

ORDINANCE NO. 4994

TITLE: AN ORDINANCE AMENDING THE ALBANY MUNICIPAL CODE, TITLE 20, KNOWN AS THE "CITY OF ALBANY DEVELOPMENT CODE," RELATIVE TO SIGN REGULATIONS, ADOPTING FINDINGS, AND DECLARING AN EMERGENCY.

WHEREAS, staff has determined the need for the proposed amendments (DC-03-92); prior to the comprehensive review of the sign code article later this year; and

WHEREAS, these amendments relate primarily to temporary signs and major integrated centers; and

WHEREAS, the Planning Commission following a public hearing on April 6, 1992, recommended approval of proposed amendments to the Development Code (Case No. DC-03-92) relative to existing Article 18; and

WHEREAS, a notice of the City Council public hearing has been published and posted; and

WHEREAS, the Albany City Council held a public hearing on April 8, 1992 and members of the public were given an opportunity to be heard.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The Albany Municipal Code, Title 20, known as the "City of Albany Development Code," Article 18 is renumbered Article 13 and is hereby amended as shown on Exhibit "A."

Section 2: The Findings below are hereby adopted in support of this decision:

- A. The proposed amendments are in compliance with Development Code policies on facilitating review of development proposals and protecting the city's beauty and character.
- B. The proposed amendments are in compliance with Comprehensive Plan policies regarding workable, understandable, and updated ordinances.
- C. The proposed amendments will clarify the text of the Code and improve readability of the regulations.
- D. The proposed amendments better achieve the goals and policies of the Comprehensive Plan than the existing regulatory language.

Section 3: Emergency Clause - Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health, and safety of the citizens of this city of Albany, Oregon, an emergency is hereby declared to exist; and this ordinance shall be in full force and effect immediately upon its passage by the Council.

Passed by the Council: April 8, 1992

Approved by the Mayor: April 8, 1992

Effective Date: April 8, 1992



Mayor

ATTEST:



Deputy City Recorder

NEW ARTICLE 13/OLD ARTICLE 18

SIGN CODE

PLEASE NOTE: THIS IS NOT THE ARTICLE IN ITS ENTIRETY. ATTACHED ARE THE PROPOSED CHANGES ADDRESSING TEMPORARY SIGNS AND INTEGRATED CENTERS. ALSO REFLECTED IS THE CHANGE IN NUMBERING OF THE ENTIRE ARTICLE FROM 18 TO 13.

COMMENT

These changes are proposed before we do our comprehensive update of this article because of pressing need to incorporate standards which reflect current practice. These amendments will reduce the number of variances requested to sign code standards.

- (2) Neither the mural, nor the placement of the mural, would endanger the public health, safety, or general welfare.
- (3) Neither the mural, nor the placement of the mural, would be injurious to the use and enjoyment of other property in the immediate vicinity of the proposed location.
- (4) Any lettering area which advertises the business or products pertaining to the use or uses within the building shall be limited to one-half that permitted under other signage requirements for the building.

13.460 Alley Signs. An alley sign shall be limited to a wall sign with total area limited to six square feet and should identify the business and shall not be used to advertise products or services.

13.470 Street Banners. No street banner sign shall be erected over public property unless first approved by the Public Works Director. The action giving approval for such signs may contain any condition(s) which the Public Works Director deems necessary to insure safety, proper maintenance, and appearance and removal of such sign when required. No person who places a sign under the provision of this section shall permit the sign to remain in place after the period specified for display has expired.

13.480 Promotional Displays. Temporary banner signs, A-frame signs, and inflatable signs may be used, but are limited to one sign on each street frontage for each separate business. The maximum total number of days for promotional display shall not exceed 60 days in any one calendar year. Each display period requires a separate permit, but the display duration can be from 7 days to 60 days. The area of such banner shall not exceed 50 square feet in the downtown, C-1, and RP zones and 75 square feet in all other non-residential zones, or in the case of inflatable signs, 500 cubic feet. Inflatable signs can be no higher than free-standing signs allowed in the particular zone.

Any temporary sign may be no larger than 16 square feet for one face or 32 square feet for two or more faces. If the sign is not attached to a building, the maximum height of the sign may not exceed 4 feet. All temporary signs must be anchored, may not be located within 10 feet of any public right-of-way, may not be attached to or placed inside a parked vehicle, and may not be placed within any vision clearance area. All signs shall be maintained in a safe, neat, clean and attractive condition.

Pennants, flags, and streamers may be used as part of an opening or promotional event subject to the above time constraints. Pennants and flags which are designed with no writing and have permanent mounting devices may be displayed for a longer period of time only upon approval of a Conditional Use Permit. (The American and Oregon flags are exempted from Sign Code regulations.)

- (4) Signs for interior businesses shall be placed on the central fifty percent of the street frontage of the business(es) or 60 feet from any adjacent pole sign. Signs on corner properties may be placed near the corner if vision clearance provisions are met.

13.625 Projecting Signs. Projecting signs in Commercial and Industrial Areas shall comply with the following provisions:

- (1) One sign shall be permitted for each business or group of businesses occupying a single common space or suite in lieu of a free standing sign.
- (2) Signs shall not exceed an area of 3/4 square feet for each lineal foot of business frontage to which the sign pertains. The maximum area of any projecting sign shall be 80 square feet per face with a minimum allowance of 20 square feet.

13.630 Integrated Business Centers or Industrial Park Area. The allowed number and square footage of integrated center signs is determined by the size and characteristics of the center. Centers having at least two anchor stores or major tenants, each containing a minimum of 40,000 square feet in gross floor area, are regulated under Major Integrated Centers. Those centers not meeting the minimum standards above are covered under Minor Integrated Centers.

~~Whenever multiple businesses or industries utilize a common free standing or projecting sign structure, this section, 13.630, shall be used.~~

MINOR INTEGRATED CENTERS

13.631 Overall Identity Sign.

- (1) The overall identity or joint use sign ~~shall~~ must comply with Section 13.624, except that a bonus to the maximum size provisions ~~be~~ is allowed ~~such~~ so that the maximum area ~~be~~ is 200 square feet per face and the minimum allowance ~~be~~ 60 square feet.
- (2) In lieu of (1) above, integrated businesses which utilize overall Business Center Identity Signs which are less than 6 feet in height may locate one such sign per entrance. Such signs are limited in aggregate area to the same requirements listed in (1) above.
- (3) Properties having two or more frontages, one of which is in excess of 400', ~~shall be~~ are permitted two pole signs on the long frontage provided that the total combined area does not exceed 200 square feet (on one face); however, no pole sign ~~shall be~~ is allowed on the other frontage.
- (4) In determining size restrictions based on frontage, an individual sign size can be any percentage of that allowed so long as the total allowance for all signs is not exceeded.

13.632 Individual Businesses.

- (1) One wall sign per building frontage or parking lot frontage provided that the wall adjacent to the parking lot is at least 75 feet from a facing residential area. The sign area shall be limited to the provisions of Section 13.520, 13.612(2) and (4), and 13.613(1).

- (2) In cases where the name of the business is not placed on the overall identity or joint use sign, a bonus is allowed such that two signs are allowed per frontage and wall sign area is determined by 13.613(2).

13.633 Special Signs for Interior Businesses. Where an individual business does not have frontage on a street or parking lot, such business or businesses may utilize any remaining signage area, subject to the following restrictions:

- (1) There shall be only one interior business sign per entrance, but multiple business advertising or identification can appear on such sign.
- (2) Such sign shall be located within 30 feet of an entrance open to the public providing access to the business.
- (3) Any interior business shall not use this provision more than twice.

MAJOR INTEGRATED CENTERS

13.634 Overall Identity Sign. One free-standing, joint use pole sign per street frontage with a customer entrance is allowed. This sign is limited to 200 square feet per face and 30 feet in height.

13.635 Individual Businesses.

- (1) If the business is not represented on the integrated center sign, one free-standing monument sign is permitted for use by each free-standing pad building. The sign structure is limited to six (6) feet in height measured from ground level and ten (10) feet in horizontal length. The sign face(s) are limited to four (4) feet in height and eight (8) feet in horizontal length.
- (2) One wall sign per business per parking lot or street frontage. Allowed sign area is calculated at one square foot per lineal foot of building frontage on which the sign will face, with a minimum size of 30 square feet and a maximum area of 60 square feet.

13.636 Major Store Signs. Each major store with an entrance from a parking area or street is allowed two (2) wall signs on each frontage, provided that the building wall is at least 75 feet from a residential district. The aggregate sign area is limited to 3 percent of the gross wall area of the face on which the sign is to be located, or 200 square feet, whichever is less.

13.637 Mall Entrance and Identity Signs.

- (1) At each mall entrance, each interior business is allowed a minimum of two (2) square feet in signage. The maximum entrance sign area allowed is twelve (12) feet. Remote signs for major tenants are allowed, are not to exceed twelve (12) square feet in area, and are in addition to the interior business sign.
- (2) Mall identity wall signs may be placed over all main entries to the mall and are limited to 130 square feet in size.

13.638 Sign Spacing. A minimum of 200 feet of spacing is required between free-standing signs.