

Oregon City Sign Code Staff Recommendation

October, 2014 DRAFT

Version 3: Note that all changes from the previous version are marked and the explanation of the changes is provided in the associated comment.

The following is intended to replace Chapter 15.28 of the Oregon City Municipal Code.

15.28.010 Purpose of sign regulations.

This chapter regulates the construction, placement and maintenance of signs to protect and enhance public health, safety, welfare and property. The code:

- A. Allows signs compatible with the character and uses allowed in the zoning district in which they are located;
- B. Maintains the effectiveness of traffic control signs throughout the City;
- C. Prohibits signs, or portions thereof, that conflict with the safe movement of people and emergency services, constitute a public nuisance or hazard, are of unsafe construction, or that demand attention as a result of their dominating size or motion;
- D. Maintains and enhances the scenic and other aesthetic qualities of the City; ~~and~~
- E. Supports the economic development of Oregon City businesses; ~~-~~
- F. Allows citizens and businesses the freedom to express their needs or views without unnecessary interference; and
- G. Is not intended to regulate the content of signs in any way.[LT1]

Proposed Changes to the Existing Code – Purpose Statement

- Minor rewording edits.
- “Supports the economic development of Oregon City businesses” is added.
- The scope of the chapter is separated into a separate section.
- Section “F” and “G” added for clarification.

15.28.020 Definitions.

“Abandoned ~~s~~Sign” means a sign structure where no sign has been in place for a continuous period of at least 6 months.

“A-frame ~~s~~Sign” also known as “sandwich board” or “tent sign” means a movable steeply angled sign with two sides that meets at the top in the shape of the letter “A” and is not attached to a structure or the ground.

“Air Blown Sign” means a sign that is intended to be inflated by air or other gas.

“Ancillary ~~s~~Sign” means any sign allowed by this code, with or without permit, that is not a freestanding, incidental freestanding, wall, roof or projecting sign. If allowed within the zoning designation, ancillary signs include, but are not limited to, signs which do not exceed six (6) square feet per sign face ~~with an area less than 6 square feet~~, A-frame signs, flags (excluding attention flags), and banners.

“Attention ~~f~~lag” also known as “flutter,” “feather,” “teardrop,” or “blade,” means a pole-supported sign made of fabric, vinyl, or other similar non-rigid material, where one side of the sign is more than three times as long as any other side.

“Banner” means a sign made of fabric, vinyl, or other similar non-rigid material.

“Banner on Street Light Pole[LT2]” means a sign made of fabric, vinyl, or other similar non-rigid material intended to be displayed in the public right-of-way for a limited period of time which complies with Chapter 15.28 of the Oregon City Municipal Code and the Signs in the Right-of-Way Policy.

"Billboard" means a sign with a display ~~surface~~-area of three hundred square feet or more, including but not limited to, outdoor advertising signs as defined in ORS 377.710(21).

"Business" means any trade, profession, occupation or pursuit of every kind conducted in the City for gain.

"Compensation" means the exchange of something of value. It includes, without limitation, money, securities, real property interest, barter of goods or services, promise of future payment, or forbearance of debt. "Compensation" does not include goodwill, or an exchange of value, that a building owner (or leaseholder with a right to possession of the wall upon which the mural is to be placed) provides to an artist, muralist, or other entity, where the compensation is only for the creation and/or maintenance of the mural on behalf of the building owner or leaseholder, and where the building owner or leaseholder fully controls the content of the art mural.

"Construct" or "~~C~~onstructed" means to construct, erect, build, assemble, alter, place, affix, attach, create, recreate, paint, draw or in any way bring into being or establish.

"Cross Street Banner" means a sign made of fabric, vinyl, or other similar non-rigid material intended to be displayed over the public right-of-way for a limited period of time which complies with Chapter 15.28 of the Oregon City Municipal Code and the Signs in the Right-of-Way Policy.

"Display" means an arrangement of objects intended to decorate, advertise, entertain, or inform people about something.

"Display ~~surface~~-~~a~~Area" is defined in Section 15.28.050. means the total size of all sign faces on a sign.

"Fence" and "~~F~~encing" mean any barrier or section thereof, other than a wall, designed to delimit a boundary or provide a visual screen.

"Flag" means a piece of fabric of distinctive design that is displayed hanging free from a staff, halyard or building to which it is attached, excluding banners.

"Freestanding ~~S~~sign" means a sign wholly supported from the ground by its own integral structure.

"Frontage" means the full length of a parcel of property that abuts a dedicated street, highway,¹ or a ~~the~~ City-approved -vehicular public access easement.

"Government ~~O~~wned ~~S~~sign" means a sign owned by a government agency, but does not include a sign constructed by a third-party with grant funds obtained from a government agency.

"Incidental Freestanding Sign" means a sign wholly supported from the ground by its own integral structure. [LT3]The size allowed is less than that of a freestanding sign.

"Maintenance" means normal care or servicing needed to keep a sign functional or perpetuate its use, such as cleaning, replacing, or repairing unusable or broken portions of the sign, and repairing defective lightingchanging light bulbs. [LT4]

"Premises" means a lot or number of contiguous lots under the same ownershipas approved by the community development director.

"Projecting ~~S~~sign" means a sign projecting more than one foot from the wall of a building².

"Public ~~M~~mural" means an original, two-dimensional work of visual art, comprised of paint, ceramic or glass tiles, or tesserae, metal, executed by hand directly upon, or affixed directly to an exterior wall of a building, where the work of visual art has been approved by the Arts Commission and accepted by the City into its public art collection pursuant to this Chapter.

"Roof ~~S~~sign" means a sign constructed or maintained wholly upon or over the roof of any building with the principal support on the roof structure.

"Sign" means any sign, display message, emblem, figure, painting, drawing, placard, poster, billboard, carving or other thing that is designed, used or intended to convey a message or image and is used to inform or attract the attention of the public, and the term includes the sign structure, display surface

¹ Note that highways and freeways are considered frontages.

² CAT suggested projecting signs should be signs projecting more than four (4) inches.

and all other component parts of a sign; when dimensions of a sign are specified, the term includes panels and frames; and the term includes both sides of a sign of specified dimensions or display surface area.

"Sign fFace" means the total area as measured pursuant to Section 15.28.050.

"Sign Oofficial" means ~~the any~~ person designated by the City Manager to enforce the provisions of this chapter, including the review of permit applications, the interpretation of the provisions of this chapter and the issuance of permits.

"Tenant sSpace" means the portion of a structure occupied by a single commercial lease holder, or an owner-occupied space with its own public entrance from the exterior of the building or through a shared lobby, atrium, mall, or hallway and separated from other tenant spaces by walls.

"Traffic Ceontrol Ssign or Ddevice" means a sign approved by the Public Works Department through the right-of-way permit process ~~through the City's Public Works Department~~, where the sign complies with the City's Street Standards and/or the Manual on Uniform Traffic Control Devices (MUTCD). In addition, traffic control sign or device includes signs on private property associated with an approved traffic control plan prepared by a transportation engineer and approved by the City through a Site Plan and Design Review process that does not involve the content of a sign.

"Undeveloped lLot" means a property without a building, business or valid land use approval.

"Wall sSign" means a sign that is attached to the wall of a building and extends no more than twelve inches from a wall.

Proposed Changes to the Existing Code – Definitions

- The following definitions deleted: incidental sign, obsolete sign, temporary sign, natural materials and wall.
- New definitions for A-frame sign, air blown sign, ancillary sign, attention flag, banner, business, display, flag, government owned sign, tenant space, cross-street banners, and undeveloped lots.
- Minor rewording edits.

15.28.030 Scope of sign regulations.

All signs shall be constructed and maintained only as provided by this chapter, except for the following³:

- A. Signs not visible from either a public right-of-way or property under different ownership, provided such signs ~~shall beare~~ constructed and maintained in accordance with applicable law;
- B. Signs inside a building, except for strobe lights ~~or floating lights~~ visible from the right-of-way or other private property;
- C. ~~Signs carved into or part of materials that are an integral part of a building;~~
- D. Signs attached to, or carried by a person;
- E. Signs required by law or legal action;
- F. ~~Government owned signs within the right-of-way;~~
- ~~G. Government owned signs within~~ government-designated parks, or within Metro-designated open space and at stormwater facilities;
- ~~H. Public murals as defined in 15.28.090 existing prior to adoption of this code~~ identified on the Oregon City Existing Mural List; and
- ~~I. Traffic control signs and devices.~~
- ~~J. In addition to this chapter, signs within historic districts shall be reviewed by the Historic Review Board for compliance with OCMC 17.40.060(E). However, that review shall not consider the content of the sign in any way.~~

³ The Community Advisory team suggested signs painted on the sides of buildings to be exempt but did not vote to make a recommendation on the matter.

Proposed Changes to the Existing Code – Scope of Sign Regulations

- All government owned signs are no longer exempt.
- Items A-J are new exemptions.
- Clarify role of the Historic Review Board.

15.28.040 Permit required.

A. Permit Required. No sign shall be constructed except as provided by this chapter and after a permit has been issued by the sign official. This permit requirement applies to all signs, except those specifically exempt by a provision of this chapter.

B. The following signs on private property are subject to compliance with this chapter but do not require a sign permit:

1. Except public murals, changes of copy whereby the sign size and material are not changing but the message is changing ~~do not require a sign permit;~~
2. Freestanding or ~~auxiliary~~ ancillary signs with no more than two faces, the total of which does not exceed six (6) square feet in area per sign face, excluding banners, and subject to the limitations identified for ancillary signs;
3. A-frame signs;
4. Flags (excluding attention flags).

The number of signs allowed on private property is identified within this chapter ~~OCMC 15.28.060-15.28.090.~~

C. Permit Application. Application for a sign permit shall be made in writing upon forms furnished by the sign official. A permit application fee shall accompany the application. The amount of the fee shall be adopted by resolution of the City Commission. The application shall include all plans and information necessary to establish that the proposed sign complies with all applicable requirements of this chapter and applicable buildings, structural and life safety codes. The permit shall be valid if the sign is constructed in compliance with the city code and to the specifications described in the approved sign permit. Any permit issued under this chapter shall be void if the sign is not constructed in accordance with any conditions of the permit and the applicable requirements of this chapter, within ninety (90) days following the date of its issuance, excluding any appeals and for LUBA or judicial review of the City's decision. Any permit issued under this chapter shall remain in effect as long as the sign is constructed as approved in the permit and maintained as required in 15.28.140. If an applicant seeks to have the city treat its property as a premise for purposes of the sign code, then the application shall explain how the property meets the definition of premises in Section 15.28.020.

D. Appeals. Any party aggrieved by a decision of the sign official may appeal the decision to the Planning Commission. Any such appeal shall be in writing and be received by the City Recorder no later than fourteen (14) days after the date the challenged decision is final. The Planning Commission or City Commission may initiate an appeal on its own motion within the fourteen-day (14) period. The appropriate appeal fee established by resolution of the City Commission shall accompany the appeal. Proceedings before the ~~P~~lanning ~~C~~ommission shall comply with the provisions of Chapter 17.50 of this code, including the provisions relating to City Commission review of planning commission decisions involving conditional use permits.

E. In addition to this chapter, signs shall be approved by the Historic Review Board as required by Oregon City Municipal Code section 17.40.060. The review shall not consider the content of the sign in any way. ~~[LTS]~~

Proposed Changes to the Existing Code – Permit Required

- Minor edits, clarifications and reorganizations.
- Clarification of signs that do not require a permit.
- Removal of section D which required all existing signs without permits to obtain a permit within 120 days of adoption of the regulations.

15.28.050 Measuring ~~s~~Sign ~~d~~Dimensions.

A. The following criteria shall be used for the purpose of determining the boundaries of a sign ~~face~~:

1. The ~~S~~sign ~~area~~ ~~face~~ includes the area within a perimeter enclosing the limits of lettering, writing, representation, emblem, figure, character and lighted surface, but excluding essential sign structure, foundations or supports. Where a sign is of a three-dimensional, round, or irregular solid shape, the largest cross-section shall be used in a flat projection for the purpose of determining sign face.
2. When signs are constructed in multiple separate pieces the sign face is calculated by measuring the area within a perimeter enclosing the limits of lettering, writing, representation, emblem, figure, character and light surface, but excluding essential sign structure, foundations or support on all pieces collectively.

B. Sign width is measured as the horizontal distance between the outermost area of sign face for wall signs and includes the supporting structure for all other sign types.

CB. The height of a sign above grade is measured from the average level of the grade below the sign to the topmost point of the sign including any supporting structure.

DE. Clearance is measured from the average grade below the sign to the lowermost point of the sign.

Figure 15.28.050.A Two Dimensional Signs

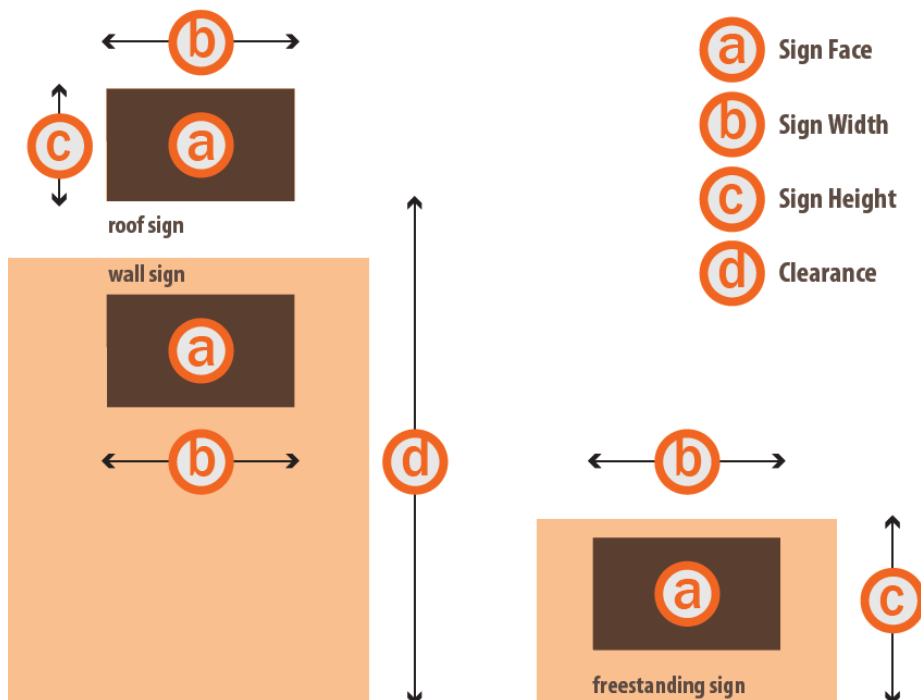
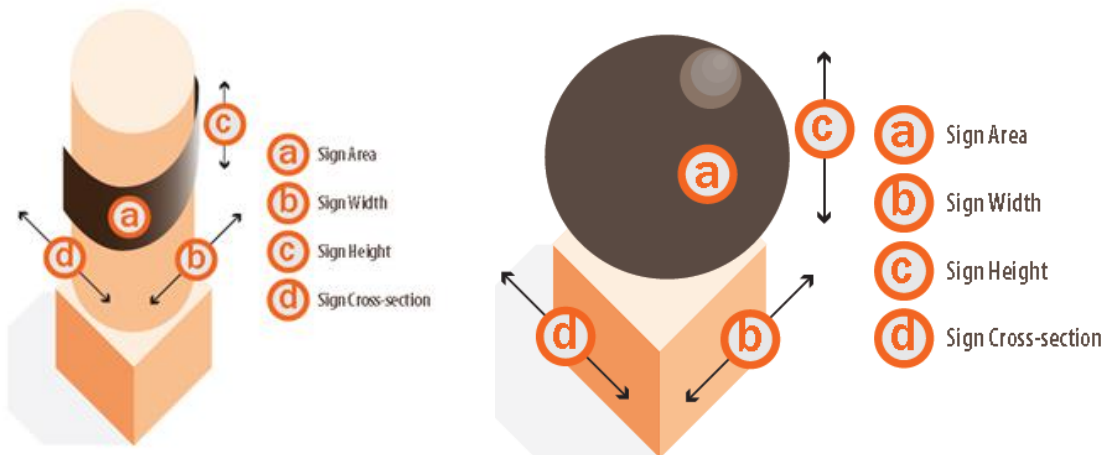


Figure 15.28.050.B Three Dimensional, Round or Irregular Signs



Proposed Changes to the Existing Code – Measuring the Boundaries of a Sign

- Entire section is new.

15.28.060 Signs in Residential Zones.

This standard applies to the following zoning designations: “R-10” Single-Family Dwelling District, “R-8” Single-Family Dwelling District, “R-6” Single-Family Dwelling District, “R-5” Single-Family Dwelling District, “R-3.5” Dwelling District, and “R-2” Multi-Family Dwelling District.

A. General. The following standard shall apply to all signs in residential zones:

1. At least fifty percent (50%) of the wall sign shall be constructed of metal, wood, stone, brick, rock or any combination thereof.
2. If illuminated, the source of illumination shall be external to the sign and directed or shielded so as to not shine directly onto any neighboring structures.⁴
3. With the exception of projecting signs, signs shall not project over the right-of-way.
4. With the exception of wall signs, signs shall maintain a minimum clearance of ten (10) feet above grade over pedestrian or vehicular areas, and fourteen (14) feet above grade over areas of truck access.[LT6]

A.B. Wall Sign. The following standards apply to wall signs in residential zones:

1. One wall sign is allowed for each property frontage, not to exceed a maximum of three (3) wall signs. A wall sign is prohibited if there is a freestanding or projecting sign along the same property frontage, except in the “R-2” Multi-Family Dwelling District. In the “R-2” Multi-Family Dwelling District, a wall sign is prohibited if there is a projecting sign along the same property frontage.
2. Residentially zoned property may have a wall sign with a maximum area-sign face of twelve (12) square feet and maximum length of five (5) linear feet, except in the “R-2” Multi-Family Dwelling District where wall signs may have a maximum area-sign face of twenty (20) square feet and maximum length of five (5) linear feet.
- ~~3. At least fifty percent (50%) of the wall sign shall be constructed of metal, wood, stone, brick and rock or any combination thereof.~~
- ~~4. If illuminated, the source of illumination for all signs within residential districts shall be external to the sign and directed or shielded so as to not shine directly onto any neighboring structures.~~

⁴ The Community Advisory Team was split as to if electronic message centers or internally lit signs should be allowed for conditional uses and if a conditional use would be required to allow the sign type.

B.C. Freestanding Sign. The following standards apply to freestanding signs in residential zones:

- ~~1. Freestanding signs are prohibited in residentially zoned property, may have one freestanding sign if there is no wall sign on the same frontage except in the "R-2" Multi-Family Dwelling District where one freestanding sign for each property frontage is allowed, not to exceed a maximum of three (3) freestanding signs. The sign~~
~~The freestanding sign may have a maximum area of twelve (12)⁵ square feet, maximum length of five (5) linear feet and a maximum height of five (5) feet above grade, except in the "R-2" Multi-Family Dwelling District where freestanding signs may may have a maximum display area of twenty (20) square feet in size, maximum length of ten (10) linear feet, and maximum height of five (5) feet above grade.~~^[LT7]
- ~~2. At least fifty percent (50%) of the freestanding sign shall be constructed of metal, wood, stone, brick and rock or any combination thereof.~~
- ~~3. If illuminated, the source of illumination for all signs within residential districts shall be external to the sign and directed or shielded so as to not shine directly onto any neighboring structures.~~

D. Incidental Freestanding Signs. Incidental freestanding signs are prohibited.

E. Projecting Signs. The following standards apply to projecting signs in residential zones:

- ~~1. One projecting sign is allowed for each property frontage, not to exceed a maximum of three (3) projecting signs. A projecting sign is prohibited if there is a freestanding or wall sign along the same property frontage, except in the "R-2" Multi-Family Dwelling District. In the "R-2" Multi-Family Dwelling District, a projecting sign is prohibited if there is a wall sign along the same property frontage.~~
- ~~2. A projecting sign may have a maximum sign face of twelve (12) square feet, except in the "R-2" Multi-Family Dwelling District where projecting signs may have a maximum sign face of twenty (20) square feet.~~
- ~~3. Signs projecting into the right-of-way shall receive approval by the City Engineer.~~
- ~~4. The maximum projection from a building wall shall be six (6) feet and shall not project within two (2) feet of the curb line. The maximum projection above the wall on which the sign is constructed shall be one (1) foot, and the visible supporting structure shall be constructed of metal, wood, stone, brick, rock or any combination thereof.~~

F. Roof Signs. Roof signs are prohibited.^[LT8]

G. Ancillary Signs.⁶ The following standard applies to ancillary signs in residential zones:

- ~~1. A total of two (2) ancillary signs are allowed per property.~~
- ~~2. Banners are prohibited in residential zones unless approved under Section 15.28.070.~~

Proposed Changes to the Existing Code – Signs in Residential Zones.

- Delete OCMC 15.28.070.B.6 requiring that wall and freestanding signs will "be set back from the street as determined by the sign official, but not more than ten feet from the street right-of-way".
- Reduce the size of wall signs from twenty (20) square feet to twelve (12) square feet for properties in zones other than in the "R-2" Multifamily dwelling district.
- Allow portable signs, A-frame signs, sandwich boards, tent signs up to twelve (12) square feet, six (6) square feet per sign face and three (3) feet in height.
- Reduce maximum wall sign length from 10 to 5 feet.
- Remove the maximum five (5) foot height requirement for wall signs.
- The maximum size for freestanding signs is reduced from twenty (20) square feet to twelve (12) square feet for residential zones other than the "R-2" Multi-family dwelling district.

⁵ ~~CAT did not suggest a reduction in the size of freestanding signs for residential property.~~

⁶ The number of ancillary signs allowed was a split decision by the Sign Code Community Advisory Team.

- The maximum length for freestanding signs is reduced from 10 to 5 feet for residential zones other than the “R-2” Multi-family dwelling district.
- For residential zones other than the “R-2” Multi-family dwelling district, the number of freestanding signs is changed from one freestanding or wall sign for each property frontage (with a maximum of three (3)) to a maximum of one freestanding sign.
- For properties within the “R-2” Multi-family dwelling district, the number of freestanding signs is changed from one freestanding or wall sign for each property frontage (with a maximum of three (3)) to allow one wall and freestanding sign for each property frontage (with a maximum of six (6)).
- The number of ancillary signs is now specified. Previously, a property would have been allowed more signs that did not require a permit.
- Added standards for projecting signs.
- Clairified that roof signs are prohibited.
- Freestanding signs are prohibited.

15.28.070 Signs for ~~C~~conditional ~~u~~Uses in ~~r~~Residential ~~z~~Zones.

This standard applies to all conditional uses within a residential zoning district (“R-10” Single-Family Dwelling District, “R-8” Single-Family Dwelling District, “R-6” Single-Family Dwelling District, “R-5” Single-Family Dwelling District, “R-3.5” Dwelling District, and “R-2” Multi-Family Dwelling District) unless otherwise limited in the Conditional Use approval. Conditional Uses are identified within each applicable zoning designation.

A. General. The following standard shall apply to all signs for conditional uses in residential zones:

1. With the exception of banners, at least fifty percent (50%) of the wall sign shall be constructed of metal, wood, stone, brick, rock or any combination thereof.
2. If illuminated, the source of illumination shall be external to the sign and directed or shielded so as to not shine directly onto any neighboring structures.⁷
3. With the exception of projecting signs, signs shall not project over the right-of-way.
4. With the exception of wall signs, signs shall maintain a minimum clearance of ten (10) feet above grade over pedestrian or vehicular areas, and fourteen (14) feet above grade over areas of truck access.^[LT9]

B. Wall Sign. The following standards apply to wall signs for conditional uses in residential zones:

1. One (1) wall sign per frontage is allowed, not to exceed a maximum of three (3) wall signs.
2. A wall sign may have a maximum area-sign face of thirty-two (32) square feet and maximum length of ten (10) linear feet.
- ~~3. At least fifty percent (50%) of the wall sign shall be constructed of metal, wood, stone, brick and rock or any combination thereof.~~
- ~~4. If illuminated, the source of illumination shall be external to the sign and directed or shielded so as to not shine directly onto any neighboring structures.⁸~~

C. Freestanding Sign. The following standards apply to freestanding signs for conditional uses in residential zones:

1. One (1) free-standing sign per lot is allowed.
2. The sign may have a maximum display area of thirty-two (32) square feet, maximum length of ten (10) linear feet, and maximum height of fifteen (15) feet above grade.

⁷ The Community Advisory Team was split as to if electronic message centers or internally lit signs should be allowed for conditional uses and if a conditional use would be required to allow the sign type.

⁸ ~~The Community Advisory Team was split as to if electronic message centers or internally lit signs should be allowed for conditional uses and if a conditional use would be required to allow the sign type.~~

- ~~3. At least fifty percent (50%) of the freestanding sign shall be constructed of metal, wood, stone, brick and rock or any combination thereof.~~
- ~~4. If illuminated, the source of illumination shall be external to the sign and directed or shielded so as to not shine directly onto any neighboring structures.⁹~~

D. Incidental Freestanding Signs. Incidental freestanding signs are prohibited.

E. Projecting Signs. The following standards apply to projecting signs for conditional uses in residential zones:

1. One projecting sign is allowed if there is not a freestanding or wall sign on the same frontage.
2. Signs projecting into the right-of-way shall receive approval by the City Engineer.
3. A projecting sign may have a maximum sign face of thirty-two (32) square feet.
4. The maximum projection from a building wall shall be six (6) feet and shall not project within two (2) feet of the curb line. The maximum projection above the wall on which the sign is constructed shall be one (1) foot, and the visible supporting structure shall be constructed of metal, wood, stone, brick, rock or any combination thereof.

F. Roof Signs. Roof signs are prohibited.[LT10]

~~D.G.~~ Ancillary Signs¹⁰. The following standards apply to ancillary signs for conditional uses in residential zones.

1. A total of two (2) ancillary signs (including banners) are allowed per property.
2. Additional standards for banners:
 - a. For a single property, banners may be in place for up to thirty (30) days, up to twice per year.¹¹
 - b. Banners shall be securely placed against a building wall and may not project from the wall.
 - c. Banners shall not be more than six (6) feet long and four (4) feet in height.
 - d. Banners are prohibited within a historic district and on any property designated as a historic landmark.

Proposed Changes to the Existing Code – Signs for Conditional Uses in Residential Zones

- Increase the height of freestanding signs from eight (8) feet to fifteen (15) feet.
- Remove the maximum height of eight (8) feet requirement for wall signs.
- Allowing portable signs, A-frame signs, sandwich boards, tent signs up to twelve (12) square feet, six (6) square feet per sign face and three (3) feet in height.
- The number of ancillary signs is now specified. Previously, a property would have been allowed more signs that do not require a permit.
- Allow banners except for within a historic district and on any property designated as a historic landmark.
- Added standards for projecting signs.
- Clairified that roof signs are prohibited.

15.28.080 Signs in ~~o~~Office, ~~c~~Commercial, ~~m~~Mixed ~~u~~Use and ~~i~~Industrial ~~z~~Zones.

The following standards apply to signs in office, commercial, mixed use and industrial zones which are not identified in 15.28.060 or 15.28.070, unless otherwise provided by this code.

A. General. The following standard shall apply to all signs in office, commercial, mixed use and industrial zones:

⁹ ~~The Community Advisory Team was split as to if electronic message centers or internally lit signs should be allowed for conditional uses and if a conditional use would be required to allow the sign type.~~

¹⁰ The number of ancillary signs allowed was a split decision by the Sign Code Community Advisory Team.

¹¹ Members were split on this element of the recommendation.

1. With the exception of projecting signs, signs shall not project over the right-of-way.
2. With the exception of wall signs, signs shall maintain a minimum clearance of ten (10) feet above grade over pedestrian or vehicular areas, and fourteen (14) feet above grade over areas of truck access.

A-B. Wall Signs. The following standard applies to wall signs in office, commercial, mixed use and industrial zones:

1. The number of wall signs is unlimited provided the total combined display ~~surface~~-area of wall signs, projecting signs and banners is no larger than twenty (20) square feet¹² for each ground floor tenant space on which the sign is constructed. For ground floor tenant spaces exceeding twenty (20) feet of wall length on which the sign is constructed and tenant spaces not on the ground floor, signage may be up to one (1) square foot per each lineal foot of the wall length of the tenant space on which the sign is constructed.
2. Signs on structures such as awnings, canopies, false fronts and wall extensions that do not extend more than one (1) foot from the structure are considered wall signs.¹³

B-C. Freestanding ~~s~~Signs. The following standards apply to freestanding signs in office, commercial, mixed use and industrial zones:

1. One freestanding sign¹⁴ is allowed for each street frontage. On arterial streets, if a frontage exceeds a length of six hundred (600) linear feet a second freestanding sign is allowed.¹⁵ In all cases, no freestanding sign shall be permitted on the same frontage where there is a projecting or roof sign.
2. Freestanding signs on the same frontage shall be separated by a minimum of fifty (50) feet distance.
3. Maximum display ~~surface~~-area:
 - a. Where the street frontage is less than fifty (50) feet in length, the maximum display ~~surface~~ area shall not exceed fifty (50) square feet, with twenty-five square (25) feet maximum area per sign face.
 - b. Where the street frontage is fifty (50) feet or greater but less than two hundred (200) feet in length, ~~surface~~-display area shall not exceed one hundred (100) square feet, with fifty (50) square feet maximum area per sign face.
 - c. Where the street frontage is two hundred (200) feet or greater in length, the ~~surface~~-display area shall not exceed three hundred (300) square feet, with a maximum area of one hundred fifty (150) square feet per sign face.
 - d. In no case shall any sign have a ~~surface~~-display area in excess of three hundred (300) square feet.
4. The greatest horizontal dimension shall not exceed twenty (20) linear feet and the height shall not exceed twenty-five (25) feet above grade, or thirty (30) feet above grade if the frontage is more than two hundred (200) feet in length.

C-D. Incidental ~~F~~freestanding ~~s~~Signs. The following standards apply to incidental signs in office, commercial, mixed use and industrial zones:

1. One incidental freestanding sign is allowed for each street frontage. No incidental freestanding sign face shall exceed ~~an area of~~ eight (8) square feet with a maximum ~~surface~~-display area of sixteen (16) square feet.

¹² The Community Advisory Team suggested a minimum.

¹³ The Community Advisory Team suggested wall signs do not project from the building face no more than 4 inches.

¹⁴ The CAT suggested allowing an additional sign of any type for each freestanding sign allowed but not constructed.

¹⁵ Note that a second freestanding sign is allowed for large frontages on arterial roads.

~~2. Incidental freestanding signs shall not project over the right of way and a minimum clearance of ten (10) feet above grade shall be maintained over pedestrian or vehicular areas, fourteen (14) feet above grade over areas of truck access.~~

~~3.2.~~ The height shall not exceed fifteen (15) feet above grade.

E. ~~Projecting Signs. The following standards apply to projecting signs in office, commercial, mixed use and industrial zones:~~ LT11

1. ~~One projecting sign is allowed for each tenant space if there is not a freestanding or roof sign on the same frontage.~~

2. ~~Signs projecting into the right-of-way shall receive approval by the City Engineer.~~

3. ~~The total combined display area of projecting signs and wall signs is no larger than one (1) square foot per each lineal foot of the wall length of the tenant space on which the sign is constructed.~~

4. ~~Each ground floor tenant space may have a minimum sign face of twenty (20) square feet, regardless of the limitation in subsection E.2 above.~~¹⁶

5. ~~The maximum projection from a building wall shall be six (6) feet and shall not project within two (2) feet of the curb line. The maximum projection above the wall on which the sign is constructed shall be one (1) foot, and the visible supporting structure shall be constructed of metal, wood, stone, brick, rock or any combination thereof.~~

D-F. ~~Roof Signs. The following standards apply to roof signs in office, commercial, mixed use and industrial zones:~~

1. ~~One roof sign is permitted for each frontage if there is no projecting sign or free-standing sign along the frontage.~~

2. ~~Maximum display surface area:~~

a. ~~Where the street frontage is less than fifty (50) feet, the maximum display surface area shall not exceed fifty (50) square feet, with twenty-five (25) square feet maximum area per sign face.~~

b. ~~Where the street frontage is fifty (50) feet or greater but less than two-hundred (200) feet, surface display area shall not exceed one-hundred (100) square feet, with fifty (50) square feet maximum area per sign face.~~

c. ~~Where the street frontage is two hundred (200) feet or greater, the surface display area shall not exceed an area of three hundred (300) square feet, with a maximum area of one hundred fifty (150) square feet per sign face.~~

d. ~~In no case shall any sign have a surface display area in excess of three hundred (300) square feet.~~

~~3. The roof signs shall not project over the right of way and a minimum clearance of ten (10) feet above grade shall be maintained over pedestrian or vehicular areas, fourteen (14) feet above grade over areas of truck access.~~

~~4.3.~~ The horizontal dimension shall not exceed twenty (20) feet and the vertical dimension may not exceed ten (10) feet.

~~5.4.~~ Skirting is required to obscure exposed hardware used to attach the sign to the roof, as viewed from the adjacent street level perspective.

E. ~~Projecting signs. The following standards apply to projecting signs in office, commercial, mixed use and industrial zones:~~

~~One projecting sign is allowed for each tenant space if there is not a freestanding or roof sign on the same frontage.~~

¹⁶ The Community Advisory Team suggested a minimum.

4. ~~The total combined display surface area of projecting signs and wall signs is no larger than one (1) square foot per each lineal foot of the wall length of the tenant space on which the sign is constructed.~~

~~Each ground floor tenant space may have a minimum sign area of twenty (20) square feet, regardless of the limitation in subsection E.2 above.¹⁷~~

1. ~~The maximum projection from a building wall shall be six (6) feet and shall not project within two (2) feet of the curb line. The maximum projection above the wall on which the sign is constructed shall be one (1) foot, and the visible supporting structure shall be constructed of metal, wood, stone, brick and rock or any combination thereof.~~
2. ~~A minimum clearance of ten (10) feet above grade shall be maintained over pedestrian or vehicular areas, fourteen (14) feet above grade over areas of truck access.~~

F.G. Ancillary Signs.¹⁸ The following standards apply to ancillary signs in office, commercial, mixed use and industrial zones.

1. A total of two (2) ancillary signs (including banners) are allowed per property.
2. Additional standards for banners:
 - a. ~~A total of two (2) ancillary signs are allowed per property.~~
 - b.a. For a single property, banners may be in place for up to thirty (30) days, up to twice per year.¹⁹
 - c.b. Banners shall be securely placed against a building wall and may not project from the wall.
 - d.c. Banners shall comply with the wall sign size requirements and shall not be more than six (6) linear feet long and four (4) feet in height.
 - e.d. Banners are prohibited within a historic district and on any property designated as a historic landmark.

Proposed Changes to the Existing Code – Signs in ~~Office~~office, commercial, mixed use and industrial zones

- Wall signs are measured using the tenant space, and not using the entire building wall. The size of wall signs is unlimited so long as the total combined display ~~surface~~ area of wall signs and projecting signs is no larger than one (1) square foot for each lineal foot of the wall length of the tenant space on which the sign is constructed. The previous standard allowed two (2) square feet of signage for each linear foot of a wall.
- Signs on other project structures such as awnings, canopies, false fronts and wall extensions which do not extend more than a foot are considered wall signs.
- Increase the number of freestanding signs from one (1) per frontage from two (2) for frontages with six hundred (600) lineal feet or more on arterial streets.
- Multiple free-standing signs on the same frontage are required to be separated by fifty (50) feet. Previously all signs had to be separated by fifty (50) feet, regardless of frontage.
- Change the number of roof signs from one per premises (if there is no projecting sign or free-standing sign along the frontage) to one per frontage (if there is no projecting sign or free-standing sign along the frontage).
- Remove the requirements for civil and structural engineers and fire marshal approvals, as it is implemented by the Building Division upon review of building permits.

¹⁷ ~~The Community Advisory Team suggested a minimum.~~

¹⁸ The number of ancillary signs allowed was a split decision by the Sign Code Community Advisory Team.

¹⁹ Members were split on this element of the recommendation.

- The height for roof signs is changed from a maximum of twenty-five feet above grade, plus five feet for each two hundred feet, or portion thereof, frontage in excess of two hundred feet frontage [in no event shall any sign exceed thirty feet (30) in height] to a vertical maximum of ten (10) feet.
- Reduce the maximum horizontal dimension for roof signs from twenty (20) to ten (10) feet.
- Skirting is required around the base of roof signs.
- Remove the twenty (20) foot minimum distance between projecting signs.
- Increase the dimensions for projecting signs from a maximum size of sixteen (16) square feet per sign face, with total area of all faces not to exceed thirty-two (32) square feet to a maximum of twenty-four (24) square feet per sign face, with total area of all faces not to exceed forty-eight (48) square feet.
- The maximum projection from a building wall for projecting signs is increased from four (4) feet to six (6) feet. Eliminate the four (4) foot maximum vertical dimension of a projecting sign.
- The supporting structure for projecting signs shall be constructed of metal, wood, stone, brick, ~~and~~ rock or any combination thereof.
- Clarify standards for signs on structures including clearance requirements of eight (8) feet.
- Incidental signs previously were allowed to be for wall or freestanding and are now only applicable to freestanding and are renamed incidental freestanding signs. Reduce the size limitations from a maximum sixteen (16) square feet with a maximum sign face size of eight (8) square feet. Remove the maximum horizontal dimension of twenty (20) feet. Reduce the maximum height from 25 feet above grade, plus five (5) feet for each two-hundred (200) feet, or portion thereof, frontage in excess of two-hundred (200) feet [not to exceed thirty (30) feet] to fifteen (15) feet.
- Allow portable signs, A-frame signs, sandwich boards, tent signs up to twelve (12) square feet, six (6) square feet per sign face and up to three (3) feet in height.
- Allow temporary banners to be attached to building walls outside of historic districts or historic landmarks.
- The number of ancillary signs is now specified. Previously, a property would have been allowed more signs that do not require a permit.

15.28.090 Public Murals.

- A. Public Mural Program Intent and Purpose. The intent and purpose of this section is to encourage the production of public murals for acquisition by the City. Public murals are a medium of expression which serves the public interest in unique ways, including, but not limited to: enhancing the aesthetics of the City; providing avenues for original artistic expression in the City; providing public edification through access to original works of public art; encouraging community participation in the creation of original works of art; and reducing the incidence of graffiti and other crime.
- B. Criteria for Public Murals. The following criteria shall be met for public murals:
 1. Public murals shall remain in place, without alteration, for a period of not less than five (5) years, except as may be specified by the Arts Commission in the conditions of approval. Within 30 days of the end of the approval period, the public mural shall be removed ~~or unless~~ a new approval ~~be is~~ granted. Alterations to an approved mural shall receive approval by the Arts Commission.
 - ~~2. In historic districts, public murals shall be approved by the Historic Review Board as required by OCMC 17.40.060.~~
 - ~~3.2.~~ No public murals shall be allowed on single-family dwellings, duplexes, or multi-family dwellings. As used in this subsection, single-family dwellings, duplexes, or multi-family dwellings do not include mixed-use buildings which contain a single-family dwelling, duplex, or multi-family dwellings.

- 4.3. The public mural shall be painted, or if ceramic, glass tiles, tesserae, or metal, applied directly onto the surface of a building with a paint, ceramic, glass tiles, tesserae, or metal that ensures longevity, durability, and structural and surface stability. No part of the public mural shall exceed the height of the structure to which it is tiled, painted, or affixed.
4. No part of the public mural shall be placed over the exterior surface of any opening of a building, including its windows, doors, and vents.
5. No public mural may contain electrical components, three dimensional structural elements; employ electrical lights as part of the image, moving structural elements, flashing or sequential lighting, interior lighting elements, any automated method that causes movement, or any method that causes periodic changes in the appearance, image or message of the public mural.
6. ~~Public murals shall be painted, or if ceramic, glass tiles, tesserae, or metal applied directly onto the building surface with a paint, ceramic, glass tiles, tesserae, or metal that ensures longevity and durability, and structural and surface stability.~~ [LT12]
- 7.6. Public murals shall be located in a manner that is accessible to the public.
- 8.7. The artist ~~has~~ shall have a strong concept ~~and has demonstrated craftsmanship~~.
- 9.8. The proposal is not mechanically reproduced or computer generated and printed on a base that will be attached to the wall, such as, by way of illustration but not limitation, images digitally printed on vinyl.
- 10.9. The proposed design is feasible in regards to budget, timeline and experience.
- 11.10. ~~The public mural will last a minimum of five years.~~ The mural proposal shall include methods to resist vandalism and weather impacts and commitment to repair the mural surface as necessary for a minimum of five years.
11. The scale is appropriate to the structure and surrounding neighborhoods.
12. No compensation will be given or received for the display of public murals or for the right to place the mural on another's property. [LT13]
13. The approval and acceptance of each public mural shall be contingent upon the conveyance of a public mural easement to the City from the owner of the building upon which the mural will be located, in a form approved by the City Attorney. The terms of the easement shall grant the right to create the public mural on the wall of the building and provide that the person granting the easement will maintain and restore the public mural in its original condition for the period of the easement, and state that upon termination of the easement, the mural shall be removed and the building restored to its prior condition.
- C. Approval Process. Public murals shall be approved by the ~~Oregon City~~ Arts Commission at a public hearing based on the criteria in the Oregon City Municipal Code.
 1. Notice of the application and the Arts Commission hearing is published and mailed to the applicant, recognized neighborhood association(s) and property owners within three hundred (300) feet of the proposed mural location. Notice must be issued at least twenty (20) days pre-hearing, and the staff report must be available at least seven (7) days pre-hearing. At the evidentiary hearing held before the Arts Commission, all issues must be raised and addressed. Failure to raise an issue at the hearing will preclude review on that issue.
- D. The decision of the Arts Commission is appealable to the City Commission on the record. Notice of the appeal must be received in writing by the planning division within fourteen (14) calendar days from the date the challenged decision is provided to those entitled to notice. Late filing of any appeal shall be deemed a jurisdictional defect and will result in the automatic rejection of any appeal so filed.
 1. The following must be included as part of the notice of appeal:
 - a. The City file number and date the decision to be appealed was rendered;

- b. The name, mailing address and daytime telephone number for each appellant;
- c. A statement of how each appellant has an interest in the matter and standing to appeal;
- d. A statement of the specific grounds for the appeal;
- e. The appropriate appeal fee. Failure to include the appeal fee within the appeal period is deemed to be a jurisdictional defect and will result in the automatic rejection of any appeal so filed. If a City-recognized neighborhood association with standing to appeal has voted to request a fee waiver pursuant to Oregon City Municipal Code Section 17.50.290.C., no appeal fee shall be required for an appeal filed by that association. In lieu of the appeal fee, the neighborhood association shall provide a duly adopted resolution of the general membership or board approving the request for fee waiver.

F2. Standing to Appeal. Only those persons or recognized neighborhood associations who have participated either orally or in writing have standing to appeal the decision of the Arts Commission. Grounds for appeal are limited to those issues raised either orally or in writing before the close of the public record. No new evidence shall be allowed.

G3. Notice of the Appeal Hearing. The planning division shall issue notice of the appeal hearing to all parties who participated either orally or in writing before the close of the public record at least twenty days pre-hearing, and the staff report must be available at least seven days pre-hearing. Notice of the appeal hearing shall contain the following information:

- a. The file number and date of the decision being appealed;
- b. The time, date and location of the public hearing;
- c. The name of the applicant, owner and appellant (if different);
- d. The street address or other easily understood location of the subject property;
- e. A description of the permit requested and the applicant's mural proposal;
- f. A brief summary of the decision being appealed and the grounds for appeal listed in the notice of appeal;
- g. A statement that the appeal hearing is confined to the issues raised in the notice of appeal;
- h. A general explanation of the requirements for participation and the City's hearing procedures.

H4. The City Commission decision on appeal is the City's final decision.

E1. No person shall commence creation of any public mural without first obtaining approval from the Arts Commission, and executing an easement pursuant to section 15.28.090.B.14. Murals that are created without approval from the Arts Commission that are not otherwise exempt pursuant to this chapter or are inconsistent with the conditions of approval from the Arts Commission shall not be deemed public murals.

Proposed Changes to the Existing Code – Public Murals

- Entire section is new.

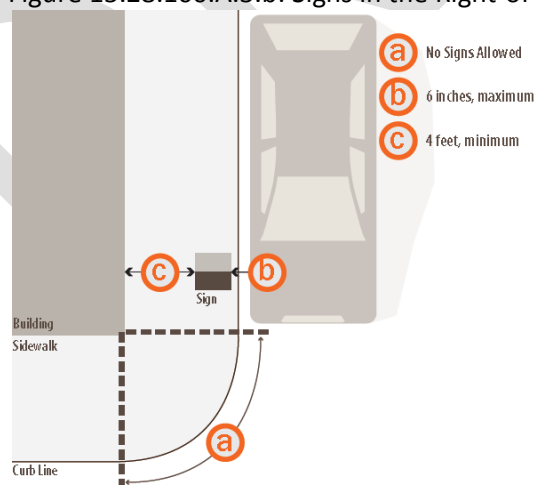
15.28.100 Signs within the Right-of-Way.

This standard applies to all signage within the City of Oregon City right-of-way, except exempt signs described in exempted from this section under Section 15.28.030.

A. Signs on the Ground within the Right-of-Way. Signs on the ground within the right-of-way shall be permitted in the right-of-way upon issuance of a permit in accordance with the following standards:

1. Number of signs permitted:

- a. One (1) A-frame sign within the right-of-way per property frontage.²⁰
 - b. Approved traffic control signs or devices do not count towards the number of signs permitted within the right-of-way. ~~However, signs placed within the right-of-way shall not obstruct traffic control signs or devices.~~
2. Material, design and size standards:
 - a. The sign frame shall be wood, plastic or metal.
 - b. The sign shall be an A-frame sandwich design.
 - c. The sign may not be illuminated.
 - d. Maximum width: twenty-eight (28) inches ~~wide~~
 - e. Maximum depth: two (2) feet
 - f. Maximum height: three (3) feet ~~tall~~
 - g. Maximum size: six (6) square feet per sign face
 3. Placement standards:
 - a. ~~The sign shall be entirely outside automobile or bicycle travel lanes and on-street parking areas~~[LT14]. Signs shall not be placed in parking spaces, pedestrian pathways, or bicycle paths, street corners, transit stop areas, ADA accessible curb ramps, ADA accessible parking spaces, at building exits or fire escapes, or any portion of the street (automobile and bicycle travel lanes, shoulder, medians, traffic islands, and parking areas). The sign may not obstruct pedestrian or ADA access from the sidewalk to transit stop areas, designated ADA accessible parking spaces, ADA accessible ramps or building exits including fire escapes. Signs may not impede or hinder the vision of drivers or bicyclists. The sign shall be located entirely outside of the area of a right-of-way corner that is between the curb and the lines created by extending the property line to the curb face. ~~However, signs placed within the right-of-way shall not obstruct traffic control signs or devices.~~
 - b. For signs placed within the right-of-way with an adjacent sidewalk:
 - i. The sign shall be placed within six (6) inches of the face of the curb.
 - ii. Four (4) feet of clearance width shall be retained on the sidewalk.

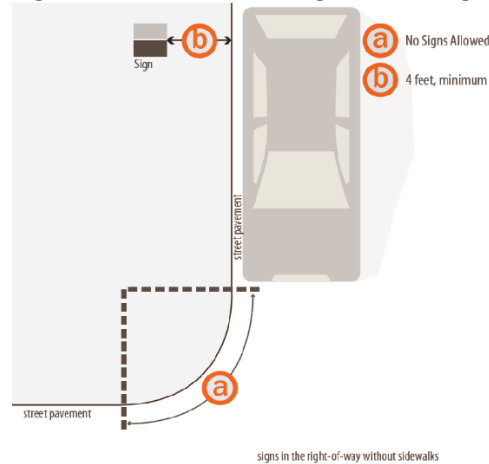


- c. For signs placed in the right-of-way without an adjacent sidewalk:

²⁰ The Community Advisory Team does not believe this is fair for multi-tenant properties and suggested it is changed to allow one per adjacent business or entrance. Staff believes one sign per frontage is appropriate given the number of potential signs that may be placed within the right-of-way if a different standard is used and the number and type of signage which may be placed on adjacent private property.

- i. The sign shall be located outside of any street pavement and may not be located closer than four (4) feet from the travel lane, turning lane, shoulder, parking lane or bicycle lane.

Figure 15.28.100.A.3.c: Signs in the Right-of-Way without an Adjacent Sidewalk



- d. Signs placed in the right-of-way shall remain portable and shall not be attached or anchored in any manner to trees or public property including, but not limited to utility or light poles, parking meters, traffic control signs, the ground, or pavement.
- e. ~~Signs shall not be placed in parking spaces, pedestrian pathways, or bicycle paths, street corners, transit stop areas, ADA accessible curb ramps, ADA accessible parking spaces, at building exits or fire escapes, or any portion of the street (travel lanes, shoulder, bike lanes, medians, traffic islands, and parking areas). The sign may not obstruct pedestrian or ADA access from the sidewalk to transit stop areas, designated ADA accessible parking spaces, ADA accessible ramps or building exits including fire escapes. Signs may not impede or hinder the vision of drivers or bicyclists. The sign shall be located entirely outside of the area of a right-of-way corner that is between the curb and the lines created by extending the property line to the curb face.~~ [LT15]
- 4. Hours of Sign Placement.
 - a. For signs not within residential zoning designations: Signs may be within the right-of-way between the hours of 9:00 a.m. and 10:00 p.m. for a maximum of twelve (12) hours per day[LT16]²¹.
 - b. ~~For s~~Signs within residential zoning designations: ~~The signs~~ may be displayed on Thursday, Friday, Saturday, and Sunday between 12:00 p.m. and 8:00 p.m. daily; and from 6:00 a.m. to 1:00 p.m. on Tuesday.
- 5. Approval of the adjacent property owner is required[LT17].²²

~~B.~~ Cross Street Banners.

~~C.B.~~ Temporary banners which extend over a roadway shall be permitted in the right-of-way upon issuance of a permit in accordance with the following standards:

- 1. Location.
 - a. A single, two-sided cross street banner at ODOT facilities at Highway 99E/Pedestrian Bridge; and

²¹ The Community Advisory Team suggested changing this to allow the sign in the right-of-way during business hours. This may be difficult for signs not associated with a business such as political signs.

²² The Community Advisory Team suggested requiring approval of the adjacent property owner.

- b. A single, one-sided cross street banner at PGE power poles #412 and #413 on Molalla Avenue at Beverly Drive.
2. ~~Cross street banner display periods shall not exceed twenty-one (21) consecutive days in duration and no more than three (3) times in any twelve (12) month period. Cross street banner(s) shall not be installed or removed on any dates other than those identified on the approved permit.~~^[LT18]
3. ~~2. Cross street banners shall comply with the requirements contained in the most recently adopted Signs in the Right-of-Way Policy. construction shall be in accordance with the banner construction standards adopted by the Public Works Division.~~
4. ~~Cross street banner(s) shall have 20 feet minimum clearance between the bottom of the banner and the roadway surface and clearance shall be maintained at all times. Banners shall not:~~
 - a. ~~Prevent the driver of a motor vehicle from having a clear and unobstructed view of official traffic control devices and approaching or merging traffic;~~
 - b. ~~Have any lighting, unless such lighting is shielded to prevent light from being directed at the roads/highway or is of such low intensity or brilliance as not to cause glare or to impair the vision of the driver of a motor vehicle.~~
- C. ~~Banners on Street Light Poles~~^[LT19]. Temporary banners on street light poles shall be permitted in the right-of-way upon issuance of a permit in accordance with the following standards:
 1. Location. The City has identified four zones to allow banners on street light poles. These zones are:
 - a. 7th Street from Center Street to Polk Street;
 - b. Downtown Corridor; Main from 99E to 14th;
 - c. Molalla Avenue from Holmes Lane to Willamette Street; and
 - d. Washington Street from 14th Street to Cascade Hwy.
 2. Banners shall comply with the requirements contained in the most recently adopted Signs in the Right-of-Way Policy.
- D. Who May Place the Sign.
 1. Permits are approved on a first-come, first-served basis.
 2. ~~Except for cross street banners, if there is a business license associated with the person or company owning the sign, the business license location shall be directly abutting the location where the sign within the right-of-way is proposed.~~
 3. ~~Approval of the abutting property owner is required.~~²³
- E. Right-of-Way Sign Permit Process
 1. Signs on the Ground. An annual permit is required for signs on the ground within the right-of-way²⁴. An approval sticker shall be placed on each sign within the right-of-way to easily distinguish the approved signs²⁵.
 2. Cross Street Banner. A permit is required each time a cross street banner is installed.
 3. Banners on Light Posts. A permit is required each time a banner on a light post is installed. ~~An approval sticker shall be placed on each sign within the right-of-way to easily distinguish the approved signs~~²⁶.
 - 2.4. The City Commission shall establish permit fees for signs located within the right-of-way.

²³ ~~The Community Advisory Team suggested requiring approval of the adjacent property owner.~~

²⁴ The City will create a form and approve over the counter.

²⁵ The Community Advisory Team suggested that permits should not be required in residential and mixed-use zones.

²⁶ ~~The Community Advisory Team suggested that permits should not be required in residential and mixed-use zones.~~

~~3. If the sign is owned by a business, the business shall have a valid business license, if applicable as determined under the criteria set forth in Oregon City Municipal Code Chapter 5.04²⁷.~~

~~The City Commission shall establish permit fees for signs located within the right-of-way.~~

~~4.5.~~ The applicant shall provide a ~~€~~Certificate of ~~l~~insurance for general liability in an amount set forth in the most recently adopted Signs in the Right-of-Way Policy. The applicant's insurance policy shall name naming the City of Oregon City, its officers, agents, and employees, as additional insureds for the sign placement and include any other facility owners if applicable, e.g., State of Oregon (ODOT) and PGE.

~~5.6.~~ Applicant shall comply with and obtain any permits issued by any other applicable agency.

F. Removal of signs within the Right-of-~~w~~Way.

1. Existing signs that do not comply with these standards or that have not obtained a valid permit may be removed.
2. The City Engineer may require signs to be modified, moved or removed if streets are widened or other improvements are made in the right-of-way that result in conditions where the sign placement will not comply with the above standards. The modification, moving or removing will be at the owner's expense.

Proposed Changes to the Existing Code – Signs With the Right-of-Way

- This entire section is new

15.28.110 Prohibited ~~S~~signs.

It is unlawful for the following signs to be constructed or maintained except as otherwise provided in this chapter:

- A. A sign that interferes in any way with a traffic control sign or device or prevents clear and unobstructed views of traffic control signs or devices or approaching or merging traffic or does not comply with chapters 10.32 or 8.08 of the Oregon City Municipal Code~~;~~
- B. A sign that contains, includes or is illuminated by any flashing or revolving, rotating or moving light or moves or has any animated or moving parts which move or rotate or change more than once three (13) times[LT20] per day²⁸, except as otherwise allowed within this code~~;~~
- C. A sign with lighting that is not effectively shielded to prevent beams or rays of light from being directed at any portion of the main traveled right-of-way of a state highway, unless the lighting is of such low intensity or brilliance that it does not cause glare or impair the vision of the driver of a motor vehicle or otherwise interfere with the operations thereof~~;~~
- D. A sign located upon a tree, or painted or drawn upon a natural feature~~;~~
- E. A sign that obstructs free ingress to or egress from any door, window or fire escape, alley, drive or fire lane, or is attached to a fire escape~~;~~
- F. Any sign with a n display area larger than twelve (12) square feet, six (6) square feet per sign face on an undeveloped lot or parcel of property~~;~~
- G. A sign not otherwise in compliance with any provision of this code, Oregon law or the terms and conditions of any valid sign permit issued under this chapter~~;~~
- H. Attention flags~~;~~
- I. A-frame signs with a n display area larger than twelve (12) square feet, six (6) square feet per sign face or taller than three (3) feet~~;~~

²⁷ ~~Political signs, etc may not require a business.~~

²⁸ The Community Advisory Team was split on the minimum length of time which a message had to be displayed before it could change. ~~Since no clear direction was provided staff defaulted to o~~Our current policy is once per day.

- J. Air blown signs;~~27~~
- K. Billboards;~~28~~²⁹
- L. Signs on fences or fencing;~~29~~³⁰
- M. Banners unless otherwise allowed by this chapter;~~30~~
- N. Abandoned signs;~~31~~
- O. Signs that emit any sound, vibration, or smell;~~32~~ and~~33~~
- P. Flags larger than 1 square foot for each lineal foot in height of the flag pole or structure to which the flag is affixed. The size of the flag may not exceed 60 square feet.

Proposed Changes to the Existing Code – Prohibited Signs

- The following are added as prohibited: attention flags, A-frame signs with an area larger than six (6) square feet per sign face or taller than three (3) feet, air blown signs, and abandoned signs.
- The following are removed from prohibited signs: obsolete sign, portable signs, A-frame signs, sandwich boards, tent signs, streamers, strings of lights, balloons, hulas, banners or pennants, excepting traditional holiday decorations, A sign erected or maintained on public property or within the public right-of-way without permission of the public body having jurisdiction, a sign not able to withstand a wind pressure of twenty pounds per square foot of exposed surface, or is insecurely erected, or is constructed so as to constitute a fire hazard, and a sign not maintained in a safe, neat, clean and attractive condition and in good repair.
- The size of signs on undeveloped lots or properties is increased from four (4) square feet to (12) square feet, six (6) square feet per sign face on an undeveloped lot or parcel of property.

15.28.120 Nonconforming ~~s~~Signs.

The following standards apply to all nonconforming signs:

- A. Signs that were lawfully constructed and otherwise lawfully existing but no longer comply with this code are allowed to remain until removed. Nothing in this section shall be deemed to prevent the maintenance of any sign, or changes of sign copy on a sign.
- BA. No additions or enlargements may be made to a nonconforming sign except those additions or enlargements that are required by law.
- CB. A sign that is moved, replaced, or structurally altered shall be brought into conformance with this chapter.
- D. A nonconforming sign (including the sign structure, foundation and supports) that is damaged shall not be repaired if the estimated expense to repair the sign exceeds fifty percent of the replacement cost of the sign as of the day before the sign was damaged. A damaged nonconforming sign that cannot be repaired shall be removed within ninety days of the date the sign was damaged. Whenever a nonconforming sign is damaged and the estimated cost to repair the sign is fifty percent or less of its replacement value as of the day before the sign was damaged, it may be repaired and restored to the condition it was in before it was damaged and may continue to be used as a nonconforming sign, provided that such repairs and restoration are started within ninety days of the date the sign was damaged and are diligently pursued thereafter. Whenever repairs and restoration of a damaged nonconforming sign are not started within ninety days of the date the sign was damaged or are diligently pursued once started, the sign shall be deemed abandoned.
- EE. Abandoned signs shall not be deemed nonconforming signs. No nonconforming sign shall be permitted to remain unless properly repaired and maintained as provided in this chapter. A sign

²⁹ This was a split issue by the Community Advisory Team. Staff chose to default to our existing code which prohibits billboards since a clear direction was not provided.

³⁰ The Community Advisory Team had a split decision on this. Staff defaulted to our current code.

maintained in violation of this provision shall be considered abandoned and will be removed as provided in this chapter. Any nonconforming sign that is determined by the building official to be an unsafe sign shall be removed as provided in this chapter. Any nonconforming sign that is determined to be an abandoned sign shall be removed as provided in this chapter.

Proposed Changes to the Existing Code – Nonconforming Signs

- Existing signs are allowed to remain unless removed by the owner. The previous code included an amortization period.

15.28.130 Variances.

- A. Grounds for Variance. Upon application by an applicant, the planning commission may grant a specific variance from provisions of this chapter provided all of the following circumstances exist:
1. That the variance from the requirements is not likely to cause substantial damage to adjacent properties by reducing light, air, safe access or other desirable or necessary qualities otherwise protected by this title;
 2. That the request is the minimum variance that would alleviate the hardship;
 3. Granting the variance will equal or exceed the purpose of the regulation to be modified;
 4. Any impacts resulting from the adjustment are mitigated;
 5. No practical alternatives have been identified which would accomplish the same purpose and not require a variance; and
 6. The variance conforms to the comprehensive plan and the intent of the ordinance being varied.
- B. Variance Fee. At the time of application for variance from the provisions of this chapter, the applicant shall pay a fee in accordance with the fee schedule established and amended from time to time by the City Commission and on file with the City Recorder.
- C. Procedure. A variance application shall be treated in the manner provided by Chapter 17.50 of this code with respect to zoning variances.

Proposed Changes to the Existing Code – Variances

- The variance criteria are replaced with the variance criteria from OCMC 17.60.

15.28.140 Maintenance.

All signs, together with all supporting structures, shall be well maintained and kept in a good state of repair. Without limiting the foregoing, all sign owners shall comply with the following maintenance:

- A. Shall keep signs and supporting structures free from rust, dirt, debris, and chipped, cracked or peeling paint.
- B. Shall remove hanging, dangling, and cracked portions from all signs and supporting structures.
- C. Shall repair frayed parts on all signs and supporting structures.
- D. Shall replace ~~burned-out bulbs~~ defective lighting on all signs and supporting structures.
- E. Shall remove graffiti and unauthorized stickers from all signs and supporting structures.

Proposed Changes to the Existing Code – Maintenance

- This entire section is new

15.28.150 Violation—~~P~~enalty.

In addition to any other provisions hereof, it is unlawful for any person to maintain a sign or advertising structure in violation of the provisions of this chapter. Violation of any provision of this chapter is subject to the code enforcement procedures of Chapters 1.16, 1.20, 1.24.

Proposed Changes to the Existing Code – Violation

- No changes to this section are made other than renumbering the title.

15.28.160 Conflict and ~~s~~Severability.

In the event any provision herein is found to be in conflict with any zoning, building, fire safety, health or other code provisions of the City, the provision which establishes the higher standard for the promotion and protection of the health, safety and welfare of the people shall prevail.

A finding by a court of competent jurisdiction that any part, section, subsection, paragraph, subparagraph, sentence, clause, phrase, term or word is declared invalid~~portion of this chapter is invalid~~ shall not invalidate the remaining portions. A permit issued pursuant to this chapter does not grant any authority to violate any other law or regulation that may apply.

Proposed Changes to the Existing Code – Conflict and Severability

~~No changes to this section are made other than renumbering the title.~~ Minor edits to clarify language.