

ORDINANCE NO. 490

AN ORDINANCE ALLOWING FOR A TEMPORARY, EMERGENCY EXEMPTION FROM CITY SIGN ORDINANCE REQUIREMENTS FOR BUSINESSES IN CONSTRUCTION IMPACT ZONES.

WHEREAS, The Wilsonville City Council has previously directed by Ordinance No. 408 that lawn signs, sandwich board signs and other types of temporary signs, except for candidate and campaign lawn signs and signs created by the city for health, safety and traffic control reasons are prohibited in city owned and maintained properties including rights-of-way; and

WHEREAS, Wilsonville Code Section 4.151 regulates the total square footage of exterior signs which are permitted on the premises or on a building in commercial and industrial zones and further establishes numerous other provisions relating to signs; and

WHEREAS, ongoing construction activity in the vicinity of the interchange at Interstate 5 and Wilsonville Road and the interchange at Interstate 5 and Elligsen Road has created a disruption in driving habits and traffic patterns; and

WHEREAS, temporary signs may be an aid to businesses in the vicinity of these interchanges in attracting and retaining customers while these interchanges are under construction; and

WHEREAS, notice of a public hearing on this ordinance was advertised in the Wilsonville Spokesman, a newspaper of general circulation serving the city of Wilsonville, on October 29, 1997; and

WHEREAS, the Wilsonville City Council finds that an emergency exists in the vicinity of the interchanges that warrants a temporary exemption for impacted businesses from certain provisions of Ordinance No. 408 and WC 4.151;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. There are hereby created three "construction impact zones" in the city of Wilsonville. These zones are shown on the map labeled "Exhibit A," which is attached and incorporated herein.

(a) One such zone shall be bounded by Town Center Loop East to the east, Barber Street and a straight-line extension thereof to the north, Kinsman Road and a straight-line extension thereof to the west and Memorial Drive and a straight-line extension thereof to the south.

(b) One such zone shall be bounded by the northern city limits to the north, Parkway Center Drive to the east and south, Ridder Road to the south and the western city limits to the west, together with Camping World property on Boones Ferry Road since it is adversely affected by the construction involving the closing of access to Boones Ferry Road from Ridder Road and the resulting need for directional signage for the large recreational vehicles involved.

(c) Subsections (a) and (b) of this section provide a general description of the construction impact zones. In cases of discrepancy or conflict between boundaries shown on Exhibit A and the language in subsections (a) and (b) of this section, Exhibit A shall take precedence.

2. Licensed businesses located within one of the construction impact zones may, upon approval of a completed application, post *one* temporary sign, on- or off-site, subject to all other provisions of WC 4.151, except as specifically exempted or provided for by this ordinance.

(a) Off-site signs may be placed on city-owned rights of way within the construction impact zone. Said signs may not in any way block pedestrian, bicycle or vehicular access, nor in any way impair or interfere with sight clearance for safe traffic movement.

(b) Off-site signs may be placed on private property in the construction impact zone only with the written permission of the property owner, unless the applicant is the property owner. Such written permission shall be submitted to the Planning Director at the time of application.

(c) Off-site signs may not be placed in the access control area of the Oregon Department of Transportation (ODOT) except with the express written

permission of ODOT. Such written permission shall be submitted to the Planning Director at the time of application.

3. (A) Signs attached to the place of business of a permittee shall meet the design criteria of WC 4.151.
 - (B) Free-standing signs permitted under this ordinance shall meet the following criteria:
 - (a) Number of sign face areas: No more than two (2);
 - (b) Height: No more than three (3) feet, measured from the surface of the ground on which the sign is placed to the top of the sign, inclusive of any poles;
 - (c) Sign face area: No more than six (6) square feet;
 - (d) Illumination: None;
 - (e) Movement: None.
 - (f) Placement: Any sign permitted pursuant to this ordinance shall be placed at least ten feet from any other placed sign.
 - (C) Signs produced and erected by the city of Wilsonville and placed on private property with the permission of the property owner, may be exempt from Section 3(B)(b) and Section 3(B)(c), above, upon a finding by the Planning Director that the sign is necessary for the promotion or protection of the public health, safety or welfare.
4. An application for temporary signs shall be processed by the Planning Director as a Class I Administrative Review, pursuant to procedures set forth in WC Section 4.010(1)(a), with the following conditions:
 - (a) The temporary use permit issued pursuant to this ordinance shall be valid until the expiration date of this ordinance. The Planning Director may assign an earlier expiration date to a temporary use permit issued pursuant to this ordinance if the permit is for a sign with dated information.
 - (b) Application fees collected for applications made pursuant to this ordinance shall be considered a deposit and shall be returned to the applicant at the expiration of the temporary use permit upon a finding by the Planning

Director that the signs permitted by the temporary use permit have been removed by the permittee.

(c) The City Council finds that the advertisement of the public hearing on this ordinance in the October 29, 1997, edition of the Wilsonville Spokesman provides adequate public notice of the city's intent to permit temporary signs in the construction impact zones and that other requirements for public notice contained in Class I Administrative Review procedures have been fulfilled.

(d) Decisions of the Planning Director as to whether an applicant is located in a construction impact zone shall be final.

5. The Wilsonville City Council's best available information is that the construction projects shall be substantially completed by September 30, 1998. This ordinance shall then terminate. In the event either construction project shall be substantially completed prior to that date, the construction exemption zones associate with the project (Elligsen and Boones Ferry Road Camping World exemption zones with the Elligsen/I-5 interchange project and the Wilsonville Road exemption zone with the Wilsonville Road and Wilsonville Road/I-5 projects) shall be terminated upon notice to the City Manager of substantial completion of the project by the responsible contracting governing jurisdiction. In the event that any project's substantial completion date shall be delayed beyond September 30, 1998, the City Manager shall notify the City Council so that appropriate action may be taken under the circumstances.
6. All other provisions of Ordinance No. 408 and WC 4.151 not specifically addressed in this ordinance shall remain in full force and effect.
7. The Wilsonville City Council finds that construction-related disruptions at the interchanges, while temporary in nature, have created an immediate need for these exemptions from city sign regulations. As such, an "emergency" exists that justifies enactment of an emergency ordinance. This ordinance shall be effective immediately upon its passage.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 3rd day of November, 1997, and scheduled for a second reading at a regular meeting there of on the 17th day of November, 1997, commencing at the hour of 7 p.m. at the Wilsonville City Hall Annex.


Sandra C. King, CMC, City Recorder

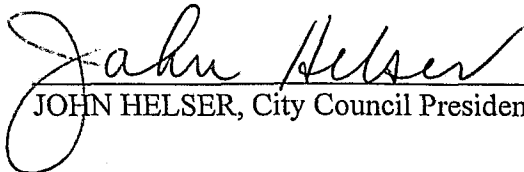
ENACTED by the City Council on the 17th day of November, 1997, by the following votes:

YEAS: 4

NAYS: -0-


Sandra C. King, CMC, City Recorder

DATED and signed by the City Council President this 19th day of November, 1997.


JOHN HELSER, City Council President

SUMMARY of votes:

Mayor Lehan - Excused
Councilor Helsler - Yes
Councilor Luper - Yes
Councilor Kirk - Yes
Councilor Barton - Yes

EXHIBIT A

