



# Oregon

Theodore R. Kubongski, 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

12/28/2009

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

FROM: Plan Amendment Program Specialist

SUBJECT: Marion County Plan Amendment  
DLCD File Number 007-06

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. 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, January 07, 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 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 THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Sterling Anderson, Marion County  
Gloria Gardiner, DLCD Urban Planning Specialist  
Gary Fish, DLCD Regional Representative

<paa> YA/

# 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: **MARION COUNTY**

Local file number: **LA06-003**

Date of Adoption: **12/17/09**

Date Mailed: **12/17/09**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date: **6/2/06**

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".

CONSIDER AMENDMENTS TO THE MARION COUNTY URBAN AND RURAL ZONING ORDINANCE. THE AMENDMENTS PERTAIN TO SIGN STANDARDS AND DEFINITIONS INCLUDING NUMBER OF SIGNS TYPE OF SIGNS SIZE AND LOCATION.

Does the Adoption differ from proposal? Please select one

NO

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

- |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>1</b>                 | <b>2</b>                 | <b>3</b>                 | <b>4</b>                 | <b>5</b>                 | <b>6</b>                 | <b>7</b>                 | <b>8</b>                 | <b>9</b>                 | <b>10</b>                | <b>11</b>                | <b>12</b>                | <b>13</b>                | <b>14</b>                | <b>15</b>                | <b>16</b>                | <b>17</b>                | <b>18</b>                | <b>19</b>                |
| <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"/> | <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.** \_\_\_\_\_

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

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Local Contact: **STERLING ANDERSON**

Phone: (503) 588-5038 Extension:

Address: **PO BOX 14500**

Fax Number: - -

City: **SALEM**

Zip: **97309**

E-mail Address:

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## **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, or by emailing [larry.french@state.or.us](mailto:larry.french@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 [larry.french@state.or.us](mailto:larry.french@state.or.us) - **Attention: Plan Amendment Specialist**.

BEFORE THE BOARD OF COMMISSIONERS  
FOR MARION COUNTY, OREGON

In the matter of an ordinance amending )  
Marion County Code Sections 17.191 )  
(Rural Zoning) and 16.31 (Urban Zoning) )  
by amending provisions related to Sign )  
Standards and Definitions, and declaring )  
an Emergency. )

ORDINANCE No. 1296

THE MARION COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS AS  
FOLLOWS:

SECTION I. Purpose

This ordinance is enacted pursuant to the authority granted to general law counties in the State of Oregon by ORS Chapters 203, 197 and 215 to implement the County Comprehensive Plan by amending the Marion County Code provisions relating to the standards and definitions for Signs under both Urban and Rural Zoning.

SECTION II. Authorization

The Marion County Board of Commissioners initiated legislative amendments to the Marion County Rural and Urban Zoning Ordinances by Resolution 06-15R dated May 24, 2006. The Board of Commissioners held public hearings to consider the amendments on August 23, 2006 and December 2, 2009, for which proper notice and advertisement were given. All persons present during the public hearing were given the opportunity to speak or present written statements.

SECTION III. Evidence and Conclusion

The amendments of the Marion County Rural and Urban Zoning Ordinances made hereunder are based on consideration and analysis of the operation of present zoning regulations and the provisions of ORS Chapters 197 and 215 and the State Land Use Goals and related Oregon Administrative Rules. Due consideration was given to testimony in the hearings. The Board finds that the revisions to the Urban and Rural Zoning Codes are in compliance with the State Land Use Goals, the applicable policies in the Marion County Comprehensive Plan, and with ORS 197 and ORS 215.

SECTION IV. Amendments

1. Chapter 17.191 MCC (Marion County Rural Zoning Ordinance Chapter 191) is amended as set forth in Exhibit A, attached hereto and incorporated herein.

- Chapter 16.31 MCC (Marion County Urban Zoning Ordinance Chapter 31) is amended as set forth in Exhibit B, attached hereto and incorporated herein.

SECTION V. Severability and Saving Clause

Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance, or any policy, provision, finding, statement, conclusion or designation to a particular land use or area of land, or any other portion, segment or element of this ordinance or of the amendments adopted hereunder, be declared invalid for any reason, that declaration shall not affect the validity of any provision of this ordinance or of any other Marion County Code provisions amended herein.

SECTION VI. Effective Date

This ordinance being necessary to protect the public health, safety and welfare, an emergency is declared to exist and this ordinance shall be come effective upon its passage.

SIGNED and FINALIZED this 16<sup>th</sup> day of December 2009 at Salem, Oregon.

MARION COUNTY BOARD OF COMMISSIONERS

Patricia Mulne  
Chair

D. Kim Nullett  
Recording Secretary

JUDICIAL NOTICE

Oregon Revised Statutes, Chapter 197.830, provides that land use decision may be reviewed by the Land Use Board of Appeal by filing a notice of intent to appeal within 21 days from the date this ordinance becomes final.

H:Codes sign amendments

# EXHIBIT A

## DELETIONS IN STRIKEOUT ADDITIONS IN BOLD AND UNDERLINED

### CHAPTER 191 SIGNS

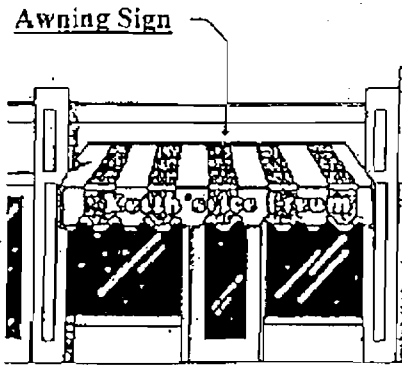
Revised \_\_\_\_\_ Ord# \_\_\_\_\_  
Revised 10/06/04 Ord #1204  
Revised 11/25/98

Section	Title	Page
191.000	Sign Regulations	
191.010	Definitions	
191.020	Design, Construction, and Maintenance	
191.030	Enforcement	
191.040	Signs Generally Permitted	
191.050	Prohibited Signs	
191.060	Signs in Residential, <del>Public and Farm</del> Zones	
<b><u>191.065</u></b>	<b><u>Signs in Public, Farm and Forest Zones</u></b>	
191.070	Signs for Integrated Business Centers in an ID Zone	
191.080	Signs in Other Zones	
191.090	Signs Within Special Street Setbacks	
<b><u>191.100</u></b>	<b><u>Illumination</u></b>	
<b><u>191.110</u></b>	<b><u>Electronic Display Sign Standards</u></b>	
<b><u>191.120</u></b>	<b><u>Variance</u></b>	

**191.000 SIGN REGULATIONS.** The sign regulations in this Chapter are intended to provide minimum standards to safeguard property and public welfare, to preserve locally recognized values of community appearance, and to reduce hazards to motorists and pedestrians traveling on public streets. **A sign is considered a use of property under the provisions of this ordinance.**

**191.010 DEFINITIONS.** For the purpose of this Chapter the following definitions shall apply:

- (a) **Alteration.** Any change in the size, shape, method of illumination, position, location, material, construction, or supporting structure of a sign.
- ~~(b) **Animated Sign.** Any sign or part of a sign which changes physical position by any movement or rotation or which flashes, blinks, fluctuates, has traveling lights or any design created to give the illusion of motion.~~
- (b) **Awning.** A temporary or removable shelter supported entirely from the exterior of a building and composed of non-rigid materials except for support framework.



- (c) **Awning Sign.** Signs painted on or affixed to an awning.
- (d) **Building Face or Wall.** All window and wall area of a building on one plane or architectural elevation.
- (e) **Building Frontage.** The portion of a building facing a street right-of-way or on-site parking lot.
- (f) **Change of Sign Face/Copy.** Where an existing sign is altered by a change of message or design on the sign face, without any change to the size or shape of the sign framework or structure, excluding marquee, electronic message boards, menu boards, and changeable copy signs.
- (g) **Display. Any identifiable visual form or character, and which may be comprised solely, or be comprised of a combination of, words, symbols, images, and graphic elements.**
- (h) **Electronic display sign. A sign including, or comprised solely or partially of an electronic display that can be changed by automatic means, including, but not limited to, the operation of computer software is internally illuminated, is permanently fixed to a foundation and shall not include TPCMS (Temporary Portable Changeable Message Signs).**
- (i) **Effect. Sequential, flashing, or simultaneous illumination by electrical means other than by an electronic display. As used in this chapter effects include, but are not limited to:**
  - (1) **Animated effect: illumination that depicts a moving object, thing, person, animal, or happening or depicts an ongoing series of images.**
  - (2) **Chaser effect: illumination that is intended to lead the eye by producing lineal or circular movement.**
  - (3) **Scintillating effect: illumination that provides a random twinkling of lights, including illumination that forms images, words or sentences at the end of the sequence of twinkling lights.**
  - (4) **Speller effect: illumination that spells a word, one letter, sentence, number, or character at a time, including flashing a complete word or words or sentence.**
- (j) **Electronic time and temperature sign. A sign, or portion thereof, that announces time, temperature and/or date.**

**(k) Electronic display. A display created by light emitting diodes, liquid crystal displays, plasma display panels, pixel or sub-pixel technology, or other similar technology. As used in this Chapter, electronic displays include, but are not limited to:**

- (1) Dissolve: the changing of an electronic display by means of varying light intensity or pattern, where one display gradually appears to dissipate or lose legibility simultaneously with the gradual appearance and legibility of a subsequent display.**
- (2) Fade: the changing of an electronic display by means of varying light intensity, where one display gradually reduces intensity to the point of being illegible or imperceptible and the subsequent display gradually increases intensity to the point of being legible or capable of being perceived.**
- (3) Scrolling: the changing of an electronic display by the apparent vertical movement of the visual image, such that a new visual image appears to ascend and descend, or appear and disappear from the margins of the sign in a continuous or unfurling movement.**
- (4) Static display: an electronic display that does not change.**
- (5) Travel: the changing of an electronic display by the apparent horizontal movement of the visual image.**
- (6) Video display: providing an electronic display in horizontal or vertical formats to create continuously moving images.**

**(l) Fabric Sign. Any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, fabric or other light material, with or without frames, that is not permanently affixed to a supporting structure.**

~~**(i) Flashing Sign. A sign incorporating intermittent electrical impulses to a source of illumination or revolving in a manner which creates the illusion of flashing, or which changes colors or intensity of illumination. This definition does not include electronic time and temperature signs.**~~

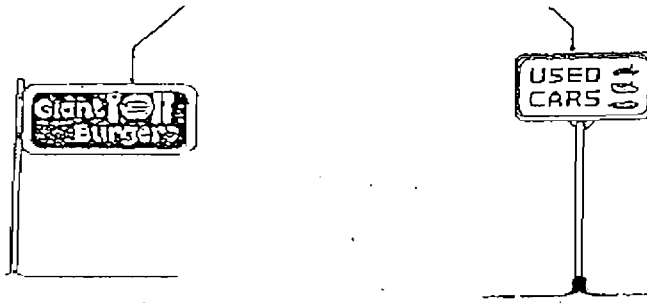
**(m) Flashing. Sudden or intermittent electrical illumination.**

~~**(i) Flashing Sign. A sign incorporating intermittent electrical impulses to a source of illumination or revolving in a manner which creates the illusion of flashing, or which changes colors or intensity of illumination. This definition does not include electronic time and temperature signs.**~~

**(n) Freestanding Sign. A sign supported by one or more upright poles or braces placed in or upon the ground and wholly detached from any building. Also known as a ground sign.**

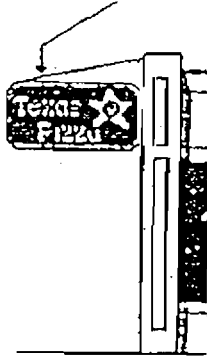


Free-standing Signs



- (o) **Indirect Illumination.** A source of illumination directed toward a sign so that the beam of light falls upon the exterior surface of the sign.
- (p) **Integrated Business Center.** A group of two or more businesses and/or uses which have been developed as a unit and which have common parking facilities.
- (q) **Internal Illumination.** A source of illumination from within a sign, including neon signs, **but not including electronic message board signs and temporary portable changeable message signs**
- (r) **Marquee.** **A permanent roofed structure, but not an enclosed structure, attached to or supported by a building for the purpose of providing shelter to patrons.**
- (s) **Nit.** **A measurement of luminance, where one nit is equal to one candela per square meter (1cd/m<sup>2</sup>). A candela means a unit of measurement of the intensity of light, where one candela is the monochromatic radiation of 540THz with a radiant intensity of 1/683 watt per steradian in the same direction. By way of example, an ordinary wax candle generates approximately one candela.**
- (t) **Non-conforming Sign.** An existing sign, lawful at the time of the enactment of this ordinance, which does not conform to the requirements of this code.
- ~~(e) **Outdoor Advertising Sign (Billboards).** A sign designed, intended or used to advertise, inform or attract the attention of the public as to:
  - 1. ~~Goods, products or services which are not sold, manufactured or distributed on or from the premises on which the sign is located;~~
  - 2. ~~Facilities not located on the premises on which the sign is located; or~~
  - 3. ~~Activities not conducted on the premises on which the sign is located.~~~~
- (u) **Portable Sign.** Any sign not permanently attached to the ground, a building, or other structure, **not including TPCMS (temporary portable changeable message signs).**
- (v) **Projecting Sign.** Signs other than wall signs, which are attached to and project from a structure or building face more than 18 inches.

### Projecting Sign



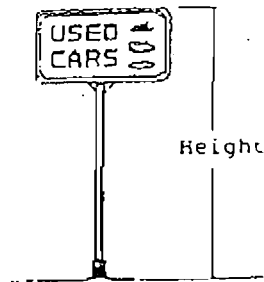
- (w) **Roof Sign.** A sign supported by, and located on or over, the roof of a building.
- (x) **Sign.** Any medium, including its structure and component parts, which is used or intended to be used to attract attention to the subject matter for advertising or identifying purposes. Sign does not include any cloth attached to a single pole equipped to raise and lower the cloth from the ground.
- (y) **Sign Area.**
  - (1) Except as provided in (2) below, the area of a sign shall be calculated by adding the outer dimensions of all the faces presenting a sign message. Pole covers and columns shall not be included in the area of the measurement if they do not include advertising. Double-faced signs will be calculated as one sign only when placed back-to-back and separated by no more than twenty-four inches.

### Determining the Area of a Sign



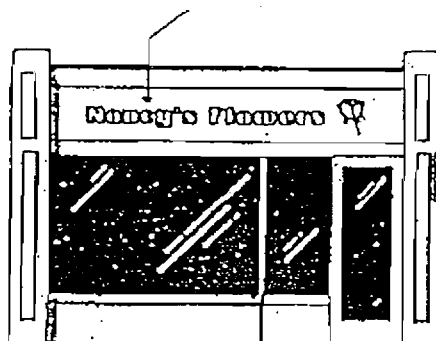
Shaded Area Indicates Area of Signs

- (2) The area of a wall sign without a border shall be computed by enclosing the entire sign within sets of parallel lines touching the outer limits of the sign message.
- (z) **Sign Height.** The distance measured from the average elevation of the ground adjacent to the structure that the sign is mounted on, or the elevation of a public sidewalk or street curb within 10 feet of the sign structure, to the greatest height of the sign face.



- (aa) **Sign Structure.** The supports, uprights, braces, framework and other structural components of the sign.
- (bb) **Street Frontage.** The portion of a property that abuts a street right-of-way.
- (cc) **Temporary Portable Changeable Message Signs (TPCMS).** Any sign that is visible for only 60 days twice per year capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means with a dwell time of six seconds, is internally illuminated, not permanently affixed to the ground, a building, or other structure, serves a temporary purpose, is freestanding without a permanent foundation, and contains a surface area of no more than 32 square feet and a height of no more than eight feet.
- (dd) **Temporary Sign.** Any sign that is visible for only 90, 60 days twice per year in any 365-day period, and which is not permanently affixed is without illumination, not permanently affixed to the ground, a building, or other structure, serves a temporary purpose, is freestanding without a permanent foundation, including lawn signs, vehicle signs fabric signs and balloon signs but not including TPCMS (temporary portable changeable message signs).
- (ee) **Under Marquee sign.** A sign which is erected or maintained under and is supported by a marquee.
- (ff) **Wall Sign.** Any sign placed or painted directly against a building wall, with the exposed face of the sign in a plane approximately parallel to the plane of the wall and projects outward from the wall not more than eighteen inches.

Wall Sign



- (gg) **Window Sign.** Any sign that is erected or placed within a building or structure but is visible from the exterior of said building or structure.

**191.020 DESIGN, CONSTRUCTION, AND MAINTENANCE.** All signs shall be designed, constructed, altered, and maintained according to the following standards:

- (a) All signs shall comply with the applicable provisions of the Oregon Structural Specialty Code and all other applicable county structural, electrical and other regulations.
- (b) Except for banners, flags, temporary signs and window signs conforming in all respects with the requirements of these regulations, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or other structure.
- (c) All signs shall be maintained in good structural condition.
- (d) The owner of the property on which the sign is located shall be responsible for its erection and maintenance and its compliance with the provisions of these regulations or other laws or Ordinances regulating signs.

**191.030 ENFORCEMENT.** The Planning Director may determine a sign to be unlawful or abandoned and require its removal or alteration to conform with this ordinance and other applicable county law if it endangers public safety or violates the provisions of this ordinance.

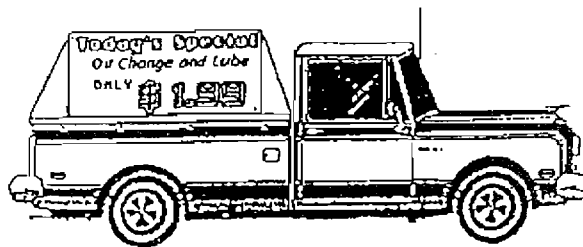
**191.040 SIGNS GENERALLY PERMITTED.** Subject to the limitations in Sections 191.050, 191.060, 191.065, 191.070, and 191.080, the following signs and sign work are permitted in all zones. Except for signs described in (a) the following signs shall not be included when determining compliance with total allowed area:

- (a) **Change of Sign Face/Copy.** Altering the message or design on the sign face, without any change to size or shape of the sign framework or structure.
- (b) ~~Public Safety Signs and Notices~~ **Traffic Control Devices, Roadway Signs, Required Public Notices.** Traffic signs and all other signs erected or maintained by a municipal or governmental body or agency, including danger signs, railroad crossing signs, city entrance signs, and signs of a non-commercial nature required by public laws, ordinances or statutes. Notices and signs erected by public officers performing official duties including those erected pursuant to law, administrative order, or court order.
- (c) **Other Warning Signs.** Signs placed on private property to warn the public of a danger or prohibition located on the private property, including but not limited to "No Trespassing" or "No Dumping" signs, provided such sign does not exceed four square feet in area and six feet in height.
- (d) **Building Identification.** Permanent building plaques, corner stones, name plates and similar building identifications not more than four square feet in area per building.
- (e) **Historical Signs.** Markers erected or maintained by a recognized historical society or organization identifying sites, buildings, or structures.
- (f) ~~City Entrance Sign. One sign owned by a non-profit organization located on each arterial street entrance into a city within 300 feet of the city limits provided the sign does not exceed 32 square feet in area.~~

- (f) **Interior Signs.** Signs located in the interior of any building or within an enclosed lobby or court of any group of buildings, which are designed and located to be viewed by patrons.
- (g) **Real Estate Signs.** While a lot, building, or portion of a building is for rent, sale or lease, one unlighted sign visible from each street frontage is permitted. Each sign shall not exceed 12 square feet in a residential zone. 12 square feet in a commercial or industrial zone, or 24 square feet in any other zone.
- ~~(i) **Garage Sale Signs.** One unlighted temporary sign per lot limited in size to 16 square feet and a height of six feet. In addition, one unlighted off premises directional sign limited to four square feet and a height of 30 inches. Signs must be removed immediately at the close of the sale.~~
- ~~(j) **Election Signs.** Unlighted wall or free-standing signs not more than 8 feet in height and not more than 4 square feet in area per sign.~~
- ~~(g) **Temporary displays** Temporary decorations or displays identified with regularly-scheduled civic, social, cultural or religious occasions.~~
- (h) **Preexisting Nonconforming signs: Permanent signs that existed and were legal prior to the date of adoption of this ordinance that do not conform to the provisions of this chapter with respect to number, surface area, location, or illumination. Preexisting nonconforming signs may be repaired but not replaced unless they were approved by a previous land use decision. Replacement of signs approved by a previous land use decision may only be replaced to the same extent as was allowed in that previous decision.**

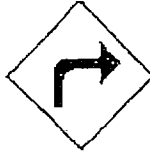
**191.050 PROHIBITED SIGNS.** The following signs are prohibited in all zones:

- (a) **Vehicle signs.** Signs which are placed on or affixed to a bus, car, boat, trailer or other motorized vehicle and parked on public or private property with the primary purpose of providing a sign not otherwise permitted by this chapter advertisement of products or directing people to a business or activity located on the same or nearby premises. This provision is not intended to prohibit signs painted upon or applied directly to a vehicle that is actively used in the daily function of a business.

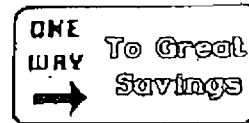


- (b) **Hazardous Signs.** No sign shall be permitted at or near the intersection of a street or driveway in such a manner as to obstruct free and clear vision of motor vehicle operators or at any location where by reason of its position, shape, or color it may interfere with or be confused with authorized traffic sign, signal, or device, or which makes use of a word, symbol or phrase, shape or color in such a manner as to interfere with, mislead, or confuse traffic.

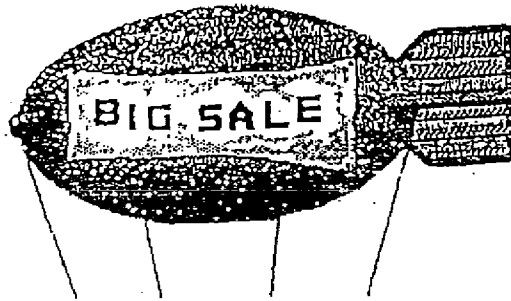
Illustration of hazardous signs:



Turn Here  
For  
Used Cars



- (c) **Animated signs.** ~~This prohibition does not include electronic time and temperature signs.~~ Any sign using an effect not otherwise permitted by this chapter.
- (d) **Balloons or similar types of anchored objects** not otherwise allowed in this chapter.



- (e) **Portable, fabric, or temporary signs** not otherwise allowed in this chapter.
- (f) **Signs that emit audible sound, odor, or visible matter.** ~~However,~~ This does not include signs integral to an intercom system servicing for customers remaining in their vehicles, such as those used by banks and "drive thru" restaurants, are allowed.
- (g) **Signs that use or employ side guy lines** of any type.
- (h) **Signs that obstruct** any fire escape, required exit, window or door opening used as a means of egress.
- (i) **Signs closer than 24 inches 10 feet** horizontally or vertically to any overhead power line or electrical conductors. ~~utility guy wire.~~
- (j) **Signs that project** into or over driveways, roadways and street right-of-ways, except signs under marquee signs ~~a canopy~~ that project over a public sidewalk. Such ~~canopy~~ under marquee signs shall not be less than seven feet six inches above the sidewalk and shall not exceed a maximum of six square feet.
- (k) **Signs in a street right-of-way** not otherwise allowed in this chapter whether attached to a pole, post, utility pole or placed on its own stake and placed into the ground.
- (k) ~~Outdoor advertising sign (billboard) except in the ID zone.~~

**191.060 SIGNS PERMITTED IN RESIDENTIAL, PUBLIC, FARM AND FOREST ZONES.**

Except as provided in Section 191.040, no sign shall be erected or maintained in Residential Public, Farm and Forest zones except as set forth in this section:

- (a) ~~Single family, Two Family (Duplex) Dwelling or Home Occupation Sign.~~ One unlighted wall, window or free standing sign not exceeding 16 square feet. Maximum square footage:

(1) RS Zone:

- (A) One unlighted wall or window sign not exceeding four square feet.
- (B) For uses other than dwellings, one freestanding internally illuminated or electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.
- (C) One temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year.
- (D) One temporary sign up to 32 square feet may be approved as an variance as provided in section 191.120.

(2) AR Zone:

- (A) One unlighted wall, window or freestanding sign not exceeding 32 square feet.
- (B) For uses other than dwellings one internally or indirectly illuminated freestanding sign or one electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds, may be erected in place of a freestanding sign.
- (C) One temporary sign not exceeding 32 square feet visible for 60 days twice per year.

(3) RM zone:

- (A) One unlighted wall, window or freestanding sign not exceeding 32 square feet.
- (B) For uses other than dwellings one internally or indirectly illuminated freestanding sign or one electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds, may be erected in place of a freestanding sign.
- (C) One temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year.
- (D) For apartments and retirement homes, only one temporary banner sign not exceeding 50 square feet per street frontage, located on that frontage, and visible for 30 days four times per year.

- (b) ~~Residential Development Signs.~~ For a subdivision, mobile home park, planned development or other residential development, one sign not exceeding 32 square feet located at the main entrance to the premises.
- (c) ~~Multi-family Dwelling Sign.~~ For multiple family dwellings containing three or more dwelling units, the aggregate area of all signs shall not exceed 32 square feet. One free standing sign is allowed per street frontage with vehicle access. In addition, one temporary unlighted fabric sign attached to a building is allowed per street frontage.
- (d) ~~Undeveloped Residential Development Sign.~~ One non illuminated sign not exceeding 32 square feet in area. Such signs may be installed on the undeveloped property after detail approval of the development. The display period shall be limited to one year, but may be extended an additional year by the Planning Director if construction or sales continue.
- (e) ~~Public/Semi-public Facility Sign.~~ Each lot occupied by public and semi public uses, schools and churches is allowed one sign not exceeding 32 square feet. Signs for public parks, schools, or stadiums, which are generally placed and located so as not to be viewed from a street, are exempt from this provision.
- (f) ~~Farm-related and Bed and Breakfast Inn Signs in AR, Farm and Forest Zones.~~ On a tract of land occupied by a farm use or a commercial activity in conjunction with farm use or bed and breakfast inn one sign not exceeding 24 square feet. If a seasonal produce sales stand is on the premises, two signs shall be allowed of which the aggregate area shall not exceed 32 square feet.
- (b) ~~Height Limitations.~~ Except for farm related signs, or as otherwise provided, signs in Residential, Public, Farm and Forest zones shall comply with the following maximum height limitations:
- (1) Freestanding Sign: 5 ~~six~~ feet
  - (2) Wall and Window Signs: eight feet
  - (3) For signs allowed in 191.060(1)(B), (2)(B) and (3)(B): 15 feet
- (c) ~~Setbacks.~~ Unless specified otherwise, signs in Residential, Public, Farm and Forest zones shall comply with the following minimum setback requirements: Signs shall be located at least three feet from a lot line abutting a street. However, All signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas. [See Section 191.090].
- (d) ~~Illumination.~~ Signs may only be indirectly illuminated by a concealed light source. Sign illumination shall be directed away from and not be reflected upon adjacent premises.
- (1) Indirect illumination Signs may only be indirectly illuminated by a concealed light source. Except for signs permitted in 31.06 (b) and (c) signs shall not be illuminated between 11:00 p.m. and 6:00 a.m. Sign illumination shall be directed away from and not be reflected upon adjacent premises, streets or roadways. Illumination shall be subject to the standards in section 191.100(a).
  - (2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only,



do not create an electronic display or effect, and conform to the brightness limitations set forth in section 191.100(b).

191.065 SIGNS IN PUBLIC, FARM AND FOREST ZONES. Except as provided in Section 191.040, no sign shall be erected or maintained in Public, Farm and Forest zones except as set forth in this section:

- (a) One unlighted wall, window or freestanding sign not exceeding 32 square feet per street frontage.
- (b) One temporary sign not exceeding 32 square feet visible for 60 days twice per year.
- (c) One temporary portable changeable message sign for 60 days twice per year
- (d) On property developed for religious organizations, museums, and commercial and industrial airport related uses in the public zone only, educational institutions and schools as defined in sections 110.505 and 110.510, and subject to the standards above one electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds, may be erected in place of a freestanding sign.
- (e) Height Limitations. Signs shall comply with the following maximum height limitations:
  - (1) Freestanding sign: 5 eight feet
  - (2) Wall and window signs: eight feet
  - (3) For signs allowed in 191.065(d): 15 feet.
- (f) Setbacks. Unless specified otherwise, signs shall comply with the following minimum setback requirements: signs shall be located at least three feet from a lot line abutting a street. All signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas. [See Section 191.090].
- (g) Illumination.
  - (1) Indirect illumination shall be directed away from and not be reflected upon adjacent premises, streets or roadways. Illumination shall be subject to the standards in section 191.100(a).
  - (2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 191.100(b).
- (h) Signs no larger than 800 square feet shall be permitted within stadiums, athletic fields, and other outdoor assembly facilities, where they are intended primarily for viewing by persons within the facility, are oriented toward the interior of the facility and viewing stands, and are only used during events where the public attends as spectators. Not withstanding any other provision of this Chapter, signs allowed by this paragraph may

employ any effect and shall not be subject to the limitation imposed in section 191.100(b).

**191.070 SIGNS FOR INTEGRATED BUSINESS CENTERS IN AN INTERCHANGE**

**DISTRICT ZONE.** Except as provided in Section 191.040, only signs permitted in this section are allowed in an integrated business center in an ID zone:

- (a) **Integrated business center sign:** One freestanding sign structure designed to be read from the freeway.
- (1) Maximum Height: 65 feet.
  - (2) Maximum Square Footage: Total sign area attached to the structure shall not exceed 500 sq. feet.
  - (3) Minimum Setback: Signs shall not project into the public right-of-way. Signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be placed in special setbacks [see Section 191.090].
  - (4) **Illumination.**
    - (A) **Indirect illumination shall be directed away from and not be reflected upon adjacent premises, streets or roadways. Illumination shall be subject to the standards in section 191.100(a).**
    - (B) **The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 191.100(b).**
  - (5) **Subject to the standards above, one electronic display sign with a dwell time of eight seconds, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds, may be erected in place of a freestanding sign not exceeding 80% of the total square footage allowed and included in square footage maximum.**
  - (6) **One temporary portable changeable message sign for 60 days twice per year.**
- (b) **Secondary Integrated business center sign:** One freestanding sign structure per street frontage with driveway entrance access:
- (1) Maximum Height: ~~20 feet.~~ **25 feet.**
  - (2) Maximum Square Footage: Total sign area attached to the structure shall not exceed 150 sq. feet.
  - (3) Minimum Setback: Signs shall not project into the public right-of-way. Signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be placed in special setbacks [see Section 191.090].

(4) **Illumination.**

(A) **Indirect illumination shall be directed away from and not be reflected upon adjacent premises, streets or roadways. Illumination shall be subject to the standards in section 191.100(a).**

(B) **The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 191.100(b).**

(c) **Signs for individual businesses in integrated business centers:** Wall, awning and window signs are permitted subject to the following requirements:

(1) **Maximum Square Footage:** The total sign area is based upon street frontage and frontage on common parking areas. The aggregate sign area shall not exceed one square foot for each linear foot of building frontage for a maximum of two building frontages. A sign shall not exceed 100 sq. feet.

(2) **Maximum Height:** Signs shall not project above the parapet or roof eaves.

(3) **Illumination:** Wall signs shall be internally illuminated. **Illumination shall be subject to the standards in section 191.100.**

(4) **Parking Lot Signs:** Two permanent signs to identify each motor vehicle entrance into or exit from the premises. Each sign shall be limited to ~~six~~ **eight** square feet in area and a height of ~~four feet~~ **30 inches above the sidewalk or 36 inches above the street elevation where there is no sidewalk.**

(5) **One temporary sign or one balloon sign up to 35 feet above the roof visible for only 14 days in any six-month period or one banner (fabric) sign not exceeding 50 square feet visible for 30 days in any 365 day period.**

**191.080 SIGNS IN OTHER ZONES.** Except as provided in Section 191.040, no sign shall be erected or maintained except as set forth in this section:

(a) **Maximum Square Footage:** The aggregate area of all signs shall not exceed one and one-half square feet for each linear foot of building frontage. ~~A sign shall not exceed 150 square feet except a free-standing sign shall be limited to a maximum of 100 square feet.~~ **A sign shall not exceed 125 square feet if adjacent to a non-state highway public right-of-way or 250 square feet if adjacent to a state highway.**

(b) **Number of Signs:**

(1) **Freestanding Sign:** One sign per street frontage with entrance access.

(2) **Roof Signs:** Not permitted

(c) **Maximum Height:**

(1) **Freestanding Sign:** 25 feet.

(2) **Wall Sign:** Signs shall not project above the parapet or roof eaves.

(d) **Minimum Setback:** Signs shall be located at least three feet from a lot line abutting a street. However, All signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas. [See Section 191.090].

(e) **Illumination.**

(1) Indirect illumination shall be directed away from and not be reflected upon adjacent premises, streets or roadways. Illumination shall be subject to the standards in section 191.100(a).

(2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 191.100(b).

(f) One temporary sign or one balloon sign up to 35 feet above the roof visible for only 14 days in any six-month period or one banner sign not exceeding 50 square feet visible for 30 days in any 365 day period.

(g) Subject to the standards above, one electronic display sign in place of a freestanding with a dwell time of eight seconds, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.

(h) One temporary portable changeable message sign for 60 days twice per year.

~~Construction Project Sign: One non illuminated sign limited to 32 square feet in area. Such sign may be installed after a building permit has been obtained for the construction project and must be removed not later than two years after issuance of the building permit for the project or upon completion of the project, whichever occurs first. No more than two such signs shall be erected for each construction project.~~

(i) **Parking Lot Signs:** Two permanent signs to identify each motor vehicle entrance into or exiting from the premises. Each sign shall be limited to six ~~eight~~ square feet in area and a height of four feet 30 inches above the sidewalk or 36 inches above the street elevation where there is no sidewalk.

**191.090 SIGNS WITHIN SPECIAL STREET SETBACKS.** The Planning Director may approve placement of signs within a special street setback upon determination that the County Department of Public Works or Oregon Department of Transportation, if applicable, has no objections and provided the property owner signs a written agreement that the owner or his heirs or assigns will, within 45 days after being notified by the County remove all portions of the structure or sign within the special setback. The agreement shall provide that if the owner fails to remove the listed items the County or State may do so at the expense of the owner and the expense shall be a lien against the land and may be collected or foreclosed in the same manner as liens entered in the County lien docket. The agreement shall be recorded by the owner in the applicable deed records. Notice requiring removal shall not be given until the responsible public agency proceeds to widen improve the street in front of the owner's property or the Department of Public Works determines that the structure is a threat to the public health, safety or welfare. The agreement shall also provide that the owners shall not be entitled to any damages or compensation for the removing of any

structure or loss of parking spaces approved under this provision but this stipulation shall not deny the owner the right to compensation for any land or any structures existing prior to the adoption of this ordinance, taken for the widening improvement of the street.

**191.100 ILLUMINATION.** All illuminated signs are subject to the following standards:

- (a)** Indirect illuminated signs shall be so located and designed that the light source, viewed by an observer five feet from above grounds at the boundary of the property, shall be either completely shielded from direct view or no greater than .5 foot candle.
- (b)** Brightness. All electronic display signs must be constructed, operated, or otherwise function in such a way as to not exceed the provisions of this paragraph:
  - (1)** At the time of installation, electronic display signs may be illuminated to a degree of brightness that is no greater than 7,500 nits between sunrise and sunset and no greater than 1,000 nits between sunset and sunrise, provided that an electronic display sign comprised solely of one color shall not exceed the following levels:
    - (A)** For a display comprised of red only, 3,150 nits between sunrise and sunset, and 450 between sunset and sunrise;
    - (B)** For a display comprised of green only, 6,300 nits between sunrise and sunset, and 900 nits between sunset and sunrise;
    - (C)** For a display comprised of amber only, 4,690 nits between sunrise and sunset, and 670 nits between sunset and sunrise.
  - (2)** All electronic display signs must be maintained and operated to meet the following brightness standards:
    - (A)** No sign shall be brighter than is necessary for clear and adequate visibility.
    - (B)** No sign shall be of such intensity or brilliance as to impair the vision of a motor vehicle driver with average eyesight or to otherwise interfere with the driver's operation of a motor vehicle.
    - (C)** No sign shall be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.
  - (3)** The person owning or controlling an electronic display sign must adjust the sign to meet the brightness standards in accordance with these standards. The adjustment must be made immediately upon notice of non-compliance from the Director.
  - (4)** All electronic display signs must be equipped with a mechanism that automatically adjusts the brightness in response to ambient conditions and equipped with a means to immediately turn off the display if it malfunctions, and the sign owner or operator must immediately turn off the sign or lighting

when notified by the Director that it is not complying with the standards in this section.

**191.110** **ELECTRONIC DISPLAY SIGN STANDARDS.** In addition to all other standards in this chapter relating to electronic display signs shall meet the following standards:

- (a)** The actual change of display for an electronic display sign shall be completed in two seconds or less. Displays may change by dissolve, fade, or by instantaneous change from one static display to another, but shall remain as a static display after completing the change, and, once changed, shall remain static until the next change. Except as authorized in 191.065(h), scrolling, travel, and video display are prohibited.
- (b)** Notwithstanding any other provision in this chapter, a municipal corporation providing transit services may erect one electronic display sign in each of the corporation's transit stops, which shall be limited to two square feet in area, screened from adjacent residential properties, and used only for the transmission of public information by the corporation.

**191.120** **VARIANCE.** Variances to these standards contained in this chapter may be allowed subject to the following criteria:

- (a)** The proposed development will not have a significant adverse impact upon adjacent existing or planned uses and development; and
- (b)** The variance will not have a significant adverse affect upon the health or safety of persons working or residing in the vicinity; and
- (c)** The variance is the minimum necessary to achieve the purpose of the variance and is the minimum necessary to permit development of the property for the proposed use; and
- (d)** The intent and purpose of the specific provision to be varied is clearly inapplicable under the circumstances; or, the proposed development maintains the intent and purpose of the provision to be varied.

# EXHIBIT B

## DELETIONS IN STRIKEOUT ADDITIONS IN BOLD AND UNDERLINED

### CHAPTER 31 SIGNS

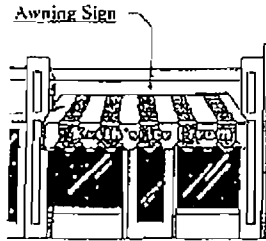
Revised \_\_\_\_\_  
10/06/04 Ord.#1204  
Adopted 3/2/94

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31.01	Definitions	
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31.07	Signs in CO Zone	
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<b><u>31.10</u></b>	<b><u>Illumination</u></b>	
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<b><u>31.12</u></b>	<b><u>Adjustments</u></b>	

**31.00 SIGN REGULATIONS.** The sign regulations in this Chapter are intended to provide minimum standards to safeguard property and public welfare, to preserve locally recognized values of community appearance, and to reduce hazards to motorists and pedestrians traveling on public streets. **A sign is considered a use of property under the provisions of this ordinance.**

**31.01 DEFINITIONS.** For the purpose of this Chapter the following definitions shall apply:

- (a) **Alteration.** Any change in the size, shape, and method of illumination, position, location, material, construction, or supporting structure of a sign.
- (b) **Animated Sign.** ~~Any sign or part of a sign which changes physical position by any movement or rotation or which flashes, blinks, fluctuates, has traveling lights or any design created to give the illusion of motion.~~
- (b) **Awning.** A temporary or removable shelter supported entirely from the exterior of a building and composed of non-rigid materials except for support framework.
- (c) **Awning Sign.** Signs painted on or affixed to an awning.



- (d) **Building Face or Wall.** All window and wall area of a building on one plane or architectural elevation.
- (e) **Building Frontage.** The portion of a building facing a street right-of-way or on-site parking lot.
- (f) **Change of Sign Face/Copy.** Where an existing sign is altered by a change of message or design on the sign face, without any change to the size or shape of the sign framework or structure, excluding marquee, electronic message boards, menu boards, and changeable face copy signs.
- (g) **Display.** Any identifiable visual form or character, which may be comprised solely or be comprised of a combination of words, symbols, images, and graphic elements.
- (h) **Electronic display sign.** A sign including, or comprised solely or partially of an electronic display that can be changed by automatic means, including, but not limited to, the operation of computer software is internally illuminated, is permanently fixed to a foundation and shall not include TPCMS (Temporary Portable Changeable Message Signs).
- (i) **Effect.** Sequential, flashing, or simultaneous illumination by electrical means other than by an electronic display. As used in this chapter effects include, but are not limited to:
- (1) Animated effect: illumination that depicts a moving object, thing, person, animal, or happening or depicts an ongoing series of images.
  - (2) Chaser effect: illumination that is intended to lead the eye by producing lineal or circular movement.
  - (3) Scintillating effect: illumination that provides a random twinkling of lights, including illumination that forms images, words or sentences at the end of the sequence of twinkling lights.
  - (4) Speller effect: illumination that spells a word, one letter, sentence, number, or character at a time, including flashing a complete word or words or sentence.
- (j) **Electronic time and temperature sign.** A sign, or portion thereof, that announces time, temperature and/or date.
- (k) **Electronic display.** A display created by light emitting diodes, liquid crystal displays, plasma display panels, pixel or sub-pixel technology, or other similar technology. As used in this chapter, electronic displays include, but are not limited to:



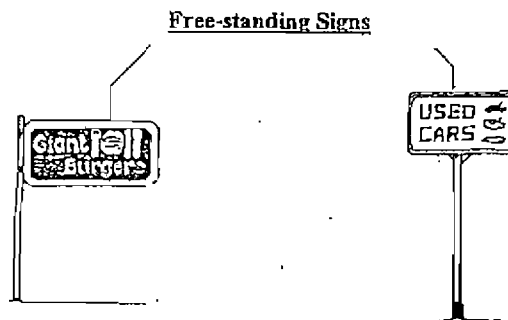
- (1) Dissolve: the changing of an electronic display by means of varying light intensity or pattern, where one display gradually appears to dissipate or lose legibility simultaneously with the gradual appearance and legibility of a subsequent display.
- (2) Fade: the changing of an electronic display by means of varying light intensity, where one display gradually reduces intensity to the point of being illegible or imperceptible and the subsequent display gradually increases intensity to the point of being legible or capable of being perceived.
- (3) Scrolling: the changing of an electronic display by the apparent vertical movement of the visual image, such that a new visual image appears to ascend and descend, or appear and disappear from the margins of the sign in a continuous or unfurling movement.
- (4) Static display: an electronic display that does not change.
- (5) Travel: the changing of an electronic display by the apparent horizontal movement of the visual image.
- (6) Video display: providing an electronic display in horizontal or vertical formats to create continuously moving images.

(l) **Fabric Sign.** Any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, fabric or other light material, with or without frames, that is not permanently affixed to a supporting structure.

~~(i) **Flashing Sign.** A sign incorporating intermittent electrical impulses to a source of illumination or revolving in a manner which creates the illusion of flashing, or which changes colors or intensity of illumination. This definition does not include electronic time and temperature signs.~~

**(m) Flashing. Sudden or intermittent electrical illumination.**

(n) **Freestanding Sign.** A sign supported by one or more upright poles or braces placed in or upon the ground and wholly detached from any building. Also known as a ground sign.



(o) **Indirect Illumination.** A source of illumination directed toward a sign so that the beam of light falls upon the exterior surface of the sign.

(p) **Integrated Business Center.** A group of two or more businesses that have been developed as a unit and that have common parking facilities.

- (q) **Internal Illumination.** A source of illumination from within a sign, including neon signs, but not including electronic display signs and temporary portable changeable message signs.
- (r) **Marquee.** A permanent roofed, but not an enclosed structure, attached to or supported by a building for the purpose of providing shelter to patrons entering a building or to patrons in automobiles.
- (s) **Nit.** A measurement of luminance, where one nit is equal to one candela per square meter (1cd/m<sup>2</sup>). A candela means a unit of measurement of the intensity of light, where one candela is the monochromatic radiation of 540THz with a radiant intensity of 1/683 watt per steradian in the same direction. By way of example, an ordinary wax candle generates approximately one candela.
- (t) **Non-conforming Sign.** An existing sign, lawful at the time of the enactment of this ordinance, which does not conform to the requirements of this code.
- (e) **Outdoor Advertising Sign (Billboards).** A sign designed, intended or used to advertise, inform or attract the attention of the public as to:
1. Goods, products or services that are not sold, manufactured or distributed on or from the premises on which the sign is located;
  2. Facilities not located on the premises on which the sign is located; or
  3. Activities not conducted on the premises on which the sign is located.
- (u) **Portable Sign.** Any sign not permanently attached to the ground, a building, or other structure, not including TPCMS (temporary portable changeable message signs).
- (v) **Projecting Sign.** Signs other than wall signs, which are attached to and project from a structure or building face more than 18 inches.

Projecting Sign



- (w) **Roof Sign.** A sign supported by, and located on or over, the roof of a building.
- (x) **Sign.** Any medium, including its structure and component parts, which is used or intended to be used to attract attention to the subject matter for advertising or identifying purposes. Sign does not include any cloth attached to a single pole equipped to raise and lower the cloth from the ground.
- (y) **Sign Area.**

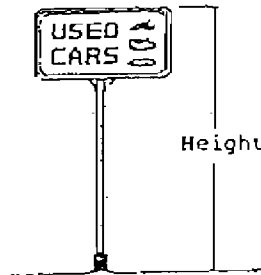
- (1) Except as provided in (2) below, the area of a sign shall be calculated by adding the outer dimensions of all the faces presenting a sign message. Pole covers and columns shall not be included in the area of the measurement if they do not include advertising or information. Double-faced signs will be calculated as one sign only when placed back-to-back and separated by no more than twenty-four inches.
- (2) The area of a wall sign without a border shall be computed by enclosing the entire sign within sets of parallel lines touching the outer limits of the sign message.

Determining the Area of a Sign



Shaded Area Indicates Area of Signs

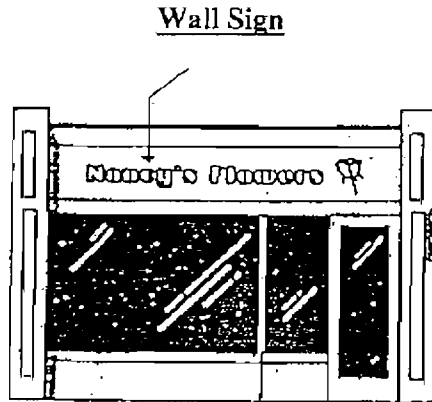
- (z) **Sign Height.** The distance measured from the average elevation of the ground adjacent to the structure that the sign is mounted on, or the elevation of a public sidewalk or street curb within 10 feet of the sign structure, to the greatest height of the sign face.



- (aa) **Sign Structure.** The supports, uprights, braces, framework and other structural components of the sign.
- (bb) **Street Frontage.** The portion of a property which abuts a street right-of-way.
- (cc) **Temporary Portable Changeable Message Signs (TPCMS).** Any sign that is visible for 60 days twice per year capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means with a dwell time of six seconds, is internally illuminated, not permanently affixed to the ground, a building, or other structure, serves a temporary purpose, is freestanding without a permanent foundation, and contains a surface area of no more than 32 square feet and a height of no more than eight feet.
- (dd) **Temporary Sign.** Any sign that is visible for only 90, 60 days twice per year in any 365-day period, and which is not permanently affixed is without illumination, not permanently affixed to the ground, a building, or other structure, serves a temporary purpose, is freestanding without a permanent foundation, including lawn signs, vehicle signs, fabric signs and balloon signs but not including TPCMS (temporary portable changeable message signs).

(ee) Under Marquee sign. A sign which is erected or maintained under and is supported by a marquee.

(ff) **Wall Sign.** Any sign placed or painted directly against a building wall, with the exposed face of the sign in a plane approximately parallel to the plane of the wall and projects outward from the wall not more than eighteen inches including marquee and under marquee signs.



(gg) **Window Sign.** Any sign that is erected or placed within a building or structure but is visible from the exterior of said building or structure.

**31.02 DESIGN, CONSTRUCTION, AND MAINTENANCE.** All signs shall be designed, constructed, altered, and maintained according to the following standards:

- (a) All signs shall comply with the applicable provisions of the Oregon Structural Specialty Code and all other applicable county structural, electrical and other regulations.
- (b) Except for banners, flags, temporary signs and window signs conforming in all respects with the requirements of these regulations, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or other structure.
- (c) All signs shall be maintained in good structural condition.
- (d) The owner of the property on which the sign is located shall be responsible for its erection and maintenance and its compliance with the provisions of these regulations or other laws or Ordinances regulating signs.

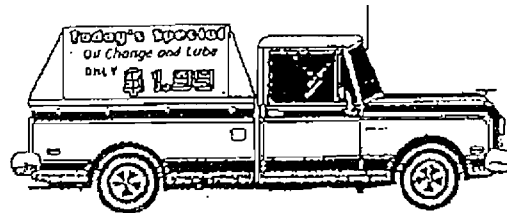
**31.03 ENFORCEMENT.** The Zoning Administrator may determine a sign to be unlawful or abandoned and require its removal or alteration to conform to this ordinance and other applicable county law if it endangers public safety or violates the provisions of this ordinance. ~~Any such determination shall be rendered as provided in Chapter 42.~~

**31.04 SIGNS GENERALLY PERMITTED.** Subject to the limitations in Sections 31.05, 31.06, ~~31.065~~, 31.07, 31.08, and 31.09 the following signs and sign work are permitted in all zones. Except for signs described in (a), the following signs shall not be included when determining compliance with total allowed area:

- (a) **Change of Sign Face/Copy.** Altering the message or design on the sign face without any change to size or shape of the sign framework or structure.
- (b) **Public Safety Signs and Notices. Traffic Control Devices, Roadway Signs, Required Public Notices.** Traffic signs and all other signs erected or maintained by a municipal or governmental body or agency, including danger signs, railroad crossing signs, city entrance signs, and signs of a non-commercial nature required by public laws, ordinances or statutes. Notices and signs erected by public officers performing official duties including those erected pursuant to law, administrative order, or court order.
- (c) **Other Warning Signs.** Signs placed on private property to warn the public of a danger or prohibition located on the private property, including but not limited to, "No Trespassing" or "No Dumping" signs, provided such sign does not exceed four square feet in area and six feet in height.
- (d) **Building Identification.** Permanent building plaques, corner stones, name plates and similar building identifications not more than four square feet in area per building.
- (e) **Historical Signs.** Markers erected or maintained by a recognized historical society or organization identifying sites, buildings, or structures.
- ~~(f) **City Entrance Sign.** One sign owned by a non-profit organization located on each arterial street entrance into a city within 300 feet of the city limits provided the sign does not exceed 32 square feet in area.~~
- (f) **Interior Signs.** Signs located in the interior of any building or within an enclosed lobby or court of any group of buildings that are designed and located to be viewed by patrons.
- (g) **Real Estate Signs.** While a lot, building, or portion of a building is for rent, sale or lease, one unlighted sign visible from each street frontage is permitted. Each sign shall not exceed 12 square feet in a RS zone. 32 square feet in a commercial or industrial zone, or 24 square feet in any other zone.
- ~~(i) **Garage Sale Signs.** One unlighted temporary sign per lot limited in size to 16 square feet and a height of six feet. In addition, one unlighted off premises directional sign limited to four square feet and a height of 30 inches. Signs must be removed immediately at the close of the sale.~~
- ~~(j) **Election Signs.** Unlighted wall or free standing signs not more than 8 feet in height and not more than 4 square feet in area per sign. These signs shall be located within 5 feet of the boundary of a lot and not closer than 20 feet to any other sign on the same lot allowed under this subsection.~~
- ~~(k) **Temporary displays.** Temporary decorations or displays identified with regularly scheduled civic, social, cultural or religious occasions.~~
- (h) **Preexisting Nonconforming Signs: Permanent signs that existed and were legal prior to the date of adoption of this ordinance that do not conform to the provisions of this chapter with respect to number, surface area, location, or illumination. Preexisting nonconforming signs may be repaired but not replaced unless they were approved by a previous land use decision. Replacement of signs approved by a previous land use decision may only be replaced to the same extent as was allowed in that previous decision.**

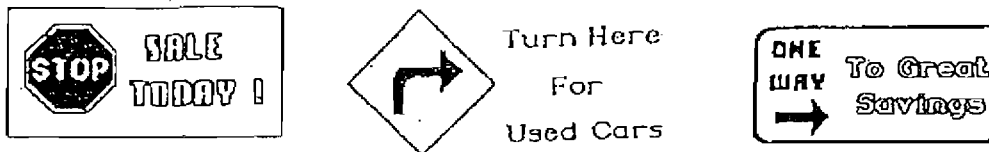
31.05 **PROHIBITED SIGNS.** The following signs are prohibited in all zones:

- (a) **Vehicle signs.** Signs which are placed on or affixed to a bus, car, boat, trailer or other motorized vehicle and parked on public or private property with the primary purpose of providing **a sign not otherwise permitted by this chapter** advertisement of products or directing people to a business or activity located on the same or near by premises. This provision is not intended to prohibit signs painted upon or applied directly to a vehicle that is actively used in the daily function of a business.



- (b) **Hazardous Signs.** No sign shall be permitted at **or near** the intersection of a street or driveway in such a manner as to obstruct free and clear vision of motor vehicle operators or at any location where by reason of its position, shape, or color it may interfere with or be confused with authorized traffic sign, signal, or device, or which makes use of a word, symbol or phrase, shape or color in such a manner as to interfere with, mislead, or confuse traffic.

**Illustration of hazardous signs:**



- (c) **Animated signs.** ~~This prohibition does not include electronic time and temperature signs.~~ **Any sign using an effect not otherwise permitted by this chapter.**
- (d) **Balloons** or similar types of anchored objects **not otherwise allowed in this chapter.**



- (e) **Portable, fabric, or temporary signs** not otherwise allowed in this chapter.

- (f) Signs that emit audible sound, odor, or visible matter. However, This does not include signs integral to an intercom system servicing for customers remaining in their vehicles. ~~such as those used by banks and "drive thru" restaurants, are allowed.~~
- (g) Signs that use or employ side guy lines of any type.
- (h) Signs that obstruct any fire escape, required exit, window or door opening used as a means of egress.
- (i) Signs closer than ~~24 inches~~ 10 feet horizontally or vertically to any overhead power line or electrical conductors. ~~utility guy wire.~~
- (j) Signs that project into or over driveways, roadways and street right-of-ways, except signs under marquee signs ~~a canopy~~ that project over a public sidewalk. Such ~~canopy~~ under marquee signs shall not be less than ~~8~~ seven feet six inches above the sidewalk and shall not exceed a maximum of six square feet.
- (k) Signs in a street right-of-way not otherwise allowed in this chapter whether attached to a pole, post, utility pole or placed on its own stake and placed into the ground.
- (l) ~~Outdoor Advertising Signs (Billboards) except in the CR, CG, HC, IC, IP, IG and IH zones.~~

**31.06 SIGNS PERMITTED IN RESIDENTIAL, PUBLIC, UD AND UT ZONES.** Except as provided in Section 31.04, no sign shall be erected or maintained in Residential, Public, UD and UT zones except as set forth in this section:

(a) ~~Single-family, Two-Family (Duplex) or Home Occupation Dwelling Sign:~~ Maximum square footage:

(1) RS Zone:

(A) One unlighted wall or window sign not exceeding four square feet.

(B) For uses other than dwellings, one freestanding internally illuminated or electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.

(C) One unlighted temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year.

(D) A temporary sign up to 32 square feet may be approved as an adjustment as provided in section 31.13.

(2) RL, RM, UD, and UT Zones:

(A) For uses other than dwellings one internally or indirectly illuminated freestanding sign or one electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.

**(B)** One unlighted temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year.

**(C)** A temporary sign up to 32 square feet may be approved as an adjustment as provided in section 31.13.

**(D)** For apartments and retirement homes, only one temporary banner sign not exceeding 50 square feet per street frontage, located on that frontage and visible for 30 days four times per year.

~~(b) Residential Development Signs: For a subdivision, mobile home park, planned development or other residential development, one sign not exceeding 32 square feet located at the main entrance to the premises.~~

~~(c) Multi-family Dwelling Sign: For multiple family dwellings containing three or more dwelling units, the aggregate area of all signs shall not exceed 32 square feet. One free standing sign is allowed per street frontage with vehicle access. In addition, one temporary unlighted fabric sign attached to a building is allowed per street frontage.~~

~~(d) Undeveloped Residential Development Sign: One non illuminated sign not exceeding 32 square feet in area. Such signs may be installed on the undeveloped property after detail approval of the development. The display period shall be limited to one year, but may be extended an additional year by the Zoning Administrator if construction or sales continue.~~

~~(e) Public/Semi-public Facility Sign: Each lot occupied by public and semi-public uses, schools and churches is allowed one sign not exceeding 32 square feet. Signs for public parks, schools, or stadiums, which are generally placed and located so as not to be viewed from a street, are exempt from this provision.~~

~~(f) Farm-related Signs in P and UT and UTF Zones: On a tract of land occupied by a farm use or a commercial activity in conjunction with farm use one sign not exceeding 24 square feet. If a seasonal produce sales stand is on the premises, two signs shall be allowed of which the aggregate area shall not exceed 32 square feet.~~

~~(g)(b) Height limitations. Except as otherwise provided, signs in Residential, Public, UD, and UT and UTF zones shall comply with the following maximum height limitations:~~

- ~~(1) Freestanding sign: 5 six feet~~
- ~~(2) Wall and window signs: eight feet~~

~~(h)(c) Setbacks. Signs in Residential, Public, UD, and UT and UTF zones shall comply with the following minimum setback requirements: Signs shall be located at least three feet from a lot line abutting a street. However, All signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas established in Section 27.21(c).~~

~~(i)(d) Illumination.~~



Indirectly illuminated Signs may only be indirectly illuminated by a concealed light source. Except for signs permitted in 31.06 (b) and (c) signs shall not be illuminated between 11:00 p.m. and 6:00 a.m.

- (1) Indirect illumination shall be directed away from and not be reflected upon adjacent premises, streets or roadways. Illumination shall be subject to the standards in section 31.10(a).
- (2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 31.10 (b).

31.065 SIGNS PERMITTED IN PUBLIC ZONE. Except as provided in Section 31.04, no sign shall be erected or maintained in a P zone except as set forth in this section:

(a) Maximum Square Footage:

- (1) One internally or indirectly illuminated freestanding sign per street frontage with driveway access not exceeding 32 square feet or one electronic display sign not exceeding 32 square feet with a dwell time of eight seconds, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.
- (2) One temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year.
- (3) A temporary sign up to 32 square feet may be approved as an adjustment as provided in section 31.13.
- (4) One temporary banner sign not exceeding 50 square feet per street frontage, located on that frontage, and visible for 30 days four times per year.

(b) Height:

- (1) Freestanding sign: 5 six feet
- (2) Wall and window signs: eight feet
- (3) For signs allowed in 31.065(a)(1): 15 feet

(c) Setbacks: Signs shall be located at least three feet from a lot line abutting a street. However, all signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas established in section 27.21(c).

(d) Illumination. Signs may be internally or indirectly illuminated. Signs shall not be illuminated between 11:00 p.m. and 6:00 a.m. The limitation on hours does not apply to uses in the Public zone that operate on a 24 hour basis.

- (1) Indirect sign illumination shall be directed away from, and not be reflected upon, adjacent premises and streets or roadways. Illumination shall be subject to the standards in section 31.10(a).

(2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 31.10 (b).

(e) Signs no larger than 800 square feet shall be permitted within stadiums, athletic fields, and other outdoor assembly facilities, where they are intended primarily for viewing by persons within the facility, are oriented toward the interior of the facility and viewing stands, and are only used during events where the public attends as spectators. Notwithstanding any other provision of this chapter, signs allowed by this paragraph may employ any effect and shall not be subject to the limitation imposed in section 31.11(a).

31.07 SIGNS IN CO ZONES. Except as provided in Section 31.04, no sign shall be erected or maintained in a CO zone except as set forth in this section:

(a) **Maximum Square Footage:** The total area of all signs shall not exceed one square foot for each linear foot of building frontage. ~~Each free-standing sign shall be limited to a maximum 24 square feet.~~

~~(b) **Number of Signs:**~~

~~(1) Freestanding Sign: One sign per street frontage with driveway entrance limited to a maximum 24 square feet each.~~

~~(2) One wall sign for each wall facing a street or parking lot, limited to 32 square feet.~~

~~(3) One temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year.~~

~~(4) A temporary sign up to 32 square feet may be approved as an adjustment as provided in section 31.13.~~

~~(5) One temporary banner sign not exceeding 50 square feet per street frontage, located on that frontage, and visible for 30 days four times per year.~~

(6) Roof Signs: Not permitted.

~~(7) Subject to the standards above one electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds, may be erected in place of a freestanding sign.~~

(b) **Maximum Height:**

(1) Freestanding Sign: 15 feet.

(2) Wall Sign: Signs shall not project above the parapet or roof eaves.

(c) **Minimum Setback:** Signs shall be located at least three feet from a lot line abutting a street. However, all signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas established in Section 27.21(c).

(d) **Illumination.** Signs may only be indirectly illuminated by a concealed light source. Wall signs may be internally illuminated. Sign illumination shall be directed away from and not be reflected upon adjacent premises.

(1) Indirect sign illumination shall be directed away from, and not be reflected upon, adjacent premises and streets or roadways. Illumination shall be subject to the standards in section 31.10(a).

(2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 31.10 (b).

~~(f) **Construction Project Sign:** One non-illuminated sign limited to 32 square feet in area. Such sign may be installed after a building permit has been obtained for the construction project and must be removed not later than two years after issuance of the building permit for the project or upon completion of the project, whichever occurs first. No more than two such signs shall be erected for each construction project.~~

(e) **Parking Lot Signs:** Two permanent signs to identify each motor vehicle entrance into or exiting from the premises. Each sign shall be limited to ~~six~~ **eight** square feet in area and a height of **30 inches above the sidewalk or 36 inches above the street elevation where there is no sidewalk.** ~~four feet.~~

**31.08 SIGNS IN OTHER ZONES.** Except as provided in Section 31.04 and 31.09, no sign shall be erected or maintained in any other zones except as set forth in this section:

(a) **Maximum Square Footage:** The aggregate area of all signs shall not exceed one and one-half square feet for each linear foot of building frontage. A sign shall not exceed 150 square feet. ~~except a free-standing sign shall be limited to a maximum of 100 square feet.~~

- (1) Freestanding Sign: One sign per street frontage with entrance access.
- (2) Roof Sign: One

(b) **Maximum Height:**

- (1) Freestanding Sign: 25 feet.
- (2) Wall Sign: Signs shall not project above the parapet or roof eaves.
- (3) Roof Sign: Not higher than the peak of the roof.

(c) **Minimum Setback:** No sign shall project into the public right-of-way. ~~However,~~ All signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas established in Section 27.21(c).

(d) **Illumination.** ~~Signs must be internally illuminated.~~

(1) Indirect sign illumination shall be directed away from and not be reflected upon adjacent premises and streets or roadways. Illumination shall be subject to the standards in section 31.10(a).

- (2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 31.10 (b).
- (c) Subject to the standards above, one electronic display sign in place of a freestanding sign with a dwell time of eight seconds, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.
- (f) **Parking Lot signs:** Two permanent signs to identify each motor vehicle entrances onto or exit from the premises. Each sign shall be limited to six- eight square feet in area and a height of 30 inches above the sidewalk or 36 inches above the street elevation where there is no sidewalk, four feet.
- (g) **Other signs:** ~~One temporary fabric sign attached to a building per street frontage.~~ One temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year or one balloon sign up to 35 feet above the roof visible for only 14 days in any six-month period.
- (h) One temporary banner sign not exceeding 50 square feet per street frontage, located on that frontage, and visible for 30 days four times per year.
- (i) One temporary portable changeable message sign for 60 days twice per year.

**31.09 SIGNS FOR INTEGRATED BUSINESS CENTERS.** Except as provided in Section 31.04, only signs permitted in this section are allowed in an integrated business center in CR and CG zones:

- (a) **Integrated business center sign:** One freestanding structure per street frontage with driveway entrance access.
- (1) Maximum Height: 25 feet.
  - (2) Maximum Square Footage: Total sign area attached to the structure shall not exceed 300 sq. ft.. One sign on the structure may be up to 150 sq. ft.. Other attached signs shall not exceed 75 sq. ft.
  - (3) Minimum Setback: Signs shall not project into the public right-of-way. Signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be placed in special setbacks [see Section 27.21(c)].
  - (4) Subject to the standards above, one electronic display sign in place of a freestanding, sign with a dwell time of eight seconds, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.
- (b) **Signs for individual businesses in integrated business centers:** Wall, awning and window signs are permitted subject to the following requirements:
- (1) Maximum Square Footage: The total sign area is based upon street frontage (arterial and collector streets only) and frontage on common parking areas. The aggregate sign area

shall not exceed one and one-half square feet for each linear foot of building frontage for a maximum of two building frontages. A sign shall not exceed 150 sq. ft..

- (2) Maximum Height: Signs shall not project above the parapet or roof eaves.
- (3) Illumination: Wall signs shall be internally illuminated.
- (4) Business Identification Sign: Freestanding individual businesses may have one monument sign not to exceed 32 square feet in area or six feet in height. This sign is in lieu of advertising on the freestanding business center sign and is deducted from the total sign area allowed for the business.

(c) One temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year or one balloon sign up to 35 feet above the roof visible for only 14 days in any six-month period or one banner sign not exceeding 50 square feet visible for 30 days in any 365 day period.

(d) Illumination.

(1) Indirect sign illumination shall be directed away from and not be reflected upon adjacent premises and streets or roadways. Illumination shall be subject to the standards in section 31.10(a).

(2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 31.10 (b).

(e) One temporary portable changeable message sign for 60 days twice per year.

(f) Parking Lot Signs: Two permanent signs to identify each motor vehicle entrance into or exit from the premises. Each sign shall be limited to six ~~six~~ **eight** square feet in area and a height of **30 inches above the sidewalk or 36 inches above the street elevation where there is no sidewalk,** four feet.

31.10 ILLUMINATION. All illuminated signs are subject to the following standards:

(a) Indirect illuminated signs shall be so located and designed that the light source, viewed by an observer five feet from above grounds at the boundary of the property, shall be either completely shielded from direct view or no greater than .5 foot candle.

(b) Brightness. All electronic display signs must be constructed, operated, or otherwise function in such a way as to not exceed the provisions of this paragraph:

(1) At the time of installation, electronic display signs may be illuminated to a degree of brightness that is no greater than 7,500 nits between sunrise and sunset and that is no greater than 1,000 nits between sunset and sunrise; provided that an electronic display sign comprised solely of one color shall not exceed the following levels:

(A) For a display comprised of red only, 3,150 nits between sunrise and sunset, and 450 between sunset and sunrise;

- (B) For a display comprised of green only, 6,300 nits between sunrise and sunset, and 900 nits between sunset and sunrise;
- (C) For a display comprised of amber only, 4,690 nits between sunrise and sunset, and 670 nits between sunset and sunrise.

(2) All electronic display signs must be maintained and operated to meet the following brightness standards:

- (A) No sign shall be brighter than is necessary for clear and adequate visibility.
- (B) No sign shall be of such intensity or brilliance as to impair the vision of a motor vehicle driver with average eyesight or to otherwise interfere with the driver's operation of a motor vehicle.
- (C) No sign shall be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.

(3) The person owning or controlling an electronic display sign must adjust the sign to meet the brightness standards in accordance with these standards. The adjustment must be made immediately upon notice of non-compliance from the Director.

(4) All electronic display signs must be equipped with a mechanism that automatically adjusts the brightness in response to ambient conditions and equipped with a means to immediately turn off the display if it malfunctions, and the sign owner or operator must immediately turn off the sign or lighting when notified by the Director that it is not complying with the standards in this section.

31.11 ELECTRONIC DISPLAY SIGN STANDARDS. In addition to all other standards in this chapter relating to electronic display signs shall meet the following standards:

- (a) The actual change of display for an electronic display sign shall be completed in two seconds or less. Displays may change by dissolve, fade, or by instantaneous change from one static display to another, but shall remain as a static display after completing the change, and, once changed, shall remain static until the next change. Except as authorized in 31.065(e), scrolling, travel, and video display are prohibited.
- (b) Notwithstanding any other provision in this chapter, a municipal corporation providing transit services may erect one electronic display sign in each of the corporation's transit stops, which shall be limited to two square feet in area, screened from adjacent residential properties, and used only for the transmission on public information by the corporation.

31.13 ADJUSTMENTS. Adjustments to standards contained in this chapter may be allowed subject to the following criteria:

- (a) The proposed development will not have a significant adverse impact upon adjacent existing or planned uses and development; and
- (b) The adjustment will not have a significant adverse affect upon the health or safety or persons working or residing in the vicinity; and

- (c) The adjustment is the minimum necessary to achieve the purpose of the adjustment and is the minimum necessary to permit development of the property for the proposed use; and
- (d) The intent and purpose of the specific provision to be adjusted is clearly inapplicable under the circumstances; or, the proposed development maintains the intent and purpose of the provision to be adjusted.

BEFORE THE BOARD OF COMMISSIONERS  
FOR MARION COUNTY, OREGON

In the matter of an ordinance amending )  
Marion County Code Sections 17.191 )  
(Rural Zoning) and 16.31 (Urban Zoning) )  
by amending provisions related to Sign )  
Standards and Definitions, and declaring )  
an Emergency. )

ORDINANCE No. 1296

THE MARION COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS AS  
FOLLOWS:

SECTION I. Purpose

This ordinance is enacted pursuant to the authority granted to general law counties in the State of Oregon by ORS Chapters 203, 197 and 215 to implement the County Comprehensive Plan by amending the Marion County Code provisions relating to the standards and definitions for Signs under both Urban and Rural Zoning.

SECTION II. Authorization

The Marion County Board of Commissioners initiated legislative amendments to the Marion County Rural and Urban Zoning Ordinances by Resolution 06-15R dated May 24, 2006. The Board of Commissioners held public hearings to consider the amendments on August 23, 2006 and December 2, 2009, for which proper notice and advertisement were given. All persons present during the public hearing were given the opportunity to speak or present written statements.

SECTION III. Evidence and Conclusion

The amendments of the Marion County Rural and Urban Zoning Ordinances made hereunder are based on consideration and analysis of the operation of present zoning regulations and the provisions of ORS Chapters 197 and 215 and the State Land Use Goals and related Oregon Administrative Rules. Due consideration was given to testimony in the hearings. The Board finds that the revisions to the Urban and Rural Zoning Codes are in compliance with the State Land Use Goals, the applicable policies in the Marion County Comprehensive Plan, and with ORS 197 and ORS 215.

SECTION IV. Amendments

1. Chapter 17.191 MCC (Marion County Rural Zoning Ordinance Chapter 191) is amended as set forth in Exhibit A, attached hereto and incorporated herein.



2. Chapter 16.31 MCC (Marion County Urban Zoning Ordinance Chapter 31) is amended as set forth in Exhibit B, attached hereto and incorporated herein.

SECTION V. Severability and Saving Clause

Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance, or any policy, provision, finding, statement, conclusion or designation to a particular land use or area of land, or any other portion, segment or element of this ordinance or of the amendments adopted hereunder, be declared invalid for any reason, that declaration shall not affect the validity of any provision of this ordinance or of any other Marion County Code provisions amended herein.

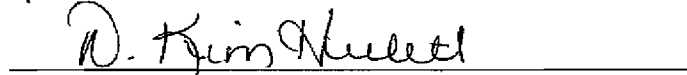
SECTION VI. Effective Date

This ordinance being necessary to protect the public health, safety and welfare, an emergency is declared to exist and this ordinance shall be come effective upon its passage.

SIGNED and FINALIZED this 16<sup>th</sup> day of December 2009 at Salem, Oregon.

MARION COUNTY BOARD OF COMMISSIONERS

  
Chair

  
Recording Secretary

JUDICIAL NOTICE

Oregon Revised Statutes, Chapter 197.830, provides that land use decision may be reviewed by the Land Use Board of Appeal by filing a notice of intent to appeal within 21 days from the date this ordinance becomes final.

H:Codes sign amendments

# EXHIBIT A

## DELETIONS IN STRIKEOUT ADDITIONS IN BOLD AND UNDERLINED

### CHAPTER 191 SIGNS

Revised \_\_\_\_\_ Ord# \_\_\_\_\_  
Revised 10/06/04 Ord.#1204  
Revised 11/25/98

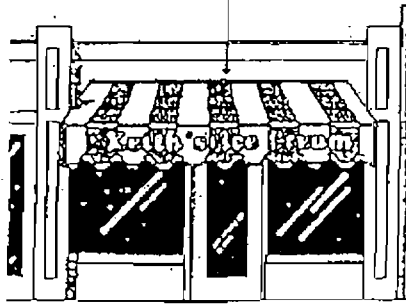
Section	Title	Page
191.000	Sign Regulations	
191.010	Definitions	
191.020	Design, Construction, and Maintenance	
191.030	Enforcement	
191.040	Signs Generally Permitted	
191.050	Prohibited Signs	
191.060	Signs in Residential, <del>Public and Farm</del> Zones	
<b><u>191.065</u></b>	<b><u>Signs in Public, Farm and Forest Zones</u></b>	
191.070	Signs for Integrated Business Centers in an ID Zone	
191.080	Signs in Other Zones	
191.090	Signs Within Special Street Setbacks	
<b><u>191.100</u></b>	<b><u>Illumination</u></b>	
<b><u>191.110</u></b>	<b><u>Electronic Display Sign Standards</u></b>	
<b><u>191.120</u></b>	<b><u>Variance</u></b>	

**191.000 SIGN REGULATIONS.** The sign regulations in this Chapter are intended to provide minimum standards to safeguard property and public welfare, to preserve locally recognized values of community appearance, and to reduce hazards to motorists and pedestrians traveling on public streets. **A sign is considered a use of property under the provisions of this ordinance.**

**191.010 DEFINITIONS.** For the purpose of this Chapter the following definitions shall apply:

- (a) **Alteration.** Any change in the size, shape, method of illumination, position, location, material, construction, or supporting structure of a sign.
- ~~(b) **Animated Sign.** Any sign or part of a sign which changes physical position by any movement or rotation or which flashes, blinks, fluctuates, has traveling lights or any design created to give the illusion of motion.~~
- (b) **Awning.** A temporary or removable shelter supported entirely from the exterior of a building and composed of non-rigid materials except for support framework.

Awning Sign



- (c) **Awning Sign.** Signs painted on or affixed to an awning.
- (d) **Building Face or Wall.** All window and wall area of a building on one plane or architectural elevation.
- (e) **Building Frontage.** The portion of a building facing a street right-of-way or on-site parking lot.
- (f) **Change of Sign Face/Copy.** Where an existing sign is altered by a change of message or design on the sign face, without any change to the size or shape of the sign framework or structure, excluding marquee, electronic message boards, menu boards, and changeable copy signs.
- (g) **Display. Any identifiable visual form or character, and which may be comprised solely, or be comprised of a combination of, words, symbols, images, and graphic elements.**
- (h) **Electronic display sign. A sign including, or comprised solely or partially of an electronic display that can be changed by automatic means, including, but not limited to, the operation of computer software is internally illuminated, is permanently fixed to a foundation and shall not include TPCMS (Temporary Portable Changeable Message Signs).**
- (i) **Effect. Sequential, flashing, or simultaneous illumination by electrical means other than by an electronic display. As used in this chapter effects include, but are not limited to:**
  - (1) **Animated effect: illumination that depicts a moving object, thing, person, animal, or happening or depicts an ongoing series of images.**
  - (2) **Chaser effect: illumination that is intended to lead the eye by producing lineal or circular movement.**
  - (3) **Scintillating effect: illumination that provides a random twinkling of lights, including illumination that forms images, words or sentences at the end of the sequence of twinkling lights.**
  - (4) **Speller effect: illumination that spells a word, one letter, sentence, number, or character at a time, including flashing a complete word or words or sentence.**
- (j) **Electronic time and temperature sign. A sign, or portion thereof, that announces time, temperature and/or date.**

**(k) Electronic display. A display created by light emitting diodes, liquid crystal displays, plasma display panels, pixel or sub-pixel technology, or other similar technology. As used in this Chapter, electronic displays include, but are not limited to:**

- (1) Dissolve: the changing of an electronic display by means of varying light intensity or pattern, where one display gradually appears to dissipate or lose legibility simultaneously with the gradual appearance and legibility of a subsequent display.**
- (2) Fade: the changing of an electronic display by means of varying light intensity, where one display gradually reduces intensity to the point of being illegible or imperceptible and the subsequent display gradually increases intensity to the point of being legible or capable of being perceived.**
- (3) Scrolling: the changing of an electronic display by the apparent vertical movement of the visual image, such that a new visual image appears to ascend and descend, or appear and disappear from the margins of the sign in a continuous or unfurling movement.**
- (4) Static display: an electronic display that does not change.**
- (5) Travel: the changing of an electronic display by the apparent horizontal movement of the visual image.**
- (6) Video display: providing an electronic display in horizontal or vertical formats to create continuously moving images.**

**(l) Fabric Sign. Any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, fabric or other light material, with or without frames, that is not permanently affixed to a supporting structure.**

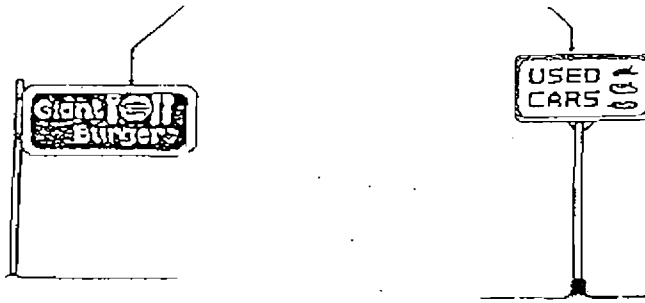
~~**(i) Flashing Sign. A sign incorporating intermittent electrical impulses to a source of illumination or revolving in a manner which creates the illusion of flashing, or which changes colors or intensity of illumination. This definition does not include electronic time and temperature signs.**~~

**(m) Flashing. Sudden or intermittent electrical illumination.**

~~**(i) Flashing Sign. A sign incorporating intermittent electrical impulses to a source of illumination or revolving in a manner which creates the illusion of flashing, or which changes colors or intensity of illumination. This definition does not include electronic time and temperature signs.**~~

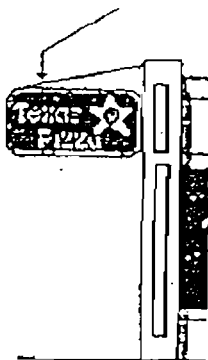
**(n) Freestanding Sign. A sign supported by one or more upright poles or braces placed in or upon the ground and wholly detached from any building. Also known as a ground sign.**

### Free-standing Signs



- (o) **Indirect Illumination.** A source of illumination directed toward a sign so that the beam of light falls upon the exterior surface of the sign.
- (p) **Integrated Business Center.** A group of two or more businesses and/or uses which have been developed as a unit and which have common parking facilities.
- (q) **Internal Illumination.** A source of illumination from within a sign, including neon signs, but not including electronic message board signs and temporary portable changeable message signs
- (r) **Marquee.** A permanent roofed structure, but not an enclosed structure, attached to or supported by a building for the purpose of providing shelter to patrons.
- (s) **Nit.** A measurement of luminance, where one nit is equal to one candela per square meter (1cd/m<sup>2</sup>). A candela means a unit of measurement of the intensity of light, where one candela is the monochromatic radiation of 540THz with a radiant intensity of 1/683 watt per steradian in the same direction. By way of example, an ordinary wax candle generates approximately one candela.
- (t) **Non-conforming Sign.** An existing sign, lawful at the time of the enactment of this ordinance, which does not conform to the requirements of this code.
- ~~(e) **Outdoor Advertising Sign (Billboards).** A sign designed, intended or used to advertise, inform or attract the attention of the public as to:
  - 1. ~~Goods, products or services which are not sold, manufactured or distributed on or from the premises on which the sign is located;~~
  - 2. ~~Facilities not located on the premises on which the sign is located; or~~
  - 3. ~~Activities not conducted on the premises on which the sign is located.~~~~
- (u) **Portable Sign.** Any sign not permanently attached to the ground, a building, or other structure, not including TPCMS (temporary portable changeable message signs) .
- (v) **Projecting Sign.** Signs other than wall signs, which are attached to and project from a structure or building face more than 18 inches.

### Projecting Sign



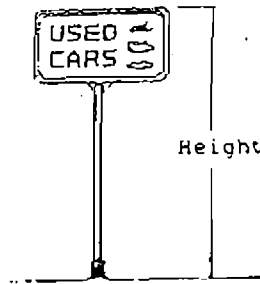
- (w) **Roof Sign.** A sign supported by, and located on or over, the roof of a building.
- (x) **Sign.** Any medium, including its structure and component parts, which is used or intended to be used to attract attention to the subject matter for advertising or identifying purposes. Sign does not include any cloth attached to a single pole equipped to raise and lower the cloth from the ground.
- (y) **Sign Area.**
  - (1) Except as provided in (2) below, the area of a sign shall be calculated by adding the outer dimensions of all the faces presenting a sign message. Pole covers and columns shall not be included in the area of the measurement if they do not include advertising. Double-faced signs will be calculated as one sign only when placed back-to-back and separated by no more than twenty-four inches.

### Determining the Area of a Sign



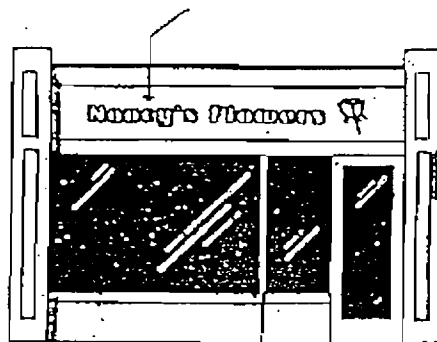
Shaded Area Indicates Area of Signs

- (2) The area of a wall sign without a border shall be computed by enclosing the entire sign within sets of parallel lines touching the outer limits of the sign message.
- (z) **Sign Height.** The distance measured from the average elevation of the ground adjacent to the structure that the sign is mounted on, or the elevation of a public sidewalk or street curb within 10 feet of the sign structure, to the greatest height of the sign face.



- (aa) **Sign Structure.** The supports, uprights, braces, framework and other structural components of the sign.
- (bb) **Street Frontage.** The portion of a property that abuts a street right-of-way.
- (cc) **Temporary Portable Changeable Message Signs (TPCMS).** Any sign that is visible for only 60 days twice per year capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means with a dwell time of six seconds, is internally illuminated, not permanently affixed to the ground, a building, or other structure, serves a temporary purpose, is freestanding without a permanent foundation, and contains a surface area of no more than 32 square feet and a height of no more than eight feet.
- (dd) **Temporary Sign.** Any sign that is visible for only 90, 60 days twice per year in any 365 day period, and which is not permanently affixed is without illumination, not permanently affixed to the ground, a building, or other structure, serves a temporary purpose, is freestanding without a permanent foundation, including lawn signs, vehicle signs fabric signs and balloon signs but not including TPCMS (temporary portable changeable message signs).
- (ee) **Under Marquee sign.** A sign which is erected or maintained under and is supported by a marquee.
- (ff) **Wall Sign.** Any sign placed or painted directly against a building wall, with the exposed face of the sign in a plane approximately parallel to the plane of the wall and projects outward from the wall not more than eighteen inches.

Wall Sign



- (gg) **Window Sign.** Any sign that is erected or placed within a building or structure but is visible from the exterior of said building or structure.

**191.020 DESIGN, CONSTRUCTION, AND MAINTENANCE.** All signs shall be designed, constructed, altered, and maintained according to the following standards:

- (a) All signs shall comply with the applicable provisions of the Oregon Structural Specialty Code and all other applicable county structural, electrical and other regulations.
- (b) Except for banners, flags, temporary signs and window signs conforming in all respects with the requirements of these regulations, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or other structure.
- (c) All signs shall be maintained in good structural condition.
- (d) The owner of the property on which the sign is located shall be responsible for its erection and maintenance and its compliance with the provisions of these regulations or other laws or Ordinances regulating signs.

**191.030 ENFORCEMENT.** The Planning Director may determine a sign to be unlawful or abandoned and require its removal or alteration to conform with this ordinance and other applicable county law if it endangers public safety or violates the provisions of this ordinance.

**191.040 SIGNS GENERALLY PERMITTED.** Subject to the limitations in Sections 191.050, 191.060, 191.065, 191.070, and 191.080, the following signs and sign work are permitted in all zones. Except for signs described in (a) the following signs shall not be included when determining compliance with total allowed area:

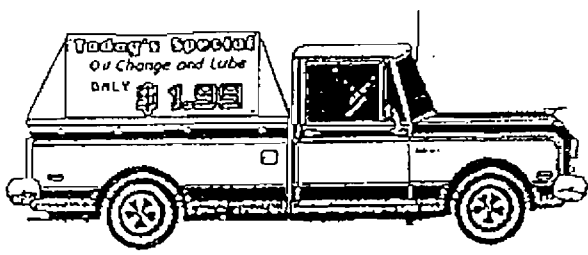
- (a) **Change of Sign Face/Copy.** Altering the message or design on the sign face, without any change to size or shape of the sign framework or structure.
- (b) ~~Public Safety Signs and Notices~~ **Traffic Control Devices, Roadway Signs, Required Public Notices.** Traffic signs and all other signs erected or maintained by a municipal or governmental body or agency, including danger signs, railroad crossing signs, city entrance signs, and signs of a non-commercial nature required by public laws, ordinances or statutes. Notices and signs erected by public officers performing official duties including those erected pursuant to law, administrative order, or court order.
- (c) **Other Warning Signs.** Signs placed on private property to warn the public of a danger or prohibition located on the private property, including but not limited to "No Trespassing" or "No Dumping" signs, provided such sign does not exceed four square feet in area and six feet in height.
- (d) **Building Identification.** Permanent building plaques, corner stones, name plates and similar building identifications not more than four square feet in area per building.
- (e) **Historical Signs.** Markers erected or maintained by a recognized historical society or organization identifying sites, buildings, or structures.
- (f) ~~City Entrance Sign. One sign owned by a non-profit organization located on each arterial street entrance into a city within 300 feet of the city limits provided the sign does not exceed 32 square feet in area.~~



- (f) **Interior Signs.** Signs located in the interior of any building or within an enclosed lobby or court of any group of buildings, which are designed and located to be viewed by patrons.
- (g) **Real Estate Signs.** While a lot, building, or portion of a building is for rent, sale or lease, one unlighted sign visible from each street frontage is permitted. Each sign shall not exceed 12 square feet in a residential zone. 32 square feet in a commercial or industrial zone, or 24 square feet in any other zone.
- (i) ~~Garage Sale Signs.~~ One unlighted temporary sign per lot limited in size to 16 square feet and a height of six feet. In addition, one unlighted off premises directional sign limited to four square feet and a height of 30 inches. Signs must be removed immediately at the close of the sale.
- (j) ~~Election Signs.~~ Unlighted wall or free-standing signs not more than 8 feet in height and not more than 4 square feet in area per sign.
- (g) ~~Temporary displays~~ Temporary decorations or displays identified with regularly scheduled civic, social, cultural or religious occasions.
- (h) **Preexisting Nonconforming signs:** Permanent signs that existed and were legal prior to the date of adoption of this ordinance that do not conform to the provisions of this chapter with respect to number, surface area, location, or illumination. Preexisting nonconforming signs may be repaired but not replaced unless they were approved by a previous land use decision. Replacement of signs approved by a previous land use decision may only be replaced to the same extent as was allowed in that previous decision.

**191.050 PROHIBITED SIGNS.** The following signs are prohibited in all zones:

- (a) **Vehicle signs.** Signs which are placed on or affixed to a bus, car, boat, trailer or other motorized vehicle and parked on public or private property with the primary purpose of providing a sign not otherwise permitted by this chapter advertisement of products or directing people to a business or activity located on the same or nearby premises. This provision is not intended to prohibit signs painted upon or applied directly to a vehicle that is actively used in the daily function of a business.

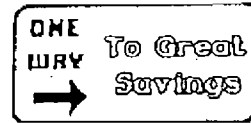


- (b) **Hazardous Signs.** No sign shall be permitted at or near the intersection of a street or driveway in such a manner as to obstruct free and clear vision of motor vehicle operators or at any location where by reason of its position, shape, or color it may interfere with or be confused with authorized traffic sign, signal, or device, or which makes use of a word, symbol or phrase, shape or color in such a manner as to interfere with, mislead, or confuse traffic.

Illustration of hazardous signs:



Turn Here  
For  
Used Cars



- (c) **Animated signs.** ~~This prohibition does not include electronic time and temperature signs.~~ Any sign using an effect not otherwise permitted by this chapter.
- (d) **Balloons or similar types of anchored objects** not otherwise allowed in this chapter.



- (e) **Portable, fabric, or temporary signs** not otherwise allowed in this chapter.
- (f) **Signs that emit audible sound, odor, or visible matter.** However, This does not include signs integral to an intercom system servicing for customers remaining in their vehicles, such as those used by banks and "drive-thru" restaurants, are allowed.
- (g) **Signs that use or employ side guy lines** of any type.
- (h) **Signs that obstruct** any fire escape, required exit, window or door opening used as a means of egress.
- (i) **Signs closer than 24 inches 10 feet** horizontally or vertically to any overhead power line or electrical conductors. utility guy wire.
- (j) **Signs that project into or over driveways, roadways and street right-of-ways,** except signs under marquee signs a canopy that project over a public sidewalk. Such canopy under marquee signs shall not be less than 8-seven feet six inches above the sidewalk and shall not exceed a maximum of six square feet.
- (k) **Signs in a street right-of-way** not otherwise allowed in this chapter whether attached to a pole, post, utility pole or placed on its own stake and placed into the ground.
- (k) ~~Outdoor advertising sign (billboard) except in the ID zone.~~

**191.060 SIGNS PERMITTED IN RESIDENTIAL, PUBLIC, FARM AND FOREST ZONES.**

Except as provided in Section 191.040, no sign shall be erected or maintained in Residential Public, Farm and Forest zones except as set forth in this section:

- (a) ~~Single family, Two Family (Duplex) Dwelling or Home Occupation Sign.~~ One unlighted wall, window or free-standing sign not exceeding 16 square feet. Maximum square footage:
- (1) RS Zone:
- (A) One unlighted wall or window sign not exceeding four square feet.
  - (B) For uses other than dwellings, one freestanding internally illuminated or electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.
  - (C) One temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year.
  - (D) One temporary sign up to 32 square feet may be approved as an variance as provided in section 191.120.
- (2) AR Zone:
- (A) One unlighted wall, window or freestanding sign not exceeding 32 square feet.
  - (B) For uses other than dwellings one internally or indirectly illuminated freestanding sign or one electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds, may be erected in place of a freestanding sign.
  - (C) One temporary sign not exceeding 32 square feet visible for 60 days twice per year.
- (3) RM zone:
- (A) One unlighted wall, window or freestanding sign not exceeding 32 square feet.
  - (B) For uses other than dwellings one internally or indirectly illuminated freestanding sign or one electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds, may be erected in place of a freestanding sign.
  - (C) One temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year.
  - (D) For apartments and retirement homes, only one temporary banner sign not exceeding 50 square feet per street frontage, located on that frontage, and visible for 30 days four times per year.

- (b) ~~Residential Development Signs.~~ For a subdivision, mobile home park, planned development or other residential development, one sign not exceeding 32 square feet located at the main entrance to the premises.
- (c) ~~Multi-family Dwelling Sign.~~ For multiple family dwellings containing three or more dwelling units, the aggregate area of all signs shall not exceed 32 square feet. One free standing sign is allowed per street frontage with vehicle access. In addition, one temporary unlighted fabric sign attached to a building is allowed per street frontage.
- (d) ~~Undeveloped Residential Development Sign.~~ One non illuminated sign not exceeding 32 square feet in area. Such signs may be installed on the undeveloped property after detail approval of the development. The display period shall be limited to one year, but may be extended an additional year by the Planning Director if construction or sales continue.
- (e) ~~Public/Semi-public Facility Sign.~~ Each lot occupied by public and semi public uses, schools and churches is allowed one sign not exceeding 32 square feet. Signs for public parks, schools, or stadiums, which are generally placed and located so as not to be viewed from a street, are exempt from this provision.
- (f) ~~Farm-related and Bed and Breakfast Inn Signs in AR, Farm and Forest Zones.~~ On a tract of land occupied by a farm use or a commercial activity in conjunction with farm use or bed and breakfast inn one sign not exceeding 24 square feet. If a seasonal produce sales stand is on the premises, two signs shall be allowed of which the aggregate area shall not exceed 32 square feet.
- (b) **Height Limitations.** Except for farm-related signs, or as otherwise provided, signs in Residential, Public, Farm and Forest zones shall comply with the following maximum height limitations:
- (1) Freestanding Sign: 5 ~~six~~ feet
  - (2) Wall and Window Signs: eight feet
  - (3) For signs allowed in 191.060(1)(B), (2)(B) and (3)(B): 15 feet
- (c) **Setbacks.** Unless specified otherwise, signs in Residential, Public, Farm and Forest zones shall comply with the following minimum setback requirements: Signs shall be located at least three feet from a lot line abutting a street. However, All signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas. [See Section 191.090].
- (d) **Illumination.** Signs may only be indirectly illuminated by a concealed light source. Sign illumination shall be directed away from and not be reflected upon adjacent premises.
- (1) Indirect illumination Signs may only be indirectly illuminated by a concealed light source. Except for signs permitted in 31.06 (b) and (c) signs shall not be illuminated between 11:00 p.m. and 6:00 a.m. Sign illumination shall be directed away from and not be reflected upon adjacent premises, streets or roadways. Illumination shall be subject to the standards in section 191.100(a).
  - (2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only,

do not create an electronic display or effect, and conform to the brightness limitations set forth in section 191.100(b).

191.065 SIGNS IN PUBLIC, FARM AND FOREST ZONES. Except as provided in Section 191.040, no sign shall be erected or maintained in Public, Farm and Forest zones except as set forth in this section:

- (a) One unlighted wall, window or freestanding sign not exceeding 32 square feet per street frontage.
- (b) One temporary sign not exceeding 32 square feet visible for 60 days twice per year.
- (c) One temporary portable changeable message sign for 60 days twice per year
- (d) On property developed for religious organizations, museums, and commercial and industrial airport related uses in the public zone only, educational institutions and schools as defined in sections 110.505 and 110.510, and subject to the standards above one electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds, may be erected in place of a freestanding sign.
- (e) Height Limitations. Signs shall comply with the following maximum height limitations:
  - (1) Freestanding sign: 5 eight feet
  - (2) Wall and window signs: eight feet
  - (3) For signs allowed in 191.065(d): 15 feet.
- (f) Setbacks. Unless specified otherwise, signs shall comply with the following minimum setback requirements: signs shall be located at least three feet from a lot line abutting a street. All signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas. [See Section 191.090].
- (g) Illumination.
  - (1) Indirect illumination shall be directed away from and not be reflected upon adjacent premises, streets or roadways. Illumination shall be subject to the standards in section 191.100(a).
  - (2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 191.100(b).
- (h) Signs no larger than 800 square feet shall be permitted within stadiums, athletic fields, and other outdoor assembly facilities, where they are intended primarily for viewing by persons within the facility, are oriented toward the interior of the facility and viewing stands, and are only used during events where the public attends as spectators. Not withstanding any other provision of this Chapter, signs allowed by this paragraph may

employ any effect and shall not be subject to the limitation imposed in section 191.100(b).

**191.070 SIGNS FOR INTEGRATED BUSINESS CENTERS IN AN INTERCHANGE**

**DISTRICT ZONE.** Except as provided in Section 191.040, only signs permitted in this section are allowed in an integrated business center in an ID zone:

- (a) **Integrated business center sign:** One freestanding sign structure designed to be read from the freeway.
  - (1) Maximum Height: 65 feet.
  - (2) Maximum Square Footage: Total sign area attached to the structure shall not exceed 500 sq. feet.
  - (3) Minimum Setback: Signs shall not project into the public right-of-way. Signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be placed in special setbacks [see Section 191.090].
  - (4) **Illumination.**
    - (A) **Indirect illumination shall be directed away from and not be reflected upon adjacent premises, streets or roadways. Illumination shall be subject to the standards in section 191.100(a).**
    - (B) **The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 191.100(b).**
  - (5) **Subject to the standards above, one electronic display sign with a dwell time of eight seconds, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds, may be erected in place of a freestanding sign not exceeding 80% of the total square footage allowed and included in square footage maximum.**
  - (6) **One temporary portable changeable message sign for 60 days twice per year.**
- (b) **Secondary Integrated business center sign:** One freestanding sign structure per street frontage with driveway entrance access:
  - (1) Maximum Height: 20 feet. **25 feet.**
  - (2) Maximum Square Footage: Total sign area attached to the structure shall not exceed 150 sq. feet.
  - (3) Minimum Setback: Signs shall not project into the public right-of-way. Signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be placed in special setbacks [see Section 191.090].

(4) Illumination.

(A) Indirect illumination shall be directed away from and not be reflected upon adjacent premises, streets or roadways. Illumination shall be subject to the standards in section 191.100(a).

(B) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 191.100(b).

(c) **Signs for individual businesses in integrated business centers:** Wall, awning and window signs are permitted subject to the following requirements:

(1) **Maximum Square Footage:** The total sign area is based upon street frontage and frontage on common parking areas. The aggregate sign area shall not exceed one square foot for each linear foot of building frontage for a maximum of two building frontages. A sign shall not exceed 100 sq. feet.

(2) **Maximum Height:** Signs shall not project above the parapet or roof eaves.

(3) **Illumination:** Wall signs shall be internally illuminated. Illumination shall be subject to the standards in section 191.100.

(4) **Parking Lot Signs:** Two permanent signs to identify each motor vehicle entrance into or exit from the premises. Each sign shall be limited to ~~six~~ eight square feet in area and a height of ~~four feet-~~ 30 inches above the sidewalk or 36 inches above the street elevation where there is no sidewalk.

(5) One temporary sign or one balloon sign up to 35 feet above the roof visible for only 14 days in any six-month period or one banner (fabric) sign not exceeding 50 square feet visible for 30 days in any 365 day period.

**191.080 SIGNS IN OTHER ZONES.** Except as provided in Section 191.040, no sign shall be erected or maintained except as set forth in this section:

(a) **Maximum Square Footage:** The aggregate area of all signs shall not exceed one and one-half square feet for each linear foot of building frontage. ~~A sign shall not exceed 150 square feet except a free-standing sign shall be limited to a maximum of 100 square feet. A sign shall not exceed 125 square feet if adjacent to a non-state highway public right-of-way or 250 square feet if adjacent to a state highway.~~

(b) **Number of Signs:**

(1) **Freestanding Sign:** One sign per street frontage with entrance access.

(2) **Roof Signs:** Not permitted

(c) **Maximum Height:**

(1) **Freestanding Sign:** 25 feet.

(2) **Wall Sign:** Signs shall not project above the parapet or roof eaves.

(d) **Minimum Setback:** Signs shall be located at least three feet from a lot line abutting a street. However, All signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas. [See Section 191.090].

(e) **Illumination.**

(1) Indirect illumination shall be directed away from and not be reflected upon adjacent premises, streets or roadways. Illumination shall be subject to the standards in section 191.100(a).

(2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 191.100(b).

(f) One temporary sign or one balloon sign up to 35 feet above the roof visible for only 14 days in any six-month period or one banner sign not exceeding 50 square feet visible for 30 days in any 365 day period.

(g) Subject to the standards above, one electronic display sign in place of a freestanding with a dwell time of eight seconds, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.

(h) One temporary portable changeable message sign for 60 days twice per year.

~~**Construction Project Sign:** One non illuminated sign limited to 32 square feet in area. Such sign may be installed after a building permit has been obtained for the construction project and must be removed not later than two years after issuance of the building permit for the project or upon completion of the project, whichever occurs first. No more than two such signs shall be erected for each construction project.~~

(i) **Parking Lot Signs:** Two permanent signs to identify each motor vehicle entrance into or exiting from the premises. Each sign shall be limited to ~~six~~ **eight** square feet in area and a height of four feet 30 inches above the sidewalk or 36 inches above the street elevation where there is no sidewalk.

**191.090 SIGNS WITHIN SPECIAL STREET SETBACKS.** The Planning Director may approve placement of signs within a special street setback upon determination that the County Department of Public Works or Oregon Department of Transportation, if applicable, has no objections and provided the property owner signs a written agreement that the owner or his heirs or assigns will, within 45 days after being notified by the County remove all portions of the structure or sign within the special setback. The agreement shall provide that if the owner fails to remove the listed items the County or State may do so at the expense of the owner and the expense shall be a lien against the land and may be collected or foreclosed in the same manner as liens entered in the County lien docket. The agreement shall be recorded by the owner in the applicable deed records. Notice requiring removal shall not be given until the responsible public agency proceeds to widen improve the street in front of the owner's property or the Department of Public Works determines that the structure is a threat to the public health, safety or welfare. The agreement shall also provide that the owners shall not be entitled to any damages or compensation for the removing of any



structure or loss of parking spaces approved under this provision but this stipulation shall not deny the owner the right to compensation for any land or any structures existing prior to the adoption of this ordinance, taken for the widening improvement of the street.

**191.100 ILLUMINATION. All illuminated signs are subject to the following standards:**

- (a) Indirect illuminated signs shall be so located and designed that the light source, viewed by an observer five feet from above grounds at the boundary of the property, shall be either completely shielded from direct view or no greater than .5 foot candle.
- (b) Brightness. All electronic display signs must be constructed, operated, or otherwise function in such a way as to not exceed the provisions of this paragraph:
- (1) At the time of installation, electronic display signs may be illuminated to a degree of brightness that is no greater than 7,500 nits between sunrise and sunset and no greater than 1,000 nits between sunset and sunrise, provided that an electronic display sign comprised solely of one color shall not exceed the following levels:
- (A) For a display comprised of red only, 3,150 nits between sunrise and sunset, and 450 between sunset and sunrise;
- (B) For a display comprised of green only, 6,300 nits between sunrise and sunset, and 900 nits between sunset and sunrise;
- (C) For a display comprised of amber only, 4,690 nits between sunrise and sunset, and 670 nits between sunset and sunrise.
- (2) All electronic display signs must be maintained and operated to meet the following brightness standards:
- (A) No sign shall be brighter than is necessary for clear and adequate visibility.
- (B) No sign shall be of such intensity or brilliance as to impair the vision of a motor vehicle driver with average eyesight or to otherwise interfere with the driver's operation of a motor vehicle.
- (C) No sign shall be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.
- (3) The person owning or controlling an electronic display sign must adjust the sign to meet the brightness standards in accordance with these standards. The adjustment must be made immediately upon notice of non-compliance from the Director.
- (4) All electronic display signs must be equipped with a mechanism that automatically adjusts the brightness in response to ambient conditions and equipped with a means to immediately turn off the display if it malfunctions, and the sign owner or operator must immediately turn off the sign or lighting

when notified by the Director that it is not complying with the standards in this section.

191.110 ELECTRONIC DISPLAY SIGN STANDARDS. In addition to all other standards in this chapter relating to electronic display signs shall meet the following standards:

- (a) The actual change of display for an electronic display sign shall be completed in two seconds or less. Displays may change by dissolve, fade, or by instantaneous change from one static display to another, but shall remain as a static display after completing the change, and, once changed, shall remain static until the next change. Except as authorized in 191.065(h), scrolling, travel, and video display are prohibited.
- (b) Notwithstanding any other provision in this chapter, a municipal corporation providing transit services may erect one electronic display sign in each of the corporation's transit stops, which shall be limited to two square feet in area, screened from adjacent residential properties, and used only for the transmission on public information by the corporation.

191.120 VARIANCE. Variances to these standards contained in this chapter may be allowed subject to the following criteria:

- (a) The proposed development will not have a significant adverse impact upon adjacent existing or planned uses and development; and
- (b) The variance will not have a significant adverse affect upon the health or safety or persons working or residing in the vicinity; and
- (c) The variance is the minimum necessary to achieve the purpose of the variance and is the minimum necessary to permit development of the property for the proposed use; and
- (d) The intent and purpose of the specific provision to be varied is clearly inapplicable under the circumstances; or, the proposed development maintains the intent and purpose of the provision to be varied.

# EXHIBIT B

## DELETIONS IN STRIKEOUT ADDITIONS IN BOLD AND UNDERLINED

### CHAPTER 31 SIGNS

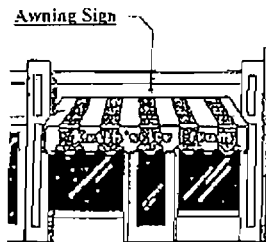
Revised \_\_\_\_\_  
10/06/04 Ord.#1204  
Adopted 3/2/94

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**31.00 SIGN REGULATIONS.** The sign regulations in this Chapter are intended to provide minimum standards to safeguard property and public welfare, to preserve locally recognized values of community appearance, and to reduce hazards to motorists and pedestrians traveling on public streets. **A sign is considered a use of property under the provisions of this ordinance.**

**31.01 DEFINITIONS.** For the purpose of this Chapter the following definitions shall apply:

- (a) **Alteration.** Any change in the size, shape, and method of illumination, position, location, material, construction, or supporting structure of a sign.
- (b) **Animated Sign.** ~~Any sign or part of a sign which changes physical position by any movement or rotation or which flashes, blinks, fluctuates, has traveling lights or any design created to give the illusion of motion.~~
- (b) **Awning.** A temporary or removable shelter supported entirely from the exterior of a building and composed of non-rigid materials except for support framework.
- (c) **Awning Sign.** Signs painted on or affixed to an awning.



- (d) **Building Face or Wall.** All window and wall area of a building on one plane or architectural elevation.
- (e) **Building Frontage.** The portion of a building facing a street right-of-way or on-site parking lot.
- (f) **Change of Sign Face/Copy.** Where an existing sign is altered by a change of message or design on the sign face, without any change to the size or shape of the sign framework or structure, excluding marquee, electronic message boards, menu boards, and changeable face copy signs.
- (g) **Display.** Any identifiable visual form or character, which may be comprised solely or be comprised of a combination of words, symbols, images, and graphic elements.
- (h) **Electronic display sign.** A sign including, or comprised solely or partially of an electronic display that can be changed by automatic means, including, but not limited to, the operation of computer software is internally illuminated, is permanently fixed to a foundation and shall not include TPCMS (Temporary Portable Changeable Message Signs).
- (i) **Effect. Sequential, flashing, or simultaneous illumination by electrical means other than by an electronic display. As used in this chapter effects include, but are not limited to:**
- (1) **Animated effect: illumination that depicts a moving object, thing, person, animal, or happening or depicts an ongoing series of images.**
  - (2) **Chaser effect: illumination that is intended to lead the eye by producing lineal or circular movement.**
  - (3) **Scintillating effect: illumination that provides a random twinkling of lights, including illumination that forms images, words or sentences at the end of the sequence of twinkling lights.**
  - (4) **Speller effect: illumination that spells a word, one letter, sentence, number, or character at a time, including flashing a complete word or words or sentence.**
- (j) **Electronic time and temperature sign.** A sign, or portion thereof, that announces time, temperature and/or date.
- (k) **Electronic display.** A display created by light emitting diodes, liquid crystal displays, plasma display panels, pixel or sub-pixel technology, or other similar technology. As used in this chapter, electronic displays include, but are not limited to:

- (1)  Dissolve: the changing of an electronic display by means of varying light intensity or pattern, where one display gradually appears to dissipate or lose legibility simultaneously with the gradual appearance and legibility of a subsequent display.
- (2)  Fade: the changing of an electronic display by means of varying light intensity, where one display gradually reduces intensity to the point of being illegible or imperceptible and the subsequent display gradually increases intensity to the point of being legible or capable of being perceived.
- (3)  Scrolling: the changing of an electronic display by the apparent vertical movement of the visual image, such that a new visual image appears to ascend and descend, or appear and disappear from the margins of the sign in a continuous or unfurling movement.
- (4)  Static display: an electronic display that does not change.
- (5)  Travel: the changing of an electronic display by the apparent horizontal movement of the visual image.
- (6)  Video display: providing an electronic display in horizontal or vertical formats to create continuously moving images.

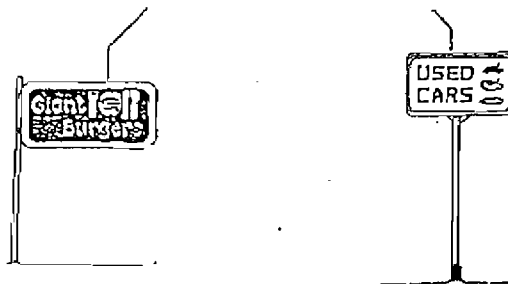
(l) **Fabric Sign.** Any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, fabric or other light material, with or without frames, that is not permanently affixed to a supporting structure.

~~(i) **Flashing Sign.** A sign incorporating intermittent electrical impulses to a source of illumination or revolving in a manner which creates the illusion of flashing, or which changes colors or intensity of illumination. This definition does not include electronic time and temperature signs.~~

**(m) Flashing. Sudden or intermittent electrical illumination.**

(n) **Freestanding Sign.** A sign supported by one or more upright poles or braces placed in or upon the ground and wholly detached from any building. Also known as a ground sign.

Free-standing Signs



(o) **Indirect Illumination.** A source of illumination directed toward a sign so that the beam of light falls upon the exterior surface of the sign.

(p) **Integrated Business Center.** A group of two or more businesses that have been developed as a unit and that have common parking facilities.

- (q) **Internal Illumination.** A source of illumination from within a sign, including neon signs, but not including electronic display signs and temporary portable changeable message signs.
- (r) **Marquee.** A permanent roofed, but not an enclosed structure, attached to or supported by a building for the purpose of providing shelter to patrons entering a building or to patrons in automobiles.
- (s) **Nit.** A measurement of luminance, where one nit is equal to one candela per square meter ( $1\text{cd}/\text{m}^2$ ). A candela means a unit of measurement of the intensity of light, where one candela is the monochromatic radiation of 540THz with a radiant intensity of 1/683 watt per steradian in the same direction. By way of example, an ordinary wax candle generates approximately one candela.
- (t) **Non-conforming Sign.** An existing sign, lawful at the time of the enactment of this ordinance, which does not conform to the requirements of this code.
- (e) **Outdoor Advertising Sign (Billboards).** A sign designed, intended or used to advertise, inform or attract the attention of the public as to:
1. Goods, products or services that are not sold, manufactured or distributed on or from the premises on which the sign is located;
  2. Facilities not located on the premises on which the sign is located; or
  3. Activities not conducted on the premises on which the sign is located.
- (u) **Portable Sign.** Any sign not permanently attached to the ground, a building, or other structure, not including TPCMS (temporary portable changeable message signs).
- (v) **Projecting Sign.** Signs other than wall signs, which are attached to and project from a structure or building face more than 18 inches.

Projecting Sign



- (w) **Roof Sign.** A sign supported by, and located on or over, the roof of a building.
- (x) **Sign.** Any medium, including its structure and component parts, which is used or intended to be used to attract attention to the subject matter for advertising or identifying purposes. Sign does not include any cloth attached to a single pole equipped to raise and lower the cloth from the ground.
- (y) **Sign Area.**

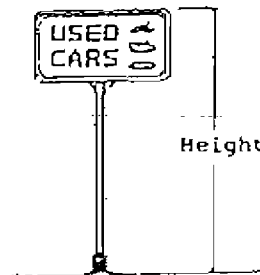
- (1) Except as provided in (2) below, the area of a sign shall be calculated by adding the outer dimensions of all the faces presenting a sign message. Pole covers and columns shall not be included in the area of the measurement if they do not include advertising or information. Double-faced signs will be calculated as one sign only when placed back-to-back and separated by no more than twenty-four inches.
- (2) The area of a wall sign without a border shall be computed by enclosing the entire sign within sets of parallel lines touching the outer limits of the sign message.

Determining the Area of a Sign



Shaded Area Indicates Area of Signs

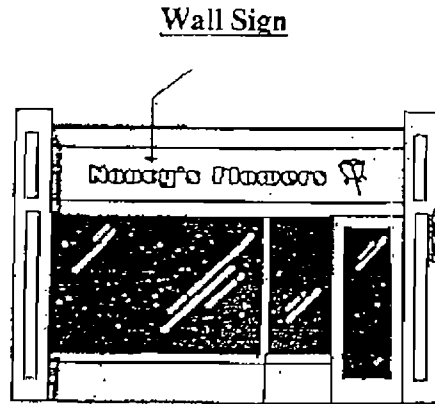
- (z) **Sign Height.** The distance measured from the average elevation of the ground adjacent to the structure that the sign is mounted on, or the elevation of a public sidewalk or street curb within 10 feet of the sign structure, to the greatest height of the sign face.



- (aa) **Sign Structure.** The supports, uprights, braces, framework and other structural components of the sign.
- (bb) **Street Frontage.** The portion of a property which abuts a street right-of-way.
- (cc) **Temporary Portable Changeable Message Signs (TPCMS).** Any sign that is visible for 60 days twice per year capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means with a dwell time of six seconds, is internally illuminated, not permanently affixed to the ground, a building, or other structure, serves a temporary purpose, is freestanding without a permanent foundation, and contains a surface area of no more than 32 square feet and a height of no more than eight feet.
- (dd) **Temporary Sign.** Any sign that is visible for only 90, 60 days twice per year in any 365-day period, and which is not permanently affixed is without illumination, not permanently affixed to the ground, a building, or other structure, serves a temporary purpose, is freestanding without a permanent foundation, including lawn signs, vehicle signs, fabric signs and balloon signs but not including TPCMS (temporary portable changeable message signs).

(ee) Under Marquee sign. A sign which is erected or maintained under and is supported by a marquee.

(ff) **Wall Sign.** Any sign placed or painted directly against a building wall, with the exposed face of the sign in a plane approximately parallel to the plane of the wall and projects outward from the wall not more than eighteen inches including marquee and under marquee signs.



(gg) **Window Sign.** Any sign that is erected or placed within a building or structure but is visible from the exterior of said building or structure.

**31.02 DESIGN, CONSTRUCTION, AND MAINTENANCE.** All signs shall be designed, constructed, altered, and maintained according to the following standards:

- (a) All signs shall comply with the applicable provisions of the Oregon Structural Specialty Code and all other applicable county structural, electrical and other regulations.
- (b) Except for banners, flags, temporary signs and window signs conforming in all respects with the requirements of these regulations, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or other structure.
- (c) All signs shall be maintained in good structural condition.
- (d) The owner of the property on which the sign is located shall be responsible for its erection and maintenance and its compliance with the provisions of these regulations or other laws or Ordinances regulating signs.

**31.03 ENFORCEMENT.** The Zoning Administrator may determine a sign to be unlawful or abandoned and require its removal or alteration to conform to this ordinance and other applicable county law if it endangers public safety or violates the provisions of this ordinance. ~~Any such determination shall be rendered as provided in Chapter 42.~~

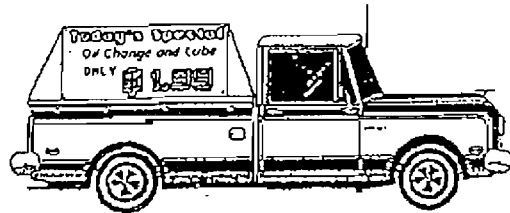
**31.04 SIGNS GENERALLY PERMITTED.** Subject to the limitations in Sections 31.05, 31.06, 31.065, 31.07, 31.08, and 31.09 the following signs and sign work are permitted in all zones. Except for signs described in (a), the following signs shall not be included when determining compliance with total allowed area:



- (a) **Change of Sign Face/Copy.** Altering the message or design on the sign face without any change to size or shape of the sign framework or structure.
- (b) **Public Safety Signs and Notices, Traffic Control Devices, Roadway Signs, Required Public Notices.** Traffic signs and all other signs erected or maintained by a municipal or governmental body or agency, including danger signs, railroad crossing signs, city entrance signs, and signs of a non-commercial nature required by public laws, ordinances or statutes. Notices and signs erected by public officers performing official duties including those erected pursuant to law, administrative order, or court order.
- (c) **Other Warning Signs.** Signs placed on private property to warn the public of a danger or prohibition located on the private property, including but not limited to, "No Trespassing" or "No Dumping" signs, provided such sign does not exceed four square feet in area and six feet in height.
- (d) **Building Identification.** Permanent building plaques, corner stones, name plates and similar building identifications not more than four square feet in area per building.
- (e) **Historical Signs.** Markers erected or maintained by a recognized historical society or organization identifying sites, buildings, or structures.
- ~~(f) **City Entrance Sign.** One sign owned by a non-profit organization located on each arterial street entrance into a city within 300 feet of the city limits provided the sign does not exceed 32 square feet in area.~~
- (f) **Interior Signs.** Signs located in the interior of any building or within an enclosed lobby or court of any group of buildings that are designed and located to be viewed by patrons.
- (g) **Real Estate Signs.** While a lot, building, or portion of a building is for rent, sale or lease, one unlighted sign visible from each street frontage is permitted. Each sign shall not exceed 12 square feet in a RS zone. ~~32 square feet in a commercial or industrial zone, or 24 square feet in any other zone.~~
- ~~(i) **Garage Sale Signs.** One unlighted temporary sign per lot limited in size to 16 square feet and a height of six feet. In addition, one unlighted off premises directional sign limited to four square feet and a height of 30 inches. Signs must be removed immediately at the close of the sale.~~
- ~~(j) **Election Signs.** Unlighted wall or free standing signs not more than 8 feet in height and not more than 4 square feet in area per sign. These signs shall be located within 5 feet of the boundary of a lot and not closer than 20 feet to any other sign on the same lot allowed under this subsection.~~
- (k) **Temporary displays.** Temporary decorations or displays identified with regularly scheduled civic, social, cultural or religious occasions.
- (h) **Preexisting Nonconforming Signs: Permanent signs that existed and were legal prior to the date of adoption of this ordinance that do not conform to the provisions of this chapter with respect to number, surface area, location, or illumination. Preexisting nonconforming signs may be repaired but not replaced unless they were approved by a previous land use decision. Replacement of signs approved by a previous land use decision may only be replaced to the same extent as was allowed in that previous decision.**

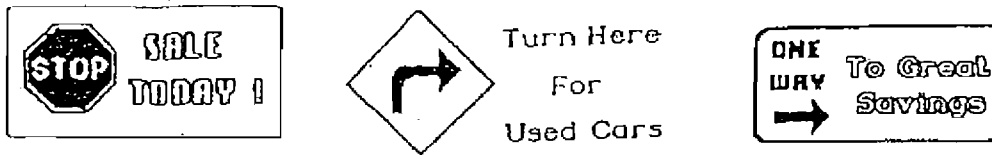
31.05 **PROHIBITED SIGNS.** The following signs are prohibited in all zones:

- (a) **Vehicle signs.** Signs which are placed on or affixed to a bus, car, boat, trailer or other motorized vehicle and parked on public or private property with the primary purpose of providing **a sign not otherwise permitted by this chapter** advertisement of products or directing people to a business or activity located on the same or near by premises. This provision is not intended to prohibit signs painted upon or applied directly to a vehicle that is actively used in the daily function of a business.



- (b) **Hazardous Signs.** No sign shall be permitted at **or near** the intersection of a street or driveway in such a manner as to obstruct free and clear vision of motor vehicle operators or at any location where by reason of its position, shape, or color it may interfere with or be confused with authorized traffic sign, signal, or device, or which makes use of a word, symbol or phrase, shape or color in such a manner as to interfere with, mislead, or confuse traffic.

**Illustration of hazardous signs:**



- (c) **Animated signs.**—~~This prohibition does not include electronic time and temperature signs.~~ **Any sign using an effect not otherwise permitted by this chapter.**
- (d) **Balloons** or similar types of anchored objects **not otherwise allowed in this chapter.**



- (e) **Portable, fabric, or temporary signs** not otherwise allowed in this chapter.

- (f) Signs that emit audible sound, odor, or visible matter. However, This does not include signs integral to an intercom system servicing for customers remaining in their vehicles. ~~such as those used by banks and "drive thru" restaurants, are allowed.~~
- (g) Signs that use or employ side guy lines of any type.
- (h) Signs that obstruct any fire escape, required exit, window or door opening used as a means of egress.
- (i) Signs closer than 24 inches 10 feet horizontally or vertically to any overhead power line or electrical conductors. ~~utility guy wire.~~
- (j) Signs that project into or over driveways, roadways and street right-of-ways, except signs under marquee signs ~~a canopy~~ that project over a public sidewalk. Such ~~canopy~~ under marquee signs shall not be less than ~~8~~ seven feet ~~six~~ inches above the sidewalk and shall not exceed a maximum of six square feet.
- (k) Signs in a street right-of-way not otherwise allowed in this chapter whether attached to a pole, post, utility pole or placed on its own stake and placed into the ground.
- (l) ~~Outdoor Advertising Signs (Billboards) except in the CR, CG, HC, IC, IP, IG and IH zones.~~

**31.06 SIGNS PERMITTED IN RESIDENTIAL, PUBLIC, UD AND UT ZONES.** Except as provided in Section 31.04, no sign shall be erected or maintained in Residential, Public, UD and UT zones except as set forth in this section:

- (a) ~~Single family, Two-Family (Duplex) or Home Occupation Dwelling Sign:~~ Maximum square footage:
  - (1) RS Zone:
    - (A) One unlighted wall or window sign not exceeding four square feet.
    - (B) For uses other than dwellings, one freestanding internally illuminated or electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.
    - (C) One unlighted temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year.
    - (D) A temporary sign up to 32 square feet may be approved as an adjustment as provided in section 31.13.
  - (2) RL, RM, UD, and UT Zones:
    - (A) For uses other than dwellings one internally or indirectly illuminated freestanding sign or one electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.

- (B) One unlighted temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year.
- (C) A temporary sign up to 32 square feet may be approved as an adjustment as provided in section 31.13.
- (D) For apartments and retirement homes, only one temporary banner sign not exceeding 50 square feet per street frontage, located on that frontage and visible for 30 days four times per year.

- ~~(b) Residential Development Signs: For a subdivision, mobile home park, planned development or other residential development, one sign not exceeding 32 square feet located at the main entrance to the premises.~~
- ~~(c) Multi family Dwelling Sign: For multiple family dwellings containing three or more dwelling units, the aggregate area of all signs shall not exceed 32 square feet. One free standing sign is allowed per street frontage with vehicle access. In addition, one temporary unlighted fabric sign attached to a building is allowed per street frontage.~~
- ~~(d) Undeveloped Residential Development Sign: One non illuminated sign not exceeding 32 square feet in area. Such signs may be installed on the undeveloped property after detail approval of the development. The display period shall be limited to one year, but may be extended an additional year by the Zoning Administrator if construction or sales continue.~~
- ~~(e) Public/Semi public Facility Sign: Each lot occupied by public and semi public uses, schools and churches is allowed one sign not exceeding 32 square feet. Signs for public parks, schools, or stadiums, which are generally placed and located so as not to be viewed from a street, are exempt from this provision.~~
- ~~(f) Farm related Signs in P and UT and UTF Zones: On a tract of land occupied by a farm use or a commercial activity in conjunction with farm use one sign not exceeding 24 square feet. If a seasonal produce sales stand is on the premises, two signs shall be allowed of which the aggregate area shall not exceed 32 square feet.~~
- ~~(g)(b) Height. limitations. Except as otherwise provided, signs in Residential, Public, UD, and UT and UTF zones shall comply with the following maximum height limitations:~~
  - (1) Freestanding sign: 5 six feet
  - (2) Wall and window signs: eight feet
- ~~(h)(c) Setbacks. Signs in Residential, Public, UD, and UT and UTF zones shall comply with the following minimum setback requirements: Signs shall be located at least three feet from a lot line abutting a street. However, All signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas established in Section 27.21(c).~~
- ~~(i)(d) Illumination.~~

Indirectly illuminated Signs may only be indirectly illuminated by a concealed light source. Except for signs permitted in 31.06 (b) and (c) signs shall not be illuminated between 11:00 p.m. and 6:00 a.m.

- (1) Indirect illumination shall be directed away from and not be reflected upon adjacent premises, streets or roadways. Illumination shall be subject to the standards in section 31.10(a).
- (2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 31.10 (b).

31.065 SIGNS PERMITTED IN PUBLIC ZONE. Except as provided in Section 31.04, no sign shall be erected or maintained in a P zone except as set forth in this section:

(a) Maximum Square Footage:

- (1) One internally or indirectly illuminated freestanding sign per street frontage with driveway access not exceeding 32 square feet or one electronic display sign not exceeding 32 square feet with a dwell time of eight seconds, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.
- (2) One temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year.
- (3) A temporary sign up to 32 square feet may be approved as an adjustment as provided in section 31.13.
- (4) One temporary banner sign not exceeding 50 square feet per street frontage, located on that frontage, and visible for 30 days four times per year.

(b) Height:

- (1) Freestanding sign: 5 six feet
- (2) Wall and window signs: eight feet
- (3) For signs allowed in 31.065(a)(1): 15 feet

(c) Setbacks: Signs shall be located at least three feet from a lot line abutting a street. However, all signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas established in section 27.21(c).

(d) Illumination. Signs may be internally or indirectly illuminated. Signs shall not be illuminated between 11:00 p.m. and 6:00 a.m. The limitation on hours does not apply to uses in the Public zone that operate on a 24 hour basis.

- (1) Indirect sign illumination shall be directed away from, and not be reflected upon, adjacent premises and streets or roadways. Illumination shall be subject to the standards in section 31.10(a).

(2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 31.10 (b).

(e) Signs no larger than 800 square feet shall be permitted within stadiums, athletic fields, and other outdoor assembly facilities, where they are intended primarily for viewing by persons within the facility, are oriented toward the interior of the facility and viewing stands, and are only used during events where the public attends as spectators. Notwithstanding any other provision of this chapter, signs allowed by this paragraph may employ any effect and shall not be subject to the limitation imposed in section 31.11(a).

31.07 SIGNS IN CO ZONES. Except as provided in Section 31.04, no sign shall be erected or maintained in a CO zone except as set forth in this section:

(a) **Maximum Square Footage:** The total area of all signs shall not exceed one square foot for each linear foot of building frontage. ~~Each free-standing sign shall be limited to a maximum 24 square feet.~~

(b) **Number of Signs:**

(1) Freestanding Sign: One sign per street frontage with driveway entrance limited to a maximum 24 square feet each.

(2) One wall sign for each wall facing a street or parking lot, limited to 32 square feet.

(3) One temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year.

(4) A temporary sign up to 32 square feet may be approved as an adjustment as provided in section 31.13.

(5) One temporary banner sign not exceeding 50 square feet per street frontage, located on that frontage, and visible for 30 days four times per year.

(6) Roof Signs: Not permitted.

(7) Subject to the standards above one electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds, may be erected in place of a freestanding sign.

(b) **Maximum Height:**

(1) Freestanding Sign: 15 feet.

(2) Wall Sign: Signs shall not project above the parapet or roof eaves.

(c) **Minimum Setback:** Signs shall be located at least three feet from a lot line abutting a street. However, all signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas established in Section 27.21(c).

(d) **Illumination.** Signs may only be indirectly illuminated by a concealed light source. Wall signs may be internally illuminated. Sign illumination shall be directed away from and not be reflected upon adjacent premises.

(1) Indirect sign illumination shall be directed away from, and not be reflected upon, adjacent premises and streets or roadways. Illumination shall be subject to the standards in section 31.10(a).

(2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 31.10 (b).

~~(f) **Construction Project Sign:** One non illuminated sign limited to 32 square feet in area. Such sign may be installed after a building permit has been obtained for the construction project and must be removed not later than two years after issuance of the building permit for the project or upon completion of the project, whichever occurs first. No more than two such signs shall be erected for each construction project.~~

(e) **Parking Lot Signs:** Two permanent signs to identify each motor vehicle entrance into or exiting from the premises. Each sign shall be limited to ~~six~~ eight square feet in area and a height of 30 inches above the sidewalk or 36 inches above the street elevation where there is no sidewalk. ~~four feet.~~

**31.08 SIGNS IN OTHER ZONES.** Except as provided in Section 31.04 and 31.09, no sign shall be erected or maintained in any other zones except as set forth in this section:

(a) **Maximum Square Footage:** The aggregate area of all signs shall not exceed one and one-half square feet for each linear foot of building frontage. A sign shall not exceed 150 square feet. ~~except a free standing sign shall be limited to a maximum of 100 square feet.~~

- (1) Freestanding Sign: One sign per street frontage with entrance access.
- (2) Roof Sign: One

(b) **Maximum Height:**

- (1) Freestanding Sign: 25 feet.
- (2) Wall Sign: Signs shall not project above the parapet or roof eaves.
- (3) Roof Sign: Not higher than the peak of the roof.

(c) **Minimum Setback:** No sign shall project into the public right-of-way. However, All signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas established in Section 27.21(c).

(d) **Illumination.** Signs must be internally illuminated.

(1) Indirect sign illumination shall be directed away from and not be reflected upon adjacent premises and streets or roadways. Illumination shall be subject to the standards in section 31.10(a).

- (2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 31.10 (b).
- (c) Subject to the standards above, one electronic display sign in place of a freestanding sign with a dwell time of eight seconds, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.
- (f) **Parking Lot signs:** Two permanent signs to identify each motor vehicle entrances onto or exit from the premises. Each sign shall be limited to six- eight square feet in area and a height of 30 inches above the sidewalk or 36 inches above the street elevation where there is no sidewalk four feet.
- (g) ~~Other signs:~~ One temporary fabric sign attached to a building per street frontage. One temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year or one balloon sign up to 35 feet above the roof visible for only 14 days in any six-month period.
- (h) One temporary banner sign not exceeding 50 square feet per street frontage, located on that frontage, and visible for 30 days four times per year.
- (i) One temporary portable changeable message sign for 60 days twice per year.

**31.09 SIGNS FOR INTEGRATED BUSINESS CENTERS.** Except as provided in Section 31.04, only signs permitted in this section are allowed in an integrated business center in CR and CG zones:

- (a) **Integrated business center sign:** One freestanding structure per street frontage with driveway entrance access.
- (1) Maximum Height: 25 feet.
  - (2) Maximum Square Footage: Total sign area attached to the structure shall not exceed 300 sq. ft.. One sign on the structure may be up to 150 sq. ft.. Other attached signs shall not exceed 75 sq. ft.
  - (3) Minimum Setback: Signs shall not project into the public right-of-way. Signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be placed in special setbacks [see Section 27.21(c)].
  - (4) Subject to the standards above, one electronic display sign in place of a freestanding, sign with a dwell time of eight seconds, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.
- (b) **Signs for individual businesses in integrated business centers:** Wall, awning and window signs are permitted subject to the following requirements:
- (1) Maximum Square Footage: The total sign area is based upon street frontage (arterial and collector streets only) and frontage on common parking areas. The aggregate sign area



shall not exceed one and one-half square feet for each linear foot of building frontage for a maximum of two building frontages. A sign shall not exceed 150 sq. ft..

- (2) Maximum Height: Signs shall not project above the parapet or roof eaves.
- (3) Illumination: Wall signs shall be internally illuminated.
- (4) Business Identification Sign: Freestanding individual businesses may have one monument sign not to exceed 32 square feet in area or six feet in height. This sign is in lieu of advertising on the freestanding business center sign and is deducted from the total sign area allowed for the business.

(c) One temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year or one balloon sign up to 35 feet above the roof visible for only 14 days in any six-month period or one banner sign not exceeding 50 square feet visible for 30 days in any 365 day period.

(d) **Illumination.**

(1) Indirect sign illumination shall be directed away from and not be reflected upon adjacent premises and streets or roadways. Illumination shall be subject to the standards in section 31.10(a).

(2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 31.10 (b).

(e) One temporary portable changeable message sign for 60 days twice per year.

(f) **Parking Lot Signs:** Two permanent signs to identify each motor vehicle entrance into or exit from the premises. Each sign shall be limited to ~~six~~ **eight** square feet in area and a height of **30 inches above the sidewalk or 36 inches above the street elevation where there is no sidewalk, four feet.**

31.10 **ILLUMINATION.** All illuminated signs are subject to the following standards:

(a) Indirect illuminated signs shall be so located and designed that the light source, viewed by an observer five feet from above grounds at the boundary of the property, shall be either completely shielded from direct view or no greater than .5 foot candle.

(b) Brightness. All electronic display signs must be constructed, operated, or otherwise function in such a way as to not exceed the provisions of this paragraph:

(1) At the time of installation, electronic display signs may be illuminated to a degree of brightness that is no greater than 7,500 nits between sunrise and sunset and that is no greater than 1,000 nits between sunset and sunrise; provided that an electronic display sign comprised solely of one color shall not exceed the following levels:

(A) For a display comprised of red only, 3,150 nits between sunrise and sunset, and 450 between sunset and sunrise;

- (B) For a display comprised of green only, 6,300 nits between sunrise and sunset, and 900 nits between sunset and sunrise;
  - (C) For a display comprised of amber only, 4,690 nits between sunrise and sunset, and 670 nits between sunset and sunrise.
- (2) All electronic display signs must be maintained and operated to meet the following brightness standards:
- (A) No sign shall be brighter than is necessary for clear and adequate visibility.
  - (B) No sign shall be of such intensity or brilliance as to impair the vision of a motor vehicle driver with average eyesight or to otherwise interfere with the driver's operation of a motor vehicle.
  - (C) No sign shall be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.
- (3) The person owning or controlling an electronic display sign must adjust the sign to meet the brightness standards in accordance with these standards. The adjustment must be made immediately upon notice of non-compliance from the Director.
- (4) All electronic display signs must be equipped with a mechanism that automatically adjusts the brightness in response to ambient conditions and equipped with a means to immediately turn off the display if it malfunctions, and the sign owner or operator must immediately turn off the sign or lighting when notified by the Director that it is not complying with the standards in this section.

**31.11 ELECTRONIC DISPLAY SIGN STANDARDS.** In addition to all other standards in this chapter relating to electronic display signs shall meet the following standards:

- (a) The actual change of display for an electronic display sign shall be completed in two seconds or less. Displays may change by dissolve, fade, or by instantaneous change from one static display to another, but shall remain as a static display after completing the change, and, once changed, shall remain static until the next change. Except as authorized in 31.065(e), scrolling, travel, and video display are prohibited.
- (b) Notwithstanding any other provision in this chapter, a municipal corporation providing transit services may erect one electronic display sign in each of the corporation's transit stops, which shall be limited to two square feet in area, screened from adjacent residential properties, and used only for the transmission of public information by the corporation.

**31.13 ADJUSTMENTS.** Adjustments to standards contained in this chapter may be allowed subject to the following criteria:

- (a) The proposed development will not have a significant adverse impact upon adjacent existing or planned uses and development; and
- (b) The adjustment will not have a significant adverse affect upon the health or safety or persons working or residing in the vicinity; and

- (c) The adjustment is the minimum necessary to achieve the purpose of the adjustment and is the minimum necessary to permit development of the property for the proposed use; and
- (d) The intent and purpose of the specific provision to be adjusted is clearly inapplicable under the circumstances; or, the proposed development maintains the intent and purpose of the provision to be adjusted.

BEFORE THE BOARD OF COMMISSIONERS  
FOR MARION COUNTY, OREGON

In the matter of an ordinance amending )  
Marion County Code Sections 17.191 )  
(Rural Zoning) and 16.31 (Urban Zoning) )  
by amending provisions related to Sign )  
Standards and Definitions, and declaring )  
an Emergency. )

ORDINANCE No. 1296

THE MARION COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS AS  
FOLLOWS:

SECTION I. Purpose

This ordinance is enacted pursuant to the authority granted to general law counties in the State of Oregon by ORS Chapters 203, 197 and 215 to implement the County Comprehensive Plan by amending the Marion County Code provisions relating to the standards and definitions for Signs under both Urban and Rural Zoning.

SECTION II. Authorization

The Marion County Board of Commissioners initiated legislative amendments to the Marion County Rural and Urban Zoning Ordinances by Resolution 06-15R dated May 24, 2006. The Board of Commissioners held public hearings to consider the amendments on August 23, 2006 and December 2, 2009, for which proper notice and advertisement were given. All persons present during the public hearing were given the opportunity to speak or present written statements.

SECTION III. Evidence and Conclusion

The amendments of the Marion County Rural and Urban Zoning Ordinances made hereunder are based on consideration and analysis of the operation of present zoning regulations and the provisions of ORS Chapters 197 and 215 and the State Land Use Goals and related Oregon Administrative Rules. Due consideration was given to testimony in the hearings. The Board finds that the revisions to the Urban and Rural Zoning Codes are in compliance with the State Land Use Goals, the applicable policies in the Marion County Comprehensive Plan, and with ORS 197 and ORS 215.

SECTION IV. Amendments

1. Chapter 17.191 MCC (Marion County Rural Zoning Ordinance Chapter 191) is amended as set forth in Exhibit A, attached hereto and incorporated herein.

2. Chapter 16.31 MCC (Marion County Urban Zoning Ordinance Chapter 31) is amended as set forth in Exhibit B, attached hereto and incorporated herein.

SECTION V. Severability and Saving Clause

Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance, or any policy, provision, finding, statement, conclusion or designation to a particular land use or area of land, or any other portion, segment or element of this ordinance or of the amendments adopted hereunder, be declared invalid for any reason, that declaration shall not affect the validity of any provision of this ordinance or of any other Marion County Code provisions amended herein.

SECTION VI. Effective Date

This ordinance being necessary to protect the public health, safety and welfare, an emergency is declared to exist and this ordinance shall be come effective upon its passage.

SIGNED and FINALIZED this 16<sup>th</sup> day of December 2009 at Salem, Oregon.

MARION COUNTY BOARD OF COMMISSIONERS

Patricia Mulca  
Chair

D. Kim Hullett  
Recording Secretary

JUDICIAL NOTICE

Oregon Revised Statutes, Chapter 197.830, provides that land use decision may be reviewed by the Land Use Board of Appeal by filing a notice of intent to appeal within 21 days from the date this ordinance becomes final.

H:Codes sign amendments

# EXHIBIT A

## DELETIONS IN STRIKEOUT ADDITIONS IN BOLD AND UNDERLINED

### CHAPTER 191 SIGNS

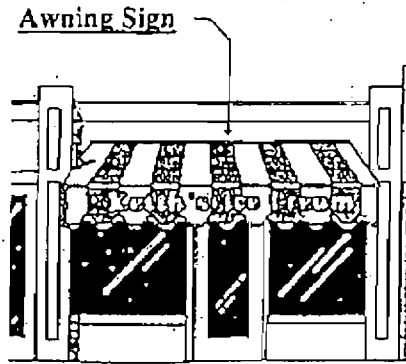
Revised \_\_\_\_\_ Ord# \_\_\_\_\_  
Revised 10/06/04 Ord.#1204  
Revised 11/25/98

Section	Title	Page
191.000	Sign Regulations	
191.010	Definitions	
191.020	Design, Construction, and Maintenance	
191.030	Enforcement	
191.040	Signs Generally Permitted	
191.050	Prohibited Signs	
191.060	Signs in Residential, <del>Public</del> and Farm Zones	
<b><u>191.065</u></b>	<b><u>Signs in Public, Farm and Forest Zones</u></b>	
191.070	Signs for Integrated Business Centers in an ID Zone	
191.080	Signs in <del>Other</del> Zones	
191.090	Signs Within Special Street Setbacks	
<b><u>191.100</u></b>	<b><u>Illumination</u></b>	
<b><u>191.110</u></b>	<b><u>Electronic Display Sign Standards</u></b>	
<b><u>191.120</u></b>	<b><u>Variance</u></b>	

**191.000 SIGN REGULATIONS.** The sign regulations in this Chapter are intended to provide minimum standards to safeguard property and public welfare, to preserve locally recognized values of community appearance, and to reduce hazards to motorists and pedestrians traveling on public streets. **A sign is considered a use of property under the provisions of this ordinance.**

**191.010 DEFINITIONS.** For the purpose of this Chapter the following definitions shall apply:

- (a) **Alteration.** Any change in the size, shape, method of illumination, position, location, material, construction, or supporting structure of a sign.
- ~~(b) **Animated Sign.** Any sign or part of a sign which changes physical position by any movement or rotation or which flashes, blinks, fluctuates, has traveling lights or any design created to give the illusion of motion.~~
- (b) **Awning.** A temporary or removable shelter supported entirely from the exterior of a building and composed of non-rigid materials except for support framework.



- (c) **Awning Sign.** Signs painted on or affixed to an awning.
- (d) **Building Face or Wall.** All window and wall area of a building on one plane or architectural elevation.
- (e) **Building Frontage.** The portion of a building facing a street right-of-way or on-site parking lot.
- (f) **Change of Sign Face/Copy.** Where an existing sign is altered by a change of message or design on the sign face, without any change to the size or shape of the sign framework or structure, excluding marquee, electronic message boards, menu boards, and changeable copy signs.
- (g) **Display. Any identifiable visual form or character, and which may be comprised solely, or be comprised of a combination of, words, symbols, images, and graphic elements.**
- (h) **Electronic display sign. A sign including, or comprised solely or partially of an electronic display that can be changed by automatic means, including, but not limited to, the operation of computer software is internally illuminated, is permanently fixed to a foundation and shall not include TPCMS (Temporary Portable Changeable Message Signs).**
- (i) **Effect. Sequential, flashing, or simultaneous illumination by electrical means other than by an electronic display. As used in this chapter effects include, but are not limited to:**
  - (1) **Animated effect: illumination that depicts a moving object, thing, person, animal, or happening or depicts an ongoing series of images.**
  - (2) **Chaser effect: illumination that is intended to lead the eye by producing lineal or circular movement.**
  - (3) **Scintillating effect: illumination that provides a random twinkling of lights, including illumination that forms images, words or sentences at the end of the sequence of twinkling lights.**
  - (4) **Speller effect: illumination that spells a word, one letter, sentence, number, or character at a time, including flashing a complete word or words or sentence.**
- (j) **Electronic time and temperature sign. A sign, or portion thereof, that announces time, temperature and/or date.**

**(k) Electronic display. A display created by light emitting diodes, liquid crystal displays, plasma display panels, pixel or sub-pixel technology, or other similar technology. As used in this Chapter, electronic displays include, but are not limited to:**

- (1) Dissolve: the changing of an electronic display by means of varying light intensity or pattern, where one display gradually appears to dissipate or lose legibility simultaneously with the gradual appearance and legibility of a subsequent display.**
- (2) Fade: the changing of an electronic display by means of varying light intensity, where one display gradually reduces intensity to the point of being illegible or imperceptible and the subsequent display gradually increases intensity to the point of being legible or capable of being perceived.**
- (3) Scrolling: the changing of an electronic display by the apparent vertical movement of the visual image, such that a new visual image appears to ascend and descend, or appear and disappear from the margins of the sign in a continuous or unfurling movement.**
- (4) Static display: an electronic display that does not change.**
- (5) Travel: the changing of an electronic display by the apparent horizontal movement of the visual image.**
- (6) Video display: providing an electronic display in horizontal or vertical formats to create continuously moving images.**

**(l) Fabric Sign. Any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, fabric or other light material, with or without frames, that is not permanently affixed to a supporting structure.**

~~**(i) Flashing Sign. A sign incorporating intermittent electrical impulses to a source of illumination or revolving in a manner which creates the illusion of flashing, or which changes colors or intensity of illumination. This definition does not include electronic time and temperature signs.**~~

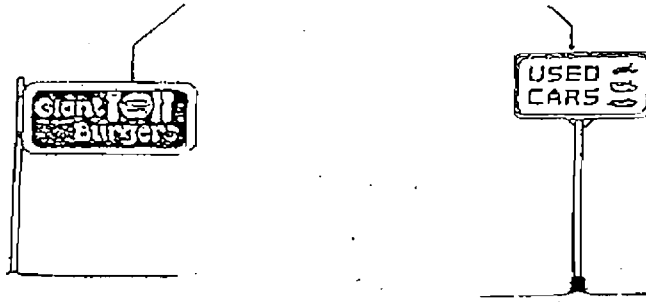
**(m) Flashing. Sudden or intermittent electrical illumination.**

~~**(i) Flashing Sign. A sign incorporating intermittent electrical impulses to a source of illumination or revolving in a manner which creates the illusion of flashing, or which changes colors or intensity of illumination. This definition does not include electronic time and temperature signs.**~~

**(n) Freestanding Sign. A sign supported by one or more upright poles or braces placed in or upon the ground and wholly detached from any building. Also known as a ground sign.**

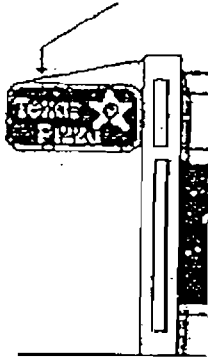


Free-standing Signs



- (o) **Indirect Illumination.** A source of illumination directed toward a sign so that the beam of light falls upon the exterior surface of the sign.
- (p) **Integrated Business Center.** A group of two or more businesses and/or uses which have been developed as a unit and which have common parking facilities.
- (q) **Internal Illumination.** A source of illumination from within a sign, including neon signs, but not including electronic message board signs and temporary portable changeable message signs
- (r) **Marquee.** A permanent roofed structure, but not an enclosed structure, attached to or supported by a building for the purpose of providing shelter to patrons.
- (s) **Nit.** A measurement of luminance, where one nit is equal to one candela per square meter (1cd/m<sup>2</sup>). A candela means a unit of measurement of the intensity of light, where one candela is the monochromatic radiation of 540THz with a radiant intensity of 1/683 watt per steradian in the same direction. By way of example, an ordinary wax candle generates approximately one candela.
- (t) **Non-conforming Sign.** An existing sign, lawful at the time of the enactment of this ordinance, which does not conform to the requirements of this code.
- ~~(e) **Outdoor Advertising Sign (Billboards).** A sign designed, intended or used to advertise, inform or attract the attention of the public as to:
  - 1. ~~Goods, products or services which are not sold, manufactured or distributed on or from the premises on which the sign is located;~~
  - 2. ~~Facilities not located on the premises on which the sign is located; or~~
  - 3. ~~Activities not conducted on the premises on which the sign is located.~~~~
- (u) **Portable Sign.** Any sign not permanently attached to the ground, a building, or other structure, not including TPCMS (temporary portable changeable message signs).
- (v) **Projecting Sign.** Signs other than wall signs, which are attached to and project from a structure or building face more than 18 inches.

### Projecting Sign



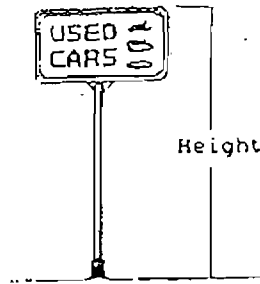
- (w) **Roof Sign.** A sign supported by, and located on or over, the roof of a building.
- (x) **Sign.** Any medium, including its structure and component parts, which is used or intended to be used to attract attention to the subject matter for advertising or identifying purposes. Sign does not include any cloth attached to a single pole equipped to raise and lower the cloth from the ground.
- (y) **Sign Area.**
  - (1) Except as provided in (2) below, the area of a sign shall be calculated by adding the outer dimensions of all the faces presenting a sign message. Pole covers and columns shall not be included in the area of the measurement if they do not include advertising. Double-faced signs will be calculated as one sign only when placed back-to-back and separated by no more than twenty-four inches.

### Determining the Area of a Sign



Shaded Area Indicates Area of Signs

- (2) The area of a wall sign without a border shall be computed by enclosing the entire sign within sets of parallel lines touching the outer limits of the sign message.
- (z) **Sign Height.** The distance measured from the average elevation of the ground adjacent to the structure that the sign is mounted on, or the elevation of a public sidewalk or street curb within 10 feet of the sign structure, to the greatest height of the sign face.



- (aa) **Sign Structure.** The supports, uprights, braces, framework and other structural components of the sign.
- (bb) **Street Frontage.** The portion of a property that abuts a street right-of-way.
- (cc) **Temporary Portable Changeable Message Signs (TPCMS).** Any sign that is visible for only 60 days twice per year capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means with a dwell time of six seconds, is internally illuminated, not permanently affixed to the ground, a building, or other structure, serves a temporary purpose, is freestanding without a permanent foundation, and contains a surface area of no more than 32 square feet and a height of no more than eight feet.
- (dd) **Temporary Sign.** Any sign that is visible for only 90, 60 days twice per year in any 365 day period, and which is not permanently affixed is without illumination, not permanently affixed to the ground, a building, or other structure, serves a temporary purpose, is freestanding without a permanent foundation, including lawn signs, vehicle signs fabric signs and balloon signs but not including TPCMS (temporary portable changeable message signs).
- (ee) **Under Marquee sign.** A sign which is erected or maintained under and is supported by a marquee.
- (ff) **Wall Sign.** Any sign placed or painted directly against a building wall, with the exposed face of the sign in a plane approximately parallel to the plane of the wall and projects outward from the wall not more than eighteen inches.

Wall Sign



- (gg) **Window Sign.** Any sign that is erected or placed within a building or structure but is visible from the exterior of said building or structure.

**191.020 DESIGN, CONSTRUCTION, AND MAINTENANCE.** All signs shall be designed, constructed, altered, and maintained according to the following standards:

- (a) All signs shall comply with the applicable provisions of the Oregon Structural Specialty Code and all other applicable county structural, electrical and other regulations.
- (b) Except for banners, flags, temporary signs and window signs conforming in all respects with the requirements of these regulations, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or other structure.
- (c) All signs shall be maintained in good structural condition.
- (d) The owner of the property on which the sign is located shall be responsible for its erection and maintenance and its compliance with the provisions of these regulations or other laws or Ordinances regulating signs.

**191.030 ENFORCEMENT.** The Planning Director may determine a sign to be unlawful or abandoned and require its removal or alteration to conform with this ordinance and other applicable county law if it endangers public safety or violates the provisions of this ordinance.

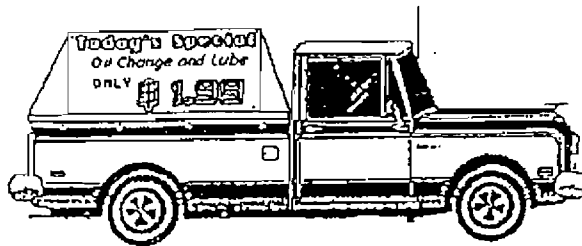
**191.040 SIGNS GENERALLY PERMITTED.** Subject to the limitations in Sections 191.050, 191.060, 191.065, 191.070, and 191.080, the following signs and sign work are permitted in all zones. Except for signs described in (a) the following signs shall not be included when determining compliance with total allowed area:

- (a) **Change of Sign Face/Copy.** Altering the message or design on the sign face, without any change to size or shape of the sign framework or structure.
- (b) ~~Public Safety Signs and Notices~~ **Traffic Control Devices, Roadway Signs, Required Public Notices.** Traffic signs and all other signs erected or maintained by a municipal or governmental body or agency, including danger signs, railroad crossing signs, city entrance signs, and signs of a non-commercial nature required by public laws, ordinances or statutes. Notices and signs erected by public officers performing official duties including those erected pursuant to law, administrative order, or court order.
- (c) **Other Warning Signs.** Signs placed on private property to warn the public of a danger or prohibition located on the private property, including but not limited to "No Trespassing" or "No Dumping" signs, provided such sign does not exceed four square feet in area and six feet in height.
- (d) **Building Identification.** Permanent building plaques, corner stones, name plates and similar building identifications not more than four square feet in area per building.
- (e) **Historical Signs.** Markers erected or maintained by a recognized historical society or organization identifying sites, buildings, or structures.
- (f) ~~City Entrance Sign.~~ ~~One sign owned by a non profit organization located on each arterial street entrance into a city within 300 feet of the city limits provided the sign does not exceed 32 square feet in area.~~

- (f) **Interior Signs.** Signs located in the interior of any building or within an enclosed lobby or court of any group of buildings, which are designed and located to be viewed by patrons.
- (g) **Real Estate Signs.** While a lot, building, or portion of a building is for rent, sale or lease, one unlighted sign visible from each street frontage is permitted. Each sign shall not exceed 12 square feet in a residential zone. 32 square feet in a commercial or industrial zone, or 24 square feet in any other zone.
- ~~(i) **Garage Sale Signs.** One unlighted temporary sign per lot limited in size to 16 square feet and a height of six feet. In addition, one unlighted off premises directional sign limited to four square feet and a height of 30 inches. Signs must be removed immediately at the close of the sale.~~
- ~~(j) **Election Signs.** Unlighted wall or free-standing signs not more than 8 feet in height and not more than 4 square feet in area per sign.~~
- ~~(g) **Temporary displays** Temporary decorations or displays identified with regularly scheduled civic, social, cultural or religious occasions.~~
- (h) **Preexisting Nonconforming signs:** Permanent signs that existed and were legal prior to the date of adoption of this ordinance that do not conform to the provisions of this chapter with respect to number, surface area, location, or illumination. Preexisting nonconforming signs may be repaired but not replaced unless they were approved by a previous land use decision. Replacement of signs approved by a previous land use decision may only be replaced to the same extent as was allowed in that previous decision.

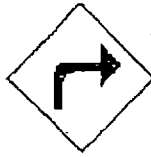
**191.050 PROHIBITED SIGNS.** The following signs are prohibited in all zones:

- (a) **Vehicle signs.** Signs which are placed on or affixed to a bus, car, boat, trailer or other motorized vehicle and parked on public or private property with the primary purpose of providing a sign not otherwise permitted by this chapter advertisement of products or directing people to a business or activity located on the same or nearby premises. This provision is not intended to prohibit signs painted upon or applied directly to a vehicle that is actively used in the daily function of a business.



- (b) **Hazardous Signs.** No sign shall be permitted at or near the intersection of a street or driveway in such a manner as to obstruct free and clear vision of motor vehicle operators or at any location where by reason of its position, shape, or color it may interfere with or be confused with authorized traffic sign, signal, or device, or which makes use of a word, symbol or phrase, shape or color in such a manner as to interfere with, mislead, or confuse traffic.

Illustration of hazardous signs:



Turn Here  
For  
Used Cars



- (c) **Animated signs.** ~~This prohibition does not include electronic time and temperature signs.~~ Any sign using an effect not otherwise permitted by this chapter.
- (d) **Balloons** or similar types of anchored objects not otherwise allowed in this chapter.



- (e) **Portable, fabric, or temporary signs** not otherwise allowed in this chapter.
- (f) **Signs that emit audible sound, odor, or visible matter.** However, This does not include signs integral to an intercom system servicing for customers remaining in their vehicles, such as those used by banks and "drive-thru" restaurants, are allowed.
- (g) **Signs that use or employ side guy lines** of any type.
- (h) **Signs that obstruct** any fire escape, required exit, window or door opening used as a means of egress.
- (i) **Signs closer than 24 inches 10 feet** horizontally or vertically to any overhead power line or electrical conductors. utility guy wire.
- (j) **Signs that project into or over driveways, roadways and street right-of-ways,** except signs under marquee signs a canopy that project over a public sidewalk. Such canopy under marquee signs shall not be less than 8 seven feet six inches above the sidewalk and shall not exceed a maximum of six square feet.
- (k) **Signs in a street right-of-way** not otherwise allowed in this chapter whether attached to a pole, post, utility pole or placed on its own stake and placed into the ground.
- ~~(k) Outdoor advertising sign (billboard) except in the ID zone.~~

**191.060 SIGNS PERMITTED IN RESIDENTIAL, PUBLIC, FARM AND FOREST ZONES.**

Except as provided in Section 191.040, no sign shall be erected or maintained in Residential Public, Farm and Forest zones except as set forth in this section:

- (a) **Single family, Two Family (Duplex) Dwelling or Home Occupation Sign.** One unlighted wall, window or free-standing sign not exceeding 16 square feet. Maximum square footage:

**(1) RS Zone:**

- (A) One unlighted wall or window sign not exceeding four square feet.**
- (B) For uses other than dwellings, one freestanding internally illuminated or electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.**
- (C) One temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year.**
- (D) One temporary sign up to 32 square feet may be approved as an variance as provided in section 191.120.**

**(2) AR Zone:**

- (A) One unlighted wall, window or freestanding sign not exceeding 32 square feet.**
- (B) For uses other than dwellings one internally or indirectly illuminated freestanding sign or one electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds, may be erected in place of a freestanding sign.**
- (C) One temporary sign not exceeding 32 square feet visible for 60 days twice per year.**

**(3) RM zone:**

- (A) One unlighted wall, window or freestanding sign not exceeding 32 square feet.**
- (B) For uses other than dwellings one internally or indirectly illuminated freestanding sign or one electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds, may be erected in place of a freestanding sign.**
- (C) One temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year.**
- (D) For apartments and retirement homes, only one temporary banner sign not exceeding 50 square feet per street frontage, located on that frontage, and visible for 30 days four times per year.**

- (b) ~~Residential Development Signs.~~ For a subdivision, mobile home park, planned development or other residential development, one sign not exceeding 32 square feet located at the main entrance to the premises.
- (c) ~~Multi-family Dwelling Sign.~~ For multiple family dwellings containing three or more dwelling units, the aggregate area of all signs shall not exceed 32 square feet. One free standing sign is allowed per street frontage with vehicle access. In addition, one temporary unlighted fabric sign attached to a building is allowed per street frontage.
- (d) ~~Undeveloped Residential Development Sign.~~ One non-illuminated sign not exceeding 32 square feet in area. Such signs may be installed on the undeveloped property after detail approval of the development. The display period shall be limited to one year, but may be extended an additional year by the Planning Director if construction or sales continue.
- (e) ~~Public/Semi-public Facility Sign.~~ Each lot occupied by public and semi-public uses, schools and churches is allowed one sign not exceeding 32 square feet. Signs for public parks, schools, or stadiums, which are generally placed and located so as not to be viewed from a street, are exempt from this provision.
- (f) ~~Farm-related and Bed and Breakfast Inn Signs in AR, Farm and Forest Zones.~~ On a tract of land occupied by a farm use or a commercial activity in conjunction with farm use or bed and breakfast inn one sign not exceeding 24 square feet. If a seasonal produce sales stand is on the premises, two signs shall be allowed of which the aggregate area shall not exceed 32 square feet.
- (b) **Height Limitations.** ~~Except for farm related signs, or as otherwise provided, s~~Signs in Residential, Public, Farm and Forest zones shall comply with the following maximum height limitations:
- (1) Freestanding Sign: 5 ~~six~~ feet
  - (2) Wall and Window Signs: eight feet
  - (3) For signs allowed in 191.060(1)(B), (2)(B) and (3)(B): 15 feet
- (c) **Setbacks.** Unless specified otherwise, signs in Residential, Public, Farm and Forest zones shall comply with the following minimum setback requirements: Signs shall be located at least three feet from a lot line abutting a street. ~~However, All~~ signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas. [See Section 191.090].
- (d) **Illumination.** ~~Signs may only be indirectly illuminated by a concealed light source. Sign illumination shall be directed away from and not be reflected upon adjacent premises.~~
- (1) Indirect illumination Signs may only be indirectly illuminated by a concealed light source. Except for signs permitted in 31.06 (b) and (c) signs shall not be illuminated between 11:00 p.m. and 6:00 a.m. Sign illumination shall be directed away from and not be reflected upon adjacent premises, streets or roadways. Illumination shall be subject to the standards in section 191.100(a).
  - (2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only,



do not create an electronic display or effect, and conform to the brightness limitations set forth in section 191.100(b).

191.065 SIGNS IN PUBLIC, FARM AND FOREST ZONES. Except as provided in Section 191.040, no sign shall be erected or maintained in Public, Farm and Forest zones except as set forth in this section:

- (a) One unlighted wall, window or freestanding sign not exceeding 32 square feet per street frontage.
- (b) One temporary sign not exceeding 32 square feet visible for 60 days twice per year.
- (c) One temporary portable changeable message sign for 60 days twice per year
- (d) On property developed for religious organizations, museums, and commercial and industrial airport related uses in the public zone only, educational institutions and schools as defined in sections 110.505 and 110.510, and subject to the standards above one electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds, may be erected in place of a freestanding sign.
- (e) Height Limitations. Signs shall comply with the following maximum height limitations:
  - (1) Freestanding sign: 5 eight feet
  - (2) Wall and window signs: eight feet
  - (3) For signs allowed in 191.065(d): 15 feet.
- (f) Setbacks. Unless specified otherwise, signs shall comply with the following minimum setback requirements: signs shall be located at least three feet from a lot line abutting a street. All signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas. [See Section 191.090].
- (g) Illumination.
  - (1) Indirect illumination shall be directed away from and not be reflected upon adjacent premises, streets or roadways. Illumination shall be subject to the standards in section 191.100(a).
  - (2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 191.100(b).
- (h) Signs no larger than 800 square feet shall be permitted within stadiums, athletic fields, and other outdoor assembly facilities, where they are intended primarily for viewing by persons within the facility, are oriented toward the interior of the facility and viewing stands, and are only used during events where the public attends as spectators. Not withstanding any other provision of this Chapter, signs allowed by this paragraph may

employ any effect and shall not be subject to the limitation imposed in section 191.100(b).

**191.070 SIGNS FOR INTEGRATED BUSINESS CENTERS IN AN INTERCHANGE**

**DISTRICT ZONE.** Except as provided in Section 191.040, only signs permitted in this section are allowed in an integrated business center in an ID zone:

(a) **Integrated business center sign:** One freestanding sign structure designed to be read from the freeway.

(1) Maximum Height: 65 feet.

(2) Maximum Square Footage: Total sign area attached to the structure shall not exceed 500 sq. feet.

(3) Minimum Setback: Signs shall not project into the public right-of-way. Signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be placed in special setbacks [see Section 191.090].

(4) **Illumination.**

(A) **Indirect illumination shall be directed away from and not be reflected upon adjacent premises, streets or roadways. Illumination shall be subject to the standards in section 191.100(a).**

(B) **The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 191.100(b).**

(5) **Subject to the standards above, one electronic display sign with a dwell time of eight seconds, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds, may be erected in place of a freestanding sign not exceeding 80% of the total square footage allowed and included in square footage maximum.**

(6) **One temporary portable changeable message sign for 60 days twice per year.**

(b) **Secondary Integrated business center sign:** One freestanding sign structure per street frontage with driveway entrance access:

(1) Maximum Height: ~~20 feet.~~ **25 feet.**

(2) Maximum Square Footage: Total sign area attached to the structure shall not exceed 150 sq. feet.

(3) Minimum Setback: Signs shall not project into the public right-of-way. Signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be placed in special setbacks [see Section 191.090].

(4) Illumination.

(A) Indirect illumination shall be directed away from and not be reflected upon adjacent premises, streets or roadways. Illumination shall be subject to the standards in section 191.100(a).

(B) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 191.100(b).

(c) **Signs for individual businesses in integrated business centers:** Wall, awning and window signs are permitted subject to the following requirements:

(1) **Maximum Square Footage:** The total sign area is based upon street frontage and frontage on common parking areas. The aggregate sign area shall not exceed one square foot for each linear foot of building frontage for a maximum of two building frontages. A sign shall not exceed 100 sq. feet.

(2) **Maximum Height:** Signs shall not project above the parapet or roof eaves.

(3) **Illumination:** Wall signs shall be internally illuminated. Illumination shall be subject to the standards in section 191.100.

(4) **Parking Lot Signs:** Two permanent signs to identify each motor vehicle entrance into or exit from the premises. Each sign shall be limited to six ~~eight~~ square feet in area and a height of ~~four feet-~~ 30 inches above the sidewalk or 36 inches above the street elevation where there is no sidewalk.

(5) One temporary sign or one balloon sign up to 35 feet above the roof visible for only 14 days in any six-month period or one banner (fabric) sign not exceeding 50 square feet visible for 30 days in any 365 day period.

**191.080 SIGNS IN OTHER ZONES.** Except as provided in Section 191.040, no sign shall be erected or maintained except as set forth in this section:

(a) **Maximum Square Footage:** The aggregate area of all signs shall not exceed one and one-half square feet for each linear foot of building frontage. ~~A sign shall not exceed 150 square feet except a free-standing sign shall be limited to a maximum of 100 square feet. A sign shall not exceed 125 square feet if adjacent to a non-state highway public right-of-way or 250 square feet if adjacent to a state highway.~~

(b) **Number of Signs:**

(1) **Freestanding Sign:** One sign per street frontage with entrance access.

(2) **Roof Signs:** Not permitted

(c) **Maximum Height:**

(1) **Freestanding Sign:** 25 feet.

(2) **Wall Sign:** Signs shall not project above the parapet or roof eaves.

(d) **Minimum Setback:** Signs shall be located at least three feet from a lot line abutting a street. However, All signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas. [See Section 191.090].

(e) **Illumination.**

(1) Indirect illumination shall be directed away from and not be reflected upon adjacent premises, streets or roadways. Illumination shall be subject to the standards in section 191.100(a).

(2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 191.100(b).

(f) One temporary sign or one balloon sign up to 35 feet above the roof visible for only 14 days in any six-month period or one banner sign not exceeding 50 square feet visible for 30 days in any 365 day period.

(g) Subject to the standards above, one electronic display sign in place of a freestanding with a dwell time of eight seconds, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.

(h) One temporary portable changeable message sign for 60 days twice per year.

~~**Construction Project Sign:** One non illuminated sign limited to 32 square feet in area. Such sign may be installed after a building permit has been obtained for the construction project and must be removed not later than two years after issuance of the building permit for the project or upon completion of the project, whichever occurs first. No more than two such signs shall be erected for each construction project.~~

(i) **Parking Lot Signs:** Two permanent signs to identify each motor vehicle entrance into or exiting from the premises. Each sign shall be limited to ~~six~~ **eight** square feet in area and a height of ~~four feet~~ **30 inches above the sidewalk or 36 inches above the street elevation where there is no sidewalk.**

**191.090 SIGNS WITHIN SPECIAL STREET SETBACKS.** The Planning Director may approve placement of signs within a special street setback upon determination that the County Department of Public Works or Oregon Department of Transportation, if applicable, has no objections and provided the property owner signs a written agreement that the owner or his heirs or assigns will, within 45 days after being notified by the County remove all portions of the structure or sign within the special setback. The agreement shall provide that if the owner fails to remove the listed items the County or State may do so at the expense of the owner and the expense shall be a lien against the land and may be collected or foreclosed in the same manner as liens entered in the County lien docket. The agreement shall be recorded by the owner in the applicable deed records. Notice requiring removal shall not be given until the responsible public agency proceeds to ~~widen~~ **improve** the street in front of the owner's property or the Department of Public Works determines that the structure is a threat to the public health, safety or welfare. The agreement shall also provide that the owners shall not be entitled to any damages or compensation for the removing of any

structure or loss of parking spaces approved under this provision but this stipulation shall not deny the owner the right to compensation for any land or any structures existing prior to the adoption of this ordinance, taken for the ~~widening~~ improvement of the street.

**191.100 ILLUMINATION.** All illuminated signs are subject to the following standards:

- (a)** Indirect illuminated signs shall be so located and designed that the light source, viewed by an observer five feet from above grounds at the boundary of the property, shall be either completely shielded from direct view or no greater than .5 foot candle.
- (b)** Brightness. All electronic display signs must be constructed, operated, or otherwise function in such a way as to not exceed the provisions of this paragraph:

  - (1)** At the time of installation, electronic display signs may be illuminated to a degree of brightness that is no greater than 7,500 nits between sunrise and sunset and no greater than 1,000 nits between sunset and sunrise, provided that an electronic display sign comprised solely of one color shall not exceed the following levels:

    - (A)** For a display comprised of red only, 3,150 nits between sunrise and sunset, and 450 between sunset and sunrise;
    - (B)** For a display comprised of green only, 6,300 nits between sunrise and sunset, and 900 nits between sunset and sunrise;
    - (C)** For a display comprised of amber only, 4,690 nits between sunrise and sunset, and 670 nits between sunset and sunrise.
  - (2)** All electronic display signs must be maintained and operated to meet the following brightness standards:

    - (A)** No sign shall be brighter than is necessary for clear and adequate visibility.
    - (B)** No sign shall be of such intensity or brilliance as to impair the vision of a motor vehicle driver with average eyesight or to otherwise interfere with the driver's operation of a motor vehicle.
    - (C)** No sign shall be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.
  - (3)** The person owning or controlling an electronic display sign must adjust the sign to meet the brightness standards in accordance with these standards. The adjustment must be made immediately upon notice of non-compliance from the Director.
  - (4)** All electronic display signs must be equipped with a mechanism that automatically adjusts the brightness in response to ambient conditions and equipped with a means to immediately turn off the display if it malfunctions, and the sign owner or operator must immediately turn off the sign or lighting

when notified by the Director that it is not complying with the standards in this section.

191.110 ELECTRONIC DISPLAY SIGN STANDARDS. In addition to all other standards in this chapter relating to electronic display signs shall meet the following standards:

- (a) The actual change of display for an electronic display sign shall be completed in two seconds or less. Displays may change by dissolve, fade, or by instantaneous change from one static display to another, but shall remain as a static display after completing the change, and, once changed, shall remain static until the next change. Except as authorized in 191.065(h), scrolling, travel, and video display are prohibited.
- (b) Notwithstanding any other provision in this chapter, a municipal corporation providing transit services may erect one electronic display sign in each of the corporation's transit stops, which shall be limited to two square feet in area, screened from adjacent residential properties, and used only for the transmission on public information by the corporation.

191.120 VARIANCE. Variances to these standards contained in this chapter may be allowed subject to the following criteria:

- (a) The proposed development will not have a significant adverse impact upon adjacent existing or planned uses and development; and
- (b) The variance will not have a significant adverse affect upon the health or safety or persons working or residing in the vicinity; and
- (c) The variance is the minimum necessary to achieve the purpose of the variance and is the minimum necessary to permit development of the property for the proposed use; and
- (d) The intent and purpose of the specific provision to be varied is clearly inapplicable under the circumstances; or, the proposed development maintains the intent and purpose of the provision to be varied.

# EXHIBIT B

## DELETIONS IN STRIKEOUT ADDITIONS IN BOLD AND UNDERLINED

### CHAPTER 31 SIGNS

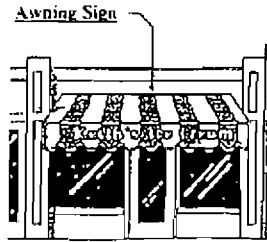
Revised \_\_\_\_\_  
10/06/04 Ord.#1204  
Adopted 3/2/94

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<b>31.10</b>	<b><u>Illumination</u></b>	
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31.12	<b><u>Adjustments</u></b>	

**31.00 SIGN REGULATIONS.** The sign regulations in this Chapter are intended to provide minimum standards to safeguard property and public welfare, to preserve locally recognized values of community appearance, and to reduce hazards to motorists and pedestrians traveling on public streets. **A sign is considered a use of property under the provisions of this ordinance.**

**31.01 DEFINITIONS.** For the purpose of this Chapter the following definitions shall apply:

- (a) **Alteration.** Any change in the size, shape, and method of illumination, position, location, material, construction, or supporting structure of a sign.
- (b) **Animated Sign.** ~~Any sign or part of a sign which changes physical position by any movement or rotation or which flashes, blinks, fluctuates, has traveling lights or any design created to give the illusion of motion.~~
- (b) **Awning.** A temporary or removable shelter supported entirely from the exterior of a building and composed of non-rigid materials except for support framework.
- (c) **Awning Sign.** Signs painted on or affixed to an awning.

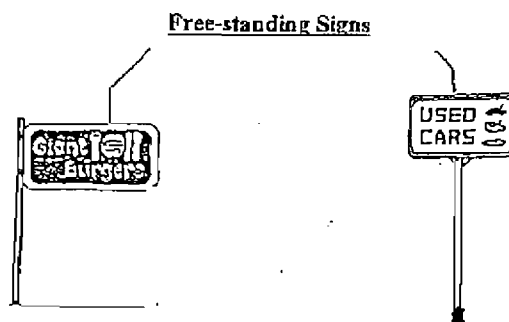


- (d) **Building Face or Wall.** All window and wall area of a building on one plane or architectural elevation.
- (e) **Building Frontage.** The portion of a building facing a street right-of-way or on-site parking lot.
- (f) **Change of Sign Face/Copy.** Where an existing sign is altered by a change of message or design on the sign face, without any change to the size or shape of the sign framework or structure, excluding marquee, electronic message boards, menu boards, and changeable face copy signs.
- (g) **Display.** Any identifiable visual form or character, which may be comprised solely or be comprised of a combination of words, symbols, images, and graphic elements.
- (h) **Electronic display sign.** A sign including, or comprised solely or partially of an electronic display that can be changed by automatic means, including, but not limited to, the operation of computer software is internally illuminated, is permanently fixed to a foundation and shall not include TPCMS (Temporary Portable Changeable Message Signs).
- (i) **Effect.** Sequential, flashing, or simultaneous illumination by electrical means other than by an electronic display. As used in this chapter effects include, but are not limited to:
  - (1) **Animated effect:** illumination that depicts a moving object, thing, person, animal, or happening or depicts an ongoing series of images.
  - (2) **Chaser effect:** illumination that is intended to lead the eye by producing lineal or circular movement.
  - (3) **Scintillating effect:** illumination that provides a random twinkling of lights, including illumination that forms images, words or sentences at the end of the sequence of twinkling lights.
  - (4) **Speller effect:** illumination that spells a word, one letter, sentence, number, or character at a time, including flashing a complete word or words or sentence.
- (j) **Electronic time and temperature sign.** A sign, or portion thereof, that announces time, temperature and/or date.
- (k) **Electronic display.** A display created by light emitting diodes, liquid crystal displays, plasma display panels, pixel or sub-pixel technology, or other similar technology. As used in this chapter, electronic displays include, but are not limited to:



- (1) Dissolve: the changing of an electronic display by means of varying light intensity or pattern, where one display gradually appears to dissipate or lose legibility simultaneously with the gradual appearance and legibility of a subsequent display.
- (2) Fade: the changing of an electronic display by means of varying light intensity, where one display gradually reduces intensity to the point of being illegible or imperceptible and the subsequent display gradually increases intensity to the point of being legible or capable of being perceived.
- (3) Scrolling: the changing of an electronic display by the apparent vertical movement of the visual image, such that a new visual image appears to ascend and descend, or appear and disappear from the margins of the sign in a continuous or unfurling movement.
- (4) Static display: an electronic display that does not change.
- (5) Travel: the changing of an electronic display by the apparent horizontal movement of the visual image.
- (6) Video display: providing an electronic display in horizontal or vertical formats to create continuously moving images.

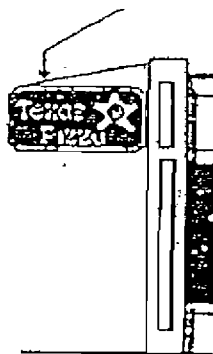
- (l) **Fabric Sign.** Any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, fabric or other light material, with or without frames, that is not permanently affixed to a supporting structure.
- ~~(i) **Flashing Sign.** A sign incorporating intermittent electrical impulses to a source of illumination or revolving in a manner which creates the illusion of flashing, or which changes colors or intensity of illumination. This definition does not include electronic time and temperature signs.~~
- (m) **Flashing.** Sudden or intermittent electrical illumination.
- (n) **Freestanding Sign.** A sign supported by one or more upright poles or braces placed in or upon the ground and wholly detached from any building. Also known as a ground sign.



- (o) **Indirect Illumination.** A source of illumination directed toward a sign so that the beam of light falls upon the exterior surface of the sign.
- (p) **Integrated Business Center.** A group of two or more businesses that have been developed as a unit and that have common parking facilities.

- (q) **Internal Illumination.** A source of illumination from within a sign, including neon signs, but not including electronic display signs and temporary portable changeable message signs.
- (r) **Marquee.** A permanent roofed, but not an enclosed structure, attached to or supported by a building for the purpose of providing shelter to patrons entering a building or to patrons in automobiles.
- (s) **Nit.** A measurement of luminance, where one nit is equal to one candela per square meter ( $1\text{cd}/\text{m}^2$ ). A candela means a unit of measurement of the intensity of light, where one candela is the monochromatic radiation of  $540\text{THz}$  with a radiant intensity of  $1/683$  watt per steradian in the same direction. By way of example, an ordinary wax candle generates approximately one candela.
- (t) **Non-conforming Sign.** An existing sign, lawful at the time of the enactment of this ordinance, which does not conform to the requirements of this code.
- (e) ~~**Outdoor Advertising Sign (Billboards).** A sign designed, intended or used to advertise, inform or attract the attention of the public as to:~~
- ~~1. Goods, products or services that are not sold, manufactured or distributed on or from the premises on which the sign is located;~~
  - ~~2. Facilities not located on the premises on which the sign is located; or~~
  - ~~3. Activities not conducted on the premises on which the sign is located.~~
- (u) **Portable Sign.** Any sign not permanently attached to the ground, a building, or other structure, not including TPCMS (temporary portable changeable message signs).
- (v) **Projecting Sign.** Signs other than wall signs, which are attached to and project from a structure or building face more than 18 inches.

Projecting Sign



- (w) **Roof Sign.** A sign supported by, and located on or over, the roof of a building.
- (x) **Sign.** Any medium, including its structure and component parts, which is used or intended to be used to attract attention to the subject matter for advertising or identifying purposes. Sign does not include any cloth attached to a single pole equipped to raise and lower the cloth from the ground.
- (y) **Sign Area.**

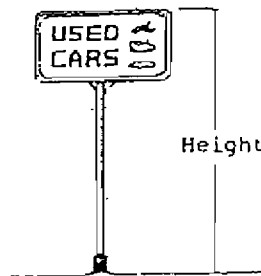
- (1) Except as provided in (2) below, the area of a sign shall be calculated by adding the outer dimensions of all the faces presenting a sign message. Pole covers and columns shall not be included in the area of the measurement if they do not include advertising or information. Double-faced signs will be calculated as one sign only when placed back-to-back and separated by no more than twenty-four inches.
- (2) The area of a wall sign without a border shall be computed by enclosing the entire sign within sets of parallel lines touching the outer limits of the sign message.

Determining the Area of a Sign



Shaded Area Indicates Area of Signs

- (z) **Sign Height.** The distance measured from the average elevation of the ground adjacent to the structure that the sign is mounted on, or the elevation of a public sidewalk or street curb within 10 feet of the sign structure, to the greatest height of the sign face.



- (aa) **Sign Structure.** The supports, uprights, braces, framework and other structural components of the sign.
- (bb) **Street Frontage.** The portion of a property which abuts a street right-of-way.
- (cc) **Temporary Portable Changeable Message Signs (TPCMS).** Any sign that is visible for 60 days twice per year capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means with a dwell time of six seconds, is internally illuminated, not permanently affixed to the ground, a building, or other structure, serves a temporary purpose, is freestanding without a permanent foundation, and contains a surface area of no more than 32 square feet and a height of no more than eight feet.
- (dd) **Temporary Sign.** Any sign that is visible for only 90, 60 days twice per year in any 365-day period, and which is not permanently affixed is without illumination, not permanently affixed to the ground, a building, or other structure, serves a temporary purpose, is freestanding without a permanent foundation, including lawn signs, vehicle signs, fabric signs and balloon signs but not including TPCMS (temporary portable changeable message signs).

(ee) Under Marquee sign. A sign which is erected or maintained under and is supported by a marquee.

(ff) **Wall Sign.** Any sign placed or painted directly against a building wall, with the exposed face of the sign in a plane approximately parallel to the plane of the wall and projects outward from the wall not more than eighteen inches including marquee and under marquee signs.

Wall Sign



(gg) **Window Sign.** Any sign that is erected or placed within a building or structure but is visible from the exterior of said building or structure.

**31.02 DESIGN, CONSTRUCTION, AND MAINTENANCE.** All signs shall be designed, constructed, altered, and maintained according to the following standards:

- (a) All signs shall comply with the applicable provisions of the Oregon Structural Specialty Code and all other applicable county structural, electrical and other regulations.
- (b) Except for banners, flags, temporary signs and window signs conforming in all respects with the requirements of these regulations, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or other structure.
- (c) All signs shall be maintained in good structural condition.
- (d) The owner of the property on which the sign is located shall be responsible for its erection and maintenance and its compliance with the provisions of these regulations or other laws or Ordinances regulating signs.

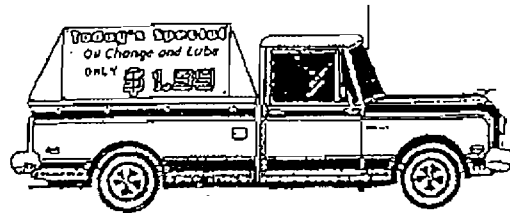
**31.03 ENFORCEMENT.** The Zoning Administrator may determine a sign to be unlawful or abandoned and require its removal or alteration to conform to this ordinance and other applicable county law if it endangers public safety or violates the provisions of this ordinance. ~~Any such determination shall be rendered as provided in Chapter 42.~~

**31.04 SIGNS GENERALLY PERMITTED.** Subject to the limitations in Sections 31.05, 31.06, ~~31.065~~, 31.07, 31.08, and 31.09 the following signs and sign work are permitted in all zones. Except for signs described in (a), the following signs shall not be included when determining compliance with total allowed area:

- (a) **Change of Sign Face/Copy.** Altering the message or design on the sign face without any change to size or shape of the sign framework or structure.
- (b) ~~Public Safety Signs and Notices.~~ **Traffic Control Devices, Roadway Signs, Required Public Notices.** Traffic signs and all other signs erected or maintained by a municipal or governmental body or agency, including danger signs, railroad crossing signs, city entrance signs, and signs of a non-commercial nature required by public laws, ordinances or statutes. Notices and signs erected by public officers performing official duties including those erected pursuant to law, administrative order, or court order.
- (c) **Other Warning Signs.** Signs placed on private property to warn the public of a danger or prohibition located on the private property, including but not limited to, "No Trespassing" or "No Dumping" signs, provided such sign does not exceed four square feet in area and six feet in height.
- (d) **Building Identification.** Permanent building plaques, corner stones, name plates and similar building identifications not more than four square feet in area per building.
- (e) **Historical Signs.** Markers erected or maintained by a recognized historical society or organization identifying sites, buildings, or structures.
- ~~(f) **City Entrance Sign.** One sign owned by a non-profit organization located on each arterial street entrance into a city within 300 feet of the city limits provided the sign does not exceed 32 square feet in area.~~
- (f) **Interior Signs.** Signs located in the interior of any building or within an enclosed lobby or court of any group of buildings that are designed and located to be viewed by patrons.
- (g) **Real Estate Signs.** While a lot, building, or portion of a building is for rent, sale or lease, one unlighted sign visible from each street frontage is permitted. Each sign shall not exceed 12 square feet in a RS zone. ~~32 square feet in a commercial or industrial zone, or 24 square feet in any other zone.~~
- ~~(i) **Garage Sale Signs.** One unlighted temporary sign per lot limited in size to 16 square feet and a height of six feet. In addition, one unlighted off-premises directional sign limited to four square feet and a height of 30 inches. Signs must be removed immediately at the close of the sale.~~
- ~~(j) **Election Signs.** Unlighted wall or free-standing signs not more than 8 feet in height and not more than 4 square feet in area per sign. These signs shall be located within 5 feet of the boundary of a lot and not closer than 20 feet to any other sign on the same lot allowed under this subsection.~~
- ~~(k) **Temporary displays.** Temporary decorations or displays identified with regularly scheduled civic, social, cultural or religious occasions.~~
- (h) **Preexisting Nonconforming Signs:** Permanent signs that existed and were legal prior to the date of adoption of this ordinance that do not conform to the provisions of this chapter with respect to number, surface area, location, or illumination. Preexisting nonconforming signs may be repaired but not replaced unless they were approved by a previous land use decision. Replacement of signs approved by a previous land use decision may only be replaced to the same extent as was allowed in that previous decision.

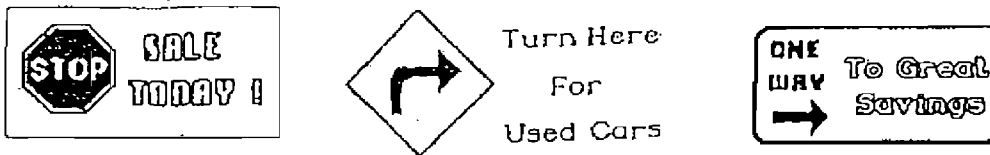
31.05 **PROHIBITED SIGNS.** The following signs are prohibited in all zones:

- (a) **Vehicle signs.** Signs which are placed on or affixed to a bus, car, boat, trailer or other motorized vehicle and parked on public or private property with the primary purpose of providing **a sign not otherwise permitted by this chapter** advertisement of products or directing people to a business or activity located on the same or near by premises. This provision is not intended to prohibit signs painted upon or applied directly to a vehicle that is actively used in the daily function of a business.



- (b) **Hazardous Signs.** No sign shall be permitted at **or near** the intersection of a street or driveway in such a manner as to obstruct free and clear vision of motor vehicle operators or at any location where by reason of its position, shape, or color it may interfere with or be confused with authorized traffic sign, signal, or device, or which makes use of a word, symbol or phrase, shape or color in such a manner as to interfere with, mislead, or confuse traffic.

Illustration of hazardous signs:



- (c) **Animated signs.**—This prohibition does not include electronic time and temperature signs. **Any sign using an effect not otherwise permitted by this chapter.**
- (d) **Balloons or similar types of anchored objects not otherwise allowed in this chapter.**



- (e) **Portable, fabric, or temporary signs not otherwise allowed in this chapter.**

- (f) Signs that emit audible sound, odor, or visible matter. However, This does not include signs integral to an intercom system servicing for customers remaining in their vehicles. ,such as those used by banks and "drive thru" restaurants, are allowed.
- (g) Signs that use or employ side guy lines of any type.
- (h) Signs that obstruct any fire escape, required exit, window or door opening used as a means of egress.
- (i) Signs closer than ~~24 inches~~ 10 feet horizontally or vertically to any overhead power line or electrical conductors. utility guy wire.
- (j) Signs that project into or over driveways, roadways and street right-of-ways, except signs under marquee signs a canopy that project over a public sidewalk. Such canopy under marquee signs shall not be less than 8- seven feet six inches above the sidewalk and shall not exceed a maximum of six square feet.
- (k) Signs in a street right-of-way not otherwise allowed in this chapter whether attached to a pole, post, utility pole or placed on its own stake and placed into the ground.
- ~~(l) Outdoor Advertising Signs (Billboards) except in the CR, CG, HC, IC, IP, IG and IH zones.~~

**31.06 SIGNS PERMITTED IN RESIDENTIAL, PUBLIC, UD AND UT ZONES.** Except as provided in Section 31.04, no sign shall be erected or maintained in Residential, Public, UD and UT zones except as set forth in this section:

- (a) ~~Single family, Two Family (Duplex) or Home Occupation Dwelling Sign:~~ Maximum square footage:
  - (1) RS Zone:
    - (A) One unlighted wall or window sign not exceeding four square feet.
    - (B) For uses other than dwellings, one freestanding internally illuminated or electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.
    - (C) One unlighted temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year.
    - (D) A temporary sign up to 32 square feet may be approved as an adjustment as provided in section 31.13.
  - (2) RL, RM, UD, and UT Zones:
    - (A) For uses other than dwellings one internally or indirectly illuminated freestanding sign or one electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.

- (B) One unlighted temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year.**
- (C) A temporary sign up to 32 square feet may be approved as an adjustment as provided in section 31.13.**
- (D) For apartments and retirement homes, only one temporary banner sign not exceeding 50 square feet per street frontage, located on that frontage and visible for 30 days four times per year.**

- ~~(b) Residential Development Signs: For a subdivision, mobile home park, planned development or other residential development, one sign not exceeding 32 square feet located at the main entrance to the premises.~~
- ~~(c) Multi family Dwelling Sign: For multiple family dwellings containing three or more dwelling units, the aggregate area of all signs shall not exceed 32 square feet. One free standing sign is allowed per street frontage with vehicle access. In addition, one temporary unlighted fabric sign attached to a building is allowed per street frontage.~~
- ~~(d) Undeveloped Residential Development Sign: One non-illuminated sign not exceeding 32 square feet in area. Such signs may be installed on the undeveloped property after detail approval of the development. The display period shall be limited to one year, but may be extended an additional year by the Zoning Administrator if construction or sales continue.~~
- ~~(e) Public/Semi-public Facility Sign: Each lot occupied by public and semi-public uses, schools and churches is allowed one sign not exceeding 32 square feet. Signs for public parks, schools, or stadiums, which are generally placed and located so as not to be viewed from a street, are exempt from this provision.~~
- ~~(f) Farm-related Signs in P and UT and UTF Zones: On a tract of land occupied by a farm use or a commercial activity in conjunction with farm use one sign not exceeding 24 square feet. If a seasonal produce sales stand is on the premises, two signs shall be allowed of which the aggregate area shall not exceed 32 square feet.~~
- (g)(b) Height. Limitations.** Except as otherwise provided, signs in Residential, Public, UD, and UT and UTF zones shall comply with the following maximum height limitations:
  - (1) Freestanding sign: ~~5~~ **six** feet
  - (2) Wall and window signs: eight feet
- ~~(h)(c) Setbacks. Signs in Residential, Public, UD, and UT and UTF zones shall comply with the following minimum setback requirements: **Signs shall be located at least three feet from a lot line abutting a street. However,** All signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas established in Section 27.21(c).~~
- (i)(d) Illumination.**



~~Indirectly illuminated~~ Signs may only be indirectly illuminated by a concealed light source. Except for signs permitted in 31.06 (b) and (c) signs shall not be illuminated between 11:00 p.m. and 6:00 a.m.

- (1) Indirect illumination shall be directed away from and not be reflected upon adjacent premises, streets or roadways. Illumination shall be subject to the standards in section 31.10(a).
- (2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 31.10 (b).

**31.065 SIGNS PERMITTED IN PUBLIC ZONE.** Except as provided in Section 31.04, no sign shall be erected or maintained in a P zone except as set forth in this section:

(a) Maximum Square Footage:

- (1) One internally or indirectly illuminated freestanding sign per street frontage with driveway access not exceeding 32 square feet or one electronic display sign not exceeding 32 square feet with a dwell time of eight seconds, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.
- (2) One temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year.
- (3) A temporary sign up to 32 square feet may be approved as an adjustment as provided in section 31.13.
- (4) One temporary banner sign not exceeding 50 square feet per street frontage, located on that frontage, and visible for 30 days four times per year.

(b) Height:

- (1) Freestanding sign: 5 six feet
- (2) Wall and window signs: eight feet
- (3) For signs allowed in 31.065(a)(1): 15 feet

(c) Setbacks: Signs shall be located at least three feet from a lot line abutting a street. However, all signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas established in section 27.21(c).

(d) ~~Illumination. Signs may be internally or indirectly illuminated. Signs shall not be illuminated between 11:00 p.m. and 6:00 a.m. The limitation on hours does not apply to uses in the Public zone that operate on a 24 hour basis.~~

- (1) Indirect sign illumination shall be directed away from, and not be reflected upon, adjacent premises and streets or roadways. Illumination shall be subject to the standards in section 31.10(a).

(2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 31.10 (b).

(e) Signs no larger than 800 square feet shall be permitted within stadiums, athletic fields, and other outdoor assembly facilities, where they are intended primarily for viewing by persons within the facility, are oriented toward the interior of the facility and viewing stands, and are only used during events where the public attends as spectators. Notwithstanding any other provision of this chapter, signs allowed by this paragraph may employ any effect and shall not be subject to the limitation imposed in section 31.11(a).

31.07 SIGNS IN CO ZONES. Except as provided in Section 31.04, no sign shall be erected or maintained in a CO zone except as set forth in this section:

(a) **Maximum Square Footage:** The total area of all signs shall not exceed one square foot for each linear foot of building frontage. ~~Each free-standing sign shall be limited to a maximum 24 square feet.~~

~~(b) **Number of Signs:**~~

(1) Freestanding Sign: One sign per street frontage with driveway entrance limited to a maximum 24 square feet each.

(2) One wall sign for each wall facing a street or parking lot, limited to 32 square feet.

(3) One temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year.

(4) A temporary sign up to 32 square feet may be approved as an adjustment as provided in section 31.13.

(5) One temporary banner sign not exceeding 50 square feet per street frontage, located on that frontage, and visible for 30 days four times per year.

(6) Roof Signs: Not permitted.

(7) Subject to the standards above one electronic display sign not exceeding 32 square feet with a dwell time of one hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds, may be erected in place of a freestanding sign.

(b) **Maximum Height:**

(1) Freestanding Sign: 15 feet.

(2) Wall Sign: Signs shall not project above the parapet or roof eaves.

(c) **Minimum Setback:** Signs shall be located at least three feet from a lot line abutting a street. However, all signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas established in Section 27.21(c).

(d) **Illumination.** Signs may only be indirectly illuminated by a concealed light source. Wall signs may be internally illuminated. Sign illumination shall be directed away from and not be reflected upon adjacent premises.

(1) Indirect sign illumination shall be directed away from, and not be reflected upon, adjacent premises and streets or roadways. Illumination shall be subject to the standards in section 31.10(a).

(2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 31.10 (b).

~~(f) **Construction Project Sign:** One non-illuminated sign limited to 32 square feet in area. Such sign may be installed after a building permit has been obtained for the construction project and must be removed not later than two years after issuance of the building permit for the project or upon completion of the project, whichever occurs first. No more than two such signs shall be erected for each construction project.~~

(e) **Parking Lot Signs:** Two permanent signs to identify each motor vehicle entrance into or exiting from the premises. Each sign shall be limited to ~~six~~ **eight** square feet in area and a height of **30 inches above the sidewalk or 36 inches above the street elevation where there is no sidewalk.** ~~four feet.~~

**31.08 SIGNS IN OTHER ZONES.** Except as provided in Section 31.04 and 31.09, no sign shall be erected or maintained in any other zones except as set forth in this section:

(a) **Maximum Square Footage:** The aggregate area of all signs shall not exceed one and one-half square feet for each linear foot of building frontage. A sign shall not exceed 150 square feet. ~~except a free standing sign shall be limited to a maximum of 100 square feet.~~

- (1) Freestanding Sign: One sign per street frontage with entrance access.
- (2) Roof Sign: One

(b) **Maximum Height:**

- (1) Freestanding Sign: 25 feet.
- (2) Wall Sign: Signs shall not project above the parapet or roof eaves.
- (3) Roof Sign: Not higher than the peak of the roof.

(c) **Minimum Setback:** No sign shall project into the public right-of-way. However, All signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be erected in special setback areas established in Section 27.21(c).

(d) **Illumination.** ~~Signs must be internally illuminated.~~

(1) Indirect sign illumination shall be directed away from and not be reflected upon adjacent premises and streets or roadways. Illumination shall be subject to the standards in section 31.10(a).

- (2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 31.10 (b).
- (e) Subject to the standards above, one electronic display sign in place of a freestanding sign with a dwell time of eight seconds, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.
- (f) **Parking Lot signs:** Two permanent signs to identify each motor vehicle entrances onto or exit from the premises. Each sign shall be limited to six- eight square feet in area and a height of 30 inches above the sidewalk or 36 inches above the street elevation where there is no sidewalk four feet.
- (g) ~~Other signs:~~ One temporary fabric sign attached to a building per street frontage. One temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year or one balloon sign up to 35 feet above the roof visible for only 14 days in any six-month period.
- (h) One temporary banner sign not exceeding 50 square feet per street frontage, located on that frontage, and visible for 30 days four times per year.
- (i) One temporary portable changeable message sign for 60 days twice per year.

31.09 **SIGNS FOR INTEGRATED BUSINESS CENTERS.** Except as provided in Section 31.04, only signs permitted in this section are allowed in an integrated business center in CR and CG zones:

- (a) **Integrated business center sign:** One freestanding structure per street frontage with driveway entrance access.
- (1) Maximum Height: 25 feet.
  - (2) Maximum Square Footage: Total sign area attached to the structure shall not exceed 300 sq. ft.. One sign on the structure may be up to 150 sq. ft.. Other attached signs shall not exceed 75 sq. ft.
  - (3) Minimum Setback: Signs shall not project into the public right-of-way. Signs shall comply with requirements for vision clearance areas and special street setbacks. Freestanding signs may be placed in special setbacks [see Section 27.21(c)].
  - (4) Subject to the standards above, one electronic display sign in place of a freestanding, sign with a dwell time of eight seconds, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.
- (b) **Signs for individual businesses in integrated business centers:** Wall, awning and window signs are permitted subject to the following requirements:
- (1) Maximum Square Footage: The total sign area is based upon street frontage (arterial and collector streets only) and frontage on common parking areas. The aggregate sign area

shall not exceed one and one-half square feet for each linear foot of building frontage for a maximum of two building frontages. A sign shall not exceed 150 sq. ft..

- (2) Maximum Height: Signs shall not project above the parapet or roof eaves.
- (3) Illumination: Wall signs shall be internally illuminated.
- (4) Business Identification Sign: Freestanding individual businesses may have one monument sign not to exceed 32 square feet in area or six feet in height. This sign is in lieu of advertising on the freestanding business center sign and is deducted from the total sign area allowed for the business.

(c) One temporary sign not exceeding six square feet and 30 inches above grade visible for 60 days twice per year or one balloon sign up to 35 feet above the roof visible for only 14 days in any six-month period or one banner sign not exceeding 50 square feet visible for 30 days in any 365 day period.

(d) Illumination.

(1) Indirect sign illumination shall be directed away from and not be reflected upon adjacent premises and streets or roadways. Illumination shall be subject to the standards in section 31.10(a).

(2) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in section 31.10 (b).

(e) One temporary portable changeable message sign for 60 days twice per year.

(f) Parking Lot Signs: Two permanent signs to identify each motor vehicle entrance into or exit from the premises. Each sign shall be limited to six ~~eight~~ square feet in area and a height of 30 inches above the sidewalk or 36 inches above the street elevation where there is no sidewalk. ~~four feet.~~

31.10 ILLUMINATION. All illuminated signs are subject to the following standards:

(a) Indirect illuminated signs shall be so located and designed that the light source, viewed by an observer five feet from above grounds at the boundary of the property, shall be either completely shielded from direct view or no greater than .5 foot candle.

(b) Brightness. All electronic display signs must be constructed, operated, or otherwise function in such a way as to not exceed the provisions of this paragraph:

(1) At the time of installation, electronic display signs may be illuminated to a degree of brightness that is no greater than 7,500 nits between sunrise and sunset and that is no greater than 1,000 nits between sunset and sunrise; provided that an electronic display sign comprised solely of one color shall not exceed the following levels:

(A) For a display comprised of red only, 3,150 nits between sunrise and sunset, and 450 between sunset and sunrise;

- (B) For a display comprised of green only, 6,300 nits between sunrise and sunset, and 900 nits between sunset and sunrise;
  - (C) For a display comprised of amber only, 4,690 nits between sunrise and sunset, and 670 nits between sunset and sunrise.
- (2) All electronic display signs must be maintained and operated to meet the following brightness standards:
- (A) No sign shall be brighter than is necessary for clear and adequate visibility.
  - (B) No sign shall be of such intensity or brilliance as to impair the vision of a motor vehicle driver with average eyesight or to otherwise interfere with the driver's operation of a motor vehicle.
  - (C) No sign shall be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.
- (3) The person owning or controlling an electronic display sign must adjust the sign to meet the brightness standards in accordance with these standards. The adjustment must be made immediately upon notice of non-compliance from the Director.
- (4) All electronic display signs must be equipped with a mechanism that automatically adjusts the brightness in response to ambient conditions and equipped with a means to immediately turn off the display if it malfunctions, and the sign owner or operator must immediately turn off the sign or lighting when notified by the Director that it is not complying with the standards in this section.

31.11 ELECTRONIC DISPLAY SIGN STANDARDS. In addition to all other standards in this chapter relating to electronic display signs shall meet the following standards:

- (a) The actual change of display for an electronic display sign shall be completed in two seconds or less. Displays may change by dissolve, fade, or by instantaneous change from one static display to another, but shall remain as a static display after completing the change, and, once changed, shall remain static until the next change. Except as authorized in 31.065(e), scrolling, travel, and video display are prohibited.
- (b) Notwithstanding any other provision in this chapter, a municipal corporation providing transit services may erect one electronic display sign in each of the corporation's transit stops, which shall be limited to two square feet in area, screened from adjacent residential properties, and used only for the transmission on public information by the corporation.

31.13 ADJUSTMENTS. Adjustments to standards contained in this chapter may be allowed subject to the following criteria:

- (a) The proposed development will not have a significant adverse impact upon adjacent existing or planned uses and development; and
- (b) The adjustment will not have a significant adverse affect upon the health or safety or persons working or residing in the vicinity; and

- (c) The adjustment is the minimum necessary to achieve the purpose of the adjustment and is the minimum necessary to permit development of the property for the proposed use; and
- (d) The intent and purpose of the specific provision to be adjusted is clearly inapplicable under the circumstances; or, the proposed development maintains the intent and purpose of the provision to be adjusted.

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