



AGENDA

STAYTON CITY COUNCIL WORK SESSION

Monday, April 6, 2015

Stayton Public Library
E.G. Siegmund Meeting Room
515 N. First Avenue
Stayton, Oregon 97383

CALL TO ORDER

7:00 PM

Mayor Porter

- Staff Presentation by Dan Fleishman, Director of Planning and Development
- Comments from Sign Code Committee Spokesperson
- Council Discussion

ADJOURN

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or other accommodations for persons with disabilities should be made at least 48 hours prior to the meeting. If you require special accommodations contact Deputy City Recorder Alissa Angelo at (503) 769-3425.

CALENDAR OF EVENTS

APRIL 2015

Monday	April 6	City Council Work Session	7:00 p.m.	E.G. Siegmund Meeting Room
Tuesday	April 7	Parks & Recreation Board	7:00 p.m.	E.G. Siegmund Meeting Room
Friday	April 10	Community Leaders Meeting	7:30 a.m.	Covered Bridge Café
Tuesday	April 14	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Wednesday	April 15	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	April 20	City Council	7:00 p.m.	Community Center (north end)
Monday	April 27	Planning Commission	7:00 p.m.	Community Center (north end)

MAY 2015

Monday	May 4	City Council Work Session – Goal Setting	7:00 p.m.	E.G. Siegmund Meeting Room
Tuesday	May 5	Parks & Recreation Board	7:00 p.m.	E.G. Siegmund Meeting Room
Tuesday	May 5	Budget Committee Meeting	7:00 p.m.	Community Center (north end)
Thursday	May 7	Budget Committee Meeting	7:00 p.m.	Community Center (north end)
Friday	May 8	Community Leaders Meeting	7:30 a.m.	Covered Bridge Café
Monday	May 11	Budget Committee Meeting <i>(if needed)</i>	7:00 p.m.	Community Center (north end)
Tuesday	May 12	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Tuesday	May 12	Public Safety Commission	6:00 p.m.	City Hall Conference Room
Monday	May 18	City Council	7:00 p.m.	Community Center (north end)
Wednesday	May 20	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	May 25	CITY OFFICES CLOSED IN OBSERVANCE OF MEMORIAL DAY		
Tuesday	May 26	Planning Commission	7:00 p.m.	Community Center (north end)

JUNE 2015

Monday	June 1	City Council	7:00 p.m.	Community Center (north end)
Tuesday	June 2	Parks & Recreation Board	7:00 p.m.	E.G. Siegmund Meeting Room
Tuesday	June 9	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Friday	June 12	Community Leaders Meeting	7:30 a.m.	Covered Bridge Café
Monday	June 15	City Council	7:00 p.m.	Community Center (north end)
Wednesday	June 17	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	June 29	Planning Commission	7:00 p.m.	Community Center (north end)



CITY OF STAYTON
M E M O R A N D U M

TO: Mayor Henry Porter and the Stayton City Council
FROM: Dan Fleishman, Director of Planning and Development
DATE: April 6, 2015
SUBJECT: Sign Regulations

ISSUE

The issue before the City Council is work session regarding sign regulations in the Stayton Land Use and Development Code.

BACKGROUND INFORMATION

From a review of the City's records, it appears the first ordinance regulating signs was passed by the City Council in 1916. It was repealed in 1942 and the City was apparently without any controls on signs for the next 56 years. The basis for the City's current regulations was enacted by the City Council in 1998 and the sign regulations have been amended nine times since then.

In the summer of 2014 the City Council requested that the Planning Commission conduct a review of the sign regulations. In conducting their review, the Planning Commission conducted a public hearing. Four individuals testified at that public hearing and three of them mentioned the need to enforce the existing Code, rather than amending it. In the fall of 2014 the City Administrator requested that the Planning & Development Department initiate a City-wide enforcement process. That process resulted in 65 letters being sent to property owners and business owners, a number of individuals attending a January meeting of the City Council, a committee of business owners who have made some recommendations for changes to the sign regulations to the Planning Commission, and the City Council scheduling this work session to review the Code and consider amendments.

In reviewing the current sign regulations, the City Council should keep in mind the purposes articulated in the Code for those regulations. In discussing possible changes to the Code, the Council should envision the results if many businesses were to take advantage of the changes. While it may seem acceptable for one business, for instance, to have a more than one temporary sign, if the Code is amended to allow multiple temporary signs then it likely that many businesses will take advantage of the opportunity. The impacts on traffic safety, sign clutter and aesthetics could be significant.

During the work session, I will lead the City Council through the existing regulations in detail. I have provided with this staff report, Section 17.20.140 from the Code as well as excerpts from

Section 17.04.100 that contains definitions of various types of signs as well as other sign-related definitions.

I have also obtained the sign regulations from four other mid-sized mid-Willamette Valley cities, Silverton, Monmouth, Independence and Dallas for comparison to Stayton's. I have prepared a table comparing key components of the various regulations. If any Council member would like to review the other cities' codes, I can provide copies.

As a result of the enforcement action taken by the Planning and Development Department in the fall and early winter, a committee of business people has put forth a set of suggested amendments to the Code. These were presented to the Planning Commission at their March 30 meeting. I have attached their recommendations as well as my staff report to the Planning Commission commenting on the suggestions provided by the committee.

RECOMMENDATION

In working with the regulations during the enforcement proceedings Staff has come up with four possible amendments for consideration by the City Council. These are:

- Add the DCMU to Section 17.20.140.9-A.a.a) to allow businesses in the DCMU zone to have a free-standing sign if the building is more than 20 feet from the front lot line.
- Move the regulation of temporary and portable signs out of Section 17.20.140.9. As currently constructed these regulations only apply within the Commercial and Industrial zones. They are not applicable within the Downtown and Public zones.
- Associated with the above change would be delete the current provision for temporary signs in the Public zone and perhaps to change the regulations to provide greater distinction between temporary signs and portable signs.
- Allow businesses in an integrated business center to have a portable sign on the sidewalk between the parking lot and the building.

ATTACHMENTS

Title 17, Chapter 20, Section 17.20.140 – Signs

Excerpts from Title 17, Chapter 4, Section 17.04.100 – Definitions

Comparison of sign regulations in Stayton, Silverton, Independence, and Monmouth

Suggested amendments from business committee

Staff report for March 30 Planning Commission meeting

17.20.140 SIGNS

1. **PURPOSE.** The purposes of these sign regulations are to provide equitable signage rights; reduce signage conflicts; promote traffic and pedestrian safety; and increase the aesthetic value and economic viability of the city by classifying and regulating the location, size, type, and number of signs and related matters.
2. **PERMIT PROCEDURES.**
 - a. **Permit Required.** No person shall construct or alter any sign without first obtaining a permit from the City Planner.
 - b. **Current Signs.** Owners of conforming or nonconforming signs existing as of the January 10, 1999 shall not be required to obtain a sign permit. (Amended Ord. 924, September 20, 2010)
 - c. **Application Requirements.**
 - 1) An application for a sign permit shall be submitted on a form prescribed by the City.
 - a) Within 7 days of submittal the City Planner shall determine whether the application is complete.
 - b) Within 14 days of submission of a complete application, the City Planner shall either: approve, approve with conditions, or deny the application.
 - c) The decision shall be issued in writing.
 - 2) Sign permits mistakenly issued in violation of these regulations or other provisions of the Code are void. The Stayton City Administrator may revoke a sign permit if it is found that material errors or misstatements of fact were made by the applicant on the permit application.
 - 3) The sign permit does not take the place of any required building (e.g. structural, mechanical, electrical) permits which may be required to construct or locate an approved sign.
 - d. **Permit Fees.** Permit fees shall be established by City Council resolution.
 - e. **Construction and Maintenance.** All signs shall be designed, constructed, and maintained in accordance with the following standards:
 - 1) All signs shall comply with the applicable provisions of the Oregon Structural Specialty Code in effect at the time of the sign permit application and all other applicable structural, electrical, and other regulations. Issuance of a sign permit under these regulations does not relieve the applicant of complying with all other permit requirements. (Amended Ord. 924, September 20, 2010)
 - 2) Except for temporary signs, signs shall be constructed of durable materials and be firmly attached to the ground, to a building, or to another structure by direct attachment to a rigid wall, frame, or structure.
 - 3) All signs shall be maintained in a good structural condition and be readable at all times. Sign supports shall be plumb. Broken faces of signs shall be repaired within 45 days of the date of damage. Failed illumination shall be replaced or repaired within 45 days of the date of failure of the lighting fixture or wiring defect. Sign supports shall be removed within one year of the removal of a sign. The provisions of this section shall

apply to all signs within the City, including those not meeting these standards on the effective date of this provision. (Amended Ord. 924, September 20, 2010)

3. **SIGNS GENERALLY PERMITTED.** Subject to the limitations listed in this subsection, the following signs and sign erection or alterations are permitted in all zones. These signs shall not require a permit and shall not be included when determining compliance with total allowed area:
- a. Painting or otherwise changing the sign face or copy, and maintenance of legally existing signs. If structural changes are made, the sign shall conform in all respects to these regulations.
 - b. Signs not exceeding 32 square feet which advertise the sale, rental, or lease of the premises upon which the sign is located.
 - c. Signs posted by or under governmental authority, including legal notices, traffic, danger, no trespassing, emergency, and signs related to public services or safety.
 - d. One sign, not to exceed 32 square feet, at each street entrance of a residential development or subdivision.
 - e. Incidental signs not exceeding 6 square feet.
 - f. Official national, state, and local government flags on permanent flag poles designed to allow the raising and lowering of flags:
 - 1) One flag or banner per property is exempt from the provisions of these regulations.
 - 2) In a residential zone, a flag structure shall not exceed 35 feet. (Amended Ord 937, August 4, 2011)
 - 3) In a Commercial, Industrial or Downtown zone, a flag structure shall not exceed 35 feet or 110 percent of the maximum height of the primary structure on the property, whichever is greater. (Amended Ord 937, August 4, 2011)
 - 4) All structures over 10 feet in height supporting flags require a Building Permit and an inspection(s) of the footing and structure, as per the building code, prior to installation of the structure.
 - g. Signs within a building that are not visible from the street, sidewalk or other public property.
 - h. Signs painted or hung on the inside of a window or door that do not exceed 30% of the window or door area. This area limit shall not apply to neon signs.
 - i. Commercial murals shall count as a sign in determining total sign area for a business. Murals that do not advertise or identify a business, with a cultural or heritage theme, are not considered commercial signs and are exempt from this ordinance.
 - j. Name signs, not exceeding 2 square feet, identifying the occupants of a dwelling.
 - k. Restoration, repair, or replacement of signs that have been demonstrated by the owner to have been in existence since January 1, 1949, provided the sign substantially retains its original appearance and location.
 - l. Temporary and portable signs, no larger than 16 square feet in area, announcing community events. Banners hung with the guy wires located on 1st Avenue between Cedar and Regis Streets, are permitted for up to four weeks in advance of the event and shall be removed

within 5 days of the end of the event. Banners shall be no larger than 80 square feet in area. (Amended Ord. 913, September 2, 2009)

4. PROHIBITED SIGNS. The following signs shall be prohibited:
- a. Balloons or similar tethered objects.
 - b. Roof signs.
 - c. Signs emitting an odor, visible matter, or sound.
 - d. Signs supported by guy wires of any type except for the guy wires located on 1st Avenue between Cedar and Regis Streets.
 - e. Signs that obstruct a fire escape, required exit, window, or door opening used as a means of egress.
 - f. Signs closer than 24 inches horizontally or vertically from any overhead power line or public utility guy wire.
 - g. Rotating/revolving signs.
 - h. Flashing signs, except as allowed by conditional use permit under the regulations of this sign code.
 - i. Signs that project into or over driveways or public rights-of-way, except signs under a canopy that projects over a public sidewalk. Such sign shall not be less than eight feet above the ground.
 - j. Signs within the sight clearance triangle that obstruct the required vision areas or represent a hazard to pedestrian or vehicle traffic.
 - k. Signs that interfere with, imitate, or resemble any official traffic control sign, signal, or device; emergency lights; or which appear to direct traffic (e.g., a beacon light).
 - l. Signs attached to any pole, post, utility pole, or placed by its own stake in the ground in a public right-of-way. This restriction shall not apply to bulletin boards for public use as authorized by the City Council.
 - m. Message signs, except by conditional use permit.
 - n. Any new or relocated off-premise sign, unless specifically allowed as a permitted sign in this sign code.
 - o. No vehicle or trailer shall be parked for an extended period of time so as to be visible from a public right-of-way which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or another premises, unless such sign meets the requirements of this section. This provision applies only to a vehicle the primary purpose of which is advertisement; it is not intended to prohibit any form of sign attached to or on a vehicle the primary use of which is for business purposes other than advertising.
 - p. Signs on city property placed by a nongovernmental entity.
 - q. Free standing and illuminated signs for all home occupations.

5. ILLUMINATION OF SIGNS

- a. No sign shall be comprised of or illuminated by intermittent light except digital public service messages, such as time, date, temperature, etc.
- b. Externally Illuminated Signs
 - 1) The average level of illumination on the vertical surface of the sign shall not exceed 3.0 foot-candles, and the uniformity ratio (the ratio of average to minimum illumination) shall not exceed 2:1.
 - 2) Lighting fixtures illuminating signs shall be carefully located, aimed, and hooded or shielded to prevent direct illumination of public streets or abutting properties.
 - 3) Light fixtures illuminating signs shall be of a type such that the light source (bulb) is not directly visible from adjacent public streets or properties.
 - 4) To the extent practicable, fixtures used to illuminate signs shall be top mounted and directed downward (i.e. below the horizontal).
- c. Internally Illuminated Signs.

- 1) Internally lit signs are permitted only in the commercial and industrial zones.

In order to prevent internally illuminated signs from becoming light fixtures, such signs shall consist of light lettering or symbols on a dark background. The lightness or darkness is a function of the luminous transmittance of the translucent surface material, and the light source. The higher the luminous transmittance, the lighter the color.

- 2) The lettering or symbols shall constitute no more than 40% of the surface area of the sign.
- 3) The luminous transmittance for the lettering or symbols shall not exceed 35%.
- 4) The luminous transmittance for the background portion of the sign shall not exceed 15%.
- 5) Light sources shall be fluorescent tubes, spaced at least 12 inches on center, mounted at least 3.5 inches from the translucent surface material.
- 6) The standards of this subsection shall not apply to gas-filled tubing exposed to view (neon signs).

6. NONCONFORMING SIGNS.

- a. Alteration of Nonconforming Sign Faces. Legally existing nonconforming signs are subject to the following provision regarding alteration.
 - 1) A change in sign face alone is allowed without requiring compliance with these regulations.
 - 2) When a nonconforming sign face is damaged or destroyed, such sign face may be restored to its original condition provided such work is completed within sixty days of the damage. However, a sign structure or support mechanism so damaged shall not be replaced except in conformance with the provisions of these regulations.
- b. Permits for Properties with Nonconforming Signs.
 - 1) [repealed Ord. 924]

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- 2) [repealed Ord. 924]
 - 3) Nonconforming Sign Area. All signs in existence as of the date of the permit application shall be included in the total allowed area, number, or size when reviewing applications for new or altered signs to be allowed on the property.
- c. Abatement of Nonconforming Signs.
- 1) All permanent, free-standing signs, and wall, canopy, projecting or other similar permanent signs in existence on the effective date of these regulations, which are not in conformance with the provisions of these regulations may be repaired, maintained (including a change in sign face) until such time the sign structure is altered, at which time the sign must conform to applicable sign regulations. (Amended Ord. 924, September 20, 2010)
 - 2) [repealed Ord. 924]
 - 3) [repealed Ord. 924]
 - 4) Existing permanent free-standing signs on properties annexed to the city shall be in conformance with the provisions of these regulations within one year following annexation. Temporary signs shall conform to the regulations within 6 months following annexation. (Amended Ord. 924, September 20, 2010)
- d. Abandoned Signs. All signs for a business shall be removed within 30 days after that business ceases to operate on a regular basis, and the entire sign structure shall be removed within one year of such cessation of operation.
7. SIGNS IN THE PUBLIC/SEMI-PUBLIC ZONE. The following regulations apply to signs in the Public/Semi-public zone:
- a. Sign Types. The following sign types are allowed:
 - 1) Wall, canopy, projecting, free-standing, and window signs.
 - 2) Temporary displays consisting of any sign type for a period not to exceed 21 days in any 365 day period. Owners or parties responsible for such displays shall be considered responsible for any public or private nuisance.
 - b. Any combination of wall, canopy, or free-standing sign not exceeding the sign area and height limitations set forth below shall be allowed.
 - c. Total signage area on a property shall not exceed 64 square feet.
 - d. Maximum Sign Height.
 - 1) Wall or wall mounted signs shall not project above the parapet or roof eaves.
 - 2) A monument sign shall not exceed 6 feet in height. Any other free-standing sign shall not exceed a total height of 6 feet within the first 10 feet of a property boundary; otherwise, the maximum height is 16 feet.
 - e. Permitted Locations.
 - 1) Wall, canopy or projecting signs may project into the required setback no more than 1.5 feet.
 - 2) A free-standing sign shall be setback at least 5 feet from any property line.

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- f. Home occupations are subject to this rule and the provisions of Stayton Municipal Code governing home occupations.
8. **SIGNS IN RESIDENTIAL ZONES.** Other than signs permitted under Section 17.020.140.3, signs in the Residential zones are limited to signs for home occupations. Home occupation signs are subject to the provisions of Section 17.020.100.10.
9. **SIGNS IN COMMERCIAL AND INDUSTRIAL ZONES.** The following regulations shall apply to signs commercial and industrial zones:
- a. Signs for businesses not in integrated business centers:
- 1) **Total Allowed Area.** The total allowed sign area of all signs for a business not in an integrated business center is two square feet of for each lineal foot of building frontage up to a maximum of 100 square feet.
 - 2) **Type, Maximum Number, and Size of Signs.** Within the total allowed signage area, one free-standing sign for each street frontage, and one wall, canopy or projecting signs is permitted. A free-standing sign shall be limited to a maximum of 50% of the total allowed area.
 - 3) **Maximum Sign Height.**
 - a) Wall or wall mounted signs shall not project above the parapet or roof eaves.
 - b) A monument sign shall not exceed 6 feet in height. Any other free-standing sign shall not exceed a total height of 6 feet within the first 10 feet of a property boundary; otherwise, the maximum height is 16 feet.
 - 4) **Location.**
 - a) Wall or canopy signs may project up to 1.5 feet from the building.
 - b) Projecting signs may project up to 3 feet from the building.
 - c) Monument signs shall not project over street rights-of-way and they shall not be located within a sight clearance triangle or special street setback. Other free-standing signs shall be setback a minimum of 5 feet from any property line. Any sign located within a sight clearance triangle shall either be no taller than 3 feet in height or have the lowest portion of the sign at least 8 feet in height.
- b. Signs for integrated business centers.
- 1) **Total Allowed Area.**
 - a) Signs attached to a building for an individual business within an integrated business center shall be no larger than one square foot of sign area for each lineal foot of building frontage for the individual business, up to a maximum of 80 square feet per business. If a building is located more than 50 feet from the front lot line, the maximum sign area may be increased by 50%. If a building is located more than 100 feet from the front lot line, the maximum sign area may be increased by 100%. Individual businesses may not assign their unused allowed area to other businesses in the integrated business center.
 - b) **Integrated business center.** One free-standing sign is permitted for each street on which an integrated business center has frontage. If there is only one street frontage,

the sign shall not exceed 150 square feet in area; otherwise, the maximum sign area for each sign shall be 100 square feet.

- 2) Maximum Sign Height.
 - a) Wall or wall mounted signs shall not project above the parapet or roof eaves.
 - b) A monument sign shall not exceed 6 feet in height. Any other free-standing sign shall not exceed a total height of 6 feet within the first 10 feet of a property boundary; otherwise, the maximum height is 16 feet.
- 3) Location.
 - a) Wall or canopy signs may project up to 1.5 feet from the building.
 - b) Projection signs may project up to 3 feet from the building.
 - c) Monument signs shall not project over street right-of-way and they shall not be located within a sight clearance triangle or special street setbacks.
 - d) Other free-standing signs shall be setback a minimum of 5 feet from any property line. Any sign located within a sight clearance triangle shall either be no taller than 3 feet in height or have the lowest portion of the sign at least 8 feet in height.
- c. Additional Signs. Within the limitation of this subsection, the types of sign discussed in this subsection do not require a permit and are not included in calculations for allowed area and number of signs:
 - 1) When a business has two public entrances on separate building walls, there is permitted one additional wall sign not to exceed 10 square feet in area for the wall where the entrance is not the primary entrance.
 - 2) Directional signs (e.g., “Exit” or “Entrance”) are allowed either as wall or free-standing signs. Each such sign shall be limited to three square feet in area and there shall be no more than two signs per driveway. Free-standing directional signs shall be limited to a height of 4 feet.
 - 3) Order signs describing products and/or order instructions to a customer (e.g., menu boards at a drive-through restaurant) shall be limited to 40 square feet in area and a maximum height of 8 feet. Any order sign greater than 10 square feet in area and/or 6 feet in height must be screened from adjacent streets by a sight obscuring fence, wall, or hedge in accordance with Section 17.20.090.
- d. Temporary and Portable Signs.
 - 1) Temporary Signs. No more than one temporary or portable sign per business shall be permitted at any one time. Temporary and portable signs shall conform to the following:
 - a) A temporary or portable sign shall not exceed 16 square feet in area.
 - b) The placement of temporary and portable signs shall be limited to a period not exceeding 90 days within any calendar year. This restriction applies to the display of all temporary and portable signs through out a calendar year and not to each individual sign.
 - c) A portable sign shall not be located within the public right-of-way or violate vision clearance provisions.

- d) Except for public safety, all trailer-mounted reader boards shall be prohibited.
- e. Signs for Temporary Businesses. Temporary businesses may display temporary or portable signs other than trailer-mounted reader boards or any other sign that includes flashing or rotating lights or moving parts. The cumulative size of all such signs may not exceed 32 square feet. No individual sign shall be larger than 16 square feet. All temporary signs must be placed within ten feet of the structure or vehicle used for the temporary business and may not be placed within any public right-of-way.
- 9-A. SIGNS IN THE DOWNTOWN ZONES. The following regulations shall apply to signs in the Downtown Zones. (Added Ord. 902, May 7, 2008)
- a. Sign Types and Maximum Number of Signs. Within the CCMU, DCMU, and DRMU zones, the following sign types are allowed: (Added Ord. 902, May 7, 2008) (Amended Ord. 930, November 18, 2010)
- 1) In the CCMU Zone, any combination of wall, canopy, projecting, and window signs is permitted not exceeding the sign area limitations. In the DRMU Zone in addition to any combination of wall, canopy, projecting and window signs, one free-standing sign for each street on which the lot fronts may be erected between a building and the front lot line provided the building is at least 20 feet from the front lot line. (Added Ord. 902, May 7, 2008) (Amended Ord. 924, September 20, 2010)
 - 2) Sidewalk signs in conformance with Section 17.20.140.9-A.e. below. (Added Ord. 902, May 7, 2008)
- b. Number of Signs. Each business may have one wall, canopy or projecting sign attached to a building for each side of the building facing a street or public sidewalk the business occupies, not including awning signs. (Added Ord. 902, May 7, 2008)
- c. Total Allowed Area. The total allowed sign area for any wall, canopy or projecting signs for a business in the CCMU, DCMU, or DRMU zones is one square foot of sign area per lineal foot of building frontage for the individual business, up to a maximum of 30 square feet. The maximum sign area for any free-standing sign in the DRMU zone is 30 square feet. (Added Ord. 902, May 7, 2008) (Amended Ord. 924, September 20, 2010) (Amended Ord. 930, November 18, 2010)
- d. Maximum Sign Height. Wall or wall-mounted signs shall not be taller than 20 feet and shall not project above the parapet or roof eaves. (Added Ord. 902, May 7, 2008) (Amended Ord. 924, September 20, 2010)
- e. Location. (Added Ord. 924, September 20, 2010)
- 1) Wall or canopy signs may project up to 1.5 feet from the building. (Added Ord. 924, September 20, 2010)
 - 2) Projection signs may project up to 4 feet from the building. Any portion of a projection sign that projects over a street right-of-way shall not be less than 8 feet above the ground level. (Added Ord. 924, September 20, 2010)
 - 3) Free-standing signs shall be setback a minimum of 5 feet from any property line. Any sign located within a sight clearance triangle shall either be no taller than 3 feet in height or have the lowest portion of the sign at least 8 feet in height. (Added Ord. 924, September 20, 2010)

- f. **Sidewalk Signs.** Any business located in the CCMU, DCMU, or DRMU zone may have one sign erected on the public sidewalk in conformance with the following standards. (Added Ord. 902, May 7, 2008) (Amended Ord. 930, November 18, 2010)
- i. A sidewalk sign shall be either an A-frame sandwich sign or be a hanging sign supported by a metal frame inserted into a hole the sidewalk provided by the City. (Added Ord. 902, May 7, 2008)
 - ii. The sign shall be entirely outside of the area of a right-of-way corner that is between the curb and the lines created by extending the property line to the curb face. See Figure 17.20.140.9-A.1 (Added Ord. 902, May 7, 2008)
 - iii. A sidewalk sign shall be placed either within six inches of the curb line or within 2 feet of the front lot line, in order to minimize interference with pedestrians. In either location, the sign shall not obstruct a continuous through pedestrian zone of at least six feet in width. See Figure 17.20.140.9-A.2 (added Ord. 902, May 7, 2008)

Figure 17.20.140.9-A.1
Placement of Portable Signs in the R-O-W

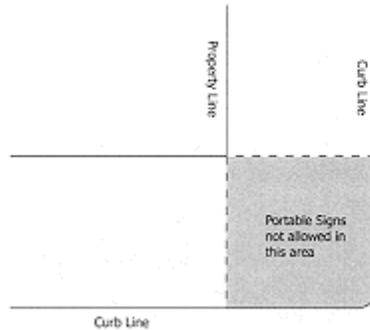
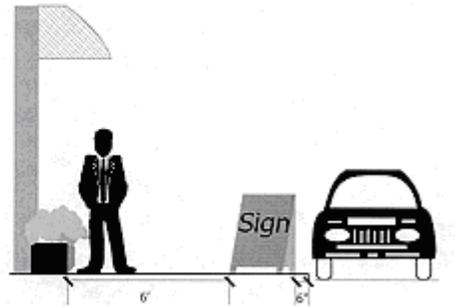


Figure 17.20.140.9-A.2
Placement of Portable Signs in the R-O-W



- iv. The maximum sign area of a sandwich sign shall be 6 square feet, counting only one side of the sandwich sign. The maximum sign area of a hanging sign shall be 4 square feet. (Added Ord. 902, May 7, 2008)
 - v. A sidewalk sign may be erected only during the hours a business is open. (Added Ord. 902, May 7, 2008)
 - vi. A sidewalk sign shall not be illuminated. (Added Ord. 902, May 7, 2008)
10. **CONDITIONAL USE PERMITS.** Applications for conditional use permits for message signs shall be processed according to procedures set forth in the Stayton Land Use and Development Code. The criteria to be reviewed and applied in conditional use permit proceedings are set forth in this section: (Ord. 898, August 20, 2007)
- a. Proposed sign is located in a Public, Commercial, or Industrial zone. (Amended Ord. 919, March 18, 2010)
 - b. Proposed sign, when conditioned, will not significantly increase street level sign clutter or adversely dominate the visual image of the area.
 - c. Proposed sign, as conditioned, will not adversely impact the surrounding area to a significant degree.
 - d. Proposed sign will not represent a traffic or safety hazard.
 - e. The following standards shall apply.

- 1) With the exception of a message sign that displays only the time or temperature, the message or display may be changed no more than once every minute. (Amended Ord. 919, March 18, 2010)
 - 2) The message or display must change as rapidly as technologically practicable, with no phasing, rolling, scrolling, flashing or blending.
 - 3) The message or display may consist only of alphabetic or numeric text of a uniform color on a plain background of uniform color and may not include any graphic, pictorial or photographic images. (Amended Ord. 919, March 18, 2010) (Amended Ord. 978, January 14, 2015)
 - 4) The display may comprise no more than 50% of the surface area of a message sign.
 - 5) No more than one changeable sign with 2 sides is allowed per lot.
 - 6) [Repealed Ord. 978]
 - 7) The luminance of the sign shall be limited to no more than 280 candelas per square meter. The applicant shall submit information from the sign manufacturer indicating the luminance will be met as measured with a luminance meter aperture of 1 degree or less, 50 feet directly in front of the sign with the sign in a fully illuminated mode of white light. (Added Ord. 919, March 18, 2010)
 - 8) The sign shall default to the off position in the case of any failure of mechanisms that control luminance or other display features. (Added Ord. 919, March 18, 2010)
- f. Except for a message sign dedicated to announcing only community events and public service messages, the total allowed sign area for an establishment shall be reduced by 25% if the establishment has a message sign. (Amended Ord. 919, March 18, 2010)
- g. Proposed sign shall comply with all other regulations including, but not limited to, height and placement restriction.
- h. The provisions of Section 17.20.140.4.n notwithstanding, a message sign dedicated to announcing only community events and public service messages may also display the name or logos of businesses, provided that the portion of the sign identifying the businesses is not more than 25% of the total sign area and the business names or logos are not part of the electronic message portion of the sign. (Added Ord. 919, March 18, 2010)
11. VARIANCES. Any deviation from the standards set forth in these regulations shall be by variance. No variance shall be approved without affirmative findings that the request fully satisfies the following criteria:
- a. There are unique circumstances of conditions of the lot, building, or traffic pattern such that the existing sign regulations create an undue hardship.
 - b. Granting of the variance compensates for those circumstances in a manner equitable with other property owners and is not a special privilege to any business. Any variance granted shall be the minimum necessary to compensate for those conditions and achieve the purpose of this chapter.
 - c. Granting of the variance shall not decrease traffic safety nor detrimentally affect any other identified public welfare considerations.

- d. Granting a variance shall not result in a special advertising advantage in relation to neighboring businesses or businesses of a similar nature. Desire to match standard sign sizes (e.g., chain store signs) shall not be considered as a reason for a variance.
 - e. The need for a variance shall not be the result of condition created by the applicant or a previous owner.
 - f. The variance must be consistent with the purposes of this section.
12. [Repealed, Ord. 898]

DEFINITIONS FROM SMC SECTION 17.04.100 RELATING TO SIGN REGULATION

SIGN: Any writing, including letter, word, or numeral, pictorial representation, including mural, illustration, or decoration; emblem, including device, symbol, or trademark; flag, including banner or pennant; or any other device, figure, or similar thing which is a structure, or any part thereof; or which is attached to, painted on, or in any other manner represented on any building or structure or device; is used to announce, direct attention to, or advertise; and is visible from any public right-of-way.

TYPES OF SIGNS:

AWNING SIGN: Any sign that is part of or attached to an awning or canopy.

CANOPY SIGN: A sign hanging from a canopy or eaves at any angle relative to the adjacent wall, the lowest portion of which is at least eight feet above the underlying grade.

FLASHING SIGN: A sign, any part of which pulsates or blinks on and off, except time and temperature signs and message signs allowed by conditional use.

FREE-STANDING SIGN: A sign supported by one or more upright, pole, or brace placed in or upon the ground; or a sign supported by any structure primarily for the display and support of the sign. Monument signs are one type of free-standing signs.

INCIDENTAL SIGNS: A sign which is normally incidental to the allowed use of the property, but can contain any message or content. Such signs can be used for, but are not limited to, nameplate signs, warning or prohibition signs, and directional signs not otherwise allowed.

MESSAGE SIGN: A sign which can change its message electronically and is designed to display various messages, including but not limited to signs displaying time and temperature.

MONUMENT SIGN: A free-standing sign not mounted on a pole or poles where the entire sign from peak to ground is constructed of solid material.

MULTI-FACE SIGN: A sign which has two or more sign faces contained in a single sign structure.

MURAL: An illustration (with or without words or numbers) which is painted or otherwise applied (without projections) to an outside wall of a structure.

NONCONFORMING SIGN: Any lawfully existing sign that no longer complies with the height, area, and placement regulations or other provisions of Section 17.20.140.

OFF-PREMISE SIGN: Any sign that is located on a lot other than the lot on which the business or establishment is located, or the product or services being advertised are available.

PORTABLE SIGN: Any sign not originally designed to be permanently affixed to a building, structure, or the ground; a sign originally designed, regardless of its current modification, to be moved from place to place. These signs include, but are not limited to, A-frame or sandwich board signs; signs attached to wood or metal frames and designed to be self supporting and movable; and trailer reader boards. Portable signs are not to be considered temporary signs as defined and used in this chapter.

PROJECTING SIGNS: A sign the face of which is not parallel to the wall on which it is mounted and which projects more than 18 inches from the structure, the lowest portion of which is at least eight feet above the underlying grade.

REAL ESTATE SIGN: A sign the purpose of which is to rent, lease, sell, etc., real property, building opportunities, or building space.

ROOF SIGN: A sign or any portion of a sign displayed above the highest point of the roof, whether or not such sign is a wall sign.

ROTATING/REVOLVING SIGN: A sign all or a portion of which moves in some manner.

TEMPORARY SIGN: A sign not permanently affixed to a structure on a property. These signs primarily include, but are not limited to, canvas, cloth, or paper banners or posters hung on a building wall or on a permanent pole such as a free-standing sign support.

WALL SIGN: A sign attached to, erected against, or painted on an exterior wall of a building or structure, with the exposed face of the sign on a plane approximately parallel to the face of the wall and not projecting more than 18 inches from the wall.

OTHER DEFINED TERMS:

BALLOON: Balloons include but are not limited to helium balloons, forced air filled balloons, or any other similar device.

INDIRECT ILLUMINATION: A source of illumination directed toward a sign so that the beam of light falls upon the exterior surface of the sign.

INTEGRATED BUSINESS CENTER: A group of two or more businesses that are planned or designed as a center, whether or not the businesses or buildings are under common ownership.

INTERNAL ILLUMINATION: A source of illumination from within a sign.

SIGN ALTERATION: Any change in the size, shape, method of illumination, position, location, construction, or supporting structure of a sign. A change in sign copy or sign face alone shall not be considered an alteration.

SIGN AREA: The entire area within the perimeter of the smallest parallelogram that encloses the outer limits of any writing, representation, emblem, figure, or character. Area shall be determined as follows:

1. If the sign is enclosed in a frame or cabinet, the area is based on the inner dimensions of the frame or cabinet surrounding the sign face.
2. When a sign is on a base material and attached without a frame, such as a wood board or plexiglass panel, the dimensions of the base material are to be used.
3. Area of a sign having no perimeter, border, or base material shall be computed by enclosing the entire area within a parallelogram of the smallest size sufficient to cover the entire message of the sign and computing the area of the parallelogram.

The area of multi-faced signs shall be calculated by including only one-half the total area of all sign faces.

SIGN FACE: The surface of a sign containing the message. Sign face shall be measured as defined as “sign area” above.

SIGN HEIGHT: Distance from the finished ground level to the top of the sign or the highest portion of the sign structure or frame, whichever is greater.

SIGNS, NUMBER OF: For the purpose of computing the number of signs, all writing included within a sign area shall be considered one sign, except for multi-faced signs on a single sign structure, which shall be counted as one sign per structure.

SIGN STRUCTURE: Supports, uprights, braces, framework, and other structural components of a sign.

Comparison of Portions of Sign Regulations, Stayton and Four Other Mid-Valley Cities

	Stayton	Silverton	Independence	Monmouth	Dallas
Temporary Signs					
Number permitted at one time	1	1	1	only in window	2
Maximum size	16 sq ft	6 sq ft	10 sq ft	20% of window	16 sq ft
time limit	90 days/cal year	none	10 consecutive days once per month	7 days	90 days w/out a permit
		only during business hours	only during business hours		
Shopping Centers					
number of center signs	1 per street	1 per street	1 per street	1 per street	
Maximum size of center sign	150 sq ft if one sign/ 100 sq ft each if more than one sign	100 sq ft/ additional 5 sq ft per business if more than 5 businesses		60 sq ft	
maximum height of center sign	16 ft	20 ft	25 ft	15 ft	
Individual Businesses					
number of signs permitted				2 per frontage	
allowed sign area	2 sq ft/ft of bldg frontage	1 sq ft/ft of business frontage	0.75 sq ft/ ft of property frontage	1 sq ft/ft of bldg frontage	0.5 sq ft/ft of lot frontage
maximum sign area permitted	100 sq ft	100 sq ft	150 sq ft	120 sq ft	
max height of free-standing signs	16 ft			15 ft	30 ft
max area of pole sign	50% of max area for business	40 sq ft		60 sq ft	125 sq ft
Electronic message signs					
minimum change rate	1 time per minute	1 time per hour			1 time per 30 seconds

Date: February 20, 2015
To: Stayton Planning Commission
From: Sign Code Committee
Subject: Sign Code Revision

After a review of the sign code, we would like to make the following preliminary recommendations to better serve the business community. We would be happy to add additional insights behind the recommendations if needed.

General Principles

1. To all practical extent, sign code should be similar or the same in all business zones.
2. Whenever possible, the sign code should be consistent with the state code and modified as the state code modifies
3. Temporary businesses should meet the same sign code restrictions as long-term businesses
4. In the event a business closes, the owner of the property should have whatever time is needed to get a new tenant without having to remove existing signage provided that it is maintained in accordance with sign standards and is neutral (e.g. no longer has the old business sign up but could be reversed)
5. Zones need to be better defined (perhaps with a map) and types of signs should be better clarified (e.g. wall or canopy signs can project up to 1.5 ft from the building whereas projections signs can project 3 feet. It is not clear).

Specific Recommendations

1. Temporary, Portable Signs and Sidewalk signs: The code should allow these types of signs in all business zones. We do not want one business area of town treated differently than other business zones.
 - a. All business/commercial zones should be able to use up to 3 portable signs (up from one). These signs should be allowed without the current 90 day use time restriction.
 - b. Swinger signs should be allowed as well as A-frame sandwich signs in all business zones.
 - i. Should be allowed up to 8 to 10 sq ft, up from the current 6 sq ft.
 - c. Portable signs shall not be allowed within the improved right of way, not the right of way as it currently is written
2. In an integrated business center, in addition to the center signs facing the street, businesses that are located on a business pad should be able to have an additional monument sign facing the shopping center that does not interfere with the traffic flow (e.g. Cuppa Joe reader board)
3. Digital signage should conform to State of Oregon requirements which change periodically. Our current code imposes additional cost to business owners for signs that do not take advantage of newer technology.
4. Add DCMU to Section 9-A paragraph "a" item 1.



City of Stayton

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TO: Chairperson Rich Hatfield and Planning Commission Members

FROM: Dan Fleishman, Director of Planning and Development

SUBJECT: Request to Consider Amendments to the Sign Regulations.

DATE: March 30, 2015

As the Planning Commission is likely aware, in the late fall and early winter, the Planning Department initiated a broad City-wide effort to step up enforcement of the sign regulations in the Land Use and Development Code. This effort was requested by the City Administrator, in part, as the result of testimony given to the Planning Commission at the public hearing on sign regulation in the late summer.

The Department sent out approximately 65 letters to property owners regarding various violations of the sign regulations. The majority of the letters focused on three broad categories of violations: maintenance issues such as failed illumination, portable and temporary signs, and signs for nonexistent businesses or empty sign structures. The overwhelming majority of the property owners or business owners have brought their properties into compliance. Of the 65 initial letters that were sent, only 21 notices of violation and orders of abatement were sent, and only one citation has been issued. The property that was issued a citation has since been brought into compliance.

In mid-February, I met with approximately 25 business owners who had received letters and we conducted a review of the sign code. That meeting resulted in the formation of a committee that met to recommend amendments to the sign code. Their recommendations are attached. I have also provided my reaction/commentary to their recommendations that should be read in conjunction with their suggestions.

General Principles

1. The Code defines (in Chapter 17.16) defines three different Commercial Zones. The sign regulations are uniform in all three Commercial Zones. The Code also defines four types of Downtown Zones, three of which allow business use. There is a different set of regulations in

these zones. Just like the permitted uses, building height, and setbacks vary from zone to zone, the sign regulations do as well. That is, in part, the nature of zoning – different rules for different area of the City.

2. I am not aware of any state code relative to signs other than the Oregon Structural Specialty Code, which controls the structure, but not the size, height or location of signs. If the Committee has state codes in mind they should cite them.
3. Temporary businesses are typically not located in buildings and in place for only a short duration. Therefore the Code provides a different set of regulations for these businesses than for a long-term business.
4. The Code could be clarified to allow a blank sign to be inserted in sign structure when property is vacant. That is the practice of the planning department now.
5. Zones are defined by a map and the definition section of the Code (Section 17.04.100) contains specific definitions for types of signs and other sign-related terms.

Specific Recommendations

1. Temporary and Portable Signs are permitted in all commercial zones. Sidewalk signs are permitted in the Downtown zones and not in the other zones for two reasons: typically in the downtown zones there is not adequate room in the front yard for a free-standing sign and typically only in the downtown area is the sidewalk wide enough for a sidewalk sign to not block pedestrian access. Zoning by its very definition treats different parts of the city differently.
 - a. The Code could be amended to increase the number of portable signs permitted at one time.
 - b. I need a definition of a “swinger sign.” Under the current Code they are prohibited, most likely, only as a sidewalk sign. The
 - c. If a sign is located in the street right of way, it is an off-premise sign. The Code prohibits off-premise signs. Throughout the commercial zones, industrial zones and the downtown zones, the street rights of way are fully improved. The sidewalks are improvements within the right of way. I am not clear as to the intent of this recommendation
2. The code could be amended to allow for additional free standing signage for an individual business in a shopping center. The allowed size and location of the signage should be specified.
3. I am not aware of any State standards for digital signs.
4. The DCMU zone should be added to 17.20.140.9-A.a.1).

The Planning Commission should review each of the recommendations and determine whether they want to pursue discussion of them. Those that the Planning Commission is interested in pursuing, I will

prepare possible ideas for consideration at the April meeting. Once the Planning Commission has set of possible amendments, a public hearing will be scheduled.

The Planning Commission should note that on April 6, the City Council meeting will be dedicated to a work session on sign regulations. Commission members may find it beneficial to attend.