

Oregon City Municipal Code Chapter 15.28 Signs

March, 2015

Version 4: All changes from the previous version are identified. The following will 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;
- 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.

Proposed Changes to the Existing Code – Purpose Statement

- Minor rewording edits.
- The scope of the chapter is separated into a separate section.
- Section “E, F and G” added for clarification.

15.28.020 Definitions.

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

“A-frame 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 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,~~ A-frame signs, flags (excluding attention flags), and banners.

“Attention Flag” 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” 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 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 "Constructed" 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 Area" means the total size of all sign faces on a sign.

"Fence" and "Fencing" 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 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 City-approved vehicular public access easement.

"Government Owned 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, excluding A-frame signs. The maximum size allowed is less than that of a freestanding sign and greater than an ancillary 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 lighting.

"Premises" means a lot or number of contiguous lots under the same ownership.

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

~~"Public 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 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 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 area.

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

¹ Note that highways and freeways are considered frontages.

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

"Sign Official" means 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 Space" 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 Control Sign or Device" means a sign approved by the Public Works Department through the right-of-way permit process, 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 Lot" means a property without a building, business or valid land use approval.

"Wall Sign" 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

- Definitions deleted and added.
- Minor edits.

15.28.030 Scope of sign regulations.

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

- A. Signs not visible from either a ~~public~~ right-of-way or property under different ownership, provided such signs are constructed and maintained in accordance with applicable law;
- B. Signs inside a building, except for strobe 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, government-designated parks, ~~or within~~ Metro-designated open space and at stormwater facilities;

G. City owned signs;

~~H.~~ Public art murals identified on the Oregon City Existing Mural List; and

~~I.~~ Traffic control signs and devices.

Proposed Changes to the Existing Code – Scope of Sign Regulations

- All government owned signs are no longer exempt.
- Items D-I are new exemptions.

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.

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.

- B. ~~Any of the~~ The following signs on private property are subject to compliance with this chapter but do not require a sign permit:
1. ~~Except public murals, C-~~changes of copy whereby the sign size and material are not changing but the message is ~~changing~~changed; ~~or~~
 2. ~~Freestanding or a~~Ancillary signs (~~excluding banners~~) with no more than two faces ~~and, which do not exceed a display area of twelve (12) square feet and a sign face of 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.~~
- 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 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 Planning Commission shall comply with the provisions of Chapter 17.50 of this code, including the provisions relating to City Commission review of ~~p~~Planning ~~e~~CCommission 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.

Proposed Changes to the Existing Code – Permit Required

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

15.28.050 Measuring sign dimensions.

- A. The following criteria shall be used for the purpose of determining the boundaries of a sign:
1. The sign 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.
- C. 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.
- D. 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

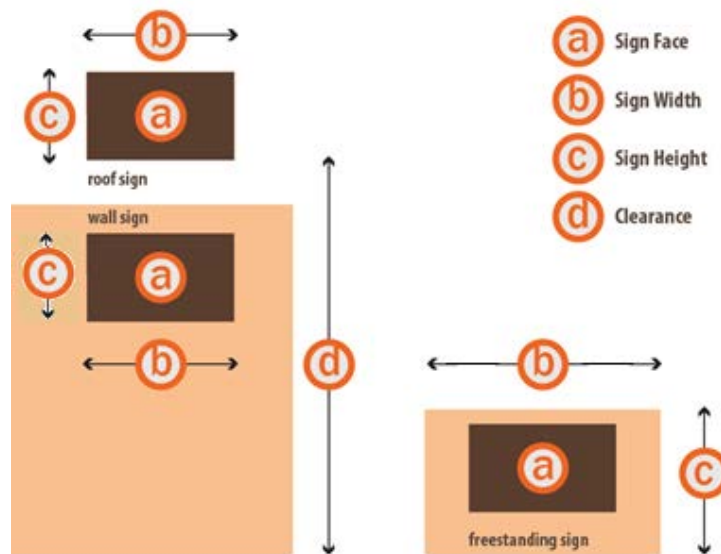
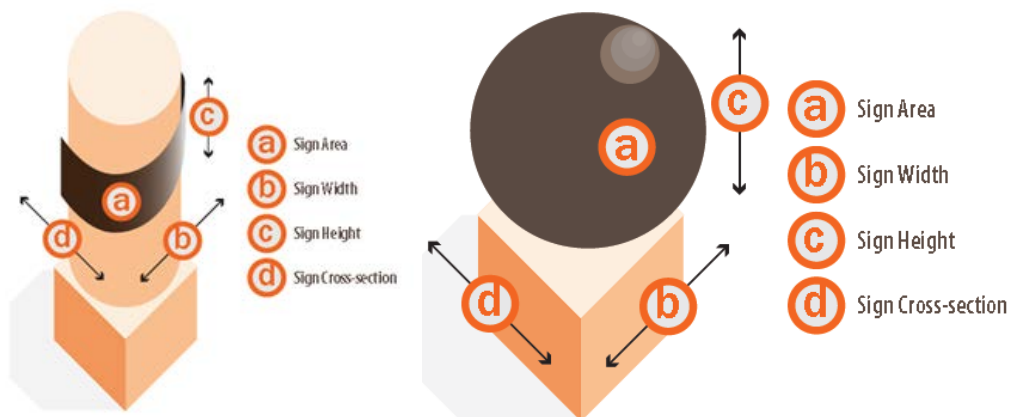


Figure 15.28.050.B Three Dimensional, Round or Irregular Signs



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

- Entire section is new.

15.28.060 Signs in residential zones (excluding multi-family).

~~These~~ standards ~~apply~~ 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, and "R-3.5" Dwelling District, and "R-2" Multi-Family Dwelling District, except for those subject to 15.28.070 or 15.28.100.

A. General. All of t~~The~~ following standards ~~shall~~ apply to all signs in residential zones (excluding multi-family):

1. A minimum of~~least~~ fifty percent (50%) of the ~~wall~~ sign shall be constructed of metal, wood, stone, brick, rock or any combination thereof.
2. If a sign is 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 and wall signs, signs shall not project over the right-of-way. Signs projecting into the right-of-way shall receive approval by the City Engineer.
- ~~3.4.~~ 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.

B. Wall Sign. All of t~~The~~ following standards apply to wall signs in residential zones (excluding multi-family):

1. A maximum of o~~One (1)~~ 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 m~~The aximum-sign face shall not exceed~~of~~ twelve (12) square feet.
- ~~2.3. and~~The maximum length~~sign width of shall not exceed~~ five (5) linear feet, ~~except in the "R-2" Multi-Family Dwelling District where wall signs may have a maximum sign face of twenty (20) square feet and maximum length of five (5) linear feet.~~

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

~~Freestanding signs are prohibited in residentially zoned property, 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.~~

- ~~1. The sign may have a maximum display area of twenty (20) square feet, maximum length of ten (10) linear feet, and maximum height of five (5) feet above grade.~~

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

E. Projecting Signs. All of t~~The~~ following standards apply to projecting signs in residential zones (excluding multi-family):

1. A maximum of o~~One (1)~~ 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.~~ ~~A projecting sign may have a m~~

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.

2. The display area shall not exceed twenty-four (24) square feet and the maximum sign face shall not exceed 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.~~ 3. The sign shall not have more than two (2) faces.

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

4. The maximum projection from a building wall shall not exceed six (6) feet and shall not project within two (2) feet of the curb line.

5. The maximum projection above the wall on which the sign is constructed shall not exceed one (1) foot, and it

~~5-6.~~ The visible supporting structure shall be constructed of metal, wood, stone, brick, rock or any combination thereof.

F. Roof Signs. Roof signs are prohibited.

G. Ancillary Signs.⁵ All of the following standards apply to ancillary signs in residential zones (excluding multi-family):

1. A total maximum of two (2) ancillary signs are allowed per property.

2. The sign shall not have more than two (2) faces.

~~1-3.~~ The display area shall not exceed twelve (12) square feet and the sign face shall not exceed six (6) square feet.

~~2-4.~~ 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. Reduce maximum wall sign length from 10 to 5 feet. Remove the maximum five (5) foot height requirement for wall signs.
- 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.
- Freestanding signs no longer allowed.
- The number of ancillary signs is now specified. Previously, a property would have been allowed more signs that did not require a permit.
- Clarified that projecting signs are allowed and added standards.
- Clarified that roof signs, incidental freestanding signs and banners are prohibited.
- Freestanding signs are prohibited.
- The zoning designations were updated.
- Clarified natural material standards.
- Clarified clearance standards.

15.28.065 Signs in multi-family residential zones.

These standards apply to the “R-2” Multi-Family Dwelling District zoning designation, except for those subject to 15.28.070 or 15.28.100.

A. General. All of the following standards apply to all signs in multi-family residential zones:

1. A minimum of fifty percent (50%) of the sign shall be constructed of metal, wood, stone, brick, rock or any combination thereof.

⁵ The number of ancillary signs allowed was a split decision by the Sign Code Community Advisory Team.

2. If a sign is 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.⁶
 3. With the exception of projecting and wall signs, signs shall not project over the right-of-way. Signs projecting into the right-of-way shall receive approval by the City Engineer.
 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.
- B. Wall Sign. All of the following standards apply to wall signs in multi-family residential zones:
1. A maximum of one (1) wall sign is allowed for each property frontage. A wall sign is prohibited if there is a projecting sign along the same property frontage.
 2. The sign face shall not exceed twenty (20) square feet.
 - ~~2-3.~~ ~~and the~~ The sign width shall not exceed five (5) linear feet.
- C. Freestanding Sign. All of the following standards apply to freestanding signs in multi-family residential zones:
1. A maximum of one (1) freestanding sign for each property frontage is allowed.
 2. The display area shall not exceed forty (40) square feet and the sign face shall not exceed twenty (20) square feet.
 3. The sign width shall not exceed ten (10) linear feet.
 - ~~2-4.~~ ~~and the~~ The sign height shall not exceed five (5) feet.
- D. Incidental Freestanding Signs. Incidental freestanding signs are prohibited.
- E. Projecting Signs. All of the following standards apply to projecting signs in multi-family residential zones:
1. A maximum of one (1) projecting sign is allowed for each property frontage. A projecting sign is prohibited if there is a wall sign along the same property frontage.
 2. The display area shall not exceed forty (40) square feet and the sign face shall not exceed twenty (20) square feet.
 3. The sign shall not have more than two (2) faces.
 4. The projection from a building wall shall not exceed six (6) feet and shall not project within two (2) feet of the curb line.
 - ~~2-5.~~ The projection above the wall on which the sign is constructed shall not exceed one (1) foot.
 - ~~3-6.~~ The visible supporting structure shall be constructed of metal, wood, stone, brick, rock or any combination thereof.
- F. Roof Signs. Roof signs are prohibited.
- G. Ancillary Signs.⁷ All of the following standards apply to ancillary signs in multi-family residential zones:
1. A maximum of two (2) ancillary signs are allowed per property.
 2. The sign shall not have more than two (2) faces.
 3. The display area shall not exceed twelve (12) square feet and the sign face shall not exceed six (6) square feet.
 4. Banners are prohibited in multi-family residential zones unless approved under Section 15.28.070.

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

- The standards for multi-family used to be the same as signage for single-family and duplexes.

⁶ 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.

⁷ The number of ancillary signs allowed was a split decision by the Sign Code Community Advisory Team.

- 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”.
- 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 number of ancillary signs is now specified. Previously, a property would have been allowed more signs that did not require a permit.
- Clairified that projecting signs are allowed and added standards.
- Clairified that roof signs, incidental freestanding signs and banners are prohibited.
- The zoning designaitons were updated.
- Clairified natural material standards.
- Clairified clearance standards.

15.28.070 Signs for conditional uses in residential zones.

The ~~these~~ standards ~~s~~ apply~~ies~~ 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. Signs within the right-of-way shall comply with 15.28.100.

A. General. All of tThe following standards ~~s~~ ~~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 a sign is 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
3. With the exception of projecting and wall signs, signs shall not project over the right-of-way. Signs projecting into the right-of-way shall recieve approval by the City Engineer.
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.

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

1. A maximum of oOne (1) wall sign per frontage is allowed, ~~not to exceed a maximum of three (3) wall signs.~~
2. A wall sign may have aThe maximum sign face ~~of shall not exceed~~ thirty-two (32) square feet. 2-3. and The maximum length sign width shall not exceed of ten (10) linear feet.

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

1. A maximum of OOne (1) free-standing sign per lot is allowed.
2. The sign may have a maximum display areadisplay area shall not exceed sixty-four (64) square feet and the sign face ~~of shall not exceed~~ thirty-two (32) square feet.
3. T, he maximum length of sign width shall not exceed ten (10) linear feet.
- 2-4. and The maximum sign height of shall not exceed fifteen (15) feet ~~above grade.~~

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

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.

- E. Projecting Signs. ~~All of t~~The following standards apply to projecting signs for conditional uses in residential zones:
- ~~1. A maximum of o~~One (1) projecting sign is allowed if there is not a freestanding or wall sign on the same frontage.
 - ~~5. Signs projecting into the right of way shall recieve approval by the City Engineer.~~
 - ~~2. A projecting sign may have a maximum~~The display area shall not exceed sixty-four (64) square feet and the sign face shall not exceed~~of~~ thirty-two (32) square feet.
 - ~~3. The sign shall not have more than two (2) faces.~~
 - ~~4. The maximum~~ projection from a building wall ~~shall be~~ shall not exceed six (6) lineal feet and shall not project within two (2) feet of the curb line.
 - ~~5. The maximum~~ projection above the wall on which the sign is constructed ~~shall be~~ shall not exceed one (1) foot.
 - ~~6. and t~~The visible supporting structure shall be constructed of metal, wood, stone, brick, rock or any combination thereof.
- F. Roof Signs. Roof signs are prohibited.
- G. Ancillary Signs⁹. ~~All of t~~The following standards apply to ancillary signs for conditional uses in residential zones.
- ~~1. A total maximum~~ of two (2) ancillary signs (including banners) are allowed per property.
 - ~~2. The sign shall not have more than two (2) faces.~~
 - ~~3. The display area shall not exceed twelve (12) square feet and the sign face shall not exceed six (6) square feet.~~
 - ~~2.4.~~ 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.¹⁰
 - b. Banners shall be securely placed against a building wall and may not project from the wall.
 - ~~c. The sign length shall not exceed~~ Banners shall not be more than six (6) lineal feet.
 - ~~c.d. The sign height shall not exceed feet long and~~ four (4) lineal feet ~~in height.~~
 - ~~d.e.~~ 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 and associated standards.
- Clarified that projecting signs are allowed and added standards.
- Clairified that roof signs are prohibited.
- The zoning designaitons were updated.
- Clairified natural material standards.

15.28.080 Signs in office, commercial, mixed use and industrial zones.

⁹ The number of ancillary signs allowed was a split decision by the Sign Code Community Advisory Team.

¹⁰ Members were split on this element of the recommendation.

The following standards apply to signs in office, commercial, mixed use and industrial zones which are not identified in 15.28.060, 15.28.065, ~~or~~ 15.28.070, or 15.28.100 unless otherwise provided by this code.

A. General. All of t~~t~~The following standards ~~s shall~~ apply to all signs in office, commercial, mixed use and industrial zones:

1. ~~1.—~~ With the exception of projecting or wall signs, signs shall not project over the right-of-way. Signs projecting into the right-of-way shall recieve approval by the City Engineer.

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.

B. Wall Signs. All of t~~t~~The following standards ~~s applies-apply~~ to wall signs in office, commercial, mixed use and industrial zones:

1. The number of wall signs is unlimited provided the total combined display area of wall signs, projecting signs and banners does not exceed is no larger than twenty (20) square feet¹¹ 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 shall not exceedmay 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.¹²

C. Freestanding Signs. All of t~~t~~The following standards apply to freestanding signs in office, commercial, mixed use and industrial zones:

1. A maximum of o~~One~~ freestanding sign¹³ 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.¹⁴ 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 area:

a. Where the street frontage is less than fifty (50) feet in length, the ~~maximum~~ display area shall not exceed fifty (50) square feet and the sign face shall not exceed, with twenty-five (25) 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, display area shall not exceed one hundred (100) square feet and the sign face shall not exceed, 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 display area shall not exceed three hundred (300) square feet and the sign face shall not exceed, with a ~~maximum-area-of~~ one hundred fifty (150) square feet ~~per sign face.~~

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

4. ~~The greatest horizontal dimensions~~sign width shall not exceed twenty (20) linear feet.

4.5. ~~Where the street frontage is 200 feet in length or less and the sign~~ height shall not exceed twenty-five (25) feet. above-grade, Where the street frontage is more than 200 feet in length

¹¹ The Community Advisory Team suggested a minimum.

¹² The Community Advisory Team suggested wall signs do not project from the building face no more than 4 inches.

¹³ The CAT suggested allowing an additional sign of any type for each freestanding sign allowed but not constructed.

¹⁴ Note that a second freestanding sign is allowed for large frontages on arterial roads.

~~the sign height shall not exceed~~ thirty (30) feet ~~above grade if the frontage is more than two hundred (200) feet in length.~~

- D. Incidental Freestanding Signs. ~~All of t~~The following standards apply to incidental signs in office, commercial, mixed use and industrial zones:

1. ~~A maximum of o~~One (1) incidental freestanding sign is allowed for each street frontage.
2. ~~The display area shall not exceed sixteen (16) square feet and the~~ No incidental freestanding sign face ~~shall exceed shall not exceed~~ eight (8) square feet ~~with a maximum display area of sixteen (16) square feet.~~

~~1-3.~~ The sign height shall not exceed fifteen (15) feet ~~above grade.~~

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

1. ~~A maximum of O~~One (1) 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.~~
2. The total combined display area of projecting signs and wall signs ~~shall not exceed~~ 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 face of twenty (20) square feet, regardless of the limitation in subsection E.2 above.¹⁵
3. ~~The sign shall not have more than two (2) faces.~~
4. The ~~maximum~~ projection from a building wall ~~shall be shall not exceed~~ six (6) lineal feet and shall not project within two (2) feet of the curb line.
5. The ~~maximum~~ projection above the wall on which the sign is constructed ~~shall be shall not exceed~~ one (1) foot.

~~3-6.~~ ~~and t~~The visible supporting structure shall be constructed of metal, wood, stone, brick, rock or any combination thereof.

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

1. ~~A maximum of o~~One (1) roof sign is permitted for each frontage if there is no projecting sign or free-standing sign along the frontage.
2. Maximum display area:
 - a. Where the street frontage is less than fifty (50) feet, the ~~maximum~~ display area shall not exceed fifty (50) square feet ~~and the sign face shall not exceed, with~~ twenty-five (25) square feet ~~maximum per sign face.~~
 - b. Where the street frontage is fifty (50) feet or greater but less than two-hundred (200) feet, ~~the~~ display area shall not exceed one-hundred (100) square feet ~~and the sign face shall not exceed, with~~ fifty (50) square feet ~~maximum per sign face.~~
 - c. Where the street frontage is two hundred (200) feet or greater, the display area shall not exceed three hundred (300) square feet ~~and the sign face shall not exceed, with a maximum of~~ one hundred fifty (150) square feet ~~per sign face.~~
 - d. In no case shall any sign have a display area in excess of three hundred (300) square feet.
3. The ~~horizontal dimensions~~ sign width shall not exceed twenty (20) feet and the ~~vertical dimensions~~ sign height may not exceed ten (10) feet.
4. Skirting is required to obscure exposed hardware used to attach the sign to the roof, as viewed from the adjacent street level perspective.

¹⁵ The Community Advisory Team suggested a minimum.

G. Ancillary Signs.¹⁶ ~~All of t~~The following standards apply to ancillary signs in office, commercial, mixed use and industrial zones.

1. A ~~maximum total~~ of two (2) ancillary signs (including banners) are allowed per property.

2. The sign shall not have more than two (2) faces.

3. The maximum display area is twelve (12) square feet and the maximum sign face is six (6) square feet.

1.4. 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.¹⁷

b. Banners shall be securely placed against a building wall and may not project from the wall.

c. Banners shall comply with the wall sign size requirements and ~~the sign length shall not exceed shall not be more than~~ six (6) linear feet ~~long and~~

~~c.d.~~ ~~The sign height shall not exceed~~ four (4) ~~lineal~~ feet ~~in height~~.

~~d.e.~~ 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, 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 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 lineal 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.
- 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.
- 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 display area of thirty-two (32) square feet with a maximum sign face of sixteen (16) square feet to a maximum display area of sixteen (16) square feet and 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.
- Increase 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, because this is implemented by the Building Division upon review of building permits.
- 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.

¹⁶ The number of ancillary signs allowed was a split decision by the Sign Code Community Advisory Team.

¹⁷ Members were split on this element of the recommendation.

- Skirting became required around the base of roof signs.
- Remove the twenty (20) foot minimum distance between projecting signs.
- 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, rock or any combination thereof.
- 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 unless a new approval is granted. Alterations to an approved mural shall receive approval by the Arts Commission.~~
- ~~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.~~
- ~~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 located in a manner that is accessible to the public.~~
- ~~7.—The artist shall have a strong concept.~~
- ~~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.~~
- ~~9.—The proposed design is feasible in regards to budget, timeline and experience.~~
- ~~10.—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.
 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 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.
 2. 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.
 3. 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.~~

~~4. The City Commission decision on appeal is the City's final decision.~~

~~E. 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 in the right-of-way.

~~This~~All of these standards ~~s apply~~ies to all signage within the City of Oregon City right-of-way and signs located in compliance with Section 15.28.100.B.1.a, except exempt signs described in 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 all of the following standards:

1. Number of signs permitted:

- ~~a. A maximum of o~~One (1) ~~A-frame~~ sign within the right-of-way per property frontage not within the Mixed Use Downtown District or Willamette Falls Downtown Design District zoning designations.¹⁸
- ~~b. Within the Mixed Use Downtown District or the Willamette Falls Downtown Design District the number of signs on the ground within the right-of-way is limited to the number of operating and accessible public entrances per building or buildings on the site, up to a maximum of three (3) signs per frontage. All properties are allowed one (1) sign on the ground within the right-of-way per property frontage regardless of the number of building entrances. Multiple doors at one entrance are allowed one sign. Multiple individuals or entities which share the same public entrance are allowed one sign.~~

~~a-c.~~ Approved traffic control signs or devices do not count towards the number of signs permitted within the right-of-way.

2. Material, design and size standards:

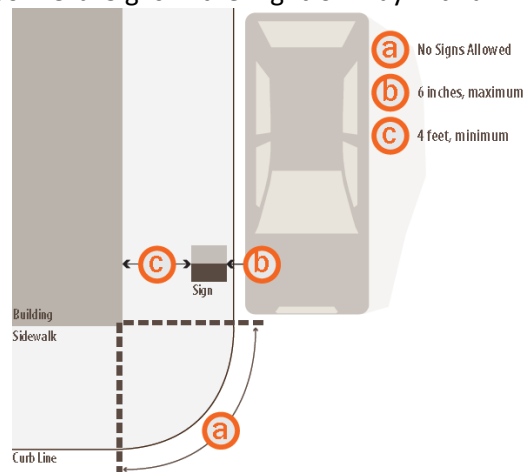
- a. The sign frame shall be wood, plastic or metal.
- b. The sign shall be an A-frame sandwich design.
- c. The sign may not be illuminated.
- d. ~~The Maximum sign~~ width ~~shall not exceed~~: twenty-eight (28) inches.
- e. ~~The Maximum sign~~ depth ~~shall not exceed~~: two (2) feet.
- f. ~~The Maximum sign~~ height ~~shall not exceed~~: three (3) feet.
- g. ~~The display area shall not exceed 12 square feet and the sign face shall not exceed Maximum size: six (6) square feet.~~per sign face

3. Placement standards.

¹⁸ The Community Advisory Team suggested one per adjacent business or entrance.

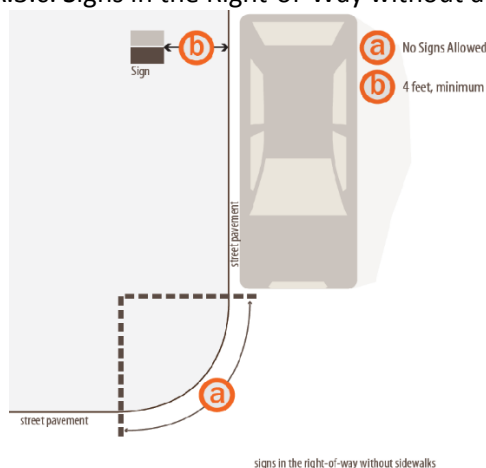
- a. Signs shall not be placed in parking spaces, pedestrian pathways, or bicycle paths, street corners, transit stop areas, ADA accessible curb ramps, ADA accessible parking spaces, at building exits or fire escapes, or any portion of the street (automobile and bicycle travel lanes, shoulder, medians, 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. 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, The sign shall be placed within six (6) inches of the face of the curb. Four (4) feet of clearance width shall be retained on the sidewalk.

Figure 15.28.100.A.3.b: Signs in the Right-of-Way with an Adjacent Sidewalk



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

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.¹⁹
 - b. Signs within residential zoning designations 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.²⁰
- ~~B.~~ **B. Cross Street Banners.** 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~~
 - ~~b. A single, one-sided cross street banner at PGE power poles #412 and #413 on Molalla Avenue at Beverly Drive.~~

~~Cross street banners shall comply with the requirements contained in the most recently adopted Policy for Cross Street Banners and Banners on Street Light Poles Signs in the Right-of-Way Policy. Banners shall be installed, re-secured, and removed by the City.~~
 - ~~C.~~ **C. Banners on Street Light Poles.** 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 for Cross Street Banners and Banners on Street Light Poles.~~

~~Banners shall be installed, re-secured, and removed by the City.~~
 - D. Signs which Project over the Right-of-Way from Private Property.** With the exception of projecting signs, no sign on private property may project into the right-of-way. Signs projecting into the right-of-way ~~shall comply with all of the following:~~
- ~~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.~~
- E. Who May Place the Sign.** Permits for signs within the right-of-way are approved on a first-come, first-served basis.
- F. Right-of-Way Sign Permit Process.**
- 1. Signs on the Ground.** ~~For all properties not zoned residential, a~~ An annual A-Frame Sign within the Right-of-Way Permit is required for signs on the ground within the right-of-way²¹. An approval sticker shall be placed on each sign within the right-of-way to easily distinguish the approved signs²².
 - 2. Cross Street Banner.** A Cross Street Banner within the Right-of-Way Permit is required each time a cross street banner is installed.

¹⁹ 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.

²⁰ The Community Advisory Team suggested requiring approval of the adjacent property owner.

²¹ The City will create a form and approve over the counter.

²² The Community Advisory Team suggested that permits should not be required in residential and mixed-use zones.

3. Banners on Light Posts. A Street Light Banner Permit is required each time a banner on a light post is installed.

4. Signs which Project over the Right-of-Way from Private Property. Approval from the City Engineer is required each time a sign is installed.

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

6. The aApplicant shall comply with and obtain any permits issued by any other applicable agency.

G. Liability. The sign owner shall assume all liability associated with a sign within the right-of-way regardless of whether a permit is required. The applicant shall provide a Certificate of 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 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.

H. Removal of Signs within the Right-of-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.

3. The City reserves the right to change or remove the approved cross street banners or banners on light posts at any time after the installation based on operational and/or safety conditions.

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

- This entire section is new

15.28.110 Prohibited signs.

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

- 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.;
- 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 three (3) times per day²³, except as otherwise allowed within this code.;
- 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 or public vehicular accessway 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; or sign that does not comply with the lighting requirements in OCMC 17.62.065.
- A sign located upon a tree, or painted or drawn upon a natural feature.;
- 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.;
- Any sign with a display area larger than twelve (12) square feet or, six (6) square feet per sign face on an undeveloped lot or parcel of property.;

²³ The Community Advisory Team was split on the minimum length of time which a message had to be displayed before it could change. Our current policy is once per day.

~~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.G.~~ Attention flags.;

~~H.H.~~ A-frame signs with a display area larger than twelve (12) square feet, ~~or~~ six (6) square feet per sign face or taller than three (3) feet.;

~~J.I.~~ Air blown signs.;

~~K.J.~~ Billboards.;

~~L.K.~~ Signs on fences or fencing.;

~~M.L.~~ Banners unless otherwise allowed by this chapter.;

~~N.M.~~ Abandoned signs.;

~~O.N.~~ Signs that emit any sound, vibration, or smell; ~~and~~;

~~O.~~ Flags larger than 1 square foot for each lineal foot in height of the flag pole or structure to which the flag is affixed.

~~P. Flags exceeding~~ The size of the flag may not exceed 60 square feet.

~~Q. Signs that may be confused with public traffic signs or highway identification.~~

~~P.R.~~ 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.

Proposed Changes to the Existing Code – Prohibited Signs

- A variety of items were removed and added.
- The size of signs on undeveloped lots or properties is increased from a maximum of four (4) square feet to a maximum of (12) square feet, six (6) square feet per sign face on an undeveloped lot or parcel of property.
- Signs are now allow to change three (3) times per day, this is an increase from one (1) time per day.

15.28.120 Nonconforming signs.

~~All of t~~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.
- B. No additions or enlargements may be made to a nonconforming sign except those additions or enlargements that are required by law.
- C. 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

²⁴ 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.

²⁵ The Community Advisory Team had a split decision on this. Staff defaulted to our current code.

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.

- E. 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 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.

All of the following standards apply to variances to this chapter:

- A. Grounds for Variance. Upon application by an applicant, the ~~P~~lanning ~~C~~ommission 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 chapter 17.60 of the Oregon City Municipal Code, Variances.

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 all of 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 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—penalty.

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 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 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. Any permit or approval issued in conflict with this chapter shall be void.

Proposed Changes to the Existing Code – Conflict and Severability

Minor edits to clarify language.