

ORDINANCE NO. 4924

An Ordinance amending the sign-regulating provisions of certain planned development ordinances within McMinnville and amending Ordinances Nos. 3736, 3807 as amended, 3837, 3847, 4123, 4502, 4647, 4648, 4656, 4662, 4672 as amended, 4688 as amended, 4695, 4709, 4719, 4743, 4749, 4752, 4832, 4885, and 4915.

RECITALS:

The McMinnville Sign Ordinance (No. 4900), adopted November 18, 2009, regulates signage City-wide, excluding properties that have signage regulated by a planned development overlay or that are located within the Downtown Design District. Specific to the former exemption, the adopted sign ordinance directs staff to review existing planned development ordinances that regulate signage in McMinnville and provide recommendations as to any amendments that should be considered in an effort to simplify and make equitable the requirements for all sign regulations, where appropriate. At a public work session with the Planning Commission on November 19, 2009, staff reviewed the process undertaken in this analysis and its draft recommendations.

Public hearings were held before the McMinnville Planning Commission on January 21, 2010, and February 18, 2010, for the purpose of taking testimony on these draft recommendations. At these hearings, staff reviewed its analysis and recommendations relative to sign-regulating planned development provisions that are contained in 26 separate planned development ordinances within the City. Of these, 12 affected areas located east of the Three Mile Lane Bridge and eight areas located west of the bridge were recommended for amendment or to be deleted in their entirety; the remaining sign provisions found within planned development ordinances were recommended to remain in effect. Notices of these public hearings were published January 13, 2010, and February 10, 2010, respectively, in the News Register and mailed to owners of property located within 300 feet of the affected areas. Following the close of the public hearings, and based upon the testimony provided, the Commission voted unanimously (with one abstention) to recommend that the City Council adopt the amendments as proposed by staff.

Now, therefore, THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the following Planned Development Ordinance provisions are deleted in their entirety:

- A. Ordinance No. 3736 (Attachment, item 9);
- B. Ordinance No. 3807, Section 1 (5), as amended;
- C. Ordinance No. 3837, Section 2 (e);
- D. Ordinance No. 3847, Section 2 (a);
- E. Ordinance No. 4123, Section 1 (e);
- F. Ordinance No. 4656, Section 3 (6);
- G. Ordinance No. 4662, Section 3 (7);

- H. Ordinance No. 4695, Section 3 (1);
- I. Ordinance No. 4709, Section 3 (13);
- J. Ordinance No. 4719, Section 2 (8);
- K. Ordinance No. 4743, Section 2 (1)(c);
- L. Ordinance No. 4749, Section 3 (7);
- M. Ordinance No. 4752, Section 3 (11);
- N. Ordinance No. 4832, Section 2 (13-14); and
- O. Ordinance No. 4915, Section 2 (17).

Section 2. That the following Planned Development Ordinance sections are amended to read as follows (insertion of new replacement text is noted in **bold underline**, while removal of text is shown in ~~strikethrough~~):

- A. Ordinance No. 4502, Section 2 (f)

"(f) That **signage on the subject site, which is considered as the commercially zoned property described in this ordinance, is subject to the signage provisions as outlined in Chapter 17.62 (Signs) of the McMinnville Zoning Ordinance.** ~~only one free-standing sign, limited to a maximum of 30 feet in height, is allowed on the site. There is no limit on the numbers of signs attached to the building faces."~~
- B. Ordinance No. 4647, Section 2 (d)

"d. That **signage on the subject site, which is considered as the commercially zoned property described in this ordinance, is subject to the signage provisions as outlined in Chapter 17.62 (Signs) of the McMinnville Zoning Ordinance.** ~~only one free-standing sign, limited to a maximum height of 30 feet, shall be permitted on the site. There is no limit on the number of signs attached to the building faces. A single monument sign, limited to a height of six feet and total sign face of 100 square feet, may be permitted on each of the proposed lots, subject to review by the Planning Department as to their location and design."~~
- C. Ordinance No. 4648, Section 2 (5)

"5. That **signage on the subject site, which is considered as the commercially zoned property described in this ordinance, is subject to the signage provisions as outlined in Chapter 17.62 (Signs) of the McMinnville Zoning Ordinance.** ~~only one free-standing sign, limited to a maximum height of 30 feet, shall be permitted on the site. There is no limit on the number of signs attached to the building faces. A single monument sign, limited to a height of six feet and total sign face of 100 square feet, may be permitted subject to review by the City as regard location and design."~~
- D. Ordinance No. 4672, Section 3 (6), as amended

"6. That signage on the subject site, which is considered as the commercially zoned property described in both Ordinance No. 4672 and 4885, is subject to the signage provisions as outlined in Chapter 17.62 (Signs) of the McMinnville Zoning Ordinance. signs located on the commercially zoned land shall be subject to review by the Planning Department as to their location and design, and to the following limitations:

- a) ~~That one free-standing sign, a maximum of 30 feet in height, shall be permitted within the subject site (28-acre site adjacent to South Baker Street). The maximum square footage per sign face is 150 square feet, and there shall be a maximum of two sign faces per free-standing sign.~~
- b) ~~That one monument sign, limited to a height of six feet and total sign face of 100 square feet, may be permitted as may be approved by the Planning Commission as part of the master plan or site plan review process. Monument signs shall be non-illuminated, indirectly illuminated, neon, or may have individually back-lit letters, providing that no plastic sign cabinets are allowed.~~
- c) ~~All other signs, with the exception of incidental directional signage, must be flush against the buildings and not protrude more than twelve inches from the building face."~~

E. Ordinance No. 4688, Section 2 (3), as amended:

"3. That signage on the site, which is considered as the commercially zoned property described in this ordinance, is subject to the provisions of Chapter 17.62 (Signs) of the McMinnville Zoning Ordinance, and subject to the following limitations:

- a) That an easement for maintenance, access, and placement be granted to the City of McMinnville sufficient to accommodate a "Welcome to McMinnville" sign at the far southwest corner of the subject site.
- b) No signs, including wall-mount, shall be allowed on the southern facade of those buildings adjacent to Highway 18. signs located on the commercially zoned land shall be subject to review by the Planning Department as to their location and design, and to the following limitations:
 - a. That site signage located on the Highway 99W frontage is limited to a single monument sign a maximum of six (6) feet in height and fifteen (15) feet in width, situated at the major entrance as may be approved by ODOT. One additional monument sign on the Highway 99W frontage may be permitted, provided it complies with the following:
 - i. The sign shall be situated directly east of the "Hometown Dental" office building and a minimum of five feet from the Highway 99W right-of-way.
 - ii. The sign structure shall have an outside dimension that measures a maximum of 5.5 feet in height, measured from top of curb on Highway 99W, and 8 feet in width.
 - iii. The sign shall use materials, colors, and lighting (indirect illumination) as represented on the rendering submitted to the City on May 24, 2005, a copy of which is on file with the McMinnville Planning Department.
 - iv. The sign shall allow space for the advertising of three businesses located within the subject site,
 - v. Appropriate foundation landscaping shall be placed at the sign's perimeter.
 - b. Site signage located on the Highway 99/18 Connector frontage shall be limited to a single pole-mount sign no more than twenty (20) feet in height and twelve (12) feet in width, situated at the major entrance as may be approved by ODOT.

- ~~c. Monument signs shall be non-illuminated, indirectly illuminated, neon, or may have individually back-lit letters, providing that no plastic or plexi-glass type cabinet or faces be allowed on the southern facades of those buildings adjacent to Highway 18, and no roof-mount signs of any type shall be permitted within the site.~~
- ~~d. That an easement for maintenance, access and placement be granted to the City of McMinnville sufficient to accommodate a "Welcome to McMinnville" sign at the far southwest corner of the subject site.~~
- ~~e. All other signs, with the exception of incidental directional signage, must be flush against the buildings and not protrude more than twelve inches from the building face. There is no limit on the number or size of signs attached to the building faces."~~

F. Ordinance No. 4885, Section 3 (2):

- "2. That **signage on the subject site, which is considered as the commercially zoned property described in both Ordinance No. 4672 and 4885, is subject to the signage provisions as outlined in Chapter 17.62 (Signs) of the McMinnville Zoning Ordinance.** the applicable provisions of Ordinances 4672 and 4739 shall apply to the subject site, and as modified below:
- ~~a. That two free-standing signs no more than 30 feet in height and no more than 150 square feet per sign face (total of 300 square feet per sign) shall be permitted within the subject site. Sign height, size and placement shall be determined by the Planning Commission as part of a master plan or site plan review prior to the issuance of construction permits.~~
 - ~~b. That the design and location of monument signs shall be as approved by the Planning Commission as part of the master plan or site plan review process. Monument signs shall be limited to no more than six feet in height and shall be non-illuminated, indirectly illuminated, neon, or back-lit, providing that no plastic sign cabinets are allowed.~~
 - ~~c. All other signs, with the exception of incidental directional signage, must be flush against the buildings and not protrude more than 12 inches from the building face. For building facades that face onto Booth Bend Road, the total area of building wall signage shall not exceed eight percent of the total area of the building face most closely oriented toward Booth Bend Road."~~

Section 3. That signs that were lawfully established before the adoption date of this ordinance, but which do not conform with the provisions of this ordinance, shall be removed or brought into conformance with this ordinance by January 1, 2018, or at the time of occurrence of any of the actions outlined in 17.62.110 (A) of the McMinnville Zoning Ordinance. Notice of sign noncompliance will be mailed to affected property owners within one year following the adoption date of this ordinance and again no later than one year prior to the end of the amortization period.

Section 4. That this ordinance shall be subject to the terms and conditions of Ordinance No. 3823, entitled "Initiative and Referendum," for a period of 30 (thirty) days.

Passed by the Council this 23rd day of March 2010, by the following votes:

Ayes: Hill, Jeffries, May, Menke, Yoder

Nays: _____

Approved this 23rd day of March, 2010.



MAYOR

Attest:



RECORDER

Approved as to form:



CITY ATTORNEY