

ORDINANCE NO. 2009-279

AN ORDINANCE amending Chapter 10 of the Medford Code by amending Sections 10.1010, 10.1022, 10.1030, 10.1200, 10.1300, 10.1400, 10.1500, 10.1600, 10.1700 and 10.1800 and adding Section 10.1046 pertaining to electronic message signs.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

SECTION 1. Section 10.1010 of the Medford Code is amended to read as follows:

10.1010 Definitions.

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Sign, electronic message. Any sign, or portion of a sign, that displays an electronic image or video, which may or may not include text, where the rate of change is electronically programmed and can be modified by electronic processes This definition includes television screens, plasma screens, digital screens, LED screens, video boards, holographic displays, and other similar media.

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SECTION 2. Section 10.1022 of the Medford Code is amended to read as follows:

10.1022 Exceptions **to Permit Requirements.**

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SECTION 3. Section 10.1030 of the Medford Code is amended to read as follows:

10.1030 Application.

(1) * * *

(g) If an electronic message sign, the frequency at which the text changes.

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SECTION 4. Section 10.1046 of the Medford Code is added to read as follows:

10.1046 Definition of Nonconforming Signs.

All signs that do not conform to the specific standards of this Code may be considered legal nonconforming pursuant to Section 10.032, if the sign was erected in conformance with a valid permit and complied with all applicable laws at the time of the sign's installation. All nonconformities shall be subject to the requirements of Sections 10.033 through 10.037.

SECTION 5. Section 10.1200 of the Medford Code is amended to read as follows:

10.1200 Signs in Single-Family Residential Zoning Districts (SFR-00,2,4,6,10).

Signs shall be permitted only as follows in the single-family residential zoning districts:

(1) Undeveloped Subdivision/Planned Unit Development Signs: Two non-illuminated ground

signs, not exceeding 50 square feet in area, and 14 feet in height and setback a minimum of 20 feet from any property line are permitted within an undeveloped subdivision/ planned unit development. Such signs may be installed on the undeveloped subdivision/planned unit development property after approval of the tentative plat by the Planning Commission. However, the sign must be removed no later than 2 years after installation, unless the Planning Commission, upon due application prior to expiration of the 2 year period, determines that the continued maintenance of the sign is consistent with the purpose of this code, in which case an extension for an additional year may be granted.

Electronic message signs are prohibited.

~~(2) Public Use Signs: Each lot occupied by public uses, schools and churches is allowed a maximum of 20 square feet of sign area per street frontage. The maximum area shall be a combination of wall and ground signs. If a ground sign, the sign shall not be located within 15 feet of any property line and shall not be internally illuminated. Signs within public parks, schools, or stadiums, which are generally placed and located so as not to be viewed from a street, are exempt from this provision.~~ Institutional uses, as defined in Section 10.012, are permitted 20 square feet of signage per street frontage. Signs shall not be internally illuminated except as provided in (c) below. Each street frontage is permitted a maximum of one ground sign measuring a maximum of 20 square feet, and a maximum of one wall sign measuring a maximum of 20 square feet. The square footage of the ground and wall signs may not be combined to create a larger sign. In cases of properties with more than one street frontage, the signage from one street frontage may not be transferred to another street frontage. Signs shall also comply with the following provisions:

(a) Ground Signs:

- (i) Maximum Size: 20 square feet per sign**
- (ii) Maximum Height: 5 feet**
- (iii) Minimum Setback: 15 feet from any property line**
- (iv) Exempt: Ground signs within public parks, schools, or stadiums that are placed and located so as not to be viewed from the street are exempt from these provisions.**

(b) Wall Signs:

- (i) Maximum Size: 20 square feet per sign**
- (ii) Maximum Height: No part of any wall sign shall be higher than the building height as defined in Section 10.1010.**
- (iii) Exempt: Wall signs within public parks, schools, or stadiums which are placed and located so as not to be viewed from the street are exempt from these provisions.**

(c) Electronic Message Signs: Electronic message signs are a conditional use. A Conditional Use Permit may authorize institutional uses to have one electronic message sign as a permitted ground or wall sign. Regardless of the number of street frontages, one of the permitted ground or wall signs may be an electronic message sign, provided it complies with the following provisions:

- (i) Electronic message signs shall apply for and receive approval for a Conditional Use Permit pursuant to Section 10.250.**
 - a. The electronic message sign shall be considered as an element of the CUP for the use.**
 - b. Existing conditional uses shall apply for an amendment to their existing approved CUP to request an electronic message sign,**

pursuant to Section 10.250.

c. The expiration of a CUP shall require the removal of the electronic message sign.

(ii) **Maximum Size: 20 square feet**

(iii) **Maximum Height: 5 feet if a ground sign. If a wall sign, shall not be higher than the building height as defined in Section 10.1010.**

(iv) **All text displayed on an electronic message sign must be static for a minimum of two (2) seconds. The continuous scrolling of text is prohibited. Animated images and images which move, or give the appearance of movement are prohibited.**

(v) **All electronic message signs shall have automatic dimming capabilities that adjust the brightness to the ambient light at all times of day and night, consistent with Section 10.764, Glare.**

(vi) **The conversion of an existing, conforming ground or wall sign to an electronic message sign is permitted.**

(vii) **The conversion of any existing, nonconforming ground or wall sign to an electronic message sign is prohibited.**

(3) **Planned Unit Development Signs: Residential Planned Unit Developments are permitted** ~~Two (2) non-illuminated ground signs, each sign not exceeding twenty feet in area, and 4 feet in height and setback a minimum of 5 feet from any street right-of-way are permitted in a residential Planned Unit Development. Such signs may be installed after approval of the signs and the Planned Unit Development by the Planning Commission.~~ **subject to the following limitations:**

(a) **Maximum Height: 4 feet**

(b) **Maximum Square Footage: 20 square feet per sign**

(c) **Minimum Setback: 5 feet from any public right-of-way**

(d) **Such signs may be installed after approval of the signs, and the Planned Unit Development by the Planning Commission.**

(e) **Electronic Message Signs are prohibited.**

SECTION 6. Section 10.1300 of the Medford Code is amended to read as follows:

10.1300 Signs in Multiple-Family Residential Districts (MFR-15), (MFR-20) and (MFR-30).

Signs shall be permitted only as follows in the MFR-15, MFR-20 and MFR-30 zones:

(1) **New Development/Project Sign:** One non-illuminated ground sign, not exceeding 50 square feet in area, and 14 feet in height is permitted on the premises of each proposed building or development project. Such sign may be installed after a building permit has been obtained for the construction project and must be removed not later than two years after issuance of the building permit for the project or upon completion of the project, whichever is first. No more than one such sign shall be erected for each construction project and such sign shall be subject to the same setback requirements as are imposed for structures in this zone. **Electronic Message Signs are prohibited.**

(2) **Multiple-family Dwelling Sign:** For multiple-family dwellings containing four or more dwelling units, one sign not more than 10 square feet in area, either affixed to the building or free-standing is permitted. If free-standing, the sign shall not be located in any required yard area and shall not exceed 4 feet in height and shall be mounted within a landscaped area or decorative planter. If affixed to the building, the sign may not project into a required yard area more than 18 inches. No

part of any such sign shall be higher than the building height as defined in Section 10.1010.

Electronic Message Signs are prohibited

~~(3) Public Use Signs: Public uses, schools, and churches are allowed a maximum of 20 square feet of sign area, per street frontage. The maximum area shall be a combination of wall and ground signs. If a ground sign, the sign shall not be located within 15 feet of any property line and shall not be internally illuminated. Signs within public parks, schools, or stadiums, which are generally placed and located so as not to be viewed from a street, shall be exempt from this provision. Institutional uses, as defined in Section 10.012, are permitted 20 square feet of signage per street frontage. Signs shall not be internally illuminated except as provided in (c) below. Each street frontage is permitted a maximum of one ground sign measuring a maximum of 20 square feet, and a maximum of one wall sign measuring a maximum of 20 square feet. The square footage of the ground and wall signs may not be combined to create a larger sign. In cases of properties with more than one street frontage, the signage from one street frontage may not be transferred to another street frontage. Signs shall also comply with the following provisions:~~

(a) Ground Signs:

- (i) Maximum Size: 20 square feet per sign**
- (ii) Maximum Height: 5 feet**
- (iii) Minimum Setback: 15 feet from any property line**
- (iv) Exempt: Ground signs within public parks, schools, or stadiums that are placed and located so as not to be viewed from the street are exempt from these provisions.**

(b) Wall Signs:

- (i) Maximum Size: 20 square feet per sign**
- (ii) Maximum Height: No part of any wall sign shall be higher than the building height as defined in Section 10.1010.**
- (iii) Exempt: Wall signs within public parks, schools, or stadiums which are placed and located so as not to be viewed from the street are exempt from these provisions.**

(c) Electronic Message Signs: Electronic message signs are a conditional use. A Conditional Use Permit may authorize institutional uses to have one electronic message sign as a permitted ground or wall sign. Regardless of the number of street frontages, one of the permitted ground or wall signs may be an electronic message sign, provided it complies with the following provisions:

- (i) Electronic message signs shall apply for and receive approval for a Conditional Use Permit pursuant to Section 10.250.**
 - a. The electronic message sign shall be considered as an element of the CUP for the use.**
 - b. Existing conditional uses shall apply for an amendment to their existing approved CUP to request an electronic message sign, pursuant to Section 10.250.**
 - c. The expiration of a CUP shall require the removal of the electronic message sign.**
- (ii) Maximum Size: 20 square feet**
- (iii) Maximum Height: 5 feet if a ground sign. If a wall sign, shall not be higher**

than the building height as defined in Section 10.1010.

(iv) All text displayed on an electronic message sign must be static for a minimum of two (2) seconds. The continuous scrolling of text is prohibited. Animated images and images which move, or give the appearance of movement are prohibited.

(v) All electronic message signs shall have automatic dimming capabilities that adjust the brightness to the ambient light at all times of day and night, consistent with Section 10.764, Glare.

(vi) The conversion of an existing, conforming ground or wall sign to an electronic message sign is permitted.

(vii) The conversion of any existing, nonconforming ground or wall sign to an electronic message sign is prohibited.

(4) Planned Unit Development Signs: Residential Planned Unit Developments are permitted two (2) non-illuminated ground signs, subject to the following limitations.

(a) Maximum Height: 4 feet

(b) Maximum Square Footage: 20 square feet per sign

(c) Minimum Setback: 5 feet from any public right-of-way

(d) Such signs may be installed after approval of the signs, and the Planned Unit Development by the Planning Commission.

(e) Electronic Message Signs are prohibited.

SECTION 7. Section 10.1400 of the Medford Code is amended to read as follows:

10.1400 Signs in Service Commercial and Professional Offices (C-S/P); Basic Regulations. Signs shall be permitted only as follows in the C-S/P district:

(1) Ground Signs: Each parcel of land is permitted one (1) ground sign per street frontage, subject to the following limitations:

(a) Maximum Height: 9 feet

(b) Maximum Square Footage: 32 square feet per sign

(c) Minimum Setback: 5 feet from a lot in a residential zone or from a street right-of-way

(d) Electronic Message Signs are permitted as a ground sign subject to the following limitations:

(i) Each parcel of land is permitted one (1) electronic message sign if the sign is 150 feet or farther from any residential zoning district or GLUP Map designation.

(ii) All text displayed on an electronic message sign must be static for a minimum of two (2) seconds. The continuous scrolling of text is prohibited. This restriction shall not apply to animated images and images which move, or give the appearance of movement.

(iii) All electronic message signs shall have automatic dimming capabilities that adjust the brightness to the ambient light at all times of day and night.

(iv) The conversion of an existing, conforming ground sign to an electronic message sign is permitted.

(v) The conversion of an existing, nonconforming ground sign to an electronic message sign is prohibited.

(2) Wall Signs: Wall signs are permitted subject to the following limitations:

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(c) Electronic Message Signs are permitted as a primary or secondary facade wall sign subject to the following limitations:

(i) The electronic message sign or electronic reader board must be 150 feet, or farther, from any residential zoning district or GLUP Map designation.

(ii) All text displayed on an electronic message sign must be static for a minimum of two (2) seconds. The continuous scrolling of text is prohibited. This restriction shall not apply to animated images and images which move, or give the appearance of movement.

(iii) All electronic message signs shall have automatic dimming capabilities that adjust the brightness to the ambient light at all times of day and night.

(iv) The conversion of an existing, conforming wall sign to an electronic message sign is permitted.

(v) The conversion of an existing, nonconforming wall sign to an electronic message sign is prohibited.

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SECTION 8. Section 10.1500 of the Medford Code is amended to read as follows:

10.1500 Signs In Neighborhood Commercial District (C-N): Basic Regulations.

Signs shall be permitted as follows in the C-N district:

(1) Ground Signs: Not more than one ground sign may be placed on each lot or parcel subject to the following limitations:

(a) Maximum Height: 9 feet

(b) Maximum Square Footage: 36 square feet per sign

(c) Minimum Setback: 10 feet from a lot in a residential zone or from a street right-of-way

(d) Electronic Message Signs are permitted subject to Sections 10.248 through 10.250, and the following criteria:

(i) Each parcel of land is permitted one (1) electronic message sign if the sign is 150 feet or farther from any residential zoning district or GLUP Map designation.

(ii) All text displayed on an electronic message sign must be static for a minimum of two (2) seconds. The continuous scrolling of text is prohibited. This restriction shall not apply to animated images and images which move, or give the appearance of movement.

(iii) All electronic message signs shall have automatic dimming capabilities that adjust the brightness to the ambient light at all times of day and night.

(iv) The conversion of an existing, conforming ground sign to an electronic message sign is permitted.

(v) The conversion of an existing, nonconforming ground sign to an electronic message sign is prohibited.

(2) Wall Signs: Wall signs are permitted subject to the following limitations:

* * *

(c) Electronic Message Signs are permitted as a primary or secondary facade wall sign subject to Sections 10.248 through 10.250, and the following criteria:

(i) The electronic message sign must be 150 feet, or farther, from any residential zoning district or GLUP Map designation.

(ii) All text displayed on an electronic message sign must be static for a minimum of two (2) seconds. The continuous scrolling of text is prohibited. This restriction shall not apply to animated images and images which move, or give the appearance of movement.

(iii) All electronic message signs shall have automatic dimming capabilities that adjust the brightness to the ambient light at all times of day and night.

(iv) The conversion of an existing, conforming wall sign to an electronic message sign is permitted.

(v) The conversion of an existing, nonconforming wall sign to an electronic message sign is prohibited.

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SECTION 9. Section 10.1600 of the Medford Code is amended to read as follows:

10.1600 Central Business Overlay (CB): Basic Regulations.

Signs shall be permitted as follows in the CB district:

(1) Ground Signs: Each parcel of land is permitted one ground sign per street frontage, subject to the following limitations:

(a) Maximum Height: 20 feet

(b) Maximum Square Footage: 150 square feet per sign

(c) Minimum Setback: May not project into public right-of-way

(d) Electronic Message Signs are permitted, except where within the Historic Overlay District, as a ground sign subject to the following limitations:

(i) Each parcel of land is permitted one (1) electronic message sign if the sign is 150 feet or farther from any residential zoning district or GLUP Map designation.

(ii) All text displayed on an electronic message sign must be static for a minimum of two (2) seconds. The continuous scrolling of text is prohibited. This restriction shall not apply to animated images and images which move, or give the appearance of movement.

(iii) All electronic message signs shall have automatic dimming capabilities that adjust the brightness to the ambient light at all times of day and night.

(iv) The conversion of an existing, conforming ground sign to an electronic message sign is permitted.

(v) The conversion of an existing, nonconforming ground sign to an electronic message sign is prohibited.

(2) Wall Signs: Wall signs are permitted, subject to the following limitations:

* * *

(d) Electronic Message Signs are permitted, except where within the Historic Overlay District, as a primary or secondary façade wall sign subject to the following limitations:

(i) The electronic message sign or electronic reader board must be 150 feet, or farther, from any residential zoning district or GLUP Map designation.

(ii) All text displayed on an electronic message sign must be static for a minimum of two (2) seconds. The continuous scrolling of text is prohibited. This restriction

shall not apply to animated images and images which move, or give the appearance of movement.

(iii) All electronic message signs shall have automatic dimming capabilities that adjust the brightness to the ambient light at all times of day and night.

(iv) The conversion of an existing, conforming wall sign to an electronic message sign is permitted.

(v) The conversion of an existing, nonconforming wall sign to an electronic message sign is prohibited.

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SECTION 10. Section 10.1700 of the Medford Code is amended to read as follows:

10.1700 Signs in Community Commercial District (C-C) and Heavy Commercial District (C-H, and Regional Commercial District (C-R): Basic Regulations.

Signs shall be permitted as follows in the C-C, C-R, and C-H districts:

(1) Ground Signs: Each parcel of land is permitted one ground sign per street frontage, subject to the following limitations:

(a) Maximum Height: 20 feet

(b) Maximum Square Footage: 150 square feet per sign

(c) Minimum Setback: Shall not project into public right-of-way.

(d) Electronic Message Signs are permitted as a ground sign subject to the following limitations:

(i) Each parcel of land is permitted one (1) electronic message sign if the sign is 150 feet or farther from any residential zoning district or GLUP Map designation.

(ii) All text displayed on an electronic message sign must be static for a minimum of two (2) seconds. The continuous scrolling of text is prohibited. This restriction shall not apply to animated images and images which move, or give the appearance of movement.

(iii) All electronic message signs shall have automatic dimming capabilities that adjust the brightness to the ambient light at all times of day and night.

(iv) The conversion of an existing, conforming ground sign to an electronic message sign is permitted.

(v) The conversion of an existing, nonconforming ground sign to an electronic message sign is prohibited.

(2) Wall Signs: Wall signs are permitted, subject to the following limitations:

* * *

(c) Electronic Message Signs are permitted as a primary or secondary facade wall sign subject to the following limitations:

(i) The electronic message sign must be 150 feet, or farther, from any residential zoning district or GLUP Map designation.

(ii) All text displayed on an electronic message sign must be static for a minimum of two (2) seconds. The continuous scrolling of text is prohibited. This restriction shall not apply to animated images and images which move, or give the appearance of movement.

(iii) All electronic message signs shall have automatic dimming capabilities that adjust the brightness to the ambient light at all times of day and night.

(iv) The conversion of an existing, conforming wall sign to an electronic message sign is permitted.

(v) The conversion of an existing, nonconforming wall sign to an electronic message sign is prohibited.

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(5) Shopping Center Sign: In the case of shopping areas which are developed as a unit with common parking areas, one ground sign per vehicular access on a public street is permitted on the premises of a shopping center. The size of the ground signs shall be determined as follows: For shopping centers with less than 300,000 square feet of gross floor area, one sign may be up to 150 square feet in area and 20 feet in height. For shopping centers that contain or have master site plan approval for a gross floor area between 300,000 square feet and 500,000 square feet, one sign may be up to 200 square feet in area each and 35 feet in height. For shopping centers that contain or have master site plan approval for a gross floor area that exceeds 500,000 square feet, two signs may be up to 200 square feet in area each and 35 feet in height, but no less than 1,000 feet apart. Each additional ground sign shall not exceed 30 square feet in area and 12 feet in height. The shopping center ground signs allowed by this subsection (5) are in lieu of all other ground signs permitted in the zoning district, as listed under the Basic Regulations in Subsection (1) of this section. Such signs shall not project into public right-of-way. **Shopping center signs are permitted as electronic message signs subject to the criteria contained in Section 10.1700(1)(d).**

SECTION 11. Section 10.1800 of the Medford Code is amended to read as follows:

10.1800 Signs in Light Industrial (I-L), General Industrial (I-G), and Heavy Industrial (I-H): Basic Regulations.

Signs shall be permitted as follows in the I-L, I-G, and I-H districts:

(1) Ground Signs are subject to the following limitations:

(a) Maximum Height: 24 feet

(b) Maximum Square Footage: 200 square feet per sign

(c) Minimum Setback: Sign shall not project into public right-of-way.

(d) Maximum Number: No more than one free-standing sign shall be permitted on any single lot, except under the following conditions:

(i) The lot has more than one street frontage, then a lot may be allowed one ground sign for each frontage over 120 linear feet, and

(ii) No sign shall project into the public right-of-way.

(e) Electronic Message Signs are permitted as a ground sign subject to the following limitations:

(i) Each parcel of land is permitted one (1) electronic message sign if the sign is 150 feet or farther from any residential zoning district or GLUP Map designation.

(ii) All text displayed on an electronic message sign must be static for a minimum of two (2) seconds. The continuous scrolling of text is prohibited. This restriction shall not apply to animated images and images which move, or give the appearance of movement.

(iii) All electronic message signs shall have automatic dimming capabilities that adjust the brightness to the ambient light at all times of day and night.

(iv) The conversion of an existing, conforming ground sign to an electronic message sign is permitted.

(v) The conversion of an existing, nonconforming ground sign to an electronic message sign is prohibited.

(2) Wall Signs:

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(c) Electronic Message Signs are permitted as a primary or secondary facade wall sign subject to the following limitations:

(i) The electronic message sign must be 150 feet, or farther, from any residential zoning district or GLUP Map designation.

(ii) All text displayed on an electronic message sign must be static for a minimum of two (2) seconds. The continuous scrolling of text is prohibited. This restriction shall not apply to animated images and images which move, or give the appearance of movement.

(iii) All electronic message signs shall have automatic dimming capabilities that adjust the brightness to the ambient light at all times of day and night.

(iv) The conversion of an existing, conforming wall sign to an electronic message sign is permitted.

(v) The conversion of an existing, nonconforming wall sign to an electronic message sign is prohibited.

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PASSED by the Council and signed by me in authentication of its passage this _____ day of _____, 2009.

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2009.

Mayor

NOTE: Matter in **bold** in an amended section is new. Matter ~~struck out~~ is existing law to be omitted. Three asterisks (* * *) indicate existing law which remains unchanged by this ordinance but was omitted for the sake of brevity.