

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Third Reading and Third Public Hearing
Land Use & Transportation; County Counsel (CPO All)

Agenda Title: **CONSIDER PROPOSED A-ENGROSSED ORDINANCE NO. 782 – AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE RELATING TO ORIGINAL ART DISPLAYS, TEMPORARY SIGNS, TRAFFIC DIRECTION SIGNS, AND PARK SIGNS**

Presented by: Andrew Singelakis, Director of Land Use & Transportation
Alan Rappleyea, County Counsel

SUMMARY:

A-Engrossed Ordinance No. 782 proposes to amend the Community Development Code (CDC) relating to the county’s signs: Original Art Displays, Temporary Signs, Traffic Direction Signs, and Park Signs. The proposed ordinance is posted on the county's land use ordinance web page at the following link:

<http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/2014-land-use-ordinances.cfm>

The Board conducted hearings for Ordinance No. 782 on July 22, 2014. On July 22, 2014, the Board directed engrossment of the ordinance to make a number of changes. A description of those changes was included in the staff report for the July 22, 2014 hearing. The Board held its first hearing for A-Engrossed Ordinance No. 782 on August 19, 2014 and continued the hearing to August 26, 2014.

The staff report for the August 26, 2014 hearing will be provided to the Board prior to the hearing and posted on the above land use ordinance web page. Copies of the report will also be available electronically and at the Clerk’s desk prior to the hearing.

Consistent with Board policy, testimony about the ordinance is limited to two minutes for individuals and five minutes for a representative of a group.

Clerk’s Desk Item: Staff Report *(click to access electronic copy)*

DEPARTMENT’S REQUESTED ACTION:

Read A-Engrossed Ordinance No. 782 by title only and conduct the second public hearing for the engrossed ordinance. At the conclusion of the hearing, adopt A-Engrossed Ordinance No. 782.

COUNTY ADMINISTRATOR’S RECOMMENDATION:

I concur with the requested action.

ADOPTED

Agenda Item No.	3.a.
Date:	08/26/14

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

A-ENGROSSED ORDINANCE 782

An Ordinance Amending the Community Development Code Relating to Original Art Displays, Temporary Signs, Traffic Direction Signs, and Park Signs

The Board of County Commissioners of Washington County, Oregon (“Board”) ordains as follows:

SECTION 1

A. The Board of County Commissioners of Washington County, Oregon, recognizes that the Community Development Code Element of the Comprehensive Plan (Volume IV) was readopted with amendments on September 9, 1986, by way of Ordinance No. 308, and subsequently amended by Ordinance Nos. 321, 326, 336-341, 356-363, 372-378, 380, 381, 384-386, 392, 393, 397, 399-403, 407, 412, 413, 415, 417, 421-423, 428-434, 436, 437, 439, 441-443, 449, 451-454, 456, 457, 462-464, 467-469, 471, 478-481, 486-489, 504, 506-512, 517-523, 525, 526, 528, 529, 538, 540, 545, 551-555, 558-561, 573, 575-577, 581, 583, 588, 589, 591-595, 603-605, 607-610, 612, 615, 617, 618, 623, 624, 628, 631, 634, 635, 638, 642, 644, 645, 648, 649, 654, 659-662, 667, 669, 670, 674, 676, 677, 682-686, 692, 694-698, 703, 704, 708, 709, 711, 712, 718-720, 722, 725, 730, 732, 735, 739, 742-745, 754-758, 760, 762, 763, 765, 766, and 769-776.

B. As part of its ongoing planning efforts Washington County staff has identified amendments to the Code to allow for the public display of art in rural areas, temporary signs, traffic direction signs, and park signs. The Board recognizes that such changes are

1 necessary from time to time for the benefit and welfare of the residents of Washington
2 County, Oregon.

3 C. Under the provisions of Washington County Charter Chapter X, the
4 Department of Land Use and Transportation has carried out its responsibilities, including
5 preparation of notices, and the County Planning Commission has conducted one or more
6 public hearings on the proposed amendments and has submitted its recommendations to the
7 Board. The Board finds that this Ordinance is based on those recommendations and any
8 modifications made by the Board are a result of the public hearings process;

9 D. The Board finds and takes public notice that it is in receipt of all matters and
10 information necessary to consider this Ordinance in an adequate manner, and finds that this
11 Ordinance complies with the Statewide Planning Goals, the standards for legislative plan
12 adoption as set forth in Chapters 197 and 215 of the Oregon Revised Statutes, the Washington
13 County Charter, the Washington County Community Development Code, and the Washington
14 County Comprehensive Plan.

15 SECTION 2

16 The following exhibit, attached hereto and incorporated herein by reference, is adopted
17 as amendments to the designated documents as follows:

- 18 1. Exhibit 1 (2 pages), amending the following sections of the Community
19 Development Code:
20 a. Section 414 – Signs;
21 b. Section 430 – Special Use Standards;
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1 SECTION 3

2 All other Comprehensive Plan provisions that have been adopted by prior ordinance,
3 which are not expressly amended or repealed herein, shall remain in full force and effect.

4 SECTION 4

5 All applications received prior to the effective date shall be processed in accordance
6 with ORS 215.427.

7 SECTION 5

8 If any portion of this Ordinance, including the exhibits, shall for any reason be held
9 invalid or unconstitutional by a body of competent jurisdiction, the remainder shall not be
10 affected thereby and shall remain in full force and effect.

11 SECTION 6

12 The Office of County Counsel and Department of Land Use and Transportation are
13 authorized to prepare planning documents to reflect the changes adopted under Section 2 of
14 this Ordinance, including deleting and adding textual material and maps, renumbering pages

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1 or sections, and making any technical changes not affecting the substance of these
2 amendments as necessary to conform to the Washington County Comprehensive Plan format.

3 SECTION 7

4 This Ordinance shall take effect thirty (30) days after adoption.

5 ENACTED this 26 day of August, 2014, being the third reading
6 and third public hearing before the Board of County Commissioners of Washington
7 County, Oregon.

8 BOARD OF COUNTY COMMISSIONERS
9 FOR WASHINGTON COUNTY, OREGON

10 **ADOPTED**

11 *Rudy Ord*
CHAIRMAN

12 *R. D. Nye*
RECORDING SECRETARY

13 READING

13 PUBLIC HEARING

14 First July 22, 2014
15 Second August 19, 2014
16 Third August 26, 2014
Fourth _____
Fifth _____

14 First July 22, 2014
15 Second August 19, 2014
16 Third August 26, 2014
Fourth _____
Fifth _____

17 VOTE: Aye: Duyck, Schouten, Rogers, Terry, Malinowski, Nay: _____

18 Recording Secretary: *R. D. Nye* Date: 8-26-14

The following sections of the Community Development Code are amended as shown below:

1. SECTION 414 - SIGNS

414-5 Exemptions and Supplemental Criteria

The following signs are exempted from development permit requirement and from the standards set forth above; however, a permit may be required as determined by the Building Official.

414-5.1 Temporary Signs:

Temporary signs are permitted subject to the following standards of Section 414-5.1 F:

~~F. Temporary signs shall meet the following standards:~~

A. (1) Shall not exceed sixteen (16) square feet in area;

B. (2) Shall ~~be located on private property, not~~ be located within any dedicated right-of-way; and

C. (3) Shall be removed within fourteen (14) days after the election, sale, rental, lease or conclusion of event.

414-5.8 Private Traffic Direction:

Signs directing vehicular, bicycle, and/or pedestrian traffic movement onto a premise or within a premise, not to exceed ~~three (3)~~ five (5) square feet in area for each sign. Illumination of these signs shall be in accordance with Section 414-6. Horizontal directional signs flush with paved areas are exempt from these standards.

414-5.11 Original Art Display

A hand-painted work of visual art that is either affixed to or painted directly on the exterior wall of a building. An original art display does not include: mechanically produced or computer generated prints or images, including but not limited to digitally printed vinyl; electrical or mechanical components; or changing image art display.

Original art displays are allowed provided that they meet the following requirements:

- A. Located outside the Urban Growth Boundary;
- B. Shall not be placed on a dwelling;
- C. Shall not extend more than six (6) inches from the plane of the wall upon which it is painted or to which it is affixed;
- D. Shall be no more than sixty-four (64) square feet in size, per lot or parcel;
- E. Compensation will not be given or received for the display of the original art or the right to place the original art on site; and
- F. Shall not be illuminated.

2. SECTION 430 – SPECIAL USE STANDARDS

430-97 Parks (Public and Private)

A Park, which includes a playground, includes the use of an area set apart for recreation of the public to promote its health, enjoyment and the environment. A Playground is a park with playground equipment.

430-97.3 Parks Identification Signage

Parks Identification Signage which fronts on a street right of way is subject to the following:

- A. The maximum sign area shall be thirty-five (35) square feet per display surface and
- B. A maximum of five (5) identification signs per park.