecting, blade, marquee and awning signs. Roof-top signs are prohibited.
- (.03) Additional signs. Notwithstanding the signs allowed based on the site in (.01) and (.02) above, the following signs may be permitted, subject to standards and conditions in this Code:
- A. Directional Signs: In addition to exempt directional signs allowed under Subsection 4.156.05 (.02) C. freestanding or ground mounted directional signs six (6) square feet or less in area and four (4) feet or less in height:
    - 1. The signs shall be designed to match or complement the architectural design of buildings on the site;
    - 2. The signs shall only be placed at the intersection of internal circulation drives; and
    - 3. No more than one (1) sign shall be placed per intersection corner with no more than two (2) signs per intersection.
  - B. Planned Development signs – up to thirty (32) square feet of the allowed sign area for freestanding signs in a planned development may be used for a separate on-site monument sign or off-site monument sign on an adjacent parcel identifying the Planned Development project.
  - C. Blade Signs: To aid in pedestrian wayfinding, one (1) blade sign, not to exceed six (6) square feet, per facade eligible for building signs. Blade signs shall provide a minimum of eight (8) feet clearance from the ground.
  - D. Fuel or Service Station Price Signs. In addition to the freestanding or ground mounted signs allowed, changeable copy signs shall be allowed for the purpose of advertising fuel prices, subject to the following standards and conditions:
    - 1. The signs shall have a maximum of eleven (11) square feet in area per face per type of fuel sold and shall be permanently affixed to the building or a freestanding sign.
    - 2. The signs shall not be considered in calculating the sign area or number of signs allowed.
    - 3. Signs on fuel pumps shall be permitted, providing that they do not project beyond the outer edge of the pump in any direction.

**Section 4.156.09 Temporary Signs In All Zones.**

The following temporary signs may be permitted in addition to the permanent signs allowed in different zones and exempt temporary signs unless specifically prohibited in a master sign plan or other sign approval:

- (.01) General Allowance: Except as noted in subsection (.02) below up to two (2) temporary signs not exceeding a combined total of twenty four (24) square feet may be permitted per lot or non-residential tenant. Such signs may be banners, rigid signs, lawn signs, portable signs, or other signs of similar construction.
- (.02) Opening banner for a new business or housing development: A banner corresponding with the opening of a new business or housing development may be permitted, subject to the following standards and conditions:
  - A. 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.
  - B. Such banner may be two-sided but shall not exceed thirty-two (32) square feet per face.
- (.03) Annual Event Signs: Up to ten (10) lawn signs may be permitted to be located in the public right-of-way for up to fourteen (14) days if all of the following are met:
  - A. Signs will not be located in the areas listed in Subsection 4.156.10 (.01) A. 4.
  - B. The applicant or event has not been issued a permit for and placed signs in the public right-of-way in the previous six (6) months;
  - C. Not more than one (1) other permit has been issued for lawn signs in the right-of-way during the time period the applicant is requesting;
  - D. The event to which the signs pertain is expected to attract two hundred fifty (250) or more people;
  - E. The request is not in addition to exempt lawn signs for large special events allowed for in Section 6.150; and
  - F. The applicant has indicated on a map the exact locations the signs will be placed and has submitted an application along with the required fee.
- (.04) Inflatable Signs: Inflatable signs may be permitted for a maximum of fifteen (15) days of display use in any calendar year subject to the following standards and conditions:
  - A. Does not exceed ten (10) feet in overall height; and
  - B. If attached to a building in any manner, it meets applicable building code requirements including consideration of wind loads.

**Section 4.156.10 Signs on City and ODOT Property.**

- (.01) Signs On City Property. For the purposes of this section, City property is defined as physical sites, City rights-of-way, and rights-of-way over which the City has jurisdiction. City property includes, but is not limited to, the following: City Hall, , the Community Center, the Library, parks and open space, Transit and Fleet Building, SMART Central, and the City’s reservoir, pump station, or treatment plant properties.
  - A. Allowed Signs. The following 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.

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. This shall include signs authorized to conform with the State's Tourism Information program and any similar local government 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. Lawn signs may be placed, subject to the standards in subsection 4.156.10 (.01)A. 5., below, on City rights-of-way and rights-of-way over which the City has jurisdiction except 1) those rights-of-way adjoining City properties defined in subsection 4.156.10 (.01) above, and 2) in the following locations where the placement of signs could damage landscaping or interfere with the maintenance of the rights-of-way:
  - a. In any median or landscaped strip inside the City limits as identified below in Sections 4.156.10 (.01) A. 4. b. through p.
  - 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. Either side of Boeckman Road and all islands, from the railroad tracks west to 110<sup>th</sup>.
  - m. Either side of 110<sup>th</sup> between Barber Street and Boeckman Road.
  - n. The eastern side of Grahams Ferry Road from Tooze Road to the City limits.
  - o. Either side of Barber Street between 110<sup>th</sup> and Brown Road, including islands and roundabouts.
  - p. Such other areas as the City may designate as requiring protection from landscape damage.
5. Lawn signs shall meet the following standards and conditions:

- a. Allowed only between the hours of 6 a.m. Friday and 8 p.m. Sunday, and the hours of 9 a.m. and 4 p.m. Tuesdays;
  - b. Not greater than thirty (30) inches in height. A-frame signs may be 24” by 36” provided that they are designed to meet vision clearance requirements (typically not over 30 inches in height when standing);
  - b. Not placed on street surfaces, sidewalks, paths, median strips, or bicycle ways;
  - c. Located within forty (40) feet of an intersection;
  - d. No more than three (3) signs per person; and
  - e. Placed no more than one every fifty (50) feet and at least ten (10) feet away from any other temporary sign.
- (.02) 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.

**Section 4.156.11 Sign Enforcement.**

- (.01) General: 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 4.025.
- (.02) 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.
- (.03) 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.
- (.04) Additional enforcement. The remedies described herein are not exclusive and may be used in addition to those prescribed elsewhere in the Wilsonville Code, including Sections 1.012 and 1.013, Violations, and 6.200 through 6.620, Nuisances. The City

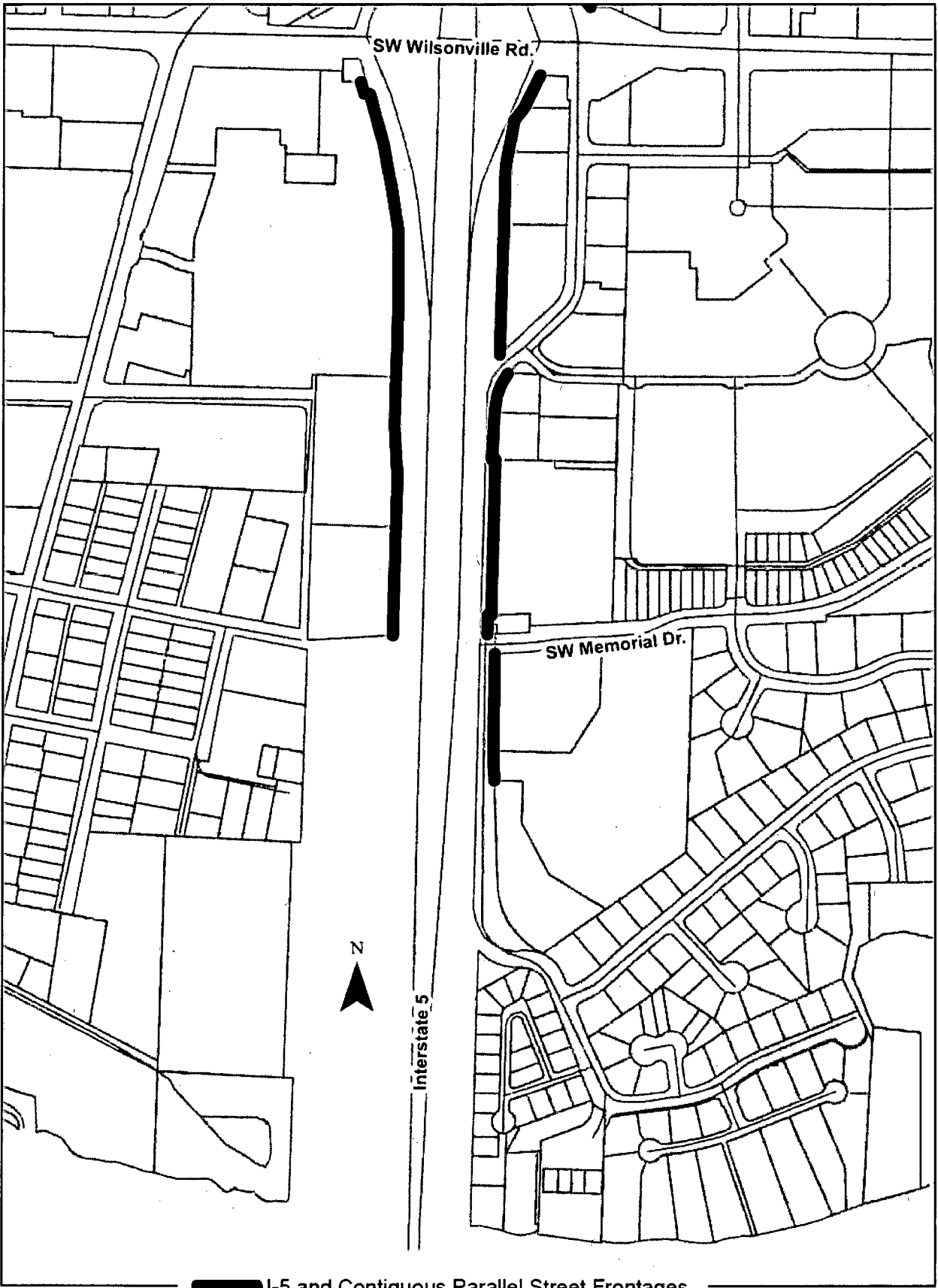
Attorney may use any enforcement process available at law or equity, including but not limited to, seeking injunctive relief, equitable relief, damages, or fines for violations.

Figure 4.156.08-1

Interstate 5 and Contiguous Parallel Street Frontage

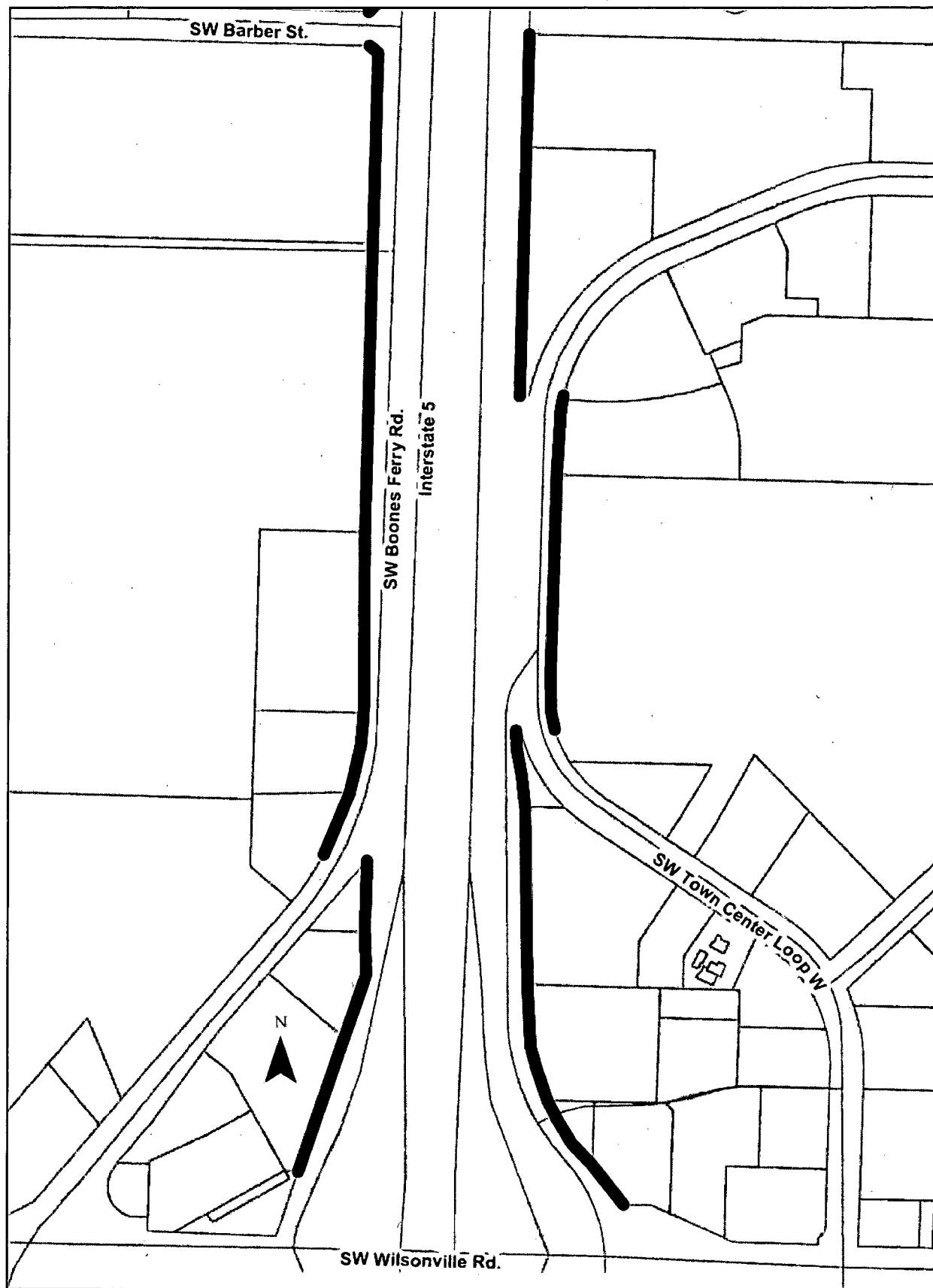


“Clean Read Version”  
Page 22 of 28

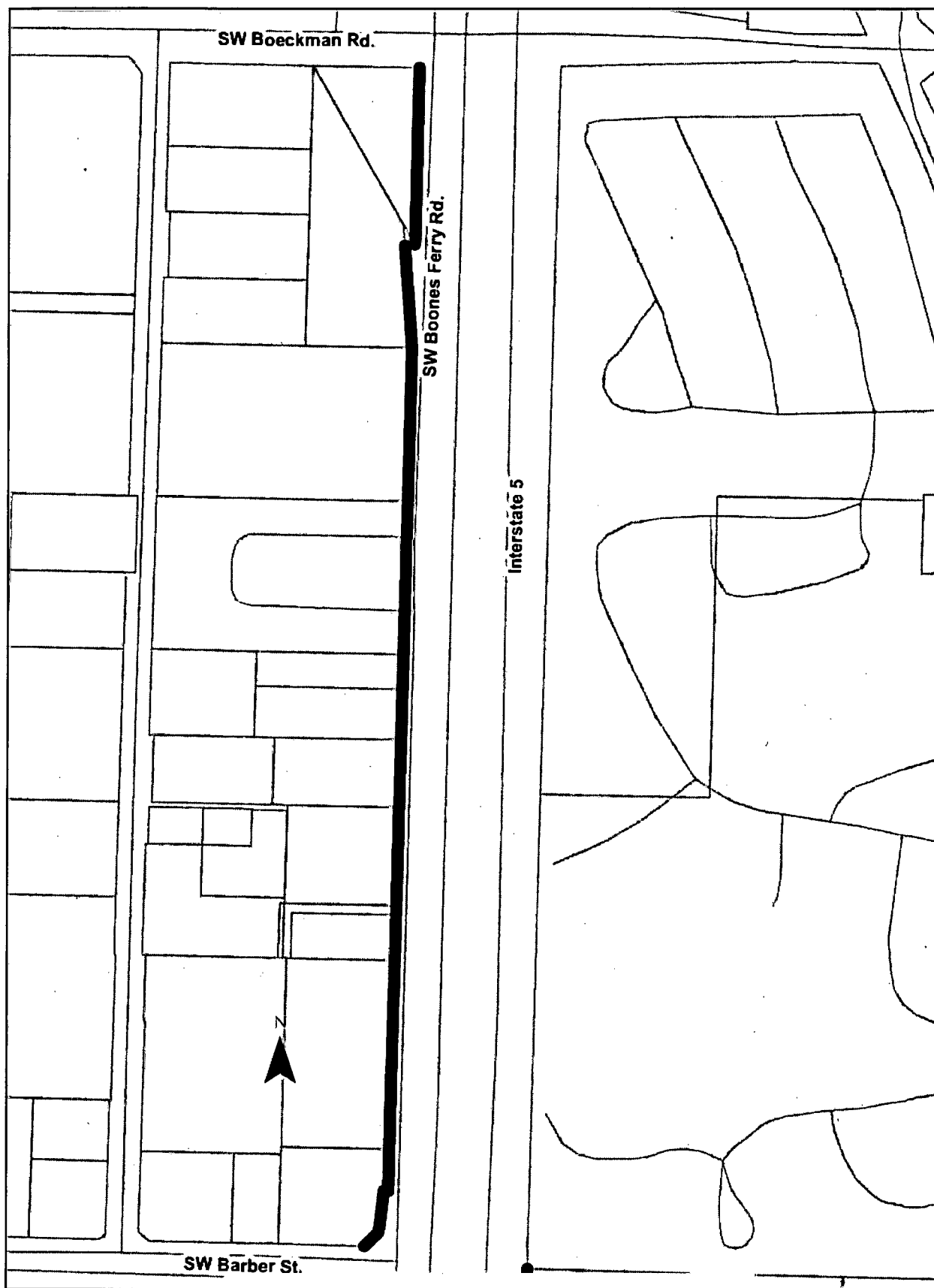


— I-5 and Contiguous Parallel Street Frontages

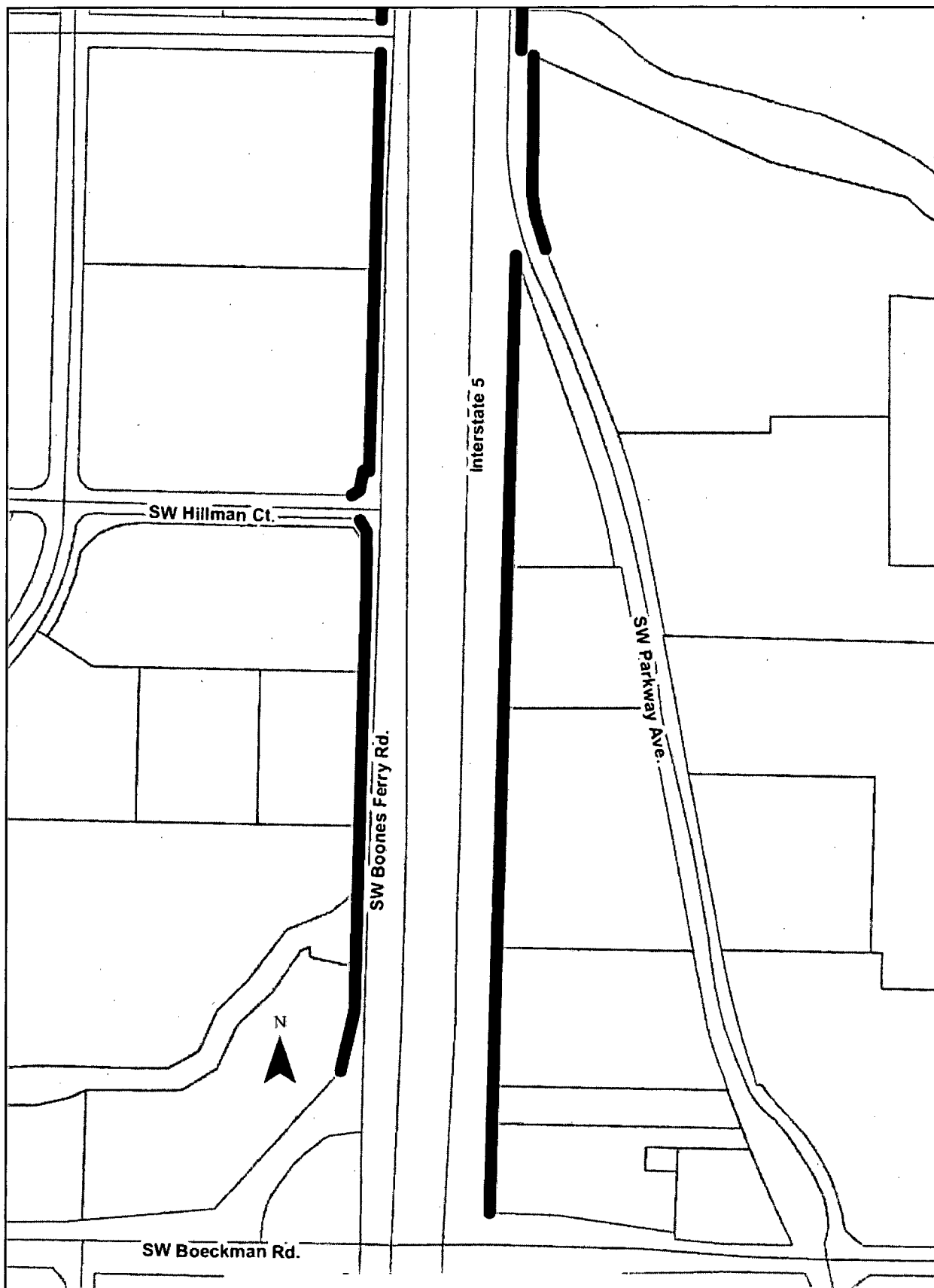




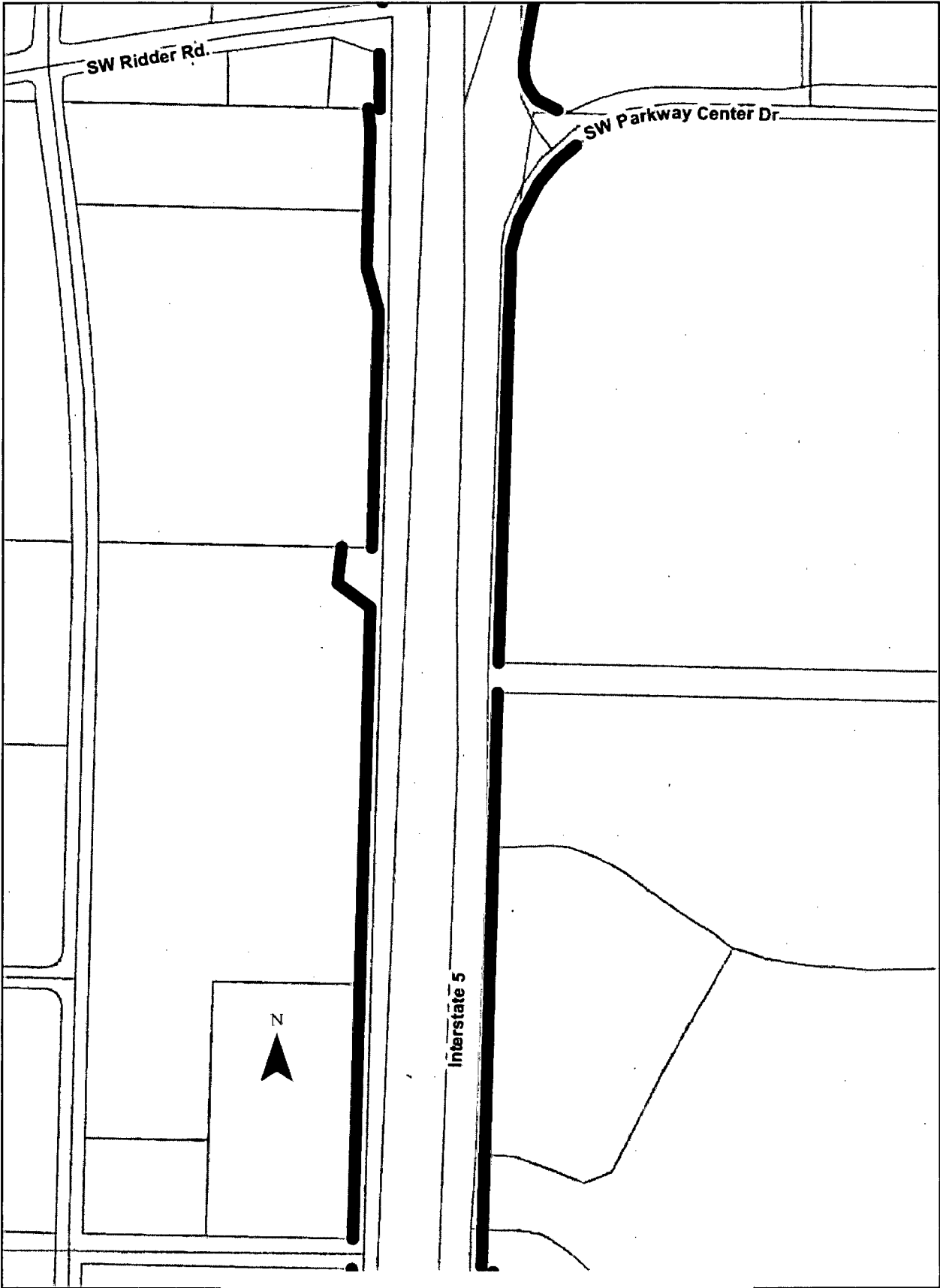
— I-5 and Contiguous Parallel Street Frontages



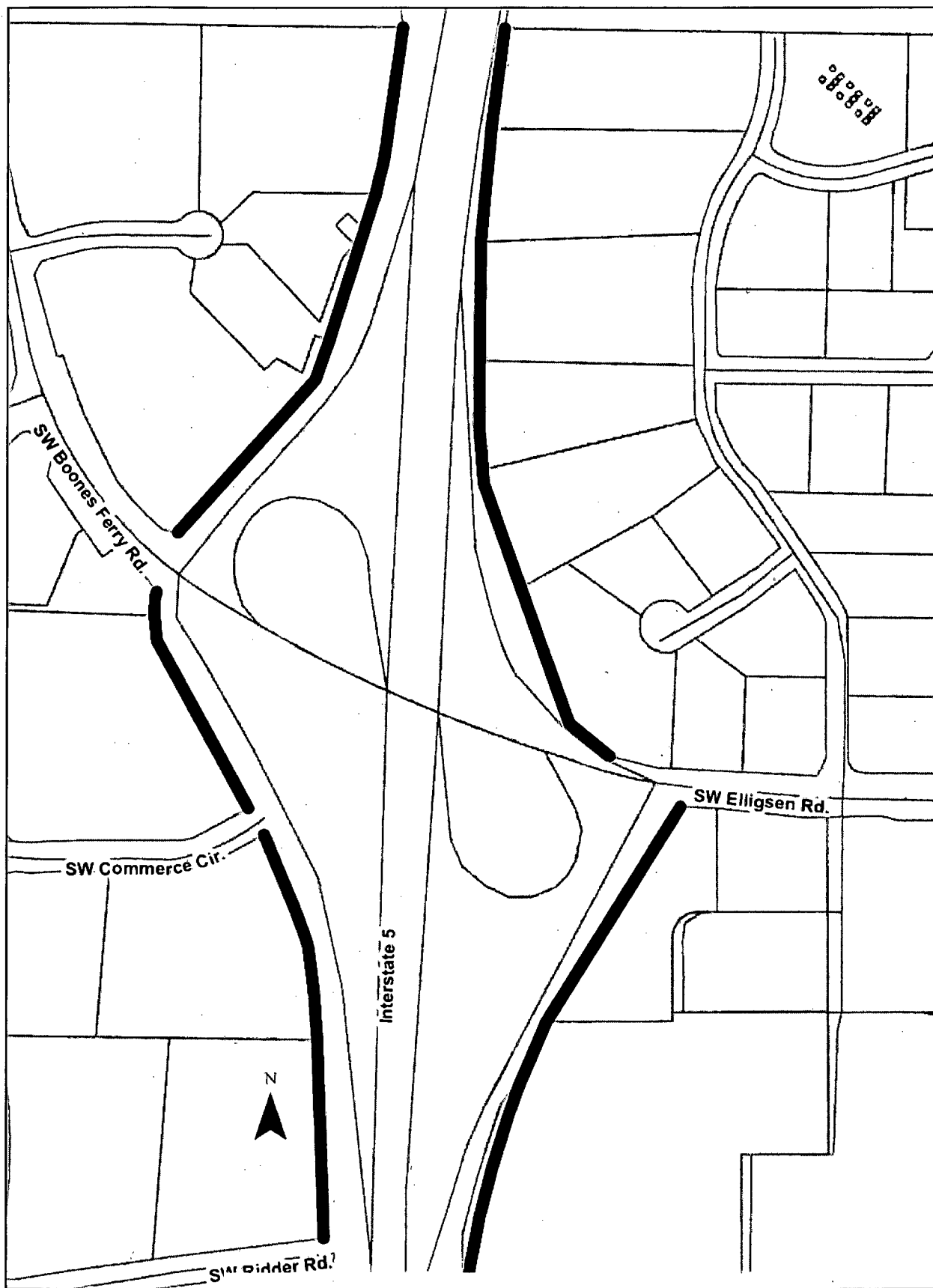
— I-5 and Contiguous Parallel Street Frontages



■ I-5 and Contiguous Parallel Street Frontages



— I-5 and Contiguous Parallel Street Frontages



— I-5 and Contiguous Parallel Street Frontages

## Sign Code Revision Planning Commission Record Index

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### Documents Distributed for Planning Commission Work Sessions

#### March 14, 2012

- Minutes Excerpt
- Paper copy of PowerPoint presentation shown at meeting, "Sign Code Update Work Session"
- A letter dated March 8, 2012, from Jim Benya of Benya Lighting Design, regarding Notes from Field Sign Light Measurements.
- A series of emails between Dan Pauly and Commissioners Levit, Phelps and Altman, regarding Comment on February meeting handouts; the last one dated March 7, 2012.
- A series of emails between Dan Pauly and Commissioners Levit, Phelps and Altman, regarding Comment on February meeting handouts; the last one dated March 5, 2012.
- Planning Commission Staff Report dated March 8, 2012 for March 14, 2012 meeting date regarding Continuing of Recommended Sign Code Updates. *(Draft Sign Code text is on file in the Planning Division)*

#### February 8, 2012

- Minutes Excerpt
- Paper copy of PowerPoint presentation shown at meeting, "Sign Code Update Work Session"
- Planning Commission Staff Report dated February 2, 2012 for February 8, 2012 meeting date regarding Continuing of Recommended Sign Code Updates. *(Draft Sign Code text is on file in the Planning Division)*

#### December 14, 2011

- Minutes Excerpt
- Paper copy of PowerPoint presentation shown at meeting, "Updated Draft of Purpose of Objectives, Proposed Timeline for Review, Definition of 'Sign', Sign Measurement"
- A Planning Division Memorandum dated December 14, 2011, from Dan Pauly, regarding Additional Recommended Changes to Objective A and B of Sign Code.
- A series of emails exchanged between Commissioner Levit and Dan Pauly, final one dated December 14, 2011, with the subject RE: PC meeting
- A series of emails exchanged between Melissa Hayden of Security Signs and Dan Pauly, final one dated December 12, 2011, with the subject Wilsonville Sign Code Revision Update and Invitation to Comment December 2011.

## Sign Code Revision Planning Commission Record Index

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- Planning Commission Staff Report dated December 7, 2011 for December 14, 2011 meeting date regarding Continuing Draft Sign Code Discussion with attached:
  - Appendix A Redlined Version of Measurement Language

### November 9, 2011

- Minutes Excerpt
- Paper copy of PowerPoint presentation shown at meeting, "Purpose and Objectives Code Structure"
- A memorandum dated November 9, 2011, from Barbara Jacobson, regarding Sign Code.
- An email dated November 8, 2011, from Doris Wehler, regarding Doris' comments on sign code revisions
- Planning Commission Staff Report dated November 2, 2011 for November 9, 2011 meeting date regarding Continuing Draft Sign Code Discussion.

### October 12, 2011

- Minutes Excerpt
- Paper copy of PowerPoint presentation shown at meeting, "Draft Sign Code Purpose and Objectives"
- Planning Commission Staff Report dated October 5, 2011 for October 12, 2011 meeting date regarding Draft Sign Code Purpose and Objectives.

### September 14, 2011

- Minutes Excerpt
- A Planning Commission Staff Report dated September 8, 2011 for September 14, 2011 PC Meeting, regarding Sign Code Revision Update.
- Paper copy of PowerPoint presented at the Work Session.

### July 13, 2011

- Minutes Excerpt
- A Planning Commission Staff Report dated July 6, 2011 for July 13, 2011 PC Meeting, regarding Sign Code Revision Update.
- Development Code Section 4.156 (*On file in the Planning Division*)

**Sign Code Revision**  
**Documents Distributed for Planning Commission Work Sessions**  
**Index**

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**March 14, 2012**

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- A letter dated March 8, 2012, from Jim Benya of Benya Lighting Design, regarding Notes from Field Sign Light Measurements.
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**PLANNING COMMISSION  
WEDNESDAY, MARCH 14, 2012  
6:00 P.M.**

**DRAFT**

**Wilsonville City Hall  
29799 SW Town Center Loop East  
Wilsonville, Oregon**

**Minutes Excerpt**

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**I. CALL TO ORDER - ROLL CALL**

Chair Altman called the meeting to order at 6:00 p.m. Those present:

Planning Commission: Ben Altman, Ray Phelps, Eric Postma, and Peter Hurley. City Councilor Scott Starr arrived after Roll Call. Marta McGuire, Al Levit and Amy Dvorak were absent.

City Staff: Chris Neamtzu, Barbara Jacobson, Eric Mende, Mark Ottenad, Dan Knoll and Daniel Pauly.

**II. WORK SESSIONS**

**B. Sign Code Revisions (Pauly)**

The following additional exhibits were distributed to the Commission at the dais:

- Email discussion between Ben Altman, Al Levit, and Daniel Pauly, final message dated March 5, 2012.
- Notes from Field Sign Light Measurements dated March 8, 2012 from Benya Lighting Design.
- Email discussion between Al Levit, Ray Phelps, Ben Altman, and Daniel Pauly dated March 7, 2012.

Daniel Pauly, Associate Planner, presented the Sign Code Revisions via PowerPoint, providing an overview of the work done at previous work sessions and reviewing the changes made since February. The public hearing on the Sign Code Revisions is planned for the April Planning Commission meeting.

Key items of discussion regarding the changes since February included the following these comments:

- Additional language to differentiate between architecture and signs. One sentence was added to the end of Section 4.001.1 shown on page 9 of 68. If a feature contains protected speech or a trademark, then it is a sign. This seemed like a reasonable, clear line to draw in deciding whether to regulate something as a sign or regulate it through site design review.
  - \* Section 4.001.1.(D) Building Graphics on page 9 of 68, did not address murals and similar items that are art that go on walls but are not signs.
    - Mr. Pauly reminded the Commission discussed murals early in the Sign Code Revision process and the topic was tabled.
  - \* Mr. Neamtzu noted that "mural" meets the definition of sign. If an applicant wanted to use their allowable sign area for a mural, the City would regulate the mural under the Sign Code.
    - The Beauty and the Bridge paintings and other similar items could be considered signs. The Cornelius City Council decided such artwork would not be regulated as signs. Murals or similar art could be address through a waiver.
  - \* "Building mounted sign" is clear, but "building graphics" had an undefined aspect and would open the door to regulate murals under the Sign Code. Murals are not signs, but are something the City would

want to review, perhaps as an architectural component, but not under the Sign Code. For example, an historic mural in Old Town would be art, not a sign.

- One of the biggest hot-button issues for communities is strip clubs, which are considered an art form in the State of Oregon, and therefore protected under the First Amendment. Similarly, would something more mundane, like a mural depicting someone harvesting hops, be considered art that could not be regulated because it is free speech?
- \* Perhaps, murals were something to define out of the Sign Code.
- \* Mr. Pauly believed enough flexibility existed in the Sign Code with waivers to accommodate murals on a case-by-case basis with a community conversation. He clarified that only certain requests/applications with very objective criteria would not go through the DRB.
- \* Section 4.156.02(.01) on page 16 of 68 states "... no sign, permanent or temporary, shall be erected in the City" without a permit. This language did not capture murals; perhaps "erected" should be replaced with "displayed" or "installed."
- \* Expanding the definition to capture things like murals and put them through the Sign Code process would ensure the proposal would go to the people who can make such determinations, rather than someone going to City Staff and saying their proposal was not a sign and should not be regulated as one. Capturing such items within the definition would prompt discussion with Staff about a permit and then a review.
- \* Architectural elements go to DRB for review. A mural might be considered an architectural element, which would be still reviewed, but excluded from Sign Code regulation. If a mural is not a sign, the DRB can make findings to require different materials, colors, and so on under site design review.
- \* There is a tendency to look at content when reviewing a mural. The waiver process does not allow the City to consider content, which would protect speech if something were considered a sign, and protect artistic expression if it were a mural.
- \* The question was whether the City would want to include murals as signs. Generally, art is considered free speech, so the City could not regulate the content, but it could regulate size and other things not related to the content.
  - Vice Chair Postma noted a sign is speech when the sign is wanted, but it is not speech when it is not wanted.
- \* Mr. Neamtzu suggested that Staff discuss the matter further and return with a proposal.
- New requirements for brightness of electronic changeable copy signs. Mr. Pauly reviewed the two proposed changes, noting that he and Lighting Consultant James Benya took brightness readings of several signs in Wilsonville, including signs that could be converted to electronic changeable copy signs, existing signs at gas stations, and other standard channeling signs. The recommendations are as follows:
  - \* Mr. Pauly clarified that brightness during daytime hours could be an issue. Sign industry professionals know that a sign can become unreadable if it is too bright. The requirement would ensure all signs were readable and functioning well. Including daytime brightness standards in sign codes is common.
  - \* The requirement set the standard for the applicant from the beginning. The City would either take a reading of the brightness or call someone to take the reading if a complaint about a sign were received.
  - \* Lighting technology is evolving very quickly. Every sign in the city could easily meet the proposed standard, which would prevent future signs from being overly bright. At this time, brightness or the amount of light emitted by signs is not regulated.
  - \* Mr. Pauly confirmed the lit Toyota wall was 77 candelas per square meter, compared to a typical sign of 300 to 400 candelas per square meter. Color can make a difference in brightness; a white sign is about 10 times brighter than a red sign. The new Mattress Discounters sign was also within the proposed brightness standards.
    - The proposed standard would enable the City to address complaints by reading the candelas of a sign and confirming whether the brightness fell within the standard.
  - \* The Commission confirmed the recommendations regarding an overall brightness level addressed issues regarding a glare definition.

- In Section 4.001.1, clarification was requested about the definitions of (F.) Changing Image Sign and (G.) Changeable Copy Sign on Page 6 of 68. Both signs had the same frequency of change standard of not exceeding once every hour; which blurred the distinction between the two sign types. [1016]
  - Mr. Pauly clarified that signs with replaceable plastic panel signs are considered changeable copy signs. Digital signs that show time, temperature, scrolling stock prices, menus, etc. are considered changing image signs. The current Sign Code prohibits changing image signs unless granted through the waiver process. However, the revised Sign Code defines the changeable copy signs and makes them prohibited unless permitted through a waiver and outright prohibiting changing image signs.
    - Changing copy signs should not be the type that needs to change more often than once per hour. No waiver is proposed for applicants to increase the frequency of change on a changing copy sign to more than once per hour. The idea was to have a similar rate of change as plastic panel-type signs. School announcements could be put up in morning and then changed in the afternoon. Viewers should not notice movement or changing copy.
    - The only exception to the change in frequency would be in an emergency, such as an Amber Alert.
    - A business could not have a scrolling sign featuring prices of items like milk, cigarettes, etc.
  - A waiver or method should be considered to allow a different standard for the frequency of changing copy based on specific information provided by the applicant.
  - Vice Chair Postma questioned why the one-hour time limit was included in the changing image sign definition if such signs were prohibited outright. The Code could state, "any changing movement that is not defined as a changing copy sign as indicated below." Anything other than changing copy would be prohibited.
    - Mr. Pauly suggested setting a relatively low minimum and giving some flexibility to DRB by defining how often a change could be allowed under the waiver process. Staff could research timeframes for frequency of copy changes, which varies from every hour to every couple of minutes or seconds.
  - Chair Altman explained that he wanted to build in some flexibility but still maintain control by the DRB. The DRB set the interval for each sign. Setting one time interval would not work.
  - Streaming signs that display time and temperature create problems for drivers. It seemed the City was trying to prohibit LED billboards where the entire image changes frequently.
  - The Sign Code needed to make the distinction that changing image signs are not allowed. The Code language creates confusion because it gives the impression that some prohibited signs would be allowed if the interval for changing images were once per hour.
  - Vice Chair Postma suggested replacing the added, redline language at the very end of Section 4.001.1(F) with "*which is not otherwise defined as a changeable copy sign in Section 4.001.1(G) below.*" In other words, if a changeable copy sign changes its image or text at a rate of greater than once per hour, it would be a changing image sign, and thus prohibited.
  - Chair Altman added that under "changeable copy sign," the Code could set a timeframe or add language such as, "or as set by the DRB."
    - Adding language to include some sort of minimum interval for changing copy could set up differential treatment and throw predictability out the window. Mr. Pauly responded an applicant would change their sign based on their mode of operation, not because they were permitted to do so more frequently by the DRB.
  - Chair Altman stated if the changing image language were clarified, he could live with the time limit on changeable copy signs.
  - The "changing copy" and "changing image" sign definitions should be clarified. The intent was to continue to prohibit changing image signs under Section 4.001.1(F) but allow changeable copy signs under Section 4.001.1(G).
  - Section 4.001.1(BB) on Page 8 of 68 provided a very short definition of video sign. Staff's research found video signs are an emerging technology that the City may have to deal with soon. Video technology moves faster than lighting technology. Projected image signs were another consideration.

- Chair Altman and Vice Chair Postma suggested combining the language in Section 4.001.1(BB) with Section 4.001.1(F), changing image sign.
- Commissioner Hurley expressed concerned about the one-hour interval for the changeable copy signs. A business or school might need to change its signs more frequently without having a constantly flashing or moving image. He believed a middle ground could be found to accommodate promoting events or selling goods.
  - Mr. Pauly explained that signs with frequently changing copy have not been allowed in Wilsonville. The scope of the Sign Code Revision project was to maintain the same level and pattern of signage that exists today, but clarify confusion and make the Code reasonable so that fewer waivers would be required. The changeable copy section was to provide for the replacement of plastic panel signs that can look bad with clean, modern signage.
- Schools with multiple programs to promote would need to evaluate the cost and design of a larger sign to be able to display more information given the limit on frequency of change.
  - Mr. Neamtzu understood the new Tualatin High School sign was controversial; many neighboring residents complained about that sign application. The City of Tualatin had to create performance standards for that sign, which he believed addressed the brightness and curfew of the sign.
  - Mr. Pauly confirmed he had that case file and could look up what intervals were set for the changing copy on the Tualatin High School sign. He added that schools are often in residential areas, and Staff was recommending that school signage remain at a Class III review because neighbors are often concerned about signage in residential areas.
- Updated waiver criteria. Mr. Pauly briefly reviewed waivers, which are a fundamental tool historically used in Wilsonville's planning and development process to allow for innovation. Waivers are vigorously scrutinized by decision-making panels such as the DRB. A waiver is not a watered-down variance, although a waiver is perceived as a way to get around the standards that is easier than requesting a variance. A waiver is not typically used for a unique circumstance, but instead is used in situations when the applicant is being proactive as part of the comprehensive design of a project. Waivers are not treated lightly, automatically granted, nor designed to avoid community standards. The purpose of waivers is to improve upon objectives and community standards.
- Mr. Pauly explained the language in Section 4.156.02(.08)(A)(3) on Page 20 of 68 was meant to directly implement one of the Sign Code objectives, which discusses fairness and equity for different businesses and applications in the city.
- Vice Chair Postma was concerned that making that the goal that we are going to give waivers based on precedence; that rather than changing the Code legislatively, the Code will be changed based precedence.
  - Mr. Pauly replied Staff was trying to address how to appropriately consider signage for a large warehouse versus a big box retailer. A warehouse with smaller tenants would have smaller signs, versus big box stores, like Fred Meyer, that tend to have larger signs, and given the different architectural elements, it made sense to have larger signs. As discussed, Fred Meyer's sign package would require a waiver, no matter how the standards were written.
- Vice Chair Postma stated that applicants would absolutely consider Fred Meyer's signage as a precedent for having a reasonable amount of signage for a big box retailer. His goal was to increase predictability for applicants; if they fit the parameters, they should get their permit. But if a competitor across the street got a larger sign with a wavier, the applicant must compete, so compatibility with that business gives the applicant a bigger sign, and so on.
  - Mr. Pauly replied he initially thought it would be the opposite, that the smaller; approved signs would set the precedent and if an applicant wanted something larger, a specific finding would be needed to show why the requested signage did not follow the standard established by the Sign Code.
- Vice Chair Postma noted he had never seen a DRB waiver for a sign smaller than what the Code allowed. The provision was an invitation to see an upward spike in signs that would grow exponentially over time if precedent was part of the waiver equation.

- Chair Altman shared Vice Chair Postma's concern, but noted Section 4.156.02(.08)(A)(3) may not be needed since the revised Sign Code provided added flexibility and improved proportionality per elevation which addressed many of the issues.
  - Mr. Pauly replied the section was easy to remove; his concern was that an applicant could get a huge sign that is out of proportion with other signs of similar uses in the city.
- Would removal make a difference since equity was still in the purpose provisions? Criteria had been added to the Purpose Statement about the objectives of having equity, so an applicant could use that as a basis for requesting a waiver without the Code giving them a "free ticket."
  - Mr. Pauly responded the idea behind Section 4.156.02(.08)(A)(3) was to better implement the specific Sign Code objectives. An applicant requesting a waiver would need to be able to perform better on the objectives than the sign standards. Consistency was one of the Code standards, however consistency talked more about the process, not necessarily the signs.
- Chair Altman suggested revising the section to emphasize justifying the basis for the waiver being due to specific circumstances, whether due to the site, location etc., rather than simply wanting a waiver to be equal to someone else's signage. Mr. Pauly agreed that was a good point.
- Vice Chair Postma still advocated for the removal of Section 4.156.02(.08)(A)(3) because it gave a broader and different standard than what was in the purpose section, which does not discuss precedent, but equitable and consistent application. He preferred pointing applicants to the Purpose section than giving them purpose plus.
  - Mr. Pauly explained that Sections 4.156.02(.08)(A)(1 through 5) were for ease of reference. Pointing an applicant back to the purpose and objectives would allow for a lot of interpretation. Including those sections was to rewrite the objectives as a criteria or basis for applying for a waiver. An applicant would need to justify a sign much larger than a comparable use elsewhere in the city.
- Chair Altman believed that a variance, not a waiver, should allow a reduction in the standard setback 10 ft from right-of-way. He recalled the Holiday Inn's new sign encroached into the right-of-way and blocked a nearby Chevron sign because the measurement was taken from the back of the sidewalk, but in that location, the right-of-way is 6 ft behind the sidewalk, so the sign encroached into the right-of-way.
  - Mr. Pauly explained the recommended setback is between 2 ft and 15 ft from the right-of-way. The current standard in the Town Center is 2 ft to 15 ft for signs directed toward the right-of-way for wayfinding. The Code stated that setbacks are for buildings, and by definition, buildings have to cover something. A sign is not a building, but a sign outside the 2 ft to 15 ft setback standard should probably require a variance.
- Chair Altman stated as long as the process allowed for notice and provided an opportunity for input it would be fine.
- Mr. Pauly explained on a two-dimensional site design, a pole sign might be allowed closer than 10 ft to keep the sign within the required landscaping buffer between the parking and street to avoid having a sign overhanging parking or replacing a parking lot tree.
  - The Holiday Inn sign was one reason that so many sign applications/administrative variances were changing from Class I to Class II Administrative Review. New signs can certainly impact adjacent property owners.
- Vice Chair Postma clarified that he did not necessarily approve of the language discussed in Section 4.156.02(.08)(A), but he would let it stand. While Section 4.156.02(.08)(A)(1) would allow for a lot of interpretation with regard to aesthetics and functionality, providing such was unavoidable because the Code is trying to address compatibility for the overall site. Some subjectivity was necessary since objective definitions could not be included to address every situation that could arise.
- Chair Altman added he was okay with the other criteria and the Class II process because it allowed an applicant to make the argument for a waiver.
- Updating method for determining the maximum allowed height and area for freestanding and ground-mounted signs. Because many possible circumstances exist, the Code must accommodate and anticipate a

variety of scenarios with objective standards. Mr. Pauly reviewed the proposed method, which addressed single- and multiple tenant business signage according to whether or not the business was located near the freeway. He noted the low, monument-style signs were retained in Town Center and Old Town which is in keeping with the pedestrian nature of those areas along Boones Ferry Rd.

- Updated method for determining maximum allowed building sign area.
  - Section 4.156.08(.02)(A)(2)(b)(4) on Page 36 of 68 seemed to allow an applicant to calculate the sign area allowed for the largest building on a campus setting and use that size for every building on that campus regardless of the building's size. The phrase "which may then be used throughout the campus" indicated that a huge sign could be used for every building on that campus.
  - Deleting the phrase and putting a period after "largest building" was suggested.
  - Mr. Pauly clarified that one sign would be sized according to the largest building, but could be put anywhere on the campus, such as Mentor Graphics or Xerox. He would refine the language in that section.
- Concerns about conflicting language in the measurement and minor adjustment language regarding descenders on letters such as "g" and "y" had been addressed. The measurement language would be appropriate for new sign plans and not measure the descender. However, many existing sign plans still measure the descenders, so the minor adjustment language allows existing master sign plans to take advantage of the minor adjustment, but the language has been changed to differentiate between the measurement language and minor adjustment language.
  - Mr. Pauly clarified that language regarding descenders is in two places in the Sign Code, under sign measurement and under minor adjustments.
- Chair Altman stated that he liked the update regarding how to measure irregularly shaped and L-shaped buildings.

Chair Altman opened the floor for public comment on the Sign Code revisions.

Doris Wehler, 6855 SW Boeckman Rd, Wilsonville, commented that the Chamber looked at the interval time for changing signs and had recommended the City use a 15-minute interval rather than an hour. She asked why the interval could not be 15 minutes, which was long enough to prevent people from stopping traffic to read a sign. She asked if the Code allowed people on sidewalks to wave handheld signs as long as they follow rules about distance from intersections, etc.

Chair Altman stated allowing people to hold signs was a free speech issue. He confirmed that signs are allowed on cars as part of interstate commerce.

Ms. Wehler noted that the panhandling ordinance did include language about not obstructing sidewalks. She understood that a vehicle with a sign could not be parked somewhere for a length of time as an advertisement.

Mr. Neamtzu replied signs in the bed of a pickup truck could be parked as an advertisement for a certain time period. Human billboards are not an issue as long as they are not obstructing citizens' movement.

Ms. Wehler confirmed the same standard applied to a person that is a sign, such as Ronald McDonald.

The Commission revisited the discussion about a shorter change interval for changeable copy signs, as 15 minutes seemed reasonable. Vice Chair Postma suggested approaching the issue from what the City was trying to avoid, which was having signs that change very frequently. He suggested choosing an interval time and then make sure that number is vetted throughout the approval process.

Chair Altman confirmed a public hearing for the Sign Code Revisions was scheduled for April 2012.

Mr. Neamtzu thanked the Planning Commission for its work on the Sign Code and praised Mr. Pauly for his work. He also confirmed that Mark Pruitt was on the mailing list for the notice of the upcoming hearing.





## Sign Code Update Work Session

Wilsonville Planning Commission  
March 14, 2012

Presented by Daniel Pauly, AICP  
Associate Planner  
pauly@ci.wilsonville.or.us  
503-682-4960

## Planning Commission Work Program for Sign Code Update

Tonight: Work session

- Changes since February Work Session

April: Public Hearing

## Overview of Previous Work Sessions

- Purpose and Objectives of the Sign Code
- Definition of "Sign"
- How sign area and height are measured
- Sign review process
- Waivers to sign regulations
- Sign regulations for various zones
- Digital changeable copy signs
- Temporary signs
- Minor related and miscellaneous changes

## Main Updates Since February

- Additional language to differentiate between architecture and signs
- Objective criteria for minor adjustments surrounding logos
- New requirements for brightness of electronic changeable copy signs
- Updated waiver criteria
- Change of Administrative Variance from Class I Administrative Review to Class II Administrative Review
- Updated method for determining maximum allowed height and area for freestanding and ground mounted signs
- Updated method for determining maximum allowed building sign area

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## Additional Language to Differentiate Between Architecture and Signs

- If it is protected speech or a trademark it is a sign
- Draws a clearer line



### Main Updates Since February

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### Objective Criteria for Minor Adjustments Surrounding Logos

- Previous Recommendation: "Readable"
- New Recommendation: "90 percent or less of the cap height of letters otherwise allowed"
- Example:
  - 24" height allowed in Master Sign Plan
  - 24" logo results in 20" letters
  - Logo can be increased by 10 percent (2.4") to 26.4"
  - Logo letter height would be 22"

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- Updated method for determining maximum allowed building sign area

### New Requirements for Brightness of Electronic Changeable Copy Signs

- Automatic dimming technology to adjust to ambient light
- Luminance maximums during daytime and nighttime hours
  - 5000 Candelas per Square Meter Daytime
  - 300 Candelas per Square Meter Nighttime



### Brightness Limit on All Signs

- Simple criteria for daytime and nighttime
- All existing signs tested meet nighttime criteria
- Anticipate evolving lighting technology
- Written into prohibited signs section
- No additional submission requirements



### Main Updates Since February

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### Waivers

- What a Waiver Is
  - Allows for flexibility to produce desirable outcomes outside the confines of prescribed standards
  - Fundamental tool in the Planned Development zoning toolkit
  - Allows for innovation
  - Vigorously scrutinized
- What a Waiver Is Not
  - A "watered down variance"
  - Treated lightly
  - Automatic
  - Avoiding community standards

### Better Defined Waiver Criteria

- Specific criteria directly reflecting objectives of sign regulations
- Focus on improved design

### Main Updates Since February

- Additional language to differentiate between architecture and signs
- Objective criteria for minor adjustments surrounding logos
- New requirements for brightness of electronic changeable copy signs
- Updated waiver criteria
- **Change of Administrative Variance from Class I Administrative Review to Class II Administrative Review**
- Updated method for determining maximum allowed height and area for freestanding and ground mounted signs
- Updated method for determining maximum allowed building sign area

### Change of Administrative Variance from Class I Administrative Review to Class II Administrative Review

- Consistent with administrative variances allowed for in the development code
- Removes decision with subjective criteria from under Class I Review

### Main Updates Since February

- Additional language to differentiate between architecture and signs
- Objective criteria for minor adjustments surrounding logos
- New requirements for brightness of electronic changeable copy signs
- Updated waiver criteria
- **Change of Administrative Variance from Class I Administrative Review to Class II Administrative Review**
- **Updated method for determining maximum allowed height and area for freestanding and ground mounted signs**
- Updated method for determining maximum allowed building sign area

### Updated Method for Determining Allowed Height and Area for Freestanding and Ground Mounted Signs

	1.5 and Contiguous Parallel Street Sections		Other Streets	
	Maximum Allowed Sign Area	Maximum Allowed Height from Ground (feet)	Maximum Allowed Sign Area	Maximum Allowed Height from Ground (feet)
Single Tenant/Business	64 sf	20 ft	<ul style="list-style-type: none"> <li>• Less than 11,000 sf of floor area - 32 sf</li> <li>• 11,000-25,999 sf of floor area - 32 sf + 2 sf per 1000 sf of floor area greater than 10,000 rounded down to the nearest 1,000 sf</li> <li>• 26,000 sf or more floor area - 64 sf</li> </ul>	20 ft (8 ft Town Center and Old Town)
Multiple Tenants/Businesses	64 sf + 32 sf for each tenant space of 10,000 sf or more up to 300 sf total sign area	20 ft + 3 ft additional for each tenant space of 10,000 sf or more up to 35 ft	<ul style="list-style-type: none"> <li>• 32 sf plus the following per tenant space:                             <ul style="list-style-type: none"> <li>• Less than 1,000 sf of floor area - 3 sf</li> <li>• 1,000 to 10,999 sf of floor area - 3 sf + 3 sf per 1,000 sf of floor area rounded down to the nearest 1,000 sf</li> <li>• 11,000 sf or more of floor area - 32 sf</li> </ul> </li> <li>• Maximum Sign Area 200 sf, 80 sf in Town Center and Old Town</li> </ul>	20 ft (8 ft Town Center and Old Town)



### Main Updates Since February

- ~~Additional language to differentiate between architecture and signs~~
- ~~Objective criteria for minor adjustments surrounding logos~~
- ~~New requirements for brightness of electronic changeable copy signs~~
- ~~Updated waiver criteria~~
- ~~Change of Administrative Variance from Class I Administrative Review to Class II Administrative Review~~
- ~~Updated method for determining maximum allowed height and area for freestanding and ground-mounted signs~~
- **Updated method for determining maximum allowed building sign area**

### Updated Method for Determining Building Sign Allowance

- Previous recommendation: 400 sf maximum per tenant space or single tenant building with multipliers
- New recommendation: 100 sf maximum per façade, with 20 sf extra per additional public entrance

### Other Updates Since February

- Renumbering
- Addressing of static signs that appear to move (prohibit)
- Addition of definition of font and typeface related terms
- Removal of redundant "General Provisions" Section

### Other Updates Since February Continued

- Removal of conflict regarding descenders between sign measurement and minor adjustment language
- Removal of minor adjustments for setbacks
- Change of freestanding sign height requiring Class III review from 6 feet to 8 feet
- Addition of requirement for master sign plans to address flexibility over time

### Other Updates Since February Continued

- Modification of method for measuring freestanding signs below right-of-way
- Allowance for non-conforming setbacks for non-conforming signs moved due to public taking
- Establishment of legal conforming status for signs when tenant configuration changes over time
- Incorporation of "street graphics" setback language from PDC-TC throughout City

### Other Updates Since February Continued

- Requirement for freestanding and ground mounted signs to have addresses in most instances
- Prohibition on signs overhanging parking and maneuvering areas
- Requirement for signs greater than 8 feet to be no wider than they are tall
- Clarification on how to measure façade of tenant spaces



### Other Updates Since February Continued

- Refinement of list of facades eligible for building signs
- Clarification on how to measure irregularly shaped buildings and facades
- Requirement that sign height be proportionate to the fascia, sign band, or architectural feature on which it is placed
- Addition of statement that sign allowance cannot be transferred from one façade to another

### Other Updates Since February Continued

- Adjust directional sign language
- Allowance for planned development signs to be part of a larger sign or a separate monument sign

### Other Issues

- Expedited process for updating signs according to new code
  - Process already reduced, further reduction brings up public participation and due process issues
- Blade sign not attached to buildings





BENYA LIGHTING DESIGN

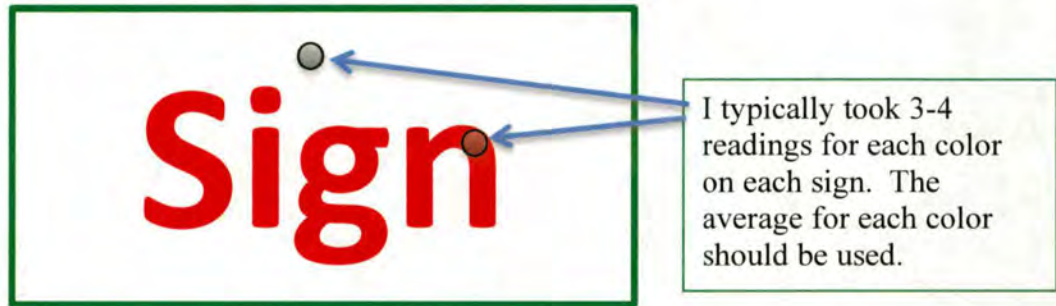
March 8, 2012

**Notes from Field Sign Light Measurements**

City of Wilsonville

This evening I took measurements of various signs in the community with Daniel Pauly as my driver and recorder. Daniel chose each of the signs and I took luminance measurements with the Minolta LS-100 meter. Daniel recorded the measurements, which in general included several readings from each sign.

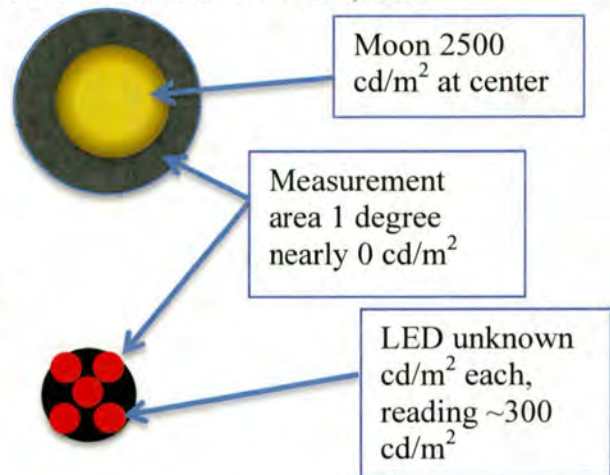
The object of the readings was to establish the luminance of each sign. The meter has a 1-degree central metering area. Readings are directly reported in  $\text{cd/m}^2$  (nits).



These readings are quick and easy to take. Their accuracy is adequate for enforcement purposes, with the caveat that the field of each color is visually homogeneous in color and apparent brightness. Our measurements regularly indicated signs where the brighter areas (usually white) were typically  $200\text{-}400 \text{ cd/m}^2$  and the darker areas (red, green, yellow) were under  $200 \text{ cd/m}^2$ .

A problem arises when measuring an object smaller than the aperture. We measured the moon at about  $400 \text{ cd/m}^2$ , whereas the actual value is about  $2500 \text{ cd/m}^2$ . This is attributable to the meter sensing a field about 2.5 times the size of the moon, and accounting for viewing angle, lunar altitude, etc. Similar issues were encountered measuring LEDs. When we measured LED, we measured the average of a cluster that included bright LED and the dark between them.

When a group of LEDs are being measured together, it appears that the best way is to stand far enough away such that the sample area contains as many LEDs as possible, and to accept this “average reading”.





Page 2 of 2  
Page 2 of 2

NOTE that luminance readings are relatively easy, as the meter is like a digital camera with a viewfinder, through which one sees a circle that represents the sample zone as described above. The camera-like lens is manually focused on the object being measured. A trigger-activated sample reading is displayed in a digital readout directly under the camera view. To be accurate, the meter must be aimed as directly at the sign as possible, preferably normal to the plane of the sign.

In his research of similar ordinances, Daniel identified two methods used to measure sign brightness. One uses luminance as described above, and the other uses a normal footcandle ("illuminance") meter. Technically speaking, the former is proper and the latter is a fairly flawed alternative method. For the latter to be accurate, the person taking the reading must be very skilled and knowledgeable about photometrics. However, with an hours' training by me, a member of the city planning department could take useful luminaire measurements using a meter like mine. I could remain "on call" as needed in support of this work.

Daniel's research included the current sign ordinance in Anchorage, AK. Nancy Clanton developed this ordinance; she is my co-chairman of the IDA/IES Model Lighting Ordinance Task Force and I am familiar with the ordinance and the process by which it was developed. Whereas it permits relatively high light levels by day (5000 cd/m<sup>2</sup>), night levels are limited to 750 cd/m<sup>2</sup>. In Pima County, AZ, a proposed limit of 200 cd/m<sup>2</sup> has been proposed for night signs as they think 750 is too high.

With regard to the measurements we took, all of the internally illuminated signs and all of the LED signs at gas stations (average per above) were under 500 cd/m<sup>2</sup> and most were under 300. The only exceptionally bright signs (over 1000 cd/m<sup>2</sup>) were traffic signals.

In summary, an ordinance limiting daytime luminance to 5000 cd/m<sup>2</sup> and night luminance to 500 cd/m<sup>2</sup> would permit virtually all existing signs, with the caveat that an LED sign can be measured using the average luminance over a representative area in the center of the LED character or symbol. It is understood that dynamic signs (changing rapidly as with video) will not be allowed. However, if a sign has variable color the measurement should be at its brightest white level.

Please advise if you would like further help.

**Pauly, Daniel**

---

**From:** Al Levit or Pat Rehberg <levitrehberg@frontier.com>  
**Sent:** Wednesday, March 07, 2012 8:58 PM  
**To:** Pauly, Daniel; Phelps, Ray; Ben Altman; amydvk1@gmail.com; espostma@comcast.net; marta.mcguire@gmail.com; pkhurley1@gmail.com; Neamtzu, Chris  
**Subject:** Re: Comment on February meeting handouts

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

No- glare is so indeterminate as is adjacent streets. The new mattress store in Town Center has pretty bold letters in the sign and tonight it looked very bright from the traffic light. I'm sure it was visible for quite a distance and seemed glaring to me. Would/could it meet a non-glare standard?

On the other hand, the standard I referred to in my original message did not specify day or night measurement, just relative to ambient.

Al

----- Original Message -----

**From:** Pauly, Daniel  
**To:** Phelps, Ray ; Ben Altman ; 'Al Levit or Pat Rehberg' ; amydvk1@gmail.com ; espostma@comcast.net ; marta.mcguire@gmail.com ; pkhurley1@gmail.com ; Neamtzu, Chris  
**Sent:** Monday, March 05, 2012 9:48 AM  
**Subject:** RE: Comment on February meeting handouts

I agree that the enforcement of some of the more detailed technical requirements would be cumbersome to monitor and enforce. I recommend having only no-glare on adjacent streets and properties and automatic dimming technology requirements.



Daniel Pauly, AICP  
Associate Planner

City of Wilsonville Planning Division  
503-682-4960  
[pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us)

Disclosure: Messages to and from this E-mail address may be subject to Oregon Public Records Law.

---

**From:** Phelps, Ray [mailto:RPhelps@republicservices.com]  
**Sent:** Monday, March 05, 2012 9:35 AM  
**To:** Ben Altman; 'Al Levit or Pat Rehberg'; amydvk1@gmail.com; espostma@comcast.net; marta.mcguire@gmail.com; pkhurley1@gmail.com; Pauly, Daniel; Neamtzu, Chris  
**Subject:** RE: Comment on February meeting handouts

I second Ben's comment.

---

**From:** Ben Altman [mailto:baltman@sfadg.com]  
**Sent:** Monday, March 05, 2012 9:29 AM  
**To:** 'Al Levit or Pat Rehberg'; amydvk1@gmail.com; espostma@comcast.net; marta.mcguire@gmail.com;

pkhurley1@gmail.com; Phelps, Ray; 'Pauly, Daniel'; 'Chris Neamtzu'  
**Subject:** RE: Comment on February meeting handouts

Commissioners:

I support the auto-dimming provision, as it seems to me that our biggest concern for brightness is evening/night hours. Beyond that I not so sure. I have concerns about getting too complex relative to enforcement. I do agree with Al that we probably need more information.

Thanks,

**Ben Altman**  
Senior Planner/Project Manager

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---

**From:** Al Levit or Pat Rehberg [mailto:[levitreberg@frontier.com](mailto:levitreberg@frontier.com)]  
**Sent:** Saturday, March 03, 2012 11:46 AM  
**To:** amydvk1@gmail.com; baltman@sfdg.com; espostma@comcast.net; marta.mcguire@gmail.com; pkhurley1@gmail.com; Ray Phelps; Pauly, Daniel; Chris Neamtzu  
**Subject:** Comment on February meeting handouts

Hi all,

I finally got around to looking at the string of messages given to us at our last meeting. This comment refers to the message from Terra Fisher forwarded to Daniel by Melissa Hayden regarding electronic message displays.

The suggested measurement distance for brightness level of electronic signs based on sign area seems to result in a constant light level per square foot from sign to sign. This sounds like a good idea. I do like the idea of quantifying this rather than the subjective concept of glare. However, I don't know how focused a luxmeter is. Will it accurately measure a sign's output without also averaging in some ambient area? Using the suggested formula, a 24 square foot sign (say a typical 2 ft x 12 ft) should be measured from a distance of 49 ft. In order for a luxmeter to measure a 2 ft high sign from that distance it would have to have a very narrow measurement angle. If it also averaged in some of the ambient light, the sign could actually be much brighter than the suggested 0.3 foot candles. I guess I would like to know more about luxmeter capabilities before approving this standard.

I assume that the sign output can be determined prior to installation.

I'm also not sure how bright the suggested 0.3 foot candles above ambient would look. Since this standard is used in Milwaukie, I suggest we actually look at a sign to see what would be allowed if we adopt this suggestion.

I do like the concept of auto-dimming.

Al



**Pauly, Daniel**

---

**From:** Ben Altman <baltman@sfadg.com>  
**Sent:** Monday, March 05, 2012 9:56 AM  
**To:** Pauly, Daniel; 'Phelps, Ray'; 'Al Levit or Pat Rehberg'; amydvrk1@gmail.com; espostma@comcast.net; marta.mcguire@gmail.com; pkhurley1@gmail.com; Neamtzu, Chris  
**Subject:** RE: Comment on February meeting handouts

That's OK with me, if you can define "No Glare" for Eric...

Thanks,

**Ben Altman**  
Senior Planner/Project Manager

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**From:** Pauly, Daniel [mailto:[pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us)]  
**Sent:** Monday, March 05, 2012 9:48 AM  
**To:** Phelps, Ray; Ben Altman; 'Al Levit or Pat Rehberg'; amydvrk1@gmail.com; espostma@comcast.net; marta.mcguire@gmail.com; pkhurley1@gmail.com; Neamtzu, Chris  
**Subject:** RE: Comment on February meeting handouts

I agree that the enforcement of some of the more detailed technical requirements would be cumbersome to monitor and enforce. I recommend having only no-glare on adjacent streets and properties and automatic dimming technology requirements.



Daniel Pauly, AICP  
Associate Planner

City of Wilsonville Planning Division  
503-682-4960  
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Disclosure: Messages to and from this E-mail address may be subject to Oregon Public Records Law.

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**From:** Phelps, Ray [mailto:[RPhelps@republicservices.com](mailto:RPhelps@republicservices.com)]  
**Sent:** Monday, March 05, 2012 9:35 AM

## Exhibit B

**To:** Ben Altman; 'Al Levit or Pat Rehberg'; amydvk1@gmail.com; espostma@comcast.net; marta.mcguire@gmail.com; pkhurley1@gmail.com; Pauly, Daniel; Neamtzu, Chris  
**Subject:** RE: Comment on February meeting handouts

I second Ben's comment.

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**From:** Ben Altman [mailto:baltman@sfadg.com]  
**Sent:** Monday, March 05, 2012 9:29 AM  
**To:** 'Al Levit or Pat Rehberg'; amydvk1@gmail.com; espostma@comcast.net; marta.mcguire@gmail.com; pkhurley1@gmail.com; Phelps, Ray; 'Pauly, Daniel'; 'Chris Neamtzu'  
**Subject:** RE: Comment on February meeting handouts

Commissioners:

I support the auto-dimming provision, as it seems to me that our biggest concern for brightness is evening/night hours. Beyond that I not so sure. I have concerns about getting too complex relative to enforcement. I do agree with Al that we probably need more information.

Thanks,

**Ben Altman**  
Senior Planner/Project Manager

**SFA DESIGN GROUP, LLC**

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**From:** Al Levit or Pat Rehberg [mailto:levitreberg@frontier.com]  
**Sent:** Saturday, March 03, 2012 11:46 AM  
**To:** amydvk1@gmail.com; baltman@sfadg.com; espostma@comcast.net; marta.mcguire@gmail.com; pkhurley1@gmail.com; Ray Phelps; Pauly, Daniel; Chris Neamtzu  
**Subject:** Comment on February meeting handouts

Hi all,

I finally got around to looking at the string of messages given to us at our last meeting. This comment refers to the message from Terra Fisher forwarded to Daniel by Melissa Hayden regarding electronic message displays.

The suggested measurement distance for brightness level of electronic signs based on sign area seems to result in a constant light level per square foot from sign to sign. This sounds like a good idea. I do like the idea of quantifying this rather than the subjective concept of glare. However, I don't know how focused a luxmeter is. Will it accurately measure a sign's output without also averaging in some ambient area? Using the suggested formula, a 24 square foot sign (say a typical 2 ft x 12 ft) should be measured from a distance of 49 ft. In order for a luxmeter to measure a 2 ft high sign from that distance it would have to have a very narrow

measurement angle. If it also averaged in some of the ambient light, the sign could actually be much brighter than the suggested 0.3 foot candles. I guess I would like to know more about luxmeter capabilities before approving this standard.

I assume that the sign output can be determined prior to installation.

I'm also not sure how bright the suggested 0.3 foot candles above ambient would look. Since this standard is used in Milwaukee, I suggest we actually look at a sign to see what would be allowed if we adopt this suggestion.

I do like the concept of auto-dimming.

Al

## PLANNING COMMISSION STAFF REPORT

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### Continuation of Recommended Sign Code Updates

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Meeting Date: March 14, 2012  
Report Date: March 8, 2012

Contact: Chris Neamtzu, AICP or Daniel Pauly, AICP  
Contact Telephone Number: 503-682-4960  
Contact E-Mail: neamtzu@ci.wilsonville.or.us  
or pauly@ci.wilsonville.or.us

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## INTRODUCTION

Previous Planning Commission work sessions have covered the following updates to the sign code:

- Purpose and Objectives of the Sign Code
- Definition of “Sign”
- How sign area and height are measured
- Sign review process
- Waivers to sign regulations
- Sign regulations for various zones
- Digital changeable copy signs
- Temporary signs
- Minor related and miscellaneous changes

This month’s work session will review changes made since the February Work Session. Below you will find description of the substantive changes along with a brief explanation of each change.

## DESCRIPTIONS AND EXPLANATIONS OF CHANGES SINCE FEBRUARY WORK SESSION

### *Section 4.001 Definition of Sign*

Description of Change: Within the general definition of sign, clarify the difference between architectural features that attract attention and signs by stating that any image, message, or trademark protected under state or federal law is considered a sign.

Explanation: This additional language eliminates a historically gray area for signs. This language provides an objective way to determine if something is a sign when it is uncertain.

Description of Change: Add language to “Changing Image Signs” definition, to address static signs that appear to move using things like prisms.

Explanation: Remove a potential loop hole in the definition of “changing image signs”.

Description of Change: Add a number of font and typeface related definitions including descender, baseline, cap height, bowl, and serif.

Explanation: These terms may be unfamiliar to some, so it is useful to have them defined in the code.

### ***Section 4.156 In General***

Description of Change: Renumbering, divide Section 4.156 into 11 sections.

Explanation: Renumbering increases readability, reduces level of numbering and indentation, and is more consistent with other newer sections of the development code.

### ***Former Subsection 4.156 (.02) General Provisions for Signs***

Description of Change: Remove “General Provisions” Section

Explanation: The language is mostly redundant. Where not redundant, the language was able to be incorporated in the Section titled “Sign Review Process and General Regulations.”

### ***Section 4.156.02 Sign Review Process and General Requirements***

#### ***Subsection 4.156.02 (.04) B. Minor Adjustments as Part of a Class I Sign Permit***

Description of Change: Modify minor adjustment language to avoid a conflict with sign measurement language regarding descenders on letters like lowercase “g.”

Explanation: Under the recommended sign measurement language descenders are not included in the sign area calculation, thus making any minor adjustments unnecessary. However, a number of existing master sign plans don’t accommodate descenders. The modified language allows flexibility for new signs with descenders in these master sign plans while not conflicting with recommended measurement language.

Description of Change: For minor adjustments regarding logos, change the subjective criteria of readable to an objective criteria of a defined letter height.

Explanation: Removes subjectivity from a Class I review.

Description of Change: Remove setbacks as a requirement subject to a minor adjustment.

Explanation: New language elsewhere will minimize setback issues. Adjustments for new setbacks language will be hardship scenarios that go through the variance process.

#### ***Subsections 4.156.02 (.05)-(.07) Submission Requirements and Criteria for Class II Sign Permits, Class III Sign Permits, and Master Sign Plans.***

Description of Change: Add requirement to submit digital copy of sign drawings and other submission requirements.

Explanation: The requirement reflects current common practice.

Description of Change: Change the height of freestanding signs that triggers Class III review from 6 feet to 8 feet

Explanation: The new trigger height of 8 feet reflects the updated sign allowances in most zones and the variety of signs existing currently throughout the City.

**Exhibit B**

Description of Change: Add language to Master Sign Plan requiring explanation of flexibility for different tenant space configurations and sign designs.

Explanation: This requirement aims to avoid the number of master sign plan modifications and adjustments in the future by building in, or at least defining, flexibility up front.

***Section 4.156.02 (.08) A. Waivers***

Description of Change: Eliminate requirement to respond to Purpose and Objectives for Planned Development and Site Design Review requirements.

Explanation: Staff found many of the purposes and objectives redundant of the sign objectives. Also, the waiver is from sign regulations, so it makes the most sense to concentrate on the objectives of the sign regulations. All signs will continue to be required to meet the site design review requirements, and as applicable, the planned development regulations.

Description of Change: Add limit to height waivers.

Explanation: Limits DRB's ability to grant height waivers to a maximum of 35 feet.

Description of Change: Add specific criteria based on sign code objectives for the DRB to grant a waiver.

Explanation: The criteria provide additional clarity and guidance for the DRB to review waivers from sign regulations.

***Section 4.156.02 (.08) B. Variances***

Description of Change: Make administrative variances Class II rather than Class I Administrative Review.

Explanation: Change consistent with administrative variances allowances for other development code provisions, and avoids subjective decisions being made without notice and opportunity to appeal.

***Section 4.156.03 Sign Measurement***

Description of Change: Modify language about freestanding signs below right-of-way to account for large variations along ramps, etc.

Explanation: Modified language better reflects actual scenarios existing on the ground

***Section 4.156.04 Non-Conforming Signs***

Description of Change: Add to the language regarding public takings that the sign does not necessarily need to be no less conforming to setback requirements.

Explanation: Historically, setbacks have been a concern when a non-conforming sign/public taking scenario comes up. It has been found that allowing a less conforming setback as limited impact on the community if the sign otherwise maintains its level of non-conformity.

***Section 4.156.06 Prohibited Signs***

Description of Change: Update requirements for electronic changeable copy signs based to place limits on luminance and require automatic dimming technology.

Explanation: The updated requirements reflect discussion with the sign industry and the Planning

Commission and additional research by staff.

***Subsection 4.156.08 (.01) Freestanding and Ground Mounted Signs in PDC, PDI, and PF Zones***

Description of Change: Modify the method for calculating allowed sign area and height to consider both square footage and number of tenants.

Explanation: Based on an analysis of existing signs, 85-90% of existing signs would be allowed under the language. The other 10-15% are outliers that would be difficult to accommodate without significantly increasing the allowed sign size throughout the City.

Description of Change: Clarify that the current code height limit of 20 feet is maintained in much of the City.

Explanation: There is no compelling reason to change this current standard.

Description of Change: Require monument style signs on non I-5 frontages in PDC-TC and Old Town Overlay Zones. Establish height limit of 8 feet for the same frontages.

Explanation: These requirements are consistent with the majority of signs currently existing in these areas.

Description of Change: Add language addressing legal conforming status of signs when change of tenant number or configuration.

Explanation: Avoids potential issues with future status of signs.

Description of Change: Add language regarding distance from sidewalk and setback for freestanding and ground mounted signs based on current street graphics in PDC-TC.

Explanation: This setback language has functioned well in the PDC-TC, and makes sense to apply to all areas where separate freestanding and ground mounted signs will now be allowed.

Description of Change: Add language regarding addresses on freestanding and ground mounted signs in most instances.

Explanation: This requirement will help in wayfinding and emergency response.

Description of Change: Add language prohibiting signs overhanging parking and maneuvering areas.

Explanation: Unclear in current code, will enhance safety.

Description of Change: Add language requiring signs higher than 8 feet are no wider than they are tall.

Explanation: Will maintain a proportionality of width to height consistent with the majority of current sign development.

***Subsection 4.156.08 (.02) Building Signs in PDC, PDI, and PF Zones***

Description of Change: Change maximum from per building or tenant space to per building facade.

Explanation: Provides for a clearer and more consistent standard.

Description of Change: Add clarifying language from the model sign code of how to measure the width of tenant spaces.

Explanation: Provides additional clarity when determining allowed sign area.

Description of Change: Refine list of facades allowed signs based on Model Sign Code.

Explanation: Adds additional clarity to sign allowance.

Description of Change: Add language and a diagram showing how to measure the allowed sign area for irregularly shaped facades.

Explanation: Will provide for additional clarity.

Description of Change: Add language requiring the height of signs be proportionate to the height of the fascia, sign band or architectural feature on which it is placed.

Explanation: Addresses an important aesthetic consideration while still allowing flexibility. This is in lieu of requirements for consistent sign height across facades.

Description of Change: Add language establishing the non-transferability of sign allowance from one facade to another.

Explanation: Provides additional clarity.

Description of Change: Delete language regarding uniform sign height on a fascia

Explanation: Removes a detailed requirement that may have unintended consequences. A requirement remains that sign height is proportionate to the height of the fascia, sign band or architectural feature.

***Subsection 4.156.08 (.03) Other Signs in PDC, PDI, and PF Zones***

Description of Change: Modify allowance for planned development signs can either be part of a larger sign or a separate monument.

Explanation: Allow flexibility consistent with the variety of planned development signs on the ground today.



**Sign Code Revision  
Documents Distributed for Planning Commission Work Sessions  
Index**

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**February 8, 2012**

- Minutes Excerpt
- Paper copy of PowerPoint presentation shown at meeting, "Sign Code Update Work Session"
- Planning Commission Staff Report dated February 2, 2012 for February 8, 2012 meeting date regarding Continuing of Recommended Sign Code Updates. (Draft Sign Code text is on file in the Planning Division)



**Exhibit B**

**PLANNING COMMISSION  
WEDNESDAY, FEBRUARY 8, 2012  
6:00 P.M.**

**Wilsonville City Hall  
29799 SW Town Center Loop East  
WILSONVILLE, OREGON**

**Approved with  
Correction on page 1  
March 14, 2012**

**Minutes Excerpt**

**I. CALL TO ORDER - ROLL CALL**

Chair McGuire called the meeting to order at 6:00 p.m. Those present:

Planning Commission: Marta McGuire, Amy Dvorak, Ben Altman, Al Levit, Eric Postma and Peter Hurley. Ray Phelps arrived during the Pledge of Allegiance. City Councilor Scott Starr was absent.

City Staff: ~~Chris Neamtzu~~, Barbara Jacobson, and Daniel Pauly

**II. VIII. WORK SESSIONS**

**A. Sign Code Revisions (Daniel Pauly)**

The following documents were distributed to the Commissioners for review

- Memorandum from Daniel Pauly dated January 23, 2012, "Recommended Changes to Sign Permit Process."
- Email from Melissa Hayden, Security Signs, dated February 02, 2012, regarding freestanding and ground mounted signs, signs on buildings and digital changeable copy signs.
- Email from Melissa Hayden, Security Signs, dated February 03, 2012 providing comments from Daktronics, a company that manufactures digital display signs.
- Letter to Marta McGuire from Daryl Winand, Portland Metro Association of Realtors, dated February 8, 2012, regarding "Wilsonville Continuation of Recommended Sign Code Updates."
- Email from Susie Stevens, Charbonneau, dated February 07, 2012 regarding recommended Sign Code changes.
- Email from Daniel Pauly to M. Pruitt at The Sign Pros, dated February 07, 2012, acknowledging his comments about auto dimming and screening.

Dan Pauly, Associate Planner, presented the Staff report via PowerPoint, reviewing the Sign Code changes made based on prior feedback and comments from the Planning Commission and Chamber of Commerce. Paper copies of the PowerPoint presentation were distributed to the Commissioners.

Key comments from the Commission and discussion with Mr. Pauly regarding the Sign Code revisions were as follows:

- The numbering system in the Sign Code was already frustrating and the changes proposed to the numbering system only seemed to perpetuate current issues. For example, it was difficult to know from what section one was reading. Finding other ways to designate the numbering was suggested, such as the European method or some similar continuous decimal. Mr. Pauly agreed to discuss the suggestion with Staff.

- Mr. Pauly confirmed the Development Review Board (DRB) is notified about all Class II decisions in order to be able to call up an application.
  - Requests that go to DRB for review include reviews on all development, buildings, master sign plans, master sign plan modifications, subdivisions, waivers, variances, and others. The DRB makes a decision whether or not to approve an application based on findings prepared by the applicant.
  - The current Sign Code requires that about 95% of signs go before the DRB; Staff has limited authority.
  - Very little flexibility existed in the current Sign Code. Staff recommended that a number of items be added to allow a Class II review. At times, it is practical for a sign item to go to the DRB because it is packaged with other items being reviewed by the DRB, or there is community interest or discretion needed because of waivers or major changes to a master sign plan.
- Master sign plan modifications regard changes being made for multiple tenants and require a Class III review. Master sign plan adjustments only involve a single tenant and a Class II review.
  - For example, Oswego Grill went to DRB because the business occupied multiple tenant spaces and wanted an enlarged logo not in the Fred Meyer Master Sign Plan. A single tenant with signage that met the master sign plan area requirements would be allowed a Class II review.
    - The recommended changes would result in Oswego Grill being treated similarly whether attached, or occupying several units of a row building, or detached, like the existing isolated building.
  - The proposed changes would make determining whether a sign had to go to DRB much clearer.

Commissioner Dvorak left the meeting at 6:30 p.m.

Mr. Pauly continued his PowerPoint presentation with these key comments and discussion:

- Mr. Pauly clarified some waivers would still be needed, but not as routinely as under the current Sign Code. The recommended changes would require fewer waivers in most instances. Big box stores and some designed large stores would want more signage and seek waivers.
  - Different criteria would also apply for waivers under the updated Sign Code.
- Chair Altman reminded that the Commission discussed reviewing the purpose and objectives once the sign criteria were revised. The Fred Meyer development was a diverse project with many different scenarios that challenged the Code. It would be a good representation for the Commission to compare and contrast how waivers and other Sign Code update recommendations would apply.
  - It is important to remember that the Sign Code revisions would also apply to other development in Wilsonville, not just multitenant retail.
  - The business park at Wilsonville Rd and Kinsman Rd near OrePac did have waivers.
- Argyle Square's signage only features three or four actual businesses although many more stores were in the development. The chart on Slide 32 identifies the maximum sign height and face area allowed based on the number of tenants (Page 42 of 85 of the Staff report). The developer/property owner would decide how that space is divided amongst tenants.
- For consistency, Staff recommended calculating building sign allowances on a per tenant basis, treating each tenant space as a separate building regardless of being attached/detached.
  - Slide 37 on Page 19 of the paper PowerPoint presentation, showed some of the lot lines on the existing Fred Meyer development, and inconsistencies that result from calculating Building Sign allowances based on lots, not buildings, were described:
    - Building J is attached to the larger Fred Meyer building (Building A), and both building were on their own lots. Currently, the sign area for Building J would be based on the longest length of a side of the building; however, Oswego Grill, Building C, which has Chase, Subway, UU Yogurt, etc., and building with Qdoba, Biscuits Café, etc., were all on same lot, so under the existing Sign Code, the maximum sign area was based on 'X' for all these buildings. Such inconsistencies were why it made sense to base sign area on a per building approach.

- Building K was also attached to Building A and open to the deli section in Fred Meyer. A new dental office by Qdoba was architecturally different and offset, but attached. Whether these buildings were attached or detached was arguable.
- Slide 39 (Page 20 of PowerPoint presentation) illustrated how the proposed revisions would result in signage that is in proportion to the architecture as well as other signs on a building. Several examples from the Fred Meyer project were reviewed.
- Sign companies want flexibility for their clients when combining tenant spaces, but legitimate concerns exist about maintaining proportionality and a uniform look to protect the integrity of previously approved master sign plans.
- The proposed language would encourage applicants to incorporate their signage into the architecture and landscaping of their projects.
- Mr. Pauly clarified the 200 sf maximum signage per tenant would only apply if the tenant would otherwise exceed 200 sf. A tenant with 100-ft frontages on two sides and a 50-ft frontage on a third side would still only be allowed 200 sf of signage.
  - Multipliers would still apply. The end occupant on a row of buildings with two doors and three facades, for example, could have 300 sf to 400 sf of signage due to multipliers, but only if the total facades of the building added up to at least 300 to 400 sf. No multipliers allow extra signage for the total façade. A multiplier essentially creates a ceiling and allows that ceiling to be increased, but the amount of signs allowed would not be affected if the length of the facades were less than that ceiling.
- Signage requirements would still be tied to design review, and general architectural compatibility language would still apply. Tenants in buildings with distinct architectural sections, like the Chase building in the Fred Meyer development, would be subject to architectural standards regardless of whether the sign was approved in the master sign plan or through a Class II major adjustment.
- The top building front on Slide 39 illustrated issues similar to Precision Countertop where the Master Sign Plan required all signs to be the same height and length. Precision wanted a bigger font because its name was longer than the prior sign. It made sense to maintain the proportionality to the building elevation by adding additional architectural detail. Adding height would result in increased capacity for the sign to stay proportional.
  - The proposal would have addressed the issue with Whipper Snippers, where descenders made the sign look disproportionate to the building. However, a number of proposed items addressed the Whipper Snippers issue to ensure signs were readable, including ensuring the applicant knew how their proposed signage would look.
  - Staff would continue looking at different scenarios to ensure no unintended consequences would prevent reasonable signs.
  - If readable, it would not matter if a sign covered two sections that had different architecture.
- Special event sign regulations involve lawn signs. This is the only area with temporary sign language.
  - The large, electrical trailer signs used to direct traffic from the City right-of-way had not been addressed. City signage in the right-of-way regards transportation, and use of the trailer signs are based on the City Engineer's recommendation. The City Engineer makes decisions regarding signs used to direct traffic.
    - Mr. Pauly works with different City departments during their events to maintain the same signage standards required at other events.
    - Commissioner Phelps did not believe the City should exempt itself from the same criteria required of others.
  - Special event sign regulations are "content neutral" and cover events like church rummage sales, the school's robotics fair and Fun Run, as well as sidewalk sales.
  - Right-of-way is defined as publicly-owned property connected to transportation use, including planter strips, bike lanes, and sidewalks. Special event signs could be placed in certain planter strips. Special event signs would not be allowed in privately maintained planter strips, like at Town Center where

irrigation lines exist. The signs would be allowed in the strip between the railroad tracks up toward the schools where fewer irrigation lines exist. Maps are provided to applicants.

- Signs could also be placed on one's own property. The ordinance only applied to public property.
- Fewer applications would be seen because if 10 people agree to have a sign placed in their lawn, no permit is needed.
- Mr. Pauly noted the correspondence with Charbonneau acknowledging the long held MOU allowing the Country Club to remove signs when necessary. The proposed language would not affect that MOU.
- Mr. Pauly explained the 10 sign limit within the right-of-way has worked well historically, especially with the limited number of areas where such signs are allowed. Ordinance 701, relating to special events that was adopted last month, allowed additional signage on private property if written permission is provided by the property owners. Many events are in Town Center, which has prohibited right-of-way, but large event organizers could pursue placing signs there with permission.
- Currently, digital changeable copy signs are only allowed within a planned development zone, PDC, PDI or PDR, when a waiver is granted. Schools are not in planned development zones so such signs are prohibited.
  - Provide a definition of "changeable copy signs" that include semi-static digital signs is being recommended.
  - The recommended change that waivers be allowed as part of Class III sign permits would apply to schools in this scenario.
  - Several comments were received from the specialists sign industry about establishing specific conditions for granting waivers for digital changeable copy signs. Staff would make changes based on the comments received.
    - Staff had recommended the conditions based on conditions of approval applied to the digital fuel price signs, which looked good.
    - LED technology is changing drastically and quickly so it was good that Staff would be making further changes. Considering how LEDs are made, it was not necessary to put panels on in front them.
      - Panels were applied to the Chevron sign because of existing prohibitions on bare bulb illumination. Staff might need to tweak that language as well to accommodate LEDs.
      - The clear panels were applied to a fuel sign that was only illuminating red, which was not impeded the same as multicolored LEDs.
    - Many more sign applications could be expected with LED lighting capable of having interesting and vibrant colors. LED signs are less expensive than standards signs with lighting behind a panel. The City should not discourage something that was attractive, would become more popular in the future, and that was both cost and power saving.
      - Mr. Pauly clarified that signage is exempt from the outdoor lighting ordinance.
    - Staff believed the additional changes would result in an ordinance that worked well and provided flexibility as technology evolved.
    - Mr. Pauly clarified a theatre would still be allowed to come in under the existing Sign Code, because Town Center was a planned development.
  - Other minor changes included adding language about non-conforming signs to say if a sign being moved because of a public taking maintains the same level of nonconformity, then the sign would be allowed to stay through the Class II process.
    - Currently, moving a sign out of the freeway would be considered destruction of the sign and the sign would have to come into conformance. This revision only applied when a public taking is involved. Otherwise, if a tenant vacates a building, any non-conforming sign would be left for the next tenant and changed through a copy change. If the sign were taken down, the non-conforming status would be lost.
  - Wayfinding signage was an ongoing community conversation. Staff was not recommending any wayfinding related Sign Code updates; changes could be done in the future if needed.
    - Wayfinding plans were currently allowed, so no Code amendments were required; however, the process of getting a wayfinding plan approved was unclear. Public Works and the Engineering Department need to be involved in determining that process.

- Chamber members with west side businesses wanted wayfinding signs.
- Chair Altman stated he was trying to get a small group together to figure out how to proceed. There might be a point where the community considers a uniform wayfinding signage program like Sherwood, which involved a different process than Code amendments.

Mr. Pauly reviewed the proposed sign measurement language and presented mock ups of how the new measurement method would affect the look of signs on buildings via PowerPoint.

Comments and responses to questions from the Commission were as follows:

[Note: deleted text struck through; added language in bold, italicized text.]

- Mr. Pauly clarified that no changes were proposed for measuring cabinet signs; the major changes regarded individual element signs.
- The proposed measurement method essentially excluded descenders of standard letters from the sign area.
- Concern was expressed about not having a master sign plan or directional plan in residential areas. Finding addresses in large apartment complexes was difficult, which was a safety issue for emergencies and for wayfinding. Creating such plans might involve a different discussion.
  - Mr. Pauly explained that master sign plans were for nonresidential projects, adding that from the Code's standpoint, occupants were viewed differently in residences versus businesses.
  - Villebois was the only residential development with a directional-type sign plan.
- With the Sign Code changes allowing more signage, an expedited process should exist for those wanting to match their sign to the updated Code, rather than having to go through the entire Class III proposal.
  - Mr. Pauly agreed to make note of the suggestion, adding Mattress World had submitted an application to allow additional signs. Perhaps Village at Main could be encouraged to expand to a master sign plan.
- Trademark logos are often required to be a certain size or proportion. Concern was expressed about how a logo's proportionality would affect the signage, perhaps forcing a business to have a very small sign. Multiple sign allowances were described in the third paragraph on Page 5 of 85 of the Staff report and other Code elements might create an issue.
- On Page 5 of 85, the fourth paragraph discusses wayfinding and blade signs. Language should be added about assisting with auto wayfinding, not only pedestrian wayfinding, so people driving in a development know which direction to go to reach the store they wanted.
  - The current Sign Code has an allowance for local directional signs that is not used a lot. That language would not be affected by any Code revisions.
- How do hand held signs displayed by employees fit with temporary signs, as discussed on Page 6 of the Staff report?
  - Mr. Pauly replied the City Attorney determined not to regulate hand held signs due to freedom of speech and content neutral issues. The criterion was based on a memo from the City Attorney.
- Previous conversations lead to the decision that content neutral temporary signs are allowed to be in place for the duration of an event. Given the current economic climate, commercial for lease properties could be for lease for a while and the open language was used so lessors would not need to worry about getting approval for a for lease sign after a certain period. A property being for rent is considered an event, and as long as the property was for rent, the event was considered to be ongoing.
- Engineering staff should be notified about specific issues regarding regulatory construction signs. Contacting the engineering staff was difficult given their workload.
  - Commissioner Levit noted that the I-5 interchange project at Wilsonville Rd was a disaster for pedestrians, bike riders, and drivers.
- Clarification was requested about the added language for Definitions 263. Sign shown in the first paragraph on Page 10 of 85. If the architectural style were related to a business, it would obviously be giving a message.

- Staff looked at the history of applications like Toyota, Honda, Sysco, Lazerquick, etc. that have stripes on buildings. With some exceptions, like gas stations with canopies, it was determined that although the stripes convey a corporate branding of sorts, they were not signage.
  - As far as City regulations, if an architectural element was not a sign, it would be regulated through site design review in terms of color, etc. If the applicant claimed the building color could not be changed because of free speech, that indicated the element was a sign. Colored downlighting might even reflect a corporate image, but was not necessarily a sign.
  - This had been a particular issue with service stations because the entire canopy was counted as sign area, requiring a waiver for 3,000 sf of signage, for example. It was actually an architectural feature that the City still had review control over.
  - Simply adding language, “such as color banding” could clarify what is being distinguished.
  - Staff would continue to study and work with legal staff to ensure the language optimally conveyed the Commission’s intent without opening a new window.
- Definition 263(C) Changing Image Sign needed to address lenticular images, which give a holographic or prism type image that changes when the viewer’s perspective shifts. Language could be added stating, “creates the appearance of movement otherwise.”
- Using ‘portable’ was suggested rather than ‘moveable’ in the last sentence of Definition 263(M) Lawn Sign on Page 11 of 85. Moveable could imply that signs could have changing images. Using the word ‘may’ was also questioned.
- Definition 263(Q)(1.) Projecting Sign did not include posts, such as a lamppost, for blade signs.
- With regard to Section 4.156.(02.)(A.) Permit Required on Page 22 of 85, Mr. Pauly clarified that signage on the inside of windows would not require a permit.
  - The City does not do design review on the interior of a building; so no interior signage is addressed either as a matter of consistency.
- Section 4.156.(02.)(D.)(2.)(a.)(iv.) on Page 23 created a subjective provision that was not appealable through a Class I sign permitting process. The language used “readable,” which was subjective. Additionally, the vehicle travel lane would affect mobile readability, also subjective and affected by vehicle speed.
  - Something more objective than “readable” needed to be used, or remove this adjustment from a process that was non-appealable.
  - Class I reviews should be on items where no one would need to receive notice.
- The paragraph regarding minor adjustments under Section 4.156.(02.)(D.)(2.)(b.)(ii.) also involved a subjective language. Rather than determining what could bump down to a non-appealable standard, determine what negatively impacts visibility; subjective standards must have oversight rather than trying to eliminate oversight.
- Delete the extra comma in the third line of Section 4.156.(02.)(E.) on Page 23.
- Section 4.156.(02.)(E.)(3.) included another subjective standard, however major adjustments to approved master sign plans were reviewed under a Class II through planning staff; however the requests are submitted to DRB who could review the adjustment if they wanted.
- Section 4.156.(02.)(H.)(1.) on Page 25 seemed like a concession to the fact that the City could not find an objective standard for a waiver. Did no objectives standards exist?
  - Mr. Pauly replied waivers by their nature are somewhat subjective. Typically, a special situation is identified and the applicant tries to meet the Sign Code objectives another way. The applicant must meet the objectives of the site design review criteria and the master sign plan of the planned unit development regulations. If an applicant is able to do so and come up with a better concept, the City would listen.
    - The Sign Code was moving from attractive and functional to a process where a longer list of factors would be considered to inform the decision.
  - The Commissioners were asked to send suggestions about which items they wanted to see tested against the objectives.
- On Page 25 of 85, the fourth line in Section 4.156.(02.)(H.) was missing a word.

- Concern was expressed about the 20% variance in Section 4.156.(02).(H).(2).(a.) resulting in huge signs, especially with regard to signs along the I-5 corridor where a 35-ft sign could go up to 42- ft high with a 20% allowance.
  - Staff proposed that 35-ft high signs not be subject to a variance or waiver, only signs 35-ft or less. The variance criteria are very hard to meet and rarely used for signage; a hardship must be demonstrated and compelling.
  - Running a variance through a Class I review with no appeal was problematic. Section 4.196 Variances was full of subjective terms, which would be applied by staff without any appeal mechanism, or review by DRB or other body.
    - When applicants know they can get a request a variance through a Class I review, the City would see more Class I applications.
    - The variance could be made a Class II review, or not to exceed 10% when [inaudible].
  - Once Staff completed the height review for non-freeway signs, they should consider whether it was

- The waiving an area for a single tenant, but making height waivers for free standing signs more difficult. He was asked to provide verbiage for the tiered waiver concept.
- Section 4.156.(03).(B).(1).(c.) on Page 29 should clarify whether “round” referred to a circle, cylinder or sphere. Additional language was also needed to clarify how three-dimensional signs are m

appropriate to waive height on non-freeway signs as well

- Mr. Pauly suggested a tiered approach could be used for granting waivers; for example, using the plainer dimensions of the text or the apparent projection. The method needed to be clear to avoid contention; from the ground, 11 inches of text could look like 6 inches.
- A typo was noted on Page 30 in Section 4.156.(03).(B).(2).(a).(ii.), “within ten (20) feet”.
- In reference to the additional text at the end of Section 4.156.(03).(C.) on Page 31, Mr. Pauly confirmed that if grandfathered signs moved because of a public taking would not be subject to the 20% variance discussed in Section 4.156.(02).(H).(2).(a.) because the signs tend to be taller.
  - The last phrase of the added language included “no less conforming” after talking about non-conformity in Section 4.156.(03).(C.). “No less conforming” was not quite as clear as using, “not an increase in non-conformity,” which would make the language more congruent.
- The language in Section 4.156.(05).(H.) on Page 36 was intended to mean “supported by.” An a-frame sign chained to a tree would not be considered attached, but a theft deterrent.
- The second section of the chart on Page 42 in Section 4.156.(07).(A).(2).(b).(iii.) should read, “Adjacent to I-5 and street sections ~~contiguous~~ **contiguous** with I-5.”
  - This section indicated that the square footage is allowed to increase as the sign height tops out at 35 ft, so a wider sign would be allowed, or less area between the ground and sign. Width has not been an issue yet on signage contiguous to I-5; height has been the main concern. If added width were an option along I-5, it could result in wider signs than intended.
    - A maximum sign width could also be added to the Sign Code.
    - Width could be limited due to engineering; the sign might not be able to be built if it was too wide.
  - Speed on the freeway dictates the readability of a sign, which might be self-regulating.
    - Staff might want to consider having a maximum number of tenants that could be displayed on the sign, which would then limit the sign’s width and height. Argyle Square’s sign only identified three major tenants; it was not appropriate to include every tenant.
  - Mr. Pauly agreed to look at the proportionality issue and run some scenarios. People tend to like signs as tall as possible; the allowed area would control it to some extent.
- Section 4.156.(07).(B).(1).(e.) on Page 43 had a typo, “...signs shall be remain constant...”.
- Commissioner Levit noted that with all the add-ons and options allowed in the Sign Code, a 200-sf sign could result in 440 sf of signage, which seemed too large.



- Mr. Pauly reminded that the building would need to have double frontages with multiple entrances on the same frontage, such as Fred Meyer, which has two big signs for the different entrances.
- Chair Altman suggested eliminating the multipliers and setting a maximum signage amount per elevation. Allowing proportionality per building elevation would eliminate the need for multipliers because each building elevation would have its proportional signage, which might be easier to administer. If a business had two facades to sign, why divide that signage based on one side or a maximum?
  - Building widths are not typically as long as the length, so a smaller amount of signage would be on two of the building sides.
  - Unless viewing a sphere, L-shaped building or from the building's corner, both sides of the building could not be seen at one time, so it did not matter how much signage was on the other side.
- Mr. Pauly agreed to run numbers and calculate scenarios on existing buildings. He explained that a courtyard would be looked at as having four elevations; he would look into how an L-shaped building would be calculated with a single tenant.
- If the allowed signage amount is based on the façade on which the sign would be installed, then concerns about applicants picking the largest walls to get larger signage would be addressed. Making the signage proportional to the elevation on which the sign would be placed would result in the signage being proportional to the building.
- Section 4.156.(07).(B).(f).(iii.) on Page 43 was missing words. "Fifty (50) percent where the *sum of* all building..." was suggested.
- Further typo corrections would be submitted to Staff electronically in light of the time.
- Regarding the email from Melissa Hayden about raising the minimum height of monument signs from six to eight feet high, Mr. Pauly explained that signage for a Stage II development is already coordinated with landscaping and other site conditions so the sign was more visible, and as functional as possible.
  - The Sign Code revisions were based on what works in Wilsonville today, not for the standard commercial arterial.
  - Current and long-term master plans were not opening up new commercial projects, but redeveloping existing commercial areas.
  - The monument sign's base is included in the height of the sign, which is measured from the ground.
- An even bigger sign would be needed to look over another vehicle from the second traffic lane. The City could not accommodate seeing over all vehicle sizes either.
- No street addresses are included on monument signs making it difficult to find some addresses, which was also a public safety issue as far as emergency identification. Although in the Code, having an address visible from the street should be emphasized. Because such signage was not always possible, internal wayfinding signs would be helpful.
- The differences between the ground-mounted and freestanding sign definitions in Section 4.001.263.(H) and (I) on Page 10 needed to be further clarified.
  - Ground-mounted signs seemed to be monument signs, a low sign mounted on the ground like the Just Store It monument sign across the street from the freestanding sign at the Lowrie Shopping Center.

Chair Altman said he was pleased with the progress on the Sign Code update, noting one more work session would be held on the edits from tonight's discussion before the revised Sign Code went to public hearing in April.



## Sign Code Update Work Session

Wilsonville Planning Commission  
February 8, 2012  
Presented by Daniel Pauly, AICP  
Associate Planner  
pauly@ci.wilsonville.or.us  
503-682-4960

## Planning Commission Work Program for Sign Code Update

### Tonight: Work session

- Introduce and discuss the remaining issues and solutions.
- Updates on sign measurement language, time allowing.

### March: Work session

- Follow up on all the issues and recommended solutions.

### April: Public Hearing

## “ Sign Code Hierarchy”

Comprehensive Plan & Legal Requirements



## Objectives

### ↓ Sign Regulations

#### OBJECTIVES

- Signs which can be clearly read from streets, rights of way, and private drives that abut a site or where applicable, from travel lanes and pathways within a site.
- Sign design and placement that is aesthetically pleasing and compatible with and complementary to the overall site design, along with adjoining properties, surrounding developed areas, and similar uses in the zoning district.
- A consistent and streamlined sign review process that maintains the quality of sign development and ensures due process.
- Consistent and equitable application and enforcement of sign regulations.
- All signs are designed, constructed, installed, and maintained so that public safety, particularly traffic safety, are not compromised.
- Sign regulations are content neutral.



Objectives  
 ↓  
 Sign Regulations

OBJECTIVES

- A. Signs which can be clearly read from streets, rights of way, and private drives that abut a site or where applicable, from travel lanes and pathways within a site.
- B. Sign design and placement that is aesthetically pleasing and compatible with and complementary to the overall site design, along with adjoining properties, surrounding developed areas, and similar uses in the zoning district.
- C. A consistent and streamlined sign review process that maintains the quality of sign development and ensures due process.
- D. Consistent and equitable application and enforcement of sign regulations.
- E. All signs are designed, constructed, installed, and maintained so that public safety, particularly traffic safety, are not compromised.
- F. Sign regulations are content neutral.

The goal of the recommended sign regulation updates are to fix process and consistency issues. The overall pattern and quality of sign development is being maintained.

Identified Sign Regulation Issues  
 "things not working under the hood"

- Sign measurement method unclear and includes too much "empty space"
- Difference between architecture and signs unclear
- Organization of sign regulations leads to unnecessary redundancies
- Unwarranted DRB review
  - Minor non-controversial requests
- Too many requests require waivers to get "reasonable" amount of sign area
- Waiver criteria lacks clarity
- Town Center sign regulations too complex and not functioning as envisioned
- Methods for allowing freestanding and building signs combined in a way that doesn't function well
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### Unwarranted DRB Review

#### Background

3 review processes established in Wilsonville's Development Code

#### Class I

- Ministerial staff review, non-discretionary

#### Class II

- Staff review with notice

#### Class III

- Quasi-judicial public hearing before DRB

### Unwarranted DRB Review

#### Current Code:

- Staff's authority (Class I) limited
- Anything else requires Class III DRB review
  - A few exceptions on case by case basis

### Unwarranted DRB Review

#### Specific Problems with Current Code:

- Very little flexibility
- Many non-controversial simple requests require DRB review, leading to extra time and costs
  - End up on the DRB's consent agenda

### Unwarranted DRB Review: Solution

Recommended change Same as current code		
Class I (staff)	Class II (staff)	Class III (DRB)
<ul style="list-style-type: none"> <li>• Signs conforming to a master sign plan or other previous approval</li> <li>• Temporary Signs 30 days or less</li> <li>• <b>Minor adjustments to master sign plans</b></li> <li>• Administrative waivers</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Signs for existing residential development</b></li> <li>• <b>Signs for existing non-residential development with less than 3 tenants</b></li> <li>• Temporary Signs 31-120 days</li> <li>• <b>Major adjustments to master sign plans which involve:</b> <ul style="list-style-type: none"> <li>• Single tenants</li> <li>• Single multi-tenant signs</li> <li>• Series of related multi-tenant signs</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Waivers</li> <li>• Non-administrative variances</li> <li>• New freestanding signs over 6 feet</li> <li>• Signs for new development</li> <li>• Signs for redevelopment being reviewed by DRB</li> <li>• Master Sign Plans</li> <li>• Master Sign Plan modifications other than adjustments</li> </ul>



## Identified Sign Regulation Issues

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## Waiver Criteria Lacks Clarity

### Background:

- Waiver and Variances Defined
  - Waiver-noncompliance for more "attractive and functional" signs
  - Variance-noncompliance to relieve a specific hardship caused by regulations (higher bar, rarely used for signs)

## Waiver Criteria Lacks Clarity

### Current Code:

- "Functional and Attractive" Test
- "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"

## Waiver Criteria Lacks Clarity

### Specific Problems:

- Subjective
- Unpredictability for applicants
- Not enough guidance for DRB



## Waiver Criteria Lacks Clarity

### Recommended Solution:

- Move from the “functional and attractive” test to a “better implementing a specific purpose or objective” test
- New test similar to parking and setback waivers

## Identified Sign Regulation Issues

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## Too Many Requests Require Waivers to Get “reasonable” Amount of Sign Area

### Current Code/Background:

- Waivers allowed as part of master sign plans
- Majority of master sign plan applications involve significant waivers
- Elective master sign plans to seek waivers

## Too Many Requests Require Waivers to Get “reasonable” Amount of Sign Area

### Specific Problems:

- Unpredictability for applicants
- Inconsistency in application
- Lack of guidance for staff and DRB
- Unnecessary master sign plans just for waivers



### Too Many Requests Require Waivers to Get "reasonable" Amount of Sign Area Solutions:

- Adjust sign allowances in PDC/PDI zones to allow the pattern of signs approved repeatedly as "reasonable" through Master Sign Plans
  - Greatly reduce the number of waivers requested
  - Provide for consistent application to different developments
  - Will discuss pattern of signs in more detail later
- Allow DRB to review waivers as part of Class III sign permits as well as Master Sign Plans
  - Eliminate "elective" Master Sign Plans

### Identified Sign Regulation Issues "things not working under the hood"

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### Town Center Sign Regulations Too Complex and Not Functioning as Envisioned

#### Current Code/Background:

- Town Center the topic of much visioning and planning over Wilsonville's history
- 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"

### Town Center Sign Regulations Too Complex and Not Functioning as Envisioned

#### Current Code/Background:

- Town Center has developed similar to other commercial areas in the City



### Town Center Sign Regulations Too Complex and Not Functioning as Envisioned

#### Specific Problems:

- Town Center sign regulations are much more complex and difficult to administer than the general sign code
- Different regulations for similar development in Town Center and elsewhere in the City

### Town Center Sign Regulations Too Complex and Not Functioning as Envisioned

#### Specific Recommended Solutions:

- Remove special regulations for signs in the Town Center area
- Ensure recommended sign regulations maintain current prevailing pattern of signs in the Town Center

### Identified Sign Regulation Issues

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### Methods for Allowing Freestanding and Building Signs Combined in a Way that Doesn't Function Well

#### Current Code:

- The Dual 200 square foot maximum
- No specific sign area allowance for freestanding signs
- All signs allowed on a "per lot" basis



### Methods for Allowing Freestanding and Building Signs Combined in a Way that Doesn't Function Well

**Specific Problems:**

- Per lot allotment doesn't work for building signs
- Combined maximum confusing
- Duplication of multipliers (i.e. for double frontage lots) is confusing
- Freestanding sign area inconsistency

### Methods for Allowing Freestanding and Building Signs Combined in a Way that Doesn't Function Well

**Specific Recommended Solutions:**

- Fully separate allotment for freestanding and building signs
- Allow freestanding on a per lot or development basis
- Allow building signs based on buildings not lot lines
- Base allowed height and area for freestanding signs on analysis of existing legal conforming signs

### Methods for Allowing Freestanding and Building Signs Combined in a Way that Doesn't Function Well

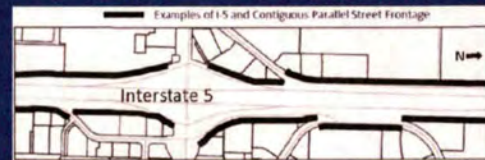
**Specific Recommended Solutions Continued:**

- 2 Categories of existing freestanding signs:
  - I-5 and contiguous parallel adjacent streets
  - Other streets

### Methods for Allowing Freestanding and Building Signs Combined in a Way that Doesn't Function Well

**Freestanding Sign Category 1:**

I-5 and contiguous parallel adjacent streets



Adjacent to I-5 and street sections continuous with I-5	1	2	3	4	5	6	7	8	9	10 or more
Maximum Sign Height (feet)	20	20	23	26	29	32	35	35	35	35
Maximum Sign Face Area (square feet)	56	56	84	112	140	168	196	224	252	252



## Methods for Allowing Freestanding and Building Signs Combined in a Way that Doesn't Function Well

### Freestanding Sign Category 2:

#### Other streets

- More analysis needed

Adjacent to Most Streets	Number of Tenants									
	1	2	3	4	5	6	7	8	9	10 or more
Maximum Sign Height (feet)	6	6	8	10	12	14	16	18	20	20
Maximum Sign Face Area (square feet)	32	32	48	64	80	96	112	128	144	144

## Identified Sign Regulation Issues

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## Building Sign Allowance Based on Lots, Not Buildings, Doesn't Function Well

### Current Code:

- Allowed area "the longest length of the largest building" on the lot up to a maximum of 200 square feet.
- Multipliers

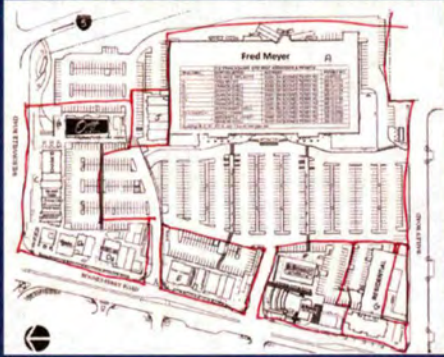
## Building Sign Allowance Based on Lots, Not Buildings, Doesn't Function Well

### Specific Problems:

- Inconsistent treatment of buildings based on where the lot lines are
- Multipliers allowed don't account for all public view sheds, and aren't allowed consistently for different buildings



### Building Sign Allowance Based on Lots, Not Buildings, Doesn't Function Well

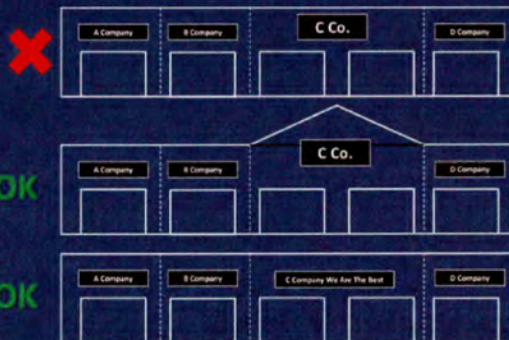


### Building Sign Allowance Based on Lots, Not Buildings, Doesn't Function Well

#### Specific Recommended Solutions Continued:

- Allow a sign area equal to the linear length of the façade for each façade facing specified public view sheds
- Apply current 200 sf maximum to each tenant space
- Require uniform sign height across similar signs bands or architectural features

### Building Sign Allowance Based on Lots, Not Buildings, Doesn't Function Well



### Building Sign Allowance Based on Lots, Not Buildings, Doesn't Function Well





## Building Sign Allowance Based on Lots, Not Buildings, Doesn't Function Well



Building B (Newman Factory Building) 01 and 02 (Here)

## Identified Sign Regulation Issues

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## Special Event Sign Regulations Don't Match Other Recent Code Updates

### Current Code/Background:

- Lawn signs providing direction/advertisement of special community events
- When written to signs on private property or in the public right-of-way
- Ordinance #675 (March 2010) made lawn signs on private property and up to 3 in the right-of-way permit exempt
- Ordinance #701 (January 2012) made signs for large special events requiring Community Services approval part of the Community Services permitting process

## Special Event Sign Regulations Don't Match Other Recent Code Updates

### Specific Problem:

- Language outdated, conflicts with other code updates



### Special Event Sign Regulations Don't Match Other Recent Code Updates

#### Recommended Solution:

- Update language to be consistent with other code provisions and common use of these types of signs:
  - Maximum of 10 signs per applicant
  - Can only be issued to an applicant or event once every 6 months
  - Cannot be placed in places where lawn signs are prohibited (generally maintained planting strips and medians)
  - Maximum of 2 permits issued can overlap (maximum number of sign in the right-of-way at one time would be 20)
  - Cannot be in addition to signs allowed for large special events in Section 6.150 (Ordinance # 701)

### Identified Sign Regulation Issues

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### Rules Allowing for Digital Changeable Copy Signs not Clear and Don't Apply to Schools

#### Current Code/Background:

Code addresses in two places

- Definition of Changeable Image Sign
- Prohibited "unless specifically approved through the waiver process provided for architectural features in planned developments"

### Rules Allowing for Digital Changeable Copy Signs not Clear and Don't Apply to Schools

#### Current Code/Background Continued:

History of Application of the Code

- Semi-static digital fuel price signs allowed for 3 of the 5 retail fuel stations in Wilsonville through the waiver process
- Waiver denied for stock broker in North Wilsonville



## Rules Allowing for Digital Changeable Copy Signs not Clear and Don't Apply to Schools

### Specific Problems:

- No clear difference in code between flashing, scrolling, etc. signs and semi-static digital signs
- Current waiver allowance doesn't apply to schools who have expressed interest in installing digital message centers

## Rules Allowing for Digital Changeable Copy Signs not Clear and Don't Apply to Schools

### Specific Recommended Solutions:

- Provide new definition of "changeable copy signs" that includes semi-static digital signs
- Change waiver allowance from planned development architecture waiver to sign waiver to allow it to apply to schools
- Establish specific conditions for granting of waivers for digital changeable copy signs

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## Other Minor Changes

### Section 4.001 Sign Related Definitions

- Add, modify, and remove sub-definitions to be consistent with other code changes and fix errors

### Sections 4.030-4.031 Jurisdiction and Powers of the Planning Director and Authority of DRB

- Minor revisions to reflect recommended process language in Section 4.156



### Other Minor Changes

#### Subsection 4.156 (.02) Sign Process

- Add language Planning Director to waive submission documents when not necessary

#### Subsection 4.156 (.03) Non-Conforming Signs

- Add language addressing public takings based on experiences with recent Wilsonville Road interchange work

#### Subsection 4.156 (.04) Permit Exempt Signs

- Clarify language regarding interior signs, add language to reflect Ordinance # 701

### Other Minor Changes

#### Subsection 4.156 (.05) Prohibited Signs

- Renummer, clarify language about certain prohibitions, add language about video signs

#### Subsection 4.156 (.07) Residential Sign Regulations

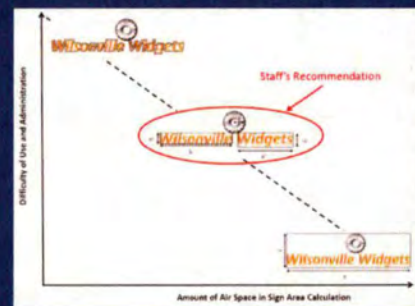
- Remove planned development signs language and modify ground mounted (monument sign language) for simplified and consistent rules for all residential development

### Wayfinding Signs

- Ongoing Community Conversation
- Potential wayfinding programs mostly involve signs in the public right-of-way exempt from permitting
- Master Sign Plans can address wayfinding for large new development
- Absent any specific program needing new code provisions, staff is not recommending any wayfinding related code updates

### Sign Measurement Language

#### Recommended Area Measurement Method:



### Comparison Text with Logo Above

15.3" letter height, including descender

24" letter height, excluding descender

### Proposed Measurement Method

Text is 24" including the descender, and the gear image is 24"

### Current Measurement Method Same Allowed Area

Text is 15.3" including the descender, and the gear image is 15.3"

### Comparison Text Only

26" total height, 21" letter height excluding descender

30" total height, 24" letter height excluding descender



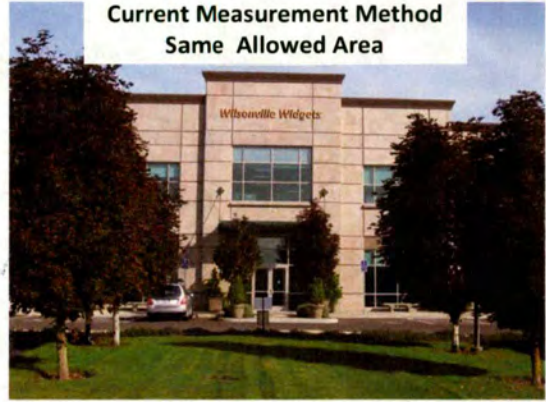
### Proposed Measurement Method



Text is 30" including the descender

30" total height, 24" letter height excluding descender  
 $Area = (H_1 * B_1) + (H_2 * B_2) + (H_3 * B_3)$   
 71.5 sq-ft staff's recommended method

### Current Measurement Method Same Allowed Area



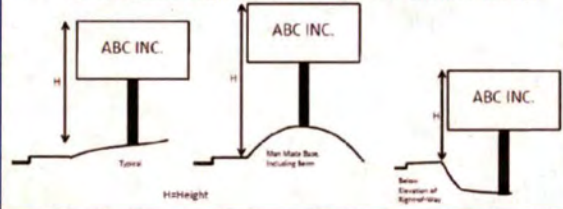
Text is 26" including the descender, and the gear image is 26"

26" total height, 21" letter height excluding descender  
 $Area = (H_1 * B_1) + (H_2 * B_2) + (H_3 * B_3)$   
 71.5 sq-ft staff's recommended method

## Sign Measurement Language

### Freestanding Signs in Different Situations

How to Measure Height of a Freestanding or Ground Mounted Sign





## MEMORANDUM

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### Continuation of Recommended Sign Code Updates

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Meeting Date: February 8, 2012  
 Report Date: February 2, 2012

Contact: Chris Neamtzu, AICP or Daniel Pauly, AICP  
 Contact Telephone Number: 503-682-4960  
 Contact E-Mail: neamtzu@ci.wilsonville.or.us  
 or pauly@ci.wilsonville.or.us

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## INTRODUCTION

Previous Planning Commission work sessions have covered the following updates to the sign code:

- Purpose and Objectives of the Sign Code
- Definition of “Sign”
- How sign area and height are measured

This month’s work session involves the remainder of the recommended updates including:

- Sign review process
- Sign regulations for various zones
- Digital changeable copy signs
- Temporary signs
- Minor related and miscellaneous changes

In addition, this month’s work session includes responses to comments on sign measurement from the December work session

Below you will find an explanation of the recommended changes, with the code text attached in two formats, one with the marks showing the changes and one in a “clean read” version incorporating the recommended changes.

## EXPLANATION OF RECOMMEND TEXT CHANGES

### SIGN REVIEW PROCESS

#### Introduction

Staff recommends the subsection of the Sign Code related to the sign permit process be replaced in its entirety. The goal of the recommended new language is provision of a consistent and streamlined sign review process that maintains the quality of sign development and ensures due process (recommended

**Exhibit B**

objective C. of the Sign Code). Staff recommends three classes of sign permits mirroring existing processes: Class I, II, and III, plus maintaining the requirement for a Master Sign Plan for non-residential developments with three or more tenants. In establishing these classes of sign permits more types of requests will be eligible for administrative review by staff. The Chamber of Commerce has suggested more administrative review by staff in order to reduce time and expense for processing permits. Planning staff's experience with the types of requests recommended to be moved from DRB to administrative review is there is rarely any public interest expressed, and they are generally placed on and approved on the DRB's consent agenda with no discussion. Below is a subsection by subsection explanation of the new process language.

**Class I Sign Permits Subsection (.02) D.: see pages 22-23 and 63-64 of 85**

Class I is the basic type of permit reviewed by staff to check specific objective criteria, such as conformance with a Master Sign Plan. Approval of these permits is a ministerial, non-discretionary, action similar to issuance of a building permit. Class I permits are typically issued over the counter or within a day or two. No notice is given, there is no appeal process, and no staff report is prepared. All signs currently reviewed using this process will continue to be. In addition, minor, defined "adjustments" are recommended for review through this class of permit.

**Class II Sign Permits Subsection (.02) E.: see pages 23-24 and 64-65 of 85**

Class II permits are also reviewed by staff, but require notice to surrounding property owners within 250 feet and can be called up by or referred to the Development Review Board by the Planning Director. Approval of Class II permits requires discretion by staff which could involve a determination that an adjacent property owner may wish to appeal and therefore requires greater notice. The Class II permit process requires the preparation of a staff report, and generally submission of simple written findings by the applicant. Due to noticing requirements and appeal periods, these permits typically take 30-45 days to process. Class II permit review takes significantly less time than DRB review for these applications required under the current code.

The types of permits recommended for Class II review include: signs for existing residential development, non-residential development with less than three tenants; and major adjustments to Master Sign Plans involving single tenants, single multi-tenant signs, or a series of related multi-tenant signs.

**Class III Sign Permits Subsection (.02) F.: see pages 24 and 65 of 85**

Class III permits are reviewed by the Development Review Board through a quasi-judicial Public Hearing. These permits typically take 60-90 days to process, and in no case no more than 120 days including appeals. All the signs recommended for Class III review currently require the same review. There are two reasons why the signs in this category are recommended to remain under the authority of the DRB. The first reason is association with other applications subject to DRB review. For example, a sign permit for a new single tenant industrial building would be packaged with the zone change, master plan, design review, etc. The second reason is potential impact on the community of new large freestanding and ground mounted signs warranting a community conversation about the aesthetics and compatibility of such a proposal. DRB review is not required if a business replaces an existing large sign with one of the same size, smaller, or slightly larger, in the same location.

**Exhibit B**

A noteworthy change for Class III permits involves waivers. Under the current Code language, a waiver cannot be requested with a Class III sign permit. In order to request a waiver the applicant must elect to go through the Master Sign Plan process. Under the recommended code language a waiver can be requested with Class III sign permits as well as Master Sign Plans. This removes the requirement to have an elective Master Sign Plan process. To grant a waiver, the high bar of better design remains.

**Master Sign Plans Subsection (.02) G.: see pages 25 and 66 of 85**

Master Sign Plans are recommended to continue to be required for non-residential development with three or more tenants, and are proposed to continue to be reviewed by the DRB. Any master sign plan modifications beyond the adjustments allowed under Class I and Class II review are also recommended to remain under the authority of the DRB. As recommended, the Master Sign Plan process focuses mainly on situations where sign permits come in over time, and preliminary approval allows for streamlined review, via Class I process, of the subsequent individual permits.

**Variations and Waivers Subsection (.02) H.: see pages 25 and 66 of 85**

No changes are recommended for variations, which are seldom used in connection to sign applications. The recommended language does provide additional guidance for the DRB to consider in granting a waiver. The recommended language moves from the less defined “functional and attractive” test to a test of “better implementing a specific purpose or objective” of the planned development regulations (Section 4.140), sign regulations, and site design review (Section 4.440). This waiver test is similar to the test for other waivers allowed through Wilsonville’s Planned Development Process.

**Temporary Signs Subsection (.02) I.: see pages 26 and 67 of 85**

Staff recommends no changes to review process for temporary signs, but recommends the consolidation of the language into a single location for ease of reference.

**Waivers of Required Documentation Subsection (.02) J.: see pages 27 and 67 of 85**

Staff recommends language, similar to language in other sections of the code, allowing application submittal requirements to be waived by the Planning Director when the information is already available to the City or otherwise not necessary to process the application. In the tree code, this language has allowed for flexibility leading to more streamlined processing of many permits.

**SIGN PERMIT REQUIREMENTS IN PDC, PDI, AND PF ZONES****Introduction:**

Under the current code separate provisions are allowed for freestanding signs and buildings signs in the PDC, PDI, and PF zones. However, a separate table establishes a combined maximum area for all signs on a lot. Staff recommends fully separating the allowance for freestanding signs and building signs, as suggested by the Chamber of Commerce. In brief, staff recommends the allowance for freestanding signs be based on a detailed analysis of what exist in the City today permitted under the current code, with the goal to maintain a similar pattern of freestanding and ground mounted (monument) signs existing today. Building signs allowance is recommended to be based on an allowance of one square foot of sign area for each linear foot of a façade of a building or tenant space, with provisions aimed at

**Exhibit B**

maintaining a similar level of signage as exists and has been permitted under the current code. The recommendations aim to allow the continuation of the pattern of signage existing in the City today while reducing the number of sign requests requiring waivers for approval, and providing for more consistency in application of the sign regulations. The current special subsection for the PDC-TC zone is recommended to be deleted, thus having the same provisions for all PDC, PDI, and PF zones applying in the Town Center area. Below are detailed explanations of staff's recommendations of freestanding and buildings signs.

**Freestanding and Ground Mounted Signs *Subsection 4.156 (.07) A. see pages 41-42 and 77-78 of 85***

Recommended changes and additions in this subsection implement a new process for allowing freestanding signs. The recommended process is based on an analysis of existing signs. Currently the code text just refers to "freestanding signs", which has a specific definition in the current code. The recommended language has been modified to also cover ground mounted signs, which includes monument signs. Staff recommends tying the allowed sign area and height to the number of non-residential tenants. Text and a table are recommended to identify these various allowances. Signs fronting Interstate 5 and parallel adjoining streets are considered different from other signs in the City.

In performing a detailed analysis of existing signs along Interstate 5 and parallel adjoining streets, staff found that a "number of tenants" based approach is most consistent with existing legal conforming freeway signs, including those approved through waivers. Currently the height is limited to 20 feet. Staff recommends allowing heights up to 35 feet for certain multi-tenant signs consistent with what has been permitted for signs via the waiver process for developments with higher number of tenants. This 35 foot max cannot be waived. A sign similar to the maximum allowed for freeway signs under the recommended language is the Argyle Square sign on the west side of Target.

Staff has also developed a scheme for non-freeway signs, using a similar tenant based approach. However, not as much analysis has been done on these signs due to their large number. Further analysis which staff plans may lead to a modified recommendation for the non-freeway freestanding signs, which may include a relationship of the square footage of a tenant space to the allowed sign area on a freestanding or ground mounted sign. Staff recommends a pattern of lower monument type signs in non-freeway applications. A lower monument sign approach follows the pattern established throughout the majority of the non-freeway fronting commercial and industrial development in the City, and is consistent with the type of streets the signs are intended to be readable from.

**Signs on Buildings *Subsection 4.156 (.07) B. see pages 42-43 and 78-79 of 85***

The current code allows signs on buildings per lot based on "the longest length of the largest building" up to a maximum of 200 square feet. Certain multipliers can then be applied to the maximum of 200 square feet based on factors like number of lot frontages, number of building entrances, and amount of lot coverage. What this means, in its literal interpretation, is a complex of commercial buildings all on the same tax lot is allotted much less sign area than a similar complex with each building on its own lot. A much more consistent way to consider building signs is on a per building basis, ignoring property lines.

Considering each building independently to determine allowed building sign area raises the question of what is a building, especially in the case of attached buildings. To avoid having to make the determination if a structure is a series of attached buildings or a single building and to be most consistent

**Exhibit B**

in application of the sign code staff recommends each tenant space be considered as if it was a separate building. To illustrate how this approach increases consistency, imagine a retail business has two locations in Wilsonville, each 5000 square feet. One location is a stand-alone building on its own tax lot, the other is a space at the end of a multi-tenant building in a large commercial complex. Under the recommended code language, both would be considered similarly.

After research and test calculations staff recommends, as the most reasonable approach to establishing the allowed sign area for a tenant, allowing sign area based on the linear length of each façade of a tenant space within specified public view sheds. Staff recommends keeping the 200 square foot cap existing today for lots and applying it to building signs for each tenant, with the current multipliers. The cap would serve to maintain a similar amount of allowed signage for large buildings such as warehouses. Large big-box retailers with multiple frontages are relatively few compared to warehouses in Wilsonville, and staff recommends considering large big-box retail signs on an individual basis through the waiver process as is done currently.

An additional concern about allowing building signs on a per tenant basis in a multi-tenant building is the potential inconsistent look across a single, otherwise matching façade of a building. To illustrate, imagine a multi-tenant commercial building with a uniform sign band across a facade divided into 24 foot wide tenant spaces. A tenant occupying a single tenant space would be allowed a 24 square foot sign, and may elect to have a sign measuring 2 feet by 12 feet. Imagine a tenant comes in to occupy the adjacent 2 tenant spaces, thus having a 48 foot wide tenant space and being allowed 48 square feet of building signs. If this tenant elected to place a sign measuring 4 feet by 12 feet it would likely create a negative contrast with the adjacent 2 foot high sign. For this reason staff recommends language requiring a uniform sign height across a façade of a building that otherwise has uniform architecture or sign band. The 48 foot sign tenant space would allow a sign measuring 2 feet by 24 feet potentially allowing for a selling slogan in addition to the name of the tenant. If the 48 foot wide tenant space had an architectural feature, such as a large dormer or gable, different than the neighboring tenant spaces, as is common with anchor tenants, the taller sign would be allowed.

**Additional Signs Subsection 4.156 (.07) C. see pages 43-44 and 79-80 of 85**

This subsection allows for signs in addition to the freestanding and building signs allowed in A. and B. Recommended changes include allowing blade signs to assist in pedestrian wayfinding in addition to other building signs, clarify changeable copy signs for fuel station signs are allowed per type of fuel sold per face, rather than just per face, and removing temporary sign language consolidated elsewhere in the code.

**Town Center Sign Code Subsection 4.156 (.09) see pages 45-47 of 85**

To increase consistency of sign regulations across the community and to simplify the sign code staff recommends, as suggested by the Chamber of Commerce, deleting the special sign code section for the Town Center area, and having the sign code applicable to the remainder of the PDC zone apply. Staff recommends language for freestanding and ground mounted signs that maintains a similar pattern of low monument signs currently existing in the Town Center area.

## TEMPORARY SIGNS

### Temporary Signs in All Zones *Subsection 4.156 (.08) see pages 48 and 81 of 85*

In the current sign code the regulations regarding non-permit exempt temporary signs are repeated under each zone, with other requirements listed in Section 4.030. For ease of reference for applicants staff recommends consolidating temporary sign language under a new subsection (.08) "Temporary Signs in All Zones". The only portion of the temporary sign regulations staff recommends changing pertains to a special category of permit to allow lawn signs in the right-of-way for annual or special events.

Annual/special event signs are small lawn signs generally placed in the public right-of-way to advertise an event. Signs for large special events like Art in the Park and Fun in the Park are allowed directional signs in the right-of-way per the recently passed Ordinance # 701. The ordinance addressed streamlining applications for community events through the Community Center, and incorporated some allowances for directional signs. However, language in the sign code still needs to address events not requiring permitting through the Community Center. These include events like non-profit plant sales, events at schools (robotics fair), rummage sales at churches, fun runs, etc., but may also include retail events like sidewalk sales. Staff recommends removing all the current references and rules for "annual event signs" and "special event signs" from various locations in the sign code and replacing it with new language. The highlights of this new language are:

- Maximum of 10 signs per applicant
- Can only be issued to an applicant or event once every 6 months
- Cannot be placed in places where lawn signs are prohibited (generally maintained planting strips and medians)
- Maximum of 2 permits issued can overlap (maximum number of sign in the right-of-way at one time would be 20)
- Cannot be in addition to signs allowed for large special events in Section 6.150 (Ordinance # 701)

## DIGITAL CHANGEABLE COPY SIGNS

### Introduction

The Planning Division has received requests from both the Chamber of Commerce and the West Linn-Wilsonville School district to allow for a limited amount of digital changeable message signs. Specific applications mentioned include schools, gas stations, and the movie theatre. Below is an explanation of how the current code addresses this issue followed by staff's recommendations.

### Current Code

#### *Explanation*

The current code addresses this type of digital changeable copy sign in two places. First, in Section 4.001, a definition of "changing image sign" is provided that has been interpreted to cover any sign with digital change of copy or text. It reads "Changing image sign. Any sign which, through the use of moving structures, flashing or sequential lights, lighting elements, or other automated method, results in the appearance of movement, or change of sign image or text."

Second, Subsection 4.156 (.05) 'Prohibited Signs' states the following under the list of prohibited signs:



**Exhibit B**

“Changing image signs, including those within windows, unless specifically approved through the waiver process provided for architectural features in planned developments.”

An important note about the current waiver allowance is it only applies to planned developments. Schools in the Public Facility zone, which are not planned developments, are not eligible.

*Brief History of Application of this Code*

The only changing copy digital signs found in the City today are digital fuel price signs at 3 of the 5 retail fuel stations in Wilsonville. These signs were approved using the “waiver process” provided for architectural features. Staff is aware of one case where a digital changeable copy sign was denied for a stock broker in North Wilsonville that changed much more frequently than fuel prices. The movie theater could request a waiver under the current code for a digital changing copy sign.

**Recommendation** *see pages 10, 36 and 53, 74 of 85*

Staff recommends to first add a definition for changeable copy sign to differentiate between changing image signs, such as scrolling text signs, and semi-static changeable copy signs like have been allowed for the fuel stations. The difference being changeable copy signs change no more than once every 1 hour, except in emergency situations. Staff next recommends to modify the language in the prohibited sign section to outright prohibit changing image signs, and allow sign code waivers to be granted to allow changeable message signs. This change would allow digital changing image signs to be applied for by any development, including schools. Digital signs can have a significant visual impact on an area, especially residential areas where all Wilsonville’s public schools are located. For this reason staff recommends keeping the waiver process in place. Also, staff recommends a series of standard criteria or conditions for waivers for digital changeable copy signs based on conditions common among the three digital fuel signs approved. These include:

- a. The sign shall not cause glare to adjacent streets and properties.
- b. If associated with a sign that includes a non-digital portion, the digital portion and non-digital portion shall maintain the same brightness.
- c. The digital portion of the sign must be screened with a clear panel.

The screening has been required because the sign code prohibits “bare bulb illumination”. Staff’s professional opinion is the screening has helped minimize any glare and help the signs blend into the environment without negatively impacting readability of the signs.

**WAYFINDING SIGNS**

A community discussion is ongoing regarding additional wayfinding signs in Wilsonville to direct travelers to different businesses, neighborhoods, areas, and destinations. The potential wayfinding programs most discussed involve signs in the public right-of-way exempt from sign regulations and thus outside the scope of the sign code update. Wayfinding programs for large new developments can be approved through a Master Sign Plan. Because the most likely wayfinding programs will not need any additional code provisions, no related code changes are recommended at this time.



## OTHER RELATED AND MISCELLANEOUS CHANGES

### Introduction

In addition to the other recommended changes a number of minor other changes are recommended. Some are related to the changes listed above, others are just minor unrelated edits. Below you will find the Section or Subsection where the changes are located, a brief explanation of the recommended changes.

### **Sign Related Definitions Section 4.001 see pages 10-12 and 53-55 of 85**

- Remove reference to “street graphics,” a term used in the recommended to be deleted subsection regarding PDC-TC.
- Remove language from the definition of ‘sign area’ redundant of, or in conflict with, the recommended sign measurement language.
- Renumber ‘Site Area, Net’ so as to not make it a subset of the definition of sign.
- Add “video sign” as a potential area of lacking clarity and related to a new listing under “prohibited signs”.
- Add definition of “blade sign” consistent with its use in the recommended code text
- Add definition of “wayfinding sign” consistent with its use in the recommended code text

### **Jurisdiction and Powers of the Planning Director, Community Development Director, and Authority of the Development Review Board Sections 4.030 and 4.031 see pages 13-18 and 56-61 of 85**

These sections deal with the power and authority of staff and the DRB. Minor revisions are made to reflect recommended language in Section 4.156 regarding permit process.

### **Non-Conforming Signs Subsection 4.156 (.03) C. see pages 31 and 70-71 of 85**

Based on recent experiences with a few signs affected by the Wilsonville Rd./I-5 Interchange project the Chamber of Commerce suggested, and staff concurs and recommends, the following language be added to the non-conforming sign language to address non-conforming signs affected by public takings: “However, a sign that is required to be moved solely because of a public taking may be replaced on the site, and maintain its non-conforming status, subject to a Class II Sign Permit, provided the replacement sign is found to be no less conforming to the current code standards.”

### **Signs Exempt From Sign Permit Requirements Subsection 4.156 (.04) see pages 33-35 and 71-73 of 85**

- Revise subsection B. 1. regarding signs inside buildings to be clearer about what interior signs are prohibited.
- Add language regarding signs allowed to be permitted as part of a special event permit in Section 6.150 as adopted in Ordinance # 701 January 19, 2012.

**Prohibited Signs Subsection 4.156 (.05) see pages 36-37 and 74-75 of 85**

- Delete the language in Subsection E. “Other Prohibitions: Additional to the signs listed above the following are prohibited” as it has no functional purpose. Re number the other prohibited signs listed accordingly.
- Minor changes regarding roof-top signs to correspond with the updated temporary sign language
- Adding balloons to the list of prohibited things that “move in the wind” as it has been interpreted by staff for some time that balloons are prohibited as one of these “move in the wind” items. A minor change also clarifies that balloons and streamers can be permitted as part of a temporary sign permit.
- Add ‘public sign posts’ to the list of prohibited places for non-governmental signs, especially yard sale and similar sign” to be placed, along with streets, utility poles, as this has been consistently interpreted to be the case.
- Add video signs, as recommended to be defined in Section 4.001 to the list of prohibited signs, as staff feels this is an area lacking clarity in the current code.

**Sign Permit Requirements in Residential Zones Subsection 4.156 (.07) see pages 39-40 and 76 of 85**

- Remove special event signs, inflatable signs, and grand opening signs language, as it has been consolidated with other temporary sign language in a separate section.
- Remove planned development signs language and modify ground mounted (monument sign language) for simplified and consistent rules for all residential development.

**RESPONSE TO COMMENTS REGARDING SIGN MEASUREMENT METHODS**

The following are in response to comments on the recommended sign measurement language in the December 2011 Planning Commission Work Session.

A request was made to see examples of how much larger a sign measured using the recommended method would be than the current code. A series of slides in the work session will illustrate the difference.

Staff has modified the recommended language to incorporate methods of measurement height from ground measurement when a freestanding sign is on a man-made berm or on ground lower than the adjacent right-of-way. Staff recommends a freestanding sign on a man-made base be required to be measured from the grade of the nearest pavement. Staff recommends a freestanding sign within 20 feet of a right-of-way and placed below the elevation of the right-of-way be measured from the elevation at the point of the right-of-way nearest the sign. A diagram has been created and added to the code to reflect the new measurement methods. *see pages 30-31 and 69-70 of 85*

**Sign Code Revision**  
**Documents Distributed for Planning Commission Work Sessions**  
**Index**

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**December 14, 2011**

- Minutes Excerpt
- Paper copy of PowerPoint presentation shown at meeting, "Updated Draft of Purpose of Objectives, Proposed Timeline for Review, Definition of 'Sign', Sign Measurement"
- A Planning Division Memorandum dated December 14, 2011, from Dan Pauly, regarding Additional Recommended Changes to Objective A and B of Sign Code.
- A series of emails exchanged between Commissioner Levit and Dan Pauly, final one dated December 14, 2011, with the subject RE: PC meeting
- A series of emails exchanged between Melissa Hayden of Security Signs and Dan Pauly, final one dated December 12, 2011, with the subject Wilsonville Sign Code Revision Update and Invitation to Comment December 2011.
- Planning Commission Staff Report dated December 7, 2011 for December 14, 2011 meeting date regarding Continuing Draft Sign Code Discussion with attached:
  - Appendix A Redlined Version of Measurement Language

**PLANNING COMMISSION  
WEDNESDAY, DECEMBER 14, 2011  
6:00 P.M.**

**Wilsonville City Hall  
29799 SW Town Center Loop East  
Wilsonville, Oregon**

Approved  
February 8, 2012

**Minutes Excerpt**

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**I. CALL TO ORDER - ROLL CALL**

Chair McGuire called the meeting to order at 6:03 p.m. Those present:

Planning Commission: Marta McGuire, Al Levit, Ben Altman, Amy Dvorak, and Eric Postma. City Councilor Scott Starr arrived during Work Session Item VII.B. Ray Phelps and Tom Sullivan were absent.

City Staff: Chris Neamtzu, Barbara Jacobson, Daniel Pauly and Peggy Watters

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**VII. WORK SESSIONS**

**A. Sign Code Revisions (Daniel Pauly)**

The following items were distributed to the Commission at the meeting:

- Memorandum from Daniel Pauly dated December 14, 2011 providing refined language for Objective A from City Attorney Mike Kohlhoff to replace the proposed Objective A in the Staff report.
- Memorandum from Melissa Hayden, Project Manager, Security Signs, dated December 12, 2011 regarding the descender dilemma involved with sign measurement.
- Memorandum from Commissioner Levit dated December 14, 2011 asking questions about the Sign Code that included responses from Staff. The memorandum also included questions about the TSP Technical Memorandum.

Daniel Pauly, Associate Planner, presented the Staff report via PowerPoint, reviewing the changes to the Purpose and Objectives since the last work session, the proposed timeline for review, the definition of "sign" and Sign Measurement. Paper copies of the PowerPoint were distributed to the Commission.

Discussion of the Sign Code revisions continued with these key comments:

- Mr. Pauly confirmed that the refined language for Objective A in his memorandum would replace the proposed Objective A in the Staff report. He clarified that "site" was defined generally in the Development Code definitions and linked to the subject application being reviewed.
- The word "which" should be deleted from Objective A to provide more clarity.
- The current review process already included some targeted outreach to a variety of stakeholders. Staff would like to see more people involved in the Sign Code update to get their input.
- Changes regarding the definition of "sign" made sense. The clarification makes a good distinction between what is displaying a message and an architectural feature, and clarifies how to separate signage from an architectural feature when calculating the sign area.

- Both the business community and Staff have identified issues with the lack of clarity regarding sign measurement. The current Code language stated sign area was measured by a perimeter drawn around all the individual sign elements; however, the term perimeter was ill defined. Examples of using this method were displayed and briefly reviewed.
  - Determining the area of individual element signs involved a balance between the difficulty of use and administration and the amount of air space in the sign area calculation. Staff recommended language that would use up to three perimeter shapes, a square/rectangle, circle or triangle, for calculating sign area.
  - Mr. Pauly talked with Matt Grady of Gramor Development, who echoed Melissa Hayden's support of Staff's approach to sign measurement.
- Calculations showing the differences in sign area using the existing and proposed method of calculating sign measurement were available.
- The proposed language did not necessarily modify existing master sign plans. The master sign plans of Fred Meyer and Argyle Square, for example, define actual areas where signage could be placed, affecting the height and length of the sign.
  - The change would come into play when new development came in with a new master or revised master sign plan that considers how many signs would be allowed based on the length of the façade. As designers work with that allotment, this proposed language would change what could be done.
  - Staff could work on some sketch ups of how a sign with the same allotment would look on a façade based on the different measurements.
- The method used in Figure 1 on Page 5 of 9 of the Staff report would also apply when measuring monument signs where everything within the frame would count as sign area. In Figure 2, the calculation would be based on each individual element because no frame was present.
  - If another word was added to Figure 2, the air space between the words would probably not count and two of the words would be encompassed in one shape and the third word would use the third shape. In reviewing other codes, the most consistent number of allowed shapes was three.
  - The idea of the limited shapes was to simplify administration and encourage people to have less complicated signage.
- Proposed Section 4.156...(B.)(1.)(a.)(iii.) on page 5 of 9 the staff report stated, "foundation, supports and other essential structural elements that are not specifically designed to serve as a backdrop or border of the sign" were excluded from the sign area calculation.
  - Camping World had a framed sign within a giant lattice triangle, which they argued was simply the structure the sign was placed upon; the Development Review Board (DRB) considered the triangle as part of the sign. Businesses were adding architectural elements to increase sign area while retaining elements of their corporate logo, enabling them to add more square footage than allowed.
  - Staff might want to return to this issue, especially when considering building signs versus freestanding signs. Building signs seemed to be more clear, whereas it was a different scenario if any part of the structure to support the sign was a non sign.
  - Given the proposed changes, could staff administratively address that issue and do the calculation? Was the City providing the predictability necessary to know what could possibly be approved?
  - Applicants might have been trying to get around how the Sign Code was written; changing how sign area is measured could address the issue because applicants might alter their approach.
  - Separating the architecture from the sign or message was a key aspect. The Just Store It monument sign was intentionally designed to match the building's architecture. In that case, only the frame around the sign, and not the entire structure, was counted in the sign area calculation.
    - During the site design review, the structure would have to meet the compatibility and design requirements as an independent non-sign structure.
  - The trend was that large corporations, like Chevron and Honda, were creating some semblance of branding that would not necessarily be called a sign, but could still be incorporated as a

recognizable image in multiple places. This enabled the company to work around the definition of sign by making these elements part of their trademark.

- The language added to the Definition of "Sign," Section 4.001 236 on Page 3 of 9, about not conveying a message or image would have helped a lot with the Camping World situation. However, the definition as a visual representation was a moving target. Branding in signage is an expanding concept and could be a potential problem.
- Barbara Jacobson, Assistant City Attorney, added if something did not meet the legal definition of a trademark or service mark, the City had the ability to regulate it, such as the Camping World example. The issue was how to regulate the size of signs like Blockbuster where the architecture was part of the trademark.
- Companies like Chevron and Shell have made the canopy and their entire color logo a corporate trademark or McDonald's with the arches. Crate & Barrel buildings all look the same and portray an image; perhaps that required a different type of design review not specifically for signs. Shari's also had an intentional, corporate building design.
- The new language would enable the DRB to separate the two, but not count the building or architecture as sign area.
- The uniformity of the background seemed to be a factor as signage with more uniform backgrounds were approved.
- The original sign measurement language was more coherent. Revising the language was suggested to say, "... (B.) (1.) Sign area shall be determined as follows:" and then, "the area of a sign is x, y and z." More specific comments could be provided via e-mail.
  - Other cities delineated sign face area according to A. Sign Cabinets, B. Batch Signs; C Multiple Cabinets, etc. to be able to define how the sign area changes between different sign types, which seemed clearer. Including subheadings such as A for frame signs, B for individual element signs and C for three-dimensional signs, etc. would work.
  - Using Figures 1 and 2 showing how to measure the different signs addressed the issue, but the letter references related to the figures needed to be rearranged.
- Other parts of the sign measurement code should not be cross-referenced within itself, as done in Subsection ... (B.) (1.) (a.) (ii).
- The language regarding sign height in Subsection (B.) (2.) (a.) on Page 6 of 9 of the Staff report was the existing Code language. The average grade of where the sign was mounted was not important, but rather the grade of the street from which the sign is viewed. With the current Sign Code height maximum of 20 ft., the Toyota sign sits well below the grade of the ramp to Boeckman Rd, so the sign would only be four or five feet above grade. Not accounting for the grade change would penalize Toyota on sign height. The other potential issue was when a sign was mounted on a berm.
  - Holding the standard to the street grade the sign was viewed from rather than the ground it was mounted on would be more consistent in terms of the view height; the grade a sign was being mounted could be changed in many ways.
  - HydroTemp provided another good example, but Toyota had 42 ft of elevation surrounding its perimeter. In that case, the average grade from the bottom of the ramp to the top of Boeckman Rd could be used. Toyota also had frontage on Boones Ferry Rd.
    - Using the average could be more complicated than measuring surrounding slope and grade, but it was to the applicant's benefit to do so.
  - Placing a maximum height on any sign regardless of slope could address grade change issues.
  - Staff would look at some of the grades and topography in the area and offer some examples of how the grade issue might be addressed given the Commission's suggestions, such as at Boones Ferry Rd to the top of the ramp using Toyota and HydraTemp.
  - The freeway posed a different question because very few places in town where at freeway grade.
  - Perhaps the viewpoint of the sign should be a consideration.

- The average height along the freeway was already above the 20-ft standard due to master sign waivers, etc. Perhaps a freeway corridor should be considered and then all other signage could be based on local streets.
- The language should specify the type of lighting used on sign poles and structural supports, whether it was internal lighting in the poles, indirectly lit from the ground, etc.
  - Lighting was considered an architectural feature when shining on the building but not on a pole, which came back to the issue of whether architectural elements of a pole are considered differently than the architectural elements of a building. Comments were made about a pole being a structural support, unless a fancy structure is created that exceeds the structural need.
- Mr. Pauly also suggested limiting the descender of lower case letters to the width of the letter to address the "descender dilemma."
  - Whipper Snippers had a tiny sign because the surrounding frame had to fit into the approved sign area.
  - Details regarding minor exemptions to allow trademarks, etc would be discussed at the next meeting.
  - A clause should be included for multitenant buildings so the last business in was not short-changed on their sign size. Each master plan should allow for a certain amount of signage for each tenant no matter how the space was divided.
- Staff was asked to provide some examples using existing signs and the current versus proposed Sign Code allowances.
- The proposal encouraged individual element signs to some degree; eliminating the frame allowed for more square footage for the sign itself. Cabinet signs were not being denied, but penalized to a certain extent.
- The reasonable independent design function test could be used to determine when a background, including an awning, became a sign. The idea was if the message or image were taken off the background, whether or not that background could serve an independent design function even if it were for another tenant.
  - A logo or image on a background with a clearly identifiable color, like Chevron's blue, becomes an entire sign. Attorneys would salivate at the reasonable independent design function test, which would allow for bigger signs.
  - Staff was still working on how to concisely and clearly determine that threshold.
  - As a design feature, awnings could pass the test easier than canopies; although canopies may be required by the City. It was a situation where applicants were required to do something and then penalized for doing it.
  - If a business would remove the background element when vacating the premises, the element should be counted in the sign area. Toyota would remove the lit façade if they vacated because it is part of their corporate image.

Councilor Starr stated one reason he was pushing for the Sign Code update was the Whipper Snipper sign. Businesses need to have more than a postage stamp-sized sign above their door. Even with a horrible master sign plan, at least some piece of it needed to be protected so any business that came in could be represented fairly and equitably. He was glad the Commission had discussed the idea.





## Sign Code Work Session

Updated Draft of Purpose of Objectives  
Proposed Timeline for Review  
Definition of "Sign"  
Sign Measurement

Wilsonville Planning Commission  
December 14, 2011

## Tonight's Topics

1. Brief comments on Purpose and Objectives
2. Briefly discuss Proposed Timeline for Review

### 3. Definition of "Sign"

- "Sign" vs. "Architecture"

### 4. Sign Measurement

## Purpose and Objectives

### Highlight of Changes Since Last Work Session:

- Change "sign user" to "sign owner"
- Remove "The provisions do not necessarily provide for a sign user's desired level of signage" from the purpose statement.
- Move "aesthetically pleasing" language from objective A. to objective B. and remove "well-designed" language from objective A. to allow objective A. to focus on signs being readable.
- Remove the preposition and verb at the beginning of each objective.
- In objective B. replace "neighborhoods" with "surrounding developed areas" and "zoning district" with "similar uses in the zoning district" which is more consistent with existing code language in this and other sections.
- Further refinement to the language of Objective A.

## Objective A

*A. Signs which can be clearly read from streets, rights of way, and private drives that abut a site or where applicable, from travel lanes and pathways within a site.*

## Review Timeline

### Current Staff Recommendation:

#### December: Work Session

- Discussion of Timeline and Priorities
- Clarifying Architecture versus Signs in Definition of "Sign"
- Sign Measurement Methods

#### January: Meeting Reserved for Transportation Systems Plan Open House

#### February: Work Session

- Application Process
- Sign allowances in different zones, specifically the PDC zones
- Electronic Changeable Image Signs
- Temporary Signs
- Minor related changes in other code sections

#### March: Work Session

- Follow-up from February, tying up loose ends before public hearing.

#### April: Public Hearing

## Definition of "Sign"

Leave "as is" with this one addition at the end:

*"A sign does not include architectural or landscape features that may attract attention but do not convey a message or image."*

- Clarifies the boundary between "Sign" and "Architecture"
- Provides for additional consistency between sign applications
- Consistent with vast majority of prior DRB approvals
- Helps implement Objective D. "Consistent and equitable application and enforcement of sign regulations."
- Changes to sub definitions will be recommended later to reflect changes in Section 4.156.



## Sign Measurement

**Goal: Consistency and ease of use and administration to help implement Objectives D. and E.**

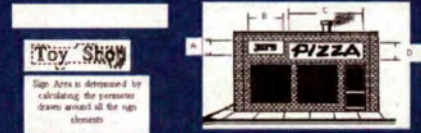
D. "A consistent and streamlined sign review process that maintains the quality of sign development and ensures due process.

E. "Consistent and equitable application and enforcement of sign regulations."

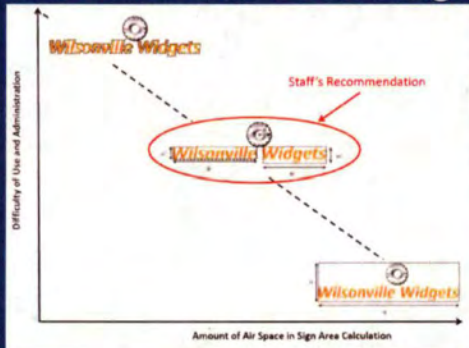
## Area of Individual Element Signs

**Current Language:**

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 17: Individual Element Sign).



## Area of Individual Element Signs



## Sign Measurement

**Other Staff Recommendations:**

- Clarify that poles and structural supports are only included in sign area when lighted
- Other organizational and text changes to increase readability and consistency
- Solve the "descender dilemma"

## Descender Dilemma

Staff recommends adding the following language regarding measuring individual element signs:

- ii. the signs area does not include:
1. the descender on the lower case letters "q, y, p, g, or j," where the letter otherwise matches the font of other letters in the sign and the descender is no more than 1/3 the cap height of the font.



## When is the Background a Sign?

Reasonable independent design function test



## PLANNING DIVISION MEMORANDUM

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To: Planning Commission

From: Daniel Pauly AICP, Associate Planner

Date: December 14, 2011

Subject: Additional Recommended Changes to Objective A and B of Sign Code

---

I have continued to work with City Attorney Michael Kohlhoff to refine objectives A Subsection 4.156 (.01). Changes have been made to use simple direct language and be inclusive of different potential view points as defined in the development code (streets, rights-of-way, private drives, travel lanes, and pathways). The suggested language is below:

- A. *Signs which can be clearly read from streets, rights of way, and private drives that abut a site or where applicable, from travel lanes and pathways within a site."*

**Pauly, Daniel**

---

**From:** Pauly, Daniel  
**Sent:** Wednesday, December 14, 2011 3:33 PM  
**To:** 'Al Levit or Pat Rehberg'  
**Cc:** Neamtzu, Chris  
**Subject:** RE: PC meeting

Al

The commercial sign/residential area conflict is something on my radar. I am thinking it may be better to address it under sign allotments for the different zones. I think this should include protection of areas that are zoned or have a comp plan designation for future residential development. Site design review and other residential/more intensive use buffering requirements also help address this. Thank you for the suggestion on painted background. I will continue to work on language to address this using your suggestions. See you tonight.

*Ham*

Daniel Pauly, AICP  
Associate Planner

City of Wilsonville Planning Division  
503-682-4960  
pauly@ci.wilsonville.or.us

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---

**From:** Al Levit or Pat Rehberg [mailto:levitrehberg@frontier.com]  
**Sent:** Wednesday, December 14, 2011 11:20 AM  
**To:** Pauly, Daniel  
**Cc:** Neamtzu, Chris  
**Subject:** Re: PC meeting

Dan,

Thanks for responding. My comments in blue below.

Al

----- Original Message -----

**From:** Pauly, Daniel  
**To:** levitrehberg@frontier.com  
**Cc:** Neamtzu, Chris  
**Sent:** Wednesday, December 14, 2011 10:18 AM  
**Subject:** RE: PC meeting

Commissioner Levit

Thank you for the comments. Please see my thoughts on the sign code questions below in red. Any follow up, let me know.

*Ham*

Daniel Pauly, AICP

Associate Planner

City of Wilsonville Planning Division  
503-682-4960  
[pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us)

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**From:** Neamtzu, Chris  
**Sent:** Tuesday, December 13, 2011 12:28 PM  
**To:** Pauly, Daniel  
**Cc:** Straessle, Linda  
**Subject:** FW: PC meeting

**From:** Al Levit or Pat Rehberg [mailto:levitrehberg@frontier.com]  
**Sent:** Tuesday, December 13, 2011 12:16 PM  
**To:** Neamtzu, Chris  
**Subject:** PC meeting

Chris,

I've read much of the info for tomorrow's meeting and have some questions and comments for you. You can answer these tomorrow if you wish.

Sign Code

page 2 of 9 section (.01) A - I think dropping the word "vehicle" would make the objective applicable to bike and ped travel lanes.

As will be outlined in a memo I have prepared for tonight's meeting, I have modified objective A. further based on some discussion with City Attorney Mike Kohlhoff. This already includes the removal of the word vehicle in front of travel lanes. It also adds the word pathway to further address bikes and peds. Sounds good.

page 2 of 9 section (.01) B - though it is hard to predict future development, the phrase "surrounding developed areas" might be more inclusive if it was "surrounding developed and developable areas".

Interesting point. The reason staff recommends the phrase "surrounding developed areas" is because it is consistent with the current sign code and other sections of the development code including Site Design Review. Also, requiring compatibility with future development may be too undefined. I also thought it may be too undefined but I was thinking of a boundary area between two zoning designations, say a new sign in a commercial zone near an undeveloped residential zoned area.

page 3 of 9 in section 4.001 236 end of line 4 - should window sign refer to exterior window sign? As I understand it, signs showing through a window are allowed.

The definition aims to define more than to regulate. In this case the definition states simply that a window sign, whether exterior or interior, is a sign. The exempt sign section then regulates that interior window signs are exempt from permitting. OK. Sadly, this leads to some pretty ugly situations.

Regarding the display of merchandise sold being a sign only if attached leaves open the question of free-standing stuff. I'm sure most people wouldn't object to the for sale items outside of Lamb's, Albertsons or Fred Meyers but what about a big stack of oil cans at Jiffy Lube or a pile of tires at Les Schwab? I'm just using the latter 2 as examples of what might be lacking in esthetics.

The stack of oil cans or tires, are by definition, not signs. The provisions regarding outdoor display of merchandise in Section 4.116 (Standards Applying to Commercial Development in All Zones) would address aesthetic concerns regarding this type of outdoor display. OK.

page 5 of 9 line 1 and next to last line - word "signs" should be "sign's".

Good catch. I will correct these.

page 6 of 9 e. Painted wall signs. Using the blue facade behind the Honda logo at Parker Johnston's Honda as an example, if the blue was painted on the wall as opposed to say a blue glass window, would only the painted one be counted for the calculation? This is really a tough area to write into code.

This concerns a broader question of the boundary between architectural element and sign background. My thought is that the calculated area is limited to a cabinet or background that provides a noticeable frame around a message or image, or in other words is directly connected to the readability and design of the sign and doesn't otherwise have an independent design function. I think the best test is whether a sign displaying a message or image could be removed and the element would still serve an independent design function, even with a different tenant. I think in the example you use both the painted wall or the blue glass window could serve a design function independent of any message or image. If there was a blue rectangle background painted on the side of an otherwise white building to provide a sign background, and would be functionless blue spot on the building without the message or image, it would be calculated in sign area. I will give some additional thought to how to best clearly and concisely state the difference in the code. Language that may work for the painted wall sign 9. e. ii. is "if a background is painted to serve a function similar to that of a cabinet for a cabinet sign then it shall be calculated in the manner indicated in a. above." Additional language underlined. Your comments make it clear. The stand-alone concept would have made many DRB discussions easier and shorter. Perhaps a statement in code similar to "a background painted on the side of an otherwise white building to provide a sign background, and would be functionless on the building without the message or image, it would be calculated in sign area." would clarify the concept.

#### DKS report

page 2 of 78 - if my logic and calculations are correct the population and employee data in Table 1 work out to an even greater ratio of people working in Wilsonville to living here in 2035. This appears to indicate we will not be significantly affecting the goal of reducing the ratio in the future. The result will be even more commuter traffic.

page 6/& of 78 Table 2 - To the best of my knowledge the Grahams Ferry Rd./ Clutter Rd.; the Boeckman Rd./Boones Ferry Rd. Access Lp.; and the Miley Rd/I-5 SB Off Ramp all have only 1 stop sign, not "Two-Way Stop" signs.

Also the relocation of Clutter Road to 500' north of it's current location differs from the 550' relocation mentioned in Table 6 on page 16.

page 8 of 78 Table 3 - The inclusion of work on the Boeckman overpass makes me ask if the concept of an I-5 interchange there now dead?

page 9 of 78 last paragraph - This mentions SMART that service to Willamette Way and Orchard Drive was to be expanded. The existing route was actually removed this spring or summer ostensibly due to residents' wishes. (BTW, it would have been nice had SMART actually done a survey to see what the neighborhood actually wanted rather than just listening to the complainers.)

page 10 of 78 last bullet - There is a shelter in place on the south side of Wilsonville Rd. at Montebello. I thought they also installed one at the HS but am not sure of this.

page 11 of 78 Bike and Ped System - Since ODOT cut off access to Parkway at the interchange, I would like to see a project added to the TSP to open a ramp from the bike lane for access to Parkway. This will allow bikers to enter the Town Center Loop shopping area from the south side by traveling on Main to the appropriate cross street to go directly across Wilsonville Rd. rather than having to cross all the traffic lanes on Wilsonville Rd. to make left turns. The current configuration ignores the safety of bike riders and connectivity to the shopping area.

Another project would be to really pay attention to wayfinding for bikers and pedestrians. Right now, it is pretty spotty at best.

page 13 of 78 first paragraph - I'd like to see some acknowledgement of the additional danger created when the dedicated NB lane over the bridge narrowed the bike lane. Also, I understand that the striping on the SB on ramp is not final but if it is currently as it will be, there is no accommodation for a bike lane in the ramp area. Another lack of safety consideration for bike riders.

**Pauly, Daniel**

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**From:** Melissa Hayden <melissa@securitysigns.com>  
**Sent:** Monday, December 12, 2011 10:15 AM  
**To:** Pauly, Daniel  
**Subject:** RE: Wilsonville Sign Code Revision Update and Invitation to Comment December 2011

Awesome! Glad to hear we're on the same page! ☺

When looking through a new sign code I would be looking in the sign area definition for this type of information.

**Melissa Hayden | Project Manager**  
Security Signs | [www.securitysigns.com](http://www.securitysigns.com)  
d. 503.546.7114 | m. 360.903.3495 | f. 503.230.1861  
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Family Owned and Operated Since 1925

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**From:** Pauly, Daniel [mailto:pauly@ci.wilsonville.or.us]  
**Sent:** Monday, December 12, 2011 10:10 AM  
**To:** Melissa Hayden  
**Subject:** RE: Wilsonville Sign Code Revision Update and Invitation to Comment December 2011

Hi Melissa

Thank you for the feedback. I was drafting some language addressing ascenders and descenders for another section, but your comments make me think that it may be best to put the language in this section with other measurement language. I will share your comments with the Planning Commission on Wednesday and work on finding the best place for the ascender and descender language.



Daniel Pauly, AICP  
Associate Planner

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**From:** Melissa Hayden [mailto:melissa@securitysigns.com]  
**Sent:** Monday, December 12, 2011 9:49 AM  
**To:** Pauly, Daniel  
**Subject:** RE: Wilsonville Sign Code Revision Update and Invitation to Comment December 2011

Hi Dan,

Security Signs fully support the changes in your definitions for sign area. By allowing the three area boxes you are effectively encouraging and rewarding more interesting signs than a standard cabinet sign. This is a specific code change



that I encourage all jurisdictions to adopt as their signs can be more structurally interesting with the flexibility of the sign area.

Another change you may want to make is to not count ascending or descending text. So the under hanging 'g' in widgets would not be counted and the height of 'Widgets' would be the same height as H1. I have seen this in a few jurisdictions, and it helps even further with the encouragement of more interesting signs and fonts.

Keep up the good work!

**Melissa Hayden** | Project Manager  
Security Signs | [www.securitysigns.com](http://www.securitysigns.com)  
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2424 SE Holgate Blvd. | Portland, Oregon 97202  
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**From:** Pauly, Daniel [<mailto:pauly@ci.wilsonville.or.us>]  
**Sent:** Thursday, December 08, 2011 8:27 AM  
**To:** 'ccc@teleport.com'; 'mpruitt@thesignpros.com'; 'matt@gramor.com'; 'DWinand@pmar.org'; 'akirk@orepac.com'; 'melissa@securitysigns.com'; [Steve@wilsonvillechamber.com](mailto:Steve@wilsonvillechamber.com)  
**Subject:** Wilsonville Sign Code Revision Update and Invitation to Comment December 2011

Dear Individuals Interested in Wilsonville's Sign Code Revisions:

Wilsonville's Planning Commission continues to move forward in examining changes to the sign code. This coming Wednesday, December 14, 2011, they will have an additional public work session. Attached you will find a staff report for the work session. We would like to invite you to review this document and provide your thoughts and comments by either coming to the work session next Wednesday evening at Wilsonville City Hall or submitting them in writing to City staff, addressed to the Planning Commission, by 4:00 p.m. that same evening. You can email written comments to me at [pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us). The Planning Commission meeting begins 6:00 p.m., and the sign code is scheduled to be discussed beginning at 7 p.m. This work session will focus on an addition to the general definition of sign and changes to the language governing how signs are measured. The staff report also includes a preliminary timeline for the Planning Commission to complete this sign code revision project. As always, City staff is available to answer any questions you may have about the draft changes to the code and the process. Thank you for your continuing participation and assistance with this project.

Regards

**Daniel Pauly, AICP**  
Associate Planner

**City of Wilsonville Planning Division**  
29799 SW Town Center Loop East  
Wilsonville OR 97070  
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## PLANNING COMMISSION STAFF REPORT

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### Continuing Draft Sign Code Discussion

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Meeting Date: December 14, 2011  
 Report Date: December 7, 2011

Contact: Chris Neamtzu, AICP or Daniel Pauly, AICP  
 Contact Telephone Number: 503-682-4960  
 Contact E-Mail: neamtzu@ci.wilsonville.or.us  
 or pauly@ci.wilsonville.or.us

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### INTRODUCTION

Below you will first find the updated draft of the purpose statement and objectives with a brief explanation of the most recent changes. Next, you will find a timeline staff recommends the commission aim for to complete the review of sign code in a timely manner while balancing other upcoming agenda items such as the Transportation Systems Plan and Economic Development Plan. Lastly, you will find draft revisions to the general definition of “sign”, and the subsection of code governing the methods of sign measurement. Staff recommends spending the vast majority of the work session discussing these changes to the definition of “sign” and methods of sign measurement.

### UPDATED DRAFT PURPOSE STATEMENT

The draft purpose statement and objectives below reflect changes made based on the Commissioners’ and others’ comments during the October work session. The changes include:

- Change “sign user” to “sign owner”
- In the second sentence of the purpose statement, replace “Wilsonville’s Code” with “Chapter 4” to clarify which portion of the City code consistency is being maintained with.
- Other changes to second sentence to improve readability and properly relate to first sentence.
- Remove the words “The provisions of this” in the third sentence of the purpose statement as unnecessary.
- Remove “The provisions do not necessarily provide for a sign user’s desired level of signage” from the purpose statement.
- Move language regarding adjacent streets and rights-of-way from purpose statement to objective A.
- Move “aesthetically pleasing” language from objective A. to objective B. and remove “well-designed” language from objective A. to allow objective A. to focus on signs being visible and comprehensible
- At the end of objective A “ and provide other needed information” is replaced with “or to convey other messages or images” and other minor changes are made to increase readability and be consistent with the the definition of “sign”.
- Remove the preposition and verb at the beginning of each objective.



**Exhibit B**

- In objective B. replace “neighborhoods” with “surrounding developed areas” and “zoning district” with “similar uses in the zoning district” which is more consistent with existing code language in this and other sections.

*(.01) Purpose: The general purpose of this Section is to aid in implementing the Comprehensive Plan by fostering an aesthetically pleasing, functional, and economically vital community, as well as promoting public health, safety, and well-being. This Section strives to accomplish the above general purpose by meeting the needs of sign owners while maintaining consistency with the development and design standards elsewhere in Chapter 4. This Section regulates the design, variety, number, size, location, and type of signs, as well as the processes required to permit various types of signage. Sign regulations in this Section have one or more of the following specific objectives:*

- A. Signs that are sufficiently visible and comprehensible, from streets and rights-of-way that abut a site and vehicle travel lanes within a site, to aid in way-finding and identification, or otherwise convey a message or image.*
- B. Sign design and placement that is aesthetically pleasing and compatible with and complementary to the overall site design, along with adjoining properties, surrounding developed areas, and similar uses in the zoning district.*
- C. A consistent and streamlined sign review process that maintains the quality of sign development and ensures due process.*
- D. Consistent and equitable application and enforcement of sign regulations.*
- E. All signs are designed, constructed, installed, and maintained so that public safety, particularly traffic safety, are not compromised.*
- F. Sign regulations are content neutral.*

**PROPOSED TIMELINE FOR FINISHING PLANNING COMMISSION REVIEW****December: Work Session**

## Topics:

- Discussion of Timeline and Priorities
- Clarifying Architecture versus Signs in Definition of “Sign”
- Sign Measurement Methods

**January:** Meeting Reserved for Transportation Systems Plan Open House

**February: Work Session**

Topics: (In order of priority). Staff will send these text changes out to the Commission and interested parties well ahead of time and encourages comments via email and phone well ahead of the work session so those comments can be addressed prior to the work session.

- Application Process
- Sign allowances in different zones, specifically the PDC zones
- Electronic Changeable Image Signs
- Temporary Signs
- Minor related changes in other code sections

**March: Work Session**

Topics:

- Hold for follow-up from February, tying up loose ends before public hearing.

## April: Public Hearing

### DEFINITION OF “SIGN”

#### *Explanation:*

The Chamber of Commerce has not recommended any changes to the general definition of “sign”. However, staff has thoroughly reviewed the current definition and definitions of signs from various jurisdictions and the document *Framework for On-Premise Signs* (2009). Based on this review, staff recommends only a minor addition to clarify the boundary between architectural features that attract attention and signs. This was an issue that was raised during the last work session. Also, some changes to sub definitions may be recommended later to reflect changes in Section 4.156.

As suggested in the last work session, staff has reviewed a number of past DRB approvals where the boundary between architecture and signage was discussed. In the vast majority of cases, striping, colored lighting, lighted walls, lighted bands, were not considered signage. One notable exception is colored down lighting on gas canopies being considered signage. Staff recommends adding a sentence to the end of the current definition to clarify the architecture/signage boundary to reflect the vast majority of past DRB approvals.

New language in ***bold italics underlined***

Section 4.001 236. Definition of “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. The scope of the term “sign” does not depend on the content of the message or image conveyed. ***A sign does not include architectural or landscape features that may attract attention but do not convey a message or image.***”

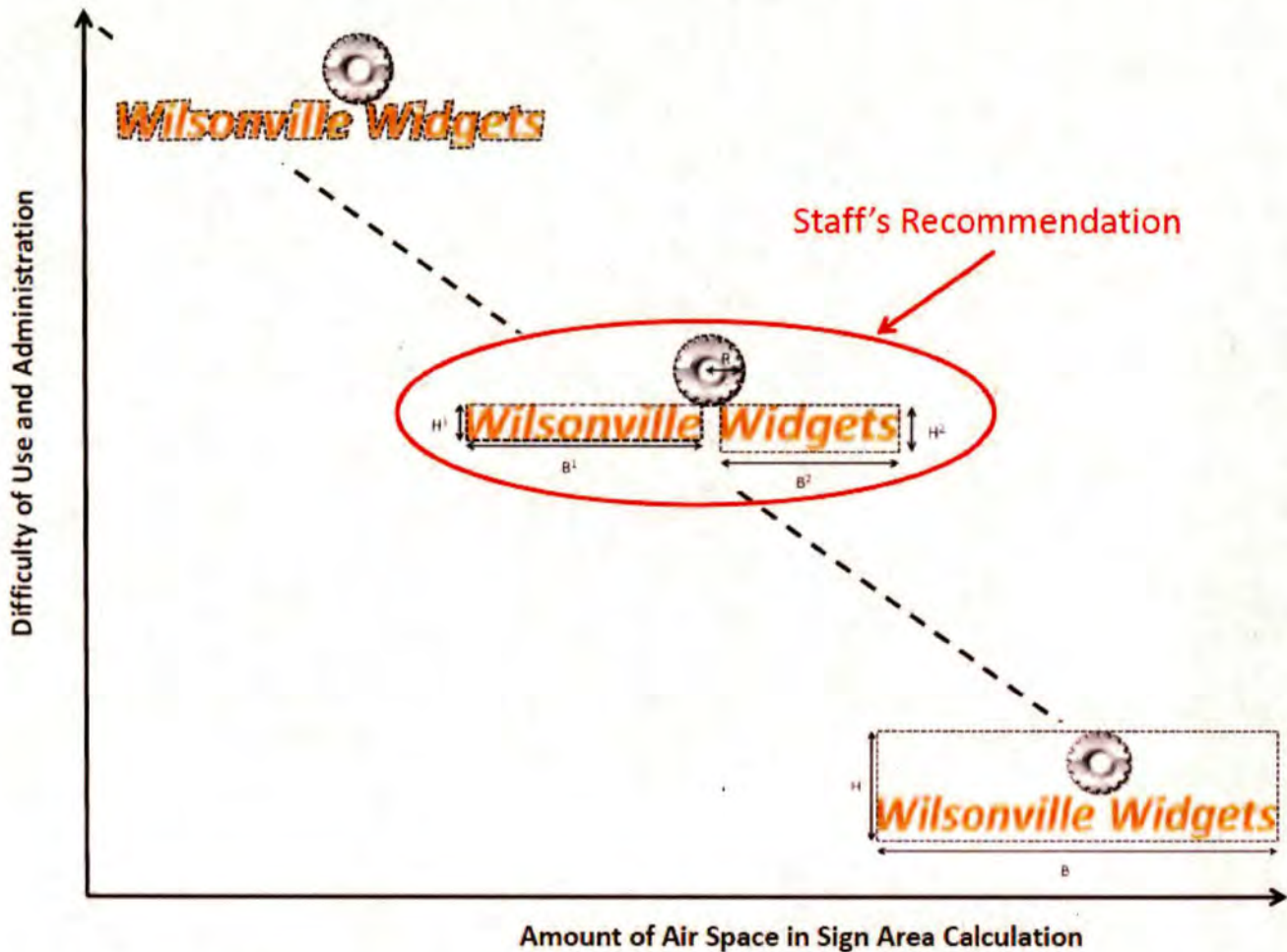
### SIGN MEASUREMENT

#### *Explanation:*

Consistency and ease of use and administration are the main goals of the revised sign measurement language. A primary issue is calculating area, especially for individual element signs. Generally speaking, the easier the measurement method, the more non-sign “air space” is included in the sign area calculation. For example, drawing a single rectangle around the sign is typically the easiest method, but also includes the most “air space.” Conversely, drawing a tight boundary around each individual sign element would remove virtually all the “air space” from the sign area calculation, but would require a computer to efficiently calculate the area. Staff has reviewed a wide array of area measurement language from different jurisdictions in the region, state, and nationally as well as the language in *Framework for*

## Exhibit B

*On-Premise Signs* (2009). Staff recommends language that strikes a reasonable balance between ease of administration and eliminating “air space” from sign area calculation. It will provide for greater consistency regardless of the staff reviewing the application and the sophistication of the applicant. The diagram below illustrates the choices and staff’s recommendation.



Other substantive changes include clarifying when poles and structural supports are included in sign area, and that the height of wall mounted signs should be determined based on the building elevation rather than the average grade below the sign. The method of sign measurement, as well as the other substantive changes were recommendations that came out of staff’s meetings with the Chamber of Commerce. Additional changes are to increase readability and consistency.

Draft Language (note: this is a clean read version. A version of the changes showing additions and deletions can be found in Appendix A)

*B. Sign Measurement.*

*1. Sign area shall be determined as follows:*

- a. Signs enclosed by cabinet, frame, or other background (including lighted surface) not otherwise part of the architecture of a building or structure.*
  - i. the area of a shape drawn around the outer dimension of the cabinet, frame, or background.*



- ii. if the cabinet, frame, or background is an irregular shape the signs perimeter shall be measured the same as an individual element sign under b. below.
- iii. the sign area does not include:
  - 1. foundations, supports, and other essential structural elements that are not specifically designed to serve as a backdrop or border to the sign.
  - 2. a pole or other structural support, unless such pole or structural support is internally illuminated or otherwise so designed to constitute a display device.

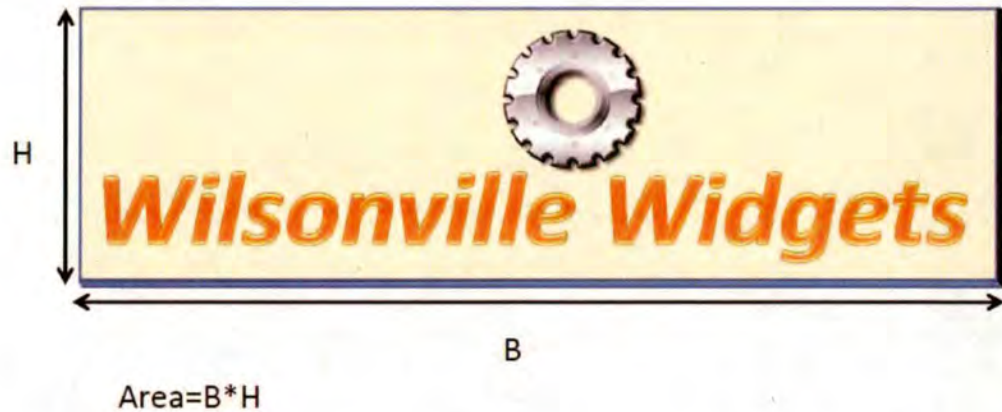


Figure 1. Measurement of Cabinet or Similar Signs

- b. Signs constructed of individual elements (letters, figures, etc.) attached to a building wall or similar surface or structure:
  - i. the summed area of up to three squares, rectangles, circles, or triangles which form, or approximate, the perimeter of all sign elements.

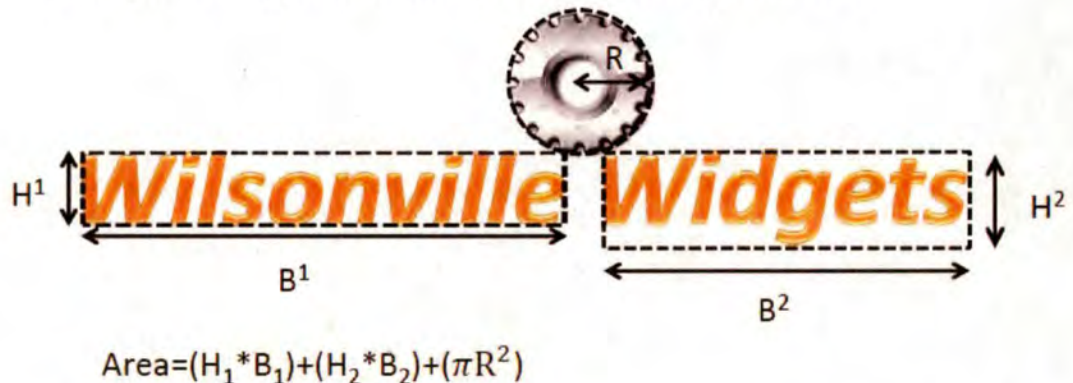


Figure 2. Measurement of Individual Element Signs

- c. A round or three-dimensional sign:
  - i. the maximum surface area visible from any one location on the ground is used to determine sign area and measured the same as a. above.
  - ii. if the maximum surface area is an irregular shape the signs perimeter shall be measured the same as an individual element sign under b. above.

- d. *Signs incorporated into awnings or marquees:*
    - i. *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, other than the background color of the awning.*
  - e. *Painted wall signs:*
    - i. *if individual elements are painted without a background it shall be calculated in the manner indicated in b. above.*
    - ii. *if a background is painted it shall be calculated in the manner indicated in a. above.*
  - f. *Temporary signs including banners, lawn, and rigid signs:*
    - i. *shall be calculated in the manner indicated in a. above.*
  - 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. *Sign Height above Ground*
- a. *The height above ground of a ground-mounted or freestanding sign shall be measured from the average grade directly below the sign to the highest point of the sign or sign structure.*
3. *Height and Length:*
- a. *Height of a sign is the vertical distance between the lowest and highest points of the sign.*
  - b. *Length of a sign is horizontal distance between the furthest left and right points of the sign.*
3. *The Planning Director shall be responsible for determining the area, height above ground, height, and length of a sign, subject to appeal as specified in Section 4.022. Applicants for sign permits shall provide the dimensions needed to calculate the area, height above ground, height, and length.*

**APPENDICES:**

Appendix A Redlined Version of Measurement Language



Appendix A: Redlined Version of Measurement Language

**Format Guide:**

Code Text Being Kept

~~Deleted Code Text~~

**New Code Text**

*Staff Notes*

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 15: Sign Face Measurement).~~ **Signs enclosed by cabinet, frame, or other background (including lighted surface) not otherwise part of the architecture of a building or structure.**

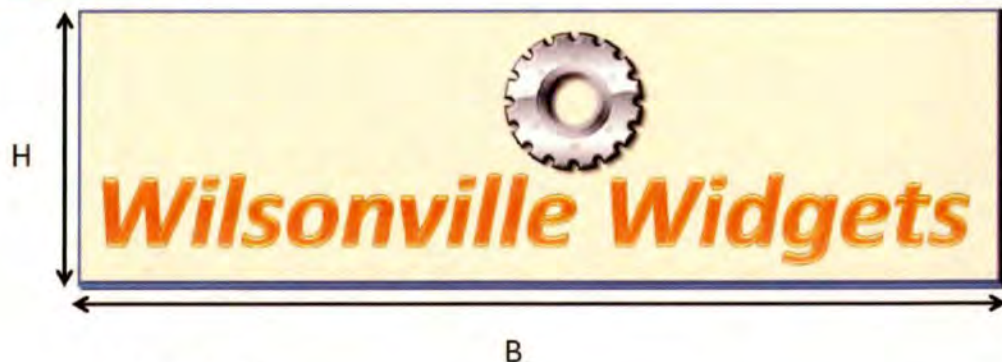
**i. the area of a shape drawn around the outer dimension of the cabinet, frame, or background.**

**ii. if the cabinet, frame, or background is an irregular shape the signs perimeter shall be measured the same as an individual element sign under b. below.**

**iii. the sign area does not include**

~~Sign area does not include f~~ **1. Foundations, supports, and other essential structures unless they are serving as a that are not specifically designed to serve as a backdrop or border to the sign.**

**2. A pole or other structural support, unless such pole or structural support is internally illuminated or otherwise so designed to constitute a display device:**



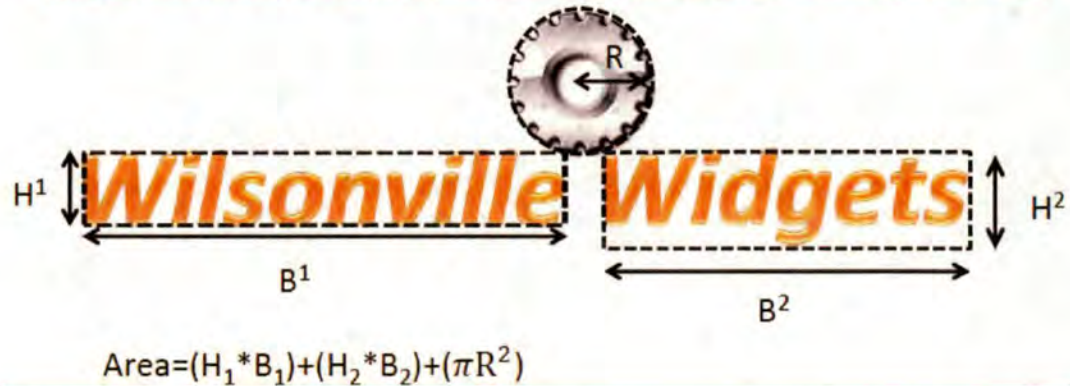
**Figure 1. Measurement of Cabinet or Similar Signs**

b. ~~When s~~ **Signs are constructed of individual pieces elements (letters, figures, etc.) attached to a building wall, sign area is determined by a perimeter drawn around all of the pieces (see Figure 17: Individual Element Sign). or similar surface or structure:**



Appendix A: Redlined Version of Measurement Language

- i. the summed area of up to three squares, rectangles, circles, or triangles which form, or approximate, the perimeter of all sign elements.**



**Figure 2. Measurement of Individual Element Signs**

- c. ~~For a~~ **A** round or three-dimensional sign:;  
**i.** the maximum surface area visible from any one location on the ground is used to determine sign area (see Figure 20: Sign Face Area). **and measured the same as a. above.**  
**ii.** **if the maximum surface area is an irregular shape the signs perimeter shall be measured the same as an individual element sign under b. above.**
- d. ~~When s~~ **S**igns are incorporated into awnings, walls, or marquees:;  
**i.** 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, **other than the background color of the awning.**
- 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.~~ **Painted Wall Signs:**  
**i.** **if individual elements are painted without a background it shall be calculated in the manner indicated in b. above.**  
**ii.** **If a background is painted it shall be calculated in the manner indicated in a. above.**
- f. ~~The Planning Director shall be responsible for determining the area of a sign, subject to appeal as specified in Section 4.022. moved to 4. below.~~ **Temporary signs including banners, lawn, and rigid signs**  
**i.** **Shall be calculated in the manner indicated in a. above.**
- 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. **Sign Height above Ground**  
**a.** The ~~overall~~ height **above ground** of a **ground-mounted or freestanding** 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~~

## Appendix A: Redlined Version of Measurement Language

~~of a sign, the Planning Director shall make the determination, subject to appeal, as provided in this Code. Moved to 4. Below.~~

**3. Height and Length:**

**a. Height of a sign is the vertical distance between the lowest and highest points of the sign.**

**b. Length of a sign is horizontal distance between the furthest left and right points of the sign.**

**4. The Planning Director shall be responsible for determining the area, height, vertical span, and length of a sign, subject to appeal as specified in Section 4.022. Applicants for sign permits shall provide the dimensions needed to calculate the area, height above ground, height, and length.**



**Sign Code Revision  
Documents Distributed for Planning Commission Work Sessions  
Index**

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**November 9, 2011**

- Minutes Excerpt
- Paper copy of PowerPoint presentation shown at meeting, "Purpose and Objectives Code Structure"
- A memorandum dated November 9, 2011, from Barbara Jacobson, regarding Sign Code.
- An email dated November 3, 2011, from Doris Wehler, regarding Doris' comments on sign code revisions
- Planning Commission Staff Report dated November 2, 2011 for November 9, 2011 meeting date regarding Continuing Draft Sign Code Discussion.



**PLANNING COMMISSION  
WEDNESDAY, NOVEMBER 9, 2011  
6:00 PM**

**Wilsonville City Hall  
29799 SW Town Center Loop East  
Wilsonville, Oregon**

**Approved  
December 14, 2011**

**Minutes Excerpt**

**I. CALL TO ORDER - ROLL CALL**

Chair McGuire called the meeting to order at 6:03 p.m. Those present:

Planning Commission: Marta McGuire, Al Levit, Ben Altman, Ray Phelps, Amy Dvorak, Eric Postma and City Councilor Scott Starr. Tom Sullivan arrived shortly after roll call.

City Staff: Chris Neamtzu, Barbara Jacobson, Dan Knoll and Daniel Pauly

.....  
**VI. WORK SESSIONS:**

**A. Sign Code Revisions (Daniel Pauly)**

Barbara Jacobson, Assistant City Attorney, reviewed her memorandum dated November 9, 2011, which was distributed to the Planning Commission. She had found a 1954 quote from an esteemed U.S. Supreme Court justice about the importance of regulating sign codes for useful wayfinding and business purposes, as well as aesthetics. Case law was clear that cities have a lot of discretion in regulating aesthetics. It is more problematic to regulate signs through nuisance ordinances than through sign codes. She noted that a city in Arizona tried to regulate sign colors, which Blockbuster Video and another company disputed, contending it was trademark infringement under the Lanham Act. Cities could regulate color, typeface, etc. unless it infringed on a trademark.

Commissioner Sullivan arrived during this work session.

Discussion amongst the Commission and Staff on regulating trademark signs included these comments:

- It was interesting that trademarks could be prohibited, but not changed.
- The City of Portland had issues with color on the big IKEA sign. The trademark sign was allowed but banners hanging in front of the store advertising breakfast sandwiches, etc. were prohibited.
- Trademarks typically do not regard the size of a sign or logo, but the image that is projected. Ms. Jacobson did not believe banners would fall into the trademark category.
- Most interesting was that the City had a lot of latitude when regulating through the Sign Code, but not through other methods, which was difficult. Including design review standards in the Sign Code was important.
- Another issue was whether the style of the building or the actual logo was the trademark; for example, Honda's 'H' versus the wavy line across the parapet of their building. This might be a subtle difference in the Lanham Act.

- \* Companies knowing they want to incorporate building elements on a national scale will attempt to trademark it to provide additional protection from sign codes, saying the element cannot be removed because it is part of the trademark.
- \* Service stations have logos, like the Chevron or Shell images, but then have the same color scheme on the canopy. The City has addressed that through the Master Sign Plan by counting the added color as a sign, but then granting a waiver because of the trademark design.
- \* The DRB denied Hollywood Video's sign because it was too big, but the company returned and had incorporated essentially the same sign into their building façade with light rays and a mountain ridge. Clearly, Hollywood Video's trademark logo was that seen on all their businesses. The video store in Town Center had just a regular sign. The question was whether the light rays and mountain ridge were trademarked, which was a different conversation than using a waiver to the Master Sign Plan policy.
  - The landlord did not want signage up to the top of the building either. Hollywood Video was allowed to have the light rays within the area of their allocated sign in addition to their logo. Mr. Neamtzu agreed to pull the case file to review the details, adding the Lanham Act might have preceded that sign application.
- \* The Chamber group did not resolve the issue of building graphics versus the sign itself.
- \* The question was about sign logo and lettering versus building graphics. A blue band on an industrial building is considered part of the architecture, but was counted as a sign for Chevron.
- \* The DRB justified denying Camping World's oversized sign based on architectural elements not being part of the sign. A sign application was submitted, yet the new sign was part of the building. The decision had not been appealed.
- It would be helpful to see a summary of past decisions regarding these issues, including service stations, Wentworth Chevrolet with the big stripe around its building, and Wilsonville Toyota's lighted wall.
  - \* A summary of prior decisions could be used to indicate a community standard and help shape effective and aesthetic criteria beyond the general Purpose Statement. There was particular interest in the reasons for denying the Camping World sign.
  - \* A compilation of case files regarding these decisions could be helpful for new DRB members or Planning Commissioners as well.

Dan Pauly, Assistant Planner, reviewed the Staff Report dated November 2, 2011 via PowerPoint, first reviewing the updated draft Purpose statement, including how the goals of the Purpose statement were addressed. The goals included keeping a positive tone; balancing different values, utilizing efficient wording, being careful with subjective language, and reflecting the theme of consistency. Two issues for debate regarded adequate visibility and that the provisions do not necessarily provide for a sign user's desired level of signage.

Key discussion points regarding the Purpose Statement included:

- Adequate visibility was part of the question, but the last phrase, "from other streets," taken from the Portland's code, was an issue as well.
- Using "sign owner" was more accurate than "sign user."
- The Sign Code is in Wilsonville's Code, so "Wilsonville's Code" in Sentence 2 should be clarified as "Development Code," which was preferred to avoid referencing the entire Municipal Code.
- The Objectives seem more clearly written and easier to understand than the Purpose.
  - \* Staff clarified that currently, the Objectives were items the applicant must respond to in an application, but that might change during this revision process.
  - \* Visibility from the street was an objective, but had been moved into the Purpose Statement.
- The sentence following, "The provisions do not necessarily provide for a sign user's desired level of signage" was a bit antagonizing and contradicted the next sentence.
  - \* "The sign standard is intended to allow visibility" was sufficient.

- Deleting "...but not necessarily from other streets and rights-of-way farther away..." in the fifth sentence of the Updated Draft Purpose Statement (.01) on page 1 of 5 of the Staff Report was suggested, as well as "to enable sign users to erect well designed and aesthetically pleasing signs..." from (.01)(A) on page 1 of 5 clarified the intent of these sentences. Signs just need to be visible so people could get to the business.
  - \* Mr. Pauly explained the language spoke to the sensitivity of whether businesses a couple blocks off I-5 need a tall pylon sign to be visible from the freeway. This argument would come up in applying the Sign Code.
  - \* "Farther away" in the same sentence cited for (.01) above was subjective as well. Limiting subjectivity to that which is necessary was preferred.
- Stating "adequate visibility" and the references to rights-of-way are appropriate. In the past, the definition has excluded I-5 as something to draw attention from.
  - \* "Adequate" is used throughout the Code and standards within the Code could begin to define adequate, in terms of setbacks, height, etc.
  - \* The purpose is to have visibility from adjacent streets, which is pretty clear. Adjacent generally meant abutting, not a mile away.
- The users desired level of signage could mean the visibility of the signage, but could also refer to the number or square footage of signs, whether or not the signs were visible. The level of signage was ambiguous, so if revised, the sentence could remain.
- Including these sentences is making a statement that the applicant may not get all they ask for, and was not particularly unfriendly, but a statement of fact.
- Signage should be visible from the area abutting the property.
- Wayfinding and visibility was addressed in Objective (.01)(A), but the intent of erecting a sign visible from I-5 may need to be added. It made more sense in the objectives than Purpose Statement.
- Ms. Jacobsen confirmed the fourth sentence of (.01) on page 1 of 5, regarding the Sign Code not providing for a sign user's desired level of signage, did not need to be in the Purpose Statement to support the specific regulations, but would be addressed in the Code standards. Removing that sentence would not have a strong detrimental impact.
- The Sign Code tells an applicant what they cannot do and having it in the Purpose does not change that expectation; including it announces a negative point of the Sign Code and serves no purpose.
  - \* The Sign Code has two functions: to tell sign owners what they are required to do, and to put limits on what they can do.
    - In the Development Review Board (DRB) process, there is constant pressure from applicants to push against restrictions, so expressly stating that limits exist was not a problem.
  - \* Absent the "not necessarily" sentence, a businessperson was limited to signs adequately visible from streets and rights-of-way that abut the site, and could erect an appropriate sign. The "not necessarily" sentence invokes anger and businesses do not need adversity from the City. Business people should be informed what they need to do in a positive way.
- Substantive provisions for visibility would be addressed in later Code sections. Noting such provisions in the Purpose as well could provide leverage to the applicant to pick and choose. Two potential standards were being created, when only one was needed.
- Objective (.01)(B) could be stated stronger to require signs to be compatible with and complementary to adjoining properties. Details regarding complementary are found in the site design review standards, which were applicable to signs and sign structures.
- A Purpose Statement may serve a different function in the Code. An applicant may look to specific Code provisions, and if they cannot find what they want, then look to the general language of the Purpose Statement, which may be the means to help the applicant get what they want. Efficiency in language in the Purpose Statement and objectives is critical.
  - \* The Purpose must to be both positive and negative, and state what can and cannot be done. The ongoing balance between the needs of businesses and the community must be addressed.
  - \* The Purpose should be a positive statement about why the limitations exist and why the Sign Code matters to the community. The negative would speak for itself in the substantive provisions.

- Third sentence of (.01), “The provisions of this section regulate the design, variety, number, size, and location...” gets to the latter sentence about not meeting the sign owner’s desires by stating that limitations exist. The sentence could be stronger by adding, “regulate *and limit*.”
  - \* The Code inherently sets limitations about the basic sign design standards for the community. Later provisions clearly state specific limitation measures.
  - \* Height needed to be added to Sentence 3.

The Commission consented to remove the fourth sentence from the Purpose Statement, and to move the visibility language of the fifth sentence, and the intent of the phrase, “...but not necessarily from other streets and rights-of-way farther away.” to the Objective section. The phrase and its intent could be flagged for later discussion.

Doris Wehler, 6855 SW Boeckman Rd, Wilsonville, believed the Commission had hit all the high points about why she thought the fourth sentence of (.01) should be removed. “Adequate” was acceptable after learning the word is used frequently elsewhere in the Code. Staff did an excellent job on the Code structure; it was very user-friendly.

Key discussion points regarding the revised Objectives included:

- “Sign user” should be changed to “sign owner” in Objective (.01)(A).
- Language in Objective (.01)(B) needed to offer more certainty than “compatible with and complimentary to.” It was noted many of those details exist in the site design standards.
- A definition of “neighborhood” was needed if an applicant has to demonstrate a sign was compatible with a neighborhood. “Adjoining properties” was more specific. Mr. Pauly agreed to search the Code to see what word is used consistently.
  - \* Some defined boundary was needed. “Line of sight” might be an appropriate description but could change dramatically in a new development.
  - \* The Development Code already had standards for buffering commercial development abutting a residential zone or neighborhood. However, a boundary was needed to identify where compatibility and complementary were no longer required.
  - \* Comments/concerns about abutting a residential neighborhood are important and may need to be flagged for further discussion when reviewing the Sign Code standards.
- Visibility could be added as a new objective rather than adding to Objective (.01)(A).
- Sign Code standards need to be limited to the zoning district the sign is in, or however the boundary is defined. Signs in one zoning district, like near the Mercedes dealership, should not be held to the sign design compatible with another district across town, like Town Center. Mr. Pauly agreed to play with the language.
- “Ensure” should be changed to “encourage” in Objective (.01)(B). The concern was that neighbors would consider the City as the ultimate arbiter of complaints about signage. The Commission could encourage, but could not ensure that everyone would be happy with a sign. They were trying to create a Code that encourages people to have compatible signage, rather than ensuring they would.
  - \* A color could be disagreeable, but the sign owner may have the right to use that color under the First Amendment. Such rights were addressed in the objectives.
  - \* The Code should be written toward the stronger side since the waiver process already provided for a loosening of the Code.
  - \* Ms. Jacobson believed “encourage” was too weak and suggested using “regulate.”
  - \* Following a brief discussion, the Commission consented to retain “ensure” for the time being.
- Regarding Objective (.01)(F), how does the City keep offensive language, such as “squaw” out of signs?
  - \* Ms. Jacobson explained the provision would not violate the First Amendment by trying to regulate speech. She would research case law regarding the use of offensive terms and what standard to apply.

- \* These Planning Commission discussions and announcing an intention to be content neutral could help legally in the future should a lawsuit about the issue arise.

Ms. Wehler suggested removing the preposition and verb at the beginning of each objective, “to ensure,” “to enable,” etc., and changing the following verb to “will” in the first five objectives and to “are” in Objective (.01)(F). This would address some of the problems.

Commissioner Altman noted it would eliminate the “user” problem, too.

Councilor Starr noted the words “aesthetically pleasing” in Objective (.01)(A) cast a wide net and might be too ambiguous. The word “consistent” was discussed at the last work session, but was not included in the language.

- He agreed with Ms. Wehler’s suggestion, but if the Commission did not, he favored using “regulate” versus “ensure.” As stated, the ability to use waivers provided flexibility and waters down “ensure”, because it would be ensured for some and not others. “Regulate” put the authority where it belongs. However, if the prepositions and verbs were removed, “regulate” would not be needed.

Ms. Jacobsen explained that “aesthetically pleasing” was used frequently in sign code and interpreted and upheld in case law. Her memo discussed that the Supreme Court gave jurisdictions a lot of latitude to determine what is aesthetically pleasing, as long as content neutrality or discrimination was not an issue in terms of review.

Sheryl Byer, 29755 SW Montebello, Wilsonville, described how the three-spire structure was approved at the Wilsonville Business Park because the property designation was changed during the design review. The Planning Commission had worked hard to prevent really big signs and to be fair and equitable, but the design review process allowed the structure. The wording in the Code reflects what people in community want and Commission must safeguard it.

- When an application goes to design review, it becomes a matter of what the business wants and what they can get. Without the correct wording in the Sign Code, businesses would be able to get away with something or try to change things. Certain businesses would be allowed to do things differently, causing other businesses to become upset because of unequal treatment.
- The pro and con statements in the Purpose provided a more equitable environment, as did the word “ensure.” The City was not regulating or encouraging, which businesses could get around. “Ensure” meant the Commission was behind the Code. The Commission should be equitable to all businesses in whatever zone they were in.

There was general consensus that Staff would return with the language that reflected Ms. Wehler’s suggestion for the Commission’s review.

Mr. Pauly reviewed the proposed structural changes to the 12 subsections of the Sign Code via PowerPoint and as shown in the Staff report. The proposed changes would make the Sign Code more user-friendly, making it easier to reference for applicants and easier for staff to administer.

Mr. Pauly addressed questions and comments from the Commission regarding the revised Code structure was as follows:

- The new format would enhance the Sign Code; the current Code very confusing
- The height regulations would be included under the different zones, but the method of measurement would be in Section (.03) General Provisions Affecting Signs.
- Definitions would remain in the first section of the Code. Differentiating between building graphics, names and logos would need to be discussed.

- \* “Sign” was defined as anything that attracts attention, which was a concern. Painting a building could be intended to attract attention. A painted stripe to break up an industrial building could also be considered part of a sign package, so better clarification was needed.
- The Sign Permit language was being left as is; the DRB addresses everything not specifically approved by the Planning Director. Perhaps a better heading was needed, or including the word “process”.

Theonie Gilmore, PO Box 861, Wilsonville, asked about signage on City and ODOT properties. Signage was one of non-profit groups’ biggest problems because it was hard to promote tourism and activity in Wilsonville when signage directing people to an event site could not be placed at exits. She asked if ODOT could be approached about placing signs in that right-of-way.

- Mr. Pauly replied the City would be addressing that issue in the temporary sign language.

Commissioner Altman said that in part, the State Tourism Department regulated directional signage, and the City might have better luck dealing with them. They do operate under Federal highway standards.

Mr. Pauly said it would be useful to have clarity about ODOT’s signage regulations under the temporary signs. He would return with the discussed revisions and begin discussions about how signs are measured and possibly some definitions of signs next month.



## Sign Code Work Session

Purpose and Objectives  
Code Structure

Wilsonville Planning Commission  
November 9, 2011

(.01) Purpose: The general purpose of this Section is to aid in implementing the Comprehensive Plan by fostering an aesthetically pleasing, functional, and economically vital community as well as promoting public health, safety, and well-being. The Sign Code accomplishes this purpose by meeting the needs of sign users while maintaining consistency with the development and design standards of Wilsonville's Code. The provisions of this Section regulate the design, variety, number, size, location, and type of signs, as well as the processes required to permit various types of signage. The provisions do not necessarily provide for a sign user's desired level of signage. The sign standards intend to allow signs to have adequate visibility from streets and rights-of-way that abut a site, but not necessarily from streets and rights-of-way farther away. Sign regulations in this Section have one or more of the following specific objectives:

- A. To enable sign users to erect well-designed and aesthetically pleasing signs sufficiently visible and comprehensible to aid in wayfinding, identification, and provide other needed information.
- B. To ensure sign design and placement is compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, neighborhoods and the zoning district.
- C. To establish a consistent and streamlined sign review process while maintaining the quality of sign development and ensuring due process.
- D. To provide for consistent and equitable application and enforcement of sign regulations.
- E. To ensure signs are designed, constructed, installed, and maintained so that public safety, particularly traffic safety, are not compromised.
- F. To ensure that sign regulations are content neutral.

## Structure of Sign Code

Goal of Structure Changes: More User Friendly

- Ease of Reference
- Ease of Administration

## Structure of Sign Code

Current	Proposed
(.01) Purpose and Objectives	(.01) Purpose and Objectives
(.02) Application for Sign Permits	(.02) Application For Sign Permits
A. Submittals	A. Types of Sign Permits (includes MSP or equivalent and temporary signs)
B. Review Process	B. Submittal Requirements
(.03) General Provisions Affecting Signs	C. Variances to Sign Regulations
A. Approval of Permits	(.03) General Provisions Affecting Signs
B. Sign Measurements	A. Approval of Sign Permits
C. Non-conforming signs	B. Sign Measurement
D. Master Sign Plans	C. Non-conforming signs

## Structure of Sign Code

Current	Proposed
(.04) Signs Exempt from Sign Permit Requirements	(.04) Signs Exempt from Sign Permit Requirements
(.05) Prohibited Signs	(.05) Prohibited Signs
(.06) Sign-Area included in (.03)	(.06) Sign Permit Requirements in Residential Zones
(.07) Sign Permit Requirements in Residential Zones	A. Signs pertaining to individual residences and home occupations
A. Signs pertaining to individual residences and home occupations	B. District, Planned Development, Subdivision, and Multi-family complex signs
B. Special Event Signs	
C. District or Planned Development Signs	
D. Opening Banner for a new business or housing development	
E. Monument Sign	

→ included in (.02)

## Structure of Sign Code

Current	Proposed
(.08) Sign Permit Requirements in PDC and PDI Zones	(.07) Sign Permit Requirements in Planned Development Commercial Zones and PDI Zones
A. Freestanding Signs	A. Freestanding and Ground-mounted Signs
B. Signs on Buildings	B. Signs on Buildings
C. Additional Signs	C. Additional Signs
(.09) Sign-Permit-Requirements-in-the-Town-Center-Area-of-The-Planned-Development-Commercial-Zone	(.08) Sign Permit Requirements in the Planned Development Industrial Zone
A—Purpose	A. Freestanding and Ground-mounted Signs
B—Design-Criteria	B. Signs on Buildings
C—General-Requirements	C. Additional Signs
	(.09) Sign Permit Requirements in the Public Facility Zone
	A. Freestanding and Ground-mounted Signs
	B. Signs on Buildings
	C. Additional Signs

### Structure of Sign Code

Current

(.10) Signs On City  
Property

A. Allowed Signs

(.11) Signs Within ODOT  
Right-Of-Way

(.12) Enforcement

Proposed

(.10) Signs On City  
Property

A. Allowed Signs


(.11) Signs Within ODOT  
Right-Of-Way

(.12) Enforcement



## MEMORANDUM

To: Planning Commission

From: Barbara Jacobson, Assistant City Attorney 

Date: November 9, 2011

Re: Sign Code

---

### I. Background Information

1. To what extent can a municipality regulate the aesthetics of signs?

### II. Conclusions

1. Regulation of the expressive content of a sign is a violation of the Oregon and United States constitutional protections of free speech.
2. Regulation of non-expressive elements of a sign — such as number, size, height, location, color (in most cases), and setback requirements are within the police power of the government and are considered reasonable time, place, and manner restriction unless shown to be arbitrary and irrational or unfairly applied.
3. Regulation of non-expressive elements such as color or design that would result in the alteration of a registered trademark is a violation of the Lanham Act, as more particularly set forth below.

### III. First Amendment and Article 1, Section 8

Generally, when the Oregon Supreme Court examines a law to determine if it violates Article 1, Section 8, it determines which of three categories the law falls under: (1) content-based laws; (2) content-neutral laws focusing on the effect of expression; and (3) content-neutral laws that proscribe effects but do not mention expression.<sup>1</sup> Regulation of sign aesthetics would be considered a content-neutral regulation, though there is some disagreement about whether it belongs in the second or third category.<sup>2</sup> To enforce an aesthetic restriction, an enforcement officer would not have to examine the content of the sign — whether it complies with height, size, setback, or location requirements is evident regardless of whether the enforcement officer is aware of the content.

<sup>1</sup> *State v. Robertson*, 293 Or. 402 (1982).

<sup>2</sup> *Clear Channel Outdoor, Inc. v. City of Portland*, \_\_\_ P.3d \_\_\_ (Or. App. 2011); *Outdoor Media Dimensions, Inc. v. Department of Transportation*, 132 P.3d 5 (Or. 2006).

A time, place, or manner restriction is permissible so long as it is narrowly tailored to serve a significant government interest, is content-neutral, and leaves ample alternative channels of expression.<sup>3</sup> In *Clear Channel*, the Oregon Supreme Court held that the City had established a significant government interest in regulating sign height and size when the City listed its objectives as: (1) ensuring public and traffic safety, (2) avoiding nuisance and promoting an attractive environment, (3) reflecting and supporting the character of various zones and planning districts, (4) allowing advertisement while preventing signs from dominating the appearance of an area, (5) ensuring that free speech is protected.<sup>4</sup>

Regulations of aesthetics that do not affect the content of a sign — such as number, height, size, location, color, or setback restrictions — do not violate freedom of speech and are permissible time, place, and manner restrictions. However, regulation of color may be prohibited if color is part of a registered trademark — see section VI below.

As far back as 1954, United States Supreme Court Justice William O. Douglas wrote, “The concept of public welfare is broad and inclusive. The values it represents are spiritual as well as physical, aesthetic as well as monetary. It is within the power of the legislature to determine that the community should be beautiful as well as healthy, spacious as well as clean, well balanced as well as carefully patrolled.”<sup>5</sup>

In 1984 the United States Supreme Court held that aesthetic considerations justified a prohibition of signs on public property. The Court wrote, “Municipalities have a weighty, essentially esthetic interest in proscribing intrusive and unpleasant formats for expression. The problem addressed by § 28.04 — the visual assault on the citizens of Los Angeles presented by an accumulation of signs posted on public property — constitutes a significant substantive evil within the City’s power to prohibit.”<sup>6</sup>

#### IV. Nuisance

There is mixed authority in Oregon regarding whether it is possible to recover under nuisance law for the interference with visual aesthetic sensibilities.<sup>7</sup> When courts have accepted that recovery should be allowed, the standard has been that the nuisance reaches the level of “definite offensiveness, inconvenience, or annoyance to the normal person in the community — the nuisance must affect the ordinary comfort of human existence as understood by the American people in their present state of enlightenment.”<sup>8</sup> This standard is extremely difficult to meet and will only allow the most outrageous signs to fall within nuisance law. If Wilsonville wants to regulate sign aesthetics, it should do so through zoning regulations rather than the use of nuisance law.

<sup>3</sup> *Id.*

<sup>4</sup> *Clear Channel Outdoor, Inc. v. City of Portland*, \_\_\_ P.3d \_\_\_.

<sup>5</sup> *Berman v. Parker*, 348 US 26 33, 75 S. Ct. 98 99, L. Ed. 27 (1954).

<sup>6</sup> *Members of the City Council v. Taxpayers for Vincent*, 466 US 789, 101 S. Ct. 2118 (1984).

<sup>7</sup> *Hay v. Stevens*, 530 P.2d 37, 39 (Or. 1975).

<sup>8</sup> *Id.* (internal quotations omitted).

## V. Zoning Generally

Oregon courts have recognized that it is a permissible use of police powers to regulate, prevent, or minimize “discordant and unsightly surroundings.”<sup>9</sup> In other words, pleasing aesthetics are a legitimate state interest which can be furthered with zoning restrictions so long as the zoning restrictions do not violate the first amendment.<sup>10</sup> As with all other zoning decisions made by municipalities, regulations of aesthetics are reviewed to determine if they are an “arbitrary and irrational” method of achieving the purported interest.<sup>11</sup> So long as a City’s zoning regulations pursue aesthetics — the minimization of unsightliness — in a way that is not arbitrary or irrational, the regulations will be permissible.

## VI. The Intersection of Zoning and Trademark

While it is generally within the police powers of a municipality to regulate aesthetics, a municipality cannot impose regulations that would require a company to alter its registered trademark.<sup>12</sup> Section 1121(b) of the Lanham Act says: “No state or other jurisdiction of the United States or any political subdivision or any agency thereof may require alteration of a registered mark, or require that additional trademarks, service marks, trade names, or corporate names that may be associated with or incorporated into the registered mark be displayed in the mark in a manner differing from the display of such additional trademarks, service marks, trade names, or corporate names contemplated by the registered mark as exhibited in the certificate of registration issued by the United States Patent and Trademark Office.”<sup>13</sup> The Ninth Circuit has interpreted this passage to mean that a municipality can prohibit the use of trademarks altogether, but may not impose restrictions that would force a company to alter their mark.<sup>14</sup>

The City of Tempe attempted to enforce a zoning regulation that would require all shops in a specific shopping center to conform to a color scheme for their signs — white letters on a turquoise background.<sup>15</sup> Plaintiffs were two shops who had rented space in the center: Video Update and Blockbuster.<sup>16</sup> Both plaintiffs had registered trademarks that they used as their corporate sign — Video Update’s was registered as a stylized script in red letters, Blockbuster’s was registered as a torn ticket motif and blue letters outlined in yellow.<sup>17</sup> The court found that in order for trademark protection to have its full effect, marks must be allowed to have a uniform appearance in both design and color.<sup>18</sup> This means that municipalities are sometimes faced with an all-or-nothing choice: they can regulate where and whether signs may be placed, but cannot impose regulations that would require a business to alter their trademark.

<sup>9</sup> *Oregon City v. Hartke*, 400 P.2d 255, 261 (Or. 1965) (overturned on other grounds); *See Van v. Travel Information Council*, 628 P.2d 1217, 1225 (Or. App. 1981).

<sup>10</sup> *Oregon City v. Harke*, 400 P.2d 255 at 261-262.

<sup>11</sup> *Id.* at 262.

<sup>12</sup> *Blockbuster Videos, Inc. v. City of Tempe*, 141 F.3d 1295, 1296 (9<sup>th</sup> Cir. 1998).

<sup>13</sup> 15 U.S.C. § 1121(b) (1994).

<sup>14</sup> *Blockbuster Videos v. Tempe*, 141 F.3d 1295 at 1298.

<sup>15</sup> *Id.* at 1297.

<sup>16</sup> *Id.*

<sup>17</sup> *Id.* at 1296-1297.

<sup>18</sup> *Id.* at 1300.

## VII. Conclusions

1. Regulations that focus on number, size, height, setback, and geographic location are permissible time, place, and manner restrictions that are allowed under the First Amendment and Article 1, Section 8.
2. Regulations that focus on number, size, height, setback, and geographic location, which are in pursuit of a legitimate state interest to minimize unsightliness and are within the police powers of the municipality, are allowed so long as they are not imposed in an arbitrary or irrational manner.
3. Regulations that focus on more expressive elements allowed on signs, such as color or symbols, may be impermissible if they would force a business to alter its registered trademark to comply with the regulation.
4. Regulations of sign aesthetics is permissible and has a long standing history in the development of case law and sign codes. Safety and aesthetics often go hand-in-hand.

**Straessle, Linda**

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**Subject:** FW: Doris' comments on sign code revisions

**From:** Neamtzu, Chris  
**Sent:** Friday, November 04, 2011 9:43 AM  
**To:** Straessle, Linda  
**Cc:** Pauly, Daniel  
**Subject:** FW: Doris' comments on sign code revisions

Please provide to the Commission at next meeting.

Thank you.

Chris Neamtzu, AICP  
Planning Director  
City of Wilsonville  
29799 SW Town Center Loop E  
Wilsonville, OR 97070  
503.570.1574  
[neamtzu@ci.wilsonville.or.us](mailto:neamtzu@ci.wilsonville.or.us)

Disclosure Notice: Messages to and from this email address may be subject to the Oregon Public Records Law.

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**From:** Steve Gilmore [mailto:Steve@wilsonvillechamber.com]  
**Sent:** Thursday, November 03, 2011 9:32 PM  
**To:** Neamtzu, Chris  
**Subject:** Fw: Doris' comments on sign code revisions

Sent via BlackBerry from T-Mobile

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**From:** Doris Wehler <daweher@gmail.com>  
**Date:** Thu, 3 Nov 2011 17:23:55 -0700  
**To:** Steve Gilmore<Steve@wilsonvillechamber.com>  
**Subject:** Re: Doris' comments on sign code revisions

Steve, I am sending my remarks about the proposed Sign Code only to you, so please forward them to those you think should receive them.

(.01) Purpose: Remove *"The provisions do not necessarily provide for a sign user's desired level of signage."* This is definitely unfriendly language and adds nothing to the understanding of the section. In the next sentence, I would substitute the word "good" instead of "adequate." Both are subjective, but "adequate" sounds more limiting.

Comments on Code Structure: I like the new outline for the code structure as it is very user friendly.



I plan to attend the sign code meeting and testify about the sentence I believe should be removed, unless it gets removed before the meeting.

Doris

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On Thu, Nov 3, 2011 at 10:44 AM, Steve Gilmore <[Steve@wilsonvillechamber.com](mailto:Steve@wilsonvillechamber.com)> wrote:

Mark and Ben,

What do you guys think about this staff report?

Steve

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**From:** Pauly, Daniel [mailto:[pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us)]  
**Sent:** Thursday, November 03, 2011 10:21 AM  
**Subject:** Wilsonville Sign Code Revision Update and Invitation to Comment

Dear Individuals Interested in Wilsonville's Sign Code Revisions:

Wilsonville's Planning Commission continues to move forward in examining changes to the sign code. This coming Wednesday, November 9, 2011, they will have an additional public work session. Attached you will find a staff report for the work session. We would like to invite you to review this document and provide your thoughts and comments by either coming to the work session next Wednesday evening at Wilsonville City Hall or submitting them in writing to City staff, addressed to the Planning Commission, by 4:00 p.m. that same evening. The Planning Commission meeting begins 6:00 p.m., and the sign code discussion is the first item scheduled for work session. This section will focus on the purpose and objectives as well as the organization of the sign code. As always, City staff is available to answer any questions you may have about the draft changes to the code and the process.

Regards

***Daniel Pauly, AICP***

Associate Planner  
**City of Wilsonville Planning Division**  
29799 SW Town Center Loop East  
Wilsonville OR 97070  
503-682-4960  
[pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us)

Disclosure: Messages to and from this E-mail address may be subject to Oregon Public Records Law.



City of

**WILSONVILLE**  
 in OREGON

## PLANNING COMMISSION STAFF REPORT

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### Continuing Draft Sign Code Discussion

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Meeting Date: November 9, 2011  
 Report Date: November 2, 2011

Contact: Chris Neamtzu, AICP or Daniel Pauly, AICP  
 Contact Telephone Number: 503-682-4960  
 Contact E-Mail: neamtzu@ci.wilsonville.or.us  
 or pauly@ci.wilsonville.or.us

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### INTRODUCTION

Staff has revised the purpose statement and objectives pursuant to direction given by the Planning Commission during their October work session. The revised draft also includes additional considerations that have come to staff's attention since the previous work session, especially surrounding the relationship of the sign code with other development and design standards in Wilsonville's Code. Below you will find the updated draft of the purpose statement and objectives along with a written explanation of the revisions. In addition to the revised draft of the purpose statement and objectives, staff has included the proposed reorganization of the different subsections of the sign code along with an explanation. This will serve as further foundation for the continuing review draft sign code text changes.

### UPDATED DRAFT PURPOSE STATEMENT

*(.01) Purpose: The general purpose of this Section is to aid in implementing the Comprehensive Plan by fostering an aesthetically pleasing, functional, and economically vital community as well as promoting public health, safety, and well-being. The Sign Code accomplishes this purpose by meeting the needs of sign users while maintaining consistency with the development and design standards of Wilsonville's Code. The provisions of this Section regulate the design, variety, number, size, location, and type of signs, as well as the processes required to permit various types of signage. The provisions do not necessarily provide for a sign user's desired level of signage. The sign standards intend to allow signs to have adequate visibility from streets and rights-of-way that abut a site, but not necessarily from streets and rights-of-way farther away. Sign regulations in this Section have one or more of the following specific objectives:*

- A. To enable sign users to erect well-designed and aesthetically pleasing signs sufficiently visible and comprehensible to aid in wayfinding, identification, and provide other needed information.*
- B. To ensure sign design and placement is compatible with and complementary to the overall design and architecture of a site, along with adjoining properties, neighborhoods and the zoning district.*
- C. To establish a consistent and streamlined sign review process while maintaining the quality of sign development and ensuring due process.*
- D. To provide for consistent and equitable application and enforcement of sign regulations.*

**Exhibit B**

- E. To ensure signs are designed, constructed, installed, and maintained so that public safety, particularly traffic safety, are not compromised.*
- F. To ensure that sign regulations are content neutral.*

The above draft purpose statement and objectives reflects the Commission's and others comments from the October work session as well as other considerations that have come to staff's attention. This draft aims to keep a positive tone, portray a balancing of different values, be efficient in wording, be selective about the use of subjective language, and better reflect a theme of consistency.

One key to shortening the purpose and objectives and being more efficient in wording was analyzing what language, especially in the objectives, was unnecessarily repetitive of more general design standards, such as those for Site Design Review. Removing these repetitive objectives also leads to a better definition of aesthetic values. Acknowledging and building on the existing design standards moves from an aesthetic consideration of signs as stand-alone structures or features to a consideration of signs in relation to the overall design of a site, including landscaping, architecture, etc. In place of removing the repetitive design standards a phrase has been added to the purpose statement acknowledging the relationship with other development and design standards.

Staff notes that aesthetic consideration is consistently in the purpose statements of other sign codes, both model regulations and regulations in other Metro jurisdictions. Staff feels the approach tied to the existing design review plays off well established design principles under which much of the City has been built, and is most appropriate for Wilsonville going forward. Continuing to follow established design principles for all development, including signs, will aid in promoting consistency across the community while still allowing for creativity and flexibility.

The desire for consistency was an important comment that came out of the October work session. Besides focusing on consistency of sign design with other site design features, surrounding areas, and City design standards, consistency is also stressed in terms of administration and enforcement of the sign regulations.

Other language added to the purpose statement addresses visibility. Staff feels it is necessary to identify the difference between visibility from adjacent streets and streets further away. This additional language is modeled off language in the City of Portland's sign code purpose statement, which is one of the more concise purpose statements staff found in other Metro area jurisdictions. The added language is also similar to language that was previously in the objectives.

## **INTRODUCTION TO REVISED CODE STRUCTURE**

Considerable effort has been put forward to review the structure of the sign code and rearrange it in a manner that is most user friendly. The goal was to approach the organization of the code through the eyes of a business or sign contractor looking for information. The proposed organization aims to limit the need to cross reference as well as place different regulations under reasonable headings and subheadings. The following pages include a comparison of the subsection titles and subtitles and overall organization as well as a subsection by subsection explanation of proposed organizational changes.

## COMPARISON OF CURRENT AND PROPOSED CODE STRUCTURE

### Current Code Structure

- (.01) Purpose
- (.02) Application for Sign Permits
  - A. Submittals
  - B. Review Process
- (.03) General Provisions Affecting Signs
  - A. Approval of Permits
  - B. Sign Measurements
  - C. Non-conforming signs
  - D. Master Sign Plans
- (.04) Signs Exempt from Sign Permit Requirements
- (.05) Prohibited Signs
- (.06) Sign Area
- (.07) Sign Permit Requirements in Residential Zones
  - A. Signs pertaining to individual residences and home occupations
  - B. Special Event Signs
  - C. District or Planned Development Signs
  - D. Opening Banner for a new business or housing development
  - E. Monument Sign
- (.08) Sign Permit Requirements in PDC and PDI Zones
  - A. Freestanding Signs
  - B. Signs on Buildings
  - C. Additional Signs
- (.09) Sign Permit Requirements in the Town Center Area of The Planned Development Commercial Zone
  - A. Purpose
  - B. Design Criteria
  - C. General Requirements
- (.10) Signs On City Property
  - A. Allowed Signs
- (.11) Signs Within ODOT Right-Of-Way
- (.12) Enforcement

### Proposed Code Structure

- (.01) Purpose
- (.02) Application For Sign Permits
  - A. Types of Sign Permits (includes MSP or equivalent and temporary signs)
  - B. Submittal Requirements
  - C. Variances to Sign Regulations
- (.03) General Provisions Affecting Signs
  - A. Approval of Sign Permits
  - B. Sign Measurement
  - C. Non-conforming signs
- (.04) Signs Exempt from Sign Permit Requirements
- (.05) Prohibited Signs
- (.06) Sign Permit Requirements in Residential Zones
  - A. Signs pertaining to individual residences and home occupations
  - B. District, Planned Development, Subdivision, and Multi-family complex signs
- (.07) Sign Permit Requirements in Planned Development Commercial Zones
  - A. Freestanding and Ground-mounted Signs
  - B. Signs on Buildings
  - C. Additional Signs
- (.08) Sign Permit Requirements in the Planned Development Industrial Zone
  - A. Freestanding and Ground-mounted Signs
  - B. Signs on Buildings
  - C. Additional Signs
- (.09) Sign Permit Requirements in the Public Facility Zone
  - A. Freestanding and Ground-mounted Signs
  - B. Signs on Buildings
  - C. Additional Signs
- (.10) Signs on City Properties
  - A. Signs Allowed
- (.11) Signs Within ODOT Right-of-way
- (.12) Enforcement

## **DETAILS OF PROPOSED SIGN CODE STRUCTURE CHANGES**

### ***(.01) Purpose and Objectives***

No changes to this subsection in terms of structure and organization

### ***(.02) Application for Sign Permits***

The new organization of this subsection will incorporate new review processes with the old in a manner intended for relative ease of reference for applicants. Application information that currently exists in other subsections would be moved to this subsection, including Master Sign Plan language or the equivalent. Also, new temporary sign language consolidates the existing temporary sign language spread throughout the code.

### ***(.03) General Provisions Affecting Signs***

A main focuses of this subsection are proposed to be how signs are measured and non-conforming signs. The biggest draft change to this subsection is the moving of the Master Sign Plan language to Subsection (.02).

### ***(.04) Signs Exempt from Sign Permit Requirements***

No changes to this subsection in terms of structure and organization

### ***(.05) Prohibited Signs***

No changes to this subsection in terms of structure and organization

### ***(.06) Sign Area***

This subsection is proposed to be removed and incorporated with the sign measurement language under general provisions and sign allowance language for different zoning districts.

### ***(.07) Sign Permit Requirements in the Residential Zone (proposed to be renumbered Subsection (.06))***

This subsection has been simplified to cover only small identifying signs for individual residences as well as district and planned development signs. The remainder of the existing sign language, especially about temporary signs, is covered in Subsection (.02), with only a reference included in this subsection.

### ***(.08) Sign Permit Requirements in PDC and PDI Zones***

This subsection is proposed to be separated into two subsections, each addressing the specific requirements of the different zones. A third subsection will similarly be added specific to the Public Facility Zone.

### ***(.09) Sign Permit Requirements in PDC-TC***

This subsection will likely be removed and combined with the new “Sign Permit Requirements in the PDC Zone” subsection.

***(.10) Signs of City Property***

No changes to this subsection in terms of structure and organization

***(.11) Signs with ODOT Right-of-Way***

No changes to this subsection in terms of structure and organization

***(.12) Enforcement***

No changes to this subsection in terms of structure and organization

**Sign Code Revision**  
**Documents Distributed for Planning Commission Work Sessions**  
**Index**

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**October 12, 2011**

- Minutes Excerpt
- Paper copy of PowerPoint presentation shown at meeting, "Draft Sign Code Purpose and Objectives"
- Planning Commission Staff Report dated October 5, 2011 for October 12, 2011 meeting date regarding Draft Sign Code Purpose and Objectives.





**PLANNING COMMISSION  
WEDNESDAY, OCTOBER 12, 2011  
6:00 PM**

**Wilsonville City Hall  
29799 SW Town Center Loop East  
Wilsonville, Oregon**

**Approved  
November 9, 2011**

**Minutes Excerpt**

**I. CALL TO ORDER - ROLL CALL**

Chair McGuire called the meeting to order at 6:07 p.m. Those present:

Planning Commission: Marta McGuire, Ray Phelps, Al Levit, Ben Altman, and Eric Postma. Tom Sullivan and City Councilor Scott Starr arrived shortly after roll call. Amy Dvorak was absent.

City Staff: Chris Neamtzu, Barbara Jacobson, Stephan Lashbrook, Jeff Owens, and Daniel Pauly

**VI. WORK SESSIONS**

**B. Sign Code Revisions (Purpose and Objectives sections)**

Mr. Neamtzu noted that although the Purpose Statement and Objectives sections were brief, they form the foundation of the Sign Code. Tonight's discussion would provide direction and lay the foundation for subsequent work sessions on the Sign Code.

- At the Commission's direction, interested parties had been invited to the work session to provide a public forum and a balanced discussion about the Sign Code. Although public testimony was not typical during work sessions, he asked the Commission to consider allowing testimony from the citizens in attendance.

Dan Pauly, Associate Planner, reviewed the Staff report dated October 5, 2011 via PowerPoint, first presenting the proposed changes to the Purposes Statement and then the Objectives section. He confirmed the Commission would discuss the Sign Code draft sections separately, and then the Sign Code would be presented as a package before the Planning Commission at public hearing.

Key discussion points regarding the Purpose Statement amongst the Commissioners and Staff included:

- Making the Sign Code business friendly was a concern, rather, the Code should balance the values at play.
  - The idea was not to make the Code business friendly or positive per se, but to make the Code more positive in general. The Code currently read with "shall nots" and was framed in a negative context.
- Efficiency in wording is important. The Purpose Statement should identify the goals and limited objectives of the Code.
- Language referring to the U.S. and Oregon Constitutions was superfluous and could be an impetus for complaints. Deleting the wording would simplify the Purpose Statement.
- Purpose statements enable issues outside the Code regulations to be addressed. This is an appropriate place for the "aesthetically attractive language", as well as "aesthetic function" and "economic vitality."
- The Purpose explained why regulating signage is necessary and the last statement concisely stated the general purpose of the Sign Code.

Chair McGuire called for public comment.

Doris Wehler, 6855 SW Boeckman Rd, Wilsonville, did not believe that the Purpose Statement wording made the process easier for business, but made the language more friendly and positive. It did not necessarily relate to changes made to subsequent sections in the future.

Scott Starr, 28750 SW Cascade Ln, Wilsonville, asked that the word “consistent” be added somewhere in the Sign Code to protect against inconsistencies that take away from aesthetic attractiveness.

Discussion about the inclusion of “consistent” in the Purpose Statement continued with these key comments:

- The current Master Sign Plan process enabled individual boards to make individual decisions on individual development applications. Defining clear and objective standards would provide consistency.
- “Aesthetically attractive” plays out in the Code, its enforcement, and within the limitations of Sign Code requests.
- Providing a definition about having consistency with surrounding properties or within that same zone could help; addressing how a sign fit within the context of its location could address consistency.
  - Size limitations and prohibited signs already identified in the Code would limit unattractiveness.
- The Purpose Statement states the intent to foster an aesthetically attractive community, not attractive signs at this point. Attractive signage would be addressed later in the Objectives.
- Consistency is more of an Objective and could be included in Objective B or F.
- While DRB sign approvals were consistent in their application of the Code, signage was not visually consistent. This was due to Sign Code regulations in force at that time, such as size limitations that resulted in smaller signs in some developments.

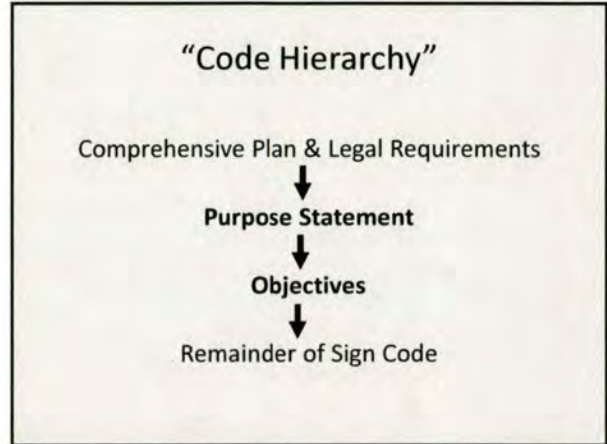
Chair McGuire confirmed the Commission’s consensus to remove “free speech under the US and Oregon Constitutions” from the Purpose Statement and to address consistency in the Objectives.

Comments and discussion regarding the draft Objectives, listed on Pages 3 and 4 of the Staff report, included the following:

- Mr. Pauly would discuss removing Objective A.2 with the City Attorney who suggested the language. If the purpose was to announce content neutrality, perhaps this should be placed elsewhere.
- The Chamber of Commerce considered a sign’s functionality from a viewer’s perspective and their ability to comprehend the sign. Color, shape, font, and size all have to do with the function and readability of a sign.
- The Commission discussed the terms “functional,” “attractive” and “aesthetic” with these key comments:
  - Using less subjective terms would make the process more predictable for business. Why have subjective elements at the DRB? The City should not tell businesses whether their signs are attractive.
  - Attractive has involved limiting the number of signs, sign heights, and sign locations, but it could not be defined.
  - Removing all references of aesthetically attractive could result in very unpalatable signage. Subjective value judgments are unavoidable in certain circumstances. The community must have a say in what is attractive.
  - The Purpose Statement already indicates the desire to foster aesthetically attractive signage so those words could be eliminated in the Objectives, which would include more precise standards.
    - The guidelines of the Purpose Statement should not be repeated. Subjective words should be used more conservatively.
  - Removing both attractive and functional from Objective A was discussed. Neither term was defined elsewhere in the Code. Absent those separate definitions, color, shape, font, and size would be seen as the definition.
  - An objective that involved the community’s standards of aesthetics was needed, perhaps adding language to Objective J, to clarify that the community has a say.
    - The DRB process provides an opportunity for the community to have input on signage.
  - Objective A.2 indicated that effective communication could be accomplished through color, shape, font and size, etc.

## Draft Sign Code Purpose and Objectives

Planning Commission Work Session  
October 12, 2011



- ### Five Main Considerations for Changes in Purpose and Objectives
- A Business-Positive Tone
  - Existing Purpose Statement and Objectives
  - Legal Foundation of Sign Regulations
  - Sign Related Language in Comprehensive Plan
  - Ease of Administration

### Draft Purpose Statement

(01) 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.~~ Fostering an aesthetically attractive, functional, and economically vital community. It is further the purpose of this Section to ensure protection of free speech under the United States and Oregon Constitutions, and protect public health, safety, and well-being. 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:

Plain text	Existing code text not changed
<del>Red and struck through</del>	Existing code text deleted
<u>Red, bold, underlined</u>	New code text
<i>Italic</i>	Staff notes, explanation, analysis

### Draft Objectives

~~A. To ensure that signs are designed, constructed, installed and maintained so that public safety and traffic safety are not compromised. Staff note: See new objective D.~~

~~B. To allow and promote positive conditions for meeting the needs of sign users while avoiding nuisances to nearby properties and the community overall. Staff note: See new objective A and D.~~

A. To enable sign users to erect attractive and functional signs which are both visible and comprehensible from adjacent travel lanes, adjacent pedestrian and bicycle paths, and adjacent properties.

1. Functions of signs include providing identification and direction to aid the travelling public in wayfinding and otherwise permitting public and private entities and facilities to inform, identify, and communicate effectively and thereby contributes to an economically vital community.
2. Well designed and aesthetically attractive signs complement sign functionality and effective communication through color, shape, font and size as well as complementing the surrounding premises to which it is a part or may adjoin.

Plain text	Existing code text not changed
<del>Red and struck through</del>	Existing code text deleted
<u>Red, bold, underlined</u>	New code text
<i>Italic</i>	Staff notes, explanation, analysis

### Draft Objectives continued

~~B.C. To ensure sign designs~~ 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; Staff note: see new objectives C. and G. below.~~

~~E. To prevent the construction or use of signs that would otherwise detract from the design of adjacent buildings or properties; Staff note: the ideas of this objective are incorporated into objective A. above.~~

C. To promote appropriate scaling of signs to be functional and architecturally compatible with buildings to which they are attached and/or the surrounding area, while preventing signs from dominating the visual appearance of a building or area; Staff note: reflects current objective D. and E.

Plain text	Existing code text not changed
<del>Red and struck through</del>	Existing code text deleted
<u>Red, bold, underlined</u>	New code text
<i>Italic</i>	Staff notes, explanation, analysis



### Draft Objectives continued

- D. To foster public safety along streets and private drives within the community by ensuring that all signs are safely designed and constructed, appropriately located, traffic safety is not compromised, and that signs are not otherwise a public nuisance; *Staff note: reflects current objective A. and B.*
- E. To establish a simple and streamlined sign reviews process while maintaining the quality of sign development and ensuring due process; *Staff note: language based on Comprehensive Plan Implementation Measure 4.1.1.d.*
- F. Provide for consistent and fair application and enforcement of sign regulations; *Staff note: language suggested by Chamber of Commerce.*

Plain text	Existing code text not changed
<del>Red and struck through</del>	Existing code text deleted
<u>Red, bold, underlined</u>	New code text
<i>Italics</i>	Staff notes, explanation, analysis

### Draft Objectives continued

- G. As existing signs are renovated and new ones are constructed, to ensure high standards of compatibility with surrounding development, landscaping, architecture, and signage while allowing flexibility as to the number and placement of signs; *Staff note: language based on Comprehensive Plan Implementation Measure 4.1.1.n. and 4.1.2.i. and reflects current objectives C., D., and E.*
- H. To provide for the clear identification of structures in order to enhance public safety; and
- LG. To ensure sign design serves to stabilize and improve property values and prevent the creation of blighted areas. Sign design may cause blight if it leads to inadequate identification, or excessive visual clutter, or otherwise does not meet objectives of this Section;
- J. To control the visual impacts of signs on the community and minimize sign clutter; and *Staff note: See Comprehensive Plan Implementation 4.1.3.mm.*
- K. To ensure the protection of the constitutionally guaranteed right of free speech

Plain text	Existing code text not changed
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<i>Italics</i>	Staff notes, explanation, analysis

- Combining Objectives A and A.1 into one statement was discussed; duplicate phrases and concepts could be removed to simplify the Objectives' language.
  - The objectives should be the guiding principles that are detailed further within the Code standards.
- The Commission directed Staff to return with a proposed definition of attractive that used factors or criteria for reviewers to consider when trying to determine if a sign was attractive.
- Using pictures to illustrate visual preferences in the Sign Code was suggested.
- Clarification about the inclusion of freestanding signs in Objective C was requested.
- Desired character, scaling and accommodating were subjective terms, but these could be further defined in the standards. Such terms helped limit the amount of signage in an area, while Objective A could be interpreted to broaden the realm of potential signs to be created. Objective C helped to define Objective B.
- Suggested changes to the Objectives' wording included:
  - Condense the language and eliminate repetition; do not reiterate portions of other Code documents; simply referencing the Comprehensive Plan was sufficient.
  - Objective D: The City should be doing more than fostering public safety. The original Objective A was more concise. One suggestion was to state, "To encourage signs that are designed, constructed, installed, and maintained so that public safety and traffic safety are not compromised."
    - Encourage might be better suited for the Purpose Statement, while ensure was appropriate when addressing public safety.
  - Objective E: Replace "establish" with "maintain" or "provide for".
  - Objective G: Replace "development" with "neighborhood." Objective G's language was pulled from the Comprehensive Plan and may need further clarification.
    - The word "flexibility" was used to address the context of a specific business situation.
    - The objective addresses renovation and redevelopment versus a new sign. Replacement signs would fall under the same criteria as any other sign. Specific language in future Code sections would address certain replacement issues.
    - No changes to the current nonconforming structure or sign language were being discussed. The only change regarded nonconforming signs impacted by public taking.
    - Flexibility was the key in Objective G and was not reflected elsewhere. Flexibility must be balanced with aesthetic considerations.
    - The record should be clear that the Sign Code does implement the Comprehensive Plan.
  - Strike Objective H, which was addressed in Objective A.1.
  - Objective I: Combine into one sentence.
  - Objective J: Add something about the community's standards of aesthetics.
  - Objective K: Consider whether it is needed.

Ms. Wehler asked how sign design could stabilize property values. She suggested removing "stabilize and improve property values" from Objective I and combining Objective J with Objective I as both addressed clutter.

Mr. Pauly explained that applicants often state that a new sign will improve their business, so their property value would not decrease.

Commissioner Altman added that when presenting a finding, applicants say that without appropriate signage, the ability for their business to sustain itself is limited and therefore its value will be destabilized in the neighborhood. He did not necessarily like that approach.

Mr. Pauly concluded that enough Sign Code sections were ready to keep the Commission's process moving forward, but he might not have the entire Sign Code ready in November. Next month he would return to discuss the overall organization of the Sign Code, where further direction from the Commission would be useful.



## PLANNING COMMISSION STAFF REPORT

### Draft Sign Code Purpose and Objectives

Meeting Date: October 12, 2011  
 Report Date: October 5, 2011

Contact: Chris Neamtzu, AICP or Daniel Pauly, AICP  
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 Contact E-Mail: neamtzu@ci.wilsonville.or.us  
 or pauly@ci.wilsonville.or.us

## INTRODUCTION

The purpose statement and objectives are essential elements of the sign code. After a number of meetings with representatives from the Chamber of Commerce, staff has prepared a draft of a revised purpose statement and objectives of the sign code for the Planning Commission, the community, and other interested parties to review. The Chamber of Commerce has suggested that the purpose statement be more positive towards business. The draft code text prepared by staff aims to combine a business-positive tone, the existing purpose statement and objectives, the legal foundations of sign regulations, sign related language from the Comprehensive Plan, and ease of administration. The purpose statement and objectives will serve as the foundation of the rest of the revised sign code. Below you will find the draft code text changes along with an analysis.

## DRAFT REVISIONS TO SUBSECTION 4.156 (.01) WILSONVILLE CODE & ANALYSIS

### *Guide to Font Formatting in Draft Code Text*

Plain text	Existing code text not changed
<del>Red and struck through</del>	Existing code text deleted
<b>Red, bold, underlined</b>	New code text
<i>Italics</i>	Staff notes, explanation, analysis

### *Organization of Analysis*

The analysis includes two main sections, one for the purpose statement and one for the objectives. Each section begins with the draft code text changes and then follows with a discussion of the following areas, based on the stated aim of the draft code language:

- A business-positive tone
- Existing Purpose Statement and Objectives
- Legal Foundation of Sign Regulations
- Sign Related Language from the Comprehensive Plan
- Ease of Administration

## *Draft Purpose Statement*

(.01) 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.~~ **fostering an aesthetically attractive, functional, and economically vital community. It is further the purpose of this Section to ensure protection of free speech under the United States and Oregon Constitutions, and protect public health, safety, and well-being.** 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: *See objectives in next section.*

### *Analysis of Draft Purpose Statement:*

#### *Business-Positive Tone in Purpose Statement:*

*Staff feels use of the phrase "fostering an aesthetically attractive, functional, and economically vital community" sets a positive tone for the purpose statement and supports existing and future businesses as well as other entities and residents. The language does so while not expressing preference towards one type of speech. The removal of the phrase "they do not necessarily assure or provide for a property owner's desired level of sign visibility" removes a phrase with a negative tone that does not seem necessary as the idea of balancing visibility with other considerations is reflected in a variety of draft objectives including draft objectives C. and G.*

#### *Existing Purpose Statement and Objective in Purpose Statement:*

*The draft purpose statement maintains the same elements as the current purpose statement. It begins by stating the general purpose of implementing the Comprehensive Plan and strengthens this element by pulling in a concise phrase from Comprehensive Plan Goal 4.1 "fostering an attractive, functional, economically vital community." The new language regarding protection of free speech reflects an existing objective that it seems prudent to state up-front, as protection of free speech is an essential element of any regulation affecting a means of speech such as signs. The current language regarding health, safety, and well-being is combined into a more concise and direct phrase of "protect public health, safety, and well-being." Finally, the statement about what the regulations classify and regulate and an introductory phrase about the objectives is maintained.*

#### *Legal Foundation of Sign Regulations in Purpose Statement:*

*The Development Code, including the sign code, serves as a primary instrument to implement the City's Comprehensive Plan. Existing and added language in the purpose statement establish this important legal nexus between the Comprehensive Plan and the sign code. As stated above, free speech is a central legal consideration for sign regulations. Language about free speech is strengthened in the draft language to acknowledge the different layers of free speech protection in the Oregon Constitution and United States Constitution. The draft language "protect public health, safety, and well-being" reflects a basic legal foundation for any type of government regulation related to the police power vested in city government.*



*Sign Related Language from the Comprehensive Plan in the Purpose Statement:*

*As stated in the existing and draft language of the purpose statement, a general purpose of the sign code is to be a primary means for implementing Wilsonville's Comprehensive Plan. The phrase "attractive, functional, economically vital community" has been pulled from Goal 4.1 of the Comprehensive Plan to be the central language of the draft purpose statement. Implementation Measure 4.1.1.c. states that the City will continue to have a cooperative working relationship with the Chamber of Commerce and other business interests in the community and will seek their input when making decisions having economic impacts on the business community. The City has and continues to do this, and is supporting this implementation by incorporating suggestions of the Chamber of Commerce, such as to have a more business-positive tone.*

*Ease of Administration in the Purpose Statement:*

*The main manner in which the draft purpose statement aids in the ease of administration is to be as concise and direct as possible. The purpose statement itself does not serve as a review criterion for signs, but sets the stage for the more detailed objectives and other sign code requirements that do serve as review criteria.*

**Draft Objectives:**

- ~~A. To ensure that signs are designed, constructed, installed and maintained so that public safety and traffic safety are not compromised; Staff note: See new objective D.~~
- ~~B. To allow and promote positive conditions for meeting the needs of sign users while avoiding nuisances to nearby properties and the community overall; Staff note: See new objective A. and D.~~
- A. To enable sign users to erect attractive and functional signs which are both visible and comprehensible from adjacent travel lanes, adjacent pedestrian and bicycle paths, and adjacent properties.**
  - 1. Functions of signs include providing identification and direction to aid the travelling public in wayfinding and otherwise permitting public and private entities and facilities to inform, identify, and communicate effectively and thereby contributes to an economically vital community.**
  - 2. Well designed and aesthetically attractive signs complement sign functionality and effective communication through color, shape, font and size as well as complementing the surrounding premises to which it is a part or may adjoin.**
- ~~**B.C. To ensure sign designs** 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; Staff note: see new objectives C. and G. below.~~
- ~~E. To prevent the construction or use of signs that would otherwise detract from the design of adjacent buildings or properties; Staff note: the ideas of this objective are incorporated into objective A. above.~~
- C. To promote appropriate scaling of signs to be functional and architecturally compatible with buildings to which they are attached and/or the surrounding area, while preventing signs from**

## Exhibit B

dominating the visual appearance of a building or area; *Staff note: reflects current objective D. and E.*

**D. To foster public safety along streets and private drives within the community by ensuring that all signs are safely designed and constructed, appropriately located, traffic safety is not compromised, and that signs are not otherwise a public nuisance;** *Staff note: reflects current objective A. and B.*

**E. To establish a simple and streamlined sign review process while maintaining the quality of sign development and ensuring due process;** *Staff note: language based on Comprehensive Plan Implementation Measure 4.1.1.d.*

**F. Provide for consistent and fair application and enforcement of sign regulations;** *Staff note: language suggested by Chamber of Commerce.*

**G. As existing signs are renovated and new ones are constructed, to ensure high standards of compatibility with surrounding development, landscaping, architecture, and signage while allowing flexibility as to the number and placement of signs;** *Staff note: language based on Comprehensive Plan Implementation Measure 4.1.1.n. and 4.1.2.i. and reflects current objectives C., D., and E.*

H. To provide for the clear identification of structures in order to enhance public safety; ~~and~~

**I. ~~G.~~ To ensure sign design serves to stabilize and improve property values and prevent the creation of blighted areas. Sign design may cause blight if it leads to inadequate identification, or excessive visual clutter, or otherwise does not meet objectives of this Section;**

**J. To control the visual impacts of signs on the community and minimize sign clutter; and** *Staff note: See Comprehensive Plan Implementation 4.1.5.mm.*

**K.** To ensure the protection of the constitutionally guaranteed right of free speech

### ***Analysis of Draft Objectives:***

#### *Business-Positive Tone in the Objectives:*

- *Draft objective A. supports a business-positive tone by supporting the needs of sign users, such as businesses, including having functional signs.*
- *A number of draft objectives, including B., C., E., G., and J. support a business-positive tone by supporting the investment current businesses have made in the community.*
- *Draft objective E. supports a business-positive tone by encouraging a sign approval process that is friendly to applicants. In addition, draft objective E. supports businesses by ensuring due process when a business owner has a concern about a new sign on a neighboring property having a negative impact on their business.*
- *Draft objective F. supports a business-positive tone by helping ensure the sign regulations are administered and enforced in a consistent manner that is fair to businesses.*
- *Draft objective G. reflects a business-positive tone by promoting flexibility for sign users, a frequent request from the business community.*

**Exhibit B**

- *Draft objective I. reflects a business-positive tone by discouraging blight, including blight that may result from inadequate identification.*
- *Draft objective K. reflects a business-positive tone by promoting the ability of businesses and other sign users to share whatever message they desire.*
- *A number of draft objectives use words or phrases that may be considered to have a negative tone. These include "nuisance," "blight," and "clutter." The use of these words is limited to where they specifically reflect the comprehensive plan or a foundational legal concept. The aim of using these words is to prevent conditions that would negatively impact an environment in which business can thrive.*

*Existing Purpose Statement and Objectives in the Objectives:*

- *Existing objectives A., B., D., E., and F. are deleted in the draft, but the ideas contained in them are combined into new draft objectives A., C., D., and G.*
- *The language in current objective C., G., H., and I. is substantially maintained in the draft, though they have mostly been re-lettered.*
- *The ideas in the phrase of the current purpose statement "promoting public safety, providing locational and directional information, ensuring continued aesthetic improvements of the City's environment, and providing adequate opportunity for signage to meet the needs of individuals, businesses, institutions, and public agencies" have been incorporated into various draft objectives.*

*Legal Foundation of Sign Regulations in the Objectives:*

- *Draft objectives D. and H. specifically promotes the protection of public safety; a basic purpose of regulations tied to the police power of the state.*
- *Draft objective E. discusses a streamlined process, but also discusses the need to ensure due process, which has specific requirements, procedural and substantive, under both State and Federal law.*
- *Draft objective K. concerns the protection of freedom of speech, a basic component of any regulations dealing with media, such as signs, used for speech.*

*Sign Related Language from the Comprehensive Plan in the Objectives:*

- *Draft objective A. expands on the functional and economically vital community language from Goal 4.1 of the Comprehensive Plan inserted into the draft purpose statement. Sign functionality is further defined, and the nexus between economic vitality and signs is magnified by acknowledging the role of signs in aiding effective advertising.*
- *Draft objectives B., C., G., and J. reflect the attractive component of the language pulled from Goal 4.1 of the Comprehensive Plan. Draft objective C. also further reflects the functional component of this language.*

- *Draft objectives E., G., and J. include language directly from the Comprehensive Plan.*

*Ease of Administration in the Objectives:*

- *Draft objectives E. and F. directly deal with process and making the sign code easier to administer.*
- *Effort has also been put forth to craft objectives in a manner that make them easier to write findings as they serve as criteria for sign approval.*

**CONCLUSION:**

In staff's opinion the draft purpose statement and objectives carry an overall business-positive tone and appropriately incorporate the ideas of the current purpose statement and objectives, general legal considerations of sign regulations, sign related language in Wilsonville's Comprehensive Plan, as well as helping provide for ease of administration. Staff hopes this draft purpose statement and objectives can serve as a basis for a continuing community discussion of what will be the guiding principles and foundation of Wilsonville's revised sign code.

**Sign Code Revision  
Documents Distributed for Planning Commission Work Sessions  
Index**

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**September 14, 2011**

- Minutes Excerpt
- A Planning Commission Staff Report dated September 8, 2011 for September 14, 2011 PC Meeting, regarding Sign Code Revision Update.
- Paper copy of PowerPoint presented at the Work Session.



- Master sign plans would still be required for multi-tenant developments, but that process would be made easier by minimizing the need for waivers.
- The revisions would establish clear and objective standards rather than using subjective criteria that could be interpreted differently by different panels at different times. Master sign plan discussions always involve meeting the test of attractive and functional. It is frustrating to make subjective decisions on a case-by-case basis for similar types of applications. The revisions process sought to define acceptable standards for the community.
  - The uncertainty of knowing what is acceptable was another issue. Signage like that in Argyle Square could be achieved through the master sign plan process with waivers, but the outcome was still unknown due to the subjective aspects of the criteria. Exceptions must be requested, which may or may not be approved.
  - Variances, rather than waivers, could be used for exceptions; the current language may need to be tightened further because it identified the criteria against which the waiver must be justified.
- The DRB should continue to be included in the process because signage applications were the most frequent applications reviewed. Businesses would still try to get around the Sign Code no matter how it is revised.
- The Sign Code's revised standards would not be based on approved waivers or the waiver process. Argyle's Master Sign Plan and waiver process was used only to show what is reasonable and attractive. That Master Sign Plan is consistent with other sign code standards of cities in the area, such as Tualatin and Tigard.
- Poor signage choices by businesses were also an issue; solving problems based on poor logos was fruitless.
- The Village at Main Street has an approved Master Sign Plan as a multi-tenant space. That Plan likely would have to be rewritten to increase the signage on their building according to the new Code language.
- Trees blocking signage was another general problem; amending the Tree Code or Planting Code should be considered to keep effective signage from being blocked.
  - Providing flexible spacing for street trees should be considered to avoid conflicts with light poles, signs, etc.; choosing the correct species was also a factor.
  - Property owners could not know how many tenants would occupy their space, making signage configuration and placement a challenge that could not be codified.
- While the revisions primarily addressed signage for commercial development, other uses, such as public facilities and institutions, also needed to be addressed.
  - Signage needs were different in industrial areas, so changing the ratio for industrial was suggested. The goal is to retain the concept in the current Code of keeping signage proportional to the face of the building, but recognize there might be four visible building faces.
- Adding a section on wayfinding signs could probably be done almost immediately under the existing Code. Wayfinding signs included directional signs to businesses, but namely directed people to places they need to go, such as the library.
- The Sign Code project would address a wide range of issues; those presented tonight were only a sample.
- Objections or concerns from nearby residents about signage seemed to stem from large signs, too many signs, and signs that conflict with other signs. Maintaining proportionality was critical.
- Signage on commercial buildings adjacent to residential areas was a concern. Discussion included consideration of whether or not the residential side of the building was visible from a public right-of-way and if being located on an arterial or collector should impact signage allowances.
  - Signs should not be allowed on building faces not visible from the public right-of-way.
  - Different standards exist in other parts of the Development Code for projects abutting residential versus commercial or industrial areas; the same was expected with the Sign Code.
  - Soliciting input from the residents of neighborhoods adjacent to commercial zones was recommended.
- Businesses with frontage on two sides might demand more signage. Further discussion was needed about how that should be differentiated.
- Moving and changeable copy signs are prevalent in several cities. The existing Sign Code allows for changeable copy on gas station signs through a waiver process. The proposed revisions would provide for electronic reader board signs for very specific applications, like schools and churches. Reader boards would



not be LED, no flashing or scrolling messages would be allowed, and the message would have to remain stable for a specific time.

- Waivers in other jurisdictions were minimal, but were generally requested for larger or additional signs, such as for a new tenant wanting signage equal to that of existing tenants.
  - Fewer waivers would be requested if the Sign Code is changed to allow for additional signage on multiple sides of a building.
  - Metro jurisdictions use a standard variance as an exception process to their sign codes, not a waiver. Wilsonville's waiver process used in the unique planned development code was carried into the Sign Code and referred to land use purpose statements relating to attractive and functional. Refining the purpose statement was being considered, as well as the waiver criteria.
  - If the Sign Code is improved such that the standard allows for reason and function, perhaps having a straight variance was appropriate.
- Subjective standards are nearly unworkable, given that everyone interprets them differently. Removing such moving targets would be helpful for those interpreting and trying to make decisions based on the Code.
- The balance is to draw the line between what is reasonable to business and the standards the community desires. There was concern that the revisions would set easy standards for businesses without considering the needs/desires of the community. This process must consider that there are times when the standard was not appropriate.
  - The goal was to work with enough people to define that reasonable and attractive standard in the Code language to make it as objective as possible. The intent was to create a framework so the process becomes less subjective than it is today.
- The modifications should address what constitutes a sign. There have been issues with the blue background of the Honda dealership sign, the lighted wall of the Toyota dealership and the building walls of Game Crazy and Hollywood Video.
- There should be no exemptions for government entities in the Sign Code.
- The ad hoc committee should include more citizens that were not vested financially in having more signage. Equitable representation should exist across all stakeholder groups. The Bike and Pedestrian Task Force members should be asked about joining the committee.
  - Alternative methods for collecting feedback beyond the traditional open house should be considered and could be discussed during the Committee for Citizen Involvement (CCI) meeting.
- The Commission discussed how the Development Review Board (DRB) should be involved with these key comments:
  - Holding a joint work session with the DRB was suggested. However, it was awkward to ask the DRB, a quasi-legislative body, to help legislate the Code; several Commissioners already had DRB experience.
  - Signage plans should go through the DRB because that was the last opportunity for public input. The plans should be able to go through DRB review more smoothly.
  - The revisions were trying to legislate the DRB to a smaller scope of activity; including them in the process at the legislative level was not desired.
- The Commission discussed at length their positions regarding the formation and purpose of an ad hoc committee. Concerns were expressed about the importance of getting public input from various sources; delays resulting from the additional time required to accommodate a committee; workload limitations of the Commission and Staff, and being able to understand the actual implications of proposed Sign Code changes.
  - The Commission consented to have Staff bring the Code revisions to a work session and invite interested individuals/stakeholders to participate. The Commission could decide what direction to pursue after the work session. No public hearing would be immediately scheduled as public engagement might follow the work session.
- Mr. Pruitt agreed to provide sign codes from other cities as well as the model sign code to the Commission.



## PLANNING COMMISSION STAFF REPORT

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### Sign Code Revisions Update

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Meeting Date: September 14, 2011  
Report Date: September 8, 2011

Contact: Chris Neamtzu, AICP or Daniel Pauly, AICP  
Contact Telephone Number: 503-682-4960  
Contact E-Mail: neamtzu@ci.wilsonville.or.us  
or pauly@ci.wilsonville.or.us

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### INTRODUCTION

At the July 13, 2011 Planning Commission meeting the commissioners expressed interest in a presentation prepared by Mark Pruitt on behalf of the Chamber of Commerce to illustrate, from their perspective, examples of functional and attractive retail sign programs in the City and well as some less functional retail sign programs and signs. The main example of functional and attractive is Argyle Square and examples of less functional include Village at Main Street and Park Pavilion. Attached you will find a copy of the presentation. In addition, this Staff Report includes other updates on the sign code revision process.

### ANALYSIS AND ADDITIONAL DETAILS

Staff concurs that the Argyle Square Master Sign Plan has proven to be both a functional and attractive sign program for a commercial development. The Fred Meyer and Old Town Square Master Sign Plan used a similar building elevation sign allowance method, which is also proving to be attractive and functional. Staff has developed draft code language for signs in the Planned Development Commercial zones that mirror the Argyle Square Master Sign Plan approach and separate the allowance for building and freestanding signs. The main difference between this Argyle Square model and the current sign code is basing the sign allowance on each elevation separately rather than the length of the longest side of the building.

The main issues raised about retail sign programs based on current code, without DRB granted waivers are:

- Lack of signage on all elevations leads to lack of ability for wayfinding for the public and ability of businesses to advertise their presence. An example of this is Village at Main Street, where no tenant building-mounted signs face SW Town Center Loop West south of Wilsonville Rd.
- Spreading the sign allowance across different building elevations can lead to signs that are too small to be easily read. Town Center sign code also leads to unreasonably small signs. An example is Whipper Snippers in Park Pavilion west of Town Center Park.

Staff notes that the presentation and suggested solutions concentrate on commercial retail signage. Other models may be more appropriate for commercial office, public facility, and industrial sign programs.

**Exhibit B**

Staff will bring forward ideas for these other uses as the process continues. Any ideas the commission has about commercial office, multi-story public facility, and industrial signage that is attractive and functional would be welcomed.

**OTHER UPDATES*****Recommendation for Ad-Hoc Sign Code Committee***

Since the July 13, 2011 Planning Commission meeting a number of individuals from the sign industry, business community, and residents have expressed interest in further involvement in the sign code revision process. Staff recommends the Planning Commission discuss forming these individuals, as well as others, into an ad-hoc sign code committee. The formation of the committee would allow the City to harvest these individuals' interest and expertise to work through many of the details of proposed sign code changes. The committee would increase public involvement and allow for the sign code to be presented to the Planning Commission in a more refined form, with broader stakeholder participation, and a deeper understanding of issues. Staff seeks direction from the commission about forming the recommended committee and the exact form it should take, how many members and interests that should be represented.

Residents and stakeholders expressing interest include:

- Susie Stevens-Charbonneau Country Club and Wilsonville resident
- Alan Kirk-OrePac, Wilsonville resident, and former City Council president
- Daryl Wingard-PMAR (Portland Metropolitan Association of Realtors)
- Valarie Howard-Retail Rockstar (specializes in window displays)
- Matt Grady, Gramor Development

Potential other individuals to recruit:

- Local business owners/Chamber of Commerce
- Homeowner association representatives/residents
- Residential Developers
- Sign professionals
- Other design professionals (architect/designer)
- Commercial/Industrial developer
- Non-profit groups that hold events in Wilsonville
- Commercial/Industrial property managers
- Commercial/Industrial real estate brokers
- School District
- Fire District
- Multi-family residential property management

***Process and Timeline Update***

The Planning Division continues to be short staffed and have a heavy current planning workload. Based on current and planned staffing levels, the Planning Division anticipates having a draft of code revisions reflecting comments and discussion to date prepared by the end of October. Staff recommends having the ad-hoc committee formed by this time also. The ad-hoc committee could meet jointly with the Planning Commission in November for a discussion of the draft code revisions. The ad-hoc committee

would then meet separately three to four times, with updates on their discussions available at each Planning Commission meeting. Based on the ad-hoc committee's discussion and recommendations, Staff would prepare an updated draft of code revisions to be reviewed by the Planning Commission to prepare a recommendation to the City Council.

**Staff Recommended Timeline and Process:**

- End of October 2011: Initial draft of code revisions ready to review and ad-hoc sign code committee formed.
- November 2011 Planning Commission Meeting: Joint meeting between ad-hoc committee and Planning Commission to discuss draft revisions.
- November 2011: to Spring 2012: Ad-hoc Sign Code Committee meets and works with Staff to refine draft code revisions with regular Planning Commission updates. A public open house would be hosted and other appropriate public and stakeholder participation tools employed during this time period.
- Spring 2012: Revised draft of code revisions, based on ad-hoc committee's work, completed by Staff.
- Spring or Summer 2012: Planning Commission work session(s) and public hearing, recommendation to City Council
- Late Summer or Fall 2012: City Council work sessions, public hearings, adoption

### Proposed Changes for PDI & PDC Zones

- Adopt the standards used in Argyle Square Master Sign Plan and other recent commercial developments within the city as the standard code language.
  - 1 sqft of signage per 1 linear foot on each elevation (side) of the building
  - Maximum total length of all signs on each side of the building cannot exceed 75% of the length of that side of the building.
- Eliminate the special Town Center requirements and regulate it consistent with the other PDC zones in the city
- Separate wall signs from freestanding signs and regulate each independently
- This is a simple to understand and administer criteria
  - No provisions for multiple entrances is needed for wall signs
- Provides for adequate signage on most buildings
  - The one exception might be multi-story narrow buildings, but these can be addressed through master sign plans, waivers, or Type 1 reviews.
- Maintains proportional signage based on the wall size and proportional signs for lot size
- This standard seems to work well in Argyle Square and Lowery's and is generally accepted as "reasonable, functional, and attractive" signage


### So what does this look like

The signs on the front are allowed under the current code, the change would allow the signs on the end and the back without the need for a waiver.




Additional signage exceeds amount allowed under current code without a waiver.

### Other Examples from Argyle Square



Easy for motorists to identify business and find their way


### More examples



Easy for motorists to identify business and find their way

### Current Code Example

- Current code for PDI and PDC (except for the Town Center)
  - 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.
  - 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
  - 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.




This looks okay, so what's the problem?

### Here is the problem with the current code.

Same building as the previous slide, but under the current code no signs would be allowed on the other three sides of the building without a waiver being granted since the total allocation was taken by the one side of the building.

- Without a special waiver in the Master Sign Plan being approved:
  - The current code does not provide adequate signage to identify businesses to motorists.
    - Until the motorist finds the proper side of the building with the signs, they have no way of knowing what businesses are in the building.
    - This results in confusion and congestion as motorists try to identify businesses and find where they want to go.
  - Current code prohibits business owners from adequately advertising their business resulting in loss revenue and lost customers.
  - Current code results in business owners making a guess at which side of the building will be the most effective side for their sign.
    - It is a gamble and expensive or impossible to change later





### More Examples of Current Code Problem

Other Side of Building – No Identification

Other Side of Building – No Identification

Buildings are not easily identified

### Other Examples

- The problem becomes worse when the building is multi-story, multi-tenant. This building required a DRB hearing to update the Master Sign Plan to allow all the tenants to have wall signs.

### More Examples of Current Code Problem

Other Side of Building – No Identification

Other Side of Building – No Identification

Buildings are not easily identified and there isn't even a sign over their main entrance

### Additional Problem with Current Code

- Town Center additional restrictions -

- Building Graphics Signage**
  - 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.
  - 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.

This additional restriction results in unusable signs that don't meet basic functional requirements for visibility and readability.

These signs are basically unreadable by motorists from any reasonable distance as they approach this building

### Town Center Problem Compounded

Whipper-Snipper Wall Sign

- Whipper-Snipper's is a good example of how this requirement creates dysfunctional signs. Since the logo has a script font with ascenders and descenders the 12" height requirement forces a font that is only a few inches tall and is completely unreadable except for standing directly in front of the store.

### Attractive, Functional, Reasonable Signage that helps motorists find their way and that promotes business

Proposed code change

Existing code

OR

Which seems to meet the objectives the best?

## Summary

- It should not require a waiver to accommodate Attractive, Functional, Reasonable signage on buildings.
  - Our Development Code should define the framework and allow Master Sign Plans to fit WITHIN that framework.
- The proposed changes have already been implemented in several developments via the waiver process in the Master Sign Plan within the city with no problems or complaints.
- The proposed changes meet the objectives and will not result in excessive signage or clutter and have been generally accepted by the community.
- The proposed changes will benefit not only the business owners in promoting and building their businesses, but even more importantly, they benefit the general public and maintain an attractive community.
- The proposed changes are consistent with other municipalities throughout the region, state, and county and with the Model Sign Code developed by independent consultants and planners.
- Further investigation and discussion need to take place to ensure that in large single tenant buildings there are sufficient restrictions on the maximum size of a sign such that it doesn't overpower the wall space available. Additionally, removing the Town Center special requirements may have some unforeseen consequences on freestanding signs that need to be discussed and clarified.
- Specific wording regarding a general preference for Monument Style signs versus free standing "pole" style signs for PDC zones needs to be considered.



**Sign Code Revision  
Documents Distributed for Planning Commission Work Sessions  
Index**

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**July 13, 2011**

- Minutes Excerpt
- A Planning Commission Staff Report dated July 6, 2011 for July 13, 2011 PC Meeting, regarding Sign Code Revision Update.
- Development Code Section 4.156 (on file in the Planning Division)



Exhibit B  
Planning Division  
29799 SW Town Center Loop E  
Wilsonville, OR 97070  
503-682-4960  
503-682-7025 fax

**PLANNING COMMISSION**

**WEDNESDAY, JULY 13, 2011  
6:00 P.M.**

**Approved  
September 14, 2011**

**Wilsonville City Hall  
29799 SW Town Center Loop East  
Wilsonville, Oregon**

**Minutes Excerpt**

**I. CALL TO ORDER - ROLL CALL**

Chair McGuire called the meeting to order at 6:02 p.m. Those present:

Planning Commission: Marta McGuire, Al Levit, Ben Altman, and Eric Postma. Tom Sullivan and City Councilor Scott Starr arrived after roll call. Ray Phelps and Amy Dvorak were absent.

City Staff: Chris Neamtzu, Stephan Lashbrook, Cynthia Thompson, and Daniel Pauly.



**VII. WORK SESSIONS**

**B. Sign Code Modifications (Daniel Pauly)**

Chris Neamtzu, Planning Director, reminded that there had been two revisions to the Sign Code: a major overhaul and what was termed a “surgical extraction of the constitutional offending sections,” which was a year-long process of Sign Code updates. This was the third and final round of Sign Code updates. Staff recognized three phases would be needed several years ago and those phases were discussed in the Staff report. Commissioner Altman, Mark Pruitt, Chamber Director Gilmore Ray, and Commissioner Phelps have been part of the Chamber of Commerce subcommittee. The current Planning Commission also included several experts, consultants, and former Development Review Board (DRB) members that have experience with the Sign Code. Staff and the Chamber subcommittee found several areas of agreement on difficult aspects of the Sign Code.

Commissioner Altman stated that the Chamber’s perspective was to simplify the Sign Code from an administrative approach and work from some well-established standards in terms of what good signage does, how it works, and what the City has historically approved. Argyle Square was focused on as a model because compared to Main Street Village there was a significant difference in how signs were treated and the way businesses were reasonably identified. Main Street Village came out in the short end of that proposal. Because the DRB had previously approved that package, the Chamber was comfortable using that as a base model to work from in reviewing the Sign Code. Supporting staff in reducing their workload and make sign reviews easier was another goal, so they only dealt with exceptions for hearings; currently everything went to hearing.

- He explained that the buildings in Argyle Square had one side facing the street, and one facing the internal parking or circulation. The Argyle signage plan allowed for signage on both sides to identify businesses on both the outside from the street as well as within the development, whereas Main Street had only internal signs. Argyle Square also addressed the total signage area allowed differently. Main Street Village was shorted by focusing on the limit and placing signage on the interior, so it was not very identifiable. Argyle Square had a better balance for identity and did not over-sign the area.

Daniel Pauly, Assistant Planner, added that the current Sign Code standard was based on the length of the longest side regardless of what the other sides look like, while Argyle Square considered signage on an elevation per elevation basis.

Commissioner Altman added that it also considered multi-tenant versus single tenant buildings.

Chair McGuire noted that signage could be seen on both sides at Fred Meyer.

Commissioner Altman and Mr. Pauly responded to clarifying questions from the Commission as follows:

- The Sign Code in the meeting packet was the existing Code that was provided for reference.
- When Staff and Chamber subcommittee met in April, a number of areas still needed refinement and clarification before details regarding the Sign Code update were brought forward. This work session was really to introduce the different concepts that they were working on, and then the actual language and recommendations would come to the Commission in a future work session.
- Sign Code was a bit like a Rubik's Cube in that changing one thing might have an unintended consequence. It was really about looking at these changes from every angle. Staff wanted to apply the Sign Code to real projects and make sure that was being written made sense in application. Sometimes making Sign Code changes created more difficulties; being cautious and thorough would bring about the best package to vet to the community. Staff believed they were close; however, the process was time-consuming. Each time a solution was found, it was run through real-life examples and then any unintentional consequences had to be addressed.
- No decisions had been made yet and the Commission would be presented with details about the Sign Code as they occurred. Mr. Pruitt could give a presentation to articulate some of the Sign Code problems at a future meeting.
  - The process to find common ground happened more quickly than anyone thought it could. They were still very early in the updating process. The Sign Code would be brought forward, discussed, and open to changes after the internal review was finished.

Mr. Neamtzu stated that Mr. Pauly had done a great job of restructuring the Sign Code so it read more clearly. He expected a complete public vetting, Commission vetting, Council vetting, Chamber vetting, and a vetting with additional stakeholders, including developers and homeowner's associations.

Daniel Pauly, Associate Planner, presented the Staff report. The goal was to expand on what worked well, and fix what did not work well and seemed an unreasonable process, while still maintaining the necessary due process. He noted that a key discussion item would be the purpose statement. The Chamber suggested that the statement be more positive and supportive of business and its positive role within the community. The goal was to combine a business-positive tone with the positive parts of the existing purpose statement, legal foundations regarding sign regulations, sign-related language in the Comprehensive Plan, and ease of administration.

- He and Commissioner Altman addressed comments and questions from the Commission as follows:
  - While sign measurement calculations would be separate for retail versus large scale industrial buildings, they were working on how to measure the total square footage allowed in a general sense. They wanted the language to work for Argyle Square or Town Center, but also Coffee Creek and Basalt Creek
    - Current Sign Code based it on the length of building, and disregarded what was in the building or what side was being viewed. Argyle Square allocated sign area from two different perspectives.
    - Currently, total signage calculated on the longest dimension could be split up on all sides of the building, but the signage must be legible. The functional design aspect must be considered. It was a different way of looking at how to calculate signage area based on the viewpoint. They may need to have different ways of calculating signage based on use, while keeping it streamlined.

- The Chamber expressed concern about wayfinding around town, so a having a more formal program, similar to the Oregon Traveler's Information Council for small, blue, directional signs around town at different points of interest was being discussed.
  - Driving into places like Town Center or strip malls was difficult because it was hard to find businesses in the parking lot. The signs above did not matter because you had to watch traffic. Tualatin's Haggens' development has wayfinding signs in their parking lot. Requiring such signs would be good for safety reasons and to save gas. The way that the Town Center building wraps away from Lamb's Thriftway makes it difficult to know what was around the sides when driving into Town Center.
    - The Chamber was focusing on the functional aspect of signs, where the City has done a good job and where they have missed the boat, as well as simplifying the administrative side. The idea was to work from good, prior-approved signage and then add areas like wayfinding.
    - The concern about prior-approved signs was that the DRB approved a lot of things that the City would not want to use as examples to be routinely acceptable. Two examples had push back from Staff and included the Honda sign where they questioned if the entire blue area was considered the sign and was approved. The other example was the Toyota signage with the lighted face that was also approved. The lighted wall was supposed to be turned off at night but it was not.
    - Camping World was denied for the same reason. They had a large, blue background that was a part of their incorporated signage that was not accepted.
    - There was a very serious difference in how the Sign Code was applied.
    - Chevron had the exact same problem because the blue neon light along the entire length of the building was a sign by way of calculating the size of the sign, but it was permitted because it was sufficiently "unsign-like" that the DRB allowed it.
      - It seemed such signs were created with the mindset that businesses could make their signs bigger or some semblance of national brand recognition by doing these things to get around sign issues.
      - Consistently applying the Sign Code became nearly impossible, which was one of the problems.
  - Another concern was that businesses did not follow the Sign Code or their approved Master Sign Plan. There was concern about loosening the Code to give a bigger hole for businesses to circumvent.
    - Commissioner Altman clarified that it was not a loosening the Sign Code, but cleaning up the Code. When referring to prior approvals, he was thinking more of the Argyle Square example; they were not saying that all prior approvals were great.
    - In considering prior approvals, it was important to consider whether a sign received a variance or waiver and be careful about including that in the standard.
    - There would still be signage that had to go through the DRB process, but they, Chamber/Staff, were still trying to narrow the field for what would go to DRB. Staff and the Chamber believed Argyle Square was an example of good and functional signage and were trying to apply that as the base acceptable standard. If moving away from that standard, it was subject to review. The base argument was why good signage like that at Argyle Square should have to go through a waiver process because it should be an acceptable signage package.
  - The attractive and functional language was the bane of DRB existence and a practical nightmare because bigger was always better and more functional, so it was not limiting at all, which left attractive, which was nothing but subjective. There was no real objective possibility to say what works and what should not. The DRB would approve a sign based on likability, which did not serve the purpose of predictability for those wanting a sign or for those who might consider that possibility down the road.
    - The Chamber and the staff agreed there was definitely a need to move away from that standard. It was a different package of looking at the allowable area and how signage is allocated.

- The current Code allowed freestanding signs and building signs but then lumped the allowable area together. A standard for each was recommended so that the building signage was addressed and considered from where the sign was being viewed. The other aspect was to make signage similar to the current standard on the length of the building while making it proportional to the face of the building and/or tenant space. In Argyle Square, signage facing the street was more proportional to the length of the building while signage on the other side was more proportional to the storefronts.
- “Dancing bear signs,” where someone holds a sign along the street and dances around, are allowed according to the City Attorney.
- Another issue that should be discussed in the update process was large windows being turned into signs, which provided hundreds of additional feet in signage. The current Code was structured to speak to interior signage visible through the window, not the window itself being turned into a sign. Looking at the language, there were many ways to get around that criteria.
- Blaise Edmonds, Manager of Current Planning, was working to get better diagrams to replace the two confusing pictures in Figures 17 and 18 of the existing Sign Code.





## PLANNING COMMISSION STAFF REPORT

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### Sign Code Revisions Update

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Meeting Date: July 13, 2011  
Report Date: July 6, 2011

Contact: Chris Neamtzu or Daniel Pauly  
Contact Telephone Number: 503-682-4960  
Contact E-Mail: neamtzu@ci.wilsonville.or.us  
or pauly@ci.wilsonville.or.us

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### ISSUE STATEMENT

A number of parties including the Chamber of Commerce, City Council, and City Staff have expressed interest in revising the City's Sign Code to function better for businesses and the entire community. The purpose of this Staff Report is to update the Planning Commission on the current status of the revision process and introduce the revisions under preliminary consideration.

### BACKGROUND

The City Council originally adopted the entirety of Section 4.156 of the Planning and Land Development Code "The Sign Code" in November 2000 through ordinance 509. The most significant change since that time was in early 2010 when the Council adopted "surgical" changes aimed at removing or modifying code language that did not meet the legal requirement of being "content neutral." During the 2010 hearing an upcoming broader revision of the sign code was discussed. That broader revision is currently underway.

So far in the broader revision process, City Staff and Chamber of Commerce representatives met a number of times from late 2010 into early 2011 the most recent being January 28, 2011. In the January 28<sup>th</sup> meeting a decision was made to let Staff take all the input and discussion from date and produce a draft revised code. Under current Staffing levels this took a number of months to accomplish. On April 25, 2011 Planning Staff, along with Assistant City Attorney Paul Lee and Assistant Community Development Director Stephan Lashbrook met to discuss the draft revisions. Now that Paul Lee is retired, Planning Staff will work with Barbara Jacobson to bring her up to speed on the issues. Below is a brief Subsection by Subsection explanation of the draft revisions in Section 4.156.

#### *(.01) Purpose*

The Chamber of Commerce has suggested that the purpose statement be more positive towards business. The language attempts to combine a business positive tone, the existing purpose statement, the legal foundations of sign regulations, sign related language in the Comprehensive Plan, and ease of administration.

***(.02) Application for Sign Permits***

The new organization of this subsection incorporates the proposed new review processes with the old in a manner intended for relative ease of reference for applicants. The Master Sign Plan language has been moved to this subsection. Also, new temporary sign language consolidates the existing temporary sign language spread throughout the code.

***(.03) General Provisions Affecting Signs***

Modified sign measurement language attempts to incorporate discussion between the Chamber and City Staff thus far. The non-conforming signs language adds a sentence regarding non-conforming signs and public takings based on the recent sign issues dealing with the I-5 Wilsonville Rd. interchange improvements. The Master Sign Plan language has been moved to Subsection (.02)

***(.04) Signs Exempt from Sign Permit Requirements***

Modified language aims to increase readability with the addition of a few items on the exempt list that have come up during the discussion thus far. Language about “decorative banners” has been expanded to businesses per discussion during the Council hearing on the temporary sign code in 2010.

***(.05) Prohibited Signs***

Minor edits and renumbering aim to increase readability. Language about changing image signs and electronic message centers has been changed to reflect other new code language. Balloons have been added to the list of items prohibited that “move in the wind” as Staff has considered balloons covered by this language. Similarly public sign posts have been added to the list of where placement of temporary signs are prohibited, as they have been understood to be a prohibited. As suggested by Staff, fluorescent color signs have been added to the list of prohibited signs.

***(.06) Sign Area***

The inclusion of this subsection is not necessary with the new sign measurement language elsewhere. It is thus recommended for removal.

***(.06) Sign Permit Requirements in the Residential Zone***

This section has been simplified to cover only small identifying signs for individual residences and district and planned development signs. The remainder of the existing sign language, especially about temporary signs, is covered in Subsection (.02). The District and Planned Development sign language has been expanded to also cover individual subdivision and multi-family complex signs.

***(.07) Sign Permit Requirements in the Planned Development Commercial Zones***

The revisions of this subsection reflect major proposed changes to how both the number of allowed signs and maximum area of signs are calculated. The language aims to incorporate the discussions between the Chamber and City Staff as well as incorporate the concepts behind the Argyle Square



**Exhibit B**

Master Sign Plan, as suggested by the Chamber, and reflect the current variety of signs erected in the City. Specifically the height and area allowance for Freestanding and Ground-mounted signs is based on statistical analysis of existing signs and other observations by Staff. The building sign language attempts to reflect the Argyle Square Master Sign Plan in a manner that can be applicable to a broad range of buildings. Additional language mirrors directional sign language in the exempt sign subsection. Other language allows electronic message centers for fuel price signs consistent with what has recently been approved for service stations in the City.

***(.08) Sign Permit Requirements for the Planned Development Industrial Zones***

The language of this subsection substantially mirrors that of Subsection (.07) PDC Zones, except that the building sign language has been modified to encourage signs on Industrial warehouse and other large industrial buildings to be consistent with industrial building signs that are currently predominate in the PDI zone. Also the language about electronic fuel price signs is not included.

***(.09) Signs in the Planned Development Commercial-Town Center Code***

This Subsection has been removed. However, the general language for the PDC zone aims to maintain a similar pattern of signs in Wilsonville Town Center.

***(.09) Sign Permit Requirements for the Public Facility Zone (new)***

The of language of this subsection substantially mirrors that of Subsection (.07) PDC Zones. As suggested by the Chamber, the major difference is language allowing Changeable Message and Electronic Message Center in this zone. Language also expands this allowance to places of assembly (for 200 or more persons) outside the PF zone including some churches, hotel convention centers, and the movie theatre.

***(.10) Signs on City Property***

The only change of language in this subsection deals with City installed wayfinding signs, similar to those installed on state highways by the Oregon Travelers Information Council.

***(.11) Signs within ODOT Right-Of-Way***

No changes

***(.12) Enforcement***

No changes

Freestanding and Ground Mounted Sign Study Data

Street	Business/Sign	Year Approved	Sign Height	Sign Area	Case File	
Parkway Ave	Marquis	2003	5.79	22.5	03SR11	
	Wilsonville Office Park	1981	5.666	17.5		
		76	2004	18	64	04sr64
	Gillispie Decal	2000	7	32	00db03	
	Wilsonville Garden Center	1996	3	24	96sr03	
	InFocus	1999		11.25		
	Pioneer Pacific College	2004	5	18.0625	04sr61	
	Shriners	2006	6.83	36		
	Stafford Woods	2007	4	27.5		
	30240 SW Parkway	2004	6	9.7	04sr44	
	Parkway Plaza	1994	4	36	94sr05	
	Oregon Dental Association	2006	6.75	12.8	sr06-0014	
	Tristar Credit Union	2010	6	32	ar10-0077	
Elligsen Rd		76	2009	18	64	
pages 234 of cd file	Argyle Square				109	
	Super 8	1991	20	136		
95th Ave	Wilsonville Business Park	1998	5	25	98sr19	
	Boeckman Corporate Center	2007	3	8	sr07-0013	
	Uncle Wally's	1998	3	8	98sr19	
	Town and Country Dodge	1999	9.79	50		
	Shredding Systems	1990		18	90dr9	
	AB Mauri	2009		11.98	sr09-0026	
	Nissan	2005	8.25	50	sr-2005-06-00011	
	Audi	2011	8.45	5.14	sr11-0015	
	Prologis					
	Stafford Distribution	2007	4	16.5	db07-0079	
	Wilbur Ellis	2007	4	8.5	db07-0079	
	Wilsonville Chevrolet	2008	7	65.2	db08-0031	
	Holiday Inn	2011	20	84	ar11-0023	
Chevron	2007	20	82.28	sr07-0022		
Boones Ferry	Sherlock Self Storage	1993	5	18	93sr18	
	Boone Building	2011	4	38	db11-0045	
	Bell Tower	2011	4	15	sr11-0016	
	McMenamins	2011	4	15	sr11-0016	
	Old Town Square	2011	4	15	sr11-0016	
	Chili's	1993	5.3333	14.16	93dr22	
	Wilsonville Distribution Center	2004	6	16	04sr67	
	Rite Aid Distribution				80dr02 (microfilm)	
	Sonic	2007	6	36	db07-0083	
	Wilsonville Rd	Wood Middle School	2011	6	32	
		Wilsonville Self Storage	2005	6	24	DB-2005-03-00033
		Chevron	2008	20	79.75	
		Wilsonville Road Business Park	2009	6	32	db09-0051
Just Store It		2009	6.92	28.333	sr09-0038	
Jay Puppo		2005	6.83	32	db05-0101	
Lowrie's		legal con-conforming				
Fred Meyer				8	126	OTS MSP
Village at Main		2011	12.125	73.6	sr11-0043	
Wilsonville High		2011	6	32	sr11-0029 (8 ft, bu	
Boeckman Creek Primary		2005	6	32	sr-2005-12-00035	
Town Center Shopping Center		1991	20	191.75	91dr17	
Town Center Merchantile		1988	8	48	88dr23	
Wendy's	1993		32	93dr06 (microfilm)		
Kraven's	1999		33	99SR12		

Freestanding and Ground Mounted Sign Study Data

	Shenandoah Square	1989	8	48	89dr29
	Arby's/Juan Colorado's	2011 (relocate)	10	36	sr11-0011
Town Center Loop	Town Center/Merchantile	1988	8	48	88dr23
	Bank of America		5.8333	28.875	
	Town Center Shopping Center	1991	20	191.75	91dr17
	Shari's Restaurant	1995	6	21	95dr23
	McDonald's	1993	6.16	25	
	US Bank	2009	3.5	20	DB09-0009
	Town Center	2009	5.9	21.07	db09-0009
	Town Center Office	2009	4	15.4	db09-0009
	NW Rugs	2006	4	26.01	DB07-0030 and 00
	Ace Hardware	2010	4.333	12	sr10-0031
	Wilsonville Dental	1992	5.3333	32	92dr2
	Wilsonville Medical Plaza	2009	8	32	sr09-0010
	Clackamas	2009	6	41.4	sr09-0006
	Art Tech High School		5.6666	32	
	City Hall	2005	3.5	25.999	
	Cornwall Chapel	1992	4	32	92dr30
Other	Toyota on Boeckman	2006	9	56	06sr015
	Coca Cola	1987	4	24	87sr2
	Comfort Inn	1993		38.5	93Dr18
	Commerce Center South	1999	4	28	99sr28
	LRD	2007	6	32	sr07-0007
	Conway	1995	6	32	95sr08
	Houston's	1999	4	32	99sr14
	Hydro Temp	2006	8.7	39	db05-0106
	OrePac-Boeckman	2006	8	32	db06-0040
	Pacific Commerce Center	1994		28	94DR19
	Park Pavilision	2008	2	24	db08-0030
	Portland Millwork	2008	8	34.64	db08-0005
	PGE Crew Center	1998	4	12	98db13
	Tyco	2000	6.25	81	00db37
	Next to Sysco	1995	8	32	98db15
	Commerce Circle Business Park	2010	4	32	sr10-0002
	Oregon Glass	2009	5.5	35.75	sr09-0009
	HD Fowler	2009	6	32	db09-0054
	Memorial Park	2008		17.56	sr08-0025
	NTP	2006	6	18.9	sr06-0026
	Town Center Park	1998	3.5	13.4	98sr37
Kinsman	Chevron	2008		31.5	
	ProGrass	1990		18	90dr25

Building Sign Study Data

Business	Façade Name	Approx. Façade Length	Total sign area on façade
NW Rugs	West	293	67.5
	NE (curvilinear)	99	67.5
Walgreens	East	109	116.57
McMenamins	West	96	26
Albertsons	North	311	204.16
Just Store It	South	184	148
Red Robin	North or West	131	32.35
Wendy's	South	58	35.88
Chase (Town Center)	South	83	28
Whipper Snippers	East	24	7.6
Les Schwab	West	193	197
Family Fun Center	South	131	23.5
Bowling Alley	West	184	171
Pioneer Pacific College North Building	West	182	64
Target	North	395	174
Costco	West	322	385
Pier 1 Imports	North	91	53.125
Sterling Saving Bank	North	75	40.35
America's Tire	North	113	48
	East	36	48
Holiday Inn	North or South	246	121
Kingpin Car Audio	East	76	32
Wilsonville Chevrolet	East	192	192
Wilsonville Audi	North	84	130.59
Wilsonville Nissan	North	91	96
Town and Country Dodge	East	148	128
Wilsonville Toyota	South	180	171
Precision Countertops	East	400	36
AB Mauri	West	154	47.74
iSense	West	87	25
Prograss	South	65	16.5
Bullock Dental	South	46	45
Sysco	West	410	300
Subway OTS	South	29	32
	North	29	32
	East	60	32



## Planning Commission Update

Feb. 8, 2012

Peter Hurley attended his first meeting as a newly appointed Planning Commission member and Ben Altman was elected as chairperson.

**Sign Code Revisions:** The main topics on the agenda were sign code revisions, sign review process, sign regulations for various zones, digital changeable copy signs, temporary signs and minor related and miscellaneous changes. The sign code will be on the March work session agenda and a public hearing before the Planning Commission is scheduled for April. Wilsonville residents are encouraged to get involved and provide input to the Planning Commission on the sign code revisions.

The Planning Commission received an update on the Transportation System Plan and results from the Open House.

Stephan Lashbrook's new position as Transit Director was shared with the commission.

### March Agenda Items

A work session on the Water System Master Plan will provide a brief introduction and the need for the plan. The Plan addresses projected water use based on population growth, conservation measures, and historic water use. The plan looks at potential capital improvements and operations and maintenance.

Other tentative items on the March agenda are the city's Communications Plan, Community Survey, and the Basalt Creek Transportation.

A joint Planning Commission/City Council meeting is tentatively scheduled for April 16 to review the draft transportation system plan improvement alternatives identified, to address the needs (gaps and deficiencies), and solicit public feedback.

For further information contact Chris Neamtzu, Planning Director, at (503) 682-4960 or [neamtzu@ci.wilsonville.or.us](mailto:neamtzu@ci.wilsonville.or.us).

## Metro Seeks Public Input

Metro, the regional government that oversees land-use and transportation planning in Clackamas, Multnomah, and Washington Counties and manages the Oregon Zoo and Convention Center, is promoting a new online survey tool called "Opt In." The public opinion panel surveys participants once or twice per month seeking their input on various topics. The survey results are then shared with public-policy officials as a critical form of public input on pending decisions.

# Optin

ONLINE PANEL

To sign-up as an Opt In panelist or for more information, visit [survey.optin-panel.org](http://survey.optin-panel.org).

The new panel provides a timely, cost-effective way for the region's residents to provide input into decisions affecting them and their communities. Currently, most Opt In panel participants live in the Multnomah County, and Metro seeks to obtain a wider geographic and demographic sampling that includes suburban-area residents. Mayor Knapp observed that "The more Wilsonville residents who participate, the greater potential for our voice to be heard in regional dialogue on issues that impact livability and the ability to conduct commerce in our area."

### Red Cross Blood Drive

City Hall - Council Chambers  
Wednesday, March 7, 2012  
9 a.m. - 2 p.m.

To sign up online  
[www.redcrossblood.org](http://www.redcrossblood.org)  
Or to schedule an appointment,  
contact Bryce Frazell  
at 503-570-1512 or email  
[frazell@ci.wilsonville.or.us](mailto:frazell@ci.wilsonville.or.us)

## Chief's Corner with Lt. Nick Watt



As Spring approaches be aware for solicitors that sell anything from magazines to new roof cleaning programs. Regardless, there are individuals soliciting legally in the City of Wilsonville and those who are not.

At this time we are not aware of any solicitor scams that may be out there, preying on the kindness of our citizens, but there is always that chance. It is important to know that scams can happen not only on the Internet, but in the mailbox and door to door, as well.

I bring this up for two reasons: 1. For the protection of the City of Wilsonville Citizens, 2. For your own personal awareness.

If a solicitor knocks on your door, the first thing you need to ask them for is to see their solicitor badge, which should be in plain sight. According to the City Code:

In accordance with City Ordinance No. 495 and 537, the City of Wilsonville requires a Solicitor's Permit for any person age 16 and over who travels "door-to-door", within the city limits, with the intent to sell any goods, services, or to distribute flyers.

Once the application is approved, a solicitor's badge with photo ID will be issued and is valid for 6 months. This badge must be worn in plain sight when soliciting.

If the solicitor does not have this city issued badge, you can call Shelly Marcotte at 503-570-1586 to verify their license.

If needed the Code Enforcement Officer will respond to the area or your Wilsonville Police Department will respond. This is for your safety.

We have a great community and we wish to keep it that way.  
Planning Commission-April 11, 2012



## Tree Topping: Violates Tree Ordinance and Harms Trees

Spring is almost here. As you get out in your yard and consider pruning your trees the City would like to remind you to not top your trees. Tree Topping is the removal or severe cutting of a majority of a tree's branches. Tree topping hurts trees and is in violation of the City Tree Ordinance. The following information from the Oregon Department of Forestry helps explain why.

### Why Topping Hurts Trees

Topping violates most commonly accepted methods of proper pruning. Many people think that topping will help their trees, but in reality it is one of the worst things you can do to your tree!

Topping does not make your tree safe. Topping actually creates a more dangerous tree because the branches that "sprout" after topping are weakly attached, and as a result they are more likely to break in a snow, ice, or wind-storm. Topping also makes your tree prone to insect and disease damage because improper cuts invite decay.

Topping actually starves your tree by removing leaves that help the tree grow. Topping is expensive because it will not keep your tree small unless repeated every year, and because it will shorten the life span of your tree. By contrast, the positive effects of proper pruning will make your tree healthier

and extend its life.

A brochure called "An Oregon Home-owner's Guide to Tree Care" provides more information and is available at from



Example of Topped Tree

the Oregon Department of Forestry at <http://www.oregon.gov/ODF/> or at Wilsonville City Hall.

For more information about tree topping and proper pruning techniques, or if you have concern about a tree that has been topped call the City's Planning Division at 503-682-4960.

## Tree City USA Recognition

The the City of Wilsonville has been recognized for the 14th consecutive year as a Tree City USA by the National Arbor Day Foundation. This recognition reflects Wilsonville's ongoing commitment to maintaining and promoting the community asset called the urban forest. The urban forest is comprised of all trees in the City, both native and planted, that contribute to seasonal beauty and livability. Whether it is a majestic 200- year old Oregon white oak, a grove of towering Douglas-firs, or a young flowering cherry, the trees of the urban forest greatly contribute to a sense of place and quality of life in Wilsonville. City trees help clean the air, conserve the soil and water, reduce heating and cooling costs, and bring nature close to where we live.

There are four criteria that need to be satisfied in order to achieve Tree City USA status. They include: 1) a comprehensive urban forestry program; 2) an Arbor Day proclamation; 3) a tree ordinance and a tree department/board; and 4) an Arbor Day observance.

### Arbor Week Tree Planting Event

In Oregon, Arbor Week is celebrated the first full week in April. As part of the celebration the community is invited to a tree planting event at 10:30 a.m. on Saturday April 7th at Murase Plaza. A barbeque lunch will be served afterwards.

## Update of Sign Regulations

Signs significantly impact the way a community looks and functions. Like many cities, Wilsonville regulates signs to control their impact on the community.

The City is currently in the midst of updating its sign regulations, and businesses and residents are invited to review and comment on the proposed updates. The updates have been developed with input from a variety of interested parties including local businesses, the chamber of commerce, developers, sign professionals, the school district, and residents.

For more information on the recommended updates contact Daniel Pauly in the Planning Division at 503-682-4960 or [pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us).

**A public hearing is scheduled in front of Wilsonville's Planning Commission on April 11 at 6 p.m. City Hall.**

## Economic Development Strategy

*continued from page 7*  
businesses to expand?

■ What kinds of incentives, if any, should the City offer as inducement for a new or expanding business?

As an integral component of this process, the City is forming an Advisory Committee that is composed of 10 members who will help guide the process and make a recommendation to the City Council. The committee is composed of public- and private-sector leaders invested in Wilsonville who are stakeholders and wear multiple 'hats.' The Advisory Committee includes representatives of various sizes and types of businesses, developers, higher-education, chamber of commerce, neighborhoods and City Council and Planning Commission.

The committee will meet three to five times over the course of several months through June, culminating in an 'economic summit' with a wider range of stakeholders.

D



## Reports from the City Council, Planning Commission and DRB

### Highlights of Recent Meetings February 23

■ **Basalt Creek Area Transportation Planning Process:** Council discussed and provided staff with direction on a number of items, including transportation options or alternatives, issues to be communicated at the next open-house event, and what projects the Council supports over the next 10 years.

■ **Washington County Proposed Major Streets Transportation Improvement Program (MSTIP):** Council reviewed potential road projects in the northwest Wilsonville area, specifically the 124th Avenue Extension south from Tualatin-Sherwood Road to Tonquin Road and a proposed road from Tonquin Road to Boones Ferry Road north of the Coffee Creek Correctional Facility. Council decided to request a modification of proposed Washington County MSTIP 3d Project #12 – “Tonquin to Boones.” The Council’s primary objective is to direct transportation investments to produce immediate results that benefit transportation mobility and open-up lands for industrial development. Currently, Project #12 proposes to spend \$6 million on design only. The Council believes these funds should be redirected towards improving existing roadways for short- and long-term benefits.

■ **Ordinance No. 700, Stormwater Master Plan:** Council voted 4-0 to approve Ordinance No. 700 adopting a Storm Water Master Plan. The Plan addresses potential flooding and nonpoint source pollution impacts. It is also an important tool in solving water quality problems and is used to mitigate potential damage to property, infrastructure, and ensure public safety and health.

■ **Ordinance No. 702, Panhandling:** Council voted 5-0 on first reading to approve Ordinance No. 702, Panhandling and added a new section on restrictions.

**Contract Award to Repair Sinking**

**Boeckman Road:** Council voted 4-0 on Resolution No. 2347 authorizing a Geotechnical and Design Consultant Contract to complete substantial soil compression, repair, and reconstruction work on Boeckman Road. See article on page 8 for more details.

### Planning Commission March 14

At the March 14 Planning Commission meeting, the Commission conducted a worksession on the following topics:

■ **Water System Master Plan:** The purpose of the Water System Master Plan is to document the current condition and demand of the water system, predict future demand, and evaluate the cost and timing of necessary operational, maintenance and capital costs over a 20-year timeframe. A public open house on the Water System Master Plan is being planned for April, with public hearings tentatively scheduled for summer.

■ **Sign Code Update:** The Planning Commission has conducted numerous work sessions on proposed updates to the city’s sign code in preparation for a public hearing on April 11. For more information on sign code updates or to be added to the interested parties list, visit the city’s web site at [www.ci.wilsonville.or.us](http://www.ci.wilsonville.or.us), or contact Associate Planner Daniel Pauly at 503-682-4960 or [pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us).

■ **Transportation Systems Plan (TSP) Update:** In work session, the Commission reviewed proposed revisions to the TSP goals and project evaluation criteria. The purpose of the revised goals is to capture the community’s vision for the city’s transportation system as well as comply with state and regional requirements. The final goals are intended to guide the city’s transportation systems planning and investment decisions. A joint Planning Commission/City Council

worksession is scheduled for May 7 to discuss possible solutions to the system gaps and deficiencies. A community open house is being planned for May. For additional information on the TSP update project, please visit the city’s web site or contact Planning Director Chris Neamtzu at 503-682-4960 or [neamtzu@ci.wilsonville.or.us](mailto:neamtzu@ci.wilsonville.or.us).

■ **The Committee for Citizen Involvement (CCI)** convened to discuss the city’s draft Communications Plan. The goal of the Communications Plan is to identify the use of communications tools used to keep the community and other audiences informed about how the city of Wilsonville operates, the policies and procedures that are involved in that operation, and to encourage public participation in local government. For more information on the draft Communications Plan, please contact Government and Public Affairs Director Mark Ottenad at 503-682-1011 or [ottenad@ci.wilsonville.or.us](mailto:ottenad@ci.wilsonville.or.us).

### Development Review Board (DRB)

#### March 12

■ **Election of 2012 Chair and Vice-Chair for DRB-Panel A:** Douglas King was elected Chair and Bob Alexander was elected Vice Chair.

■ **Resolution No. 225 — Mattress Discounters:** DRB conducted a public hearing and unanimously approved request by applicant Laurel Winter of Aino Sign Co., representing Julie Pryor of Village Commercial LLC, for approval of a Class 3 master sign plan modification and waiver request for building 5 of Village at Main Street, 8639 SW Main Street.

Earth Day Celebration

Tuesday, April 24

5-8 p.m.

Wilsonville Public Library

Planning Commission-April 11, 2012

LP12-0001 Sign Code Update

Page 227 of 274



# WILSONVILLE

## Sign code: Aesthetics vs. practicality

■ Planning commission debates whether to eliminate 'attractive' from code

By **KALLEN DEWEY KENTNER**  
WILSONVILLE SPOKESMAN

"Attractive" can mean many things to many people, especially when it comes to signs.

But is removing subjective language, such as "attractive," necessary in Wilsonville's sign codes?

It is this type of subjective language that became the focus of last week's Wilsonville Planning Commission meeting, where debate focused heavily on the problem of using subjective language while still addressing the importance of having aesthetically-pleasing signs.

"Why should we be telling businesses, 'One of the things we're going to be looking at is if five people on a Development Review Board think your sign is pretty,'" said Commissioner Eric Postma at the Oct. 13 meeting.

Despite a push for clarity and objectivity, some members of the commission were leery of removing all subjective language from the code.

"Taking out all concept of aesthetic, could very well lead to signs that are unpalatable," said Commissioner Al Levit.

The Wilsonville Chamber of Commerce suggested that the new sign code be more positive toward business and use less subjective language. At a previous meeting, it was pointed out that a clearer sign code might be economically beneficial because the new code would be business-friendly.

Please See **SIGNS** on Page 2

## CAFETERIA

■ Some parents are upset

By **JOSH KULLA**  
WILSONVILLE SPOKESMAN

Despite initial claims of success, the introduction of the new community lunch program in West Linn-Wilsonville School District primary schools is raising pointed concerns among local parents.

Started two years ago with a pilot program at Boones Ferry Primary School in Wilsonville, community lunch involves students eating a sack lunch in the classroom. While they eat, teachers read or lead other educational activities.

Parent

## State release

By **JOSH KULLA**  
WILSONVILLE SPOKESMAN

With 11 of 14 schools rated "outstanding" on the state schools report cards released Thursday, West Linn-Wilsonville certainly is doing better than the rest of Oregon.

Statewide, only 28 percent of schools were ranked "outstanding" according to state and federal annual progress reports, a startling difference.

There are plenty of reasons, including a significant hike in state exam standards in math, along with heightened high school graduation standards.





# Signs

CONTINUED FROM PAGE 1

Clearer directional signs also would help consumers find businesses.

Overall, the code revisions are aimed at addressing signs for commercial development, and seek to reduce the negative tone of the existing code, create a section on wayfinding signs and ensure a streamlined administrative process, according to a staff report.

In general, sign codes put limits on signs erected within the city.

Commissioner Ben Altman said some of what sign codes prevent are "Las Vegas" type signage and other "eyesores."

However, when a sign code uses language like the word "attractive," it requires people to make subjective decisions based on their own opinion.

Postma said the draft lan-

guage implies that attractive and well-designed signs complement a sign's functionality when that's not always true.

"You can draw a lot more attention with bold colors that don't go together," he said.

Commissioner Tom Sulli-

van suggested using the "reasonable person standard" commonly found in law. If the sign language completely removed the subjective terms, he feels there would still be certain situations in which the sign fit the code, but was still "ugly."

"Someplace, somebody

has to make a decision about aesthetics," he said.

A statement regarding aesthetically-pleasing signage is likely to remain in the purpose statement of the code. Debate on the code revisions will continue section by section at future planning commission meetings. ■

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INFORMATION CONTACT:  
Rick Mauer 503-681-8395 or tallerricardo@juno.com;  
Bea Settle 503-631-3128;  
www.clackamettegem.org · rockhound@clackamettegem.org

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## Weekly Sudoku ANSWER

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7	9	3	6	4	2	1	5	8
4	6	1	7	8	5	3	2	9
3	2	8	9	7	6	5	1	4
6	4	5	2	1	3	9	8	7
1	7	9	4	5	8	6	3	2
2	3	4	5	6	7	8	9	1
9	5	6	8	2	1	7	4	3
8	1	7	3	9	4	2	6	5

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Planning Commission April 11, 2012  
LP12-0001 Sign Code Update  
Patient comfort is our goal

VanGordon Dentistry 9-21-11



Dear Wilsonville City Council,

Recently, Wilsonville High School ASB learned that the Wilsonville City Council needed input on the sign policy in Wilsonville. We have a few things we'd like to add to the discussion.

Wilsonville High School, ASB in particular, is very busy nearly every day of the school week. With assemblies, fundraisers, and other events such as Springfest, we don't have time to change a static readerboard manually on a weekly basis to keep the community updated. The time needed to put up a few announcements takes nearly the whole period and at least two or three people; it slows down our class and is inefficient.

Furthermore, the readerboard is nearly 12 years old. With all the digital changes over the last decade, the readerboard has been left unchanged, and unfortunately, goes unnoticed for that reason. Because of this, informing the community becomes difficult and the effort needed to manually change the readerboard is wasted.

A digital readerboard for our school can save a lot of time and solve many problems. For example, the manpower needed to change the readerboard would be reduced greatly, as only one person would be needed to update the announcements. The community would benefit from the change too; the digital sign would be more noticeable than a static one, and it would be easier to read.

Our generation is radically different than those of the past; technology has been a big influence. With all the recent digital changes, students have adjusted their lives and slowly drifted away from past technologies. The readerboard, built in 1999, has become inferior in the eyes of students and doesn't accomplish what it was built to do – inform and communicate.

Communicating to the community is one of our most important goals - without the community's support, our events wouldn't be as great. A digital readerboard would definitely help spread information and dates through the community, and hopefully result in greater attendance and support.

Wilsonville ASB would like to thank the Wilsonville City Council for considering the digital sign change.

Sincerely,

Wilsonville High School ASB Leadership Team

**Pauly, Daniel**

---

**From:** Melissa Hayden <melissa@securitysigns.com>  
**Sent:** Friday, March 16, 2012 9:36 AM  
**To:** Pauly, Daniel  
**Subject:** FW: Attached: Sign Code Staff Report and Recommended Code Language for Planning Commission Work Session on 3/14/2012  
**Attachments:** Wilsonville Suggestions Mar 2012.docx; Brightness - Digital Signs vs Other Illuminations.doc; Lewin On-Premise Brightness Study.doc.pdf; FHWA 2007 Memo.pdf

Hi Dan,

We may have missed the work session but some notes are attached.

**Melissa Hayden | Project Manager**  
**Security Signs | [www.securitysigns.com](http://www.securitysigns.com)**  
d. 503.546.7114 | m. 360.903.3495 | f. 503.230.1861  
2424 SE Holgate Blvd. | Portland, Oregon 97202  
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**From:** Terra Fisher [mailto:Terra.Fisher@daktronics.com]  
**Sent:** Thursday, March 15, 2012 1:29 PM  
**To:** Melissa Hayden  
**Subject:** RE: Attached: Sign Code Staff Report and Recommended Code Language for Planning Commission Work Session on 3/14/2012

Hi Melissa,

So I just totally noticed I missed the work session on this. However, better late than never, right? Please see my attached suggested changes to the proposed code.

The rationale for them is as follows:

- Definitions: I cleaned up the definitions a bit just to prevent confusion, as changing image signs and electronic changeable copy signs had virtually identical definitions and one was prohibited and the other wasn't. Additionally, I took out the regulations within the definitions and added them to the actual regulation portion of the code. Again, these are really clean up items, but I feel they needed to be made.
- Brightness: I gave them two options. The first was 5,000 nits day and 500 nits night. The second is industry standard regulation that is in-line with what the state passed for regulations and with what has been passed in other jurisdictions throughout the country. I attached an explanation and nits vs foot candles and the study from which the standards came for your reference. Please feel free to pass them along.
- Hold-time: Rather than an hour hold time I thought, especially since a waiver is needed anyway, to lower it to a 10 second hold time (in line with state regulation of digital billboards). The rule of thumb when it comes to regulation for signage (and any regulation of speech for that matter) is that regulations shall be carefully tailored so as not to be more restrictive than necessary to adequately ensure that the reason for regulation is taken care of. Hold times are put into place because of concerns for safety. The FHWA has found that hold times between four and 10 seconds are appropriate and safe. I attached their 2007 memo for your reference. Additionally, jurisdiction throughout Oregon and the U.S. have found the same. Therefore, there is no reason to have a one-hour hold time. Furthermore, I added a provision allowing the board granting the waivers to have the discretion to apply a longer hold time so long as they can prove that a longer hold time is needed. This allows for some consideration of location, placement, etc.

Again, sorry for getting this to you so late. Is it too late to pass it on?

Please advise.

Terra Fisher

State and Local Regulatory Affairs  
Daktronics  
Work: 605-275-1040 ext 51145  
Cell: 605-691-1285  
Fax: 605-692-0381

---

**From:** Melissa Hayden [mailto:melissa@securitysigns.com]  
**Sent:** Thursday, March 08, 2012 4:47 PM  
**To:** Terra Fisher  
**Subject:** FW: Attached: Sign Code Staff Report and Recommended Code Language for Planning Commission Work Session on 3/14/2012

Here's what came today. Haven't looked at it yet.

**Melissa Hayden | Project Manager**  
**Security Signs | [www.securitysigns.com](http://www.securitysigns.com)**  
d. 503.546.7114 | m. 360.903.3495 | f. 503.230.1861  
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**From:** Pauly, Daniel [mailto:pauly@ci.wilsonville.or.us]  
**Sent:** Thursday, March 08, 2012 2:43 PM  
**Cc:** Neamtzu, Chris  
**Subject:** RE: Attached: Sign Code Staff Report and Recommended Code Language for Planning Commission Work Session on 3/14/2012

Dear Individuals Interested in Wilsonville's Sign Code Updates:

Wilsonville's Planning Commission continues to move forward in examining updates to the sign code. This coming Wednesday, March 14, 2012, they will have an additional public work session. This is the final planned work session prior to a planned public hearing in April. Attached you will find a staff report for the work session with copies of the code text showing all recommended changes. A more thorough explanation of all code changes was sent to you on February 2<sup>nd</sup>. If you need another copy of that staff report let me know. We would like to invite you to review the attached document and materials produced for previous work sessions and provide your thoughts and comments by either coming to the work session next Wednesday evening at Wilsonville City Hall or submitting them in writing to City staff, addressed to the Planning Commission, by 4:00 p.m. that same evening. The Planning Commission meeting begins 6:00 p.m. Based on the agenda I expect the sign code work session to begin no earlier than 6:30, likely between 7:00 and 7:30. As always, City staff is available to answer any questions you may have about the draft changes to the code and the process.



Daniel Pauly, AICP  
Associate Planner

City of Wilsonville Planning Division  
29799 SW Town Center Loop East  
Wilsonville OR 97070  
503-682-4960  
[pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us)

Disclosure: Messages to and from this E-mail address may be subject to Oregon Public Records Law.

Underlined (underlined) portions suggest proposed additions to the draft code.  
 Strikethroughs (~~striketroughs~~) suggest proposed deletions to the draft code.  
 Highlighted portions (highlighted) suggest areas where the city should exercise its discretion on code language.

## Wilsonville Suggestions

### Definitions Suggested Changes

1. 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. The scope of the term "sign" does not depend on the content of the message or image conveyed. A sign does not include architectural or landscape features that may attract attention but do not convey a message, image, or trademark considered speech protected under federal or state law.
  - A. Addressing Signs: Signs indicating, at a minimum, the numerical address of the building.
  - B. Baseline: The invisible line on which text or other characters sit, the bottom extent of the cap height of a typeface.
  - C. Bowl: In a font or typeface, an open or closed circular line that creates an interior space, such as in the letters "d" and "c."
  - D. Building Graphics: building mounted signs.
  - E. Cap Height: In a font or typeface, the distance from the baseline to the top of uppercase letters like "H" and "J."
  - ~~F. Changing image sign. Any sign which, through the use of moving structural elements, flashing or sequential lights, lighting elements, prisms, or other method, results in movement, the appearance of movement, or change of sign image or text at a frequency greater than once every one (1) hour.~~
  - F. Changeable copy sign (electronic). Any sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.
  - G. Changeable copy sign (manual). Any sign composed of manually interchangeable letters intended to convey a temporary message, digital or manual, which is designed to have the copy changed at regular intervals at a frequency not exceeding once every one (1) hour, except in emergency situations as requested by the City Manager or designee.
  - H. Descender: In a font or typeface, the part of a letter extending below the baseline including lower portion of the lowercase letters "g," "j," "p," "q," and "y."
  - I. Directional signs: Signs on private property that provide directions for the traveling public and are deemed necessary for the safe traverse of the public.
  - J. 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. For the purpose of this Code, any electronic changeable copy sign permitted within this Code shall not be considered a flashing sign.
  - K. 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.



Underlined (underlined) portions suggest proposed additions to the draft code.

Strikethroughs (~~striketroughs~~) suggest proposed deletions to the draft code.

Highlighted portions (highlighted) suggest areas where the city should exercise its discretion on code language.

- L. Ground-mounted Sign: A non-temporary 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.
- M. 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.
- N. 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.
- O. 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 a part of the structures.
- P. Lawn Sign. a temporary freestanding sign commonly made of corrugated plastic, greyboard, or similar type of material, constructed and maintained to prevent being moved or heavily damaged by typical exposure to natural elements. Lawn signs in the rights-of-way under W.C. 4.156.11 may be constructed to be portable.
- Q. Marquee Sign: a canopy or covering structure bearing a signboard or graphics projecting from, and attached to, a building.
- R. Permanent Sign: any sign that does not meet the definition of a temporary sign, below.
- S. 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. These signs include, but are not limited to movable A-frame signs, sandwich board signs, signs on vehicles or trailers, and signs attached to wood or metal frames designed to be self-supporting and movable, including trailer reader boards.
- T. 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.
  - 1. Blade Sign: a sign hanging, perpendicular to a building façade, from a canopy, building projection, or mounting bracket intended to aid pedestrians in wayfinding.
- U. Rigid Sign: a temporary freestanding sign designed and constructed with materials of a grade and quality to withstand strong winds, rains, and harsh weather conditions, and maintained as a potentially year-long temporary sign to ensure that degradation or weathering does not present aesthetic and public safety concerns and the sign retains substantially the same quality throughout the year. Such signs may not be constructed of cardboard, poster board, or other similar lightweight paper products.
- V. Roof Top Sign: A sign located on or above the roof of any building, not including a false mansard roof, canopy or other fascia.
- W. 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.
- X. Serif: In fonts and typefaces, the extra stroke at the end of a letter or character.
- Y. Shoulder: In fonts and typefaces, the curve at the beginning of a leg of a character such as the upper curved portion of the lowercase letters "m" and "n."

Underlined (underlined) portions suggest proposed additions to the draft code.  
Strikethroughs (~~striketroughs~~) suggest proposed deletions to the draft code.  
Highlighted portions (highlighted) suggest areas where the city should exercise its discretion on code language.

- Z. Sign Area: the display surface or face of the sign calculated as prescribed in Section 4.156.04
  - AA. Temporary Sign: a sign not permanently affixed to a building, structure, or the ground, intended to be displayed for a limited period of time.
  - BB. Video Sign: moving visual messages projected on any surface.
  - CC. 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.
  - DD. Wayfinding Sign: The term way finding sign has two different contextual meanings. First, it is used as a general description of one of the basic purposes or functions of signs, which is to assist in directing the general public to specific destinations within the community, so that they find their way. In this context almost all signs provide some degree of way finding information. Second, the term is used to describe a specific type of sign, such as local directional signs and district wayfinding signs, that provides specific identity and/or direction to particular businesses, facilities, or places of interest, such as parks, tourist attractions, public buildings, schools, special districts, or other locations to which the public commonly asks for directions.
2. Site Area, Net: The area of a development site, excepting all areas in streets or private drives, driveways, and parking spaces.

## Prohibited Signs Suggested Changes

### Section 4.156.06 Prohibited Signs

- (.01) 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.~~
  - C-D. Electronic changeable copy signs, unless specifically approved through a waiver process connected with a Class III Sign Permit or Master Sign Plan. In granting a waiver for an electronic changeable copy signs the DRB shall ensure the following criteria will be met:
    - 1. The sign shall be equipped with automatic dimming technology which automatically adjusts the sign's brightness in direct correlation with ambient light conditions and the sign owner shall ensure appropriate functioning of the dimming technology for the life of the sign.

#### Brightness Option 1

- 2. The luminance of the sign shall not exceed 5000 candelas per square meter between sunrise and sunset, and ~~(number to be inserted based on current research project)~~ 500 candelas per square meter between sunset and sunrise.

#### Brightness Option 2

Underlined (underlined) portions suggest proposed additions to the draft code.  
Strikethroughs (~~striketroughs~~) suggest proposed deletions to the draft code.  
Highlighted portions (highlighted) suggest areas where the city should exercise its discretion on code language.

2. The sign shall not exceed a brightness level of 0.3 foot candles above ambient light levels as measured using a foot candle (lux) meter at a preset distance depending on sign size. The distance shall be calculated with the following formula: The square root of the product of the sign area and one-hundred.

*Example using a 12 square foot sign:*

Measurement Distance =  $\sqrt{(12 \text{ Sq. Ft.} \times 100)} = 34.6$

3. The sign shall display static images only. Such static images shall remain static for a period of at least 10 seconds. The DRB shall have the discretion to create more restrictive message duration requirements in the event that a longer message duration is proven to be necessary.

- ~~D.-E.~~ 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 sign permit procedures of this Code.
- ~~E.-F.~~ Signs obstructing vision clearance areas.
- ~~F.-G.~~ Pennants, streamers, festoon lights, balloons, and other similar devices intended to be moved by the wind, unless specifically authorized in an approved sign permit.
- ~~G.-H.~~ Signs attached to trees, public sign posts, or public utility poles, other than those placed by appropriate government agencies or public utilities.
- ~~H.-I.~~ 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 or LED's as a source of illumination.
- ~~I.-J.~~ Signs that use flame as a source of light or that emit smoke or odors.
- ~~J.-K.~~ 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.
- ~~K.-L.~~ 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.
- ~~L.-M.~~ 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.
- ~~M.-N.~~ Signs located on public property in violation of Section 4.156.10.
- ~~N.-O.~~ Signs placed on private property without the property owner's permission.
- ~~O.-P.~~ Signs erected or installed in violation of standards prescribed by the City of Wilsonville, State of Oregon or the U.S. government.
- ~~P.-Q.~~ Signs associated with temporary events, after the temporary event is completed.
- ~~Q.-R.~~ Video Signs

**BASIC COLOR CONTROL**

LED signs are made up of groupings of small LED's (Light Emitting Diodes). LED's are a solid-state electronic device that emits light when energized by applying power. Each individual LED emits a specific color of light. The displays have the ability to display colors across the spectrum using only three primary colored LEDs; red, green and blue. A red, a green and a blue LED are closely mounted on a sign, in what is called a pixel, and the display mixes various combinations and intensities of these three colors to create all the colors of the rainbow. Through the usage of a multitude of pixels being controlled by a computer, an image can be created.

**BRIGHTNESS ON TODAY'S LED SIGNS IS AUTOMATICALLY ADJUSTED ACCORDING TO AMBIENT LIGHT CONDITIONS.**

The perceived brightness of an LED sign is dependent on a variety of factors. Ambient light conditions play the largest role in affecting the brightness of the display.

An LED sign communicates its messages by emitting light. It therefore must not be too dim, since it couldn't be distinguished in sunlight; nor should it be too bright, as the image will be distorted and difficult to read. The sign must adjust its brightness over the course of the day. Today's signs can dim from 100% during a bright sunny afternoon, to around 4% (depending on manufacturer and model) during the darkest night. That means the sign is only 4% as bright at night as during the daytime. During the course of the day, the sign will periodically adjust its brightness levels to ensure it is operating appropriately.

This adjustment is possible because of the photocell/light sensor. LED signs come equipped with a light sensor, which detects the ambient light level, and adjusts the sign's brightness accordingly. The change is not instantaneous, but averaged over a set time period.

**VARIOUS BRIGHTNESS MEASUREMENTS**

**NITS**

How brightness is measured is important. When LED signs were first being developed, manufacturers spoke about brightness using nits. (candelas per meter squared) Nits are a measure of the amount of light a sign emits. This was an excellent standard for manufacturers to tout how bright they could make a sign. (Early technology made it difficult for LED's to be used out-of-doors as they were not bright enough to compete with sunlight) Today, our typical daytime brightness maximum is 7500 Nits, with a nighttime average of 240 Nits. However, these levels can be factory preset to lower max levels to meet local codes.

Nits, however, are not a particularly useful measurement for governments to regulate LED signs by. This is because while nits measures how much light a sign is emitting, it will not tell you how bright the sign is to the human eye. The ambient light level plays an enormous role in this. Also, the colors on the display are perceived differently. A white sign and a red sign, operating at the same nits level, may seem at widely different brightness levels.



Even so, some governmental agencies have enacted specific nits requirements in their sign ordinances. If a regulatory body wants to pursue specific nits levels, the attached NEMA study outlines appropriate brightness levels at varying ambient light levels and colors. (see page 51 for easy to read charts)

**WATTS**

It is also important to note that judging the brightness of LED signs by wattage is improper. Watts explain how much power a sign is using. A traditional sign’s brightness can be determined by the wattage of the bulbs shining on and reflecting off its surface. An LED sign, however, uses power for more than just emitting light. It must also power its control system, fans, and other parts. Therefore, while an LED sign may be drawing more power, it is not necessarily going to be brighter than a traditional sign.

It is also important to remember LED sign owner has every incentive to keep power consumption down to a minimum. Power consumption is one of the largest on-going costs of a LED sign. The brighter an LED sign is run, the more power it is consuming. Also, LED’s degrade over time, and the brighter they are run, the faster they will degrade. If a sign is being used at a higher than necessary brightness level, it will cut down the lifetime of the sign. The industry has made great strides in improving LED sign energy efficiency. Reduced power consumption is a goal we all share.

**FOOT CANDLE BRIGHTNESS REGULATIONS**

Regulations requiring automatic dimming technology are important for electronic signs. Automatic dimming possesses the ability to appropriately adjust brightness to ambient light conditions. However, if a regulatory entity would like to place a specific brightness limitation on LED signs, the most user and regulation-friendly method is to incorporate foot candle limitations.

Foot candles measure the amount of light that is intercepted by a meter that is a given distance away from a lit object (in this case a LED sign). That is, the LED sign illuminates objects that are away from it, and the lighting level produced by the sign on a particular object is measured in foot candles. For example, persons viewing the signs from a particular location will have a certain foot candle level falling on their eyes due to the light rays emitted by the sign and other ambient light sources. So while nits measures the amount of light a sign is emitting, foot candles measures the amount of light being added to the ambient environment.

The current industry standard for measuring LED sign brightness in Foot candles comes from recommendations in the Lewin Lighting Report. This report developed a method for specification of brightness limits for LED signs based on accepted practice by the Illuminating Engineering Society of North America (IESNA). The report established criteria for brightness limits based on billboard-to-viewer measurements for standardized billboard categories. The recommended brightness level is 0.3 Foot candles above ambient light conditions. Illuminance can be measured simply by using a Foot candle meter held at a height of approximately five feet and aimed towards a sign consistent with the sign-to-viewer distance. A reading of no more than 0.3 Foot candles above ambient light conditions would indicate compliance.



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Revised April 5, 2010

Report to: International Sign Association

Subject: Electronic Message Center Sign Luminance

### **Executive Summary**

Work has been carried out to develop recommendations for the maximum luminance (brightness) of digital signs operating at night.

The Illuminating Engineering Society of North America (IESNA) publishes guidelines for outdoor lighting, some of which provide suggested limits on the amount of light that a light source operating at night can produce when measured at the eyes of a viewer. These recommended limits change depending on the "environmental lighting zone;" for example higher footcandles at the eye are allowed in urban areas where there is much electric light, versus suburban areas that are darker.

A sample digital sign has been evaluated for its light output characteristics in a light measurement laboratory. From these tests, the light level produced by the sign at the location of a viewer a certain distance away can be calculated. A table has been developed giving the maximum sign luminance that can be produced in the various environmental lighting zones such that the light level at the viewer's eyes does not exceed the applicable limit per the IESNA recommendations

The recommendations have been developed for a sign area of 100 sq. ft. when viewed from a distance of 100 ft. The rationale for this choice is provided in the report. It has also been assumed that the sign is producing an all-white display, representing the brightest case. Signs of other sizes are addressed.

Using the methodology developed, an all-white sign is recommended to operate at a maximum luminance of 323 nits in an area of low ambient brightness, or 861 nits in an area of medium ambient brightness. This represents 4.6% and 12.3% respectively of the output of the typical sign that was measured.

Methods of measuring sign light output are addressed in the report, and an appendix describes the lighting units and relationships involved.

## 1. Background

Commercial signs employ a considerable variety of light source types. Various forms of lamps that are in use include fluorescent, neon, incandescent and High Intensity Discharge (mercury, metal halide or High Pressure Sodium) types. New signs may use LED's, or Light Emitting Diodes. Conventional signs have a fixed message: The lamps illuminate lettering or other display forms that usually do not have the ability to change what is displayed. In cases where a changing display is provided, this is usually achieved by simple on/off switching or dimming of certain parts of the sign.

Digital signs are a relative new form of signage where the sign face consists of a multitude of closely spaced dots of light, or picture elements (usually abbreviated to "pixels.") The pixels are red, blue and green, or monochrome/grayscale. In a manner equivalent to a television screen, by switching on the various color pixels in desired patterns and brightnesses, virtually any message can be created as a colored picture on the sign face. Such signs are driven by a computer with the on/off and brightness of each pixel at any moment controlled electronically by the computer program. Such devices are therefore frequently referred to as "Electronic Messaging Center" signs, (EMC).

A great advantage of EMC signs versus conventional signs is that sign messages, once programmed, can be changed as desired. Multiple messages can be provided with ease.

A further feature of EMC signs is that sign luminance, or brightness, can be controlled and varied. A high brightness normally is necessary during daytime hours to provide acceptable legibility. However, the same luminance used at night may be excessively bright, but controls provided in the computer software and associated electronics allow the brightness to be reduced to an acceptable level for nighttime usage. This can be assisted by the use of an auxiliary photocell on or near the sign, which detects the level of ambient light and feeds the measurement to the computer so that automated nighttime dimming is provided.

A significant question is "What level of sign brightness is acceptable at night?" A sign with too high a brightness level may be found objectionable by the public. A sign not bright enough may not provide satisfactory sign attention or legibility. Further, the nighttime brightness level that may be considered satisfactory in one area of a city may be unsuitable in a different area, depending on the ambient light or "competition" from other signage.

This report addresses these concerns and provides recommendations for sign light levels suitable for use at night. It does not cover factors related to changing images and sign message movement. Issues that may be related to motorists and their attention have not been investigated and use of the proposals in this study should be based on that understanding.



## 2. Sign Testing

As part of the evaluation of digital sign performance, a sample sign was obtained from Young Electric Sign Co., (YESCO. This was a Prism electronic display with a 20 mm pixel spacing driven by a suitable controller and computer. The sign was tested for its light output characteristics at the laboratories of Lighting Sciences Inc. Standard testing procedures were used in accordance with publication LM-35-02 (Reference 1), where the sign was placed on a goniophotometer, Lighting Sciences' model 6440, in a suitably equipped photometric dark room. The range of measurement angles was  $\pm 90^\circ$  vertical and  $\pm 90^\circ$  horizontal. Test distance was 8 meters. Test data collected was in terms of luminous intensity distribution, from which all other lighting quantities can be calculated for any desired distance. A range of tests was run with the sign producing an all white display (6800 K), and all red, all blue and all green displays. Sign brightness versus the dimmer settings was evaluated. Measurements were conducted for a complete range of angles of view.

Reports on the complete performance characteristics of the sign were produced. These were used in this project to assist in producing the recommendations developed later in this report. Appendix C provides a test report in industry standard format per LM-35-02, Reference 1, along with the measured dimmer settings. Appendix D provides the raw intensity data in industry standard IES format per publication IESNA LM-63-2002, Reference 2. (Electronic version available by contacting author.)

## 3. Lighting Quantities

Some basic knowledge of the quantities used to measure light is needed to understand how sign specifications can be developed. These are briefly summarized below; a more detailed coverage is provided in Appendix A.

*Luminance.* This is a measure of the brightness of the sign face. The units are "nits." Sign brightness can be measured by aiming a special meter, called a "nit gun," at the sign face from a viewer's location.

*Illuminance,* measured in footcandles. This is the amount of light that is intercepted by an object that is a distance away from the sign. That is, the lighted sign face illuminates objects that are away from it, and the lighting level produced by the sign on a particular object is measured in footcandles. For example, persons viewing the sign from a particular location will have a certain footcandle level falling on their eyes due to the light rays emitted by the sign.

A footcandle meter placed at the viewer's eye location will measure the received illuminance.

The footcandle level at the viewer's eye will be dependent on several factors:

The luminance or brightness of the sign

The distance from the sign to the viewer. Higher footcandles are produced at locations close to the sign.

The area of the sign. A 4x4 ft. sign will produce four times the footcandle level of a 2x2 ft. sign, all other factors being equal.

The angle at which a sign is viewed will influence the luminance that will be seen, and also will affect the footcandle level it produces at a given location. For simplicity, this report assumes that signs are being viewed from a direction perpendicular to the face of the sign. (This is the condition that shows the highest sign face luminance. This is true for all off-axis angles of view; whether vertical or horizontal or any oblique angle; sign output is maximum along the perpendicular to the face - see Appendix C.)

Appendix A provides formulas that relate sign luminance (brightness), sign area, viewer distance, and illuminance (footcandles) produced at a viewer's eyes.

Figure 1 and 2 illustrate the measurement of sign brightness, and footcandles at a distant location.

#### **4. Avoiding Potential Problems**

Outdoor lighting at night will usually create benefits, but if not well designed, can produce problems. The purpose of developing guidelines for digital sign lighting is to provide the benefits of digital imaging while ensuring that potential problems are avoided.

##### *Environmental Lighting Zones*

The goals of signage of any type are for the signs to be conspicuous, visible and legible. To achieve this, the brightness of the sign needs to be appropriate for the area in which it is used. A dimly lighted sign in a high ambient brightness urban area likely will not meet its purpose, yet may be perfectly acceptable in a low ambient brightness rural area. The brightness of a sign, therefore, needs to be attuned to the area where it is being used, and in particular to the general lighting levels that are prevalent. Some cities are now assigning Environmental Lighting Zones, where the cities are divided in accordance with the general ambient lighting levels that are in use. It will be useful to take this zoning into account when developing and assigning sign brightness recommendations or limitations. This is addressed in more detail below.

##### *Glare*

In cases of excessive brightness of outdoor lighting fixtures, glare can be created. For example, if an EMC is run at night at brightness levels that are typical and appropriate for daytime use, the result at night can be glary. Sign brightness limits must set the sign brightness level low enough such that the sign cannot create glare.

### *Light Trespass*

Light trespass can be created at night when a lighting device illuminates areas where such lighting is not required or desired. A lighted sign should provide a legible message to viewers and, avoid excessive sign brightness.

If sign brightness is controlled to levels that ensure that light trespass onto neighboring areas is limited to an acceptably low level, glare from the sign should not be an issue. Therefore, by developing sign brightness recommendations based on accepted industry standards, as described below, both light trespass and glare will be effectively eliminated. By using sign brightness levels that are sufficient but not too high, the necessary conspicuity, visibility and message legibility can be achieved. These are the principles of the sign brightness recommendations developed in this report.

“Light trespass” is a term used in the outdoor lighting industry to describe light that falls outside of an area that is primarily intended to be lighted. For example, if a pole-mounted lighting system for a shopping center parking lot causes undesirable light to spill over into an adjacent residential neighborhood, this would be considered to be light trespass. High levels of light trespass, as well as being wasteful of energy, may have an appearance that is objectionable. The Illuminating Engineering Society of North America (IESNA), the “Lighting Authority,” has addressed such issues. Publication TM-11-00 (Reference 3) of the IESNA provides a table of limits of light trespass for various environmental lighting zones. These zones range from “no ambient electric light” (dark rural areas) to “high ambient electric light” (typically high use urban areas.) The limits are expressed in terms of the illuminance in footcandles that the light source in question can produce at a person’s eyes, measured above the ambient lighting that is produced by all other sources of light. The limitation values were determined from an extensive human factors research project (Reference 4) into the levels of light trespass that may or may not be considered objectionable in the various zones. Application of the limits keeps light trespass to a low level that is unlikely to be considered objectionable to most persons.

Digital signs are not the form of lighting that TM-11-00 was developed to address. In fact, digital signs are specifically intended to be seen over a wide area, much of which may be remote from the sign itself. Nevertheless, the principles of TM-11-00, in terms of the calculation method and the limits it provides, give a methodology that forms a useful method of specifying sign luminance (brightness) limits.

Numerous calculations have been performed to evaluate sign luminance in terms of the TM-11-00 procedures. The calculations involve determining the illuminance in footcandles (fc) at the location of the eyes of a viewer. (Referred to as “eye illuminance.”) TM-11-00 provides different eye illuminance limits depending on the lighting zone, LZ1 to LZ4, (referred to in TM-11-00 as E1 through E4), ranging from low ambient electric light to high ambient electric light. See table 1. (There is also LZ0 which has recently been added, for areas of extreme environmental sensitivity. The latest description of each type of ambient electric light zone is included in Appendix B.)

Table 1 Eye Illuminance Limits (Light Produced by Sign, above Ambient)		
Zone		Eye Illuminance Limit (fc)
LZ1	Low ambient electric light	0.1
LZ2	Moderate ambient electric light	0.3
LZ3	Moderately high ambient electric light	0.8
LZ4	High ambient electric light	1.5

For example, if a sign is located in an area of moderate ambient light, zone LZ2, the eye illuminance limit is 0.3 footcandles. That is, at a chosen viewer location, the sign should not produce more than 0.3 fc at the viewer's eyes. This can be easily checked: The eye illuminance at the chosen point is measured using a footcandle meter with the sign off, and remeasured with the sign on at whatever dimming setting is being evaluated. Measurement of an all-white display will provide the worst-case conditions. i.e. If an all-white sign meets this condition, all other displays also will comply. The increase caused by switching on the sign should not exceed 0.3 fc.

Providing that a method is available to calculate the sign luminance that will generate a certain illuminance at the eye of a viewer, it can be determined what sign luminance is allowable while not exceeding the eye illuminance limits of TM-11-00. The setting for the signs dimming control then can be easily found. The formula relating sign luminance and eye illuminance (footcandles at the eye) is developed in Appendix A, and is discussed in the next section.

### 5. Determining the Maximum Allowable Sign Luminance.

Sign luminance (which refers to the *average* luminance or brightness of the sign) is expressed in candelas per square meter, cd/sq.m., otherwise termed "nits." The illuminance produced at the eye, considered as landing on a vertical plane at the eye, is designated  $E_v$  and is measured in footcandles. (See Appendix A)

To determine the maximum sign average luminance,  $L$ , that can be allowed so as to meet a given illuminance limit at the viewer's eye,  $E_v$ , the following must be known:

- Area of sign =  $S$  sq. ft.
- Distance from sign center to observation point =  $D$  feet (as measured from a plan view. Differences in height of the sign and viewer normally can be disregarded, as can lateral angle effects from the sign face.)

Using equation A5 from Appendix A:

$$\text{Allowable maximum sign luminance, } L = \frac{10.76 D^2 E_v}{S} \quad \text{cd./sq.m. (nits)}$$

----- 1

For example, to determine whether a sign meets a particular limit for the IESNA publication TM-11-00, the following steps are taken:

1. Select the applicable lighting zone from table 1 above.
2. Find the applicable eye illuminance limit from table 1. For example, if zone LZ2 is assumed, this will be 0.3 fc.
3. Determine the sign size. Assume for example a sign having an area of 100 sq. ft. (see discussion below).
4. Assume a distance to the viewer. Use 100 ft. (See discussion below).

These values are entered into formula 1 above.

$$\begin{aligned} \text{Allowable maximum sign average luminance} &= \frac{10.76 \cdot 100^2 \cdot 0.3}{100} \\ &= 323 \text{ cd/sq.m. (nits)} \end{aligned}$$

From this example calculation, it is determined that a 100 sq. ft. sign having a luminance of 323 nits will meet the IESNA recommended limit for a lighting zone LZ2 for a viewer located 100 ft. from the sign. Any sign having a luminance lower than 323 nits, of course, similarly would meet the IESNA limitation.

## 6. Variables to Be Considered: Viewer Distance

### 6.1 Viewer Distance

The distance from the sign to the viewer, D in the above formula, has a significant effect on the calculated allowable maximum sign luminance. Signs are typically viewed over a range of distances, and so the choice of the value of D will be somewhat arbitrary.

It is proposed to use a standard distance of 100 feet to develop sign luminance recommendations through the above form of calculation. The rationale for this recommendation is as follows:

- Choosing a reasonable but small distance such as 100 ft. protects against overly bright signs. If a large distance were to be used, the calculated allowable sign luminance limits would be high, and could be considered too bright by some viewers who may be located at a smaller distance.
- Based on an average sign size of 100 sq. ft. as in the above calculation, the luminance limit would be set at 323 nits. *By experience and through field evaluation, luminance levels of this order have been found to produce highly acceptable legibility, conspicuity and visibility, while avoiding over-brightness.* (Reference: Field evaluation studies carried out by Lighting Sciences Inc. and the International Sign Association).

In summary, standardizing on a viewer distance of 100 ft. for the calculations can be expected to satisfy the needs of both the sign operators and the general public, which is the goal of this research.

## 6.2 Sign Size

Digital signs are used in a variety of different sizes, ranging from small sizes of about 24 sq. ft up to large highway signs of 250 sq. ft. (Even larger sizes as may be used as digital billboards are not considered in this report.)

It is impractical to develop a different sign luminance specification for every different possible size of sign. It is proposed to use a 100 sq. ft. sign as a standard in the above form of calculation for practicality and simplicity.

Signs smaller than 100 sq. ft. will even more easily meet the IESNA recommendations presented above, thus meeting the desired goals. Larger sizes of sign will typically be used on highways where the distance to the viewer is greater than the proposed standard distance of 100 ft., and because of this will likely meet the IESNA limitations at typical viewer distances.

Not only is it logical to use a moderate sign size of 100 sq. ft., but as shown by the illustrative calculation provided above, calculations yield a sign luminance limit that has been found practical and desirable in field evaluations.

Field evaluation of signs of different sizes is addressed later.

## 6.3 Lighting Zones

The above example calculation is based on lighting zone LZ2 per IESNA specifications and indicates a luminance limit of 323 nits. Other lighting zones have different limits per the IESNA table, and equivalent calculations for these zones provide the following luminance limits:

Table 2 100 sq. ft. Sign at a Distance of 100 Feet Sign Luminance Limits		
Zone	Eye Illuminance Limit (fc) per IESNA	Sign Luminance Limit (Nits)*
LZ1	0.1	108
LZ2	0.3	323
LZ3	0.8	861
LZ4	1.5	1615

\*Based on the proposed standard conditions of viewing a 100 sq. ft. sign at a distance of 100 ft. Section 7 addresses signs of sizes other than 100 sq. ft.

It can be seen from Table 2 that sign brightness can be increased considerably when the sign is in an area of moderately high or high ambient light while still meeting the IESNA criteria. It is cautioned that the level of 1615 nits for an LZ4 area is likely to be considerably higher than is desirable to provide optimum legibility.

It is proposed that the following luminance limits should be adopted as follows:

Areas of low ambient electric light: 108 nits (0.1 fc at 100 ft. for a 10 x 10 ft. sign)  
 Areas of moderate ambient electric light 323 nits (0.3 fc at 100 ft. for a 10 x 10 ft. sign)  
 Areas of moderately high and high electric light: 861 nits (0.8 fc at 100 ft. for a 10 x 10 ft. sign)

*Before adoption of these values, Lighting Sciences Inc. advises that field evaluations of EMC signs should be conducted to verify that such levels produce the desired attention-gathering legibility and public acceptance.*

**7. Sign Sizes Other than 100 Sq. Ft.**

The above illustrates the relationship between the recommended maximum sign luminance (nits) and the footcandle level the sign will produce, for a chosen standard sign size of 100 sq. ft. at a distance of 100 ft. For signs of different sizes, a different distance can be chosen to evaluate whether or not the sign meets the recommended luminance limits. Table 3 provides the measurement distance for a range of sign sizes.

Table 3 can be used for limits applicable to any Lighting Zone.



Table 3	
Sign Area Versus Measurement Distance	
Area of Sign sq. ft.	Measurement Distance (ft.)
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95
95	97
100	100
110	105
120	110
130	114
140	118
150	122
160	126
170	130
180	134
190	138
200	141
220	148
240	155
260	161
280	167
300	173

**8. Sign Dimming Settings for Nighttime Use**

Laboratory evaluations for signs used in this study showed that, when operated at 100% manufacturer recommended luminance for a 6800 K white display, the sign will produce around 7000 nits. (Note: Different signs will vary in their maximum luminance output.) The following formula can be used to determine the dimming setting to be used for any desired luminance:

$$\text{Dimming setting \%} = \frac{\text{Required Luminance}}{\text{Luminance at 100\% Setting}} \times 100$$

For the above referenced sign, to meet the luminance limits developed in Table 2 for lighting zones LZ1, LZ2 and LZ3/LZ4, dimming settings as given in table 4 should be used. Note that different signs will require different dimming settings based on their specific maximum luminance output; such dimming settings can be calculated from the above formula.

Table 4		
Dimming Settings Based on Case Study		
Lighting Zone	Sign Illuminance Limit (Nits)	Dimming Setting*
LZ1	108	1.5%
LZ2	323	4.6%
LZ3 or LZ4	861	12.3%

\* For a sign having a maximum luminance of 7000 nits. This is an example only.

**9. Non-white EMCs**

If the digital image will never be totally white, higher % dimming settings can be used while still meeting the luminance limit. The actual measured luminance values for the sample sign for a 100% luminance setting for different colors are:

White, 6800K	7000 cd/sq.m.
Red	1500 cd/sq.m.
Green	5100 cd/sq.m.
Blue	700 cd/sq.m.

For a normal image that includes multiple colors, the average luminance for a 100% setting will depend on the proportion of colors in the mix. Software and instrumentation is available to analyze sign luminance when the sign is being programmed.

For example, if a sign is completely green rather than white, the dimmer setting can be increased by a factor of  $7000/5100 = 1.37$  while still meeting the maximum luminance limitation.

## 10. Adoption of the Method

This method uses the established and recommended procedures of IESNA to develop sign luminance limits. The limits of TM-11-00 (Reference 3) were established through research conducted by Lighting Sciences Inc. under a contract from the Lighting Research Office of EPRI (Electrical Producers' Research Institute). Reference 4) The basis of TM-11-00 was subsequently provided to IESNA to form the publication. Field use of the values for various forms of outdoor lighting confirm that the values are realistic and prevent undue annoyance to a majority of viewers, and thus appear to have formed a satisfactory basis for specifying such lighting limits.

The values provided in table 4 of this report are recommended by Lighting Sciences Inc. for evaluation by the International Sign Association.

## 11. Post-Evaluation

After a sign is installed, there will be cases where it is desired to evaluate the sign luminance to ensure that it does not exceed the specified value. This procedure is extremely simple and requires only a footcandle meter.

The sign luminance specification is based on ensuring that a certain footcandle level created by the sign is not exceeded at a chosen distance. Thus all that is needed to check compliance is the measurement of the footcandle level at that distance with the sign on and off. The footcandle meter is held at a height of 5 ft. (which is approximately eye height) and faces directly towards the sign. The applicable distance given in table 3. When conducting this check, the meter should be at a location perpendicular to the sign center (as seen in plan view) as this angle has the highest luminance.

If the area is LZ2, for example, and the sign size happens to be the standard size of 100 sq. ft., the difference in footcandle readings taken at a distance of 100 ft. should be 0.3 fc or less. This value is 0.8 fc for LZ3 and LZ4 zones if the Table 4 limits are being used. For sign sizes other than 100 sq. ft., measurements are made at the distance given in table 3.

Checks should be made using an all white image displayed by the sign in order to evaluate the worst case condition.

## 12. Summary of Proposed Method

Specification based on the light trespass limits adopted by IESNA in publication TM-11-00 appears to provide a manageable and technically viable method. This has been used to develop

the sign luminance limits and dimming settings provided in table 4, which are suggested for field evaluation by ISA members.

Because the sign luminance values have been derived from IESNA publication TM-11-00, which in turn is based on an extensive human factors research project, adoption of such values should satisfy the requirement that most persons will not find these sign luminance values to be objectionable. Field evaluation has indicated that such levels will provide conspicuity, visibility and legibility.

Ian Lewin Ph.D., FIES, L.C.  
Revised April 5, 2010

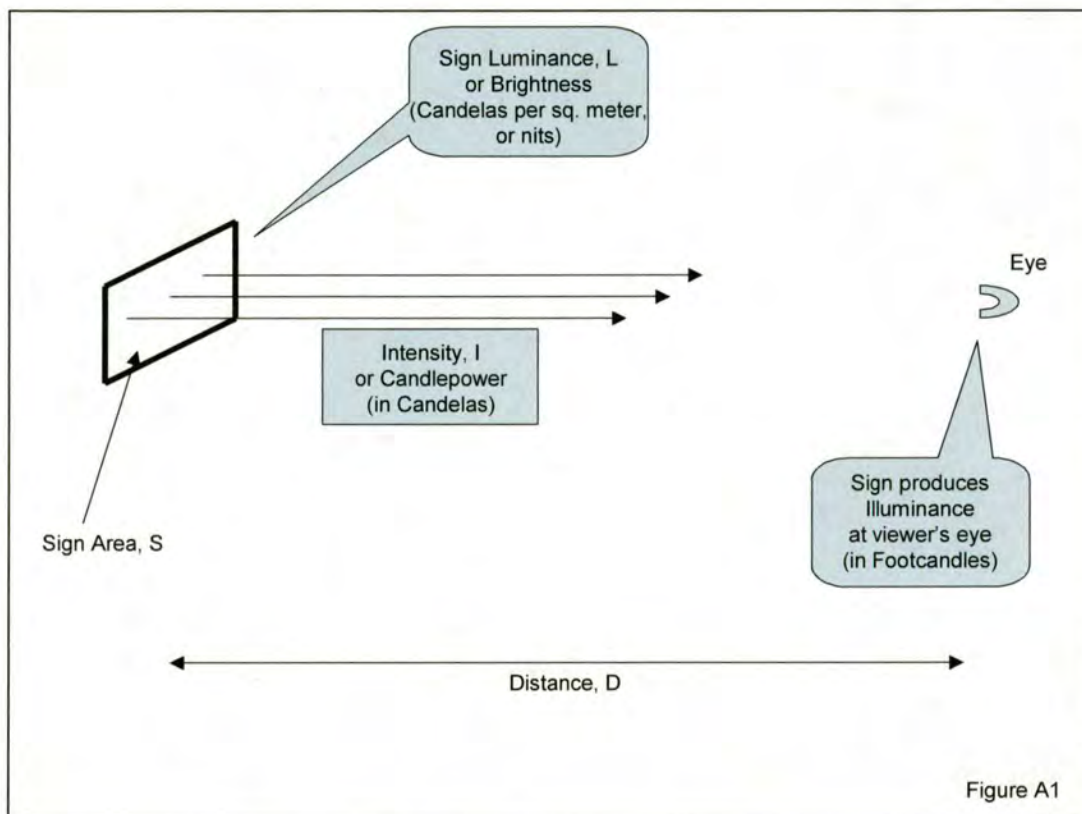
## References

1. *IESNA Approved Method for Photometric Testing of Floodlights Using High Intensity Discharge or Incandescent Filament Lamps*. Publication LM-35-02, Illuminating Engineering Society of North America, New York, 2002
2. *IESNA Standard File Format for the Electronic Transfer of Photometric Data and Related Information*. Publication LM-63-03, Illuminating Engineering Society of North America, New York 2002.
3. *Light Trespass : Research, Results and Recommendations*. Publication TM-11-00. The Illuminating Engineering Society of North America. New York, NY. December 2000.
4. *Light Trespass Research*. EPRI Report No. TR-114914, March 2000. Lighting Research Office of the Electric Power Research Institute. EPRI Customer Service Assistance Center, Palo Alto, California. (1-800-313-3774).

## Appendix A

### Lighting Units and Terms

Several terms are useful in describing the light characteristics of digital signs. See figure A1.



*Candlepower.* This is the intensity,  $I$ , of light produced by the sign in a particular direction, and it is measured in “candelas.” For example, a sign of a certain size will emit a certain intensity of light in a direction perpendicular to its face. The intensities emitted in other directions will be less than that in the perpendicular direction. If the sign displays a white image, this intensity will be higher than if the sign face is any other color.

Candlepower does not change significantly with distance, providing the atmosphere is clear; the intensity continues as the light rays move in a straight line until they strike a surface.

*Luminance,  $L$ ,* often called “brightness,” relates to the overall appearance of the sign. It is the candlepower emitted per unit area, and is expressed in units of “candelas per square meter,” or  $\text{cd}/\text{sq.m}$ . Say a sign that has an area of 2 square meters produces 400 candelas when viewed

from a direction perpendicular to its face, then its luminance is  $400/2$ , equal to 200 cd/sq.m. The term “nit” is also used. Such a sign is said to have a brightness of 200 nits.

The formula relating the sign size, luminance (or brightness) and the candlepower it projects is:

Candlepower (in candelas) = Luminance (in candelas/sq.m. or nits) x sign area (in square meters)

or 
$$I = L \times S \quad \text{_____ A1.}$$

(L is in nits, S is in sq.m.)

*Illuminance, E.* This is a measure of the amount of light that is intercepted by an object that is illuminated by the sign. Illuminance is measured in “footcandles,” and is dependent on the distance from the sign, as well as the candlepower the sign produces. If a viewer is looking at the sign, the illuminance at the viewer’s eye,  $E_v$ , can be found using the “Inverse Square Law,” which states

$$\text{Illuminance (in footcandles)} = \frac{\text{Candlepower (in candelas)}}{\text{Distance}^2 \text{ (in feet)}}$$

or 
$$E_v = \frac{I}{D^2} \quad \text{_____ A2.}$$

The value of I from equation 1 can be substituted into equation 2 to give

$$E_v = \frac{L \times S}{D^2} \quad \text{_____ A3.}$$

Equation 3 is very useful because it relates sign size (S), sign luminance (or brightness) (L), and gives the footcandles ( $E_v$ ) that will be produced by the sign at a distance, D feet. It can be rewritten:

$$L = \frac{D^2 E_v}{S} \quad \text{_____ A4.}$$

L is in nits,  $E_v$  is in footcandles,  
D is in feet, S is in sq. meters

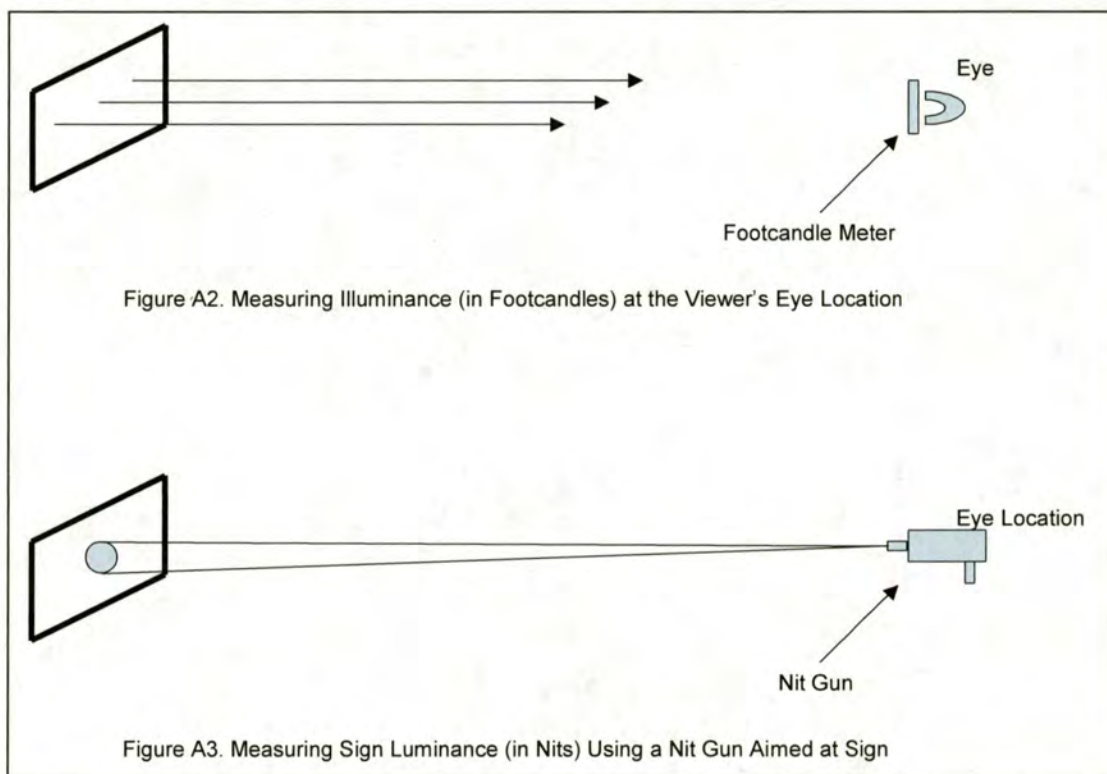
Otherwise, if the area of the sign, S, is in square feet, the equation becomes



$$L = \frac{10.76 D^2 E_v}{S} \quad \text{_____ A5.}$$

L is in nits,  $E_v$  is in footcandles,  
D is in feet, S is in sq. feet

The illuminance,  $E$ , can be measured easily with a relatively inexpensive footcandle meter at a measured distance  $D$  feet from the sign. Figure A2. The area of the sign,  $S$ , presumably is known. Inserting these values of  $E$ ,  $D$  and  $S$  into equation 5 allows the luminance,  $L$  in nits, to be calculated.



$L$ , the sign brightness, can also be measured with a “nit gun”, which is a luminance meter that can be pointed at the sign. Figure A3. However such devices are more expensive and less readily available than a footcandle meter.

Because of the simple relationship as given in equation 5, sign luminance specifications can be written in terms of footcandle limitations at a certain distance. For compliance checking, if the footcandle value produced by the sign and measured at a prescribed distance is at or below a specified level, then it will be known that the sign luminance meets the desired limitation.

## Appendix B

### Description of the Lighting Environmental Zones (from IESNA\*)

#### **LZ0:** No ambient lighting

Areas where the natural environment will be seriously and adversely affected by lighting. Impacts include disturbing the biological cycles of flora and fauna and/or detracting from human enjoyment and appreciation of the natural environment. Human activity is subordinate in importance to nature. The vision of human residents and users is adapted to the total darkness, and they expect to see little or no lighting. When not needed, lighting should be extinguished.

#### **LZ1:** Low ambient lighting

Areas where lighting might adversely affect flora and fauna or disturb the character of the area. The vision of human residents and users is adapted to low light levels. Lighting may be used for safety and convenience but it is not necessarily uniform or continuous. After curfew, most lighting should be extinguished or reduced as activity levels decline.

#### **LZ2:** Moderate ambient lighting

Areas of human activity where the vision of human residents and users is adapted to moderate light levels. Lighting may typically be used for safety and convenience but it is not necessarily uniform or continuous. After curfew, lighting may be extinguished or reduced as activity levels decline.

#### **LZ3:** Moderately high ambient lighting

Areas of human activity where the vision of human residents and users is adapted to moderately high light levels. Lighting is generally desired for safety, security and/or convenience and it is often uniform and/or continuous. After curfew, lighting may be extinguished or reduced in most areas as activity levels decline.

#### **LZ4:** High ambient lighting

Areas of human activity where the vision of human residents and users is adapted to high light levels. Lighting is generally considered necessary for safety, security and/or convenience and it is mostly uniform and/or continuous. After curfew, lighting may be extinguished or reduced in some areas as activity levels decline.

\*Descriptions current as of April 2010. Expected to be adopted as final by IESNA.

## **Appendix C**

### **Photometric Test Report on YESCO 20mm Prism Electronic Display**



# Lighting Sciences

Lighting Sciences Inc.  
7826 E. Evans Road  
Scottsdale, Arizona 85260 USA  
Tel: 480-991-9260 • Fax: 480-991-0375

CERTIFIED TEST REPORT NO. LSI 21628F

YESCO - LED 12.6" X 12.6" DIGITAL SIGN  
RED GREEN BLUE LED ARRAYS AT 20mm SPACING  
OPERATING IN WHITE MODE AT 6800K

## FLOODLIGHT SUMMARY

FIELD ANGLE (BASED ON 10% OF MAX. CP.)	149.2H X 72.5V
BEAM ANGLE (BASED ON 50% OF MAX. CP.)	103.0H X 43.8V
IESNA & NEMA TYPE	7H X 5V
MAX. INTENSITY (CANDLEPOWER)	710 Candela
MAX. CP. VERT. ANGLE	0.0 Degrees
MAX. CP. HORIZ. ANGLE	0.0 Degrees
FIELD LUMENS	769 Lms.
FIELD EFFICIENCY	96.1 Percent
BEAM LUMENS	572 Lms.
BEAM EFFICIENCY	71.4 Percent
TOTAL LUMENS	800 Lms.
SPILL LIGHT LUMENS	31.1 Lms.

DATE: Oct 29 2008

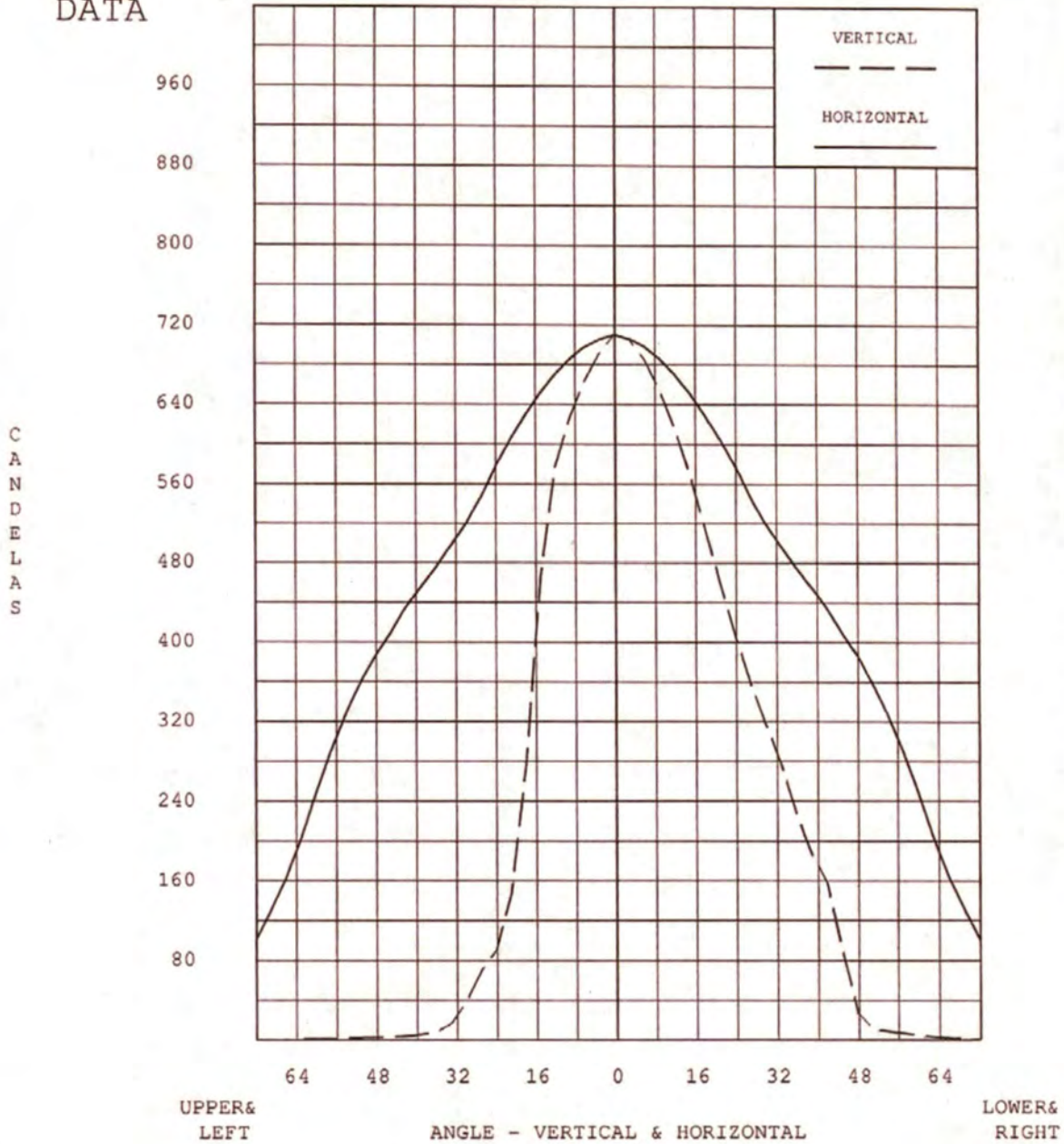
FIELD ANGLE IS DEFINED BY 10 PERCENT OF MAX. INTENSITY (CANDLEPOWER)  
BEAM ANGLE IS DEFINED BY 50 PERCENT OF MAX. INTENSITY (CANDLEPOWER)

LABORATORY RESULTS MAY NOT BE REPRESENTATIVE OF FIELD PERFORMANCE  
BALLAST FACTORS HAVE NOT BEEN APPLIED

TESTED AND COMPUTED IN ACCORDANCE WITH IESNA LM-35-02  
TEST DISTANCE IS 8 METERS (26 FEET) OR MORE

CERTIFIED TEST REPORT NO.21628F  
YESCO - LED 12.6" X 12.6" DIGITAL SIGN  
RED GREEN BLUE LED ARRAYS AT 20mm SPACING  
OPERATING IN WHITE MODE AT 6800K

FLOODLIGHT  
DATA





TEST No. 21628F  
STANDARD TABLE OF CANDELAS AND LUMENS

ANGULAR DATA IS SHOWN WITH THE POLAR AXIS HORIZONTAL.

LUMINOUS INTENSITY IN CANDELAS AT CENTERS OF ZONES.

LUMINOUS FLUX IN LUMENS IN ZONES.

\*\*\*\*\* MULTIPLY CANDELAS BY 1 \*\*\*\*\*

LUMEN RATING: 801 Lms.

RIGHT HAND COLUMN SHOWS LUMEN TOTAL FOR ONE SIDE ONLY, 0 TO 90 Degrees

VERT. ANG.	HORIZONTAL ANGLE - DEGREES																						
0.0	1.0	3.0	5.0	7.0	9.0	11.0	13.0	15.0	17.0	19.5	22.5	25.5	29.0	33.0	37.5	42.5	47.5	55.0	65.0	75.0	85.0	90.0	
90.0	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1
85.0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
75.0	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1
65.0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
55.0	4.1	4.1	4.1	4.1	4.1	4.1	4.1	4.1	4.1	4.1	4.1	4.1	4.1	4.1	4.1	4.1	4.1	4.1	4.1	4.1	4.1	4.1	4.1
47.5	0.01	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.03	0.03	0.03	0.03	0.03	0.03	0.03	0.04	0.05	0.04	0.02	0.01	0.01
42.5	11.1	10.1	9.1	10.1	9.1	8.1	9.1	8.1	9.1	8.1	7.1	8.1	7.1	8.1	7.1	9.1	10.1	11.1	14.1	15.1	9.1	0.1	0.1
37.5	0.02	0.03	0.04	0.04	0.04	0.04	0.04	0.04	0.05	0.06	0.05	0.06	0.06	0.07	0.08	0.08	0.09	0.10	0.12	0.16	0.12	0.04	0.00
33.0	85.1	75.1	66.1	69.1	70.1	72.1	72.1	70.1	69.1	69.1	66.1	66.1	63.1	66.1	64.1	64.1	65.1	65.1	55.1	42.1	21.1	0.01	0.00
29.0	0.13	0.23*	0.23*	0.21	0.21*	0.21*	0.21*	0.21	0.20	0.20	0.20	0.20	0.27	0.33	0.34	0.36	0.37	0.35	0.44	0.42	0.21	0.01	0.00
25.0	174.1	170.1	166.1	165.1	164.1	163.1	163.1	162.1	160.1	157.1	154.1	148.1	145.1	142.1	136.1	128.1	122.1	113.1	93.1	62.1	19.1	0.1	0.1
22.5	0.26	0.52	0.50	0.50	0.49	0.49	0.48	0.48	0.47	0.47	0.46	0.46	0.42	0.42	0.41	0.41	0.41	0.41	0.41	0.41	0.32	0.05	0.00
20.0	236.1	228.1	224.1	224.1	223.1	222.1	220.1	219.1	218.1	215.1	211.1	205.1	200.1	194.1	186.1	175.1	163.1	151.1	122.1	78.1	23.1	1.1	1.1
17.5	0.32	0.63	0.61	0.61	0.61	0.60	0.59	0.59	0.57	0.57	0.56	0.56	0.51	0.51	0.50	0.49	0.49	0.49	0.49	0.49	0.37*	0.05	0.00
15.0	301.1	294.1	292.1	292.1	291.1	290.1	288.1	286.1	285.1	282.1	277.1	269.1	260.1	251.1	241.1	224.1	208.1	187.1	146.1	92.1	27.1	1.1	1.1
12.5	0.37	0.72	0.71	0.71	0.70	0.70	0.69	0.68	0.67	0.67	0.66	0.62	0.62	0.61	0.61	0.61	0.61	0.61	0.61	0.61	0.51	0.06	0.00
10.0	351.1	343.1	342.1	342.1	341.1	340.1	338.1	336.1	334.1	330.1	324.1	314.1	304.1	294.1	280.1	263.1	242.1	215.1	167.1	101.1	28.1	1.1	1.1
7.5	0.37	0.73	0.73	0.73	0.72	0.71	0.71	0.70	0.68	0.68	0.67	0.64	0.64	0.64	0.64	0.64	0.64	0.64	0.64	0.64	0.54	0.05	0.00
5.0	402.1	391.1	392.1	391.1	390.1	389.1	387.1	384.1	381.1	376.1	369.1	356.1	343.1	331.1	314.1	296.1	271.1	240.1	182.1	106.1	29.1	1.1	1.1
2.5	0.37	0.71	0.72	0.71	0.71	0.70	0.69	0.68	0.67	0.67	0.62	0.62	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.49	0.05	0.00
0.0	454.1	443.1	444.1	443.1	441.1	439.1	436.1	432.1	427.1	421.1	412.1	397.1	380.1	364.1	346.1	326.1	298.1	264.1	196.1	110.1	29.1	1.1	1.1
	0.42	0.81	0.81	0.80	0.80	0.79	0.78	0.77	0.75	0.75	0.71	0.71	0.67	0.67	0.67	0.67	0.67	0.67	0.67	0.67	0.57	0.05	0.00
	505.1	494.1	494.1	493.1	490.1	487.1	483.1	478.1	471.1	463.1	451.1	435.1	413.1	394.1	374.1	352.1	323.1	284.1	210.1	113.1	29.1	1.1	1.1
	0.38	0.75	0.75	0.75	0.74	0.73	0.72	0.71	0.69	0.69	0.64	0.64	0.61	0.61	0.61	0.61	0.61	0.61	0.61	0.61	0.51	0.05	0.00
	545.1	536.1	535.1	534.1	531.1	526.1	521.1	514.1	506.1	496.1	482.1	462.1	439.1	418.1	396.1	372.1	342.1	300.1	218.1	116.1	29.1	1.1	1.1
	0.33	0.65	0.65	0.65	0.64	0.63	0.62	0.61	0.59	0.59	0.52	0.52	0.49	0.49	0.49	0.49	0.49	0.49	0.49	0.49	0.39	0.05	0.00
	579.1	571.1	570.1	569.1	564.1	559.1	552.1	544.1	534.1	523.1	507.1	486.1	461.1	437.1	413.1	388.1	356.1	314.1	224.1	118.1	29.1	1.1	1.1
	0.35	0.69	0.69	0.69	0.68	0.67	0.66	0.64	0.63	0.63	0.57	0.57	0.54	0.54	0.54	0.54	0.54	0.54	0.54	0.54	0.44	0.05	0.00
	609.1	603.1	602.1	599.1	595.1	588.1	581.1	571.1	561.1	547.1	530.1	508.1	480.1	455.1	430.1	403.1	370.1	326.1	231.1	119.1	29.1	1.1	1.1
	0.37	0.73	0.73	0.73	0.72	0.71	0.69	0.67	0.66	0.66	0.60	0.60	0.57	0.57	0.57	0.57	0.57	0.57	0.57	0.57	0.47	0.05	0.00
	636.1	632.1	630.1	627.1	622.1	615.1	605.1	595.1	584.1	570.1	552.1	527.1	498.1	471.1	444.1	416.1	385.1	335.1	237.1	120.1	29.1	1.1	1.1
	0.39	0.77	0.77	0.76	0.75	0.74	0.72	0.70	0.68	0.68	0.62	0.62	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.59	0.49	0.05	0.00
	658.1	656.1	655.1	651.1	645.1	637.1	628.1	617.1	605.1	590.1	570.1	545.1	514.1	485.1	457.1	428.1	391.1	343.1	242.1	121.1	29.1	1.1	1.1
	0.40	0.80	0.80	0.79	0.78	0.76	0.75	0.73	0.71	0.71	0.65	0.65	0.62	0.62	0.62	0.62	0.62	0.62	0.62	0.62	0.52	0.05	0.00
	676.1	677.1	676.1	672.1	666.1	657.1	647.1	636.1	623.1	606.1	585.1	559.1	527.1	497.1	467.1	436.1	400.1	351.1	244.1	121.1	29.1	1.1	1.1
	0.41	0.82	0.82	0.81	0.80	0.79	0.77	0.75	0.73	0.73	0.67	0.67	0.64	0.64	0.64	0.64	0.64	0.64	0.64	0.64	0.54	0.05	0.00
	693.1	695.1	693.1	689.1	681.1	672.1	662.1	649.1	635.1	619.1	597.1	570.1	536.1	505.1	475.1	444.1	405.1	354.1	246.1	121.1	28.1	1.1	1.1
	0.42	0.83	0.84	0.83	0.82	0.81	0.79	0.77	0.74	0.74	0.68	0.68	0.65	0.65	0.65	0.65	0.65	0.65	0.65	0.65	0.55	0.05	0.00
	705.1	706.1	703.1	698.1	690.1	681.1	670.1	657.1	643.1	626.1	604.1	576.1	542.1	510.1	478.1	446.1	407.1	356.1	248.1	121.1	28.1	1.1	1.1
	0.43	0.84	0.85	0.85	0.83	0.82	0.80	0.78	0.75	0.75	0.69	0.69	0.66	0.66	0.66	0.66	0.66	0.66	0.66	0.66	0.56	0.05	0.00
	710.1	709.1	705.1	700.1	692.1	682.1	670.1	658.1	644.1	627.1	604.1	577.1	543.1	511.1	480.1	448.1	409.1	357.1	249.1	121.1	27.1	1.1	1.1
	0.22	0.43	0.43	0.42	0.42	0.41	0.40	0.39	0.38	0.45	0.52	0.48	0.51	0.53	0.54	0.52	0.44	0.51	0.38	0.13*	0.01	0.00	0.00
	708.1	707.1	704.1	698.1	690.1	681.1	669.1	656.1	642.1	623.1	603.1	576.1	542.1	510.1	479.1	447.1	408.1	357.1	248.1	120.1	27.1	0.1	0.1
	0.22	0.43	0.43	0.42	0.42	0.41	0.40	0.39	0.38	0.45	0.51	0.48	0.51	0.53	0.54	0.52	0.44	0.51	0.38	0.12	0.01	0.00	0.00
	703.1	702.1	698.1	693.1	685.1	676.1	665.1	652.1	638.1	621.1	599.1	572.1	538.1	506.1	475.1	443.1	404.1	353.1	246.1	118.1	25.1	0.1	0.1
	0.43	0.85	0.85	0.84	0.83	0.81	0.79	0.77	0.75	0.75	0.69	0.69	0.66	0.66	0.66	0.66	0.66	0.66	0.66	0.66	0.56	0.05	0.00
	690.1	689.1	685.1	680.1	673.1	664.1	653.1	641.1	627.1	611.1	589.1	562.1	529.1	499.1	469.1	437.1	398.1						



-42.5	0.01	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.02	0.03	0.03	0.03	0.03	0.01	0.00	0.41	
-47.5	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	2.0	2.0	3.0	3.0	4.0	2.0	0.0	0.25
-55.0	2.0	2.0	3.0	3.0	3.0	3.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	3.0	2.0	0.0	0.29	
-65.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	2.0	1.0	0.0	0.17	
-75.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.01
-85.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.00
-90.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.00
	10.	20.	19.	19.	19.	19.	18.	18.	17.	21.	24.	22.	24.	25.	26.	25.	21.	25.	19.	7.	1.	0.						

BOTTOM ROW SHOWS LUMEN SUMMATION OF VERTICAL ZONES, +90 TO -90 DEGREES



LIGHTING SCIENCES, INC.  
7826 E. EVANS RD.  
SCOTTSDALE, AZ, USA 85260

CERTIFIED TEST REPORT NO. LSI 21628F

YESCO - LED 12.6" X 12.6" DIGITAL SIGN  
RED GREEN BLUE LED ARRAYS AT 20mm SPACING  
OPERATING IN WHITE MODE AT 6800K

INTENSITY (CANDLEPOWER)  
CANDELAS

VERTICAL TRACE				HORIZONTAL TRACE			
ANGLE	CANDLEPOWER	ANGLE	CANDLEPOWER	ANGLE	CANDLEPOWER	ANGLE	CANDLEPOWER
90.0	0.	0.0	710.	90.0	0.	0.0	710.
85.0	0.	-1.0	709.	85.0	4.	-1.0	709.
75.0	0.	-3.0	705.	75.0	66.	-3.0	706.
65.0	0.	-5.0	694.	65.0	174.	-5.0	702.
55.0	2.	-7.0	676.	55.0	317.	-7.0	694.
47.5	3.	-9.0	654.	47.5	390.	-9.0	686.
42.5	3.	-11.0	629.	42.5	431.	-11.0	675.
37.5	6.	-13.0	600.	37.5	464.	-13.0	663.
33.0	17.	-15.0	569.	33.0	496.	-15.0	650.
29.0	50.	-17.0	533.	29.0	527.	-17.0	636.
25.5	78.	-19.5	486.	25.5	562.	-19.5	616.
22.5	106.	-22.5	431.	22.5	591.	-22.5	591.
19.5	200.	-25.5	380.	19.5	616.	-25.5	562.
17.0	332.	-29.0	329.	17.0	636.	-29.0	527.
15.0	463.	-33.0	276.	15.0	650.	-33.0	496.
13.0	546.	-37.5	201.	13.0	663.	-37.5	464.
11.0	595.	-42.5	153.	11.0	675.	-42.5	431.
9.0	627.	-47.5	29.	9.0	686.	-47.5	390.
7.0	652.	-55.0	8.	7.0	694.	-55.0	317.
5.0	675.	-65.0	2.	5.0	702.	-65.0	174.
3.0	692.	-75.0	0.	3.0	706.	-75.0	66.
1.0	705.	-85.0	0.	1.0	709.	-85.0	4.
0.0	710.	-90.0	0.	0.0	710.	-90.0	0.

- UPPER -                      - LOWER -                      - RIGHT -                      - LEFT -

POLAR AXIS HORIZONTAL

Evaluation of Sign Dimming Controller  
YESCO 20 mm Prism Sign

Dimmer Setting %	Measured Light Output %
100	100.0
90	91.6
80	82.1
70	72.5
60	62.8
50	52.7
40	42.7
30	32.4
20	22.0
10	11.3

## **Appendix D**

### **Photometric Data in IESNA Standard Format**



541.7	511.0	483.8	460.2	437.5	414.0	389.5	359.0	310.9	246.9
177.9	117.1	74.9	51.1	39.0	30.5	21.5	12.9	7.2	4.6
3.9	3.4	2.3	0.9	0.1	0.0	0.0			
710.2	707.2	700.7	690.8	677.8	661.9	644.1	623.9	602.1	579.3
553.9	524.8	500.7	479.4	458.8	438.5	418.9	399.5	373.9	350.9
327.0	296.8	255.8	202.8	142.6	86.9	48.9	30.2	20.6	14.1
8.4	5.2	3.6	2.2	0.9	0.0	0.0			
710.2	708.2	702.2	693.0	680.8	665.7	648.9	629.8	609.0	587.2
562.1	534.4	512.2	492.9	474.0	455.5	437.9	420.2	396.5	376.8
356.0	331.4	302.9	271.5	237.9	200.2	166.0	135.9	103.0	58.5
37.5	17.8	7.4	3.3	1.1	0.0	0.0			
710.2	706.8	701.5	692.9	681.2	666.7	650.4	632.2	612.4	591.3
567.2	540.2	518.5	499.8	481.9	464.2	448.0	431.3	409.0	390.4
370.0	345.5	316.6	283.8	248.7	209.5	173.7	145.5	120.6	95.1
66.3	43.2	27.2	12.6	3.6	0.5	0.0			
710.2	708.5	703.3	694.7	683.0	668.8	652.2	633.7	613.4	591.8
566.9	539.5	517.3	498.5	479.7	461.5	444.5	427.4	405.0	386.2
365.4	340.9	312.6	280.4	246.2	208.9	174.4	147.7	124.1	99.9
73.6	51.9	35.4	21.2	7.9	0.9	0.0			
710.2	708.5	703.4	694.7	682.6	667.5	650.2	630.8	609.8	587.2
561.8	533.1	509.5	489.1	469.2	450.0	431.4	412.8	389.5	368.3
345.9	321.0	292.9	262.9	232.2	199.6	168.4	143.8	121.8	98.6
74.8	52.8	30.4	9.0	1.5	0.0	0.0			
710.2	708.6	703.2	693.8	681.1	665.2	648.6	625.8	603.1	579.0
552.6	522.6	496.6	474.3	452.7	431.1	410.2	390.0	365.3	341.0
316.4	290.0	262.5	234.5	206.4	178.0	150.5	126.8	102.8	78.2
51.4	17.6	5.6	1.8	0.3	0.0	0.0			
710.2	709.2	703.2	692.8	679.8	661.3	641.2	618.6	594.2	569.5
541.6	510.5	481.1	456.4	432.8	409.0	385.9	363.0	337.7	309.3
292.3	255.2	229.4	202.5	177.6	152.2	121.7	96.4	73.2	31.3
9.8	4.9	2.0	0.5	0.0	0.0	0.0			
710.2	708.8	702.4	690.9	675.4	656.3	634.6	610.3	584.4	557.5
529.5	499.0	465.6	437.9	411.9	385.8	360.0	334.1	308.3	278.1
250.3	223.6	198.1	172.0	140.1	115.9	94.4	51.3	13.4	6.5
4.2	2.1	0.8	0.1	0.0	0.0	0.0			
710.2	709.4	700.8	688.6	671.6	650.7	627.1	600.7	572.8	544.0
514.2	482.5	447.8	416.6	388.0	360.8	333.1	305.6	278.6	249.9
221.1	193.1	159.1	131.6	112.5	92.3	30.9	9.4	5.5	3.8
2.0	1.0	0.2	0.0	0.0	0.0	0.0			
710.2	709.8	700.7	686.4	667.5	644.4	619.0	591.1	561.7	531.2
499.9	467.5	432.5	397.0	365.9	337.2	308.7	280.2	252.8	225.5
190.1	153.5	129.6	109.8	67.6	21.4	7.6	5.2	3.7	2.2
1.2	0.4	0.1	0.0	0.0	0.0	0.0			
710.2	708.2	698.8	683.0	662.3	638.0	611.1	581.0	549.7	517.0
483.2	449.2	414.1	377.2	343.1	313.4	284.8	256.2	227.5	189.5
155.6	131.8	109.4	58.9	17.9	7.4	5.4	3.9	2.5	1.4
0.6	0.2	0.0	0.0	0.0	0.0	0.0			
710.2	707.8	697.6	680.4	658.5	632.6	603.9	571.8	538.0	502.6
466.3	430.5	395.5	360.4	325.0	293.1	264.2	234.1	193.9	161.1
138.9	114.2	58.4	18.8	7.7	5.6	4.2	2.8	1.8	0.9
0.4	0.1	0.0	0.0	0.0	0.0	0.0			
710.2	707.9	696.3	677.4	654.1	626.5	595.7	561.9	525.4	487.4
448.9	411.8	376.5	342.6	309.7	277.2	245.0	202.9	167.9	145.1
121.7	66.0	21.0	8.9	6.2	4.9	3.4	2.2	1.2	0.7
0.1	0.0	0.0	0.0	0.0	0.0	0.0			
710.2	706.6	694.0	674.1	649.2	620.3	587.8	551.7	513.0	473.0
433.2	395.5	360.1	326.5	295.1	263.9	221.5	179.9	154.1	131.8
93.1	29.4	11.1	7.0	5.7	4.2	2.8	1.8	1.1	0.5
0.1	0.0	0.0	0.0	0.0	0.0	0.0			
710.2	706.5	693.2	672.0	645.8	615.3	581.0	542.1	500.9	459.2
418.2	390.2	344.9	311.9	281.2	245.1	200.1	169.9	146.1	107.9
42.5	15.7	8.1	6.6	5.1	3.6	2.4	1.5	0.8	0.4
0.1	0.0	0.0	0.0	0.0	0.0	0.0			
710.2	705.8	691.4	669.0	641.8	610.0	573.9	532.8	489.8	446.8
405.5	367.5	332.5	300.0	268.2	225.0	186.6	161.9	137.1	76.7
25.9	11.3	7.6	6.2	4.7	3.2	2.1	1.3	0.8	0.3
0.1	0.0	0.0	0.0	0.0	0.0	0.0			
710.2	705.1	690.3	667.1	638.9	605.8	567.5	524.7	480.4	436.7
395.2	357.5	322.9	290.9	255.3	210.2	178.4	155.2	119.0	49.4
17.6	9.4	7.4	5.9	4.2	3.0	1.9	1.2	0.7	0.2
0.1	0.0	0.0	0.0	0.0	0.0	0.0			
710.2	704.4	698.6	664.6	635.5	601.2	561.9	517.9	472.2	428.1
386.8	349.2	315.0	283.1	242.8	200.3	172.5	148.6	95.6	34.0
13.6	8.6	7.1	5.7	4.0	2.7	1.8	1.2	0.6	0.2
0.0	0.0	0.0	0.0	0.0	0.0	0.0			
710.2	704.1	688.0	663.4	633.9	598.5	558.0	513.4	467.3	422.8
381.2	343.9	310.0	277.5	234.1	195.1	169.2	142.5	79.0	27.1
11.9	8.3	7.1	5.5	3.9	2.6	1.8	1.2	0.6	0.1
0.0	0.0	0.0	0.0	0.0	0.0	0.0			
710.2	702.6	686.0	661.2	631.0	595.1	554.1	508.6	461.7	417.2
376.0	339.1	306.0	272.7	228.3	192.1	167.4	137.0	67.4	23.7
11.0	8.1	6.9	5.3	3.7	2.5	1.7	1.0	0.5	0.1
0.0	0.0	0.0	0.0	0.0	0.0	0.0			
710.2	707.7	694.3	671.2	642.5	608.4	568.7	524.1	476.8	430.9
387.9	349.6	315.3	284.1	242.8	200.8	174.7	152.7	87.6	29.1
12.6	8.7	7.5	6.0	4.2	2.9	1.9	1.3	0.8	0.3
0.0	0.0	0.0	0.0	0.0	0.0	0.0			

## Pauly, Daniel

---

**From:** Pauly, Daniel  
**Sent:** Thursday, March 29, 2012 8:22 AM  
**To:** 'Melissa Hayden'  
**Subject:** RE: Public Hearing Notice for Sign Code Revisions

Hi Melissa

Thanks for checking in. The draft for the Public Hearing will be available on April 4<sup>th</sup> with all the details. Some noteworthy changes from the last draft include:

Adjustment to the duration for digital changeable copy signs to 15 minutes.  
Incorporation of the brightness limitations  
Refinement of the building sign allowance based on additional research and inventory of additional signs.



Daniel Pauly, AICP  
Associate Planner

City of Wilsonville Planning Division  
503-682-4960  
[pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us)

Disclosure: Messages to and from this E-mail address may be subject to Oregon Public Records Law.

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**From:** Melissa Hayden [mailto:[melissa@securitysigns.com](mailto:melissa@securitysigns.com)]  
**Sent:** Monday, March 26, 2012 1:01 PM  
**To:** Pauly, Daniel  
**Subject:** FW: Public Hearing Notice for Sign Code Revisions

Hi Dan,

What's our latest revisions look like for this one?

**Melissa Hayden | Project Manager**  
**Security Signs | [www.securitysigns.com](http://www.securitysigns.com)**  
d. 503.546.7114 | m. 360.903.3495 | f. 503.230.1861  
2424 SE Holgate Blvd. | Portland, Oregon 97202  
Family Owned and Operated Since 1925

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**From:** Straessle, Linda [mailto:[straessle@ci.wilsonville.or.us](mailto:straessle@ci.wilsonville.or.us)]  
**Sent:** Wednesday, March 21, 2012 5:39 PM  
**To:** 'ccc@teleport.com'; 'mpruitt@thesignpros.com'; 'matt@gramor.com'; 'DWinand@pmar.org'; 'akirk@orepac.com'; 'melissa@securitysigns.com'; 'Steve@wilsonvillechamber.com'; 'dosterman@tubeart.com'  
**Subject:** Public Hearing Notice for Sign Code Revisions

A Wilsonville Planning Commission public hearing notice is attached for LP12-0001 Sign Code Revisions.

*Linda Straessle*  
Administrative Assistant  
City of Wilsonville  
29799 SW Town Center Loop East  
Wilsonville OR 97070  
(503) 570-1571  
[straessle@ci.wilsonville.or.us](mailto:straessle@ci.wilsonville.or.us)

DISCLOSURE NOTICE: Messages to and from this Email address may be subject to the Oregon Public Records Law.



## Pauly, Daniel

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**From:** Melissa Hayden <melissa@securitysigns.com>  
**Sent:** Tuesday, April 03, 2012 10:27 AM  
**To:** Pauly, Daniel  
**Subject:** FW: Candelas?

Hi Dan,

Below is my correspondence with International Sign Association about sign brightness standards. You can see below how they reached these numbers.

**1,200 cd/m<sup>2</sup> (nits):** 1/8" thickness face  
**900 cd/m<sup>2</sup> (nits):** 3/16" thickness face

Hopefully this helps.

**Melissa Hayden | Project Manager**  
**Security Signs | [www.securitysigns.com](http://www.securitysigns.com)**  
d. 503.546.7114 | m. 360.903.3495 | f. 503.230.1861  
2424 SE Holgate Blvd. | Portland, Oregon 97202  
Family Owned and Operated Since 1925

---

**From:** Bill Dundas [mailto:Bill.Dundas@signs.org]  
**Sent:** Tuesday, April 03, 2012 6:51 AM  
**To:** Melissa Hayden  
**Cc:** David Hickey; 'Patti King'  
**Subject:** RE: Candelas?

Melissa,

The values that David provided are accurate luminance levels for internally illuminated, plastic-faced signs. These measurements were made in a laboratory at Southern California Edison and the luminance values derived represent the light emitted outside of the sign face (i.e. the measurement device was positioned at a specific distance in front of the sign). It's important to note that the signs tested incorporated all-white faces (no colors or copy) and two different face thicknesses were evaluated as indicated.

ISA will be launching a research project later this year to develop luminance guidelines for the most common types of electric signs in today's marketplace. While we already have a good idea of the typical luminance values for fluorescent/plastic signs, we haven't yet evaluated signs incorporating other light sources (e.g. neon, HID, LEDs). Based on what we know today, Wilsonville's concerns about new technologies possibly making signs brighter probably are unwarranted. For example, we do not believe that channel letters incorporating LED lighting are brighter than the neon channel letters which largely have been replaced during the past decade. Because the luminance levels typical of cabinet signs that incorporate High Output, fluorescent lamps have proven to be effective in many years of use, it's likely that these values will represent the maximum luminance (brightness) level for the majority of internally illuminated signs.

Apparently, local jurisdictions have been influenced to believe that the sign industry continually builds electric signs to be brighter and brighter. This simply is not the case and, in fact, the chief focus of new lighting technologies introduced during the past decade has been on the *quality* of lighting rather than on brightness. Furthermore, it's important to note that luminance measurements of existing signs (i.e. field measurements) are meaningless because of the wide variation in sign face colors, amount of copy, face thickness, light degradation from lamp aging and environmental exposure. As you know, internally illuminated, outdoor signs typically are not manufactured to correspond to varying

levels of ambient light (e.g. Main Street vs. country road). Signs are built to be bright enough for *all* of the environments in which they typically are used.

The aim of ISA's research on sign luminance is to provide reliable reference values for sign brightness which can be cited for local jurisdictions like Wilsonville and also used as a guide for current and future product development in the industry. Thus, regardless of the advent of new lighting technologies in the future, sign companies and end users will have assurance that new generations of electric signs will have performance properties comparable to the electric signs of today.

I hope this information will be helpful in dealing with your current issue.

Best regards,  
Bill Dundas  
Director, Technical & Regulatory Affairs  
ISA

---

**From:** Melissa Hayden [<mailto:melissa@securitysigns.com>]  
**Sent:** Monday, April 02, 2012 5:35 PM  
**To:** David Hickey; 'Patti King'  
**Cc:** Bill Dundas  
**Subject:** RE: Candelas?

I think they're looking for the light limit outside the faces. It looks like your below measurement is taking into account how the sign face will diffuse the light.

**Melissa Hayden | Project Manager**  
**Security Signs | [www.securitysigns.com](http://www.securitysigns.com)**  
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2424 SE Holgate Blvd. | Portland, Oregon 97202  
Family Owned and Operated Since 1925

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**From:** David Hickey [<mailto:David.Hickey@signs.org>]  
**Sent:** Friday, March 30, 2012 10:01 AM  
**To:** 'Patti King'; Melissa Hayden  
**Cc:** Bill Dundas  
**Subject:** RE: Candelas?

Dear Patti and Melissa –

I am not sure if the lighting level is quite adequate enough for traditional internally illuminated signs to be effectively seen at night. I do know that a 2005 laboratory study by Southern California Edison reported the following baseline luminance values for internally illuminated, plastic signs:

**1,200 cd/m<sup>2</sup> (nits):** 1/8" thickness face  
**900 cd/m<sup>2</sup> (nits):** 3/16" thickness face

These levels identified by SCE appear to be much higher than the one chosen by officials in Wilsonville. However, I am not an expert on sign illumination issues, so I have cc'd Bill Dundas, our Director of Technical & Regulatory Affairs and resident lighting guru to get his take. Hopefully soon we'll have more concrete guidance for you.

Best regards,

David Hickey

(703) 797-0479

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**From:** Patti King [mailto:[pking@nwsigncouncil.org](mailto:pking@nwsigncouncil.org)]  
**Sent:** Tuesday, March 20, 2012 1:49 PM  
**To:** Melissa Hayden  
**Subject:** Re: Candelas?

Melissa,

I will run this by ISA GR staff when I am in Florida at EXPO this week and get back to you.

Patti

On Mar 14, 2012, at 12:33 PM, Melissa Hayden <[melissa@securitysigns.com](mailto:melissa@securitysigns.com)> wrote:

Wilsonville is asking what a limit should be for sign brightness. Not EMC signs but channel letters. Any thoughts, they are leaning toward 500. They are worried that new technology will be brighter and trying to reign that in in advance.

They tested some existing at 300 so 500 sounded good to them.

**Melissa Hayden | Project Manager**

**Security Signs | [www.securitysigns.com](http://www.securitysigns.com)**

d. 503.546.7114 | m. 360.903.3495 | f. 503.230.1861

2424 SE Holgate Blvd. | Portland, Oregon 97202

Family Owned and Operated Since 1925

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Confidentiality Notice: The information contained in this message and/or attachments is privileged and is for the intended recipient only. If you are not the intended recipient and have received this, you are hereby notified that any disclosure, copying, distribution, use of, or reliance on this email or attachments is exempt from disclosure under applicable law. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail and attachments from your system.

## Pauly, Daniel

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**From:** Mark Pruitt <mpruitt@thesignpros.com>  
**Sent:** Tuesday, April 03, 2012 10:51 AM  
**To:** 'Steve Gilmore'; 'Doris Wehler'; 'Ben Altman'  
**Cc:** Pauly, Daniel  
**Subject:** RE: Changeable Copy Sign Timing

The 15 minute interval was not from the model sign code. In fact they have intervals as short as one second. I have looked back through my notes and various documents and I believe the 15 minute interval was a number we settled in on after lots of discussion about what would constitute a semi-static sign. We defined an EMC to be semi-static if it only changed every 15 minutes. For all practical purposes this appears as a static sign to most observers unless you just happen to be observing at the moment of change. But since it only changes (at most) 4 times per hour, it is 99.89% static (assuming a 1 sec update which is actually much longer than reality). We felt this was a reasonable compromise that allowed schools to update the events at different times during the day, especially during the hours of drop off and pick up and also allowed movie theaters to update as show schedules changed or sold out. We also thought it was fast enough for gas stations ... but with the way gas prices are going up ... who knows!! It is short enough to provide real time data and long enough to prevent flashing signs or movement. It is about the fastest frequency that one would reasonably change a reader board with the plastic letters ... Let me know if you have any questions.

Sincerely,

Mark Pruitt  
President

Professional Sign & Graphics, LLC  
25999 SW Canyon Creek Road, Suite E  
Wilsonville, Oregon 97070  
p:503.582.1006 f:503.582.9837  
[mpruitt@thesignpros.com](mailto:mpruitt@thesignpros.com)

---

**From:** Steve Gilmore [mailto:[Steve@wilsonvillechamber.com](mailto:Steve@wilsonvillechamber.com)]  
**Sent:** Tuesday, April 03, 2012 9:48 AM  
**To:** Doris Wehler; Mark Pruitt; Ben Altman  
**Subject:** Re: Changeable Copy Sign Timing

Wasn't the 15 minute interval in the model sign code?

Steve  
Sent via BlackBerry from T-Mobile

---

**From:** "Pauly, Daniel" <[pauely@ci.wilsonville.or.us](mailto:pauely@ci.wilsonville.or.us)>  
**Date:** Tue, 3 Apr 2012 09:21:14 -0700  
**To:** Steve Gilmore<[Steve@wilsonvillechamber.com](mailto:Steve@wilsonvillechamber.com)>; Doris Wehler  
([dawehler@gmail.com](mailto:dawehler@gmail.com))<[dawehler@gmail.com](mailto:dawehler@gmail.com)>  
**Subject:** Changeable Copy Sign Timing

Good Morning Doris and Steve

In the last Planning Commission Work Session on the sign code Doris mentioned some information a chamber committee reviewed that supported 15 minutes as an appropriate interval for digital changeable copy signs. I have checked with Ben Altman and Mark Pruitt, but they don't have any information on this. Can either of you provide some

additional information on the chamber discussion on this topic and supporting information I can share with the Planning Commission.

Thank you



Daniel Pauly, AICP  
Associate Planner

City of Wilsonville Planning Division  
29799 SW Town Center Loop East  
Wilsonville OR 97070  
503-682-4960  
[pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us)

Disclosure: Messages to and from this E-mail address may be subject to Oregon Public Records Law.

**RESOLUTION NO. 2369**

**A RESOLUTION OF THE CITY OF WILSONVILLE ADOPTING AN UPDATED FEE SCHEDULE FOR SIGN RELATED PLANNING REVIEW FEES, AMENDING 'EXHIBIT A' OF RESOLUTION NO. 2050.**

WHEREAS, the Wilsonville City Council finds it necessary and reasonable to establish fees for the purpose of defraying actual costs for Land Use and Development Planning reviews; and

WHEREAS, the Wilsonville City Council has adopted updated sign regulations which include permit types and processes not reflected in the fee schedule adopted by Resolution 2050; and

WHEREAS, the Wilsonville City Council finds it prudent to update the fee schedule to reflect these new permit types and processes with fees reflective of the current fee schedule for comparable permit types and processes in terms of use of staff time and other City resources; and

WHEREAS, technology has evolved since adoption of Resolution 2050 to allow for staff to quickly and inexpensively produce mailing labels when public notice is required; and

WHEREAS, the Wilsonville City Council finds that Oregon state law allows the City to recover its actual costs.

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

Section 1. The City Council finds the proposed recovery of administrative costs for planning review and land use development services related to signs are actual, reasonable and necessary, therefore, the Planning fees are hereby established as set out in Exhibit "A", which is attached to this resolution and incorporated by reference as if fully set forth herein.

Section 2. The fee schedule as proposed shall become effective on the same date as Ordinance No. 704 in order to allow time for data entry into the EDEN System,

through which all applications and fees are processed. These fees may be adjusted annually to reflect the increase in the Portland/Salem area consumer price index.

Section 3. Resolution No. 2050 is hereby amended as shown in 'Exhibit A'.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 4<sup>th</sup> day of June, 2012, and filed with the Wilsonville City Recorder this date.

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TIM KNAPP, MAYOR

ATTEST:

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Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Knapp           \_\_\_  
Councilor Goddard   \_\_\_  
Councilor Hurst       \_\_\_  
Councilor Núñez      \_\_\_  
Councilor Starr       \_\_\_

Attachment:

Updated Fee Schedule



**Planning Division Planning Fees**  
**Effective July 1, 2007 Sign Related Fees Updated June 4, 2012**

Fee Type

Fee

Preapplication Conference	
<b>Sign Permit or Master Sign Plan as stand-alone request</b>	<b>\$160</b>
<b>Sign Permits and Review (Except Temporary Signs)</b>	
<b>Class I Sign Permit</b>	<b>\$160</b>
<b>Class II Sign Permit</b>	<b>\$400</b>
<b>Class III Sign Permit</b>	<b>\$560</b>
<b>Master Sign Plan</b>	<b>\$960</b>
<b>Minor Adjustment as Part of Class I Sign Permit</b>	<b>\$80</b>
<b>Temporary Use and Sign Permits</b>	
<b>Class I &lt; 15 days</b>	<b>\$80</b>
<b>Class I 15 - 30 days</b>	<b>\$160</b>
<b>Class I Annual Event Signs</b>	<b>\$50</b>
<b>Class II 31-60 days</b>	<b>\$240</b>
<b>Class II 61-120 days (signs only)</b>	<b>\$320</b>
<b>Class II 61-120 days (other temporary uses, may incorporate concurrent sign request)</b>	<b>\$800</b>
<b>DRB Review more than 120 days (non-sign temporary uses only)</b>	<b>\$800</b>

Planning Division Planning Fees  
 -Effective July 1, 2007 Sign Related Fees Updated June 4, 2012

Fee Type

Fee

Fee to create property owner list: 250 feet for notification	\$160
Preapplication Conference	
<b>Sign Permit or Master Sign Plan as stand-alone request</b>	<b>\$160</b>
<b>Signs Permits and Review (Except Temporary Signs)</b>	
Administrative <b>Class I Sign Permit</b>	\$160
<b>Class II Sign Permit</b>	<b>\$400</b>
DRB-Review <b>Class III Sign Permit</b>	<b>\$400-560</b>
Master sign <b>Sign program permit Plan</b>	\$960
<b>Minor Adjustment as Part of Class I Sign Permit</b>	<b>\$80</b>
<b>Temporary Use and Sign Permits</b>	
<b>Class I &lt; 15 days</b>	\$80
<b>Class I 15 - 30 days</b>	\$160
<b>Class I Annual Event Signs</b>	<b>\$50</b>
<b>Class II 31-60 days</b>	<b>\$160-240</b>
<b>Class II 61-120 days (signs only)</b>	<b>\$320</b>
<b>Class II 61-120 days (other temporary uses, may incorporate concurrent sign request)</b>	\$800
<b>DRB Review 121-365 days more than 120 days (non-sign temporary uses only)</b>	\$800
<b>Temporary Use Permit &amp; Signage</b>	
<b>Limitations</b>	
Exempt: 57 hours/week; Weekend (and Tuesday) Signs: limited locations	\$0
Exempt: < or = 10 days in 30-day period; Temporary Sales: 1 sign max; 6 sf max <= 30" tall	\$0
Class 1: <15 days; signs and commonly associated (but not substantial) structures allowed	\$80
Class 1: >1 day and <+28 days; grand opening only	\$160
Class II: >=15 days and <= 30 days 2 signs max; combined total all signs max, 24sf with Temporary Use Permit	\$160
Class 2: >=31 days and <=60 days; 2 signs max, combined total all signs 24sf max, and no max ht, or, same, plus 20ft max ht.	\$160
Class 2: >=61 days and <=120 days; 2 signs max, combined total all signs 24sf max, and 20ft max ht, plus other considerations	\$800
Class 3: DRB Hearing required >120 days and <1 yr	\$800
Class 1 or 2 discretionary; if previously approved Master Sign Plan exists	\$160 or \$800

**AFFIDAVIT OF MAILING  
NOTICE OF PUBLIC HEARING  
BEFORE THE  
CITY COUNCIL  
OF THE CITY OF WILSONVILLE**

STATE OF OREGON )  
 )  
COUNTIES OF CLACKAMAS )  
 )  
CITY OF WILSONVILLE )

I, Sandra C. King, do hereby certify that I am City Recorder of the City of Wilsonville, Counties of Clackamas and Washington, State of Oregon, that the attached copy of Notice of Public Hearing regarding the application submitted by the City of Wilsonville, is a true copy of the original notice; that on May 18, 2012 I did cause to be mailed copies both via U.S. Mail and e-mail such notice of public hearing in the exact form hereto attached to the property owners listed in Exhibit "A":

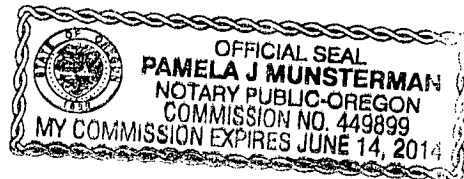
Witness my hand this 18<sup>th</sup> day of May, 2012.

Sandra C. King  
Sandra C. King, MMC, City Recorder

Subscribed and sworn to before me  
this 18<sup>th</sup> day of May, 2012

PM  
NOTARY PUBLIC, STATE OF OREGON

My commission expires: 6-14-14



**AFFIDAVIT OF POSTING  
NOTICE OF PUBLIC MEETING  
BEFORE THE  
CITY COUNCIL  
OF THE CITY OF WILSONVILLE**

**STATE OF OREGON** )  
 )  
**COUNTIES OF CLACKAMAS** )  
 )  
**CITY OF WILSONVILLE** )

I, Sandra C. King, do hereby certify that I am City Recorder of the City of Wilsonville, Counties of Clackamas and Washington, State of Oregon, that the attached copy of Notice of Public Meeting regarding Amendments to the Wilsonville Sign Code is a true copy of the original notice. That on, May 18, 2012 I did cause to be posted copies of such notice of public hearing in the exact form hereto attached at the following locations:

- Wilsonville City Hall, 29799 SW Town Center Loop East
- Wilsonville Library, 8200 SW Wilsonville Road
- SMART Transit Center, 8455 SW Elligsen Rd.
- Wilsonville Community Center 7965 SW Wilsonville Road

Witness my hand this 18<sup>th</sup> day of May, 2012

  
\_\_\_\_\_  
Sandra C. King, MMC, City Recorder

Subscribed and sworn to before me this 18<sup>th</sup> day of May, 2012.

  
\_\_\_\_\_  
NOTARY PUBLIC, STATE OF OREGON

My commission expires: 6-14-14





**CITY OF WILSONVILLE  
CITY COUNCIL**

**NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE is hereby given that the Wilsonville City Council will hold a **PUBLIC HEARING** on: **Monday, June 4, 2012, at 7:00 p.m.** at Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Clackamas County, OR 97070

Applicant: City of Wilsonville

Proposal and Summary of Case File # LP12-0001:

Amendments to the Wilsonville Planning and Land Development Ordinance Section 4.156: Sign Regulations in order to improve efficiency and consistency in administration and application of Wilsonville's sign regulations while maintaining a high quality visual environment.

**Who is Affected:**

The proposed revisions apply to chiefly to current and future commercial, industrial, and public facility development. Aspects of the proposed provisions apply as well to current and future single-family residential subdivisions, as a whole, and current and future multi-family residential development.

**Key Provisions:**

- More concise and positive sign code purpose statement and objectives
- Establish a clear sign measurement method that balances ease of administration and use with including too much "empty space" in the calculation
- Clarify the difference between architecture and signs
- Increase authority of city staff to review sign applications that have historically been routine and non-controversial
- Clarify what the Development Review Board needs to consider in granting a waiver to sign regulations
- Remove the majority of special regulations for the PDC-TC Zone
- Separate the allowance for building signs and freestanding signs to allow a more consistent allowance of freestanding signs throughout the City
- Establish new methods to calculate the maximum allowed height and area for freestanding and building mounted signs for commercial, industrial, and public uses.
- Base building sign allowances on the building elevation of individual tenant spaces rather than per lot.
- Consolidate and simplify sign allowances for residential subdivisions and multi-family developments.
- Update regulations for temporary signs for special events to consolidate language and be consistent with other regulations adopted by the City.
- Clarify the allowance for semi-static digital signs and add specific requirements for this type of sign.

## Criteria:

Statewide Land Use Goals: 1: Citizen Involvement,

### Wilsonville Comprehensive Plan:

Section A: Citizen Involvement, Goal 1.1, Policy 1.1.1, Implementation Measures 1.1.1a, 1.1.1.e, 1.1.1.f, 1.1.1.g, 1.1.1 h.; Goal 1.2, Policy 1.2.1, Policy 1.3, Implementation Measure 1.3.1.b, Goal 4.1, Section D: Land Use and Development, Goal 4.1, Policy 4.1.1, Implementation Measures 4.1.1.c, 4.1.1.d, 4.1.1.h, 4.1.1.n, Policy 4.1.2, Implementation Measures: 4.1.2.a, 4.1.2.d, 4.1.2.g, 4.1.2.i, Policy 4.1.3, Implementation Measures 4.1.3.a, 4.1.3.b, 4.1.3.d, Policy 4.1.4, Implementation Measures 4.1.4.c, 4.1.4.t, Policy 4.1.5, Implementation Measures 4.1.5.ii, 4.1.5.mm.

### Land Use and Development Code:

4.197 Zone changes and Amendments to the Code - Procedures

**Contact Person:** Daniel Pauly, [Pauly@ci.wilsonville.or.us](mailto:Pauly@ci.wilsonville.or.us), (503) 682-4960

### **How to Obtain Copies:**

Copies of the approval criteria and proposed development code amendments are available from the Wilsonville Planning Division, located at 29799 SW Town Center Loop East, and may be purchased at the cost of twenty-five cents per page. A complete copy of the relevant file information, including the staff report and recommendations, will be available for inspection seven days prior to each public hearing. Copies will also be available for review at the Wilsonville Public Library. The staff report will be posted on the City web site one week prior to the hearing at [www.ci.wilsonville.or.us](http://www.ci.wilsonville.or.us). All testimony and evidence shall be directed to the applicable criteria, or the person providing testimony shall state which other criteria is believed to apply to this proposal.

### **How to Submit Comments:**

Oral and written public testimony regarding this matter will be accepted at the hearings. Written statements are encouraged and may be submitted prior to each hearing date. **Mail written statements to: 29799 SW Town Center Loop E, Wilsonville, OR 97070 or email them to [pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us).**

Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting. The City will also endeavor to provide qualified sign language interpreters and/or bilingual interpreters, without cost, if requested at least 48 hours prior to the meeting. To obtain such services, please call Sandra King, City Recorder, 503-570-1506.

Sign Code Amendment Mailing List

LP12-0001

Mailed: May 18, 2012

Sheryl Byer  
29755 SW Montebello  
Wilsonville OR 97070

Doris Wehler •  
6855 SW Boeckman Road  
Wilsonville Or 97070

Theonie Gilmore •  
PO Box 861  
Wilsonville OR 97070

Mark Pruitt  
Professional Sign & Graphics  
8593 SW Main, #400  
Wilsonville OR 97070

Melissa Hayden •  
Security Signs  
2424 SE Holgate Blvd.  
Portland OR 97202

Daniel Drake •  
LRS Architects  
720 NW Davis St. #300  
Portland OR 97209

Jerry Jones •  
Lanphere Enterprises, Inc.  
9155 SW Boeckman Rd  
Wilsonville Or 97070

Glenna Harris  
Whipper Snippers  
29585 SW Park Place Suite G  
Wilsonville Or 97070

Michael Harris •  
Snap Fitness  
3215 NW Sparks Ave  
Albany OR 97321

Michael Harris  
Snap Fitness  
1980 Madras St. SE #1098  
Salem OR 97306

Scott Starr •  
28750 SW Cascade Loop  
Wilsonville OR 97070

Susan Myers •  
29100 SW Town Center Loop  
Wilsonville OR 97070

Art Smith •  
Ron Tonkin Gran Turismo  
203 NE 122<sup>nd</sup> Ave  
Portland OR 97230



Email Mailing List:

Doris Wehler  
[dawehler@gmail.com](mailto:dawehler@gmail.com)

Theonie Gilmore  
[theonie@wilsonvillearts.org](mailto:theonie@wilsonvillearts.org)

Mark Pruitt  
[mpruitt@thesignpros.com](mailto:mpruitt@thesignpros.com)

Melissa Hayden  
[Melissa@securitysigns.com](mailto:Melissa@securitysigns.com)

Daniel Drake  
[ddrake@lrsarchitects.com](mailto:ddrake@lrsarchitects.com)

Michael Harris  
[Michaelharris000@yahoo.com](mailto:Michaelharris000@yahoo.com)

Susan Myers  
[SusanMyers@canby.com](mailto:SusanMyers@canby.com)

Art Smith  
[asmith@tonkin.com](mailto:asmith@tonkin.com)

Sign Code Amendment Mailing List

LP12-0001

Mailed: May 18, 2012

Sheryl Byer  
29755 SW Montebello  
Wilsonville OR 97070

Doris Wehler  
6855 SW Boeckman Road  
Wilsonville Or 97070

Theonie Gilmore  
PO Box 861  
Wilsonville OR 97070

Mark Pruitt  
Professional Sign & Graphics  
8593 SW Main, #400  
Wilsonville OR 97070

Melissa Hayden  
Security Signs  
2424 SE Holgate Blvd.  
Portland OR 97202

Daniel Drake  
LRS Architects  
720 NW Davis St. #300  
Portland OR 97209

Jerry Jones  
Lanphere Enterprises, Inc.  
9155 SW Boeckman Rd  
Wilsonville Or 97070

Glenna Harris  
Whipper Snippers  
29585 SW Park Place Suite G  
Wilsonville Or 97070

Michael Harris  
Snap Fitness  
3215 NW Sparks Ave  
Albany OR 97321

Michael Harris  
Snap Fitness  
1980 Madras St. SE #1098  
Salem OR 97306

Scott Starr  
28750 SW Cascade Loop  
Wilsonville OR 97070

Susan Myers  
29100 SW Town Center Loop  
Wilsonville OR 97070

Art Smith  
Ron Tonkin Gran Turismo  
203 NE 122<sup>nd</sup> Ave  
Portland OR 97230

**CITY OF WILSONVILLE  
CITY COUNCIL  
NOTICE OF PUBLIC HEARING**

**PUBLIC NOTICE** is hereby given that the Wilsonville City Council will conduct a public hearing on **MONDAY, JUNE 4, 2012**, beginning at 7 p.m. at City Hall, 29799 SW Town Center Loop, Wilsonville, Oregon.

The purpose of this public hearing is to consider public testimony on

Amendments to the Wilsonville Planning and Land Development Ordinance **Section 4.156:Sign Code Regulations** in order to improve efficiency and consistency in administration and application of Wilsonville's sign regulations while maintaining a high quality visual environment.

Copies may be obtained at a cost of 25 cents per page, at City Hall or by calling the City Recorder at 503-570-1506 and requesting a copy to be mailed to you.

Specific suggestions or questions concerning the proposed ordinance may be directed to Dan Pauley, 503-682-4960 or [Pauley@ci.wilsonville.or.us](mailto:Pauley@ci.wilsonville.or.us). Public testimony, both oral and written will be accepted at the public hearing. Written statements are encouraged and may be submitted to Sandra C. King, MMC, City Recorder, 29799 SW Town Center Loop East, Wilsonville, OR 97070.

Assistive listening devices are available for persons with impaired hearing and can be scheduled for this meeting. The City will endeavor to provide qualified sign language interpreters without cost if requested at least 48 hours prior to the meeting. To obtain such services call the office of the City Recorder at 503-570-1506.

Published in the Wilsonville Spokesman May 22 and 29, 2012.



**CITY OF WILSONVILLE  
PLANNING COMMISSION**

**NOTICE OF PUBLIC HEARING**

**THIS IS TO NOTIFY YOU THAT THE CITY OF WILSONVILLE HAS PROPOSED A LAND USE REGULATION THAT MAY AFFECT THE PERMISSIBLE USES OF YOUR PROPERTY AND OTHER PROPERTIES.**

Notice is hereby given that the **WILSONVILLE PLANNING COMMISSION** will hold a **PUBLIC HEARING** on:

Wednesday, April 11, 2012, at 6:00 p.m.

Wilsonville City Hall,  
29799 SW Town Center Loop East,  
Wilsonville Oregon, 97070  
Clackamas County, Oregon

**Applicant:**

City of Wilsonville

**Proposal and Summary of Case File # LP12-0001:**

**LP12-0001** –Amendments to the Wilsonville Planning and Land Development Ordinance Section 4.156: Sign Regulations in order to improve efficiency and consistency in administration and application of Wilsonville’s sign regulations while maintaining a high quality visual environment.

*The Planning Commission action is in the form of a recommendation to the City Council.*

**Who is Affected:**

The proposed revisions apply to chiefly to current and future commercial, industrial, and public facility development. Aspects of the proposed provisions apply as well to current and future single-family residential subdivisions, as a whole, and current and future multi-family residential development.

**Key Provisions:**

- More concise and positive sign code purpose statement and objectives
- Establish a clear sign measurement method that balances ease of administration and use with including too much “empty space” in the calculation
- Clarify the difference between architecture and signs
- Increase authority of city staff to review sign applications that have historically been routine and non-controversial
- Clarify what the Development Review Board needs to consider in granting a waiver to sign regulations
- Remove the majority of special regulations for the PDC-TC Zone

- Separate the allowance for building signs and freestanding signs to allow a more consistent allowance of freestanding signs throughout the City
- Establish new methods to calculate the maximum allowed height and area for freestanding and building mounted signs for commercial, industrial, and public uses.
- Base building sign allowances on the building elevation of individual tenant spaces rather than per lot.
- Consolidate and simplify sign allowances for residential subdivisions and multi-family developments.
- Update regulations for temporary signs for special events to consolidate language and be consistent with other regulations adopted by the City.
- Clarify the allowance for semi-static digital signs and add specific requirements for this type of sign.

The City of Wilsonville has determined that adoption of this Ordinance may affect the permissible uses of your property, and other properties in the affected zones, and may change the value of your property.

**Criteria:**

Statewide Land Use Goals: 1: Citizen Involvement,

Wilsonville Comprehensive Plan:

Section A: Citizen Involvement, Goal 1.1, Policy 1.1.1, Implementation Measures 1.1.1a, 1.1.1.e, 1.1.1.f, 1.1.1.g, 1.1.1.h.; Goal 1.2, Policy 1.2.1, Policy 1.3, Implementation Measure 1.3.1.b, Goal 4.1, Section D: Land Use and Development, Goal 4.1, Policy 4.1.1, Implementation Measures 4.1.1.c, 4.1.1.d, 4.1.1.h, 4.1.1.n, Policy 4.1.2, Implementation Measures: 4.1.2.a, 4.1.2.d, 4.1.2.g, 4.1.2.i, Policy 4.1.3, Implementation Measures 4.1.3.a, 4.1.3.b, 4.1.3.d, Policy 4.1.4, Implementation Measures 4.1.4.c, 4.1.4.t, Policy 4.1.5, Implementation Measures 4.1.5.ii, 4.1.5.mm.

Land Use and Development Code:

4.197 Zone changes and Amendments to the Code - Procedures

**Contact Person:**

Daniel Pauly, [Pauly@ci.wilsonville.or.us](mailto:Pauly@ci.wilsonville.or.us), (503) 682-4960

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**How to Submit Comments:**

Oral and written public testimony regarding this matter will be accepted at the hearings. Written statements are encouraged and may be submitted prior to each hearing date. **Mail written statements to: 29799 SW Town Center Loop E, Wilsonville, OR 97070 or email them to [pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us).**

Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting. The City will also endeavor to provide qualified sign language interpreters and/or bilingual interpreters, without cost, if requested at least 48 hours prior to the meeting. To obtain such services, please call Linda Straessle, Planning Administrative Assistant at (503) 682-4960.

Sign Code Notice

First	Last	Company	Address	City	State	Zip	Email
Sheryl	Byer		29755 SW Montebello	Wilsonville	OR	97070	
Doris	Wehler		6855 SW Boeckman Rd.	Wilsonville	OR	97070	<a href="mailto:daweher@gmail.com">daweher@gmail.com</a>
Theonie	Gilmore		PO Box 861	Wilsonville	OR	97070	<a href="mailto:Theonie@wilsonvillearts.org">Theonie@wilsonvillearts.org</a>
Mark	Pruitt	Professional Sign and Graphics	8593 SW Main, Suite 400	Wilsonville	OR	97070	<a href="mailto:mpruitt@thesignpros.com">mpruitt@thesignpros.com</a>
Melissa	Hayden	Security Signs	2424 SE Holgate Blvd	Portland	OR	97202	<a href="mailto:melissa@securitysigns.com">melissa@securitysigns.com</a>
Daniel	Drake	LRS Architects	720 NW Davis St., Ste 300	Portland	OR	97209	<a href="mailto:ddrake@lrsarchitects.com">ddrake@lrsarchitects.com</a>
Jerry	Jones	Lanphere Enterprises, Inc	9155 SW Boeckman Rd	Wilsonville	OR	97070	<a href="mailto:jjones@BuyBob.com">jjones@BuyBob.com</a>
Glenna	Harris	Whipper Snippers	29585 SW Park Place, Ste G	Wilsonville	OR	97070	
Michael	Harris	Snap Fitness	3215 NW Sparks Avenue	Albany	OR	97321	<a href="mailto:Michaelharris000@yahoo.com">Michaelharris000@yahoo.com</a>
Michael	Harris	Snap Fitness	1980 Madras St. SE, #1098	Salem	OR	97306	
Scott	Starr		28750 SW Cascade Loop	Wilsonville	OR	97070	
Susan	Myers		29100 SW Town Center Loop	Wilsonville	OR	97070	<a href="mailto:SusanMyers@Canby.com">SusanMyers@Canby.com</a>
Art	Smith	Ron Tonkin Gran Turismo	203 NE 122nd Avenue	Portland	OR	97230	<a href="mailto:asmith@tonkin.com">asmith@tonkin.com</a>

King, Sandy

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**From:** King, Sandy  
**Sent:** Monday, May 21, 2012 3:42 PM  
**To:** SPOKESMAN LEGAL AD - Kim Maher  
**Subject:** Public Hearing Notice sign code amendments  
**Attachments:** Sign Code Amendments 2012 mailing notice.pdf

Please publish the attached public hearing notice in the May 29, 2012 edition of the Wilsonville Spokesman and send proof of publication. Many thanks.

Sandra C. King, MMC  
City Recorder  
City of Wilsonville  
503-570-1506

**PUBLIC RECORDS LAW DISCLOSURE:** Messages to and from this e-mail address is a public record of the City of Wilsonville and may be subject to public disclosure. This e-mail is subject to the State Retention Schedule.





**CITY OF WILSONVILLE  
CITY COUNCIL**

**NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE is hereby given that the Wilsonville City Council will hold a **PUBLIC HEARING** on: **Monday, June 4, 2012, at 7:00 p.m.** at Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Clackamas County, OR 97070

Applicant: City of Wilsonville

**Proposal and Summary of Case File # LP12-0001:**

Amendments to the Wilsonville Planning and Land Development Ordinance Section 4.156: Sign Regulations in order to improve efficiency and consistency in administration and application of Wilsonville's sign regulations while maintaining a high quality visual environment.

**Who is Affected:**

The proposed revisions apply to chiefly to current and future commercial, industrial, and public facility development. Aspects of the proposed provisions apply as well to current and future single-family residential subdivisions, as a whole, and current and future multi-family residential development.

**Key Provisions:**

- More concise and positive sign code purpose statement and objectives
- Establish a clear sign measurement method that balances ease of administration and use with including too much "empty space" in the calculation
- Clarify the difference between architecture and signs
- Increase authority of city staff to review sign applications that have historically been routine and non-controversial
- Clarify what the Development Review Board needs to consider in granting a waiver to sign regulations
- Remove the majority of special regulations for the PDC-TC Zone
- Separate the allowance for building signs and freestanding signs to allow a more consistent allowance of freestanding signs throughout the City
- Establish new methods to calculate the maximum allowed height and area for freestanding and building mounted signs for commercial, industrial, and public uses.
- Base building sign allowances on the building elevation of individual tenant spaces rather than per lot.
- Consolidate and simplify sign allowances for residential subdivisions and multi-family developments.
- Update regulations for temporary signs for special events to consolidate language and be consistent with other regulations adopted by the City.
- Clarify the allowance for semi-static digital signs and add specific requirements for this type of sign.

## Criteria:

Statewide Land Use Goals: 1: Citizen Involvement,

### Wilsonville Comprehensive Plan:

Section A: Citizen Involvement, Goal 1.1, Policy 1.1.1, Implementation Measures 1.1.1a, 1.1.1e, 1.1.1f, 1.1.1g, 1.1.1 h.; Goal 1.2, Policy 1.2.1, Policy 1.3, Implementation Measure 1.3.1.b, Goal 4.1, Section D: Land Use and Development, Goal 4.1, Policy 4.1.1, Implementation Measures 4.1.1.c, 4.1.1.d, 4.1.1.h, 4.1.1.n, Policy 4.1.2, Implementation Measures: 4.1.2.a, 4.1.2.d, 4.1.2.g, 4.1.2.i, Policy 4.1.3, Implementation Measures 4.1.3.a, 4.1.3.b, 4.1.3.d, Policy 4.1.4, Implementation Measures 4.1.4.c, 4.1.4.t, Policy 4.1.5, Implementation Measures 4.1.5.ii, 4.1.5.mm.

### Land Use and Development Code:

4.197 Zone changes and Amendments to the Code - Procedures

**Contact Person:** Daniel Pauly, [Pauly@ci.wilsonville.or.us](mailto:Pauly@ci.wilsonville.or.us), (503) 682-4960

### **How to Obtain Copies:**

Copies of the approval criteria and proposed development code amendments are available from the Wilsonville Planning Division, located at 29799 SW Town Center Loop East, and may be purchased at the cost of twenty-five cents per page. A complete copy of the relevant file information, including the staff report and recommendations, will be available for inspection seven days prior to each public hearing. Copies will also be available for review at the Wilsonville Public Library. The staff report will be posted on the City web site one week prior to the hearing at [www.ci.wilsonville.or.us](http://www.ci.wilsonville.or.us). All testimony and evidence shall be directed to the applicable criteria, or the person providing testimony shall state which other criteria is believed to apply to this proposal.

### **How to Submit Comments:**

Oral and written public testimony regarding this matter will be accepted at the hearings. Written statements are encouraged and may be submitted prior to each hearing date. **Mail written statements to: 29799 SW Town Center Loop E, Wilsonville, OR 97070 or email them to [pauly@ci.wilsonville.or.us](mailto:pauly@ci.wilsonville.or.us).**

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## COMMUNITY DEVELOPMENT MONTHLY REPORT

May 24, 2012

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### PLANNING ACTIVITY

- Transportation Systems Plan: Proposed solutions to System gaps and deficiencies are being developed for the 2nd CC/PC joint work session in April.
- Basalt Creek Area: Council and staff working with Washington County, Tualatin, Metro, and ODOT on transportation options. Meetings scheduled in March, 2012.
- Sign Code Amendments: During a public hearing on April 11<sup>th</sup>, the Planning Commission unanimously recommended approval of updates to Wilsonville's sign code to the City Council. This was the compilation of seven Planning Commission work sessions and many other efforts by the Commission, the Chamber of Commerce, city staff and citizens. The recommended updates focus on improving efficiency and consistency in administration and application of Wilsonville's sign code while maintaining a high quality visual environment. A worksession is scheduled for May 21<sup>st</sup> with the public hearing planned for June 4<sup>th</sup>.
- Brenchley Estates: ("Jory Trail at the Grove") Phase 2 application, with 359 apartments and 39 single-family homes, was approved by the DRB and the Zone Map Amendment is scheduled for the May 7<sup>th</sup> City Council meeting.
- Cooper Creek Subdivision: at Canyon Creek Road next to the Xerox campus comprising 21-lots for detached single-family houses was approved at the April 23<sup>rd</sup> Panel B, DRB meeting.

### CAPITAL PROJECT UPDATE

- WWTP DBO: 100% Design drawings complete. Tree removal complete. Demolition/construction has begun in earnest.
- SMART Admin/Fleet: Concrete tilt up walls are in place and roof is going on. Excavation for the office portion of the building will begin shortly.
- 95<sup>th</sup>-Boones Ferry Road: Construction has begun at the intersection; the majority of this work will occur at night.
- I-5/Wilsonville Rd: Installation of the artwork tiles is beginning on 5/22/12.

### PRIVATE DEVELOPMENT UPDATE

- Willamette Landing: Staff is reviewing plans for this 33-lot subdivision on the Willamette.
- Copper Creek: Staff is reviewing plans for this 21 lot subdivision on Canyon Creek Road North.
- Villebois South PDP 5 – Polygon NW: Staff is reviewing plans for this 27-lot subdivision on the west side of Villebois.
- Villebois Lowrie's Primary: Staff is working with the school district in establishing school zone signage and crosswalks, and developing safe routes to school.

## **BUILDING ACTIVITY**

- Developments under construction are:
  - The Bell Tower (Building G, Old Town Square) - residential
  - Villebois homes by Arbor, Polygon, and Legend
  - Oregon Institute of Technology
  - New Fleet Building
  - Boone Building (Boones Ferry Road)
  - Wilsonville Business Center at Wilsonville Road/Kinsman Rd.
  - Jory Trail at the Grove, Phase 1, apartments (formerly Brenchley Estates)
  - Lowrie Elementary School
  - Mentor Graphics Data Center

## **ENVIRONMENTAL PERMITS/MITIGATION WORK**

- Working through permit issues for Morey's Landing and Rivergreen HOA's.
- Barber Road permit submission is complete for starting design on this road from Commuter Rail Station to the east edge of the Villebois Development.

## **ECONOMIC DEVELOPMENT**

- The Economic Development Summit is scheduled for May 31<sup>st</sup>. The Advisory Committee has met three times and Focus Group meetings have occurred.

## **REAL ESTATE ACTIVITY AND GRANTS**

- Bids were open for Englemen Park on May 10, 2012. JP Contractors was the lowest responsible bid. Bid award will be on May 21<sup>st</sup>.



### WERK Day

311 volunteers came out for the City's 12th annual WERK Day and worked on five different sites in Memorial Park. The Wilsonville Rotary, Wendy's, two Wilsonville Starbucks locations, and the Family Fun Center contributed giveaways that included free breakfast and lunch. Many of the event sponsors have been on board since the inaugural event which says a lot about their commitment to support volunteer efforts and the City's parks.

Patty Brescia coordinated the event, while Matt Baker of Public Works headed up the site coordinators. "This year's WERK Day was one of our best ever!" said Matt, who led a group of volunteers who worked on maintaining trails in Memorial Park. "It looked like we had a whole new trail system."

According to Matt Baker and Kerry Rappold, the work accomplished helps take some large projects off the work list for the Public Works crew. This year, the volunteers focused on placing wood chips on paths at the Community Garden, rocking trails in Memorial Park and removing more than five acres of invasive ivy from the trees in the park.



### Programs Update

#### Fitness in the Park

Get your workout in while you enjoy the beauty of Murase Plaza. Tai Chi/Qigong in the park will begin on 6/11, and meet every Monday and Thursday until 8/22 from 10:00-11:00 am. Chuck Smith will lead participants in gentle Qigong warm-ups and then teach the Yang 24 Tai Chi form. Tai Chi can improve balance while creating a sense of relaxation and wellbeing. There is no charge for this class and all are welcome. Please meet at the base of the hill east of the water feature.

#### Health and Wellness Clinics at the Center

The Community Center's adults 55+ program includes a variety of clinics and support groups:

##### Support Groups

Alzheimer's Caregiver group  
Healthy Changes Diabetic group  
Take off Pounds Sensibly (TOPS)

##### Clinics

Acupuncture  
Blood Pressure  
Foot Care  
Hearing Aid  
Legal Advice  
Massage Therapy



# Community Services Department

## Mother Son Dance

61 Mothers and Sons attended the 3rd annual Mother Son Dance on Friday May 4th at the Stein Boozier Barn. Country attire was in full effect and a dj was on hand to play a variety of music and get the moms and kids moving! Kids decorated their own cookies at a station located in the newly remodled animal pens and a variety of prizes were given away throughout the night.



## Upcoming Events

### Movies in the Park



July 20th

All movies are FREE and will be shown on an inflatable BIG SCREEN at the River Shelter in Memorial Park.

Be sure to bring a blanket to sit on.

Popcorn, candy, drinks & other eats available for purchase.



July 27th

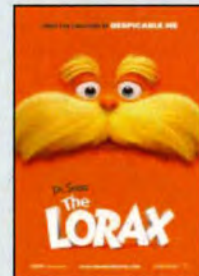
### Fridays - This Summer!



August 3rd

Lawn Opens at 8:15 PM  
Movies Starts at Dusk

Brought to you by:



August 24th



**WILSONVILLE  
PUBLIC WORKS DEPARTMENT  
City Council Report, May 21, 2012**

**PUBLIC WORKS ADMINISTRATION**

**National Public Works Week**

This past Saturday, May 19, Public Works kicked off the City of Wilsonville's 2012 National Public Works Week Celebration with this year's theme; "Creating a Lasting Impression" with a community barbecue and equipment display in the Fred Meyer parking lot. Through the efforts of City Public Works Staff and our contractor partners Veolia Water North America and CH2M Hill the event was an enormous success. There were 320 hot dogs served along with apples, chips and, of course, Wilsonville's fine drinking water.

The Fred Meyer store was very helpful and asked us to return again next year. A big "Thank you" should go out to their management and staff for helping make this event popular and successful.

We in Public Works believe everyone who participated in this event left a lasting impression including our professional Public Works staff, our partner contractors and our customers, the citizens of Wilsonville.





## WERK Day

This year on Saturday, May 12 another successful W.E.R.K. Day was held. There were 311 very helpful citizens who signed up to work for their community on this beautiful spring day. Citizens of all kinds, participated in this unique Wilsonville event. "Why is this event uniquely Wilsonville's?" you may ask. Because for the past 12 years and from the beginning of this community cleanup event, Wilsonville citizens have stepped forward to serve with the largest per capita participation, as compared to similar events in Oregon. The Rotary Club has come, once again with food and griddle in-hand and served up a delicious omelette breakfast, with all the trimmings, for WERK Day participants. Hooray for the Rotary!

Wilsonville has also been partnering with Stop Oregon Litter and Vandalism (SOLV) over these past, many years and a great environmental partnership has emerged with constant numbers like this every year;

- 15 yards of wood chips at the Community Garden
- 15 yards of sandy loam between the Dog Park and the outfields
- 82 yards of rock installed on the trail system
- Approximately eight yards of invasive weed removal between the orchard site and the 3-Bay site
- And a small amount of hand weed-pulling at the raised beds in the garden.

With the amount of community labor provided for a total of 1,244 hours this would equal more than one half of a full time staff person for one full year doing the same tasks. Congratulations to our Citizens for making us unique!





## ROADS & STORM WATER MAINTENANCE

### Right of Way Maintenance

Spring is finally here and along with it came the weeds and grass. They seem to be growing like crazy this year. The Roads crew has been busy mowing, pulling and spraying weeds and grass in the streets right-of-ways. Along with all the weeding and mowing the trees and shrubs are putting on their new growth which can cause a lot of sight distance problems. So as you drive around town and see our crews working in the right-of-ways please give us a little more space to help keep us safe. Thank you!



### Queen of the High Road

The City of Wilsonville Public Works Department's Administrative Specialist Gail Parent, has been key in helping the Adopt-a-Road program be successful. Last month Gail was crowned "Queen of the High Road" by the Adopt-a-Road program's group "Sole Sisters" and awarded a tiara for going above and beyond their expectations of customer service.



Gail has worked for the City for twenty years. She started out as the City Hall Receptionist, and then was added as the Utility Billing Clerk for her first three years, she was then promoted to her current position in Public Works as their sole support staff as an Administrative Specialist, where she's been for the past 17 years. Recently, her contributions have allowed the Adopt-a-Road program to expand and develop into a more successful community program. In the past six months the program has grown by 100% !! As a result, the program has recruited approximately 20 new participants and filled all available road sections!

The Adopt-a-Road program allows citizens and businesses to adopt a section of roadway and clean the adopted section quarterly. With the public volunteer's hard work this year, 500 hours have been spent cleaning 40 sections (approximately 20 miles) of roadway and removing 50 yards of trash and debris, which has improved the overall cleanliness and appearance of the community. Thanks to Gail and program volunteers, the City of Wilsonville is an enjoyable place to both work and live.



## WATER DISTRIBUTION

### Waterline Replacement Mariners Drive

A two inch galvanized waterline that serves several residences on Mariners Drive is in the process of being replaced, this line has been repaired previously and was leaking again, in a different location, and the blow-off valve also was non-functional. A design was created in-house by the Engineering Division to replace the line with a four inch ductictle iron line. The picture here shows the new meter vault being placed, which will allow the new meters to be set and a connection made.



### Annual Flushing Program

The Water Distribution crew is nearly midway thru the annual distribution system flushing program as the entire system east of the freeway and north of the river is complete. To date 169 fire hydrants have been flushed and 51 blow-off valves were also flushed requiring 553,000 gallons of water. One fire hydrant was found to be inoperable and was repaired. Two hydrants were found hard to operate and will be scheduled for service. The crew also installed or replaced a total of 84 "blue dot" fire hydrant markers.



### Bulk Water Program

Public Works maintains a program to control and track water usage from fire hydrants by contractors or other users. Users are required to obtain a bulk water meter and a valve to be placed on the hydrant, where a deposit is required for the equipment. A permit is issued with quarterly billings for the water used. At the present time there are 25 permits issued and active. Our street sweeper is issued a trip permit for which no meter is issued, but they report their usage on their invoices to the City.



Bryan



City of

**WILSONVILLE**

in OREGON

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## **MEMORANDUM**

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Date: April 30, 2012

To: Honorable Mayor, City Council and Budget Committee

From: Cathy Rodocker, Assistant Finance Director

Subject: March 2012 Financial Report

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Attached please find the quarterly financial report for the period ending March 31, 2012. The report summarizes the year-to-date activity for each operating fund, major capital projects and investments.

Finance continues to monitor the Transit and Community Development funds:

**Transit:** Transit tax receipts are on target at 75% of budget. Grants are lower than anticipated bringing the overall operating revenues collected at 71%. Grant revenues are typically received at the year end and if not received, the corresponding equipment purchases will not be made.

**Community Development:** Permit revenue is at 90% of the budget and more permits are expected to be issued within the next few months. Interfund transfers, the revenue CD receives for managing our CIP program are slightly lower than anticipated but will be offset by the expenditures that are coming in significantly lower than budget.

Overall, all operating funds are on target to end the fiscal year within their approved budgets. While the stormwater operating fund will continue to struggle, recent rate increases approved by the Council will alleviate the financial issues in the long term.

The City's investment portfolio continues to be much larger than it has been in the past due to the addition of sewer bond proceeds. Unfortunately, historically low interest rates continue to disappoint our investment returns.

Please give me a call if you have any questions regarding the attached report.  
(503)570-1524.

## CITY OF WILSONVILLE

### 3rd Quarter: Ending March 31, 2012

The 3rd quarter financial report provides an overview of financial activity that has occurred through March 31st. This report provides a comparison of budget to actual activity of the revenues and expenditures for all operating funds. A listing of capital projects with expenditures exceeding \$100,000 is also included as well as the quarterly investment report detailing the City's year-to-date investment portfolio activity.

#### Budget Transfers/Adjustments:

The first budget adjustment for the fiscal year was approved by Council on October 17<sup>th</sup>. Detailed information regarding the budget transfers/adjustments are noted after the key variance section for each fund.

In December, Council agreed to the City Manager's recommendation for budget reductions that will be achieved over the next two fiscal years. The reductions by budget category are noted at the end of each fund's narration.

## General Fund

### REVENUES:

As of March 31<sup>st</sup>, the General Fund has received 78% of its projected operating revenues and 91% of total revenues. As typical for the third quarter, the majority of franchise fees and the Library District funds were received. Please refer to the Key Revenue Sources section below for more details.

General Fund	Budget	Budget Adjustment	Revised Budget	YTD Actual	Percent
<b>Revenues</b>					
Beginning Fund Balance	\$ 13,060,833	\$ -	\$ 13,060,833	\$ 13,494,587	103%
Property taxes	5,235,000	-	5,235,000	4,634,844	89%
Transient tax	220,000	-	220,000	163,051	74%
Licenses and franchise fees	2,938,100	-	2,938,100	2,072,835	71%
Intergovernmental	1,430,000	17,500	1,447,500	1,241,095	86%
Charges for service	373,900	-	373,900	323,545	87%
Fines & forfeitures	400,000	-	400,000	323,659	81%
Interest earnings	57,000	-	57,000	88,957	156%
Miscellaneous	140,250	-	140,250	143,272	102%
Interfund transfers					
Overhead/Direct Wages	2,161,110	23,600	2,184,710	1,227,071	56%
Potential delay of CIP overhead	120,482	-	120,482	-	0%
<b>Total Operating Revenues</b>	<b>13,075,842</b>	<b>41,100</b>	<b>13,116,942</b>	<b>10,218,329</b>	<b>78%</b>
<b>Total Revenues</b>	<b>\$ 26,136,675</b>	<b>\$ 41,100</b>	<b>\$ 26,177,775</b>	<b>\$ 23,712,916</b>	<b>91%</b>

#### Key Revenue Sources:

**Property tax:** The estimated quarterly collections for property taxes are: 3% of the total in the first quarter, a cumulative 90% received at the end of the third quarter, and 98% collected by the end of the third.

**Licenses and franchise fees:** Business licenses are primarily collected in the first quarter while the majority of franchise fees are collected during the third quarter.

**Intergovernmental:** Intergovernmental revenues include state shared revenue, alcoholic beverage, cigarette taxes, County support to the Library and operating grants and are received throughout the fiscal year.

**Charges for services:** This category includes reimbursement from the Urban Renewal Funds for the support provided by the General Fund. In addition, revenues for services provided by the Library, Community Service and Parks department are also included. This type of revenue is typically collected quarterly.



**Interfund transfers:** For the General Fund, the revenue generated from interfund transfers include direct wages reimbursements for services provided to other funds as well as overhead revenues from capital improvement projects. Based on historical percentages of actual capital improvement projects earned overhead revenue, a separate line item has been identified as a potential delay of CIP overhead revenue.

**EXPENDITURES:**

Year to date activity has the General Fund expending 65% of its appropriations for fiscal year 2012. The table below details the expenditures by program.

General Fund	Budget	Budget Adjustment	Revised Budget	YTD Actual	Percent
<b>Expenditures</b>					
Administration	\$ 1,311,998	\$ 35,000	\$ 1,346,998	\$ 894,806	66%
Finance	1,370,024	-	1,370,024	888,301	65%
Information Services	602,460	-	602,460	418,524	69%
GIS Program	217,880	-	217,880	152,979	70%
Legal	490,340	-	490,340	314,188	64%
HR/Risk Management	609,655	-	609,655	348,865	57%
Law Enforcement	3,836,670	-	3,836,670	2,691,552	70%
Municipal Court	207,700	-	207,700	133,436	64%
Public Works Administration	713,825	-	713,825	341,761	48%
Building Maintenance	694,937	17,500	712,437	465,241	65%
Parks Maintenance	1,004,765	-	1,004,765	633,028	63%
Community Services	1,008,580	-	1,008,580	660,439	65%
Library	1,512,895	-	1,512,895	1,063,144	70%
Interfund Transfers-Planning Subsidy	200,000	-	200,000	150,003	75%
Interfund Transfers-Capital Projects	290,000	-	290,000	6,570	2%
<b>Total Operating Expenditures</b>	<b>\$ 14,071,729</b>	<b>\$ 52,500</b>	<b>\$ 14,124,229</b>	<b>\$ 9,162,840</b>	<b>65%</b>

**Key Variances:** There are no key variances for the General Fund.

<b>Budget Amendment #1, Approved October 2011</b>			
<b>Revenues:</b>			
Interfund Transfers	\$ 23,600	Increase CIP overhead revenues	
Intergovernmental Revenues	\$ 17,500	Energy Trust/CDBG grants - Library lighting improvements	
<b>Expenses:</b>			
Administration	\$ 35,000	Increase PEG capital expenditures	
Building Maintenance	17,500	Installation of the Library lighting improvements	

**Budget Reductions:**

In December 2011, City Council approved budget reductions to be recognized over the next twelve months, spanning both FY2012 and FY2013. Overall, the General Fund program reductions include:

Personal Services: \$142,500  
 Material and Services: \$166,680

## Community Development

### REVENUES:

As compared to the budget, the operating revenues reported year-to-date for the Community Development is at 65% for operating revenues and at 81% for total revenues.

Community Development	Budget	Budget Adjustment	Revised Budget	YTD Actual	Percent
<b>Revenues</b>					
Beginning Fund Balance	\$ 2,670,901	\$ -	\$ 2,670,901	\$ 2,966,192	111%
Permits	1,510,186	-	1,510,186	1,355,713	90%
Intergovernmental	18,000	-	18,000	-	0%
Charges for service	859,500	-	859,500	691,633	80%
Interest earnings	16,000	-	16,000	15,175	95%
Miscellaneous	1,000	-	1,000	925	0%
Interfund transfers					
Overhead/Direct Wages	1,749,284	141,600	1,890,884	1,233,495	65%
Potential delay of CIP overhead	768,107	-	768,107	-	0%
Total Operating Revenues	4,922,077	141,600	5,063,677	3,296,941	65%
Total Revenues	\$ 7,592,978	\$ 141,600	\$ 7,734,578	6,263,133	81%

### Key Revenue Sources:

**Permits:** Permit fees continue to exceeding expectations at this point in the fiscal year due primarily to commercial and multi-family construction projects.

**Interfund transfers:** For the Community Development Fund, the revenue generated from interfund transfers include direct wages reimbursements for services provided to other funds as well as overhead revenues from capital improvement projects. Based on historical percentages of actual capital improvement projects earned overhead revenue, a separate line item has been identified as a potential delay of CIP overhead revenue.

### EXPENDITURES:

Through the third quarter, the Community Development Fund has expended 61% of its appropriations for the fiscal year. The table below details the expenditures by program.

Community Development	Budget	Budget Adjustment	Revised Budget	YTD Actual	Percent
<b>Expenditures</b>					
Community Development Admin	\$ 1,023,350	\$ -	\$ 1,023,350	\$ 714,520	70%
Engineering	1,449,170	-	1,449,170	779,988	54%
Building	628,280	-	628,280	398,744	63%
Planning	811,810	-	811,810	500,290	62%
Storm Water Administration	375,240	-	375,240	222,603	59%
Interfund Transfers	222,100	-	222,100	122,794	55%
Total Operating Expenditures	\$ 4,509,950	\$ -	\$ 4,509,950	\$ 2,738,939	61%

**Key Variances:** There are no key variances for Community Development.

### Budget Amendment #1, Approved October 2011

#### Revenues:

Interfund Transfers	\$ 141,600	Increase CIP overhead revenues
---------------------	------------	--------------------------------



**Budget Reductions:**

In December 2011, City Council approved budget reductions to be recognized over the next twelve months, spanning both FY2012 and FY2013. Overall, the Community Development program reductions include:

Personal Services: \$90,000  
Material and Services: \$16,000

**URBAN RENEWAL:**

Urban Renewal	Budget	Budget Adjustment	Revised Budget	YTD Actual	Percent
<b>East Side Urban Renewal</b>					
Material and Services	\$ 580,170	\$ -	\$ 580,170	\$ 383,685	66%
Capital Projects	2,317,000	25,000	2,342,000	2,348,353	100%
Contingency	893,141	(25,000)	868,141	-	0%
Total Operating Expenditures	3,790,311	-	3,790,311	2,732,038	72%
<b>West Side Urban Renewal</b>					
Material and Services	476,490	-	476,490	316,256	66%
Capital Projects	-	-	-	26,057	0%
Contingency	112,469	-	112,469	-	0%
Total Operating Expenditures	588,959	-	588,959	342,313	58%

**Key Variances:** The West Side Urban Renewal program capital projects line item is over its current project due to the Boeckman Rd Geotechnical Project. The project costs are currently under review and a budget adjustment will be requested in June.

The salaries directly associated with the Urban Renewal Program are included in the Community Development Administration program expenditures.

**Budget Amendment #1, Approved October 2011****Urban Renewal: Year 2000 Capital Project Fund****Expenses:**

Capital Outlay \$ 25,000 Proj #4179-Boeckman Rd Dip Pedestrian Improvements

**Transit Fund**

During the first three quarters of FY12, the Transit Fund has received 71% of its projected operating revenues and 77% of total revenues. The Transit Fund has expended 66% of its appropriations for the fiscal year.

Transit	Budget	Budget Adjustment	Revised Budget	YTD Actual	Percent
<b>Revenues</b>					
Beginning Fund Balance	\$ 1,904,000	\$ -	\$ 1,904,000	\$ 1,763,609	93%
Transit tax	4,100,000	-	4,100,000	3,079,098	75%
Intergovernmental	931,160	-	931,160	301,176	32%
Farebox revenue	145,400	-	145,400	120,478	83%
Interest earnings	15,000	-	15,000	9,860	66%
Miscellaneous	460,000	-	460,000	528,186	115%
Total Operating Revenues	5,651,560	-	5,651,560	4,038,798	71%
Total Revenues	\$ 7,555,560	\$ -	\$ 7,555,560	5,802,407	77%
\$ 11,929,210					
<b>Expenditures</b>					
Transit	\$ 4,750,190	\$ -	\$ 4,750,190	\$ 3,427,133	72%
Interfund transfers	921,560	-	921,560	316,403	34%
Total Operating Expenditures	\$ 5,671,750	\$ -	\$ 5,671,750	\$ 3,743,536	66%

**Key Revenue Sources:**

**Transit Tax:** Transit taxes are collected on a quarterly basis from local businesses for SMART operations. Throughout the year, the revenues are reported on a cash basis. At year-end, an entry is made to recognize the revenues on an accrual basis which matches the revenues earned to the appropriate fiscal year.

**Intergovernmental:** Intergovernmental revenues include federal and state grants received for both operating expenses and capital purchases.

**Farebox Revenue:** All routes outside of the Wilsonville city limits now charge a minimal fare.

**Service Reimbursements:** Service reimbursements are the revenues generated by the Fleet Program for vehicle maintenance and replacement reserve.

**Miscellaneous:** Miscellaneous revenues for FY12 include the sale proceeds from the old Transit Building and insurance proceeds.

**Key Expenditure Variances:**

There are no key expenditure variances for the Transit fund through the first three quarters of FY12.

**Budget Reductions:**

In December 2011, City Council approved budget reductions to be recognized over the next twelve months, spanning both FY2012 and FY2013. Overall, the Transit program reductions include:

Personal Services: \$20,000  
 Material and Services: \$114,500

**Fleet Fund**

During the first three quarters of FY12, the Fleet Fund has received 76% of its projected operating revenues and 65% of total revenues. The Fleet Fund has expended 65% of its appropriations for the fiscal year.

Fleet	Budget	Budget Adjustment	Revised Budget	YTD Actual	Percent
<b>Revenues</b>					
Beginning Fund Balance	\$ 3,240,900	\$ -	\$ 3,240,900	\$ 3,197,849	99%
Interest earnings	20,000	-	20,000	14,628	73%
Miscellaneous	-	-	-	26,294	0%
Service reimbursements	1,247,250	-	1,247,250	918,731	74%
Total Operating Revenues	1,267,250	-	1,267,250	959,653	76%
Total Revenues	\$ 4,508,150	\$ -	\$ 4,508,150	\$ 4,157,502	92%
<b>Expenditures</b>					
Fleet	\$ 1,310,365	\$ -	\$ 1,310,365	\$ 883,169	67%
Interfund transfers	1,652,040	-	1,652,040	1,037,562	63%
Total Operating Expenditures	\$ 2,962,405	\$ -	\$ 2,962,405	\$ 1,920,731	65%

**Key Revenue Sources:**

**Service Reimbursements:** The Fleet Fund receives service reimbursements from the various programs. The reimbursements are based on a three-year rolling average of actuals costs incurred by the program.

**Key Expenditure Variances:**

There are no key expenditure variances for the Fleet fund through the first two quarters of FY12.

**Budget Reductions:**

In December 2011, City Council approved budget reductions to be recognized over the next twelve months, spanning both FY2012 and FY2013. Overall, the Fleet Fund program reductions include:

Personal Services: \$35,000  
 Material and Services: \$26,000

## Public Works Operating Funds

At the completion of the first three quarters of FY12, the Public Works operating funds have met or slightly exceed revenue and expense projections.

<b>Water Operating</b>	<b>Budget</b>	<b>Budget Adjustment</b>	<b>Revised Budget</b>	<b>YTD Actual</b>	<b>Percent</b>
<b>Revenues</b>					
Beginning Fund Balance	\$ 2,006,922	\$ -	\$ 2,006,922	\$ 2,735,372	136%
Total Operating Revenues	6,069,000	120,000	6,189,000	4,595,575	76%
Total Revenues	<u>\$ 8,075,922</u>	<u>\$ 120,000</u>	<u>\$ 8,195,922</u>	<u>7,330,947</u>	<u>91%</u>
<b>Expenditures</b>					
Total Operating Expenditures	6,203,500	120,000	6,323,500	2,972,041	48%
Contingency	1,712,422	-	1,712,422	-	
Ending Balance	160,000	-	160,001	-	
Total Expenditures	<u>\$ 8,075,922</u>	<u>\$ 120,000</u>	<u>\$ 8,195,923</u>	<u>\$ 2,972,041</u>	
<b>Sewer Operating</b>					
<b>Revenues</b>					
Beginning Fund Balance	\$ 6,777,284	\$ -	\$ 6,777,284	\$ 7,497,446	111%
Total Operating Revenues	11,076,216	-	11,076,216	9,400,177	85%
Total Revenues	<u>\$ 17,853,500</u>	<u>\$ -</u>	<u>\$ 17,853,500</u>	<u>16,897,623</u>	<u>95%</u>
<b>Expenditures</b>					
Total Operating Expenditures	\$ 10,419,248	\$ (200,493)	\$ 10,218,755	\$ 7,480,216	72%
Contingency	7,304,252	200,493	7,504,745	-	
Ending Balance	130,000	-	130,000	-	
Total Expenditures	<u>\$ 17,853,500</u>	<u>\$ -</u>	<u>\$ 17,853,500</u>	<u>\$ 7,480,216</u>	
<b>Street Lighting</b>					
<b>Revenues</b>					
Beginning Fund Balance	\$ 592,722	\$ -	\$ 592,722	\$ 681,490	115%
Total Operating Revenues	389,000	-	389,000	284,856	73%
Total Revenues	<u>\$ 981,722</u>	<u>\$ -</u>	<u>\$ 981,722</u>	<u>966,346</u>	<u>98%</u>
<b>Expenditures</b>					
Total Operating Expenditures	350,360	-	350,360	169,804	48%
Contingency	621,362	-	621,362	-	
Ending Balance	389,000	-	389,000	-	
Total Expenditures	<u>\$ 1,360,722</u>	<u>\$ -</u>	<u>\$ 1,360,722</u>	<u>\$ 169,804</u>	
<b>Storm Water</b>					
<b>Revenues</b>					
Beginning Fund Balance	\$ 565,324	\$ -	\$ 565,324	\$ 734,640	130%
Total Operating Revenues	967,000	-	967,000	725,074	75%
Total Revenues	<u>\$ 1,532,324</u>	<u>\$ -</u>	<u>\$ 1,532,324</u>	<u>1,459,714</u>	<u>95%</u>
<b>Expenditures</b>					
Total Operating Expenditures	1,219,761	91,200	1,310,961	812,685	67%
Contingency	272,563	(91,200)	181,363	-	
Ending Balance	40,000	-	40,000	-	
Total Expenditures	<u>\$ 1,532,324</u>	<u>\$ -</u>	<u>\$ 1,532,324</u>	<u>\$ 812,685</u>	
<b>Road Operating</b>					
<b>Revenues</b>					
Beginning Fund Balance	\$ 503,659	\$ -	\$ 503,659	\$ 654,792	130%
Total Operating Revenues	875,600	-	875,600	747,244	85%
Total Revenues	<u>\$ 1,379,259</u>	<u>\$ -</u>	<u>\$ 1,379,259</u>	<u>1,402,036</u>	<u>102%</u>
<b>Expenditures</b>					
Total Operating Expenditures	869,280	-	869,280	604,944	70%
Contingency	479,979	-	479,979	-	
Ending Balance	30,000	-	30,000	-	
Total Expenditures	<u>\$ 1,379,259</u>	<u>\$ -</u>	<u>\$ 1,379,259</u>	<u>\$ 604,944</u>	

## Public Works Operating Funds con't

The Road Maintenance Fund expenditures fund the annual road maintenance program. The maintenance projects are typically completed during the late spring and summer months.

<b>Road Maintenance</b>	<b>Budget</b>	<b>Budget Adjustment</b>	<b>Revised Budget</b>	<b>YTD Actual</b>	<b>Percent</b>
Beginning Fund Balance	\$ 61,295	\$ -	\$ 61,295	\$ 232,585	379%
Total Operating Revenues	621,000	-	621,000	468,194	75%
Total Revenues	<u>\$ 682,295</u>	<u>\$ -</u>	<u>\$ 682,295</u>	<u>700,779</u>	<u>103%</u>
<b>Expenditures</b>					
Total Operating Expenditures	615,510	-	615,510	378,301	61%
Contingency	66,785	-	66,785	-	
Ending Balance	-	-	-	-	
Total Expenditures	<u>\$ 682,295</u>	<u>\$ -</u>	<u>\$ 682,295</u>	<u>\$ 378,301</u>	

## CAPITAL PROJECTS

Of the \$32 million capital project budget (including overhead), \$14.9 million has been spent during the first three quarters of the fiscal year. The following list of projects has incurred over \$100,000 in costs through March 31st. The total expenditure amount excludes encumbrances.

Proj #	Project Name	FY12 Budget	FY12 Expenditures	Funding Source	Status
1065	West Side Level B Reservoir Site	\$ 855,000	\$ 146,588	Water SDC	On-going
1082	Comprehensive Water System Master Plan	\$ 199,500	\$ 150,678	Water SDC's	On-going
1105	Tooze Rd 18" Waterline & Vault	703,152	604,148	Water SDC's/City of Sherwood	On-going
2077	Coffee Lake Dr Sewer Improvements	720,480	678,065	Sewer SDC's/Developer's Contributions	On-going
2082	WWTP Rehabilitation Project	9,348,000	6,494,843	Bond Proceeds	On-going
4002	Wilsonville Rd Interchange	4,254,000	3,759,839	Streets Special SDC's/ East Side Urban Renewal	On-going
4014	Road Maintenance Projects <sup>1</sup>	691,800	455,101	Road Maintenance Fees	On-going
4152	Wilsonville Rd Art Enhancement Project	400,000	380,042	Urban Renewal	On-going
7012	Rivergreen Drainage	205,200	258,111	Stormwater Operating	On-going
8083	SMART Ops Facility	4,100,000	1,110,350	Fleet, Transit, Federal Grant	On-going

<sup>1</sup> Road Maintenance Projects include grind/overlay, dig outs, and crack sealing projects completed in the following locations: Wilsonville Road, Town Center Loop, Parkway Ave, Boones Ferry Rd., Rose Lane, Canyon Creek, Montgomery Way, Kolbe Lane, Schroeder Way, Ellingsen Rd., Boeckman Rd., Lakeside Drive.

## INVESTMENTS:

While investment income continues to be significantly lower than previous years, the Local Government Investment Pool's interest rate was recently increased from .5% to .6%. This is the first change in the interest rate since October 2010.

Investment Portfolio as of March 31, 2012					Prior Period for Comparison	
					12/31/11	
<b>Quick Facts:</b>						
Total portfolio size		<u>3/31/12</u>				
		\$54,194,000				\$54,934,395
Investment income received, Fiscal Year To Date		\$350,050				\$165,221
Longest investment term (days)		479				538
Lowest effective interest rate		0.10%				0.61%
Highest effective interest rate		3.25%				1.94%
Local Government Investment Pool rate		0.60%				0.50%
Federal Funds Rate		0.25%				0.25%
Treasury Bill 6 Mo yield rate		0.13%				0.14%
<b>Maturity spread:</b>						
Maturing within 60 days		\$1,000,000	2%			\$2,440,000 4%
Maturing 61 to 120 days		\$6,332,000	12%			\$1,000,000 2%
Maturing 121 to 180 days		\$15,258,000	28%			\$3,829,684 7%
Maturing 181 to 365 days		\$16,750,000	31%			\$28,810,711 52%
Maturing 366 to 479 days		\$14,854,000	27%			\$18,854,000 34%
<b>Subtotal direct investments</b>		<b>\$54,194,000</b>	<b>100%</b>			<b>\$54,934,395 100%</b>
LGIP and Wells Fargo high yield		\$50,080,075				\$52,614,430
<b>Total LGIP, money market and investments</b>		<b>\$104,274,075</b>				<b>\$107,548,825</b>
Bank of America - Checking		\$1,586,700				\$1,096,284
US Bank - Lock box		\$68,481				\$259,759
<b>Total cash on hand and investments</b>		<b>\$105,929,256</b>				<b>\$108,904,868</b>

Investment	Broker	Effective Interest Rate	Maturity Date	Investments at Par				Marked to Market (1)
				Government Sponsored Enterprises	Corporate Notes	CD's and Bank Acceptances	Other	
ORSCTF	PJ	0.61%	5/1/2012	1,000,000				\$1,003,300
GECC	PJ	0.30%	6/1/2012		888,000			887,262
FHLB	SNW	0.64%	6/8/2012	740,000				747,082
FHLB	SNW	0.65%	6/8/2012	400,000				403,828
Portland Dev Corp	PJ	0.65%	6/15/2012	1,250,000				1,250,488
GECC	PJ	0.30%	6/29/2012		554,000			553,540
ORSBA	PJ	0.85%	6/30/2012	1,000,000				998,880
Credit Suisse	WFS	0.92%	7/2/2012		1,500,000			1,511,073
PepsiAmerica	WFS	0.65%	7/31/2012		1,610,000			1,636,910
WFC	PJ	0.70%	8/1/2012		1,400,000			1,422,120
FFCB	WFS	0.11%	8/10/2012	1,440,000				1,442,431
GECC	PJ	1.04%	8/13/2012		2,000,000			2,019,540
Toyota	PJ	0.40%	8/27/2012		1,328,000			1,327,764
WFC	PJ	1.16%	9/1/2012		1,000,000			1,018,760
FHLB	WFS	0.14%	9/10/2012	1,330,000				1,329,919
BofA	FNC	1.30%	9/11/2012		1,000,000			1,015,110
Barclays	WFS	0.70%	9/12/2012		1,000,000			1,018,743
Beal Bank	FNC	0.25%	9/19/2012			1,500,000		1,498,680
FHLB	PJ	0.10%	9/25/2012	1,650,000				1,649,852
US Treasury Strip	WFS	0.10%	9/30/2012	4,000,000				3,996,756
WFC	PJ	1.01%	10/1/2012		600,000			612,426
JPMorgan	WFS	0.71%	10/1/2012		645,000			660,228
IMB	WFS	0.75%	10/22/2012		1,000,000			1,027,334
Goldman Sachs	FNC	1.50%	11/1/2012		1,000,000			1,022,790
Toyota	PJ	0.55%	12/5/2012		500,000			504,605
Principal Life	WFS	0.90%	12/14/2012		1,500,000			1,546,953
FHLMC	PJ	0.15%	12/28/2012	1,255,000				1,258,840
JPMorgan	PJ	1.05%	1/2/2013		2,000,000			2,071,620
Medford OR	PJ	0.41%	1/15/2013	1,250,000				1,296,563
Berkshire	PJ	0.75%	2/11/2013		1,500,000			1,521,675
USB	PJ	0.55%	2/15/2013		1,500,000			1,521,450
Bank of NY	WFS	0.63%	4/1/2013		1,500,000			1,558,050
Berkshire	PJ	0.53%	4/1/2013		1,750,000			1,817,725
Goldman Sachs	FNC	3.25%	4/1/2013		1,000,000			1,036,540
WalMart	WFS	0.40%	4/15/2013		3,000,000			3,115,215
UPS	WFS	0.35%	4/15/2013		1,774,000			1,830,220
CCC	PJ	0.65%	5/1/2013	580,000				604,847
JPMorgan	FNC	1.33%	5/1/2013		1,000,000			1,041,440
GECC	PJ	0.60%	5/1/2013		1,000,000			1,043,630
US Bankcorp	WFS	0.72%	6/14/2013		1,000,000			1,016,778
Portland Dev Corp	PJ	0.86%	6/15/2013	250,000				259,700
ORSBA	WFS	0.50%	6/30/2013	500,000				494,345
Key Bank - CD	FNC	0.50%	7/18/2013			1,500,000		1,496,730
State Local Govt Investment Pool 4839 (General pool)			at any time				36,786,923	36,786,923
State Local Govt Investment Pool 3554 (Boeckman)			at any time				326,793	326,793
State Local Govt Investment Pool 3631 (I5 & WV Rd)			at any time				2,344,698	2,344,698
Wells Fargo Bank Business Premium Rate			at any time				10,621,661	10,621,661
<b>Total</b>				<b>\$16,645,000</b>	<b>\$34,549,000</b>	<b>\$3,000,000</b>	<b>\$50,080,075</b>	<b>\$104,274,075</b>
As a percent of total portfolio				16%	33%	3%	48%	

(1) City's practice is to hold investment to maturity. "not priced" items are not actively traded.

CITY OF WILSONVILLE - Fund Summaries - as of May 24, 2012

	Budget	Activity	% Used
<b>Fund 110 General Fund:</b>			
Taxes	8,272,500	7,472,196	90%
Intergovernmental	1,447,500	1,337,830	92%
Licenses and Permits	120,600	114,495	95%
Charges for Services	383,900	405,050	106%
Fines	400,000	374,800	94%
Investment Revenue	57,000	95,295	167%
Other Revenues	130,250	136,427	105%
Transfers	2,305,192	1,468,818	64%
<b>Total Revenue</b>	<b>13,116,942</b>	<b>11,404,912</b>	<b>87%</b>
Personal Services	6,299,190	4,725,358	75%
Materials and Services	6,923,625	5,474,885	79%
Capital Outlay	111,000	78,204	70%
Transfers	490,000	207,113	42%
<b>Total Expense</b>	<b>13,823,815</b>	<b>10,485,560</b>	<b>76%</b>
<b>Fund 210 Fleet Fund:</b>			
Charges for Services	1,247,250	1,119,921	90%
Investment Revenue	20,000	16,248	81%
Other Revenues	0	76,249	-%
<b>Total Revenue</b>	<b>1,267,250</b>	<b>1,212,418</b>	<b>96%</b>
Personal Services	539,940	392,371	73%
Materials and Services	617,135	468,156	76%
Capital Outlay	154,000	133,831	87%
Transfers	1,652,040	1,178,563	71%
<b>Total Expense</b>	<b>2,963,115</b>	<b>2,172,921</b>	<b>73%</b>
<b>Fund 230 Building Fund:</b>			
Licenses and Permits	822,500	766,594	93%
Licenses and Permits-Villebois	132,626	207,414	156%
Investment Revenue	5,000	4,662	93%
Other Revenues	0	154	-%
Transfers	12,800	3,721	29%
<b>Total Revenue</b>	<b>972,926</b>	<b>982,545</b>	<b>101%</b>
Personal Services	569,010	415,568	73%
Materials and Services	74,770	40,713	54%
Transfers	122,300	83,367	68%
<b>Total Expense</b>	<b>766,080</b>	<b>539,648</b>	<b>70%</b>
<b>Fund 235 Community Development Fund:</b>			
Intergovernmental	18,000	0	-%
Licenses and Permits	308,060	438,044	142%
Licenses and Permits-Villebois	247,000	69,044	28%
Charges for Services	859,500	817,786	95%
Investment Revenue	11,000	13,039	119%
Other Revenues	1,000	946	95%
Transfers	2,646,191	1,383,472	52%
<b>Total Revenue</b>	<b>4,090,751</b>	<b>2,722,331</b>	<b>67%</b>
Personal Services	2,813,910	2,057,120	73%
Materials and Services	672,850	317,482	47%
Capital Outlay	0	2,050	-%
Transfers	99,800	60,811	61%
<b>Total Expense</b>	<b>3,586,560</b>	<b>2,437,463</b>	<b>68%</b>
<b>Fund 240 Road Operating Fund:</b>			
Intergovernmental	871,600	892,053	102%
Investment Revenue	4,000	3,115	78%
Transfers	0	2,016	-%
<b>Total Revenue</b>	<b>875,600</b>	<b>897,184</b>	<b>102%</b>
Personal Services	287,260	240,616	84%
Materials and Services	408,940	277,035	68%
Transfers	173,080	165,053	95%
<b>Total Expense</b>	<b>869,280</b>	<b>682,705</b>	<b>79%</b>



	Budget	Activity	% Used
<b>Fund 245 Road Maintenance Fund:</b>			
Charges for Services	620,000	572,327	92%
Investment Revenue	1,000	583	58%
<b>Total Revenue</b>	<b>621,000</b>	<b>572,910</b>	<b>92%</b>
Materials and Services	510	0	-%
Transfers	615,000	378,605	62%
<b>Total Expense</b>	<b>615,510</b>	<b>378,605</b>	<b>62%</b>
<b>Fund 260 Transit Fund:</b>			
Taxes	4,100,000	4,015,704	98%
Intergovernmental	931,160	455,104	49%
Charges for Services	145,400	148,298	102%
Investment Revenue	15,000	11,930	80%
Other Revenues	460,000	528,341	115%
<b>Total Revenue</b>	<b>5,651,560</b>	<b>5,159,377</b>	<b>91%</b>
Personal Services	2,566,140	2,091,113	81%
Materials and Services	1,988,320	1,412,069	71%
Capital Outlay	230,000	361,330	157%
Transfers	921,560	381,847	41%
<b>Total Expense</b>	<b>5,706,020</b>	<b>4,246,359</b>	<b>74%</b>
<b>Fund 310 Water Operating Fund:</b>			
Intergovernmental	120,000	0	-%
Charges for Services	5,703,000	4,934,133	87%
Fines	0	7,448	-%
Investment Revenue	16,000	19,991	125%
Transfers	350,000	350,000	100%
<b>Total Revenue</b>	<b>6,189,000</b>	<b>5,311,572</b>	<b>86%</b>
Personal Services	432,280	380,332	88%
Materials and Services	2,926,985	1,849,772	63%
Capital Outlay	185,000	0	-%
Debt Service	1,878,535	819,091	44%
Transfers	908,200	314,346	35%
<b>Total Expense</b>	<b>6,331,000</b>	<b>3,363,541</b>	<b>53%</b>
<b>Fund 320 Sewer Operating Fund:</b>			
Charges for Services	5,720,000	4,979,161	87%
Investment Revenue	38,000	39,589	104%
Other Revenues	5,018,216	5,016,148	100%
Transfers	300,000	300,000	100%
<b>Total Revenue</b>	<b>11,076,216</b>	<b>10,334,898</b>	<b>93%</b>
Personal Services	400,140	311,697	78%
Materials and Services	2,089,855	1,663,211	80%
Debt Service	6,400,000	5,691,217	89%
Transfers	1,328,760	305,129	23%
<b>Total Expense</b>	<b>10,218,755</b>	<b>7,971,254</b>	<b>78%</b>
<b>Fund 350 Street Lighting Fund:</b>			
Charges for Services	385,000	345,798	90%
Investment Revenue	4,000	3,147	79%
Other Revenues	0	150	-%
<b>Total Revenue</b>	<b>389,000</b>	<b>349,096</b>	<b>90%</b>
Materials and Services	291,080	215,308	74%
Transfers	59,280	220	-%
<b>Total Expense</b>	<b>350,360</b>	<b>215,528</b>	<b>62%</b>
<b>Fund 370 Storm Water Operating Fund:</b>			
Charges for Services	965,000	883,738	92%
Investment Revenue	2,000	2,614	131%
Other Revenues	0	110	-%
<b>Total Revenue</b>	<b>967,000</b>	<b>886,462</b>	<b>92%</b>
Personal Services	236,290	180,874	77%
Materials and Services	487,398	294,357	60%
Transfers	587,273	431,530	73%
<b>Total Expense</b>	<b>1,310,961</b>	<b>906,761</b>	<b>69%</b>

**Note:**

Personal Service expense is recorded once a month at the end of each month and will only be reflected in the amounts above for reports run after the final day of each month.

# THE LEO COMPANY

MARKETING, PUBLIC & GOVERNMENT AFFAIRS COUNSEL

## **City of Wilsonville Activity Report for April 2012 The Leo Company, LLC**

### **Overview**

During the month of April, The Leo Company continued work on a number of ongoing city projects and coordinated efforts with neighboring jurisdictions through the French Prairie Forum a monthly meeting of the Counties and Cities on Wilsonville's southern boundary.

Of ongoing concern are transportation issues that impact Wilsonville. It is clear that we will need to continue strong outreach efforts to improve transportation connections which impact our city through building relationships with ODOT and acting in concert with surrounding jurisdictions to meet our growing transportation needs.

We continue to provide research and counsel on several long term policy issues, coordinate local government policy with other governments and coordinate a number of city external affairs projects. We work in support of the City Council goals at the supervision of the Public Affairs Director.

### **French Prairie Forum Meeting**

The topics at the French Prairie Forum in April included an update about the Baldock Rest and a request for letters in support of the proposed name change from the "Baldock Rest Area" to the "French Prairie Rest Area." Marion County Commissioner Patti Milne and Woodburn Mayor Kathy Figley each indicated support for the renaming. This geographic name as opposed to the name of the freeway the rest areas are located on will help reshape the image of the rest areas and is a key part of the Oregon Travel Experience's (OTE) efforts to upgrade and improve Oregon's rest areas.

Discussion of Rural Zone Code changes and implications related to SB 960, which allows for greater event flexibility on Exclusive Farm Use (EFU) lands. Further, additional statutory changes which will allow bed and breakfast type lodging development in rural areas like French Prairie will allow for the economic development of increased agri-tourism and outdoor recreation tourism. Simply said, there is not currently the tourism infrastructure of overnight lodging, hospitality services such as food and beverage and local transportation services such as bicycle and canoe/kayak car and van shuttles to realize the unique economic potential of bicycle and water-related tourism on the Willamette River. For our community to realize this potential, we must invest to put this tourism infrastructure in place.

This has both opportunity and challenges for Wilsonville's lodging industry. On one hand the growing reputation for superb road bicycling, canoe/kayaking on the Willamette, wine, culinary and cultural/historical tourism grows our visitor base in unique ways. This is important to Wilsonville's lodging industry which is really oriented to business travelers with good occupancy rates during the business week which fall off during weekends, holidays and summer vacation periods.

On the other hand, the development of bed and breakfast type lodging accommodations can create competition for Wilsonville hotels, although not on the scale that nearby urbanization might. Clearly a balance can be found where a diversified market for both hotel/motel and rural bed and breakfast lodging types can be found, whereby both city and rural tourism service providers can benefit. The visitors will come, but when they are here will there be cash registers to ring? If we plan well today, we can provide these services and benefit both visitors and residents.

### **Baldock Update – Renaming Committee moves forward**

Attended the Baldock Rest Area Committee meeting, discussion continues about proposed renaming. The decision to rename the Baldock Rest Area to the French Prairie Rest Area is an administrative decision by Region 2 of ODOT. Letters of support are requested from cities, counties and other key organizations in our area to facilitate the formal process of this name change. As noted, already Marion County and City of Woodburn have indicated support for the rebranding effort of the rest area.

The reasons for renaming the Baldock Rest Area are several:

- 1) Re-branding the place to remove the stigma of the past law enforcement and social problems;
- 2) Giving greater visibility to a growing tourism and agricultural area – this supports the agricultural branding of produce by local farmers, bicycle tourism, and heritage and history tourism in both Aurora and Champoege;
- 3) Changes the name from a person to a place, a direction that ODOT has preferred due to a history of conflicts where they have renamed places after people;
- 4) The new name 'French Prairie' is not to be confused with any of the neighboring town near the rest area, i.e., Wilsonville, Donald, Aurora, Canby or St. Paul, yet all of these communities are in this area;
- 5) The name does not give an undue advantage to any one existing business over another.

The Wilsonville City Council and other jurisdictions in this region will be asked to submit a letter to ODOT to support this name change. We will report back on progress to give this place a fresh start with a new name.

### **Oregon Active Transportation Summit**

The Leo Co. representatives attended the annual Oregon Active Transportation Summit organized by Cycle Oregon and Travel Oregon. This two-day bicycle- and pedestrian-oriented event is the heir to the Oregon Bicycle Summit and an opportunity for all of the tourism, government and industry groups interested in promoting bicycling in Oregon gather to share ideas and direction for the future of non-motorized transportation in Oregon.

The notable take-away of this meeting was the tourism and economic opportunity of bicycling. Attracting high-end visitors with greater than average discretionary incomes, these tourists tend to travel light, buy lodging and hospitality tourism and almost always engage in a companion activity such as wine tasting, culinary tourism, photography, culture and heritage tourism, shopping and a variety of other local services.

We will work with the Chamber of Commerce Tourism Director and the City Council and staff to see how these opportunities can best be used to improve the Wilsonville economy.

### **Summary of April Monthly Activities:**

**April 2<sup>nd</sup>** – Attended the City Council Work Session and City Council meeting, including annual tourism presentation/report by Jennifer Johnson, Tourism Director.

**April 16<sup>th</sup>** – Attended the Baldock Rest Area Committee meeting, discussion continues about proposed renaming. Letters to ODOT are requested in support the name change.

**April 16<sup>th</sup>** – Attended Wilsonville City Council work session and City Council Meeting. Monitored City Council discussions concerning Wilsonville Tourism Program and Work Session concerning the French Prairie Emergency Bridge.

**April 16<sup>th</sup> & 17<sup>th</sup>** – Attended the annual Oregon Active Transportation Summit organized by Cycle Oregon and Travel Oregon. Met with ODOT officials and bicycle tourism advocates concerning expansion of bicycle tourism in the Wilsonville area.

**April 17<sup>th</sup>** – Coordination meeting with Mark Ottenad at City Hall to review work in progress and discuss priorities for next six-month period. Followed up on several legislative issues likely to come back during the 2013 Legislative Session.

**April 18<sup>th</sup>** – Facilitated the French Prairie Forum, monthly meeting of local government representatives to discuss local government policies including the Baldock Rest, Rural Zone Code changes and discussion about increasing the economic impact of Tourism in French Prairie.

**April 24<sup>th</sup>** – Chaired Tourism and Hospitality Committee meeting. Discussed with the Committee the future of tourism and new directions in tourism that were discussed at the Governor's Tourism Conference in March.

**Objectives for Coming Month of May 2012:**

1. Represent the City at metro-area lobby meetings and League of Oregon Cities lobby meetings. Continue to build coalitions with other local governments to effectively represent City of Wilsonville interests at the Legislature and in other governmental forums.
2. Attend the Wilsonville Chamber of Commerce Government Affairs Committee meetings and give assistance in understanding city-related, as requested by the Public Affairs Director.
3. Work with the other French Prairie governments through the French Prairie Forum to coordinate policies concerning area south of the Willamette River. Maintain ongoing relationships with the other governments in the French Prairie Forum. Find opportunities for mutual cooperation.
4. Monitor the Baldock Rest Area planning issues. Work under the direction of the City Attorney and Public Affairs Director to coordinate issue management related to I-5 infrastructure issues.
5. Provide 'as requested' assistance to the Public Affairs Director to attend meetings and coordinate with various officials and groups in support of the City's Public Affairs program.
6. Other duties as assigned by the City Council, Public Affairs Director and City Manager.

Greg Leo  
The Leo Company  
May 1, 2012

City of Wilsonville  
June 4, 2012 City Council Meeting

SPEAKER CARD

✓  
Favors  
the  
Package

NAME: BEN ALTMAN

ADDRESS: 29515 SW SERENITY Way

TELEPHONE: 503-913-8609 E-MAIL \_\_\_\_\_

AGENDA ITEM YOU WANT TO ADDRESS: sign code

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Please limit your comments to 3 minutes. Thank you.

City of Wilsonville  
June 4, 2012 Urban Renewal Agency Meeting

City Council - Signs  
SPEAKER CARD

✓  
Tears  
this  
Package

NAME: Monica Keenan

ADDRESS: 9460 SW 4th St.

TELEPHONE: 503.507.0342 E-MAIL mkkeenan@gmail.com

AGENDA ITEM YOU WANT TO ADDRESS: \_\_\_\_\_  
ORDINANCE No. 704

Please limit your comments to 3 minutes. Thank you.



City of Wilsonville  
June 4, 2012 City Council Meeting

SPEAKER CARD

✓  
Representing Chamber  
Chamber supports  
this package

NAME: Wendy Buck

ADDRESS: 31445 SW Olympic Dr., Wilsonville OR 97070

TELEPHONE: 503 682 8771 E-MAIL \_\_\_\_\_

AGENDA ITEM YOU WANT TO ADDRESS: Sign Code

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Please limit your comments to 3 minutes. Thank you.

City of Wilsonville  
June 4, 2012 City Council Meeting

SPEAKER CARD

✓  
Banners across road?  
Event signage along  
roads or a lot/dockage?

NAME: Theodore Gilmore

ADDRESS: 24242 SW Cage Rd.

TELEPHONE: \_\_\_\_\_ E-MAIL \_\_\_\_\_

AGENDA ITEM YOU WANT TO ADDRESS: Signs

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Please limit your comments to 3 minutes. Thank you.

City of Wilsonville  
June 4, 2012 City Council Meeting

SPEAKER CARD

✓  
Recommend.  
This  
Package

NAME: Eric Postma

ADDRESS: 31110 Willough Pt., Wilsonville

TELEPHONE: 503-445-4307 E-MAIL espostma@comcast.net

AGENDA ITEM YOU WANT TO ADDRESS: Sign Code (Proponent)

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Please limit your comments to 3 minutes. Thank you.

City of Wilsonville.  
June 4, 2012 City Council Meeting

SPEAKER CARD

✓  
Recommended  
this  
Package.

NAME: Glenna Harris

ADDRESS: 29585 SW Park Place, Ste G WV

TELEPHONE: 503-783-3337 E-MAIL info@whipper-snappers.com

AGENDA ITEM YOU WANT TO ADDRESS: Sign code

Please limit your comments to 3 minutes. Thank you.

City of Wilsonville  
June 4, 2012 City Council Meeting

Funding for  
The Arts not  
in Budget

SPEAKER CARD

NAME: Therese Gilman

ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ E-MAIL \_\_\_\_\_

AGENDA ITEM YOU WANT TO ADDRESS: Budget

Please limit your comments to 3 minutes. Thank you.

City of Wilsonville  
June 4, 2012 City Council Meeting



SPEAKER CARD

NAME: TONY HOLT

ADDRESS: 7670 SW VILLAGE CREEKS CIRCLE  
97070

TELEPHONE: 503-694-2333 E-MAIL ajholt36@aol.com

AGENDA ITEM YOU WANT TO ADDRESS: City Budget.

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Please limit your comments to 3 minutes. Thank you.

City of Wilsonville  
City Council Meeting  
June 4, 2012 Sign In Sheet

Name	Mailing Address
Doris Wehler	
Tony Holt	
Simon Spingall	
Wendy Buck	
Therese Gibson	