PLANNING/BUILDING COMBINATION SIGN APPLICATION --- 2015

414 E. FIRST ST., NEWBERG, OR 97132
503-537-1240

Planning Permit/File #:_____

Building Permit/File #: _____

STEP 1: Planning/Building Combination Sign Permit

Site Address:_____ Sub /Park: _____ Lot / Space: _____

Name of Commercial Business/Project for Site Address: _____

Description of Work: _____

OWNER: _____ Phone: _____Cell: _____

Address: _____ Fax: _____

City: _____ State: _____ Zip: _____ Email: _____

ARCHITECT: _____ Phone: _____Cell: _____

Address: _____ Fax: _____

City: _____ State: _____ Zip: _____ Email: _____

SIGN COMPANY: _____ Phone: _____Cell: _____

Address: _____ Fax: _____

City: _____ State: _____ Zip: _____ Email: _____

CONTRACTOR/INSTALLER: _____

CCB # _____ Exp Date: _____/_____/_____ Phone: _____Cell: _____

Address: _____ Fax: _____

City: _____ State: _____ Zip: _____ Email: _____

TYPE OF WORK:	❑ New	❑ Repair		
USE:	❑ Single Family	❑ Multi-Family	❑ Commercial	❑ Industrial
SETBACKS:	**Front to Sign:** _____	**Side Yard to Sign:** _____	**Interior to Sign:** _____	**Rear to Sign:** _____

SIGN SQ FT.:	_____	**TOTAL VALUE: (Estimated cost of project)**	_____

I hereby state that I have read and understand this application and the information provided is correct:

Applicant's Signature: _____ Date: _____

Please print name: _____

This application will expire 180 days from the submittal date. Any subsequent permits issued will become null and void if work on construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days after work has commenced.

PLANNING/BUILDING COMBINATION SIGN APPLICATION --- 2014

414 E. FIRST ST., NEWBERG, OR 97132
503-537-1240

Planning Permit/File #:_____

Building Permit/File #: _____

STEP 2: Proposed and existing sign description
Please provide specific information on the proposed and existing signs at the site. This information will ensure that your proposal conforms to regulations for signs in the City of Newberg. For questions regarding regulations, see the Newberg Development Code excerpts at the end of the packet.

PROPOSED SIGNAGE (attach additional forms if three (3) or more signs are proposed):

SIGN #1 ❑ Replacement ❑ Additional ❑ New

Location:_____ Animated? ❑ Yes ❑No

Type (see page 5 for definition) ❑ Attached If attached, distance from building: _____
❑ Free Standing ❑ Portable

Size of sign face (sq ft of one side):_____ Height from ground to top of sign: _____
Setback (how far) from property line: _____ Lighting style (bulb, neon, etc.): _____

SIGN #2 ❑ Replacement ❑ Additional ❑ New

Location:_____ Animated? ❑ Yes ❑No

Type (see page 5 for definition) ❑ Attached If attached, distance from building: _____
❑ Free Standing ❑ Portable

Size of sign face (sq ft of one side):_____ Height from ground to top of sign: _____
Setback (how far) from property line: _____ Lighting style (bulb, neon, etc.): _____

EXISTING SIGNAGE TO REMAIN (attach additional forms if there are three (3) or more signs):

SIGN #1
Location:_____ Size of sign face (sq ft of one side): _____

Type (see page 5 for definition) ❑ Attached If attached, distance from building: _____
❑ Free Standing ❑ Portable

SIGN #2
Location:_____ Size of sign face (sq ft of one side): _____

Type (see page 5 for definition) ❑ Attached If attached, distance from building: _____
❑ Free Standing ❑ Portable

This application will expire 180 days from the submittal date. Any subsequent permits issued will become null and void if work on construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days after work has commenced.

APPLICATION STEP SUMMARY

STEP 1: Complete the Planning/Building Combination Sign Permit Application

The attached permit application serves as both a sign design review application and a building permit application.. However, in the event the sign requires electricity, a Yamhill County Electrical permit also will be required.

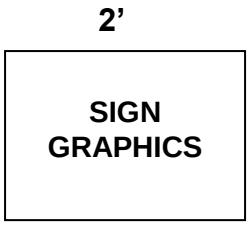
STEP 2: Describe the proposed and existing signs

Describe proposed and existing signs.

STEP 3: Provide sign graphics and show the site location

Draw the sign showing placement dimensions, location and mounting. Include a graphic representation of the sign including dimensions, colors, graphics, material, lighting, and construction details. List the materials used in construction, down to nail size (see Ex. A).

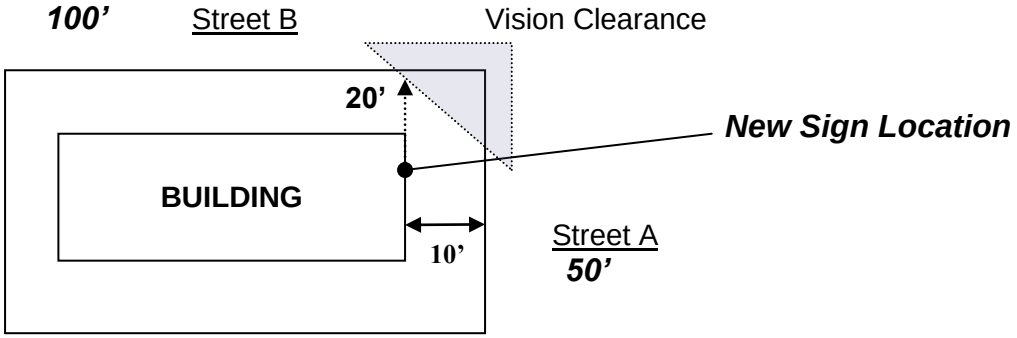
Example A



White background with black lettering
Carved wood sign
No lighting
Attached by steel brackets (enclose photo or detailed description)

Include a site plan showing location and measurements for parcel boundaries, buildings, and all proposed and existing signs. Vision Clearance requirements (refer to vision clearance handout) must be show on the plans (see Ex. B).

Example B



This application will expire 180 days from the submittal date. Any subsequent permits issued will become null and void if work on construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days after work has commenced.

APPLICATION STEP SUMMARY - Continued:

Downtown (C-3) Sign Standards: Any major attached or freestanding sign located in the C-3 Zone must score at least 10 points using the Downtown Sign Standards Point Scale (see attached table). Provide a copy of the table indicating which points have been met.

STEP 4: Submit and pay fees

- Items in Steps 1, 2, and 3 are required for submittal.
- Provide C-3 zoning point list if applicable. A fee reduction may be available for signs exceeding the design standards
- Plan review fees (can be combined into one check):
  - Planning fee: $70 plus $1 per sq ft. of sign face (only one side of sign)
  - Building fee: based on the estimated value of project (materials & installation); see Building plan check fee schedule
- Timeline: review time is approximately two weeks after application is deemed complete. You may call 503-537-1240 for a status update at that time.

STEP 5: Pick up approved permit and pay residual fees

Fees are due upon permit pick up

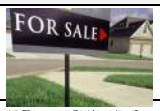
- Permit fee: is based on actual* value of project (see fee schedule)
- Community Development fee: .75% based on the actual* value of project
- City Facility Fee: .25% based on actual* value of project
- State Surcharge: 12% of building permit fee

**Fees are based on the actual value as determined by the plans examiner, not estimated value submitted with application packet.*

STEP 6: Schedule final inspection after sign installation

Once the sign is installed, call 503-554-7714 to schedule the final inspection. Provide the sign location address, permit numbers, type of inspection, and your name and contact number when calling. Please know that Yamhill County performs all electrical inspections (if applicable).

This application will expire 180 days from the submittal date. Any subsequent permits issued will become null and void if work on construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days after work has commenced.

Sign Type	Description	Size	# Allowed	Permit?
WINDOW GRAPHICS	**Graphics or lettering painted or attached to windows (inside or outside)**			
		0-50% coverage	No limit	No
		More than 50% coverage	Major attached sign regulations apply	Yes
FLAG DISPLAY	**One or more flags attached to a single pole**			
		No Limit	One flag display on each street frontage	No
		No Limit	Unlimited on holidays	No
PORTABLE	**Any sign not permanently attached to the ground or structure with non-removable lettering**			
	Residential Zones	Up to 6 sq. f	One per street	No
	Non-residential Zones	Front yard: 12 sq. ft. Other locations: 40 sq. ft.	One per street	No
	Public Right-of-way (sidewalk)	Min Height 2 ft. /Max 4 ft.	One per street	C-3 Zone No
	No readerboards allowed at Portable Sign	*See 151.600 for specific requirements		Yes
TEMPORARY	**A portable sign that is placed for a limited time**			
 See 151.599 for specific requirements	**Grand Opening:** Up to 30 days after opening*	No Limit	No Limit	Notify City of Dates
	During Election Event: Up to 90 days prior to election and 14 days after*	Up to 12 sq. ft. (in total)	Two per lot	No
	Other Events: Up to 2 other events a year no more than 8 days each*	No Limit	No Limit	No
FREESTANDING	**Any sign that is anchored to the ground and independent from a structure**			
	**Minor:** Residential Zones	Up to 3 sq. ft.	Two per frontage plus one per 100 ft of frontage	No
	Commercial Zones	Up to 6 sq. ft./3 ft. Height		No
 See 151.594 (C) for height and setbacks restrictions	**Major:** Residential Zones	0.2 sq. ft. per foot frontage, at least 6 sq. ft. up to 30 sq. ft.*	Not allowed for Single Family or Duplex	Yes
	C-1 and I Zones	0.5 sq. ft. per foot frontage, at least 12 sq. ft. up to 100 sq. ft.*	One per street frontage	Yes
	C-3 Zones	1 sq. ft. per foot frontage, at least 40 sq. ft. up to 100 sq. ft.	One per street frontage	Yes
	Other Zones	1 sq. ft. per foot frontage, at least 40 sq. ft. up to 100 sq. ft.*	One per street frontage	Yes
ATTACHED	**Any sign attached to any part of a building**			
	Minor: Residential Zones	Up to 3 sq. ft. - not above roof	No limit - Must be 25 ft. apart	No
	Commercial Zones	Up to 6 sq. ft. - not above roof	No limit - Must be 25 ft. apart	No
	Awnings: C-3 Zones	See 151.597 (B)	No Limit	No
	Other Zones	Attached Sign regulations apply		No
 See 151.596 for specific requirements	**Major:** Residential Zones	0.2 sq. ft. per foot frontage, at least 6 sq. ft. up to 30 sq. ft. in total*	One per 25 ft. of building frontage	Yes
	RP, C-1, I Zones	0.5 sq. ft. per foot frontage at least 12 sq. ft. in total*	One per 25 ft. of building frontage	Yes
	Other Zones	1.0 sq. ft. per foot frontage at least 40 sq. ft. in total*	One per 25 ft. of building frontage	Yes
C-3 DOWNTOWN	**Must meet 10 points – see Sign Standard Point Scale and 15.435.010**			Yes

§ 15.05.030 DEFINITIONS

BUILDING FACE. An exterior wall of a building that generally faces one direction and that is visible from the public right-of-way. A **BUILDING FACE** is broken by a change in building direction of 60 degrees or more, except for minor extensions or indentations that are shorter than 50 percent of the building frontage (Fig. XV).

BUILDING FRONTAGE. The longest horizontal distance between lines perpendicular to a building face (Fig. XVI).

FLAG. A 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. One or more flags attached to a single pole.

READERBOARD. A portable sign with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. **READERBOARD** does not include animated signs, nor does it include signs where less than 20 percent of the sign area can be so changed or rearranged.

SIGN. 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.

SIGN, ANIMATED. A sign that has a display that changes more than once in any ten minute period.

SIGN AREA. The area of a sign which is computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets the requirements of this Code and is clearly incidental to the display itself. The **SIGN AREA** for a sign with more than one face shall be computed by adding the area of all sign faces visible from any one point. When two sign faces are placed back to back or at an angle of less than 45 degrees to one another so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than 42 inches apart, the **SIGN AREA** shall be computed by the measurement of the largest face (Fig. 16).

SIGN, ATTACHED. Any sign attached to any part of a building, as contrasted to a freestanding sign. **ATTACHED SIGNS** are of two types:

(1) Minor Attached: A sign not to exceed six square feet in area (three square feet in Residential Zones) that does not extend above the roof line of the building it is attached to.

(2) Major Attached: All other attached signs.

SIGN, FREESTANDING. Any sign supported by structures or supports that are anchored in the ground and that are independent from any other building or structure. **FREESTANDING SIGNS** are of two types:

(1) Minor Freestanding: A freestanding sign that is less than or equal to six square feet in area (three square feet in Residential Zones) and three feet in height.

(2) Major Freestanding: All other freestanding signs.

SIGN, PORTABLE. 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, PUBLIC. Any sign that is placed within public right-of-way by or under direction of a governmental agency.

SIGN, TEMPORARY. A portable sign that is limited by law to placement for a specified period of time.

§ 15.205.100 NON-CONFORMING SIGNS.

(A) Compliance for temporary and portable signs. All temporary or portable signs not in compliance with the provisions of this code shall be removed immediately.

(B) Compliance for all other signs. The owner of any sign that was placed legally but does not now conform to the requirements of this code shall either remove the sign or register it with the city on a form provided by the Director prior to January 1, 2000. All signs that do not comply with the standards of this code shall be removed prior to January 1, 2009. Exceptions are:

(1) Any legal, non-conforming sign that exceeds that maximum allowable size or height by less than 10% may remain.

(2) Prior to January 1, 2008, the owner of any legal, non-conforming sign may apply to allow the legal non-conforming sign to remain. Such requests shall be heard by the Planning Commission, or by an ad hoc committee appointed by the City Council, and shall be approved, approved with conditions, or denied based on the following:

(a) The sign is in a good state of repair and maintenance.

(b) The number, size, and height of signs to remain is minimal and contributes to an attractive appearance to the neighborhood.

(c) The use of bold and bright colors, lighting, and designs is minimal.

(d) Other elements of the site are well maintained and attractive.

Except as specifically determined by the hearings officer, any sign allowed to remain under the provisions of this subsection is subject to removal under the provisions of subsections (C), (D), and (E) below.

(C) Abandonment. Any sign not in compliance with the provisions of this code shall be removed by the owner if the site on which the sign is located is vacant for a period of one year or more. If the owner fails to remove the sign, the city may abate the sign as provided in NMC 15.05.100.

(D) Site improvements. Any sign not in compliance with the provisions of this code shall be removed if the buildings or site improvements on the site on which the sign is located are replaced or modified, except additions and remodels allowed under a Type I design review, NMC 15.220.020(A).

(E) Sign modifications. Signs not in compliance with the provisions of this code, when replaced, relocated, modified or altered, shall be brought into compliance with this code. For purposes of this section, a modification or alteration shall not include the following:

(1) Maintenance and repairs such as cleaning, painting, refacing, replacing damaged portions of the sign, or similar activities that do not involve a change in copy.
(2) A change of a panel on a sign for three or more tenants designed to have removable panels.
(3) A modification of the existing cabinet and/or face of the sign that results in a reduction in size and/or height of the sign and that does not involve a change in copy.

(F) *Historic landmarks exemption.* The provisions of §15.344.010 (A) through (E) shall not apply to any sign located in a Historic Landmarks Sub-district or on a historic landmark.

(Ord. 96-2451, passed 12-2-96; Am. Ord. 98-2499, passed 11-2-98, Ord. 2008-2706, passed 10-6-08) Penalty, see § 15.05.120

§ 15.410.060 VISION CLEARANCE SETBACK.

The following vision clearance standards shall apply in all zones (Fig. 9).

(A) At the intersection of two streets, including private streets, a triangle formed by the intersection of the curb lines, each leg of the vision clearance triangle shall be a minimum of 50 feet in length.
(B) At the intersection of a private drive and a street, a triangle formed by the intersection of the curb lines, each leg of the vision clearance triangle shall be a minimum of 25 feet in length.
(C) Vision clearance triangles shall be kept free of all visual obstructions from two and one-half feet to nine feet above the curb line. Where curbs are absent, the edge of the asphalt or future curb location shall be used as a guide, whichever provides the greatest amount of vision clearance.
(D) There is no vision clearance requirement within the commercial zoning district(s) located within the Riverfront (RF) Overlay Sub-district.

(Ord. 96-2451, passed 12-2-96; Am. Ord. 99-2507, passed 3-1-99; Ord. 02-2564, passed 4-23–02) Penalty, see § 15.05.120

' 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 residences and business.
(4) To allow the freedom of expression.
(5) To reduce distractions and obstructions from signs which would adversely affect safety.
(6) To reduce the hazards from improperly placed or constructed signs.

(Ord. 98-2499, passed 11-2-98)

' 15.435.020 APPLICABILITY AND EXEMPTIONS.

(A) All signs placed or maintained anywhere within the city shall comply with the standards of this code, with the exception of the following:

(1) Public signs.
(2) Signs that are required to be placed by law and that are no more than 50% larger than the minimum size required by law or, if there is no minimum size specified, signs with lettering height no more than four inches.
(3) Signs painted on or attached to windows that do not cover more than 50% of the surface of that window.
(4) Signs located entirely within a building and not on a window.
(5) Signs not legible from the public right-of-way.

(B) If any of the signs listed above require permits under the Uniform Sign Code, the sign shall be placed only following issuance of such permit.

(C) Nothing in this Code shall be construed to allow placement of a sign on a property without the authority of the property owner.

§ 15.435.030 PERMIT REQUIRED.

(A) Except as follows, no person or entity shall place any sign within the city without first obtaining a permit from the Director.

(B) The following do not require sign permits, but must otherwise comply with the standards of this code.
(1) Minor freestanding signs.
(2) Minor attached signs.
(3) Temporary signs.
(4) Portable signs.
(5) If any of the signs listed above require permits under the Uniform Sign Code, the sign shall be placed only following issuance of such permit.

(Ord. 98-2499, passed 11-2-98) Penalty, see § 15.05.120

§ 15.435.040 GENERAL REQUIREMENTS; ALL SIGNS.

(A) All signs shall comply with the standards contained in the Uniform Sign Code, 1997 edition or most recent, published by the International Conference of Building Officials. If the standards of that code and this Development Code conflict, this Development Code shall prevail. All signs shall be kept in repair and in proper state of preservation as required under the Uniform Sign Code.

(B) No sign shall have bright or flashing lights shining on a public way that blind or impair the vision of drivers. No sign shall be constructed such that it may be confused with any traffic sign, signal or device.

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

(D) All signs shall comply with the vision clearance standards of NMC 15.410.060.

(E) Signs located in the Airport Overlay Sub-district shall comply with the height and visual interference restrictions of that district.

(Ord. 98-2499, passed 11-2-98; Am. Ord. 2002-2561, passed 4-1-02; Am. Ord. 2002-2565, passed 4-1-02) Penalty, see § 15.05.120

§ 15.435.050 MAJOR FREESTANDING SIGNS.

(A) *Number*.
(1) *Residential, I, and CF Zones.* One major freestanding sign is allowed on each street frontage, plus one sign for each full 600 feet of street frontage. Only one sign on each street frontage may be an animated sign.
(2) *Other zones.* Not more than one major freestanding sign shall be located on any one street frontage.

(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 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.
(2) C-1 and I Zones: No major freestanding sign shall be larger than 0.5 square foot per foot of street frontage, up to a maximum of 100 square feet. At least 12 square feet of signage will be allowed.
(3) Other zones: No major freestanding sign shall be larger than 1.0 square foot per foot of street frontage, up to a maximum of 100 square feet. At least 40 square feet of signage will be allowed. For any lot at least ten acres in size with at least 200 feet of frontage on a street, the one sign on that street may be up to 200 square feet total size.

(C) Height and setbacks: Freestanding signs regulated by this section are not subject to the setback requirements of §§ 15.410.010 through 15.410.070 or the projecting building features requirements of said sections. Height and setbacks of freestanding signs shall conform to the following requirements:
(1) C-3 Zone. No major freestanding signs shall be allowed greater than six feet in height.
(2) Other zones.
(a) A sign up to three feet in height is not required to be setback from any property line.
(b) A sign taller than three feet and up to six feet shall be setback at least five feet from any property line.
(c) A sign taller than six feet and up to eight feet shall be setback at least ten feet from any front property line and five feet from any interior property line.
(d) A sign taller than eight feet and up to 15 feet shall be setback at least 15 feet from any front property line and five feet from any interior property line.
(e) A sign taller than 15 feet and up to 20 feet shall be setback at least 20 feet from the front property line and five feet from any interior property line.
(f) A sign on a lot that is at least ten acres in size in a zone other than residential, C-1, or I and that has at least 200 feet of frontage on a street may be up to 30 feet high provided it is set back at least 20 feet from the front property line and at least ten feet from any interior property line.

(Ord. 98-2499, passed 11-2-98; Am. Ord. 2002-2561, passed 4-1-02; Am. Ord. 2002-2565, passed 4-1-02; Am. Ord. 2006-2646, passed 6-5-06) Penalty, see § 15.05.120

§ 15.435.060 MINOR FREESTANDING SIGNS.

(A) Number: Not more than two minor freestanding signs shall be located in the front yard on any one street frontage, plus one for each full 100 feet of street frontage. This number limit shall not apply to minor freestanding signs located outside a required front yard and more than ten feet from the public right-of-way.

(B) Size:
(1) Residential Zones: No minor freestanding sign shall exceed three square feet in area.
(2) Other zones: No minor freestanding sign shall exceed six square feet in area.

(C) Height: No minor freestanding sign shall exceed three feet in height.

(Ord. 98-2499, passed 11-2-98; Am. Ord. 2002-2561, passed 4-1-02) Penalty, see § 15.05.120

§ 15.435.070 MAJOR ATTACHED.

(A) Number:
(1) C-3 Zone. Allowed major attached signs include: flat wall signs and signs that project over the sidewalk. Prohibited signs include: signs on roofs, chimneys or balconies.
(2) All zones. The number of major attached signs on any building face shall not exceed one per 25 feet of building frontage of that face.

(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 square feet. Major attached signs are not allowed on lots containing only one single family dwelling or duplex.
(2) RP, C-1, and I Zones: The total of all major attached signs on any building frontage shall not exceed 0.5 square foot for each foot of building frontage. At least 12 square feet of signage will be allowed.
(3) Other zones: The total of all major attached signs on any building frontage shall not exceed 1.0 square foot for each foot of building frontage. At least 40 square feet of signage will be allowed.

(C) Height:
(1) C-3 Zone: Maximum mounting height for wall signs shall be 18 feet above the sidewalk, measured from the top of the sign. The top signboard of a projecting sign on a single story building shall not be higher than the wall from which it projects. For multi-story buildings, the signboard shall not be higher than the average sill height of the second story windows. Projecting signs shall be mounted such that the distance between the lower edge of the signboard and the ground level is not less than eight feet. The distance from the building wall to the signboard shall be a maximum of six inches.
(2) Other zones: Major attached signs shall not extend above the roof line of the building they are attached to by more than eight feet, and shall not exceed the maximum height of the zone in which they are located.

(D) Projections: Major attached signs may project into the required front yard no more than five feet and into the required interior yards not more than two feet, provided that such projections are no closer than three feet to any interior lot line. For buildings in the C-3 Zone, major attached signs may project up to five feet into the right-of-way, but not closer than two feet from the curb line. The lower edge of any major attached sign shall be at least eight feet above ground level. This requirement supersedes the relevant sign standards in the Uniform Sign Code.

(Ord. 98-2499, passed 11-2-98; Am. Ord. 2002-2561, passed 4-1-02) Penalty, see § 15.05.120

§ 15.435.080 MINOR ATTACHED SIGNS AND AWNING SIGNAGE.

(A) Minor attached signs.

(1) Spacing: No two minor attached signs on one building that are both visible from any one point shall be closer than 25 feet.

(2) Size:

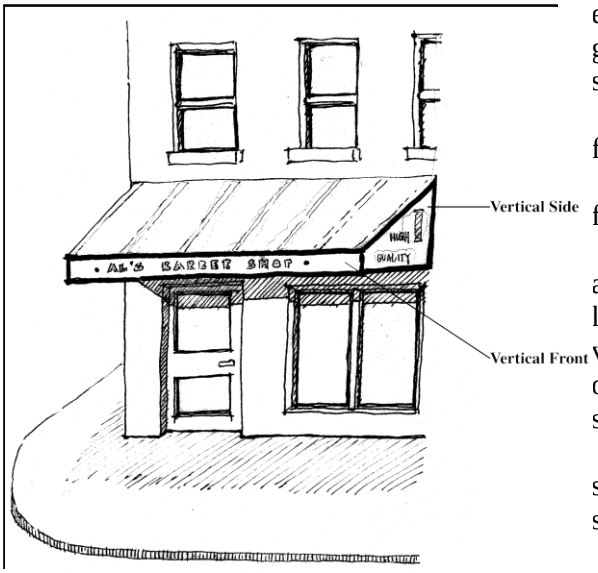
(a) Residential Zones: Minor attached signs shall not exceed three square feet in area.

(b) Other zones: Minor attached signs shall not exceed six square feet in area.

(3) Height: Minor attached signs shall not extend above the roof line of the building they are attached to.

(4) Projections:

(a) C-3 Zone: Minor attached signs may project no more than three feet into a public right-of-way, but no closer than two feet from the curb line. The lower edge of any minor attached sign shall be at least eight feet above ground level. This requirement supersedes the relevant sign standards in the Uniform Sign Code.



(b) Other zones: The same projection is allowed as for major attached signs, § 15.435.070.

(B) Awning signage: Awnings are encouraged along the frontage of buildings in the C-3 district.

(1) C-3 Zone: Back-lit translucent awnings are not allowed. Lettering may appear on curved surfaces, but shall be limited to the lowest 12 inches of the awning (measured vertically from the lowest edge), Freestanding letters mounted on top of the front vertical surface are also allowed, though they shall not exceed eight inches in height.

(a) Other minor attached signs may be attached to or suspended from an awning or canopy provided they are less than six square feet in size.

(b) The lower edge of any awning shall be at least eight feet above ground level. This requirement supersedes the relevant sign standards in the Uniform Sign Code.

(c) Signage is not allowed on any awning surfaces that are not specifically permitted in this section.

(2) Other zones: Awning signs in other zones shall be regulated as either minor or major attached signs.

(Ord. 98-2499, passed 11-2-98; Am. Ord. 2002-2561, passed 4-1-02) Penalty, see § 15.05.120

§ 15.435.090 PORTABLE SIGNS.

(A) Number: Not more than one portable sign may be located on any one street frontage, except temporary signs allowed per § 15.435.100 below.

(B) Size:

(1) Residential Zones:

(a) Residential uses: One portable sign not to exceed six square feet.

(b) All other permitted uses: One portable sign not to exceed six square feet if located in the front yard, or 16 square feet if located elsewhere on the property.

(2) Other zones: The one portable sign may not exceed 12 square feet if located in the front yard, or 40 square feet if located elsewhere on the property.

(C) Design: No portable sign shall be permanently affixed to any structure or the ground. No portable sign shall be attached to a tree or utility pole. All signs shall be designed to be removed quickly. No portable sign shall be animated or internally illuminated. No readerboard shall be used as portable sign, except as a temporary sign as permitted § 15.435.100 below.

(D) Location: No portable sign shall be located within the public right-of-way except as allowed under § 15.435.110 of this code.

(E) Height: The height of a portable sign shall not exceed the maximum height of buildings in that zone.

(Ord. 98-2499, passed 11-2-98) Penalty, see § 15.05.120

§ 15.435.100 TEMPORARY SIGNS FOR EVENTS.

In addition to the portable signs otherwise permitted in this code, a lot may contain temporary signs in excess of the number and size allowed by § 15.435.090 above, during events as listed below:

(A) Grand opening event: A grand opening is an event of up to 30 days duration within 30 days of issuance of a certificate of occupancy for a new or remodeled structure, or within 30 days of change of business or ownership. No lot may have more than one grand opening event per calendar year. The applicant shall notify the city in writing of the beginning and ending dates prior to the grand opening event. If there are no freestanding signs on a frontage after the grand opening event, one of the temporary signs may remain on the property for the 60 days immediately after the end of the grand opening event.

(B) Election event: An election event begins 90 days prior to and end 14 days after any public election. During this event a lot may contain up to two additional temporary signs not to exceed 12 square feet total area for both signs. These signs shall not be located in the public right-of-way.

(C) Other events: A lot may have two other events per calendar year. The events may not be more than eight consecutive days duration, nor less than 30 days apart.

(D) Flag displays: One flag display is permitted on each street frontage. An unlimited number of displays is permitted on any legal holiday or Newberg City Council designated festival.

(Ord. 98-2499, passed 11-2-98) Penalty, see § 15.05.120

§ 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 wheel chair 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 non-business 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 his or her lot.

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

(C) For lots in other zones, the 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 subdivisions (B)(1) through (B)(6) above are met.

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

(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.

(Ord. 98-2499, passed 11-2-98; Am. Ord. 2002-2564, passed 4-15-02) Penalty, see § 15.05.120

§ 15.435.120 DOWNTOWN (C-3) SIGN STANDARDS.

(A) *Purpose*. Newberg's downtown is the heart of the community. A variety of early 20th Century commercial buildings define its character. The community's vision is for this area to be a lively, customer and pedestrian friendly district with a variety of successful businesses. Competition from other retail areas requires this area to have an identity and look that is distinct and attractive. Capturing the historic and unique feel of the downtown through sign design standards will aid in its vitality. These standards are intended to promote the economic vitality of downtown by promoting attractive, historically-themed, and pedestrian-oriented signage.

(B) *Design standards*. In addition to meeting other standards within this code, any major attached or freestanding sign within the C-3 district shall score at least 10 points using the following scale. Where more than one sign exists on a frontage, the total score shall be the average score for all signs on that frontage.

[Sign Point Scale on next page]

SIGN POINT SCALE

Points Possible	Element
Sign Type	
4	The sign is attached to a mounting bracket and allowed to swing freely.
4	The sign is on an awning and meets the standards in § 15.435.080 below.
3	The sign is a fin sign extending at least 2 feet from the building surface.
3	The sign primarily includes raised or engraved individual letters or graphics on a background wall.
2	The sign is freestanding and less than 6 feet high.
Sign Material	
4	The sign is sandblasted or carved wood.
4	The sign includes natural finished wood in the frame, background or lettering (plywood excluded).
4	The sign includes a frame, background or lettering in aluminum, copper or brass in natural finishes.
2	The sign is on an opaque fabric awning made of cotton-based canvas or woven acrylic and includes free-hanging trim or vertical front.
2	The sign incorporates decorative wrought iron.
Sign Face	
4	The outline of the sign frame (or the letters and graphics if no frame) is predominantly curved or non-rectangular.
3	All colors on the sign are low intensity, such as muted earth tones. Bright, fluorescent, or neon colors are excluded.
2	The most prominent lettering on the sign, such as the business' name, uses a serif or cursive font.
2	At least 15% of the sign area is a landscape, nature, or similar art scene.
Lighting	
2	The sign uses neon tube lighting for letters or graphics.
minus 2	The sign uses internal illumination with greater than 30% transparent or light-colored face.
minus 2	The sign is on a backlit, translucent awning.
minus 4	The sign uses blinking, flashing, or chasing lights
Sign Size	
1 point per 20% reduction	For major attached signage, one point for each full 20% reduction in the total sign area allowed on that building frontage. For major freestanding signage, one point for each full 20% reduction in the total area allowed for that sign.

(C) *Bonus provisions.*

(1) Notwithstanding other provisions of this code, a proposed in the C-3 district that scores in excess of ten points using the above scale may be larger than the maximum allowable size of sign otherwise allowed by this code. An increase of 10% of the maximum size is allowed for each point scored over ten points.

(2) The Director may refund 25% of sign design review fees paid for any sign scoring in excess of 15 points on the scale.

(Ord. 2002-2561, passed 4-1-02)

ORDINANCE NO. 2010-2731

AN ORDINANCE AMENDING THE NEWBERG DEVELOPMENT CODE TO ALLOW MORE FLEXIBILITY TO OPERATE ANIMATED SIGNS, DEPENDING ON THE ZONE, SIGN SIZE, AND OPERATING METHOD

RECITALS:

1. The Newberg Development Code limits the size of animated signs to 10 square feet, regardless of the zone the sign is located in. Some sign owners felt this was overly restrictive, and that larger animated signs could benefit both businesses and the larger community.

2. The Electronic Sign Ad Hoc Committee was established by the City Council to identify and recommend appropriate changes to the sign code to balance business and community needs. Their final recommendation was that electronic signs provide a valuable means of communication for the community and for businesses, and that the sign code could allow more flexibility to use electronic signs, depending on the zone and the sign size, while protecting the livability of residents. The recommendation included a proposed development code amendment.

3. On July 8, 2010, the City Council accepted the recommendation of the Electronic Sign Ad Hoc Committee and initiated a development code amendment to consider the potential changes to the Newberg sign ordinance.

4. On August 12, 2010 the Newberg Planning Commission held a public hearing and approved Resolution 2010-281, which recommended that the City Council adopt the code amendment as proposed by the Electronic Sign Ad Hoc Committee, with the addition of one sentence clarifying the definition of a business.

5. On October 4, 2010, after proper notice, the City Council held a public hearing to consider the proposed changes, heard the staff report and public testimony, and continued the hearing at the point of deliberation.

6. On October 18, 2010 the City Council continued the hearing, deliberated on the proposed changes and found that the code amendment was in the best interests of the city and consistent with the Newberg Comprehensive Plan and State-wide planning goals.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. The Newberg Development Code is amended to add the new text and table below after section § 151.597:

§ 151.597.5 ELECTRONIC MESSAGE CENTERS

(A) Electronic message center (EMC) signs are permitted subject to the limitations shown in the table below.

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
Community Commercial and Industrial (C-2, M-1, M-2, M-3, M-4); other zones not listed	Up to 30 sq. ft.	Allowed	Allowed	Allowed	Prohibit	Prohibited
	> 30 sq. ft. up to 50 sq. ft.	Allowed	Allowed	Allowed[2] or Site element review	Prohibit	Prohibited
	> 50 sq. ft. up to 100 sq. ft.	Allowed	Allowed	Site element review	Prohibited	Prohibited
Central Business District (C-3)	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)	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]	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.

(B) Review process for allowed EMC:
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.

(C) Review process for EMCs that require site element review:
Site element review is a Type I process with a decision by the Planning Director.
(1) Criteria: The review body must find that the sign will be compatible with surrounding uses, based on all of the following factors:
(a) Proposed sign operation complies with the code.
(b) Setback: At least 15 feet from the front property line
(c) Hours of operation: May be required to be turned off between the hours of 11 p.m. and 6 a.m. if sign is abutting and visible from a residential district.
(d) 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.
(e) Freestanding signs include 3 of the following design elements:
1. Includes prominent brickwork, masonry, naturally-finished wood, or naturally-finished metal in frame or supports.
2. Includes neon type tube lighting on portions of the sign outside the EMC.
3. Uses two support poles or a full-width support structure.
4. Outline or top of the frame is predominantly non-rectangular or curved.
5. Includes landscaping around the base equal in area to the size of the sign.
6. More than 40% of sign is EMC.
7. Height is 20% lower than otherwise required.
8. Setback is 20% greater than otherwise required.
9. Sign will be used by two or more businesses on site. Each business must have two or more employees on site at least 15 hours per week.
(2) Appeals: Appeal of the Director's decision will be to the Planning Commission.

(D) Size incentive:
If any freestanding EMC sign includes 4 of the design elements in (C)(1)(e) above then the allowable sign area is increased by 10%. If any freestanding EMC sign includes 5 or more of the design elements in (C)(1)(e) above then the allowable sign area is increased by 20%.

(E) 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.

(F) 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.

(G) 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. This standard shall only apply to signs approved after October 18, 2010.

2. Section § 151.003 of the Newberg Development Code is amended to add the following new 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. Flashing or rapid scrolling is prohibited.

(6) **Strobe lights.** *Strobe lights* are high intensity flashing lights that may impair vision. Strobe lights are prohibited on signs.

3. Sections § 151.593, 151.594, 151.596 and 151.599 of the Newberg Development Code are amended as follows:
Note: 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.

151.599 TEMPORARY SIGNS FOR EVENTS.
In addition to the portable signs otherwise permitted in this code, a lot may contain temporary signs in excess of the number and size allowed by § 151.598 above, during events as listed below:
(A) Grand opening event: A grand opening is an event of up to 30 days duration within 30 days of issuance of a certificate of occupancy for a new or remodeled structure, or within 30 days of change of

business or ownership. No lot may have more than one grand opening event per calendar year. The applicant shall notify the city in writing of the beginning and ending dates prior to the grand opening event. If there are no freestanding signs on a frontage after the grand opening event, one of the temporary signs may remain on the property for the 60 days immediately after the end of the grand opening event. A temporary electronic message center may be used during a grand opening event.

(B) Election event: An election event begins 90 days prior to and end 14 days after any public election. During this event a lot may contain up to two additional temporary signs not to exceed 12 square feet total area for both signs. These signs shall not be located in the public right-of-way.

(C) Other events: A lot may have two other events per calendar year. The events may not be more than eight consecutive days duration, nor less than 30 days apart. A temporary electronic message center may be used during the event.

(D) Flag displays: One flag display is permitted on each street frontage. An unlimited number of displays is permitted on any legal holiday or Newberg City Council designated festival.

4. The findings in Exhibit "A" are hereby adopted and by this reference incorporated.

- **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: November 17, 2010.

ADOPTED by the City Council of the City of Newberg, Oregon, this 18th day of October, 2010, by the following votes: **AYE: 5 NAY: 2 (HOWARD/RIERSON) ABSENT: 0 ABSTAIN: 0**

Norma I. Alley

Norma I. Alley, City Recorder

ATTEST by the Mayor this 21st day of October, 2010.

Bob Andrews

Bob Andrews, Mayor

LEGISLATIVE HISTORY

By and through Planning Commission Committee at the 8/12/10 meeting. Or, ___ None.
(committee name) *(date)* *(check if applicable)*

Exhibit "A": Findings

Newberg Development Code § 151.590 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 residences and business.
(4) To allow the freedom of expression.
(5) To reduce distractions and obstructions from signs which would adversely affect safety.
(6) To reduce the hazards from improperly placed or constructed signs.

Newberg Comprehensive Plan

H. THE ECONOMY

GOAL: *To develop a diverse and stable economic base.*

POLICIES:

1. General Policies

p. The City shall strive to develop and promote a high quality of life in the community in order to attract and retain a diverse and highly skilled workforce.

q. The City shall foster an environment of business innovation so that the community may remain economically competitive.

J. URBAN DESIGN

GOAL 1: *To maintain and improve the natural beauty and visual character of the City.*

POLICIES:

1. General Policies

c. Non-residential uses abutting residential areas should be subject to special development standards in terms of setbacks, landscaping, sign regulations, building heights and designs.

g. Community appearance should continue to be a major concern and subject of a major effort in the area. Street tree planting, landscaping, sign regulations and building improvements contribute to community appearance and should continue to be a major design concern and improvement effort.

Findings: As stated in the above policies, visual appearance and economic vitality are both very important to the community. Signs are by their nature designed to be visible and are therefore a significant part of the city's visual appearance. Sign regulations are necessary to control the visual impact of signs. Local businesses and institutions need sufficient signage to communicate with the public and help their businesses or organizations prosper. The proposed code regulations would allow more animated messages on signs, which would aid local businesses and institutions but could have a negative visual impact if unlimited. The code would limit the impact, however, by keeping existing controls on the overall height and size of all signs, and by limiting the operating method of the animated sign based on the size of the sign and the zone it was located in. Signs in or near residential areas would have the most limitations on animated signs, thus protecting the livability of residential neighborhoods. The proposed development code amendment therefore conforms to the Newberg Comprehensive Plan by balancing the goals of protecting the visual character of Newberg and fostering a strong economic environment.