



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

11/24/2010

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Rainier Plan Amendment
DLCD File Number 001-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, December 09, 2010

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

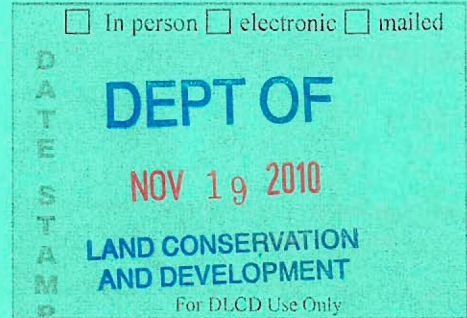
Cc: Don Mathison, City of Rainier
Gloria Gardiner, DLCD Urban Planning Specialist

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DLCD

Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: City of Rainier Local file number: SCU101310
 Date of Adoption: 11-17-2010 Date Mailed: 11-18-2010
 Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date: 8-26-2010
 Comprehensive Plan Text Amendment Comprehensive Plan Map Amendment
 Land Use Regulation Amendment Zoning Map Amendment
 New Land Use Regulation Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".
Zoning Code amendment revising current sign code standards Article 5, Section 5.13

Does the Adoption differ from proposal? Please select one Yes, the adoption differs from the proposal. No, the adoption does not differ from the proposal.

Plan Map Changed from: NA to: NA
 Zone Map Changed from: NA to: NA
 Location: NA Acres Involved: NA
 Specify Density: Previous: NA New: NA

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...
 45-days prior to first evidentiary hearing? Yes No
 If no, do the statewide planning goals apply? Yes No
 If no, did Emergency Circumstances require immediate adoption? Yes No

DLCD file No. 001-10 (18490) [16421]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

NA

Local Contact: Don Mathison, Planner Phone: (503) 556-7301 Extension:
Address: c/o City of Rainier, PO Box 100 Fax Number: 503 - 556 3200
City: Rainier Zip: 97048 E-mail Address: donaldm@kalama.com

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: webserver.lcd.state.or.us. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing mara.ulloa@state.or.us.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to mara.ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

City of Rainier

ORDINANCE NO. 1056

An Ordinance Amending the Rainier Sign Code (Article 5, Section 5.13, Rainier Zoning Code).

WHEREAS, the City of Rainier received a Planning Assistance Grant from the State of Oregon to fund Consultant Services relating to Planning within the City of Rainier; and

WHEREAS, the City Planning Commission undertook a six-month effort to review the Sign Code and identified and corrected inconsistencies and conflicts that hindered wise application of sign standards within the City; and

WHEREAS, the Amendments provided by this ordinance will enable the amended Code to provide an enhanced capability for existing and future businesses to effectively advertise products and services while simplifying administrative application of the code; and

WHEREAS, The Planning Commission held a duly advertised Public Hearing on October 13, 2010 and no public comments were made either orally or in writing; and

WHEREAS, the Planning Commission unanimously approved forwarding the Amendments to the City Council with a recommendation for approval;

NOW, THEREFORE, THE CITY OF RAINIER DOES ORDAIN AS FOLLOWS:

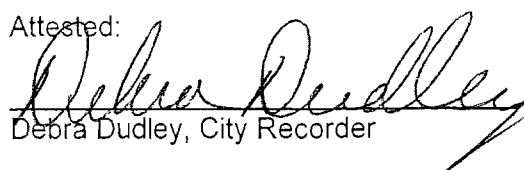
1. The above recitals are true and correct and are incorporated herein by this reference.
2. The City of Rainier Zoning Code, Article 5, Section 5.13 is hereby amended as described in Exhibits A through I (attached hereto).
3. In support of the above Amendment to the Rainier Zoning Code, the City Council hereby adopts the Staff Report dated September 30, 2010 for the Amendment.
4. The effective date of this Ordinance shall be 30 days after approval, in accordance with the City Charter and other applicable Laws.

SIGNED and APPROVED this 17th day of November, 2010.



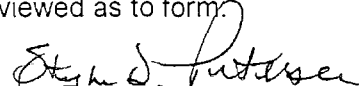
Jerry Cole, Mayor

Attested:



Debra Dudley, City Recorder

Reviewed as to form.



Stephen D. Petersen, City Attorney

3/19/2010

Sign Code Scope of Work

This process is designed to assist the Planning Commission Sub-Committee during the amendment of Article 5, Section 5.13 of the Rainier Municipal Code (signs). The purpose statement of Section 5.13 serves as our guide for this process. The statement reads:

"The purpose of these sign regulations is to encourage the effective use of signs as a means of communication in the City, to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth, to improve pedestrian and traffic safety, 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."

Steps for Sign Code Revision

1. Review of Definitions
 - a. Propose amendments/revisions
2. Evaluate existing sign code – Table 1
 - a. Determine deficiencies
 - b. Determine quality
 - c. Propose amendments/revisions
3. Evaluate CBD, Chapter 3.14 – Signs
 - a. Free-standing Monument Signs
 - b. Projecting and Awning Signs
 - c. Propose amendments/revisions
4. Review list of Prohibited Signs – "A thru K"
 - a. Propose amendments/revisions

5. Evaluate existing sign code – Tables 2A & 2B
 - a. Determine deficiencies
 - b. Determine quality
 - c. Propose amendments/revisions
6. Evaluate existing sign code – Table 3
 - a. Determine deficiencies
 - b. Determine quality
 - c. Propose amendments/revisions
7. Review and evaluate the following Sign Code Categories:
 - a. Design, Construction And Maintenance Standards
 - b. Sign Placement
 - c. Common Signage
 - d. Sign Permits/ Application and Approval Process
 - e. Illegal Signs
 - f. Nonconforming Signs
 - g. Extension of The Amortization Period
 - h. Sign Variances
 - i. Sign Ordinance Violations, Enforcement And Remedies
8. Seek Chamber of Commerce, Rainer Economic Development Council (REDCO) & Columbia County Building Department comments
9. Formulate draft of revised sign code for submittal to the Planning Commission
10. Hold a Public Hearing
 - a. Forward recommendation to the City Council
11. City Council adopts the amended Sign Code.

SIGN CODE PROBLEM STATEMENT

Exhibit "B"

During the last three years the business community in the City of Rainier, Oregon has been frustrated with the effort of encouraging existing business to upgrade while encouraging new business to locate within the City. The main obstacle identified by those businesses contacted was the Sign Code. Signs reflect the character of a city's business community. The sign code controls the type and placement of signs. It must be kept current with the changing of times and business environments as well as protecting the desired character of the city.

The main issues with the existing Sign Code are:

- **The Sign Code is not current with today's business environment.** The City of Rainier is located directly across the Columbia River from the large urban city of Longview, Washington. These larger cities drain customers from the smaller surrounding communities. This makes opening a local business in a small size community risky in the best of times. Today every city, large and small, is facing economic hardship. Businesses in the smaller size communities need to be able to advertize their products through proper signage without having the local ordinances causing delays and confusion. The current City of Rainier's Sign Code does not reflect this need. An update of the code is necessary to address this issue.
- **Sign Code is too complex.** The average business person wanting to place a sign on their building cannot determine through the reading of the existing code if it can be done.
- **The Sign Permit Application Form is too daunting.** The form causes many business owners to simply forget any expansion ideas that would require additional signage.
- **Sign Code is too restrictive.** Many of the current sign code restrictions (especially within the CBD) simply stop any new businesses from locating within the city's Central Business District and prevents' any existing business from updating old signs or adding any new signs.
- **Sign Code has conflicting or confusing portions.** There are sections within the zoning code that leave the reader guessing as to the dominant regulation. For example Article 3, Section 3.14 Central Business District (CBD) prohibits pole signs within the CBD, and states that this section is to be used in conjunction with Table 1. However, Table 1 was silent regarding the placement or upgrading of pole signs.
- **Table 1 – Permissible Signs – is repetitive.** Table 1 has five columns where three would work.
- **Table 1 is not in concert with Article 3, Base Zones.** Table 1, has headings such as Downtown Commercial and Highway 30 Frontage. The problem with these designations is that there are no zones so designated. Table 1 needs to be re-designed to fit within the adopted zoning districts set forth in the City's Zoning Code.

Zoning Code –Article 3, Section 3.14 Central Business District

The following standards for placement of signs in within the Central Business District are recommended for removal as these standards are now placed in Tables #1 and 2b.

~~In the CBD zone free standing monument signs wall signs, window signs, awnings or canopy signs and projecting signs attached to the building are permitted. Free standing signs, roof signs, backlit signs, flashing signs, electronic message centers, bench signs and plastic face signs are not permitted in the CBD Zone. The provisions of this section are to be used in conjunction with provisions of Section 5.13. (Section 5.13 includes Table 1, above).~~

~~A. — **Free Standing monument signs.** The sign base shall be set directly on a foundation at finished grade level, anchored to the ground. Base/foundation materials shall be constructed of stone, aggregate or brick. No plastic synthetic materials are allowed. Maximum sign area shall be 32 square feet, and maximum height *of base above grade* shall be 4 feet above grade. One sign is permitted per street frontage, but no more than two signs are permitted with a total of 64 square feet. The size of lettering shall be limited to 12 inches in height. Signs shall be limited to external illumination to include conventional lighting and neon, if neon is applied to the sign plane area. Internally illuminated signs are prohibited.~~

~~B. — **Projecting and Awning Signs.** Materials shall be limited to wood, metal, awning canvas (or comparable quality) or glass. The vertical dimension of the sign shall not exceed *the eye line of the building* 4 feet. Size of lettering shall be limited to a maximum of 12 inches in height. *Maximum allowable square footage shall be 32 square feet.* Signs shall be limited to external illumination to include conventional lighting and neon, if neon is applied to sign plane area. Internally illuminated signs are prohibited. Projecting signs and awnings shall not exceed a distance of four feet from the façade of the building to which the sign is attached. Projecting and awning signs shall have a minimum clearance of 7.0 feet above finished grade.~~

8.10.10

TABLE 1: PERMISSIBLE SIGNS BY TYPE AND DISTRICT

Sign Type:	Central Bus. District (CBD) General Commercial (C2) Light & Heavy Industrial (M1/M2) Waterfront Comm. & Waterfront Mixed Use Commercial (WC/WM) Institutional & Public Service Properties: CBD/C2/M1/M2	Neighborhood Commercial C1	Residential Districts:			
			SR	R1	R2	R3
FREE STANDING Permanent						
Monument	P	P	N	N	N	P
Pole	P	N	N	N	N	N
Integral	P	P	N	N	N	N
Mounted	P	P	N	N	N	N
WALL-Permanent						
Awning/Canopy	P	P	N	N	N	P
Mounted	P	P	N	N	N	P
Painted	P	P	N	N	N	P
Projecting/suspended	P	P	N	N	N	P
ROOF	P	N	N	N	N	N
Miscellaneous - Permanent						
Billboard	N	N	N	N	N	N
Directional	Y	Y	Y	Y	Y	Y
Flag	Y	Y	Y	Y	Y	Y
Home Occupation	P	P	Y	Y	Y	Y

Identification	Y	Y	Y	Y	Y	Y
Marker	Y	Y	Y	Y	Y	Y
Murals/Graphics	P	P	N	N	N	N
Pennant	N	N	N	N	N	N
Window/Door	Y	Y	N	N	N	P
<i>Off-premise</i>	P	N	N	N	N	N
Table 1, Continued	CBD/C2/M1/M2/WC /WM Zones	Neighborhood Commercial C1	SR	R1	R2	R3
ALL TYPES – Temporary						
Balloon	P	P	N	N	N	N
Banner	Y	P	N	N	N	P
Lawn	Y	Y	Y	Y	Y	Y
Pennant	Y	Y	N	N	N	Y
Portable	Y	P	N	N	N	N
Sales/Lease/Rent	Y	Y	Y	Y	Y	Y
Snipe	N	N	N	N	N	N
Special Event	<i>y/P*</i>	P	N	N	N	P

KEY:

Y= Allowed without permit; must meet other criteria (see Table 2b).

P= Allowed with permit; must meet other criteria

P* = See Table #4

N= Not Allowed

988 Sign Code DM06-10

8.10.10

Table 2A: Sign Code Placement Standards – Residential/Institutional

Sign Location (1)	High Density Residential (R-3)	Institutional
Sign Type:		
A. Freestanding		
Maximum number of signs:	<i>Total number of signs cannot exceed maximum allowed square footage.</i>	
Maximum SF per sign for:		
Single Use or Tenant (4)	32 SF per Face	
Shared Sign (two (2) or more Tenants) (4)	35 SF per face	
Directory or business complex	Max. of 40% of sign face for complex ID + 5 SF per tenant to a maximum of 40 SF per face	
Maximum Sign Height	Four (4) Feet	
Minimum Frontage Setback	<i>Signs are not allowed within the public right-of-way and must conform to the clear vision setback standards.</i>	
B. Roof	<i>Not allowed</i>	<i>Not allowed</i>
C. WALL		
Maximum Number of Signs	<i>Total number of signs cannot exceed maximum allowed square footage.</i>	
Maximum SF of wall signs per frontage for:		
Single use tenant	Ten (10) per cent of wall SF, up to 30 SF	
Shared sign(2 or more tenants)	Ten (10) per cent of wall SF, up to 35 SF	
Directory or business complex (5)	Maximum of 40 SF per sign face	
Maximum sign height	Not to exceed eve line	
Projecting sign vertical clearance	All signs must provide a minimum of eight (8) feet above sidewalks to the bottom of the sign and fifteen feet to the bottom of the sign above driveways	
D. Off-Premise	<i>Not allowed</i>	

Key: SF= Square feet; LF=Linear feet; Ft = Feet

Signs that do not require a permit are not subject to the standards of Table 2a & 2b.

Premises which front on two or more streets are allowed sign area for each street frontage; however the total sign area for any one street frontage may not exceed the allocation that is derived from the premise, building or wall area frontage on that street. Sign area cannot be "borrowed" from one street frontage to increase the allowable area on a second frontage.

Table 2B- Rainier Sign Code Placement Standards 2010

Table 2B – Commercial & Industrial Districts	Zone Designation: Commercial/Industrial	Zone Designation: Neighborhood Commercial
Sign Type:	CBD/C2/WM/M1/M2	C1
Freestanding:		
Maximum number of signs	<i>Total number of signs cannot exceed maximum allowed SF</i>	
Maximum SF per sign:		
Single Use Tenant	1.0 SF of sign face, per LF of street frontage, up to 100 SF per sign face.	0.5 SF of sign face per LF of street frontage, up to 50 SF per sign face.
Shared Tenants	1.15 SF of sign face, per LF of street frontage, up to 110 SF per sign face.	N/A
Directory or Business Complex	Max. of 50% of sign face for complex ID. Maximum of 1.25 sq. ft. per sign face per LF of street frontage, up to 125 sq. ft. per sign face.	Max. of 50 per cent of sign face for Business ID.
Maximum Sign Height	30 ft.	Not to exceed eaves line
Minimum Vertical Clearance	Minimum of eight feet (8) above sidewalks and fifteen feet (15) above driveways.	Maximum of eight feet (8) above sidewalks and fifteen feet (15) above driveways.
Minimum Frontage Setbacks	<i>Signs are not allowed within the public right-of- way. All sign placements must conform to the Clear Vision Standards set forth in the Public Works Design Standards.</i>	<i>Signs are not allowed within the public right-of- way. All sign placements must conform to the Clear Vision Standards set forth in the Public Works Design Standards.</i>

Table 2B- Rainier Sign Code Placement Standards 2010

Roof:		
Maximum number of signs	<i>Total number of signs cannot exceed maximum allowed SF</i>	
Maximum SF per sign	15% of wall SF, up to 100 SF per face.	7.5% of Wall SF, up to 50 SF per face.
Maximum Sign Height	Not to exceed 3FT above the highest point of roof line.	
Wall:		
Maximum number of signs	<i>Total number of signs cannot exceed maximum allowed SF</i>	
Maximum SF of signs per street frontage:		
Single use or single tenant	20% of wall SF, up to 120 SF (plus 20% for walls fronting on HWY 30).	10% of wall SF, up to 60 SF
Shared sign face (2 or more Tenants)	18% of wall SF, up to 120 SF, (plus 20% for walls facing HWY 30).	N/A
Directory or Business Complex	Max. 125 SF per sign face	
Maximum Sign Height	Not to exceed eves line	
Projecting/Suspended signs	Bottom of sign must be eight (8) feet above sidewalks and fifteen (15) feet above driveways	
Maximum SF of sign area on all faces, per street frontage per premise.	300 square feet total	150 square feet total.
Off-Premise:		
Maximum number of signs	<i>Advertiser allowed only one (1) off-premise sign. Property owner allowed only one (1) off-premise sign per location.</i>	
Maximum SF per sign	Twelve (12) SF per sign	
Sign Design Limitations	<i>All of-premise signs must be non-illuminated</i>	
Portable:		
Maximum number of signs	One (1) sign per business	
Maximum size of sign	Thirty inches (30") in width by Forty inches (40") in height (30"w X 40"h)	
Sign Placement Requirements	<i>All portable signs must be placed in accordance with ADA standards as set forth in the Sign Placement Standards Section of this code</i>	

Table 2B- Rainier Sign Code Placement Standards 2010

KEY: SF =Square Feet LF = Linear Feet FT = Feet

Premises which front on two or more streets are allowed sign area for each street frontage, however, the total sign area for any one street may not exceed the allocation that is derived from the premises, building, or wall area frontage on that street. Sign area cannot be "borrowed" from one street frontage to increase the allowable area on a second frontage. *Only one (1) portable sign is allowed for such premises.*

8.3.2010

TABLE 3:

SIGNS ON OR VISIBLE TO STATE HIGHWAY 30
1993 Motorist Information Act, ORS 377.700 thru 377.992

ON-PREMISE SIGNS

Commercial Advertisement	Must advertise: 1) goods, products or services which are sold, manufactured or distributed on or from the premises; or 2) a facility that is located on the premises.
Governmental Unit Signs	For official public purposes; maximum 200 SF on a single panel (no fragmented signs); maximum two (2) signs for each governmental unit.
Memorial Signs or Tablets	To note a site of importance; maximum 10-feet high by 15-feet long; maximum of one (1) sign per site.
Property for Sale Signs	Maximum of 10-feet high by 15' long; maximum one (1) sign visible to each direction of travel; must be removed on completion of sale.
Residential Directional Signs	To indicate the location of a residence, farm or ranch, but not to indicate a professional, commercial or business activity at that residence, farm or ranch; maximum 2-feet high by 4-feet long; maximum one (1) sign per residence.
Temporary Agricultural Directional Signs	To advertise products harvested/produced on premises; maximum 4-feet high by 8-feet long on a single panel (no fragmented signs); maximum two (2) signs in any one direction; signs must be removed on completion of sale.

OFF-PREMISE SIGNS

Billboards	On private property; maximum 14-feet by 48-feet; must have been on location in a commercial or industrial zone and under State permit on June 12, 1975; no new permits are issued by the State.
Business Identification Signs	On private property; to advertise the name of and direction to a single business not visible to but located within three (3) road miles of Highway 30; 16 SF; must be under City and State permit.
Church and Civic Organization Signs	On private property; erected and maintained by the City; place and time of church services and civic meetings; maximum 8-feet high by 4-feet long with 6-inch by 4-foot panels; maximum of two (2) signs from any one direction.
Church Directional Signs	On private property; must be located within one (1) mile of the church or nearest point where travelers must leave the highway for access to the church; maximum 6 SF; one (1) sign visible in each direction.
Expo, Fair and Rodeo Signs	On private property or public property; maximum 10-feet high by 15-feet long on a single panel (no fragmented signs); maximum two (2) signs from any one direction; may be displayed a maximum of six (6) weeks; must be removed 24 hours after event.
Public Convenience Signs	For the direction, instruction or convenience of the public; maximum 4 SF.
Temporary Civic Signs	On private property; maximum 4-feet high by 8-feet long; maximum one (1) sign from each direction of travel for any one activity; posted for a maximum of two weeks; must be removed 24 hours after the event.

Temporary Political Signs

On private property; maximum 32 SF on a single panel (no fragmented signs); must be removed within 30 days after the election.

TABLE 4: TEMPORARY/SPECIAL EVENT SIGNS

Sign Type	A	B
Description	Short Term- Special Event	Long-Term - --Special Event
Placement Time Limit	Seven (7) Calendar Days	Sixty (60) Calendar Days
Sign Removal Duration	Fourteen (14) Calendar Days	Ninety (90) Calendar Days
Sign Placement Permit Requirement	If larger than 32 Square feet or higher than six (6) feet	
Zoning Approval Requirement	No	No
Within Right-of-Way	Requires City Council Action	

8.11.10

SECTION 5.13 SIGNS – REVISED.

GENERAL PROVISIONS

Effective Date of This Ordinance. The effective date of this Ordinance is the date of adoption, unless otherwise specifically stated in an ordinance revision.

Purpose. The purpose of these sign regulations is to encourage the effective use of signs as a means of communication in the City, to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth, to improve pedestrian and traffic safety, 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. This Ordinance is adopted under the zoning authority of the City in furtherance of the more general purposes set forth in the Zoning Ordinance.

Scope. This Ordinance regulates signs within Rainier City limits which can be viewed from any public right-of-way by prescribing standards and restrictions for such signs. It provides for administration, requires permits and prescribes fees therefore, and provides for enforcement and remedies.

The signage covered within these regulations includes, but is not limited to all industrial and commercial signs and wall graphics, all professional and business signs, all home business and home occupation signs, portable signs and other temporary signage, and any other signage that is intended to advertise or otherwise convey a commercial message.

Adoption Of Uniform Sign Code. There is hereby adopted by reference, the Uniform Sign Code, published by the International Conference of Building Officials, which provides for minimum standards to safeguard life, health, property and public welfare by regulating and controlling the quality of materials, construction, locations, electrification, and maintenance of all signs and sign structures not located within a building.

DEFINITIONS

The following definitions are to be used in interpreting the requirements of Section 5.13. Words and phrases not defined in this section but defined elsewhere in the Zoning Ordinance are to be given the meanings set forth in those sections of the Ordinance. Other words and phrases defined in this section may hold special meaning when referring to signage, and may differ slightly from definitions found elsewhere within the Zoning Ordinance. Where different and when applied to signage, the definitions set forth in Section 5.13 take precedence over definitions found elsewhere in the Zoning Ordinance.

animated Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

awning/canopy Any sign that is part of or attached to a fabric or plastic awning, canopy or other structural protective cover over a door, entrance, window, or outdoor service area. Awnings may not project more than six (6) feet or two thirds of the distance from the face of the building to the roadway, whichever is less, and awnings may not extend to within two (2) feet of any roadway.

balloon An inflated object, generally helium-filled and tethered, which may or may not bear a commercial message or logo and which may or may not be shaped or colored to represent the logo or character of an advertiser, but which is more than three (3) feet in circumference at the smallest point.

banner A sign which is normally constructed of cloth, canvas, plastic, or similar material, and which does not have a rigid frame, the intent of which is for advertisement and not for decoration.

beacon A light with one or more beams, whether stable or rotating, directed into the atmosphere or directed at one or more points not on the same premises as the light source, used for the purpose of conveying a commercial message.

billboard An off-premise sign, regardless of size, which is visible to a state highway and is, therefore, regulated by the State of Oregon Motorist Information Act and Administrative Rules and Regulations. State law prohibited the issuance of permits for new off-premise (billboard) signs in 1975.

business identification, State defined "B.ID." An off-premise sign intended to direct the public toward a single business that is not visible from a state highway. Business identification signs require a State-issued permit and are limited to the name of a single business and the distance or direction to that business only. The sign must be located within three (3) road miles of the business, cannot be located adjacent to an interstate or fully controlled access highway, and may not exceed sixteen (16) square feet on each side with no one panel dimension exceeding six (6) feet. (ORS 377.726 and OAR 734-60-005) City approval of the sign is required prior to application for a State business identification sign permit.

Changeable copy A sign or portion of sign with letters, characters or illustrations that can be manually changed or rearranged without altering the face or the surface of the sign, such as pricing signs at gas stations.

Commercial message Any sign wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

Directional A sign which is designed and erected solely for the purpose of traffic or pedestrian direction and which is placed on the property to which or on which the public is directed.

Electronic message center A sign on which information such as the time, date and temperature changes automatically, or on which on-premise activities or advertisements are changed at intermittent intervals by electronic process or remote control.

Flag Any fabric, banner or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision or other entity.

Freestanding Any sign supported by structures or supports that are placed on or anchored in the ground and that are not attached to or forming part of a building.

Home occupation A single, unlighted sign, not to exceed six (6) square feet per side, which is mounted at the doorway of the home or hangs from the home's eaves, porch or mailbox, and which is limited to the business name, address and number.

Identification A single, unlighted sign, not to exceed two (2) square feet, which is mounted at the doorway of the building and is limited to the name, address and number of the building, institution or person, and to the activity carried on in the building or institution, or the occupancy of the person. (Separate from a "business identification sign," as defined by the State of Oregon.)

Illegal Any sign for which: 1) there is no valid permit (where required); 2) the permit has expired and has not been renewed; 3) the permit has been revoked by the City; 4) the sign is in violation of the provisions of this Ordinance; or 5) where the business activity on the premises is discontinued for a period of ninety (90) days or more.

Incidental A single sign, not to exceed six (6) square feet, that is generally informational and that has a purpose secondary to the use of the premises on which it is located, such as "no parking," "entrance," "loading only," "telephone," and other similar directives.

Institution/Institutional: *A building occupied by an organization devoted to the promotion of a public cause. A place for the care or confinement of people.*

Lawn A single, unlighted, freestanding sign not to exceed eight (8) square feet on one side, displayed for purposes such as privately endorsed political, social or religious statements or other noncommercial messages, which is placed on private property with the express consent of the property owner and which is of a temporary nature.

Marker A single, unlighted sign, not to exceed four (4) square feet per face (two faces may round a corner), indicating the name of a building and date or other incidental information about its construction, generally cut into the masonry surface of the building or made of bronze or other permanent materials.

Measurable area The area within the outer boundaries of standard geometrical shapes (primarily squares, rectangles and circles) containing and defined by the extreme reaches of informational or graphic parts of the sign.

Monument A sign and supporting structure that has similar top and bottom dimensions and is attached to the ground or to its base on grade by a solid structure to give the appearance of a continuous mass, separated from any buildings or structures.

Mounted A sign that is affixed flush with a structural wall or other building surface.

Murals/graphics Flat images painted or tiled directly on the wall of a building or other structural surface for the purpose of decoration or art.

Noncommercial Bearing no form of commercial message.

Nonconforming A sign which was erected legally, but was erected prior to the effective date of this Ordinance, or at a later date, prior to the premises being annexed to the City, and which was constructed in accordance with the applicable laws in effect at the time of its construction, but which by reason of its size, height, location, design or construction is not in conformance with the requirements of this Ordinance.

Off-premise A sign that advertises goods, products, services or facilities, or the direction to any commercial entity, product, or person, not available at the location of the sign.

On-premise A sign that is located on some portion of the property actually occupied or used by the activity advertised on the sign (i.e., on the buildings, parking areas, storage areas and landscaped areas used for the activity); includes signs or sign devices indicating the business transacted, services rendered, goods sold or produced on the premises, name of the business, name of the person, firm, or corporation occupying the premises.

Painted A sign that is painted directly on and flush with a structural wall or other building surface.

Pennant Any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series, designed to move in the wind.

Permanent Set on a foundation, sunk into the ground, fastened or painted in a manner of permanence.

Pole A freestanding sign that is supported by one or more poles and is otherwise separated from the building and the ground by air.

Portable Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to: signs designed to be transported by means of wheels; signs converted to A- or T-Frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal, everyday operations of the business.

Projecting or suspended Any sign affixed to a building overhang or wall in such a manner that its leading edge extends more than six (6) inches beyond the surface of the building or wall. Signage may not project more than five (5) feet or two thirds of the distance from the face of the building to the roadway, whichever is less, and signs may not extend to within two (2) feet of any roadway. Signs extending over sidewalks, walkways or other spaces accessible to pedestrians must provide at least eight (8) feet of clearance above the grade. Signs extending over driveways must provide at least fifteen (15) feet of clearance above the grade.

Premises A: 1) legal lot; 2) combination of contiguous legal lots under one ownership; or 3) group of legal lots with common access, parking and signage. If more than one definition applies to a group of lots, the choice of which definition applies shall be that of the owners(s) of the lots or the applicant representing the owner(s). Only one definition may be applied at one time to a group of lots.

Principal structure The structure or building where the principal use of the premises is conducted. While a premises may have multiple principal uses and multiple principal structures (such as in a business park or complex), storage buildings, garages and other clearly accessory buildings are not considered to be principal structures.

Roof, integral Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches. A sign on a mansard roof is not a roof sign but is a wall sign if no more than an (18) feet projection.

Roof, mounted Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

Sale/lease/rent A sign which temporarily advertises the sale, lease or rent of property or possessions, and which is located on the premises where the property or possession is available. Sale/lease/rent signs may not exceed the maximum square footage allowed for other types of signs for the premises.

Sign Any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

Snipe A notice or advertisement posted on public property, such as telephone poles, trees and fences, or on private property, without the express consent of the property owner.

Special event A sign which announces or advertises an event or occurrence that will take place at and for a specified time, including: 1) a fair, expo, or rodeo; 2) a civic event; or 3) a commercial event.

Street frontage The distance, in linear feet, of the lot line or lines which abut the street or streets along which the main entrances to the primary structure of the premises are located. In determining allowable signage, the street frontage(s) most visible to the public will be used.

Temporary Any sign which is not permanently mounted, installed or affixed to any sign structure or building, and is not displayed for longer than ninety (90) days. In cases of construction project signs, they may be maintained for the duration of construction. In cases of sale/lease/rent signs, they may be maintained until the transaction is complete.

Wall Any sign attached parallel to, but within six (6) inches of, a wall, including a sign that is painted on the wall surface, and which is erected and confined within the limits of an outside wall of any building or structure.

Window/door Any sign, picture, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window. Includes both permanent (paint or decal) and removable (paper) signage.

EXEMPT SIGNS

The following types of signs are exempt from regulation under this Ordinance when calculating total square footage and total number of signs per premises. The terms under which exempt signs may be placed are set forth under Section 5.13, Definitions:

- A. Signs that are clearly directional, flag, identification, incidental, lawn, marker, or sale/lease/rent signs;
- B. Signs temporarily placed inside the window or door of a commercial or industrial building to display pricing or products;
- C. Any sign inside a building, not attached to a window or door, not legible from a distance of three (3) feet beyond the public right-of-way nearest the premises on which it is located;

- D. ~~Temporary balloons (of less than three (3) feet in circumference), streamers or pennants;~~
- E. Temporary holiday lights and other types of decorations bearing no commercial message;
- F. Any sign, public notice or warning required by a valid and applicable federal, state or local law, regulation or Ordinance, including that portion of a sign which conveys gas station pricing and lottery signs;
- G. Traffic control signs on private property, the face of which meet ODOT standards and which contain no commercial message of any sort.

PROHIBITED SIGNS

All signs not expressly permitted or listed as exempt under this Ordinance are prohibited within City limits. The following types of signs are prohibited at all times, with words and terms interpreted as set forth under Section 5.13, Definitions:

- A. Beacons, strobe lights or reflectors;
- B. External strings of lights not intended for temporary decoration;
- C. ~~Strings of pennants, streamers or balloons not intended for temporary decoration;~~
- D. ~~Off premise signs, except for billboard and business identification signs which bear valid State and City sign permits;~~
- E. Flashing or moving signs, except for electronic message centers;
- F. Signs that emit any audible sound, odor or visible matter;
- G. Snipe signs;
- H. Signs that obstruct free and clear vision of pedestrian or auto travel;
- I. Signs that block other signs or premises;
- J. Signs containing statements, words, pictures or symbols of an obscene or offensive nature, or which depict or advertise illegal activities;
- K. Signs which do not conform with all of the provisions of this Ordinance.

PERMISSIBLE SIGNS

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 Ordinance. Permissible signs are detailed on the following tables:

Permissible Signs by Type and District (Table 1). Table 1 presents an overview of permanent and temporary signs allowed within City limits. Information is provided according to sign type and to the district in which the premises is located.

Number, Size and Location of Permanent Signs by Type and District (Tables 2A - 2B). Tables 2A and 2B outline the requirements for the number of permanent signs allowed per site, sign size and height restrictions, and sign placement restrictions. Information is provided according to sign type and to the district in which the premises is located.

- A. Table 2A sets forth sign standards for Residential (R-3) and all Institutional properties.
- B. Table 2B sets forth sign standards for all Commercial and Industrial properties.

Signs on or Visible to State Highway 30 (Table 3). Signs which are located on or visible to travelers on State Highway 30 are subject to the regulations and permit requirements of the Oregon Department of Transportation (ODOT). Where the regulations of the State and City differ, the more restrictive regulations shall apply. State Highway 30 standards and restrictions are set forth in the 1993 Motorist Information Act, ORS 377.700-377.992, and are summarized in Table 3.

SIGN DESIGN, CONSTRUCTION AND MAINTENANCE STANDARDS

All signs are to be designed, constructed and maintained in accordance with the provisions of this Ordinance and with the applicable provisions of the Uniform Building Code and the City's building and electrical codes.

Design Review. Signs requiring a permit will be subject to Design Review when the construction or erection of the sign is associated with new multifamily, commercial, institutional or industrial construction, as required under Section 6.7 of the Zoning Ordinance. Design Review will be for the purpose of ensuring that all signage being proposed fully complies with the provisions of this sign ordinance.

Sign Construction. With the exception of temporary signage and other signs normally constructed of lesser materials, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or some other permanent structure, by direct attachment to a rigid wall, frame, or other solid structure.

Computation of Sign Area and Height. The following standards control the computation of sign area and sign height:

- A. **Maximum Total Sign Area.** Standards for the maximum total area of all signs on one premises are outlined on Tables 2A and 2B. Signs which do not require a permit are not subject to the total sign area standards shown on the Tables, but must conform with the size requirements outlined elsewhere within Section 5.13.
- B. **Individual Sign Area.** The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) is computed by means of the smallest square, circle, rectangle, triangle or combination of geometrics that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or 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, but not including any supporting framework, bracing or decorative fence or wall when such fence or wall otherwise meets Zoning Ordinance regulations and is clearly incidental to the sign itself.
- C. **Multifaced Sign Area.** The sign area for a sign with more than one face is computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are 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 sign structure and are not more than forty-two (42) inches apart, the sign area is computed by the measurement of one of the faces.
- D. **Height.** The height of a sign is computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade is the lower of the existing grade prior to construction or the newly established grade after construction, excluding any filling, berming, mounding or excavating solely for the purpose of locating the sign.
- E. **Lighting.** The light intensity of an illuminated sign must conform to or be less than the accepted standards of the sign industry, as provided by the Oregon Electric Sign Association.

Lighting, when permitted, may never:

- Be of such intensity that it interferes with or impairs the vision of the driver of a motor vehicle, or otherwise interferes with any driver's operation of a motor vehicle;
- Attempt or appear to attempt to direct the movement of traffic by interfering with, imitating or resembling any official traffic sign, signal or device;
- Blink, flash, flutter, revolve, or move in any manner (except for lights on electronic message centers, as long as the display does not blink, flash or flutter);

- Be placed in a manner which causes a nuisance to any residents or future residents of adjacent residentially zoned property within two hundred (200) feet of the sign, nuisance being defined as lights of such intensity that they may interfere with the peaceful occupancy of the home; or
- Reflect glare or unwanted illumination to adjacent properties or roadways.

F. **Maintenance.** All signs, including the supports, braces, guys and anchors for a sign, must be maintained in good structural and aesthetic condition at all times, in compliance with all building and electrical codes and in conformance with the provisions of this Ordinance. Signs must be kept free from rust, corrosion, peeling paint, or other surface deterioration and must be maintained in a safe condition. Display surfaces must be kept neatly painted or posted, with all intended lettering or symbols clearly visible and unbroken at all times.

Illuminated signs must be maintained at all times to ensure that:

- Bare light bulbs are not visible due to broken sign coverings or other materials intended to shield the bulbs from direct view;
- Electrical wiring and bulb fixtures are safely installed and maintained and protected from exposure or general access;
- All sockets contain light bulbs or other lighting fixtures and there are no burned-out bulbs or fixtures.

SIGN PLACEMENT

No private sign may be placed on public property, nor may any sign be placed on private property without the express authorization of the property owner.

No sign is allowed within the public right-of-way, except for: 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; bus stop signs erected by a public transit company; informational signs of a public utility regarding its poles, lines, pipes or facilities; and awnings, projecting signs or suspended signs which extend into the air space of the public right-of-way, but which leave a minimum of eight (8) feet of vertical clearance over that right-of-way.

No sign may be placed in a manner which: 1) prevents the driver of a vehicle from having a clear and unobstructed view of traffic or directional signs, merging traffic, or pedestrians; 2) obstructs the vision of any pedestrian; or 3) interferes with clear vision onto another premises or its property, including legal signage placed on the other premises.

No sign may interfere with the safe and efficient use of off-street parking and loading areas, including aisles and access driveways.

ADA Clear Sidewalk Standards: No sign may violate the clear sidewalk standards of the Oregon Department of Transportation in regard to the minimum requirements of the Americans with Disabilities Act (ADA) to ensure safe, attractive and convenient pedestrian facilities:

- The standard width for sidewalks without obstructions is *five (5) six (6)* feet. This is the total clear distance, exclusive of curb.
- Sidewalks must be clear of all obstructions: street furniture, sign posts, utility poles, mailboxes, parking meters, fire hydrants, and trees. If obstructions are present, a full *five (5) six (6)* foot sidewalk clear width is required around the obstruction.
- An additional two (2) foot shy distance is required from vertical barriers such as buildings in commercial areas, sound walls, retaining walls and fences.

Minimum Distance Between Signs. Freestanding and projecting/suspended signs must be spaced an adequate distance from each other to allow for each sign to be read by passing travelers with relative ease, free from distraction or obstruction.

- A. ~~West Rainier^{fff}~~. *Commercial/Industrial Districts*. Freestanding signs must be a minimum of one-hundred (100) feet apart from each other; projecting or suspended signs must be a minimum of fifty (50) feet apart from each other.
- B. ~~Downtown District^{ff}~~. *Central Business District (CBD)*. Freestanding signs must be a minimum of fifty (50) feet apart from each other; projecting or suspended signs must be a minimum of twenty-five (25) feet apart from each other.

COMMON SIGNAGE

The design and erection of any sign must be done in consideration of the need to provide signage which is harmonious in appearance and legibility, and signage which provides the maximum opportunity for each use or tenant to be advertised. There are generally three types of common signage: Directories, Business Complex Signs, and Shared Signs.

- A. **Directories.** Directories are generally for separate businesses which are in very close proximity to one another, such as a row of businesses accessible from one alley, walkway or parking area.
- B. **Business Complex Signs.** Business complex signs are for the identification of a named business park or center where there are three (3) or more uses or tenants on one parcel who will jointly advertise on a sign.

- C. **Shared Signs.** Shared signs are for two (2) uses or tenants who share an area, such as an upper and lower floor of the same building or separate sides of a double storefront.

Where more than one use or tenant occupies the same parcel, a business complex sign or directory must be erected to advertise all uses and tenants on the parcel.

Where uses or tenants are on closely adjoining parcels, or where businesses share a common wall on adjoining parcels, directories, business complex signs and shared signs are strongly encouraged to minimize the number of signs erected and to ensure clear visibility between adjoining signs.

A directory, business complex sign or shared sign may be granted additional square footage in sign area when its presence eliminates the need for one or more individual signs, as shown on Tables 2A and 2B. Tenants advertising on a common sign may also advertise on a wall, door or awning at the immediate entrance to their businesses up to the allowable square footage shown on Tables 2A and 2B. Under no circumstances can the use of a common sign increase the total square footage that would be allowed for all participating businesses had they advertised on individual signs. Additional sign height is not allowed for common signage.

A Common Signage Plan must be submitted to and approved by the City for all directories, business complex signs and shared signs. Upon approval, the businesses will be issued a Common Signage Permit which is the master permit for signage for those businesses. Each new business replacing or adding to copy on a sign under a Common Signage Permit must update the Signage Plan and pay the fee for a face change only. Ownership and financial arrangements for sharing the costs to construct the sign, obtain permits, maintain or change the sign are the sole responsibility of the owner of the business complex and/or those businesses who will advertise on the sign.

SIGN PERMITS

Sign Permits are required for all signs so designated by City or State regulation, as defined in this Ordinance and as indicated in Section 5.13, Table 1. If any sign requiring a permit is to be erected, placed, constructed, modified, moved or replaced, the owner or agent of the premises on which the sign is located must apply for and obtain a valid permit in accordance with the procedures outlined in this Section.

A Sign Permit must be obtained for all signs required to have a permit when no permit for the sign has been previously issued. A sign permit application and site plan must be filed with the City at no cost to the owner to obtain a valid permit for permanent and temporary signage which is in place at the time this Ordinance is adopted. Permits for existing signage may be obtained at the time of, or prior to, but no later than, the first business license renewal following adoption of this Ordinance.

When required by the Uniform Building Code or the Building Inspector, a separate building permit must be obtained for the erection, construction, modification, relocation, replacement, change or sign face, or alteration of a sign or sign structure.

When required by the State Electrical Code or the Building Inspector, an electrical permit must be obtained from the issuing authority before connecting an electrical sign to a source of electricity. The electrical components of any sign must meet applicable electrical standards.

All required permits may be applied for at the same time; however, building permits and electrical permits may not be issued until a sign permit has been issued.

Permanent Sign Permits. A Permanent Sign Permit must be applied for and obtained for all new and existing permanent signs requiring a permit, as indicated in Section 5.13, Table 1. Permanent sign permits will be recertified, at no additional cost, with the annual business license. Once issued, a permit becomes null and void if: 1) the terms under which it was issued change and the sign is in violation of this Ordinance; or 2) the approved work is not substantially underway and in full compliance with the terms under which it was approved within ninety (90) days from the date of the permit. If a permit is voided under either of the above circumstances, the permit must be renewed. The fee to renew a permit is one-half (1/2) of the original fee, provided that no changes have been made to the original plans.

Common Signage Permits. A Common Signage Plan and Permit is required (in lieu of other permits) when more than one business, tenant or use will be displayed on a single sign. The terms for a common signage permit are the same as those for permanent signs.

Sign Modification, Replacement or Relocation Permits. A new, Permanent Sign Permit is required for a sign required to have a permit which is intended to be substantially modified, replaced or relocated. In an emergency, where health or safety is threatened, repairs may begin without first applying for a new permit; however, a new permit must be applied for within forty-eight (48) hours of the first working day of repairs.

Temporary/Special Event Signs: *Commercial, industrial, residential, public, and quasi-public uses and mixed-use developments (commercial combined with multi-family residential) may display event signage in compliance with the following regulations. These regulations apply to use of signs for grand opening events or for periodic special events. This subsection does not apply to those signs and displays that are listed in Article 5, Section 5.13 – Exempt Signs, Rainier Zoning Code. Temporary and special event signs are subject to the same setback and clearance requirements that are applicable to other signs and shall not cause a hazard to public safety or block the visibility of motorists.*

Temporary Sign Permits. A Temporary Sign Permit must be applied for and obtained for all new and existing temporary signs requiring a permit, as indicated in Section 5.13, Table # 4. Temporary permits are valid for a maximum of Sixty (60) *Consecutive Calendar Days for Long-Term Events and Seven (7) Consecutive Calendar Days for Short-Term Events* . If the sign is fully removed from public view within ten (10) days of the end of the permit period, the applicant may apply for and receive reimbursement of a portion of the permit deposit. ~~Only one temporary sign permit will be issued to the same business license holder on the same premises in any one calendar year.~~

Special Event Sign Permits. A Special Event Sign Permit must be applied for and obtained before any signs, posters or banners *larger than thirty-two square feet (32SF) or greater than six-feet (6FT) in height* may be displayed announcing a special event. In compliance with the standards for signs on or visible to State Highway 30:

- A. ~~A special event sign permit for an expo, fair or rodeo is valid for a maximum of six (6) weeks. Sixty (60) Consecutive Calendar days for a Long-Term Special Event and Seven (7) Consecutive Calendar Days for a Short –Term Event.~~
- B. ~~A special event permit for a civic or commercial event is valid for a maximum of two (2) weeks.~~
- C. ~~All display materials must be removed twenty four (24) hours after the last day of the event. Special event permits expire at the close of the last day of the event. When all materials are fully removed within twenty four (24) hours ten (10) Calendar Days after the last day of the event, the applicant may apply for and receive reimbursement of the permit deposit.~~

Temporary/Special Event Signs - Downtime Duration: At the end of the *Temporary and/or Special Event* time period, signs removed cannot be displayed again for *Fourteen (14) Consecutive Calendar Days for the same short –term event and Ninety (90) Consecutive Days for the same long-term event (See: Table-4 of this code).*

~~**Political Campaign Sign Permits.** A Political Campaign Sign Permit must be applied for and obtained before any campaign signs can be placed within City limits. Campaign signs are subject to Highway 30 restrictions. If all campaign signs are removed within ten (10) days after the election, the applicant may apply for and receive reimbursement of the permit deposit.~~

Sign Permit Application and Approval Procedures.

- A. **Application and Approval Process.** A sign permit application must be obtained from the City, completed in full, signed and returned with the required fee and all required information before processing will begin. Sign permit applications will

be reviewed and approved, approved with conditions, or denied by the City within thirty (30) days of submission.

Approved *permanent sign placement* permits are valid for six (6) months. If authorized work is not completed within six (6) months of the signed permit, the permit will expire and a new application and fee must be submitted to the City. In cases where the delay is caused by circumstances over which the sign owner has no control, the Planning Commission may authorize up to one (1), six (6) month extension of the permit. A permit may be revoked by Planning Commission where there has been a violation of the provisions of this Ordinance or a misrepresentation of fact on the permit application materials.

B. Application Requirements for Permanent Signs. Applications for permanent signs must be accompanied by:

1. The appropriate fee, as adopted by Ordinance;
2. Clear photographs of all existing signage;
3. An accurate plot plan of the premises, at a scale that is appropriate for the plan and which indicates:
 - a. The location of all principal structures, parking lots, driveways, main entrance(s) to the premises, and landscaping;
 - b. The number, type and location of each existing sign on the premises and on properties adjoining at all property lines; and
 - c. The number, type and location of each proposed new or modified sign;
4. A proposed sign plan, which includes:
 - a. The dimensions of each sign, including the sign area in square feet, the height of each sign, and the total square footage of all signage combined;
 - b. The lot frontage and wall dimensions used in determining allowable sign area;
 - c. A description of the color, materials, lettering or graphic style, source and intensity of lighting (if any), and any other prominent features of all signs;
 - d. Sign wording, symbols, logos or other graphics; and

- e. Construction drawings indicating the size of footings, anchorages and welds;
- 5. Proof of a current City business license; and
- 6. Information about the sign contractor, electrical contractor, or other party who will construct the sign.

Sign Permit Fees. Fees for sign permits are set forth within the current Fee Schedule adopted by City Ordinance. All fees must be paid in full before the City will issue any sign permit.

Permit fees are doubled if any sign is erected (including excavation) or changed prior to issue of required permit.

SIGN INSPECTIONS

Signs subject to structural permits and electrical permits will be inspected upon construction in accordance with standard building and electrical inspection procedures.

The City Public Works Superintendent will inspect all newly permitted signs within the first six months after issuance of a sign permit, and at any time deemed necessary by the City for verification of: 1) a valid permit; 2) full compliance with the terms of sign approval; and 3) reported violations of the provisions of this Ordinance. Inspection findings will be written directly on or attached to the City's copy of the sign permit, and will become a part of the City's permanent record.

ILLEGAL SIGNS

Any sign for which one or more of the following circumstances are present shall be deemed an illegal sign:

- A. There is no valid permit (where required);
- B. The permit has expired and has not been renewed;
- C. The permit has been revoked by the City;
- D. The sign is in violation of the provisions of this Ordinance; or
- E. The business activity on the premises has been vacated or discontinued for a period of thirty (30) days or more.

Illegal signs must be removed or made valid by the sign's owner within ten (10) days of written notice by the City, or the sign will be forfeited.

NONCONFORMING SIGNS

Any sign which was erected legally, but was erected prior to the effective date of this Ordinance, or at a later date, when the premises was annexed to the City, and which was constructed in accordance with the applicable laws in effect at the time of its construction, but which by reason of its size, height, location, design or construction is not in conformance with the requirements of this Ordinance, shall be deemed a nonconforming sign.

A nonconforming sign may remain in place and be maintained for a period ending no later than five (5) years from the effective date of this Ordinance, provided that no action is taken which increases the degree or extent of the nonconformity. A nonconforming sign will either be eliminated or made to conform with the provisions of this Ordinance when:

- A. A new use occupies the premises, *after the premise has been vacated longer than eighteen (18) months from its last occupancy.*
- B. Any proposed change, repair or maintenance would constitute an expense of more than 25% of the lesser of the original value or replacement value of the sign;
- C. The sign is to be replaced or relocated; or
- D. The five-year amortization period has ended.

Extension of the Amortization Period. The Planning Commission may approve a two- to five-year extension of the amortization period when a hardship is clearly demonstrated by the sign owner. To apply for an extension, the sign owner must present written evidence that the following criteria is met:

- A. The sign must have been erected legally and constructed in accordance with the applicable laws in effect at the time of its construction.
- B. It must be clearly shown that elimination or renovation of the sign to bring it into compliance within the five (5) year amortization period will cause extreme hardship or substantial loss to the owner due to the age of the sign, the cost of the sign, or the type of sign; or
- C. Other circumstances are present, which the Planning Commission deem sufficient hardship to justify a reasonable extension of the amortization period.

Generally, signs which are less than fifteen (15) years old on the effective date of this Ordinance and which would require a disproportionate capital expenditure to replace or

renovate may be eligible for an extension. Under no circumstances will the amortization period for a nonconforming sign be extended more than ten (10) years beyond the effective date of this Ordinance.

Sign Variances. Signs of historic significance or signs which may otherwise qualify for a variance from the provisions of this Ordinance must be reviewed through the formal Public Hearing process, in accordance with the Variance procedures outlined in Section 6.5 of the Zoning Ordinance.

An Administrative Variance may be granted by the Planning Director for the relief of up to 10% from one standard without the need for the formal Variance process.

SIGN ORDINANCE VIOLATIONS, ENFORCEMENT AND REMEDIES

Any sign found to be in violation with the provisions of this Ordinance will be forfeited to the City and subject to confiscation. In addition to other remedies described within Article 8 of the Zoning Ordinance, the City will have the right to recover from the responsible party the full cost of removing and disposing a confiscated sign. If a valid permit is in effect at the time of violation, the City reserves the right to revoke the permit and to deny renewal unless and until the sign is brought into full compliance with the provisions of this Ordinance.

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