

**NEWBERG TEMPORARY AND  
PORTABLE SIGN AD HOC COMMITTEE**  
**Wednesday, February 5, 2014**  
**4:00 p.m., Newberg City Hall**  
**Permit Center Conference Room**  
**414 E. First Street, Newberg, OR**

- I. Welcome and introductions**
- II. Approval of January 15, 2014 meeting minutes (Note: minutes are unavailable at the time of the meeting packet production)**
- III. Public input**
- IV. Potential sign issues and change options discussion**
- V. Next Meeting – Wednesday, February 19, 2014**
- VI. Other Business**
- VII. Adjourn**

**ATTACHMENTS**

- 1. – Comment letter from Carolyn Staples dated January 27, 2014
- 2. - Staff memo regarding potential sign issues – background information and change options

RECEIVED

JAN 28 2014

Initial: DB

January 27, 2014

To: David Beam

From: Carolyn Staples

Re: Temporary flag signs

I have lived in Newberg over 50 years and applaud many developments that have made our town nicer, such as street trees along First street. I lament the proliferation of those tall flappy flag signs around businesses. It makes our streets look cluttered and cheap. They quickly become faded and just look bad! They are difficult to read and can be a moving distraction for drivers.

I have become used to the small wooden sandwich signs that seem necessary because of our one-way street system. These signs are well designed and neat looking. Although there could come a time when their sheer numbers would clutter the sidewalks too much.

I am asking that you and your committee consider NOT allowing the tall flappy flag signs any longer in our city. They do not add, but only distract from the beauty of our town.

Please let me know where your committee stands on this matter.

Thank you.

*Carolyn Staples*

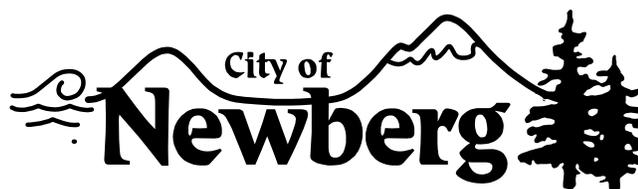
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# Memorandum

**To:** Temporary and Portable Sign Ad Hoc Committee  
**From:** Barton Brierley, Planning and Building Director  
David Beam, Economic Development Planner  
**Date:** 01/29/2014  
**Re:** Potential issues – background information and change options

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As you will recall, city staff included in the January 15<sup>th</sup> meeting packet a list of general categories regarding potential issues the committee may want to examine further. That list was developed from the input we have received so far. The purpose of this memo is to provide more background details to each of these potential issues as well as present some options on how those issues could be addressed. The intent of this list is to use it as a starting point for discussions about whether or not the committee would like to address a particular issue and, if so, develop some proposed language changes to the sign code for consideration by the city council. Of course, this list may be modified at the discretion of the committee.

Examining these issues needs to be done in context of the Newberg Development Code. As a reminder, the code provides the following statement of purpose for the temporary and portable sign standards:

**15.435.010 Purpose.**

A. The citizens of Newberg desire a clean, attractive, economically vibrant, and safe community. Well-planned and constructed signs can contribute to the community's success by directing and informing the public about commercial and other activities, and by creating attractive commercial and other neighborhoods. On the other hand, unregulated signage can create clutter, distractions, and hazards.

B. These regulations are designed:

1. To improve, maintain and preserve Newberg as a pleasing environment so as to improve the quality of life of all residents.
2. To enhance the attractiveness of Newberg as a place to conduct business.
3. To enable the identification of places of residence and business.
4. To allow freedom of expression.
5. To reduce distractions and obstructions from signs which would adversely affect safety.

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6. To reduce the hazards from improperly placed or constructed signs. [Ord. 2499, 11-2-98. Code 2001 § 151.590.]

**Issue 1**      **Signs in the right-of-way outside of downtown (C-3 zone)**



**Current code language**

**15.435.110 Signs within the public right-of-way.**

A. Public signs are permitted in the public right-of-way as permitted by the governmental agency responsible for the right-of-way.

B. For lots in the C-3 and C-4 zones, the one allowed portable sign per street frontage may be located, without permit, in the public right-of-way fronting that lot, provided it meets the following standards:

1. The sign may not be less than two feet nor more than four feet high.
2. The sign may not be located within the vehicular path.
3. If located on a sidewalk, the sign must leave a clear area of at least five feet measured horizontally and may not be located on a wheelchair ramp.
4. If the sign is located adjacent to a striped on-street parking area, the sign must be located adjacent to the stripe.
5. The sign may not be located within three feet of a fire hydrant.
6. The sign must be removed during nonbusiness hours or hours the adjoining property is uninhabited.

7. The property owner abutting the right-of-way shall grant permission for any sign, other than a public sign, that is placed within that right-of-way fronting the property owner's lot.

8. If more than one sign is located in the right-of-way fronting one lot, all signs may be forfeited as per subsection (E) of this section.

C. For lots in other zones, one portable sign per street frontage may be allowed in the public right-of-way, provided:

1. The applicant first obtains a sign permit from the director approving the location of the sign. Approval is at the sole discretion of the director. The permit shall be affixed to the sign.

2. The standards of subsections (B)(1) through (B)(6) of this section are met.

D. No other signs shall be placed within the public right-of-way except as specifically permitted by this code.

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E. Any sign installed or placed in the public right-of-way, except in conformance with the requirements of this code, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the city shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign. Identifying information on the sign shall be prima facie evidence that the individual or entity so identified is the violator. [Ord. 2706 § 1 (Exh. A(2)), 10-6-08; Ord. 2564, 4-15-02; Ord. 2499, 11-2-98. Code 2001 § 151.600.]

**Penalty:** See NMC 15.05.120.

### **Potential issues**

Private signs are being placed in the public right-of-way without obtaining a permit from the planning and building director. Current fee for permit application is \$10. Permits are rarely granted.

### **Potential changes/actions**

- A. Require additional standard of permission from adjacent property owner.
- B. Change the permit application fee of \$10.
- C. Apply some and/or all sign standards of the C-3 and C-4 zones to other zones.
- D. Change what standards would apply to which types of zones.

### ***Issue 2 Signs in the right-of-way in downtown (C-3 zone)***



### **Current code language**

See language listed under Issue 1, section “B”.

### **Potential issues**

- A. Signs remain outside in the right-of-way “...during nonbusiness hours or hours the adjoining property is uninhabited.”

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B. Sign in right-of-way of an adjoining property can be of someone that is not of the adjoining property owner (with the adjoining property owner's permission).

### **Potential changes/actions**

- A. Change the time period of a day a sign can remain outside.
  - B. Permit multiple signs in right-of-way.
  - C. Develop a uniform sign standard.
  - D. Develop a way-finding sign system.
3. *Sign type definitions (teardrop flags, streamers/pennants, umbrellas, inflatables)*



### **Current code language**

#### **15.05.030 Definitions.**

“Sign” means any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public. “Sign” includes banners, flags, balloons with graphics, letters, or advertising, and murals.

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“Sign, portable” means any [sign](#) not permanently attached to the ground or other permanent [structure](#), or a [sign](#) designed to be transported, including, but not limited to: [signs](#) designed to be transported by means of wheels; [signs](#) connected to A- or T-frames; menu and sandwich board [signs](#); umbrellas, balloons, [flags](#), or banners containing [signs](#); and [signs](#) attached to or painted on vehicles parked and visible from the public [right-of-way](#), unless said [sign](#) is permanently affixed to the vehicle and said vehicle is licensed for movement on public [streets](#).

“Sign, temporary” means a [portable sign](#) that is limited by law to placement for a specified period of time.

“Flag” means fabric that is attached to a pole on one end only that [uses](#) any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a [person](#) or entity, or to communicate information of any kind to the public.

“Flag display” means one or more [flags](#) attached to a single pole.

### **Potential issues**

The current development code has a definition for a “flag” and “flag display”, which could be interpreted to include teardrop style flags. There are no definitions for streamers/pennants, umbrellas, of inflatables (except for “balloons with graphics” under the general definition of “signs”).

### **Potential changes/actions**

- A. Place sign types under existing sign definition categories.
- B. Create new definition category for a sign type. This would require further definitions within the sign code, such as size, location, etc.)

### ***Upcoming meetings***

At future meetings, staff recommends that we examine more in-depth the following issues:

4. Signs in interior lot
5. Signs in front yard
6. Signage for multiple businesses on one lot (including deep/skinny frontage lots)
7. Sign quality and maintenance
8. Enforcement

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9. Education program