



SIGN VARIANCE REVIEW IN TUALATIN

Welcome to the City of Tualatin's Sign Variance Application review. The overall purpose of Sign Variance Review is to provide a public hearing process to review special situations that are not anticipated by the Tualatin Development Code (TDC) Sign Regulations. This handout provides general information about the Sign Variance process. The Sign Variance Criteria [TDC 33.020 (6-11)] should be consulted for specific information. If you have questions, please call the Community Development Department - Planning Division at 503-691-3026.

What is Sign Variance Review?

Sign Variance Review is a public hearing process. The application materials must show the six Sign Variance criteria [TDC 33.020 (6-11)] are met.

When is a Sign Variance Application Appropriate?

Sign Variance Applications are appropriate when an unusual situation exists, the regulations cannot be achieved and the criteria can be met. Variances may be requested only for the standards in the TDC, Sections 38.100, 38.110, 38.120, and 38.140-38.240 (per 38.010).

Who Reviews Sign Permit Applications?

Variance Applications are reviewed by Community Development Department - Planning Division staff who make a recommendation in a staff report to the Tualatin Planning Commission. The Planning Commission reviews the report and all other information entered into the record at the public hearing and makes a decision to approve, approve with conditions, or deny. Their decision may be appealed to the City Council.

Review Time

The total time is about 10 to 12 weeks. When a Sign Variance application is deemed complete, a Planning Commission public hearing is set for about 6 to 8 weeks later. The Planning Commission meets on the third Thursday each month at 6:30 PM. The Planning Commission hearing follows the quasi-judicial evidentiary hearing procedures in Chapter 31, TDC. A notice of the hearing is mailed by the Community Development Department - Planning Division to property owners within 1,000 feet of the subject property. The hearing may be continued by the Planning Commission, although they usually make a decision the night of the hearing. The decision to approve, approve with conditions or deny the application is then put in a written decision to be issued in the next 5 days of the hearing. The decision becomes final following a 14-day appeal period.

Who Receives Variance Decisions?

Sign Variance decisions are mailed by the Community Development Department - Planning Division to the applicant, property owner, and any parties who established standing at the public hearing.

Getting Started

A pre-application conference with the Community Development Department - Planning Division staff is required. An applicant for a Sign Variance shall conduct a Neighborhood/Developer meeting subject to TDC 31.063. Please call 503-691-3026 to schedule a conference or to ask questions. The pre-application conference should occur at the earliest possible date. Please bring an explanatory draft site plan and/or sign drawings to show the situation. We will discuss the process, requirements and other issues of interest to you.

Sign Variance Application Submittal

We recommend you call to set an appointment to submit the application. The application checklist in this packet describes the Sign Variance Application contents. It is important the application checklist be followed, because we cannot accept incomplete applications.

Variance Criteria

The Sign Variance criteria are TDC 33.020 (6-11).

- a. A hardship is created by exceptional or extraordinary conditions applying to the property that do not apply generally to other properties in the same planning district, and such conditions are a result of lot size or shape or topography over which the applicant or owner has no control.
- b. The hardship does not result from actions of the applicant, owner or previous owner, or from personal circumstances, or from the financial situation of the applicant or owner or the company, or from regional economic conditions.
- c. The variance is the minimum remedy necessary to eliminate the hardship.
- d. The variance is necessary for the preservation of a property right of the owner substantially the same as is possessed by owners of other property in the same planning district however, nonconforming or illegal signs on the subject property or on nearby properties shall not constitute justification to support a variance request.
- e. The variance shall not be detrimental to the general public health, safety and welfare, and not be injurious to properties or improvements in the vicinity.
- f. The variance shall not be detrimental to the applicable Sign Design Objectives, TDC 20.030.

All six criteria must be met before Council can grant a variance.

After the Variance Decision

If the Sign Variance Application is denied, staff cannot issue a Sign Permit unless it meets the Sign Regulations. If the Sign Variance Application is granted or granted with conditions, a Sign Permit Application may be submitted and staff can issue a Sign Permit in accordance with the Sign Regulations and the approved variance.

SIGN VARIANCE APPLICATION CHECKLIST

The following information shall be submitted with each Sign Variance Application. Incomplete applications cannot be accepted.

- A. COMPLETED APPLICATION FORM (Please submit 2 copies.)
- B. SIGN VARIANCE APPLICATION FEE (\$675 - Please make check payable to: City of Tualatin)
- C. NEIGHBORHOOD/DEVELOPER MEETING DOCUMENTATION.
- D. SIGN VARIANCE CRITERIA JUSTIFICATION (Please submit 2 copies.)

Each of the six criteria must be addressed and discussed. The justification to support the requested variance must explain how the request meets each criterion.

Depending on the specific variance requested, the justification may need to include a site plan, sign plans, building elevations and other information explaining how the criteria are met.

If a site plan is used to support the requested variance, use the Sign Permit Application checklist for site plans (attached) as a guide. If one or more items in the Sign Permit Application checklist do not apply to your variance, you need not include it. If sign plans or building elevations are used, use the Sign Permit Applications checklist (attached) as a guide.

- E. ADDITIONAL INFORMATION Please submit an **Electronic Digital CD** (Adobe Acrobat Reader (pdf), or Microsoft Word and Excel are the preferable file types) of the entire Sign Variance packet and supporting documentation, including drawings to the City of Tualatin Community Development Department - Planning Division
- F. ASSESSOR'S MAPS AND LIST OF PROPERTY OWNERS (Please submit 1 set)

Submit the Washington and/or Clackamas County Assessor's Maps showing the subject property and properties within 300 feet of the subject property. Draw a line on the maps showing the 1,000 foot distance from the subject property.

Submit an Address List, using the attached address matrix to properly space the addresses, listing the correct names and addresses of all owners of the subject property and owners of real property within 1,000 feet of the subject property. If the 1,000-foot area (Ordinance No. 1304-10 page 59 of 61) includes lots within a platted residential subdivision the notice area shall extend to include the entire subdivision of which the lots are part and the applicant shall identify these subdivisions for staff as part of the mailing notification list. If the residential subdivision is one of two or more individually platted phases sharing a single subdivision name the notice area need not include the additional phases. The current Tax Roll shall be used. The Assessor's Map Number and Tax Lot Number must be included with each name and address. You must provide the list on pre-gummed address labels, which may be available for purchase at Washington and/or Clackamas Counties. Preparation of the list is the applicant's responsibility and shall be prepared by one of the following: a land title company, a land use planning consultant authorized by the State of Oregon to conduct business in the State, registered architect, landscape architect, engineer, surveyor, or attorney. The list of property owners shall be updated not less than every 90 days by the applicant. All parties listed on the application form shall also be included on the

mailing list. See the attached example matrix sheet for the correct spacing of the addresses and the requested information.



City of Tualatin

www.tualatinoregon.gov

SIGN VARIANCE APPLICATION

BUSINESS NAME _____ CONTACT PERSON _____ PHONE _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

APPLICANT'S NAME _____ PHONE _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

AS THE PERSON RESPONSIBLE FOR THIS APPLICATION, I HEREBY ACKNOWLEDGE THAT I HAVE READ THIS APPLICATION AND THE INFORMATION IS CORRECT TO THE BEST OF MY KNOWLEDGE.

APPLICANT'S SIGNATURE _____ DATE _____

PROPERTY OWNER'S NAME _____ PHONE _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

PROPERTY OWNER'S SIGNATURE _____ DATE _____

Power of attorney/letter of authorization required if not signed by owner.

BUILDING OWNER'S NAME _____ PHONE _____

(If different than property owner.)

ADDRESS _____ CITY _____ STATE _____ ZIP _____

BUILDING OWNER'S SIGNATURE _____ DATE _____

Power of attorney/letter of authorization required if not signed by owner.

VARIANCE REQUEST

A BRIEF STATEMENT OF THE VARIANCE REQUESTED AND THE SIGN ORDINANCE SECTION NO. _____

SUBMIT SEPARATE SHEETS WITH THE SUPPORTING MATERIAL ADDRESSING THE SIGN VARIANCE CRITERIA [TDC 33.020 (6-11)] AND EXPLAINING WHY AND HOW THE REQUESTED VARIANCE MEETS THE CRITERIA.

PROJECT INFORMATION

PLANNING DISTRICT _____ PROPOSED/EXISTING USE _____

TAX MAP NO. _____ TAX LOT NO. _____ PARCEL SIZE _____

Date App Rcvd: _____ Received by _____ Date App Complete _____

Receipt # _____ Variance Fee _____ Circle one: Cash Check Credit Card

Sign Variance Case No. _____

SIGN VARIANCE CERTIFICATION OF SIGN POSTING



The applicant shall provide and post a sign pursuant to Tualatin Development Code (TDC) 31.064(2). Additionally, the 18" x 24" sign must contain the application number, and the block around the word "NOTICE" must remain red composed of the **RGB color values Red 112, Green 48, and Blue 160**. Additionally, the potential applicant must provide a flier (or flyer) box on or near the sign and fill the box with brochures reiterating the meeting info and summarizing info about the potential project, including mention of anticipated land use application(s). Staff has a Microsoft PowerPoint 2007 template of this sign design available through the Planning Division homepage at www.tualatinoregon.gov/planning/land-use-application-sign-templates.

NOTE: For larger projects, the Planning Division may require the posting of additional signs in conspicuous locations.

As the applicant for the _____ project, I hereby certify that on this day, _____ sign(s) was/were posted on the subject property in accordance with the requirements of the Tualatin Development Code and the Engineering & Building Department – Engineering Division.

Applicant's Name: _____
(PLEASE PRINT)

Applicant's Signature: _____

Date: _____