



**City of Sherwood  
PLANNING COMMISSION  
Sherwood City Hall  
22560 SW Pine Street  
Sherwood, OR 97140  
March 13, 2012 – 7PM**

**Business meeting – 7:00 PM**

- 1. Call to Order/Roll Call**
- 2. Agenda Review**
- 3. Consent Agenda:**
- 4. Council Liaison Announcements**
- 5. Staff Announcements**
- 6. Community Comments**
- 7. Old Business**
  - a. Continued Public Hearing PA11-07- Temporary and Portable Signs(Code Clean Up) –**  
The Planning Commission will consider proposed revisions to the Sherwood Zoning and Community Development Code. The proposed changes will update the “Signs” Chapter (16.102). Specifically, the proposed changes include housekeeping edits to ensure that the SZCDC is content neutral, a provision that would allow projecting signs beneath awnings and porches that are oriented to pedestrians, and a variety of amendments that will speak to the size, height, and placement of temporary and portable signs within the City of Sherwood. The Planning Commission will make a recommendation to the City Council who will make the ultimate decision.
- 8. New Business**
- 9. Adjourn**

**Work Session – following business meeting**

- 1. Planning Commissioner training on legal issues and obstacles**

**Next Meeting: March 27, 2012**



## MEMORANDUM

City of Sherwood  
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Mayor  
Keith Mays

Council President  
Dave Grant

Councilors  
Linda Henderson  
Robyn Folsom  
Bill Butterfield  
Matt Langer  
Krisanna Clark

City Manager Pro Tem  
Tom Pessemer

DATE: March 5, 2012  
TO: Sherwood City Planning Commission  
FROM: Planning Department  
SUBJECT: Chapters 16.100 and 16.102 Signs

The purpose of this memorandum is to outline the revisions that have been made to the proposed language for the regulation of signs that were discussed in your hearing on February 28, 2012. The revised language is attached to this memorandum for your consideration.



2009 Top Ten Selection



2007 18th Best Place to Live

Sherwood

2006

All-America City Finalist

In the public hearing of PA 11-07, the commission identified eight items that they wanted staff to consider and revise based on the verbal and written testimony that was presented to the Planning Commission. Each of those items is identified below along with a brief explanation of what revisions staff made to address the concerns. The order of the item discussed is based upon where it falls within the document.

**Testimony from RJ Claus suggested that the "nameplate" language, and language related to "Memorial or tablets, names of buildings, and date of erection..." found in section 16.100.010.C.1.(b and e), along with other provisions of the code were not time, place, manner, and content neutral.**

Staff consulted the City Attorney, amended section 16.100.010.C.1. to remove the referenced language, and replace it with a purely dimensional standard that does not force staff to rely on the content of the sign in order to regulate it. The proposed size of the signage is four (4) square feet. The City attorney suggested other amendments throughout the code, including removing all language related to off-premise signage, and other minor language changes to ensure that the code is time, place, manner, and content neutral.

**The City Attorney proposed amendments to the sign code language that removes any mention or regulation of Off-premise signage.**

Staff fully supports the proposed amendments and has incorporated them into the revised language where suggested.

**Written and verbal testimony from Matt Grady, Planner and Project Manager for Gramor Development requested that staff consider clarifying the difference between the projecting sign and signs that could be potentially placed beneath either a porch or awning, remove language that requires projecting signs to be spaced at least twenty (20) feet from one another, and to increase the allowed size to six (6) square feet as opposed to four (4).**

Staff supports the proposed amendments from Mr. Grady and has incorporated them into the revised language consistent with the Planning Commission's direction on February 28, 2012.

**Gary Surgeon and Cindy Sturm, both of whom are commercial brokers, along with Jeffery Zimmel of Mercury Development raised concerns about the proposed size limitations on Temporary signs. Their specific concern was directed at the proposed limitation of six (6) feet by (4) feet for temporary signs in all zones except the VLDR, LDR, and MDRL designations. They proposed that the limitation be increased to eight (8) feet by four (4) feet and a total sign face limitation of thirty two (32) square feet as opposed to the twenty four (24) square feet that staff initially recommended.**

After discussing the matter further with Mr. Surgeon, it came to light that the majority of commercial brokers buy their signs from a select group of companies and would be comfortable with a limitation of eight (8) feet by four (4) feet, but that the sign would need some clearance from the ground to ensure that the sign was not sitting directly on the ground. Since the signs are typically mounted onto posts, the height limitation would need to be increased by ½ a foot to keep the sign off of the ground, making the effective height of the sign eight and one half (8 ½) feet. Staff has incorporated the proposed amendments to the language for the overall size, but maintains the limitation of the sign face to thirty two (32) square feet.

**Daryl Winand, Government Affairs Specialist for the Portland Metro Association of Realtors (PMAR) provided written testimony that opposed removal of the weekday and weekend sign exemptions for portable signs that currently exists in the code, and in turn, the requirement for permits for any signs placed in the right-of-way. Mr. Winand also suggested revised language to the requirement that adjacent homeowners be notified when temporary or portable signs are placed in the front of their home on the abutting right of way.**

Consistent with the Planning Commission's discussion, the only change that was made with regard to these three items was the amended language for notification. It was determined that discussion of the permitting process related to signs within the right-of-way could be further discussed with the Council once the language was agreed upon. Most commissioners agreed that retaining the existing language exempting signs in the right-of-way on Tuesdays, and Thursday afternoons through Sunday was confusing to the public, and made enforcement of the sign code ineffective.

**Charles Jagow, Trustee for St. Paul Lutheran Church provided written testimony seeking relief from the requirements that banner signs be attached to a building, fence, or, wall, and would not be allowed within the right-of-way. Mr. Jagows' concerns are based on the fact that the church relies on banner signs to advertise its services to the community, and relies on the current location of its existing banner signs because of the realignment of Roy Rogers Road, and the public landscaping within the right-of-way. Mr. Jagow also objects to the limitation of three (3) banner signs in any one calendar year.**

Since the existing banner signs have not been permitted by either the County or the City, and neither entity allows banner signs within the public right-of-way, the church would need to petition the County to amend their rules for signs within the public right-of-way, and/or allow the City to permit them within the right-of-way. The City would then need to amend its language to allow banner signs within the right-of-way. Staff cannot think of any other solution to this situation short of favoring one property owner over others. Staff has, at the Planning Commissions' direction, proposed an increase in the allowed occurrences of banner signs from three (3) to six (6) consistent with Mr. Jagows' written testimony.

Finally, it should be noted that the spacing limitation for portable signs placed on private property were previously removed, so it would not be a problem for a property owner to have four signs on their property regardless of the amount of frontage they own.

## Chapter 16.100

### PERMANENT SIGNS\*

#### Sections:

**16.100.010 Common Regulations**

**16.100.020 Prohibited Signs**

**16.100.030 Sign Regulations by Zone**

\* Editor's Note: Some sections may not contain a history.

#### **16.100.010 Common Regulations**

##### A. Sign Permits

1. Except as otherwise provided in this Section and in Chapter 16.102, a person may not construct, install, structurally alter or relocate any sign without first obtaining an administrative sign permit from the City as required by Chapter 16.72, including payment of the fee required by Section 16.74.010. In addition, all permitted illuminated signs are subject to the provisions of the State Electrical Code and any applicable permit fees. (Ord. 2009-002, § 2, 4-21-2009; Ord. 2005-002 § 5; 2002-1132)

##### B. Sign Application.

1. Application for a sign permit shall be made upon forms provided by the City and shall include the following information:
  - a. Name, address and telephone number of the applicant. Name, address, telephone number and signature of the property owner.
  - b. Location of the building structure, lot or parcel to which or upon which the sign is to be attached or erected.
  - c. A scaled drawing showing sign design including colors, dimensions, sign size, height above ground, method of attachment, construction and materials, type, source and intensity of illumination and the relationship to any building to which the sign will be attached.
  - d. A plot plan drawn to scale indicating the location of all buildings, property lines, existing signs, street lights, easements, and overhead power lines on the same premises.
  - e. Name, address and telephone number of the person or firm who will erect, construct and maintain the sign. (Ord. 2009-002, § 2, 4-21-2009; Ord. 2004-006 § 3; Ord. 86-851)

##### C. Exceptions

1. The following signs do not require a permanent sign permit but shall conform to all other applicable provisions of this Chapter:

a. Traffic signs installed per the Manual of Uniform Traffic Control Devices and other federal, state and local traffic sign regulations.

~~b. Nameplates not exceeding one (1) square foot in area.~~

~~e.b.~~ Changes to the copy of a legally erected, painted or printed advertising sign, theater marquee or similar sign specifically designed for the use of replaceable copy that does not alter the dimensions of the sign.

~~d.c.~~ On-site painting, repainting, cleaning and normal maintenance and repair of a sign.

~~e.d.~~ Memorial A signs or tablets, names of buildings and date of erection not exceeding four (4) square feet in size when cut into any masonry surface or when constructed of bronze or other noncombustible materials.

~~f.e.~~ A sign that is accessory to a construction site and construction activities that does not exceed thirty-two (32) square feet in area, provided that such sign is removed within thirty (30) days from date of issuance of the final occupancy permit or within two (2) years, whichever is less.

~~g.f.~~ Portable/temporary signs allowed per Chapter 16.102.

~~h.g.~~ Public utility signs and other signs required by law.

~~i.h.~~ Signs on private property three (3) square feet or less per sign face and under three (3) feet tall when freestanding and installed to be readable on private property. (Ord. 2009-002, § 2, 4-21-2009; Ord. 2002-1132 §3; Ord. 86-851)

#### D. Violations

1. The City may order the removal of any sign erected or maintained in violation of the provisions of this Chapter. If the City orders the removal of a sign under this Section, the City shall give ninety (90) days written notice to the owner of the sign or, if the owner of the sign cannot be notified, to the owner of the building, structure or premises on which such sign is located, to remove the sign or to bring it into compliance. After ninety (90) days the City may remove the sign at cost to the owner of the building, structure or premises. All costs incurred by the City will be a lien against the land or premises on which the sign is located and may be collected or foreclosed in the same manner as similar liens an assessment lien. (Ord. 2009-002, § 2, 4-21-2009; Ord. 86-851 §3)

#### E. Nonconforming Signs

1. Signs that do not conform to the provisions of this Chapter are regarded as non-

conforming signs and shall be brought into compliance with this Code's standards.

2. Except as exempted in subsection four (4) below, a nonconforming sign in existence on the effective date of Ordinance 2005-002, shall be brought into compliance within five (5) years of the effective date of Ordinance 2005-002. A nonconforming sign erected after the effective date of Ordinance 2005-002 or made non-conforming by subsequent sign ordinance amendments, shall be brought into compliance within five (5) years of the issuance of a building permit to construct the sign or adoption of the ordinance creating the non-conformity. A nonconforming sign that is not brought into compliance within five (5) years shall be removed at the expense of the sign owner or, at the City's discretion, the owner of the property upon which it is located.
3. Except as exempted in subsection 4 below, a nonconforming sign that is structurally altered, relocated or replaced shall immediately be brought into compliance.
4. A sign that is forty five (45) feet tall or less and that is three hundred (300) square feet or less in size is exempt from the requirement to come into compliance within five (5) years and may remain until: a.) structurally altered, relocated or replaced, or b.) until such time as the property on which it is located goes through a major re-development as determined by the Commission as part of a Type IV land use application. (Ord. 2009-002, § 2, 4-21-2009; Ord. 2005-002 § 5; 2004-006)

#### F. Abandoned Signs

A person who owns or leases a sign shall remove the sign when the business advertised is discontinued or moves. The City shall give the owner of the building, structure or premises upon which an abandoned sign is located ninety (90) days written notice to remove the sign. After ninety (90) days the City may remove the sign at cost to the owner of the building, structure or premises. All costs incurred by the City may be a lien against the land or premises on which such sign is located and may be collected or foreclosed in the same manner as similar liens. (Ord. 2009-002, § 2, 4-21-2009; Ord. 86-851, § 3)

G. Reserved (Ord. 2009-002, § 2, 4-21-2009; Ord. 86-851, § 3)

#### H. Construction and Maintenance

Except as otherwise provided in this Code, the construction of all signs or sign structures shall conform to applicable provisions of the Uniform Building Code. All signs, supports, braces, guys and anchors and sign sites shall be kept in good repair and maintained in a clean, safe condition. (Ord. 86-851, § 3)

#### I. Definitions

1. **Animated Signs:** Signs that are animated by a person or animal using, carrying, or wearing a sign.

2. Area, Sign Face: The area of the sign shall be measured as follows if the sign is composed of one or more individual cabinets or sides:
  - a. The area around and enclosing the perimeter of each cabinet, sign face or module shall be summed and then totaled to determine total area. The perimeter of measurable area shall include all written advertising copy, symbols or logos.
  - b. If the sign is composed of more than two (2) sign cabinets, sign faces, or modules, the area enclosing the entire perimeter of all cabinets and/or modules within a single, continuous geometric figure shall be the area of the sign.
3. Awning or Canopy Sign: A sign attached ~~or applied to below a~~ building awning, porch, canopy, or other roof-like structure and limited to six (6) square feet.
4. Banner Sign: Signs made of lightweight fabric or other non-rigid material characteristically supported by two (2) or more points, and hung only on a permanent structure such as a building, fence, or wall.
5. Commercial Center: Any lot, or combination of lots legally bound together by a deed restriction, restrictive covenant or other recorded document, having at least two (2) but no more than three (3) legally permitted businesses on the site.
6. Commercial Plaza: Any lot, or combination of lots legally bound together by a deed restriction, restrictive covenant or other recorded document, having four (4) or more legally permitted businesses on the site. ~~Any legally permitted off premise sign on the site must comply with the provisions of this Chapter.~~
7. Electronic Message Signs: Consistent with 16.100.020.E.and F., electronic message signs may not change more than once every thirty (30) seconds. In addition, the change may not involve movement or flashing. Electronic message signs are limited to no more than thirty-five (35) percent of the total allowable sign area per sign face. (Ord. 2004-006 § 3) (Ord. No. 2009-003, § 2, 2-17-2009)
8. Flag sign: A sign constructed of lightweight material designed to wave or move in the wind to attract attention to a particular location. For the purposes of this code an example would be a vertical banner. Flag signs are sometimes referred to as teardrop or feather banners.
9. Free-Standing Signs:
  - a. Monument Sign: A sign constructed so that it is erected on grade or set into a hillside. If the monument sign is supported by poles, the sign shall extend to cover the support poles to within four (4) inches of the grade. Each free-standing monument sign shall have no more than two (2) faces.
  - b. Column Sign: A sign supported by two square columns covered by wood, brick,

metal or stone with a minimum width of twenty-four (24) inches or a single square column with a minimum width of thirty-six (36) inches.

- c. Pole Sign: A free-standing sign mounted on one (1) vertical support less than thirty-six (36) inches wide.
- 10. Mural – An image located on the side of a wall ~~that is, deemed to have artistic merit as~~ commissioned and/or approved by the City Council via resolution.
- ~~11. Off Premise Sign: A sign placed at a location other than on the lot or property where the business or event being advertised or otherwise promoted is located.~~
- ~~12.11.~~ Over-Right-of-Way Banner Sign: A banner sign, usually associated with a community-wide event, placed over a public right of way for a limited period of time.
- ~~13.12.~~ Permanent Residential Development Sign: Any sign erected in association with a single-family attached, single-family detached, duplex or townhome subdivision or Planned Unit Development (PUD). (Ord. 2005-002 § 5; 2004-006)
- ~~14.13.~~ Portable A-Frame Sign: A double-faced portable sign with an A-shaped frame, composed of two (2) sign boards attached at the top and separated at the bottom, and not supported by a structure in the ground.
- ~~15.14.~~ Portable Sign: Small movable signs used for a temporary period of time. Portable signs include stand-alone signs, not attached to a building or any other permanent structure. Examples include A-frame signs, political signs, real estate open house signs, and other similar signage.
- ~~16.15.~~ Projecting Sign: A projecting sign is a sign which projects from and is supported by a wall or parapet of a building with the display surface of the sign in a plane that is generally perpendicular to the wall.
- ~~17.16.~~ Roof Signs: Signs erected in or directly above a roof or parapet of a building or structure.
- ~~18.17.~~ Rotating or Revolving Signs: Signs that rotate or turn in motion by electrical or mechanical means in a circular pattern
- ~~19.18.~~ Single Business Site: Any lot, or combination of lots legally bound together by a deed restriction, restrictive covenant or any other recorded document, having a single legally permitted business on the site.
- ~~20.19.~~ Snipe Sign: Any sign of any size, made of any material, including paper, cardboard, wood and metal, when such sign is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, fences or other objects, ~~and the advertising matter appearing thereon is not applicable to the premises upon which said sign is located.~~

~~21.20.~~ Temporary Sign: Signs that are firmly affixed to a temporary structure that is placed into the ground and designed to be temporary. Characteristics of a temporary sign include signs constructed of a rigid material attached to wood or metal posts which do not require permanent footings. Examples of temporary signs include, but are not limited to residential and commercial real estate signs.

~~22.21.~~ Vehicle Sign: A sign that is attached to a vehicle, on or above the vehicle that is parked in a location for the primary purpose of advertising.

~~23.22.~~ Wall Sign: A sign attached to, erected against or painted on a wall of a building.

## **16.100.020 Prohibited Signs**

### **A. Unsafe or Unmaintained Signs**

All signs and sign structures must be constructed, erected and maintained to withstand the wind, seismic and other loads as specified in the Uniform Building Code. No sign shall be constructed, erected or maintained in violation of the maintenance provisions of this Chapter. (Ord. 86-851, § 3)

### **B. Signs on Streets**

No sign shall substantially obstruct free and clear vision along streets or by reason of the position, shape or color, may interfere with, obstruct the view of, or be confused with any authorized traffic signal or device. No sign shall use the words "stop", "look", "danger", or any other similar word, phrase, symbol or character that interferes with or misleads motorists, pedestrians or bicyclists. (Ord. 86-851, § 3)

### **C. Obstructing Signs**

No sign or sign structure shall be located or constructed so that it obstructs access to any fire escape, exit doorway or other means of egress from a building. No sign or supporting structure shall cover, wholly or partially, any window or doorway in any manner that will substantially limit access to the building in case of fire. (Ord. 86-851, § 3)

### **D. Rotating or Revolving Signs**

Rotating or revolving signs are prohibited. (Ord. 86-851, § 3)

### **E. Illuminated Signs**

Flashing signs, exposed reflective type bulbs, strobe lights, rotary beacons, par spots, zip lights and similar devices are prohibited. No exposed incandescent lamp which exceeds twenty-five (25) watts shall be used on the exterior surface of any sign so as to expose the face of such bulb or lamp to a public street. All permitted signs shall bear an approved

Underwriters Laboratory label or equivalent third party product safety testing and certification organization. (Ord. 86851 § 3)

#### F. Changing Image Signs

Any sign that, through the use of moving structural elements, flashing or sequential lights, lighting elements, or other automated method, results in movement, the appearance of movement or change of sign image or message ~~are-is~~ prohibited. Changing image signs do not include otherwise static signs where illumination is turned off and back on at a maximum of once every thirty (30) seconds and such change does not involve movement or flashing. (Ord. 2003-1153, § 1)

#### G. Pole Signs, over six (6) feet in height (Ord. 2004-006 § 3)

#### H. Signs on Vacant Land

Any sign on unimproved property, unless allowed as a portable or temporary sign under Chapter 16.102 ~~shall-beis~~ prohibited. (Ord. 2004-006 § 3)

#### I. Permanent Residential Development Signs (Ord. 2005-002 § 5; 2004-006)

#### J. Roof Signs (Ord. 2004-006 § 3) (Ord. No. 2009-003, § 2, 2-17-2009)

### **16.100.030 Sign Regulations By Zone**

#### A. Residential Zones

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

##### 1. Public/Semi-Public Uses

For churches, schools and other public uses located within a residential or institutional public zone:

- a. One (1) wall sign not exceeding thirty-six (36) square feet shall be permitted on a maximum of two (2) building elevations. Wall signs must be attached flat against the building face.
- b. One (1) free-standing sign per street frontage not exceeding thirty-six (36) square feet per sign face shall be permitted. A minimum setback of fifteen (15) feet from property lines adjacent to public streets is required. The maximum height of any portion of a free-standing sign shall be limited to six (6) feet from ground level at its base.

##### 2. Multi-Family Development Signs

- a. One (1) non-illuminated free-standing sign per street frontage not exceeding thirty-six (36) square feet per sign face shall be permitted, the maximum height of any portion of a free-standing sign shall be limited to six (6) feet from ground level at its base. (Ord. 2005-002 § 5; 2004-006)

### 3. Non-Residential Signs

- a. One (1) monument sign not more than sixteen (16) square feet in area identifying a permitted use in a residential zone shall be allowed. (Ord. 2005-002 § 5; 2004-006; 2002-1132)

## B. Commercial Zones

~~No~~ A permanent sign ~~requiring that requires~~ a sign permit ~~shall be is not~~ allowed in a commercial zones except for the following:

### 1. Free-Standing Signs

- a. Number Permitted: Except as otherwise provided in (1-3) below, one (1) multi-faceted, free-standing sign ~~designating the principal goods or services available on the premises shall be permitted per lot. Any off-premise free-standing sign legally located on a site shall be considered the sole free-standing sign allowed on the site and shall comply with the provisions of this Chapter.~~
  - (1) Where the total street frontage exceeds three-hundred (300) feet in length, one (1) additional free-standing sign is permitted. Except as otherwise permitted in (2) or (3) below, no more than one (1) free-standing sign per street frontage shall be permitted. Where two (2) or more signs are allowed due to multiple frontages, each sign shall be oriented to face a different direction or street frontage.
  - (2) One (1) additional free-standing monument sign may be provided for fueling stations, ~~to provide required pricing information.~~
  - (3) A Commercial Center or Commercial Plaza with at least two (2) stand-alone businesses may have one (1) additional free-standing sign provided the site has more than three hundred (300) feet of frontage
- b. Height Limit: The maximum sign height shall not exceed six (6) feet in all commercial zones except that in the locations identified in (1-5) below, the height, for no more than one (1) sign per single business site, commercial center or plaza, may be increased to no more than twenty (20) feet to allow for the construction of a column sign only. The exception locations are identified as:
  - (1) On or within one hundred (100) feet of Pacific Highway,

- (2) Tualatin-Sherwood Road between 99W and SW Olds Place,
- (3) Roy Rogers Road between 99W and Borchers
- (4) Sherwood Boulevard between 99W and Century Boulevard, and
- (5) Edy Road between 99W and Borchers.

The height of the sign shall be measured from the average grade of the building footprint located on site to the highest point of the sign. For sites with more than one (1) building, the average grade of the building closest to the location of the sign shall be used.

- c. Clearance: Signs are prohibited over a driveway or parking area.
- d. Area: The maximum sign area for all commercial zones shall not exceed thirty-six (36) square feet per sign face with a maximum of two (2) sign faces permitted except that in those areas identified in 16.100.030.B.1.b.1-5, the sign area for one (1) sign may be increased up to one hundred (100) square feet for a commercial center or up to one hundred fifty (150) square feet for a commercial plaza.
- e. Location: No free-standing sign or any portion of any free-standing sign shall be located within a public right-of-way. Free-standing signs must comply with the Clear Vision Area requirements of Section 16.58.010.

~~f. Off-Premise Signs: Sign area will be calculated as part of the permitting business's total square footage requirements as described in subsection (1)(d) above. Any off-premise free-standing sign legally located on a single business site shall be considered the sole free-standing sign allowed on the site and shall comply with the provisions of this Chapter.~~

~~(1) All off-premise signs oriented to be viewed from State Highway 99W shall be subject to the standards and requirements of the Oregon Administrative Rules and Oregon Revised Statutes administered and enforced by the Oregon Department of Transportation (ODOT). Where there is a conflict between the standards or requirements of the City and the State, the more restrictive standards or requirements shall apply.~~

## 2. Wall Signs

- a. Wall signs in combination with projecting signs shall not exceed twenty percent (20%) of the gross area face of the building to which the sign is attached. Signs placed on or within one (1) foot of display windows and designed to be viewed from the exterior of the building shall be included in determining the amount of signage. A minimum of thirty (30) square feet is guaranteed and the maximum

shall be two-hundred fifty (250) square feet. Wall signs may not project more than one and one-half (1 1/2) feet from the wall to which they are attached.

### 3. Projecting Signs

- a. Projecting signs supported by a wall of a building or structure shall be permitted under the following conditions:

(1) Only one (1) projecting sign will be permitted per store front. ~~with wall signs.~~ Projecting signs are attached so that they hang perpendicular to the façade of the building, and are limited in size by the provisions of 16.100.030.B.2.a above.

(a) In addition, businesses within commercial districts with a porch or awning, will be permitted to have one (1) additional awning sign that is perpendicular to the building and oriented to pedestrians provided that they are:

- (i) Hung from the roof of the porch or awning;
- (ii) Less than ~~four-six~~ (46) square feet in area; and
- (iii) The bottom of the sign is at least eight (8) feet above the grade of the sidewalk.

(2) No projecting sign shall be permitted on the same premises where there is a free-standing sign.

(3) No projecting sign shall extend more than three (3) feet above the roof line at the wall or the top of a parapet wall, whichever is higher.

~~(4) No projecting sign shall be located within twenty (20) feet of another projecting sign in the same horizontal plane.~~

~~(54)~~ When a projecting sign is used no angle irons guy wires or braces shall be visible except those that are an integral part of the overall design such as decorative metals or woods or unless they are required for safety.

~~(65)~~ No sign shall project to within two (2) feet of the curb of a public street or beyond five (5) feet from the building face, whichever is less.

### 4. Directional Signs

- a. The requirements of ~~subsection~~ Chapter 16.102 shall apply. (Ord. 2004-006 § 3; 2002-1132)

### C. Industrial Zones

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

following:

1. Free Standing Signs

- a. Industrial zoned properties that have an approved PUD and approval for permitted commercial uses, shall apply requirements in Section 16.102.030.B.1-5.
- b. Other than allowed under (1) above, a property in an industrial zones ~~shall be permitted to may have~~ have one (1) multi-faced free-standing sign ~~designating the principal uses of the premise~~ per street frontage provided the height does not exceed six (6) feet and the sign face does not exceed thirty-six (36) square feet per sign face for a maximum of seventy-two (72) square feet.

2. Directional Signs

- a. The requirements of ~~subsection 3 below~~ Chapter 16.102 shall apply. ~~(2004-006 § 3; 2002-1132)~~

3. Wall Signs

- a. The requirements of Section 16.100.030.B.2, Commercial Signs shall apply. (Ord. No. 2009-003, § 2, 2-17-2009)

## Chapter 16.102

### TEMPORARY, PORTABLE AND BANNER SIGNS\*

#### Sections

**16.102.010 Temporary and Portable Signs - Purpose**

**16.102.020 Temporary and Portable Signs General Regulations**

**16.102.030 Temporary Signs**

**16.102.040 Portable Signs**

**16.102.050 Banner Signs**

**16.102.060 Violations**

\* Editor's Note: Some sections may not contain a history.

#### **16.102.010 Temporary and Portable Signs - Purpose**

Temporary, portable, and banner signs regulated by this code are intended to allow the City of Sherwood citizens to exercise their right to free speech while ensuring that the City's streets remain clear of visual clutter and safe for travel. Signs that are not clearly regulated by the provisions of this chapter are subject to the standards for permanent signs in Chapter 16.100. Definitions for permanent, temporary, and portable signs can be found in Section 16.100.010.I. All temporary, portable, and banner signs are subject to the time, place, and manner regulations of this chapter

#### **16.102.020 Temporary and Portable Signs General Regulations**

A. Temporary and portable signs are prohibited in the following locations:

1. Within any ODOT right-of-way, including but not limited to Highway 99.
2. Within any Washington County right-of-way, including but not limited to Roy Rogers Road, Edy Road, and Tualatin-Sherwood Road.
3. Within any clear vision area as defined in Section 16.58.010

B.

The following temporary, portable, and banner signs are exempt from the provisions of this chapter.

1. Public notice signs as required by Section 16.72.020, or by any federal, state or local law.
2. Federal, state, and other flags not exceeding twenty-four (24) square feet in all residential zones, and forty (40) square feet in all other zones.
3. Signs that have been approved in association with a City of Sherwood Special Event Permit.
4. ~~A~~ Public-necessity signs such as safety ~~and~~ instructional signs, for public facilities and public parks, City sponsored community events, ~~warnings, information kiosks at~~

~~trail heads, bus stops, no parking, and street name signs~~ installed by or with permission of the City of Sherwood, ~~are exempt from permit requirements.~~

- C. Temporary and portable signs on private property do not require a permit, but are subject to all of the applicable standards within this section.
- D. Signs shall not be placed on private property without the express permission of the property owner.
- E. Signs shall not be illuminated and may not include pennant strings, balloons, streamers, spinners, propellers, search lights, or other items that involve motion to attract attention.
- F. Signs shall not obstruct vehicular or pedestrian traffic.
- G. It is the responsibility of the person posting a temporary or portable sign to remove it.
- H. In the event that a sign is requested by a business whose regular access is blocked due to road construction and/or road closures, signs may be permitted to remain in the public right-of-way, at an approved location, until construction is completed. Such signs do not require a permit. Such signs may be located in ODOT, City of Sherwood or Washington County right-of-ways if approved by ~~these agencies~~agency.

### 16.102.030 Temporary Sign Regulations

- A. The following regulations apply to all temporary signs as defined in Section 16.100.I.21.
  - 1. Temporary signs on properties zoned VLDR, LDR, and MDRL, may be double sided, but are limited to a maximum height of six (6) feet, and a maximum sign width of three (3) feet. The actual sign face of each side of the sign shall not exceed six (6) square feet.
  - 2. Temporary signs in all other zones may be double sided, and are limited to a maximum height of ~~six eight and one half~~ (68 1/2) feet, and a maximum width of four (4) feet. The actual sign face of each side of the sign shall not exceed ~~twenty-four~~thirty-two (2432) square feet.
  - 3. No more than one (1) temporary sign is permitted on any one (1) lot unless the property fronts more than one (1) street or has more than three hundred (300) feet of frontage along a street. In these limited cases up to two (2) temporary signs may be allowed.
  - 4. Where multiple temporary signs are placed on the same property, as authorized above, the signs shall be spaced at least fifty (50) feet apart.
  - 5. Temporary signs are not permitted in the public right-of-way.

### 16.102.040 Portable sign Regulations

- A. The following regulations apply to all portable signs as defined in Section 16.100.I.15 in all zones.
  - 1. Portable signs, in all zones are limited to four (4) feet in height with a sign face no larger than six (6) square feet.
  - 2. No more than four (4) portable signs are allowed on any residentially zoned lot.
  - 3. No more than (1) portable sign per business is allowed in all other zones.
  - 4. No portable sign shall be placed in any publicly owned right-of-way without a permit unless exempt per B, below or 16.102.020.B above.

5. Permits for portable signs placed within the public right-of-way are valid for thirty (30) days and must meet the following criteria:  
Signs placed in public rights-of-way must meet the following standards in order to obtain and maintain a valid permit:
  - a. Because maintenance of the right-of-way in front of a single-family home is the responsibility of the homeowner, a person wishing to place a sign in the right-of-way, in front of someone's home must make a good faith effort to contact the homeowner, and if not home, must leave something in writing that includes the persons contact information and a description of the effort made to contact the homeowner. signs may only be placed within the right-of-way adjacent to attached and detached single-family and two-family homes after the property owner has been notified and provided with the sign owner's contact information.
  - b. Signs shall not create a traffic safety or maintenance problem, and the City may remove and dispose of any signs that constitute a problem.
  - c. Signs shall be freestanding and shall not be attached to any structure or vegetation such as utility poles, traffic signs, street signs, trees, or similar items.
  - d. Signs within the public right-of-way shall be either an A-frame design or shall be attached to a wood or wire h-frame stake driven into the ground well clear of tree roots, irrigation lines, and any other underground utility that could be damaged by such stakes.

B. The following regulations apply to all portable signs located within the Old Town Overlay District

1. ~~A B~~businesses who has~~ve~~ a valid City of Sherwood business license and ~~are is~~ physically located within the Old Town Overlay District, may display two (2) portable signs, without a permit, on private property or within the public right-of-way in the Old Town Overlay District.
2. Each portable sign shall be a maximum of six (6) square feet per sign face. ~~If a~~A business that wishes to place a portable sign on the sidewalk in front of someone else's property ~~that business~~ must receive written permission from the property owner whose-of the property ~~is adjacent to~~ where the sign is placed. Signs shall be sited per Section 16.102.040.

### 16.102.050 Banner Sign Regulations

- A. The following banner signs are exempt from these regulations:
  1. Banner signs not intended to be viewed from a public street. (Ord. 2002-1132 § 3)
  2. Signs that meet any of the provisions of section 16.102.020(B)
- B. The following regulations apply to all banner signs as defined in Section 16.100.I.4 and over the right-of-way banner signs in 16.100.I.12 in all zones.
  1. Except for banner signs approved as over the right-of-way banner signs, banner signs shall be firmly attached to the side of a building, fence, or wall only. No banner sign shall be attached to building roofs, vehicles, trailers, or anything else.
  2. Banner signs shall not cover building windows.
  3. Banner signs shall be maintained in good condition. They shall not droop, have frayed ends, and shall be graphically clear and readable. Sun-faded, weather-damaged

banner signs are prohibited.

4. Banner signs shall be made of all-weather material. (Ord. 2002-1132 § 3)

#### C. Permitted Locations

1. Commercial, Industrial, and Institutional Public Zoning Districts.
  - a. Each business having a valid City of Sherwood business license and who's business is physically located in the Neighborhood Commercial (NC), Office Commercial (OC), Retail Commercial (RC), General Commercial (GC), General Industrial (GI), Light Industrial (LI) or Institutional Public (IP) zoning district may display one (1) banner sign on private property.
  - b. Banner signs shall be no larger than thirty-two (32) square feet in size.
2. Residential Zoning Districts.
  - a. One (1) banner sign not exceeding thirty-two (32) square feet per tax lot. (Ord. 2002-1132 § 3)
3. Signs proposed to be located over a public right-of-way are subject to the following provisions:
  - a. An applicant may be approved for one (1) temporary over-the-right-of-way banner sign to be attached to power poles. Over-the-right-of-way banner signs shall be installed only after receiving a permit from Portland General Electric (PGE) or its successor. Once a PGE permit is obtained, the applicant is required to receive a right-of-way permit from the City Engineer.
  - b. Over-the-right-of-way banner signs are allowed at the following locations:
    - (1) Over North Sherwood Boulevard, north of the south property line of Sherwood Middle School and south of the north property line of Hopkins Elementary School.

#### D. Review Process

1. No banner sign, except signs exempt by the provisions of sections 16.102.020.B, and 16.102.050.A shall be placed anywhere within the City without a permit.
2. Requests for permits shall be processed through a Type I administrative review and are subject to the standards listed above.
3. Permits for banner signs within the City shall be valid for a period of thirty (30) days.
4. Permits may be reissued on the same property a maximum of ~~three-six~~ (36) times in any calendar year.
5. ~~If an owner wishes to have a~~For a banner sign ~~that will be~~ permanently affixed to a wall, the process and dimensional limitations for a permanent wall sign ~~will~~ apply.

#### **16.102.070 Violations to temporary, portable and banner sign standards**

1. Fines shall be set by City Council resolution. (Ord. 2002-1132 § 3)
  - A. First Violation –Written warning stating corrective action required to bring the portable sign into conformance is provided to the property owner.
  - B. Second Violation -- Fine.
  - C. Third Violation -- Sign removed and held for thirty (30) calendar days. During this period the sign will be returned to the owner subject to payment equal to

twice the original fine.

- D. Fourth Violation -- The business loses temporary and portable sign privileges for one (1) year. City can remove signs and fine for each offense during this one (1) year probation period. (Ord. 2006-021; 2005-002 § 5; 2002-1132)
- E. The City is not responsible for any signs not collected by the owner after the thirty (30) day hold period expressed in C above. Such signs shall be properly disposed of by the City in the event that the signs are not collected by the owner within five (5) days after the hold period expires.