

## **Oregon City Municipal Code Chapter 15.28 Signs**

*May, 2015*

*Version 6: 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: 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 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.

“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 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,<sup>1</sup> 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 building<sup>2</sup>.

"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.

"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.

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<sup>1</sup> Note that highways and freeways are considered frontages.

<sup>2</sup> CAT suggested projecting signs should be signs projecting more than four (4) inches.

"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 following<sup>3</sup>:

- A. Signs not visible from either a 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, 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.
- B. Any of the following signs on private property are subject to compliance with this chapter but do not require a sign permit:
  - 1. Changes of copy whereby the sign size and material are not changing but the message is changed; or
  - 2. 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 six (6) square feet.
- 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

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<sup>3</sup> 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.

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 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.

*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

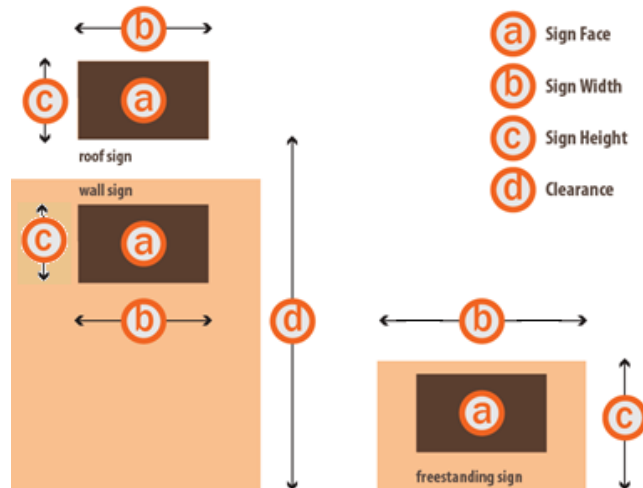
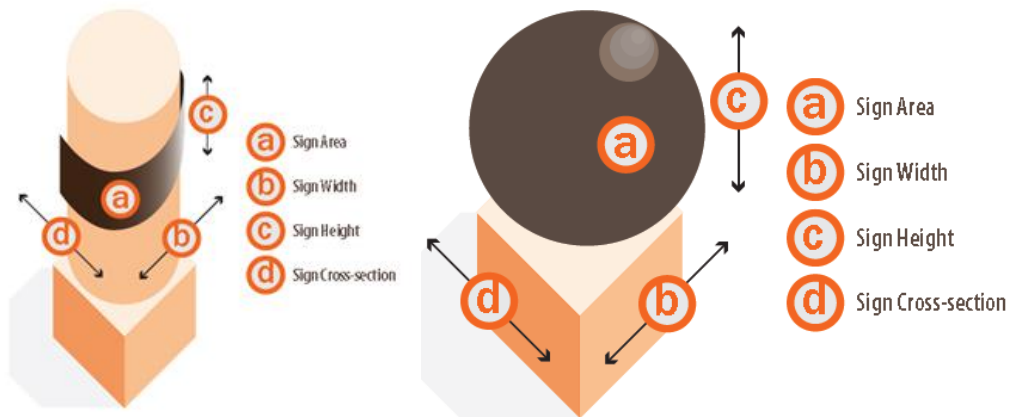


Figure 15.28.050.B Three Dimensional, Round or Irregular Signs



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, except for those subject to 15.28.070 or 15.28.100.

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

1. A minimum of fifty percent (50%) of the 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.<sup>4</sup>
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.

<sup>4</sup> 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.

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 residential zones (excluding multi-family):
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 twelve (12) square feet.
  3. The sign width shall not exceed five (5) linear feet.
- C. Freestanding Sign.
- Freestanding signs are prohibited.
- D. Incidental Freestanding Signs. Incidental freestanding signs are prohibited.
- E. Projecting Signs. All of the following standards apply to projecting signs in residential zones (excluding multi-family):
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 twenty-four (24) square feet and the sign face shall not exceed twelve (12) 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.
  5. The projection above the wall on which the sign is constructed shall not exceed one (1) foot.
  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.<sup>5</sup> All of the following standards apply to ancillary signs in residential zones (excluding multi-family):
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 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.

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

- Clairified that roof signs, incidental freestanding signs and banners are prohibited.
- Freestanding signs are prohibited.
- The zoning designations were updated.
- Clairified natural material standards.
- Clairified 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.
  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.<sup>6</sup>
  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.
  3. 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.
  4. 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.
  5. The projection above the wall on which the sign is constructed shall not exceed one (1) foot.
  6. The visible supporting structure shall be constructed of metal, wood, stone, brick, rock or any combination thereof.

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<sup>6</sup> 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.

- F. Roof Signs. Roof signs are prohibited.
- G. Ancillary Signs.<sup>7</sup> 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.
- 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 designations were updated.
- Clairified natural material standards.
- Clairified clearance standards.

**15.28.070 Signs for conditional uses in residential zones.**

These standards apply 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 the following standards 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.<sup>8</sup>
  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 for conditional uses in residential zones:

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

<sup>8</sup> 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.



1. A maximum of one (1) wall sign per frontage is allowed.
  2. The sign face shall not exceed thirty-two (32) square feet.
  3. The sign width shall not exceed ten (10) linear feet.
- C. Freestanding Sign. All of the following standards apply to freestanding signs for conditional uses in residential zones:
1. A maximum of one (1) free-standing sign per lot is allowed.
  2. The display area shall not exceed sixty-four (64) square feet and the sign face shall not exceed thirty-two (32) square feet.
  3. The sign width shall not exceed ten (10) linear feet.
  4. The sign height shall not exceed fifteen (15) feet.
- D. Incidental Freestanding Signs. Incidental freestanding signs are prohibited.
- E. Projecting Signs. All of the following standards apply to projecting signs for conditional uses in residential zones:
1. A maximum of one (1) projecting sign is allowed if there is not a freestanding or wall sign on the same frontage.
  2. The display area shall not exceed sixty-four (64) square feet and the sign face shall not exceed thirty-two (32) 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) lineal feet and shall not project within two (2) feet of the curb line.
  5. The projection above the wall on which the sign is constructed shall not exceed one (1) foot.
  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<sup>9</sup>. All of the following standards apply to ancillary signs for conditional uses in residential zones.
1. A 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.
  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.<sup>10</sup>
    - b. Banners shall be securely placed against a building wall and may not project from the wall.
    - c. The sign length shall not exceed six (6) lineal feet.
    - d. The sign height shall not exceed four (4) lineal feet.
    - 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.

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

<sup>10</sup> Members were split on this element of the recommendation.

- 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.
- Clarified that roof signs are prohibited.
- The zoning designations were updated.
- Clarified natural material standards.

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

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, 15.28.070, or 15.28.100 unless otherwise provided by this code.

- A. General. All of the following standards apply to all signs in office, commercial, mixed use and industrial zones:
  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 receive 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 the following standards 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 twenty (20) square feet<sup>11</sup> 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 exceed 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.<sup>12</sup>
- C. Freestanding Signs. All of the following standards apply to freestanding signs in office, commercial, mixed use and industrial zones:
  1. A maximum of one freestanding sign<sup>13</sup> 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.<sup>14</sup> 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 display area shall not exceed fifty (50) square feet and the sign face shall not exceed twenty-five (25) square feet.

<sup>11</sup> The Community Advisory Team suggested a minimum.

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

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

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

- 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 fifty (50) square feet.
  - 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 one hundred fifty (150) square feet.
  - d. In no case shall any sign have a display area in excess of three hundred (300) square feet.
- 4. The sign width shall not exceed twenty (20) linear feet.
- 5. Where the street frontage is 200 feet in length or less the sign height shall not exceed twenty-five (25) feet. Where the street frontage is more than 200 feet in length the sign height shall not exceed thirty (30) feet .
- D. Incidental Freestanding Signs. All of the following standards apply to incidental signs in office, commercial, mixed use and industrial zones:
  - 1. A maximum of one (1) incidental freestanding sign is allowed for each street frontage.
  - 2. The display area shall not exceed sixteen (16) square feet and the sign face shall not exceed eight (8) square feet.
  - 3. The sign height shall not exceed fifteen (15) feet.
- E. Projecting Signs. All of the following standards apply to projecting signs in office, commercial, mixed use and industrial zones:
  - 1. A maximum of one (1) projecting sign is allowed for each tenant space if there is not a freestanding or roof sign on the same frontage.
  - 2. The total combined display area of projecting signs and wall signs shall not exceed 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 above.<sup>15</sup>
  - 3. The sign shall not have more than two (2) faces.
  - 4. The projection from a building wall shall not exceed six (6) lineal feet and shall not project within two (2) feet of the curb line.
  - 5. The projection above the wall on which the sign is constructed shall not exceed one (1) foot.
  - 6. The visible supporting structure shall be constructed of metal, wood, stone, brick, rock or any combination thereof.
- F. Roof Signs. All of the following standards apply to roof signs in office, commercial, mixed use and industrial zones:
  - 1. A maximum of 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 display area shall not exceed fifty (50) square feet and the sign face shall not exceed twenty-five (25) square feet.
    - 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 fifty (50) square feet.
    - 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 one hundred fifty (150) square feet.
    - d. In no case shall any sign have a display area in excess of three hundred (300) square feet.

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<sup>15</sup> The Community Advisory Team suggested a minimum.

3. The sign width shall not exceed twenty (20) feet and the 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.
- G. Ancillary Signs.<sup>16</sup> All of the following standards apply to ancillary signs in office, commercial, mixed use and industrial zones.
1. A 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 maximum display area is twelve (12) square feet and the maximum sign face is six (6) square feet.
  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.<sup>17</sup>
    - 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 six (6) linear feet.
    - d. The sign height shall not exceed four (4) lineal feet.
    - 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 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.
- 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).

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

<sup>17</sup> Members were split on this element of the recommendation.

- 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.
- 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.

#### **15.28.100 Signs in the right-of-way.**

All of these standards apply 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.

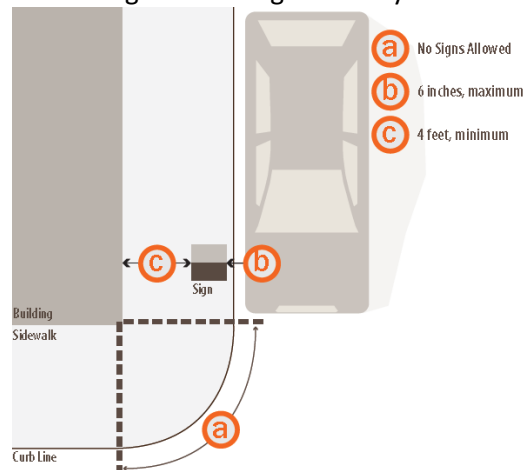
- A. Signs on the Ground within the Right-of-Way. Signs on the ground within the right-of-way shall be permitted in the right-of-way in accordance with all of the following standards:
  1. Number of signs permitted:
    - a. A maximum of one (1) sign within the right-of-way per property frontage not within the Mixed Use Downtown District, Willamette Falls Downtown Design District or Mixed Use Corridor 1 District zoning designations.<sup>18</sup>
    - b. Within the Mixed Use Downtown District, Willamette Falls Downtown Design District, or the Mixed Use Corridor 1 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.
    - 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 sign width shall not exceed twenty-eight (28) inches.
    - e. The sign depth shall not exceed two (2) feet.

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<sup>18</sup> The Community Advisory Team suggested one per adjacent business or entrance.

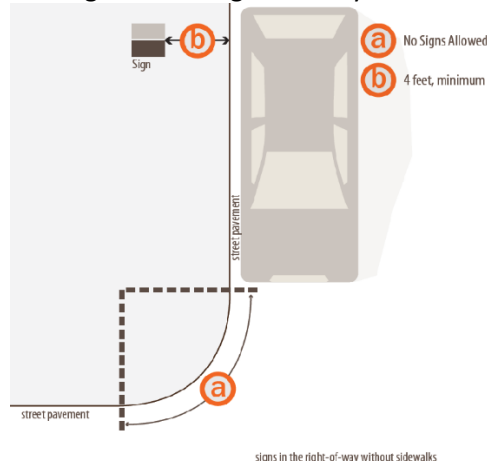
- f. The sign height shall not exceed three (3) feet.
  - g. The display area shall not exceed 12 square feet and the sign face shall not exceed six (6) square feet.
3. Placement standards.
- a. Signs shall not be placed in parking spaces, pedestrian pathways, or bicycle paths, street corners, transit 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



signs in the right-of-way without sidewalks

- 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.<sup>19</sup>
  - 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.<sup>20</sup>
- 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 requirements contained in the most recently adopted Policy for Cross Street Banners and Banners on Street Light Poles. Banners shall be installed, re-secured, and removed by the City.
- 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 requirements contained in the most recently adopted 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 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, an annual A-Frame Sign within the Right-of-Way Permit is required<sup>21</sup> except on Thursday, Friday, Saturday, or Sunday between 12:00 p.m. and 8:00 p.m. daily; or from 6:00 a.m. to 1:00 p.m. on Tuesday. Placement of signs subject to this exception, shall meet all other applicable requirements in this chapter. An approval sticker shall be placed on each sign within the right-of-way to easily distinguish the approved signs<sup>22</sup>.
  - 2. Cross Street Banner. A Cross Street Banner within the Right-of-Way Permit is required each time a cross street banner is installed.
  - 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 applicant 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.

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<sup>19</sup> 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.

<sup>20</sup> The Community Advisory Team suggested requiring approval of the adjacent property owner.

<sup>21</sup> The City will create a form and approve over the counter.

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

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. 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 three (3) times per day<sup>23</sup>, 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 right-of-way or public vehicular accessway or sign that does not comply with the lighting requirements in OCMC 17.62.065.
- 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 display area larger than twelve (12) square feet or six (6) square feet per sign face on an undeveloped lot or parcel of property.
- G. Attention flags.
- 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.
- I. Air blown signs.
- J. Billboards.<sup>24</sup>
- K. Signs on fences or fencing.<sup>25</sup>
- L. Banners unless otherwise allowed by this chapter.
- M. Abandoned signs.
- N. Signs that emit any sound, vibration, or smell.
- 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.

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<sup>23</sup> 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.

<sup>24</sup> 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.

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



- P. Flags exceeding 60 square feet.
- Q. Signs that may be confused with public traffic signs or highway identification.
- 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 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 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 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 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.