

# SIGNS

**14.300 Purpose.** The purpose of these sign regulations are to encourage the effective use of signs as a means of communication in the City; to maintain and enhance the aesthetic environment; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign restrictions. It is also intended to protect the public from hazardous conditions by prohibiting signs that are structurally unsafe, obscure or distract the vision of motorists or compete or conflict with necessary traffic signs and warning signs. This sign ordinance is adopted under the zoning authority of the City in furtherance of the more general purposes set forth in the Community Development Ordinance. Sections 14.300 to 14.368 shall be known as the "Uniform Sign Act" (The Act).

[Repealed by Ordinance 97-13, enacted May 5, 1997]

[Added by Ordinance 97-13, enacted May 5, 1997]

## **14.304 Applicability.**

(1) A sign may be erected, placed, established, painted, created or maintained in the City only in conformance with the standards, procedures, exemptions and other requirements of this act.

(2) The effect of this act is more specifically set forth herein, is:

- a. To establish a permit system to allow a variety of types of signs in commercial and light industrial zones and a limited variety of signs in other zones, subject to the standards and the permit procedures of this act;
- b. To allow certain signs that are small, unobtrusive and incidental to the principle use of the respective lots on which they are located, subject to the substantive requirements of this act, but without a requirement for permits;
- c. To provide for temporary signs without commercial messages in limited circumstances in the public right of way;
- d. To prohibit all signs not expressly permitted by this act.

[Added by Ordinance 97-13, enacted May 5, 1997]

**14.305** [Repealed by Ordinance 6413, enacted January 3, 1983]

## **14.308 Permits Required.**

(1) If a sign requiring a permit under the provision of this act is to be placed, constructed, erected or modified on a lot, the owner of the lot shall secure a sign permit prior to the construction, placement, erection or modification of such a sign in accordance with the requirements of Section 14.312.

(2) No signs shall be erected in the public right of way except in accordance with Section 14.340 and 14.344.

(3) No sign permit of any kind shall be issued for an existing or proposed sign unless such sign is consistent with the requirements of this act (including those protecting existing signs) in every respect and with the Uniform Sign Program in effect for the property.

(4) A sign permit fee must be paid at the time of application, if this fee is not paid, the application will not be considered complete.

[Added by Ordinance 97-13, enacted May 5, 1997]

**14.310** [Repealed by Ordinance 6413, enacted January 3, 1983]

**14.312 Permit Procedures.** The following procedures shall govern the application for and issuance of all sign permits under this ordinance and the submission and review of Uniform Sign Programs.

(1) Applications. All applications for sign permits of any kind shall be submitted to the Director on an application form or in accordance with application specifications published by the Director.

(2) Fees. Each application for a sign permit shall be accompanied by the applicable fees, which shall be established by the governing body of the City from time to time by resolution.

(3) Completeness. Within five days of receiving an application for a sign permit or for a Uniform Sign Program, the Director shall review it for completeness. If the Director finds that it is complete, the applications shall then be processed. If the Director finds that it is incomplete, the Director shall within such five (5) day period, send to the applicant, a notice of the specific ways in which the application is deficient, with appropriate references to the applicable sections of this act.

(4) Action. Within seven (7) days of the submission of a complete application for a sign permit, the Director shall either:

- a. Issue the sign permit if the sign(s) that is the subject of the application conforms in every respect with the requirements of this act and of the applicable or Uniform Sign Program.
- b. Reject the sign permit if the sign(s) that is the subject of the application fails in any way to conform with the requirements of this act and of the applicable Uniform Sign Program. In case of a rejection, the Director shall specify in the rejection, the section or sections of the ordinance or applicable plan with which the sign(s) is inconsistent.

(5) Action on Plan. On any application for approval of a Uniform Sign Program, the Director shall take action on the applicable one of the following dates:

- a. Fourteen (14) days after the submission of a complete application if the application is for signs on existing buildings; or
- b. On the date of final action on any related application or development plan is for signs involving new construction.

(6) On or before such applicable date, the Director shall either:

- a. Approve the proposed plan if the sign(s) as shown on the plan and the plan itself conforms in every respect with the requirements of this act; or
- b. Reject the proposed plan if the sign(s) as shown on the plan or the plan itself fails in any way to conform to the requirements of this act. In case of a rejection, the Director shall specify in the rejection, the section or sections of the ordinance with which the plan is inconsistent.

[Added by Ordinance 97-13, enacted May 5, 1997]

**14.315** [Repealed by Ordinance 6413, enacted January 3, 1983]

**14.316 Permits to Construct or Modify Signs.** Signs identified as "S" on Table 1, shall be erected, installed or created only in accordance with a duly issued and valid sign construction permit from the Director. Such permits shall be issued only in accordance with the following requirements and procedures.

(1) Permit for New Sign or for Sign Modification. An application for construction, creation or installation of a new sign or form modification of an existing sign shall be accompanied by detailed drawings to show the dimensions, design, structure and location of each particular sign, to the extent that such details are not contained within a Uniform Sign Program then in effect for the lot. One application and permit may include multiple signs on the same lot.

(2) Inspection. The Director shall cause an inspection of the lot for which each permit for a new sign or for modification of an existing sign is issued during the sixth (6th) month after the issuance of such

permit or at such earlier date as the owner may request. If the construction is not substantially complete at the time of inspection, the permit shall lapse and become void. If the construction is complete and in full compliance with this act and with the building and electrical codes, the permit shall be considered valid. If the construction is substantially complete but not in full compliance with this act and applicable codes, the Director shall give the owner or applicant notice of the deficiencies and shall allow an additional 30 days from the date of inspection for the deficiencies to be corrected. If the deficiencies are not corrected by such date, the permit shall lapse. If the construction is then complete, the permit shall be considered valid.

[Added by Ordinance 97-13, enacted May 5, 1997]

**14.320 Uniform Sign Program.** A sign located in an approved Planned Unit Development shall conform to all requirements of this chapter, including those of the district in which the property is located, unless specially exempted there from as part of the Planned Unit approval under Section 12.360.

(1) If a condition of planned Unit Development approval requires a Uniform Sign Program, the owner shall submit to the Director a Uniform Sign Program containing the following:

- a. An accurate site plan of the lot, at such scale as the Director may reasonably require;
- b. Location of buildings, parking lots, driveways and landscaped areas on such lot;
- c. Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs allowed on the lot(s) included in the plan under this act; and
- d. An accurate indication on the site plan of the proposed location of each present and future sign of any type, whether requiring a permit or not, except that incidental signs need not be shown.

(2) Provisions of the Uniform Sign Program. The Uniform Sign Program shall specify standards for consistency among all signs within the development affected by the Plan with regard to:

- a. Number of signs per tenants;
- b. Designation of major tenants;
- c. Sign type;
- d. Letter height;
- e. Illumination;
- f. Color scheme;
- g. Location of each sign on the buildings;
- h. Materials;
- i. Sign proportions; and
- j. Variations for major tenants

(3) Identifying Window Signs in the Uniform Sign Program. A Uniform Sign Program including window signs may simply indicate the areas of the windows to be covered by window signs and the general type of window signs (e.g. paper affixed to window, painted, etched on glass or some other material hung inside window) and need not specify the exact dimensions or nature of every window sign.

(4) The aggregate area of all signs and the area of any freestanding sign shall not exceed that permitted in Section 14.332.

(5) Other Provisions of a Uniform Sign Program. The Uniform Sign Program may contain such other restrictions as the owners of the unified development may reasonably determine.

(6) Consent. The Uniform Sign Program shall be signed by all owners or their authorized agents in such form as the Director shall require.

(7) Procedures. A Uniform Sign Program shall be included in any development plan, site plan, planned unit development or other official plan required by the City for the proposed development and shall be processed simultaneously with such other plan.

(8) Amendment. A Uniform Sign Program may be amended by filing a revised Uniform Sign Program that conforms with all requirements of the act then in effect. The Uniform Sign Program may not be altered without written permission of the Planning Director. In addition, no changes may be made without the written permission of a majority of tenants whose existing signs are in compliance with the previously established sign program.

(9) Existing Signs not Conforming to the Uniform Sign Program. If any new or amended Uniform Sign Program is filed for a property on which existing signs are located, it shall include a schedule for bringing into conformance, all signs not conforming to the proposed amended plan or to the requirements of this act in effect on the date of submission.

(10) Binding Effect. After approval of a Uniform Sign Program, no sign shall be erected, placed, painted or maintained except in conformance with such plan and such plan may be enforced in the same way as any provision of this act. In case of any conflict between the provisions of such a plan and any other provision of this act, the act shall control.

(11) For purposes of this Act, the following PUD zone designations shall be subject to the sign standards applicable to the following corresponding zoning designations:

**BASIN VIEW**

PUD Zone Zoning District  
Single Family SF  
Multi Family MD  
Commercial NC  
School PF

**HARBOR ISLES**

PUD Zone Zoning District  
Single Family SF  
Single Family SF  
w/o setbacks  
Multi Family MD  
Multi Family MD  
Condominium

**CAMPUS**

PUD Zone Zoning District  
High Density A  
Neighborhood Comm NC  
Medical-Professional NC  
Highway Commercial GC  
Schools PF Office NC

[Amended by Ordinance 6413, enacted January 3, 1983]

[Repealed by Ordinance 97-13, enacted May 5, 1997]

[Added by Ordinance 97-13, enacted May 5, 1997]

**14.324 Exempt Signs.**

(1) Any public notice or warning required by a valid and applicable federal, state or local law, regulation or ordinance;

(2) Any sign that is not visible beyond the boundaries of the lot or parcel on which it is located or from any public thoroughfare or right of away;

(3) Works of art that do not include a commercial message;

(4) Holiday displays that do not include a commercial message, but only between November 15 and January 15;

(5) Traffic control signs on private property, such as stop, yield and similar signs, the face of which meet Department of Transportation standards and which contain no commercial message of any sort;

(6) Real Estate Signs. One temporary nonilluminated real estate sign per lot, that does not exceed 8 square feet in area and 4 feet in height, within residential zoning districts and 32 square feet in area and seven feet in height, in all other zoning districts, but only if the sign remains in place no more than seven (7) days after the sale or rental of the property;

(7) Construction Signs. Construction signs with a maximum of thirty two (32) square feet of total signage area limited to the duration of the construction period;

(8) Political Signs;

(9) Flags;

(10) Signs having an area of not more than one and a half square feet, the message of which is limited to conveying street numbers, the name of the owner of the premises and the name of the occupants of the premises;

(11) One church of institutional bulletin board per lot without interior illumination having an area not exceeding 25 square feet;

(12) Signs indicating only the date of construction of a building and having an area not exceeding four square feet;

(13) Lost Animal and Garage Sale Signs. One temporary sign per lot placed on private property with the permission of the owner for a period not to exceed ten (10) days;

(14) Window Signs. A window sign of no more than 4 square feet in area and placed no more than 25 feet above finished grade, if the sign area fills less than 25 percent of the area of the window and such signs do not exceed 25 percent of the total allowable sign area for the premises. The area of a window sign not exempt from permit requirements under this paragraph is calculated as a part of and limited by the total allowable sign area for the premises;

(15) Signs Carried by a Person. A sign carried by a person and not set on or affixed to the ground.

1. Inflated balloons having an area of not more than two (2) square feet.

[Added by Ordinance 97-13, enacted May 5, 1997]

[Amended by Ordinance 00-09, enacted May 1, 2000]

**14.325** [Repealed by Ordinance 97-13, enacted May 5, 1997]

**14.328 Prohibited Signs.** All signs not expressly permitted under this act or exempt from regulation hereunder in accordance with the previous section, are prohibited by the City. Such signs include, but are not limited to:

(1) Beacons

(2) Pennants

(3) Strings of lights not permanently mounted to a rigid background, except those exempt under the previous section.

(4) Moving signs

(5) Illusion signs

(6) No unofficial sign which purports to be, is an imitation of or resembles an official traffic sign or signal or which attempts to direct the movement of traffic or which hides from view any official traffic sign or signal.

(7) Portable signs

(8) Vehicle signs, if:

- a. The vehicle is not in operable condition;
- b. The sign is roof mounted and has more than two (2) faces or any face exceeds four square feet in area;
- c. The principle use of the vehicle at the time of the display is for display of the signs; or
- d. It is a commercial sign and the vehicle is not used in the normal course of business as a delivery vehicle for persons or goods.

(9) Roof signs

(10) Signs pertaining to an activity, business, product or service not conducted on the premises upon which the sign is located.

[Added by Ordinance 97-13, enacted May 5, 1997]

**14.330** [Repealed by Ordinance 97-13, enacted May 5, 1997]

**14.331** [Amended by Ordinance 6413, enacted January 3, 1983]

[Repealed by Ordinance 97-13, enacted May 5, 1997]

**14.332 Private Property (Permanent).**

(1) Signs shall be allowed on private property in the City in accordance with and only in accordance with, Table 1. If the letter "P" appears for a sign type in a column, such sign is allowed without prior permit approval in the zoning districts represented by that column. If the letter "S" appears for a sign type in a column, such sign is allowed only with prior permit approval in the zoning districts represented by that column. Special conditions may apply in some cases. If the letter "N" appears for a sign type in a column, such a sign is not allowed in the zoning districts represented by that column under any circumstances.

(2) Although permitted under the previous paragraph, a sign designated by an "S" or "P" in Table 1 shall be allowed only if:

- a. The size, location and number of signs on the lot conform with the requirements of Table 2, which establish permitted sign dimensions by sign type and with any additional limitations listed in Table 1; and
- b. The characteristics of the sign conform with the limitations of Table 3, Permitted Sign Characteristics and with any additional limitations on characteristics in Table 1.

[Added by Ordinance 97-13, enacted May 5, 1997]

**14.335** [Amended by Ordinance 6413, enacted January 3, 1983]

[Repealed by Ordinance 97-13, enacted May 5, 1997]

**14.336 Private Property (Temporary).** Temporary signs on private property shall be allowed only upon the issuance of a Temporary Sign Permit, which shall be subject to the following requirements:

(1) Term. A temporary sign permit shall allow the use of a temporary sign for a specified 30 day period.

(2) Number. Only one temporary sign permit shall be issued to the same business license holder on the same lot in any calendar year.

(3) Other Conditions. A temporary sign shall be allowed only in districts with a letter "S" for "Temporary Signs" on Table 1 and subject to all of the requirements for temporary signs as noted therein.

[Added by Ordinance 97-13, enacted May 5, 1997]

**14.340 Public Right of Way (Permanent).** No signs shall be allowed in the public right of way, except for the following:

1. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information and direct or regulate pedestrian or vehicular traffic;
2. Bus stop signs erected by a public transit company;
3. Information signs for a public utility regarding its poles, lines, pipes or facilities; and
4. Awning, projecting and suspended signs projecting over a public right of way in conformity with the conditions of Table 1 of this act.
5. Other Signs Forfeited. Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the City shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

[Amended by Ordinance 6413, enacted January 3, 1983]

[Amended by Ordinance 6545, enacted November 16, 1987]

[Repealed by Ordinance 97-13, enacted May 5, 1997]

[Added by Ordinance 97-13, enacted May 5, 1997]

**14.344 Public Right of Way (Temporary).** Permits for temporary private signs in the public right of way shall be issued in accordance with the following conditions:

(1) Term and Number of Permits. The term of such a permit shall be 60 days. No more than one permit for temporary signs shall be issued to any applicant in any calendar year.

(2) Number of Signs. No more than 10 signs may be erected under one permit.

(3) Emergency Signs. Emergency warning signs erected by a governmental agency, a public utility company or a contractor doing authorized or permitted work within the public right of way.

[Added by Ordinance 97-13, enacted May 5, 1997]

**14.345** [Amended by Ordinance 6413, enacted January 3, 1983]

[Repealed by Ordinance 97-13, enacted May 5, 1997]

**14.348 Computations.** The following principles shall control the computation of sign area and sign height.

(1) Computation of Area of Individual Signs. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material of color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. The area of the support structure of a freestanding sign is counted in the total area of the sign to the extent that the support structure exceeds the minimum required for support of the sign. But, if the sign is less than eight (8) feet in height, a plain pedestal for a freestanding sign shall not be counted in the total area of the sign.

(2) Computation of Area of Multifaced Signs. The sign area of a sign with more than one face shall be computed by adding together the area of all wall sign faces placed back to back, so that both faces cannot be viewed from any point at the same time and when such sign faces are part of the same structure and are not more than 42 inches apart, the sign area shall be computed by the measurement of one of the faces.

(3) Computation of Height. The height of a sign shall be computed as the vertical distance from the elevation of the nearest sidewalk or if there is no sidewalk within twenty five (25) feet, from the lowest point of the finished grade on the lot upon which the sign is located and within twenty five (25) feet of the sign, to the uppermost point on the sign or sign structure, whichever is higher.

(4) Computation of Maximum Total Permitted Sign Area for a Lot. The permitted sum of the area of all individual signs on a lot shall be computed by applying the formulas contained in Table 2, Number, Dimensions and Location of Individual Signs by Zoning District.

### KEY TO TABLES 1 THROUGH 3

**SF** - Single Family Residential **GC** General Commercial

**MD** - Medium Density Residential **LI** Light Industrial

**A** - Apartment Residential **I** Industrial

**DB** - Downtown Business **NC** Neighborhood Commercial

**PUB** - Institutional Uses Permitted in Residential Zones (includes Public Facility Zone)

**TABLE 1  
PERMITTED SIGNS BY TYPE AND ZONING DISTRICT**

P=allowed without sign permit                      S=allowed only with sign permit                      N=not allowed

**Sign Type:**

<b>Zoning</b>	<b>SF</b>	<b>MD</b>	<b>A</b>	<b>NC</b>	<b>PUB<sup>1</sup></b>	<b>GC</b>	<b>LI</b>	<b>I</b>	<b>DB<sup>2</sup></b>
<b>Freestanding</b>									
Residential	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	N	N	N	N	N	N
Other	N	S <sup>3</sup>	S <sup>3</sup>	S	S	S	S	S	S
Incidental <sup>4</sup>	N	N	P <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>	P	P	P	P
<b>Building</b>									
Banner	N	N	N	S	N	S	S	S	S
Building Marker	P	P	P	P	P	P	P	P	P
Canopy	N	N	N	S	N	S	S	S	S
Identification <sup>6</sup>	P	P	P	P	P	P	P	P	P
Incidental <sup>4</sup>	N	N	P <sup>6</sup>	P <sup>6</sup>	P	P	P	P	P
Marquee <sup>7</sup>	N	N	N	N	N	S	N	N	S
Projecting <sup>7</sup>	N	N	N	S	N	S	S	S	S
Residential <sup>3</sup>	P	P	P	N	N	N	N	N	N
Roof	N	N	N	N	N	N	N	N	S
Roof, Integral	N	N	N	N	N	S	N	N	S
Suspended <sup>7</sup>	N	N	N	N	P	N	N	N	P
Temporary <sup>8</sup>	N	N	N	S	N	S	N	N	N
Wall	S <sup>9</sup>	S <sup>9</sup>	S <sup>9</sup>	S	P	S	S	S	S

Miscellaneous

<sup>1</sup> This column does not represent a zoning district. It applies to institutional uses permitted under the zoning ordinance in residential and public facility zones. Such use may include, but are not necessarily limited to, churches, schools, funeral homes and cemeteries.

<sup>2</sup> Must comply with Downtown Business Zone Design Review Standards and be reviewed by the Downtown Design Review Committee.

<sup>3</sup> No commercial message allowed on sign.

<sup>4</sup> No commercial message of any kind allowed on sign if such message is legible from any location off the lot on which the sign is located.

<sup>5</sup> May include only building name, date of construction or historical data on historic site, must be cut or etched into masonry, bronze or similar material.

<sup>6</sup> Only address and name of occupant allowed.

<sup>7</sup> If such a sign is suspended or projects above the public right of way, the issuance and continuation of a sign permit shall be conditioned on the sign owner obtaining a right-of-way encroachment permit and maintain in force liability insurance for such sign in such form and such amount as the Director may reasonably from time to time determine, provided that the amount of such liability insurance shall be at least \$500,000 per occurrence per sign. Signs projecting over State Highway right-of-way are subject to the permitting requirements of Oregon Department of Transportation.

<sup>8</sup> The conditions of Sections 14.344 and 14.352 apply.

<sup>9</sup> Wall signs in residential zones shall be restricted to locations with licensed Home Occupations and these signs shall not exceed four (4) square feet.

[Amended by Ordinance 00-09, enacted May 1, 2000]

**TABLE 2**

**NUMBER, DIMENSIONS AND LOCATION OF INDIVIDUAL SIGNS BY ZONING DISTRICT**

Individual signs shall not exceed the applicable maximum number dimensions or setbacks shown on this table

	SF	MD	A	NC	PUB <sup>1</sup>	GC	LI	I	DB <sup>2</sup>
Max area per sign face (sq. ft.)	6 <sup>8</sup>	6 <sup>8</sup>	6 <sup>8</sup>	32	32	80	80	80	40
Maximum Height (feet)	5 <sup>8</sup>	5 <sup>8</sup>	5 <sup>8</sup>	8	25	25	25	25	8
Setback for signs 8 feet or less in height	5	5	5	5	5	5	5	5	0
Setback for signs greater than 8 feet in height	n/a	n/a	n/a	n/a	25	25	25	25	n/a
Number Permitted per lot	1	1	n/a	n/a	1	n/a	n/a	n/a	n/a
1 per 175 feet of street frontage	n/a	n/a	1	1	n/a	1	1	1	1

**Building**

Area	2	2	2	n/a <sup>3</sup>	n/a <sup>3</sup>	n/a <sup>4</sup>	n/a <sup>4</sup>	n/a <sup>4</sup>	n/a <sup>4</sup>
Wall Area <sup>5</sup> (percent <sup>6</sup> )	n/a	n/a	n/a	10%	n/a	15%	5%	5%	5%
Projecting <sup>7</sup> (sq. feet pr face)	n/a	n/a	n/a	12	12	24	24	24	4

<sup>1</sup> This column does not represent a zoning district. It applies to institutional uses permitted under the zoning ordinance in public facility and residential zones. Such use may include, but are not necessarily limited to, churches, schools, funeral homes and cemeteries.

<sup>2</sup> Must comply with Downtown Business Zone Design Review Standards.

<sup>3</sup> Total building sign area permitted equals 1.25 square feet for each linear foot of total building frontage for the first 200 feet of frontage, plus ½ square foot for each additional linear foot of building frontage.

<sup>4</sup> Total building sign area permitted equals 2 square feet for each linear foot of total building frontage for the first 200 feet of frontage, plus ½ square foot for each additional linear foot of building frontage.

<sup>5</sup> This total area percentage shall include temporary signs.

<sup>6</sup> The percentage figure here shall mean the percentage of the area of the wall of which such sign is apart or to which each such sign is most nearly parallel.

<sup>7</sup> Maximum projection of any projecting sign shall not exceed four feet.

<sup>8</sup> Freestanding signs identifying the name of a neighborhood or subdivision in residential zones shall be permitted with a maximum of two signs: one per street frontage, 50 square feet per face and 7 feet in height. [Amended by Ordinance 00-09, enacted May 1, 2000]

**TABLE 3  
PERMITTED SIGN CHARACTERISTICS BY ZONING DISTRICT**

	P=allowed without sign permit			S=allowed only with sign permit			N=not allowed		
	SF	MD	A	NC	PUB <sup>1</sup>	GC	LI	I	DB <sup>2</sup>
Changeable Copy	N	N	N	S	P	S	N	N	N
Illumination, Internal <sup>3</sup>	N	N	N	S	P	S	S	S	S
Illumination, External <sup>3,4</sup>	N	N	P	S	P	S	S	S	S

<sup>1</sup> This column does not represent a zoning district. It applies to institutional uses permitted under the zoning ordinance in residential and public facility zones. Such use may include, but are not necessarily limited to churches, schools, funeral homes and cemeteries.

<sup>2</sup> Must comply with Downtown Business Zone Design Review Standards and be approved by the Downtown Design Review Commission.

<sup>3</sup> No direct or significant glare from the sign shall be cast onto any adjacent lot that is zoned and used for residential purposes.

<sup>4</sup> Shall not have exposed bulbs.

[Added by Ordinance 97-13, enacted May 5, 1997]

**14.350** [Repealed by Ordinance 97-13, enacted May 5, 1997]

**14.352 Design, Construction and Maintenance.** All signs shall be designed, constructed and maintained in accordance with the following standards:

- (1) All signs shall comply with applicable provisions of the Uniform Building Code and the County Electrical Code.
- (2) An electric sign shall be constructed of material defined as incombustible under the Uniform Building Code (UBC). An electric sign shall be rain tight, but service holes fitted with waterproof covers may be provided to each compartment of such sign. All electric signs installed or erected in the City shall bear the label of Underwriters Laboratories, Inc.
- (3) Except for banners, flags, temporary signs and window signs conforming in all respects with the requirements of this act, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building or another structure by direct attachment to rigid wall, frame or structure.
- (4) No person shall fail to maintain a sign on such person's premises, including signs exempt from the permit requirements, in good structural condition at all times. All signs, including all metal parts and supports thereof that are not galvanized or of rust resistant metals, shall be kept neatly painted. The City shall inspect and may order the painting, repair, alteration or removal of a sign that constitutes a hazard to safety, health or public welfare because of inadequate maintenance, dilapidation or obsolescence, under the procedures prescribed by Section 10.205.

[Added by Ordinance 97-13, enacted May 5, 1997]

#### **14.356 Historic Signs.**

(1) Historic Sign Inventory. The inventory of historically significant signs shall be designated by the Planning Commission.

(2) Criteria for designation of historic signs. All signs for which designation as a Historic Sign are requested shall be substantially in existence at the time of the application; shall be displayed in its original location or remain associated with the original business; and shall meet one of the following criteria:

- a. The sign is exemplary of technology, craftsmanship, uses historic sign materials or means of illumination and is not significantly altered from its original form. If the sign has been significantly altered, it must be restorable to its historic appearance.
- b. The sign is integrated into the architecture of the building and is exemplary of a historically significant architectural style.

(3) The owner of any sign may request that the sign be reviewed for significance in the Historic Sign Inventory upon written application to the Planning Commission. Applications shall include written findings addressing the review criteria for designations of historic signs, with current and historic photographs of the sign, if available.

- a. The Planning Commission shall refer all requests for inclusion to the Downtown Design Review Commission for its review and recommendation.
- b. The Planning Commission shall decide, based on the review criteria above and the recommendation of the Downtown Design Review Commission, whether to approve the request to include the sign on the inventory.
- c. Signs on the Historic Sign Inventory shall be exempt from all requirements of this sign act. Also, the sign area of the historic sign is exempted from the total allowable sign area, as defined in this Section, except as modified by Planning Commission conditions.
- d. The Planning Commission shall have the authority to impose conditions regulating area, maintenance, etc., on the signs included in the Historic Sign Inventory to further the purpose and intent of this act.
- e. Removal or demolition of a Historic Sign shall be evaluated through the sign permit process. The Downtown Design Review Commission shall review the sign permit request at its next regularly scheduled meeting and shall have the authority to delay issuance for 30 days from the date of the review meeting. Such delay shall allow the staff to discuss other options to remove and demolish with the applicant.
- f. Signs on the Historic Sign Inventory, which have been destroyed or damaged by fire or other acts of God to an extent greater than 50% of the sign's value, may be reconstructed in an historically accurate manner. Such reconstruction shall be authorized by the Planning Commission, only after the determination that the reconstruction will be an accurate duplication of the historic sign.

(4) Maintenance and Modification of Historic Signs.

- a. All parts of the historic sign, including but not limited to, neon tubes, incandescent lights and shields and sign faces shall be maintained in a functioning condition as originally designed. Replacement of the visible components with substitutes recreating the original appearance shall be permitted provided such replacement accurately reproduce the size, shape, color and finish of the original sign. Failure to maintain the sign in accordance with this section shall be grounds for review of the historic sign designation by the Planning Commission.
- b. Modifications of a historic sign may be allowed after review by the Planning Commission, only if such modifications do not substantially alter the historic style.

[Added by Ordinance 97-13, enacted May 5, 1997]

#### **14.360 Compliance.**

(1) Except as otherwise provided herein, the owner of any lot or other premises on which exists a sign that does not conform with the requirements of this act or for which there is no current and valid sign permit shall be obligated to remove such sign or in the case of a nonconforming sign, to bring it into conformity with the requirements of this act. Sign(s) made nonconforming by the adoption of this act may remain in place and be maintained for a period ending no later than May 5, 2012.

[Amended by Ordinance 00-09, enacted May 1, 2000]

(2) A legal nonconforming sign and nonconforming sign structure must be brought into compliance with this act or terminate and cease to exist when any one of the following conditions occur:

[Amended by Ordinance 00-09, enacted May 1, 2000]

- a. Whenever there is a change of tenant or vacation of the premises by a former tenant, except in cases where multiple tenants are displayed on a freestanding sign. In cases where the applicant can demonstrate exceptional or extraordinary financial hardship, the Director may waive this requirement;
- b. Whenever the sign is damaged more than fifty percent (50%) of its total replacement value or destroyed from any cause whatsoever;
- c. Whenever a lack of sign maintenance reduces the sign value to less than fifty percent (50%) of its total replacement value;
- d. When a business to which the sign pertains is expanded by greater than 10% of the existing gross floor area;
- e. Whenever a request is made for a permit to alter the structural support of the sign;
- f. Whenever there is a request for a building permit to make improvements to the face of the building on which the nonconforming sign is located excluding normal repair and maintenance efforts;
  - a. Any existing sign having value of one hundred dollars (\$100) or less shall be brought into conformance with this act or removed within sixty (60) days of the effective date of this act.

(3). Any existing sign which exceeds the maximum area or height limitations of this act by twenty percent (20%) or less shall be considered to be a conforming sign for purposes of this section and need not be removed or altered; but if such sign is replaced or renovated, it shall conform to all requirements of this action. Such sign is not exempt from the amortization provisions of this section.

[Added by Ordinance 97-13, enacted May 5, 1997]

[Amended by Ordinance 00-09, enacted May 1, 2000]

#### **14.364 Appeals and Variances.**

(1) Any aggrieved person who contests an interpretation of this act which causes denial of a permit or who believes a violation alleged in a notice of violation issued pursuant to 14.364 to be factually or legally incorrect, may appeal the denial or notice of violation to the Planning Commission in a manner provided by the Commission as a "Quasi Judicial Hearing" or may in the case of a denial, request that a variance be granted, in accordance with the Variance procedures in Sections 11.200-11.275. An appeal from a denial and a request for a variance may be filed as an alternative.

(2) The Planning Director or other authorized representative of the City Manager, may grant an administrative variance to the Sign Act. Requests for administrative variances which meet the following criteria may be considered for approval by the Planning Director or otherwise, the request shall be forwarded to the Planning Commission for its consideration:

- a. Relief is requested from height, setback or sign separation requirements;
- b. The exception requested may not exceed twenty percent (20%), the maximum standards for height;

c. The exception requested may not be reduced by more than twenty percent (20%) the minimum standard for setbacks or sign separation. All exceptions and requests will be evaluated in accordance with the criteria in Section 11.265.

(3) No person may appeal to or request a variance from the Planning Director or Planning Commission if the person has displayed, constructed, altered or relocated a sign without a sign permit as required by 14.316.

(4) The Planning Director and the Planning Commission has no jurisdiction to hear a request for nor authority to grant a variance that would increase the maximum permitted sign area on a single lot or building, the maximum area of a freestanding sign or from the prohibitions of Section 14.328. But the Commission has jurisdiction to hear an appeal of a permit denial or of a notice of violation alleging that a sign would exceed the maximum permitted sign area or is prohibited if the appellant's position is that the sign does not exceed such area or is not prohibited.

(5) The Planning Commission or Planning Director may make any variance it grants subject to any reasonable conditions that it deems necessary or desirable to make the device that is permitted by the variance compatible with the purpose of this act.

[Added by Ordinance 97-13, enacted May 5, 1997]

**14.368 Violations.** Any of the following shall be a violation of this act and shall be subject to the enforcement remedies and penalties by this act, by the zoning ordinance and by state law. Each sign installed, created, erected or maintained in violation of this act shall be considered a separate violation when applying the penalty portions of Section 10.210.

(1) To install, create, erect or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the lot on which the sign is located;

(2) To install, create, erect or maintain any sign requiring a permit without such a permit;

(3) To install, create, erect or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the lot on which sign is located;

(4) To fail to remove any sign that is installed, created, erected or maintained in violation of this act or for which the sign permit has lapsed; or

(5) To continue any such violation. Each such day of a continued violation shall be considered a separate violation when applying the penalty portions of this act.

[Added by Ordinance 97-13, enacted May 5, 1997]