NEWBERG ELECTRONIC SIGN
AD HOC COMMITTEE AGENDA
3-5 p.m., Thursday, May 6, 2010
Newberg City Hall, Permit Center Conference Room
414 E. First Street, Newberg, Oregon

I. ROLL CALL

II. OPEN MEETING

III. MEETING MINUTES – approve April 1, 2010 minutes

IV. WORKSHOP: Electronic sign code amendments/recommendation

V. OTHER BUSINESS

VI. NEXT MEETING – June 3, 2010 (if needed)

VII. ADJOURN

FOR QUESTIONS PLEASE STOP BY, OR CALL 537-1240, PLANNING & BUILDING DEPT. - P.O. BOX 970 - 414 E. FIRST STREET

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NEWBERG ELECTRONIC SIGN
AD HOC COMMITTEE MINUTES
3-5 p.m., Thursday, April 1, 2010
Newberg City Hall, Permit Center Conference Room
414 E. First Street, Newberg, Oregon

I. ROLL CALL:

Present:	Michael Sherwood, Vice Chair	Claudia Stewart
	Stephen McKinney	Kristen Horn
	Loni Parrish	Julie Want (arrived at 3:17 p.m.)
Absent:	Nick Tri, Chair (excused)	Dennis Lewis (excused)
	Fred Gregory (excused)	

Staff Present: Barton Brierley, Building and Planning Director
Steve Olson, Associate Planner
Dawn Karen Bevill, Recording Secretary

Others Present: Jerry Carlson, Manager of A Storage Place of Newberg

II. OPEN MEETING:

Vice Chair Michael Sherwood opened the meeting at 3:02 p.m. and asked for roll call.

III. MEETING MINUTES:

MOTION #1: Stewart/Horn moved to approve the March 4, 2010 minutes as submitted. (5Yes/ 0 No/ 4 Absent [Tri, Lewis, Gregory, Want]) Motion carried.

IV. WORKSHOP: Electronic sign code amendments/recommendation:

Steve Olson reviewed the consensus items from the March 4, 2010 meeting:
1. Sign maintenance language;
2. Sign brightness language;
3. Non-conforming: don't want to make more signs non-conforming;
4. Don't want to allow flashing, rapid scrolling or long video clips;
5. Include non-code items in recommendation (awards for public service messages, low-interest loans for sign upgrades); and
6. Downtown signs: Status quo for now; review animated signs as part of downtown coalition work.

Steve Olson then went over the discussion items for the meeting:
1. How standards vary by zone districts;
2. Definitions of flashing, rapid scrolling, extended video, etc. (see videos);
3. Review process: non-discretionary or two-track; and
   a) If two-track, then which signs get site element review?
   b) Scoreboard: limit time or require site element review?
4. Longer term: Code enforcement only, or with license/renewal process?

Steve Olson distributed written comments to the committee, received by email from Dennis Lewis and Fred Gregory. Dennis Lewis stated he was thought we were going to move toward a technology neutral position on signage regardless of size. Mr. Lewis suggested allowing extended video messages in commercial and industrial zones. He also suggested initiating the site element review process in the downtown zone, and deferring the downtown zone criteria to the Main Street Coalition or a combination of Planning and Main Street. He also suggested changing flashing or rapid scrolling to "strobing or hazardous bright light use of signage".

Fred Gregory stated in his email that he agreed with Dennis's comments, and apologized for his absence at today's meeting.

Loni Parrish asked how to define flashing versus strobing. Steve Olson replied that strobing is bright, rapid flashing that could be blinding or at least very distracting. Kristen Horn asked what "technology neutral" means. Barton Brierley believes that Mr. Lewis was suggesting that the code not distinguish based on display method. Claudia Stewart asked how long before revisiting this code in the future since alternating animation and display methods will be much different in years to come. Stephen McKinney stated some existing electronic signs will be totally obsolete in a few years. Steve Olson believes the proposed code definitions are based not on technology but on how the sign looks, which should allow technology to change without requiring the code to be constantly updated.

TIME – 3:20 PM

Steve Olson referred to Table 1: Electronic Message Center Standards by Display Method, Size, Zoning, and Review Process located on page 10 of the official meeting packet. The existing 10 square foot signs are currently allowed to operate with no limits on animation. If the committee wishes to not make these non-conforming while prohibiting flashing/rapid scrolling on larger signs then there needs to be a separate category for the "10 sq. ft. and under" signs. If flashing were limited for all signs, it would make the 10 square foot signs non-conforming. The proposed standards allow animation for signs under 30 square feet, but no flashing, rapid scrolling, or extended video. Over 30 square feet is similar, but animated messages would require site element review.

Vice Chair Sherwood asked for clarification regarding images that repeat to segments over ten seconds in duration. Barton Brierley explained if you display a news broadcast on a television screen it would be classified as an extended video message. If a video clip was shown every 15 seconds and repeated over and over again, it would still be considered an extended video message due to being over 10 seconds.

Steve Olson showed video of flashing, rapid scrolling, alternating messaging, alternating & animated messaging combinations, and animated messaging. Under the proposal, the animated message would be allowed up to 30 square feet; however, larger signs would require a sign review. Claudia Stewart asked if upcoming improvements in technology will blur the definition of animated and alternating signage since they do not seem that different from one another. Steve Olson replied alternating is a static picture that alternates every 5 seconds, similar to how Walgreens operates. There is no animation or motion, so it would look different from an animated message. The difference isn't really based on technology, just on how the sign is programmed to operate.

Stephen McKinney asked if there is any comparison between the City of McMinnville's code language and Newberg's since Colvin Ford on Highway 99W uses animation and alternating on their sign, which he believes to be done quite tastefully. Staff stated they will look into it.

Mr. Olson showed the existing Electronic Message Centers which are over 10 square feet which includes Walgreens, Lewis Audio Video, Storage Place, Mountain View Middle School, and Newberg Dodge. Claudia Stewart stated the size is limited at Mountain View due to the total sign usage and 30 square foot maximum for schools.

Steve Olson reviewed the site elements and design review process as defined on page nine of the meeting packet. The committee would have to decide whether this review should be done by the Planning Commission or at the staff level. Vice Chair Sherwood asked if language could be added regarding safety and distraction. Stephen McKinney stated a safety definition would have to be specific and not arbitrary.

Steve Olson showed examples of poorly maintained landscaping and buildings versus nice landscaping. Claudia Stewart asked the financial implication for a two-tier process and code enforcement. Barton Brierley replied it could go to the Planning Commission (Type 3 process) which is an added cost of $1,000 or a notice can be sent to the neighbors (Type 2 process) which costs approximately $500 per application; paid to the Planning Department. Stephen McKinney stated it is fair to say the City wants to be sure expenses are paid in terms of the hours devoted to the project. A sign owner or advertiser could be given options to choose from within a given area, which is acceptable. For the sake of economy, it would save the City money and make it much more likely to see the project succeed if the process was simple. Claudia Stewart appreciates the flexibility with a site element review but is still concerned how long this code will be effective with the changes in technology. Kristen Horn would like the code to give opportunity for usable informational center signs at the schools due to the benefit to the parents.

Julie Want left the meeting at 4:39 p.m.

Steve Olson referred back to Table 1 and continued his review. The Committee agreed to allow more animated messages and video messages in the Portland Road Commercial section of the table, and insert a site element review under larger signs with extended video messaging. Claudia Stewart asked with respect to Dennis Lewis who has asked that extended video messages be allowed in all sizes, could staff walk the Committee through what it could potentially look like in the 10 – 30 square feet and 30 – 100 square feet. Barton Brierley showed the Committee some digital messages that are similar to a video commercial. Stephen McKinney does think the larger the venue the more likelihood and opportunity for extended video which could be done in an appropriate manner. Ms. Stewart suggested changing the number to 30 – 50 square feet for a site review and prohibit the larger video signs. Barton Brierley stated staff could set up language to have an allowable larger sign if it is set farther back. The Committee consensus was to have 10 – 30 square feet allow extended video without a site design review.

The Committee agreed the downtown coalition should look at the rules in the Downtown (C-3) Zone. Mr. McKinney stated there should be a linkage between the Main Street Committee, the Ad Hoc Committee, and the City in order to lend expertise to the type of signage.

Steve Olson reviewed to the last two sections of Table 1. In order to not have a stadium sign function as a billboard, a time limit could be placed on it (before and after events). Loni Parrish asked if informational signs at the schools could be larger. Staff stated they could come back with a proposal allowing more size if the sign is on the building set back, as well as more size for free-standing signs. Claudia Stewart would appreciate alternating and animated messages allowed for the 10 – 30 square foot signs. Under the current matrix, Mountain View could not post the image of a child with an Amber

Alert message in 10 square feet or less and suggested putting in a requirement to turn them off at night and back on in the morning due to being in a residential zone.

Stephen McKinney asked staff to look into electronic signage being attached to a building.

V. OTHER BUSINESS: No other items were brought forward.

VI. NEXT MEETING : The next scheduled meeting is May 6, 2010.

VII. ADJOURN: Meeting adjourned at 5: 11p.m.

Approved by the Electronic Sign Ad Hoc Committee on this 6th day of May, 2010.

AYES:	**NO:**	**ABSENT:** (List Name(s))	**ABSTAIN:** (List Names(s))

Recording Secretary

Electronic Sign Ad Hoc Committee Chair

City of Newberg

Planning and Building Department
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Memorandum

To: Electronic Sign Ad Hoc Committee

From: Steve Olson, Associate Planner

CC: Barton Brierley, Dan Danicic, Mayor Bob Andrews

Date: April 29, 2010

Re: May 6 workshop/recommendation

The committee has considered many different issues relating to electronic signs, and is now trying to make a recommendation on what kind of electronic signs should be allowed where, and under what conditions. The following is a summary of the last meeting and a draft recommendation based on that discussion.

Summary of the last meeting:

- **Process:** The committee generally liked the idea of having a two-track review process to allow a little more flexibility for some types of signs. The question was where to draw the line - which signs will need a simple non-discretionary review, and which signs will need a site element review. The committee asked staff to revise the criteria for the next meeting to make the site element review as objective as possible, so that it could possibly be reviewed by staff instead of having to go to the Planning Commission (would make it faster and cheaper for applicants). The code language should also explain what the appeal options would be.
- **Size & Zoning:**
    - For Portland Rd commercial, the committee wanted to continue to allow small signs (under 10 sf) to use any display method because these small signs have little impact, even if they have flashing or rapid scrolling. The committee had more concerns about larger signs (50-100 sf) and were considering greater limits on these. One idea was to allow larger signs or more flexible operation if the setbacks were greater.
    - For Institutional/Neighborhood Commercial areas, the committee wanted staff to redraft language allowing animated messages on medium sized signs, and require site element review on larger signs. They wanted to consider allowing signs to be larger if they were attached instead of freestanding.
    - In residential areas, they wanted to consider allowing animated messages but add language requiring the signs to be turned off at night, and to allow larger signs (larger than the current 30 sf limit) on buildings or freestanding signs that were set farther back from the street.
- **Stadium scoreboards**: The committee preferred to set a time limit, rather than require a special review.
- **Mobile signs**: The committee asked staff to draft language prohibiting animated signs on vehicles.

DRAFT RECOMMENDATION:

The Electronic Sign Ad Hoc Committee believes that electronic signs provide a valuable means of communication for the community to give and receive information about business products, events, and current conditions. The committee believes that the City could allow more flexibility to use electronic signs, depending on the zone and the sign size, while protecting the livability of residents. The committee recommends that the City Council initiate a development code amendment to allow more flexibility to use electronic signs in most zoning districts. The committee also recommends that the prohibition on animated signs in the C-3 downtown district be revisited in the future as part of the downtown coalition process. The committee further recommends that the City consider other options, such as annual sign awards or low-interest loans for sign upgrades, to encourage better signs in Newberg.

I. RECOMMENDED DEVELOPMENT CODE AMENDMENT

A. Add the text and table below:

§ 151.597.5 ELECTRONIC MESSAGE CENTERS
Electronic message center signs are permitted subject to the limitations below.
Electronic message centers are not permitted on vehicles, on trailers, as portable signs, or for residential uses in residential zones.

(see table on next page)

Table 1: Electronic Message Center Standards by Display Method, Size, Zoning, and Review Process

Zoning	Size of EMC [1]	Display Method				
		Static Message	Alternating Message	Animated Message	Extended Video Message	Flashing or rapid scrolling
Portland Road Commercial and Industrial (C-2, M-1, M-2, M-3, M-4); other zones not listed	10 sq. ft. or less	Allowed	Allowed	Allowed	Allowed	Allowed
	> 10 sq. ft. up to 30 sq. ft.	Allowed	Allowed	Allowed	Allowed	Prohibited
	> 30 sq. ft. up to 50 sq. ft.	Allowed	Allowed	Allowed[2] or Site element review	Site element review	Prohibited
	> 50 sq. ft. up to 100 sq. ft.	Allowed	Allowed	Site element review	Prohibited	Prohibited
Downtown (C-3) Zone	10 sq. ft. or less	Allowed	Prohibited	Prohibited	Prohibited	Prohibited
	> 10 sq. ft. up to 30 sq. ft.	Allowed	Prohibited	Prohibited	Prohibited	Prohibited
	> 30 sq. ft. up to 100 sq. ft.	Allowed	Prohibited	Prohibited	Prohibited	Prohibited
Institutional (I), Neighborhood Commercial (C-1), and Residential-Professional (R-P)	10 sq. ft. or less	Allowed	Allowed	Allowed	Allowed	Allowed
	> 10 sq. ft. up to 30 sq. ft.	Allowed	Allowed	Allowed	Prohibited	Prohibited
	> 30 sq. ft. up to 50 sq. ft.	Allowed	Allowed	Allowed[2] or Site element review	Prohibited	Prohibited
	> 50 sq. ft. up to 100 sq. ft.	Allowed	Site element review	Site element review	Prohibited	Prohibited
All Residential Zones (Including R-1, R-2, & R-3) [3]	10 sq. ft. or less	Allowed	Allowed	Allowed	Prohibited	Prohibited
	> 10 sq. ft. up to 30 sq. ft.	Allowed	Allowed	Allowed	Prohibited	Prohibited
	> 30 sq. ft. up to 50 sq. ft.	Allowed[2]	Allowed[2]	Allowed[2]	Prohibited	Prohibited

[1] Maximum size of EMC is limited by the maximum size of sign allowed in that zone. Therefore, EMCs of the size shown may or may not be allowed.
[2] Allowed if setback from front property line is greater than 30 feet.
[3] Must be turned off between the hours of 11 p.m. and 6 a.m.

Review process:
The table above lists the zones where EMCs are allowed, based on the display method, size, and review process. EMCs that are allowed in the zone will use the standard Type I administrative review process. EMCs that require Site element review will use the process described below.

1. Site element review process: A Type (I or III) process with a decision by the (Planning Director or Planning Commission or Sign Review Commission).
    a. Criteria: The review body must find that the sign will be compatible with surrounding uses, based on the following factors:
        i. Proposed sign operation complies with code.
        ii. Sign does not shine on bedroom windows in residential districts.
        iii. Setback: at least 15 feet from front property line
        iv. Hours of operation: must be turned off between the hours of 11 p.m. and 6 a.m. if site abuts a residential district.
        v. Site landscaping is maintained and is up to code. If the site is nonconforming and cannot be brought up to code then efforts have been made to bring the site as close to code as practical.
        vi. Freestanding signs include 3 of the following design elements:
            a. Includes prominent brickwork, masonry, naturally-finished wood, or naturally-finished metal in frame or supports.
            b. Uses 2 support poles or a full-width support structure.
            c. Outline of the frame is predominantly non-rectangular or curved.
            d. Includes landscaping around the base equal in area to the size of the sign.
            e. Less than (60-70-80)% of sign is EMC.
            f. Height is 20% lower than required.
            g. Setback is 20% greater than required.
            h. (Building maintenance or appearance standard?)
    b. Appeals: All appeals of the Site element review process shall be heard by the (Planning Commission or City Council).

Electronic scoreboards: Electronic scoreboards with electronic message centers in stadiums or at sports fields are not considered signs or limited in size or display method if they are oriented inward to the playing field. If the scoreboard is visible outside the property, then the scoreboard shall not be used prior to two hours before an event at the stadium or field, or used longer than one hour after an event has ended.

Sign maintenance: All electronic message centers shall be kept in a good state of repair. Any burned out lights or LEDs shall be replaced as soon as possible.

Brightness: Each electronic message center shall be equipped with dimming technology that automatically varies the brightness of the electronic message display according to ambient light conditions.

B. Add the following to the existing Definitions section:

§ 151.003 DEFINITIONS

ELECTRONIC MESSAGE CENTER (EMC). A sign that is capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

ELECTRONIC MESSAGE CENTER DISPLAY METHODS:

1. **Static message**. The display on the entire electronic message center stays constant for a period of at least ten minutes, and does not appear to change, move, scroll, vary color, or vary light intensity.

2. **Alternating message**. The display on the entire electronic message center is held constant for a period of at least 5 (five) seconds, and does not appear to change, move, scroll, vary color, or vary light intensity during that period, and where the image transitions to another image instantly or in a transition of less than ½ second.

3. **Animated message**. The display on all or part of the electronic message center changes or appears to move, scroll, vary color, or vary light intensity. *Animated message* excludes static messages, alternating messages, extended video messages and flashing or rapid scrolling.

4. **Extended video message**. A display on an electronic message center that contains images that vary in a continuous, non repeating fashion, similar to television viewing. It includes messages or patterns of images that repeat in segments over ten seconds in duration. It excludes images that serve as a background display, where a foreground display comprising at least 50 percent of the EMC surface is held constant for continuous one second intervals. It also excludes flashing or rapid scrolling displays.

5. **Flashing or rapid scrolling.** *Flashing* means a display that includes a pattern of sudden alteration (less than ½ second) between an illuminated EMC face and a face without illumination, or an EMC face where the copy color and the background color alternate or reverse color schemes rapidly (in less than ½ second). *Rapid scrolling* means any letter or character in a message moves or appears to move across an EMC face faster than 10 feet in two seconds. *Flashing or rapid* scrolling excludes a transition of less than ½ second between messages on an alternating message display.

C. Make the changes below in the existing code sections (deletions are ~~struck through~~, additions are <u>underlined</u>.)

151.593 GENERAL REQUIREMENTS; ALL SIGNS.

(C) ~~No animated sign shall exceed ten square feet in area~~. In the C-3 Zone, animated signs are prohibited.

151.594 MAJOR FREESTANDING SIGNS.

(B) Size.

(1) Residential Zones: No major freestanding sign shall be larger than 0.2 square foot per foot of street frontage, up to a maximum of ~~30~~ <u>50</u> square feet. At least six square feet of signage will be allowed. Major freestanding signs are not allowed on lots containing only one single family dwelling or duplex.

151.596 MAJOR ATTACHED.

(B) Size:

(1) R-1, R-2, and R-3 Zones: The total of all major attached signs on any building frontage shall not exceed 0.2 square foot for each foot of building frontage. At least six square feet of signage will be allowed up to a maximum of ~~30~~ <u>50</u> square feet. Major attached signs are not allowed on lots containing only one single family dwelling or duplex.

II. RECOMMENDED NON-CODE OPTIONS

Non-code options
The Electronic Sign Ad Hoc Committee also believes that there are other actions that can be taken outside of the sign code to improve signs in Newberg. The committee recommends that the City Council encourage a community-based group to create an annual award for signs that show public service messages. The committee also recommends that the City Council consider creating a low-interest loan fund for sign upgrade projects in Newberg.

End of recommendation.

Test Cases for discussion:

Existing signs: One way to evaluate the draft recommendation above is to test how existing signs and businesses would fare under it.

Location	Size of EMC	Total size of sign	Percent of sign that is EMC
Walgreens	28 sf	85.3 sf	33%
Lewis AV	21 sf	49 sf	43%
Storage Place	20.8 sf	50.8 sf	41%
Mtview MS	15 sf	26 sf	58%
Newberg Dodge	23 sf	93 sf	25%

- Walgreens: C-2 zone, under 30 sq. ft. Allowed under a standard review to use static messages, alternating messages, animated messages, and extended video messages. Prohibited from flashing or rapid scrolling.
- Lewis Audio-Video: Same.
- Storage Place: Same.
- Newberg Dodge: Same.
- Mountain View Middle School: Residential zone, 15 sq. ft. Allowed under a standard review to use static messages, alternating messages, and animated messages. Prohibited from using extended video messages, flashing, or rapid scrolling.
- Best Western Newberg Inn: C-2 zone, 10 sq. ft or less. Allowed to use any type of display method.

Possible sign scenarios:

- Sherwin Williams: C-2 zone, not near residential.
    - If they replaced the lower part of their sign (approx. 30 sf) with an EMC they would be allowed under a standard review to use any display method except flashing and rapid scrolling.
    - If they replaced their entire sign with a 100 sf EMC then under a standard review they could display static messages and alternating messages. If they wanted to display animated messages they would need to apply under the site element review process. Extended video messages, flashing, and rapid scrolling would be prohibited.
    - Site element review for a 100 sf EMC: The sign is not near a residential district, so there is no concern about shining on bedroom windows, and no

need to limit hours of operation. The sign is setback 15 feet from the front property line, so it meets that standard. The site landscaping is new and up to code. Under design elements, the sign would only get credit for landscaping around the base. The sign is rectangular, on a single support pole, all metal/plastic, and at the maximum size and minimum setback. They would need to modify the sign to include two other design elements. Options include: adding a curved top to the sign, enclosing the support pole in brick, widening the support pole to a full-width structure, decreasing the size of the EMC to 80 sf, or lowering the sign from 15 feet to 12 feet.

- Muchas Gracias/KFC: C-2 zone, not near residential. If they replaced their sign with a 100 sf EMC then under a standard review they could display static messages and alternating messages. If they wanted to display animated messages they would need to apply under the site element review process. Extended video messages, flashing, and rapid scrolling would be prohibited.
    - Site element review for a 100 sf EMC: The sign is not near a residential district, so there is no concern about shining on bedroom windows, and no need to limit hours of operation. The sign is setback 20 feet from the front property line, so it meets that standard. The site landscaping is nonconforming, as it does not have a 10 foot deep landscaped front yard. The only way to meet the front yard landscaping standard would be to remove the drive through lane, which is not a practical solution for the business. The owner would need to make other landscaping improvements on the site, and bring the site as close to conformance as practical. The sign does not include any of the design elements, as it is rectangular, on a single support pole, all metal/plastic, and at the maximum size and minimum setback. They would need to modify the sign to include three design elements. Options include: adding a curved top to the sign, adding landscaping around the base, enclosing the support pole or base in brick, widening the support pole to a full-width structure, decreasing the size of the EMC to 80 sf, or lowering the sign from 20 feet to 16 feet.

- Bizeau Dental: C-1 neighborhood commercial, across the street from residential. Corner of College and Foothills. If they added a 50 sf EMC could display alternating messages under a standard review. If they wanted to show animated messages they would either need to set the sign back over 30 feet or apply under site element review. They could have up to a 100 sf EMC at this site, but would need to apply for site element review to show alternating or animated messages.
    - Site element review for a 100 sf EMC: They would have difficulty getting approval under site element review if the sign faced a residential area (west or north), but could probably place it on the south face of the building, setback 15 feet from the front property line. They would need to turn the sign off at night (between 11 p.m. and 6 a.m.). The site landscaping is up to code. If the sign was a rectangular wall sign then it could be approved. If it was a freestanding sign then it would need to be designed to include at least 3 of the design elements.

- The Armory: R-2 residential, surrounded by residential. If they added a 30 sf EMC they could be approved under a standard review and display static messages,

alternating messages, and animated messages. Extended video messages, flashing and rapid scrolling would be prohibited. They could instead add a 50 sf EMC under a standard review, but would have to set it back at least 30 feet from the front property line.

- Grace Baptist Church: R-1 residential, with residential to the south, a church to the west, and commercial north and east. If they added a 30 sf EMC they could be approved under a standard review and display static messages, alternating messages, and animated messages. Extended video messages, flashing and rapid scrolling would be prohibited. They could instead add a 50 sf EMC under a standard review, but would have to set it back at least 30 feet from the front property line.