

**CITY OF LA PINE**

**SIGN ORDINANCE**

**EXHIBIT D- ORDINANCE NO. 2012-05**

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<b>Quick Reference Charts</b>
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## Types of Signs Allowed in the Residential Zones

*The residential sign zone includes all land within the RSF, RMF, RMP, TA and CN zones, and related overlay areas.*

### Typical Signs Allowed for Multi-Family or Residential Complex Developments

Type of Sign	Display Period	Permit Required	Maximum Size & Height	Maximum Number	Other Requirements
Monument	Continuous	Yes	16 sq.ft./face 12 ft. Max.	1/primary frontage	See Section 11 for more details
Ground Mounted	Continuous	Yes	16 sq.ft./face 12 ft. Max. Height	1/primary frontage	See Section 11 for more details
Banner Signs	30 days, 2x/year	Yes	100sq.ft. Max.	1	See Section 11 for more details

### Signs Allowed for Schools, Public, and semi-Public Facilities

Monument	Continuous	Yes	16 sq.ft./face 12 ft. Max	1/street frontage	See Section 11 for more details
Ground Mounted	Continuous	Yes	16 sq.ft./face 12 ft. Max Height	1/street frontage	See Section 11 for more details
Wall	Continuous	Yes	Primary frontage = 8% of bldg wall, max 50sq.ft./face. Secondary frontage = 6% of bldg wall, max 25 sq.ft./face	1/primary frontage and 1/secondary frontage	See Section 11 for more details
Bulletin Boards	Continuous	Yes	24sq.ft. per sign face Max.	1 incorporated into an approved monument sign	

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Awning Signs	Continuous	Yes	Max sign face area 50 sq.ft. on primary frontage, 8% on secondary frontage, max sign face of 25 sq.ft.	1 per building frontage	Total wall and awning sign area for wall and awnings shall not exceed 12% of building elevation area  See Section 11 for more details
<b>Signs Allowed for Commercial uses permitted in Residential Zones</b>					
Type of Sign	Display Period	Permit Required	Maximum Size & Height	Maximum Number	Other Requirements
Wall	Continuous	Yes	Primary frontage = 8% of bldg wall, max 50sq.ft./face. Secondary frontage = 6% of bldg wall, max 25 sq.ft./face	1/tenant occupancy	See Section 11 for more details
Awning Signs	Continuous	Yes	Max sign face area 50 sq.ft. on primary frontage, 8% on secondary frontage, max sign face of 25 sq.ft.	1 per building frontage	Total wall and awning sign area for wall and awnings shall not exceed 12% of building elevation area  See Section 11 for more details
Ground Mounted	Continuous	Yes	32 sq.ft./face 12 ft. Max Hieght		

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## Types of Signs Allowed in the Commercial and Industrial Zones

*The commercial/industrial sign zone includes all land within the C, CRMX, CMX, I, LI, and F zones and related overlay areas.*

### Typical Signs Allowed

Type of Sign	Display Period	Permit Required	Maximum Size & Height	Maximum Number	Other Requirements
Monument	Continuous	Yes	40 sq.ft./face 12 ft. Max. Height	1/lot along primary frontage	See Section 12 for more details
Ground Mounted	Continuous	Yes	40 sq.ft./face 12 ft. Max. Height	1/lot along primary frontage	See Section 12 for more details
Pole	Continuous	Yes	120 sq. ft./sign face 24 ft. Max Height	1 for lots that have 150 feet of frontage	Allowed on Hwy 97 only - See Section 12 for more details
Wall	Continuous	Yes	Primary frontage = 8% of bldg wall, max 120 sq.ft./face. Secondary frontage = 6% of bldg wall, max 60 sq.ft./face or 199 sq.ft. if bldg wall is >5k sq.ft.	1/primary frontage and 1/secondary frontage	Additional 1.5 sq.ft. per lineal ft. of leased storefront will be allowed  See Section 12 for more details
Awning Signs	Continuous	Yes	Max sign face area 12% of bldg area on primary frontage, Max sign face of 120 sq.ft. Second frontage shall not exceed 8% of bldg. wall, Max sign face 60 sq.ft.	1 per building tenant entry, consistent design preferred	Total wall and awning sign area for wall and awnings shall not exceed 12% of primary frontage building wall area  See Section 12 for more details
Numeric Info	Continuous	Yes	10 sq.ft.	1 per Principal use	See Section 12 for more details
Bulletin Boards For Schools, Churches, Public	Continuous	Yes	24 sq.ft. per sign face Max.	1 incorporated into an approved monument sign	See Section 12 for more details

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Facilities					
Bulletin Boards For Theater Marquees	Continuous	Yes	12% of the bldg wall area on the primary frontage – Max sign face 120 sq.ft.	1 incorporated into an approved Marquee sign	See Section 12 for more details
Banners and Balloon Signs	30 days, 2x/year	Yes	100 sq.ft. Max. and no higher than 10 ft. above roof	1	See Section 12 for more details
Electronic Message Signs for Business Complexes	Continuous	Yes	50% of sign face	1 incorporated into an approved monument sign/complex	See Section 12 for more details
Projecting	Continuous	Yes	Max area per sign is 40sq.ft. Total sign area for wall & projecting signage must be < 12% of bldg. wall area on primary frontage	Multiple	See Section 12 for more details on placement and clearance
Suspended	Continuous	Yes	6 sq. ft.	1 per tenant leased space/entrance	See Section 12 for more details
Illuminated Interior	Variable	Yes	4 sq.ft. Max and ,15% of window area	varies	See Section 12 for more details
Roof Signs	Continuous	Yes	8% of roof elevation area and 120sq.ft.max	1 for a principal use that has no other means of signage	See Section 12 for more details
Menu Boards	Continuous	Yes	2, primary 40sq.ft.max &1 pre-sell 20 sq.ft. max	3 per drive	See Section 12 for more details
Billboards	Continuous	Yes	300 sq.ft. Height can vary	May vary – today, 7 max for entire city limits	See Section 12 for more details

## **EXHIBIT D- ORDINANCE NO. 2012-05**

### **1. Purpose**

The purposes of this Ordinance are to protect the health, safety, property and welfare of the public, to provide a neat, clean, orderly and attractive appearance of the community, to improve the effectiveness of signs, to provide for safe construction, location, erection and maintenance of signs, to prevent proliferation of signs and sign clutter, to minimize adverse visual safety factors to travelers on public highways and on private areas open to public travel, and to achieve this purpose consistent with state and federal constitutional limits on the regulation of speech. To achieve these purposes, it is necessary to regulate the design, quality of materials, construction, location, electrification, illumination, and maintenance of signs that are visible from public property, public rights-of-way and private areas open to public travel.

### **2. Definitions**

For the purposes of this Sign Ordinance, unless the context indicates otherwise: words in the present tense include the future; the singular number includes the plural and the plural number includes the singular; undefined words have their ordinary accepted meaning; and, the following words and phrases mean:

“Abandoned sign” means a sign or sign structure where:

1. The sign is no longer used by the person who constructed the sign. Discontinuance of sign use may be shown by cessation of use of the lot where the sign is located;
2. The sign has been damaged, and repairs and restoration are not started within ninety days of the date the sign was damaged, or are not diligently pursued, once started.

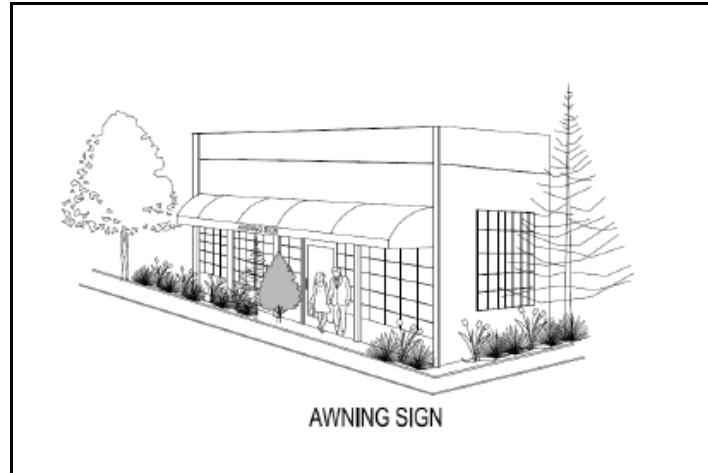
“Alter” means to make a change to a sign or sign structure, including but not limited to, changes in area, height, projection, illumination, shape, materials, placement and location on a site. Altering a sign does not include ordinary maintenance or repair, repainting an existing sign surface, including changes of message or image, or exchanging the display panels of a sign.

“Athletic scoreboard” means a sign erected next to an athletic field by the owner or operator of the field and which is visible to spectators.

“Automobile service station” means a retail place of business engaged primarily in the sale of motor fuels.

“Awning” means a shelter projecting from and supported by the exterior wall of a building constructed of rigid or nonrigid materials on a supporting framework.

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“Balloon signs” means a sign consisting of a membrane that relies on internal gaseous pressure or a semirigid framework for maintaining its form.

“Banner” means a sign made of fabric or other nonrigid material with no enclosing framework.

“Bench sign” means a sign on an outdoor bench.

“Billboard,” except as provided in Section 15.20.070(A)(2), means a sign on which any sign face exceeds two hundred square feet in area.

“Blanketing” means blocking a pedestrian’s or motorist’s view of a projecting sign by another projecting sign.

“Boundaries of a site” means the area inside the legal lot lines of a site, not including any property in a public right-of-way.

“Building elevation area” means the area of a single side of a building, measured in square feet and calculated by multiplying the length of the side of the building by the height of the building to the roof line. If the roof line height varies along the side of the building, the average of the lowest and highest roof line height on that side shall be used in the calculation.

“Building frontage, primary” means the ground floor lineal length of a building wall that faces a street, driveway, parking lot, courtyard or plaza and has an entrance or exit open to the general public.

“Building frontage, secondary” means the ground floor lineal length of a building wall that faces a street, driveway, parking lot, courtyard or plaza and does not have an entrance or exit open to the general public.

“Building official” means the building official or his or her designee.



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“Bulletin board” means a permanent sign providing information in a horizontal format, that can be changed either manually through placement of letters or symbols on tracks mounted on a panel, or electronically, through use of an array of lights in a dot matrix configuration, from which characters can be formed.

“Business complex” means a development consisting of one or more lots sharing appurtenant facilities, such as driveways, parking and pedestrian walkways, and is designed to provide varied products and services at a single location.

1. “Major business complex” means a development consisting of single or multiple principal uses and where the building(s) contain a minimum of forty-five thousand square feet in gross floor area.

2. “Minor business complex” means a development consisting of a minimum of 3 principal uses and where the building(s) contain a maximum of forty-four thousand nine hundred ninety-nine square feet in gross floor area.

3. “Industrial/research business complex” means a development consisting of a minimum of six principal uses and where the building(s) contain a minimum of one hundred thousand square feet of gross floor area.

“Canopy” means a permanent roofed structure which may be freestanding or attached to a building, but which is not a completely enclosed structure or awning.

“Clearance” means the distance between the average natural grade below a sign to the lowermost portion of the sign.

“City” or “director” means the City or his or her designee.

“City engineer” means the city engineer or his or her designee.

“City recorder” means the city recorder or his or her designee.

“Clear Vision” Clear Vision Areas.

A. In all zones, a clear vision area shall be maintained on the corners of all property at the intersection of two streets or a street and a railroad. A clear vision area shall contain no planting, fence, wall, structure, private signage, or temporary or permanent obstruction exceeding three and one-half feet in height, measured from the top of the curb or, where no curb exists, from the established street centerline grade, except that trees exceeding this height may be located in this area provided all branches and foliage are removed to a height of eight feet above the grade.

B. A clear vision area shall consist of a triangular area on the corner of a lot at the intersection of two streets or a street and a railroad. Two sides of the triangle are sections of the lot lines adjoining the street or railroad measured from the corner to a distance

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specified in the chart below. Where lot lines have rounded corners, the specified distance is measured from a point determined by the extension of the lot lines to a point of intersection. The third side of the triangle is the line connecting the ends of the measured sections of the street lot lines. The following measurements shall establish clear vision areas within the County:

1. In an agricultural, forestry or industrial zone, the minimum distance shall be 30 feet or at intersections including an alley, 10 feet.

2. In all other zones, the minimum distance shall be in relationship to street and road right of way widths as follows: Right of way Width	Clear vision
80 feet or more	20 feet
60 feet	30 feet
50 feet and less	30 feet

“Community event” means an activity or event identified as such by the city council.

“Dwelling” means any building or portion thereof that contains living facilities, including provisions for sleeping, eating, cooking and sanitation.

“Electronic message sign” means a permanent sign providing information in both a horizontal and vertical format sign copy, on which copy is created through use of a electronic energy, which may change. Video signs and flashing lights are not included in this definition.

“Filing” means a document is “filed” on the date a complete application or a required complete document is received at City Hall during posted business hours.

“Fire marshal” means the fire marshal or designee.

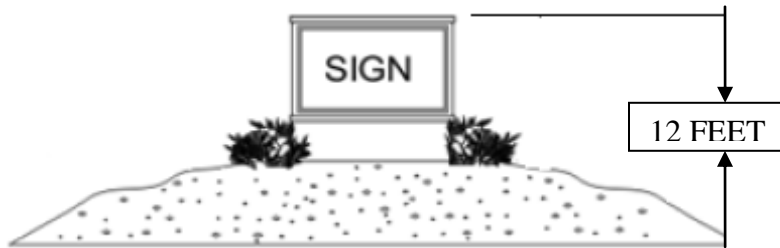
“Flag” means a piece of fabric of distinctive design that is displayed hanging free from a staff halyard or building to which it is attached. A flag is often used to display the symbol of the United States, a nation, state, local government, business, organization or a person.

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“Freestanding sign” means a sign that is not attached to a building and is erected on a frame connected to the ground. Ground-mounted, monument and pole signs are specific types of freestanding signs. A freestanding sign does not include a portable sign.

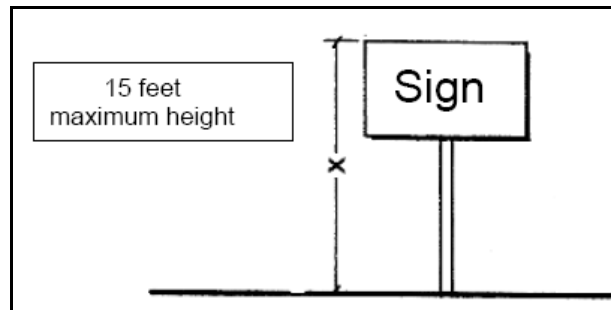
“Grade” For freestanding signs, “grade” is the average natural level of the ground measured five feet from either end of the base of the sign, parallel to the sign face. For signs mounted on buildings, the grade is the average level of the sidewalk, alley or ground below the mounted sign measured five feet from either end of the sign face.

“Ground-mounted sign” means a freestanding sign with a minimum of twelve inches of vertical solid base directly and continuously connected to at least fifty percent of the sign face width or, is borne by two or more supports which are a minimum of twelve inches but less than eight feet above grade.



“Handheld sign” means a hand-carried sign of six square feet or less in area, worn or carried by a person when being displayed.

“Height” means the vertical distance measured from grade to the highest attached component of a sign including the supporting structure.

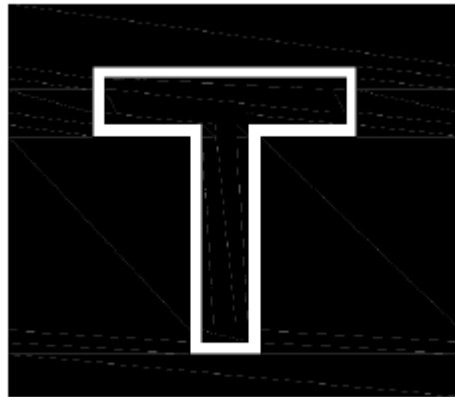


“Historical or landmark marker” means a sign constructed in close proximity to a historic place, object, building, or other landmark recognized by an official historical resources entity, where the sign is constructed by the owner of the historic property and does not exceed twenty square feet in size.

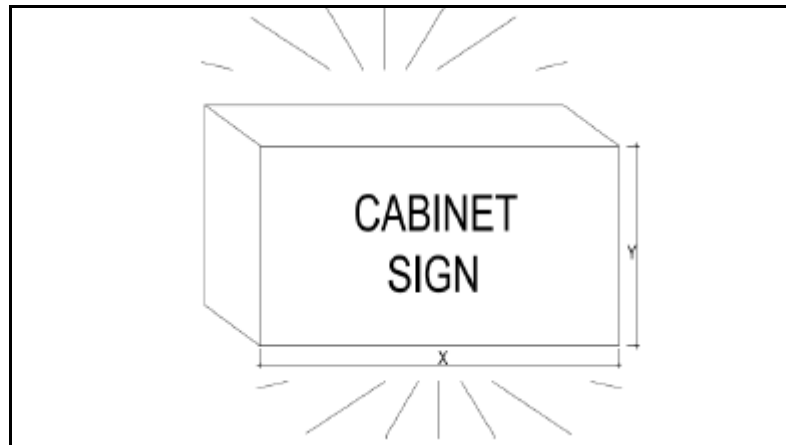
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“Historical sign” means a sign designated as a historic or cultural resource under city, state or federal law.

“Illuminated sign” means a sign illuminated by an internal light source or an external light source primarily designed to illuminate the sign. The illumination is “external” when the light source is separate from the sign and is directed to shine upon the sign and “internal” when the light source emanates from the sign. External illumination is “direct” when the source of light is directly seen by the public, such as a floodlight, and “indirect” when the source of light is not directly seen by the public, such as cove lighting or Halo lighting.



BACK LIT SIGN



“Interior sign” means a sign erected and maintained inside of a building, including, but not limited to, a sign attached to or painted on the inside of windows. This definition does not include text, pictures, graphics, or similar representations in display windows.

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“Lot” means a legally created parcel or tract of land.

“Maintenance” means normal care or servicing needed to keep a sign functional or perpetuate its use, such as cleaning, replacing or repairing a part made unusable by ordinary wear, and changing light bulbs.

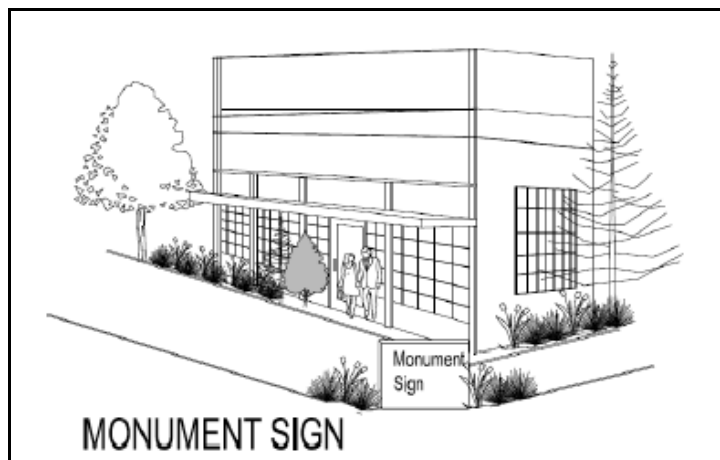
“Marquee” means a permanent roofed structure attached to or supported by a building.

“Menu board” means a signs placed in or near the drive-up service lane of a food service establishment that may include a two-way speaker system for taking food orders.



**MENU BOARD**

“Monument sign” means a sign that has a solid supporting base equal or greater than the width of the sign face, generally made of stone, masonry, or concrete, with no separations between the sign and base.



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“Name plate” means a permanent wall sign located on the front facade of a residential structure.

“Neon sign” means a sign internally illuminated by a light source consisting of neon or other gas contained in a tube, except for fluorescent lights.

“Nonconforming sign” often referred to as “*Grandfathered*”, means a sign that was lawful when it was constructed but does not meet the requirements of this Ordinance. When a sign permit is granted prior to the effective date of the ordinance codified in this Ordinance that complies with then existing requirements, the sign is conforming if it is erected within ninety days of the effective date of the ordinance codified in this Ordinance.

“Numeric information sign” means a sign only displaying current numeric measurements such as time, date, temperature, or stock indices.

“Owner” means the person owning title to real property on which a sign is located, or the contract purchaser of the real property as shown on the last available complete assessment roll in the office of county assessor. “Owner” also includes the owner of a sign who has a continuing lease of the real property on which the sign is located.

“Pad Site(s)” means an open site next to shops, an individual freestanding lot available for retail development, typically next to a mall or shopping center

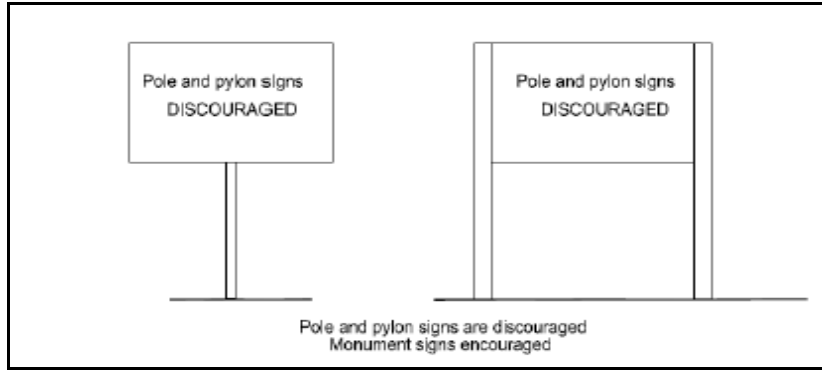
“Pennant” means a sign device made from a strip of flexible material intended to wave in the wind.

“Person” means every person, firm, partnership, association, or corporation.

“Planned unit development” means a tract or tracts of land developed as a planned unit development under city zoning ordinances.

“Pole sign” means a sign that is a freestanding sign connected to the ground by one or more supports with the lower edge of the sign device separated vertically from the ground by a distance of nine feet or greater as measured from grade.

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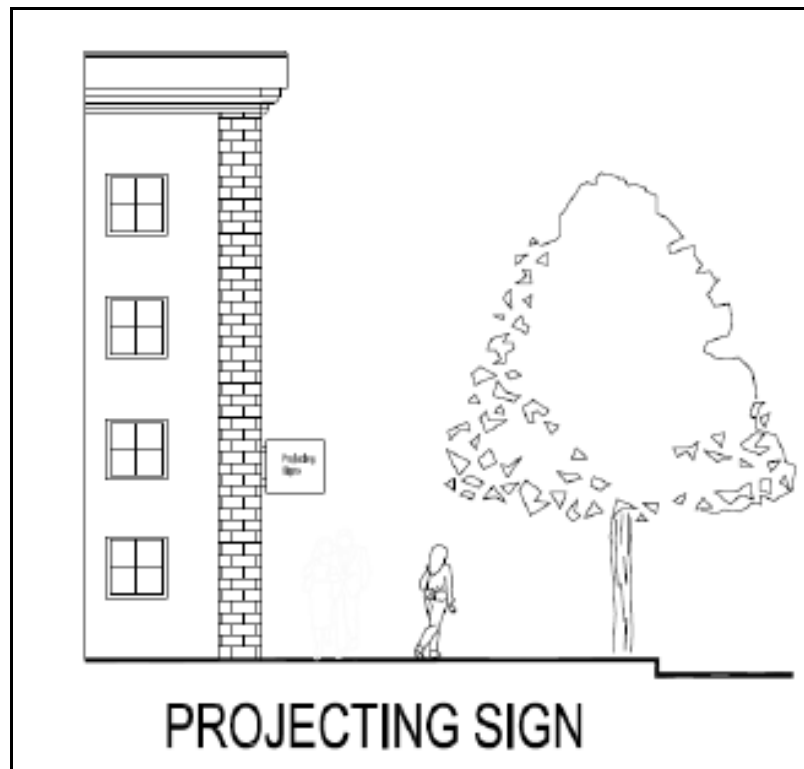


“Portable sign” means a sign which is not permanently affixed to a building, structure, or the ground and designed to be moved from place to place.

“Principal use” means the nonresidential use of property by an owner or lessee. Multiple principal uses may be located on a lot or development.

“Property” land and/or legal lot(s) owned by and individual, agency, or other entity.

“Projecting sign” means a building-mounted sign that projects beyond the building more than twelve inches and is not located on a canopy, awning, or marquee.



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“Public right-of-way” means travel area dedicated, deeded or under control of a public agency, including but not limited, to highways, public streets, bike paths, alleys and sidewalks.

“Public sign” means a sign constructed or placed within the public right-of-way by or with the approval of the governmental agency having authority over, control of or ownership of the right-of-way or a sign constructed or placed by a public utility on or adjacent to a pole, pipe, or distribution facility of the utility and within the public right-of-way.

“Repair” means mending or replacing broken or worn parts with comparable materials.

“Roof elevation area” means the area of a single plane of a roof, measured in square feet and calculated by multiplying the difference between the height of the ridge and the height of the eave by the distance between opposing rakes.

“Roof line” means the top edge of a roof or a building parapet, whichever is higher, excluding any cupolas, chimneys or other minor projections.

“Roof sign” means a sign erected upon, against, or over the roof of any building or structure.

“Seasonal decorations” means every type of decoration displayed during and around a federally recognized holiday or on a seasonal basis, whether illuminated or not, and whether attached to utility poles, buildings or any other structure.

“Setback” means the horizontal distance from the property line to the sign, measured at the closest points of the sign to the property line.

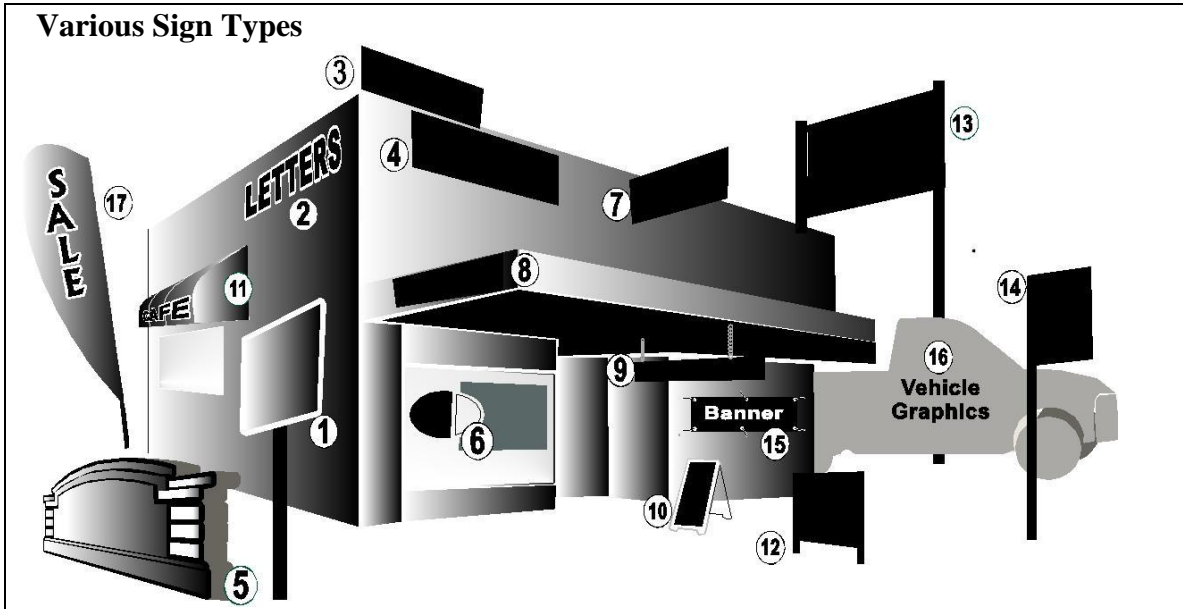
“Sign” means any writing, video projection, pictorial representation, illustration, decoration (including any material used to differentiate sign copy from its background), emblem, symbol, design, trademark, banner, flag, pennant, captive balloon, streamer, spinner, ribbon, sculpture, statue, or any other figure or character that:

1. Is a structure or any part thereof (including the roof or wall of a building);  
or
2. Is written, printed, projected, painted, constructed, transmitted or otherwise placed or displayed upon or designed into a structure or an outdoor screen or monitor, or a board, plate, canopy, awning, marquee, or a vehicle, or upon any material object or device whatsoever; and
3. By reason of its form, color, wording, symbol, design, or illumination, attracts or is designed to attract attention and communicate a message. Graphics, murals and art work that do not communicate informational messages, apart from any aesthetic



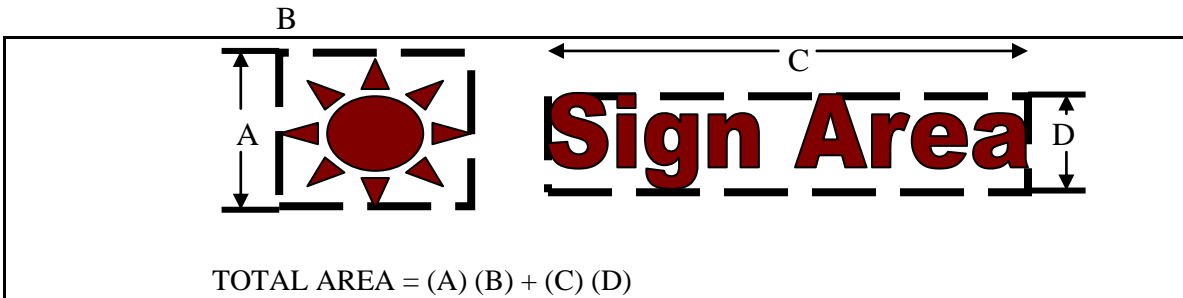
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or artistic message, are not signs. It is a disputable presumption that a graphic, mural or art work that depicts or relates to the use of a site or structure on which it is displayed, is intended to communicate an informational message about the site or structure.



- |                             |                                |
|-----------------------------|--------------------------------|
| <b>1 Pole (Pylon)</b>       | <b>10 Sandwich</b>             |
| <b>2 Letters</b>            | <b>11 Awning</b>               |
| <b>3 Roof</b>               | <b>12 Post &amp; Panel</b>     |
| <b>4 Wall</b>               | <b>13 Dual Pylon</b>           |
| <b>5 Monument</b>           | <b>14 Flag Mounted Pylon</b>   |
| <b>6 Window</b>             | <b>15 Banner</b>               |
| <b>7 Projecting (blade)</b> | <b>16 Vehicle</b>              |
| <b>8 Fascia (Marquee)</b>   | <b>17 Feather Flag (blade)</b> |
| <b>9 Suspended</b>          | <b>18 ---</b>                  |

“Sign area” means the area of the sign measured within lines drawn between the outermost points of a sign, but excluding essential sign structure, foundations, or supports.



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“Sign band” means a continuous horizontal band located on a facade where there are no doors, windows or other architectural features.

“Sign copy” means the message or image conveyed by a sign.

“Sign face” means the sum of the surfaces of a sign face as seen from one plane or elevation included within the outer dimensions of the sign board, frame or cabinet.

“Sign height” means the average level of the grade below the sign to the topmost point of the sign including the supporting sign structure, foundations, and supports.

“Site” means the area, tract, parcel, or lot of land owned by or under the lawful control of an owner. Abutting platted lots under the same ownership shall be considered one site.

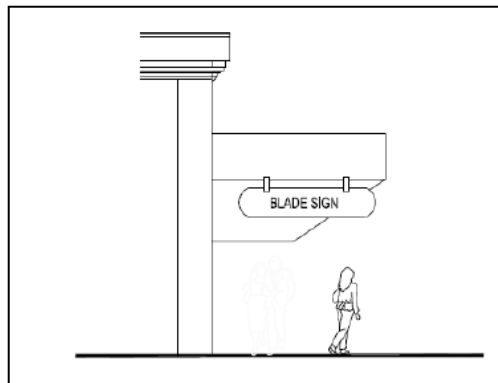
“Street frontage” means the length or width of a site, measured along a line separating the site from a street or public right-of-way.

“Structure” means that which is built or constructed. An edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner and which requires location on the ground or which is attached to something having a location on the ground.

“Subdivision” means a site with four or more lots.

“Supporting structure” means a structure specifically intended for supporting or containing a sign.

“Suspended sign” means a sign which is attached to the underside of a canopy or awning, and is supported by the canopy or awning.

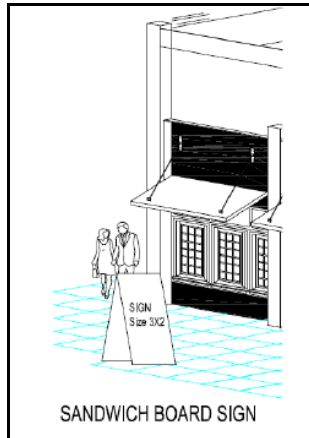


### **SUSPENDED SIGN – SOMETIMES KNOWN AS A BLADE SIGN**

“Temporary business” means a temporary business as defined by the city of La Pine Municipal Code.

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“Temporary sign” means a sign that is not permanently attached to a building, structure, or the ground and that is intended to remain in use for no more than a short time.



**Typical Temporary Sign**

“Tri-vision sign” means a sign that contains display surfaces composed of a series of three-sided rotating slates arranged side by side, either horizontally or vertically, that are rotated by an electro-mechanical process, capable of displaying a total of no more than three separate and distinct messages, one message at a time, provided that the rotation from one message to another message is no more frequent than every eight seconds and the actual rotation process is accomplished in four seconds or less. These signs are not permitted in this ordinance.

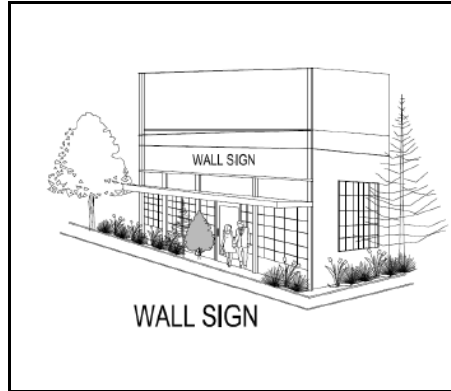
“Vehicle sign” means a nonilluminated sign permanently or temporarily placed on or attached to the exterior of a motor vehicle, trailer railroad car, or light rail car that is used in the regular course of business for purposes other than the display of signs.

“Video sign” means a sign providing information in both a horizontal and vertical format through use of pixel and sub-pixel technology having the capacity to create continuously changing sign copy in a full spectrum of colors and light intensities.

“Vision clearance area” means a triangular area on lot at the intersection of two streets or a street and a railroad, alley, or driveway as defined and measured in La Pine Zoning Ordinance.

“Wall sign” means a sign that is attached to and extends no more than twelve inches from a wall, or painted on a wall of a building.

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“Window sign” means a sign attached to, placed upon, or painted on a window or door of a building that is viewable from the outside of the building.



**EXAMPLES OF WINDOW SIGNS**

**3. General Requirements**

A. Except as provided in this Ordinance, no person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use or maintain any sign, or cause or permit the same to be done, contrary to or in violation of any of the provisions of the Sign Ordinance.

B. Except as provided in this Ordinance, no person shall erect, construct or alter a sign, or permit the same to be done, unless a sign or billboard permit has been issued by the city. A sign or billboard permit for the construction and continued use of a sign is subject to the terms and conditions stated in the permit and to the Sign Ordinance.

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C. An application for sign permit approval is subject to the procedures set forth in this Ordinance. An application for billboard permit approval is subject to the additional requirements of this Ordinance.

D. No owner shall erect or construct a sign on a site that contains unlawful signs unless otherwise approved by the City.

E. The Sign Ordinance shall not be construed to permit the erection or maintenance of any sign at any place or in any manner unlawful under any other city Ordinance provision or other applicable law. In any case where a part of the Sign Ordinance conflicts with a provision of any zoning, building, fire, safety or health ordinance or code, the provision which establishes a stricter standard for the protection of the public health and safety shall prevail.

F. The Sign Ordinance is not intended to, and does not restrict speech on the basis of its content, viewpoint or message. Any classification of signs in this Ordinance that permits speech by reason of the type of sign, identity of the sign user or otherwise, shall permit any type of speech on the sign. No part of this Ordinance shall be construed to favor commercial speech over noncommercial speech. To the extent any provision of this Ordinance is ambiguous, the term shall be interpreted to not regulate on the basis of speech content, and the interpretation resulting in the least restriction on the content of the sign message shall prevail.

G. If any section, subsection, paragraph, sentence, clause or phrase of the Sign Ordinance is declared invalid for any reason by a court having jurisdiction under state or federal law, the remaining portions of this Ordinance shall remain in full force and effect.

### **4. Sign Permit Application**

A. Except as provided in this Ordinance, a permit is required to erect, construct, repair or alter a sign. If a sign is for a new development that requires development review under Zoning Ordinance, then the sign shall be reviewed as part of the development review process prior to approval of a sign permit.

B. An application for a sign permit shall be made on a form prescribed by the City. The application shall be filed by the owner of the sign or a representative of the sign's owner. A separate sign permit application is required for each sign, unless a combined application for all signs in a proposed development is proposed. The application shall include information required by the City and the following:

1. A sketch of the site, drawn to scale, showing the approximate location of existing structures, existing signs, and the proposed sign;

2. Building frontage elevations drawn to scale, showing the sign's relative location and placement;

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3. An illustration of the proposed sign, drawn to scale, showing the design, elevations, sign face dimensions and area, materials and engineering data which demonstrates its structural stability. The illustration of the proposed sign need not show the sign message, but shall show the size, style, and design of the lettering, numbers, and graphics conveying any message. The content of any message shall not be considered in the evaluation of a sign permit application;

4. The names and addresses of the applicant, the owner of the property on which the sign is to be located, the manufacturer of the sign and the person installing the sign, and the construction contractor's board number of the installer. The owner of the property on which the sign is to be located shall sign the sign permit application;

5. A fee in the amount set by council resolution. When a person begins construction of a sign requiring a sign permit before the permit is approved, the permit fee shall be doubled.

C. When deemed necessary by the building official, building or electrical permits shall be obtained as a part of the sign permit process. When required by the City, the approval of the fire marshal may be required.

D. The City shall grant or deny the sign permit application based upon the information submitted with the application and other information obtained by the city. A decision on a sign permit application shall be made within ten business days of submission of a complete application. When the requested permit is part of an application for an automobile service station plan, a decision on the permit shall be made within thirty days of submission of a complete application. If the application is denied, the City shall mail the applicant written notice of the decision and shall explain why the application was denied. The decision shall also include an explanation of the applicant's appeal rights. The decision shall be mailed to the address of the applicant on the application by regular mail.

E. A sign permit application shall be approved if:

1. The application complies with all of the applicable provisions of this Ordinance and any other objective requirement imposed by law. No standard shall be applied to deny a permit if the operation of that standard violates a constitutional right of the applicant. If, as part of the application, an applicant identifies a particular standard alleged to have unconstitutional effect, and provides reasons for that contention, the City shall seek the opinion of the city attorney on the contention. If the city attorney concludes that the operation of the standard violates a constitutional right of the applicant, the City shall not apply the standard in reviewing the application;

2. The applicable permit fee has been paid.

F. An approved sign shall be constructed and installed within six months of the final approval of the permit, including resolution of any appeal. (This may be

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extended to 12 months if the sign code language has not been modified City Council.) The sign permit shall be void if installation is not completed within this period or if the sign does not conform to the approved permit. Sign permits mistakenly issued in violation of this Ordinance or other provisions of this Ordinance are void. The City may grant a reasonable extension of time for the installation deadline upon a showing of reasonable grounds for delay.

G. If sign does not conform to the building code after inspection, the sign will be subject to removal.

H. The City may revoke a sign permit if it is discovered that there was a material and misleading false statement of fact in the permit application.

### 5. Sign Measurements

The following shall be used in measuring a sign to determine compliance with this ordinance:

A. Sign Area.

1. Sign area shall be measured within lines drawn between the outermost dimensions of the frame or cabinet surrounding the display area containing the sign copy. When signs are not framed or on a base material and are inscribed, painted, printed, projected or otherwise placed upon, or attached to a building, canopy, awning or part thereof, the sign area is the smallest possible space enclosing the sign copy that can be constructed with straight lines. Awning signage shall be the calculation of the actual lettering or logo, not the dimensions of the awning itself. Where a sign is of a three-dimensional, round, or irregular solid shape, the largest cross-section shall be used in a flat projection for the purpose of determining sign area.

2. The area of all signs in existence at the time of enactment of the ordinance codified in this Ordinance, whether conforming or nonconforming, shall be counted in establishing the permitted sign area.

3. When signs are constructed in multiple separate pieces containing sign copy, sign face area is determined by a perimeter drawn in straight lines, as small as possible, around all pieces.

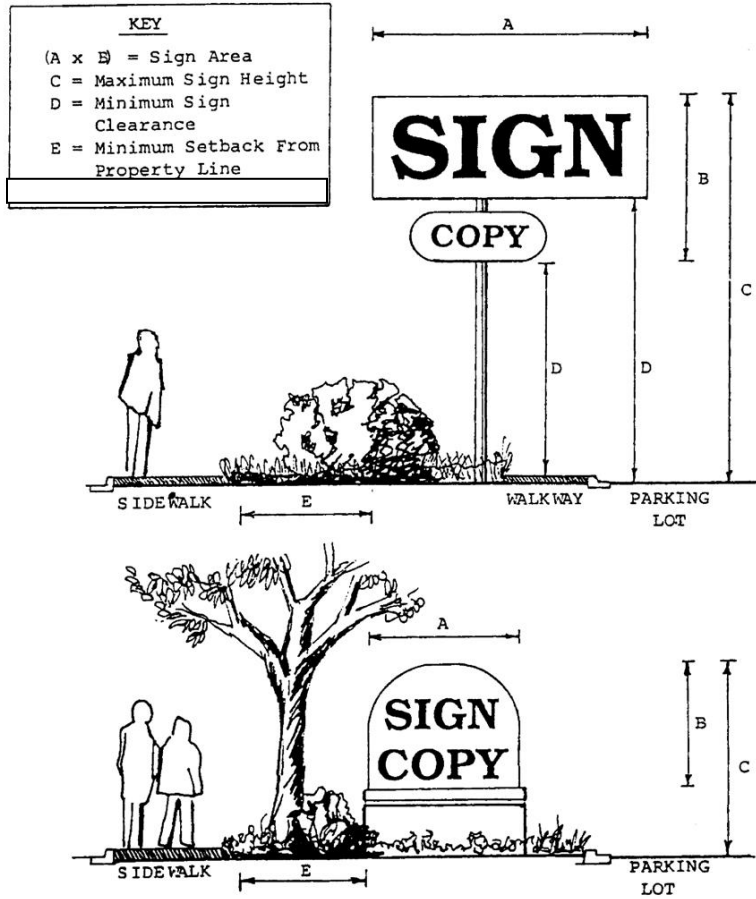
B. Height. Height is measured from the average level of the grade below the sign to the topmost point of the sign including the supporting structure.

C. Clearance is measured from the average natural grade below the sign to the lowermost point of the sign.

D. Spacing.

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1. For the purpose of applying spacing requirements to signs, distances shall be measured parallel to the centerline of the adjacent street or highway.
2. The sign or sign location under consideration shall be included as one sign.
3. A double-faced sign is counted as a single sign for no other purpose than to regulate spacing distances.



**6. Exempt Signs – No permit needed.**

Except for signs prohibited by this Ordinance, the following signs are exempt and do not require a permit if they are maintained in good repair and meet the requirements all other requirements.

Use of these signs does not affect the amount or type of signage otherwise allowed by this ordinance. The painting, repainting, cleaning, maintenance, and repair of an existing sign shall not require a permit, unless a substantial structural alteration is made. The



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changing of a sign copy or message shall not require a permit. All signs listed in this section are subject to all other applicable requirements of this ordinance.

A. All signs which are placed inside a structure or building, and which are either not visible through windows or building openings, or are not intended to be visible from outside of the structure or building.

B. Signs required by law, administrative order or judicial order and erected by public employees performing official duties.

C. Signs (including name plates and dates of erection of buildings) on multifamily residential, commercial, industrial, or institutional buildings when the sign is cut into the surface or the facade of a building, or when it is constructed of stone, masonry, bronze or other noncombustible material and projects no more than two inches from a building, so long as the cumulative sign face(s) are eight square feet or less in area;

D. One indirectly illuminated or non-illuminated sign not exceeding one and one-half square feet in area placed on any non-multifamily residential lot. This type of sign is typically used as a nameplate;

E. Flags; City authorized pennants on light poles designed with brackets

F. Vehicle signs;

G. Signs displayed upon a bus or light rail vehicle owned by a transit authority;

H. Historical sign or historical or landmark markers;

I. Seasonal decorations on private property;

J. Handheld signs;

K. Signs up to six square feet constructed or placed within a parking lot, typically used to direct traffic and parking;

L. Any public notice or sign required by federal, state or local agency by law, regulation or ordinance, or a sign within the public right-of-way that is erected by a governmental agency, utility or contractor doing authorized work within the right-of-way;

M. A sign that does not exceed 32 square feet and is not erected in a vision clearance area, and is erected on property where there is a danger to the public or to which public access is prohibited;

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N. Non-illuminated interior signs in non-residential sign zones designed primarily to be viewed from a sidewalk or street provided the sign does not obscure more than twenty-five percent of any individual window;

O. Illuminated interior signs in non-residential sign zones designed primarily to be viewed from a sidewalk or street, provided the sign face is less than four square feet in area;

P. One suspended sign for each principal use erected over property which is not considered public right-of-way, under an attached first floor awning or canopy upon a building with direct exterior pedestrian access, provided the sign does not exceed six square feet in area and has a minimum of eight feet of clearance;

Q. An exterior sign erected next to an entrance, exit, rest room, office door, or telephone, provided the sign is no more than four square feet in area - typically used to identify and locate a property feature;

R. Signs located within a sports stadium or athletic field, or other outdoor assembly area which are intended for viewing by persons within the facility. The signs shall be placed so as to be oriented towards the interior of the field and the viewing stands; and,

S. Signs incorporated into vending machines or gasoline pumps.

### **7. Prohibited Signs**

Except for nonconforming signs, the following signs are unlawful and are nuisances:

A. Abandoned signs;

B. Billboards, except as permitted;

C. Video signs;

D. Any sign constructed, maintained or altered in a manner not in compliance with this ordinance;

E. Any nonpublic sign constructed or maintained which, by reason of its size, location, movement, coloring or manner of illumination may be confused with or construed as a traffic control device or which hides from view any traffic control device;

F. Any sign constructed in such a manner or at such a location that it will obstruct access to any fire escape or other means of ingress or egress from a building or an exit corridor, exit hallway or exit doorway. No sign or supporting structure shall

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cover, wholly or partially, any window or doorway in any manner that it will substantially limit access to the building in case of fire;

G. Any sign located in a manner which could impede traffic on any street, alley, sidewalk, bikeway or other pedestrian or vehicular travel way;

H. Any sign equipped with moving, rotating or otherwise animated parts, except for athletic scoreboards not including swoopers, balloons, and insignificant details;

I. Any sign that is wholly or partially illuminated by a flashing or intermittent light, lights, lamps, bulbs, or tubes. Rotary beacon lights, zip lights, strobe lights, or similar devices shall not be erected or maintained, or attached to or incorporated in any sign;

J. Any nonpublic sign within the vision clearance area provisions contained in the zoning ordinance;

K. Any sign attached to a tree or a plant, a fence or a utility pole, except as otherwise allowed by this ordinance;

L. Any sign within or over any public right-of-way, or located on private property less than two feet from any area subject to vehicular travel, except for:

1. Public signs,
2. Temporary signs specifically allowed within the public right-of way under this ordinance; and,

M. Temporary signs, including banners, pennants, wind signs, and flags, except as authorized.

### **8. Temporary Signs**

A. Temporary signs may be erected and maintained in the city only in compliance with the regulations in this Ordinance, and with the following specific provisions:

1. Except as approved by the City in connection with a community event, no temporary sign shall be internally illuminated or be illuminated by an external light source primarily intended for the illumination of the temporary sign.

2. Temporary signs shall be kept neat, clean and in good repair. Signs which are faded, torn, damaged or otherwise unsightly or in a state of disrepair shall be immediately repaired or removed. A temporary sign shall be attached to the site or

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constructed in a manner that both prevents the sign from being easily moved or blown from its location and allows for the easy removal of the sign.

3. Except as provided in this Ordinance, temporary signs shall not be attached to trees, shrubbery, utility poles or traffic control signs or devices. Temporary signs shall not obscure or obstruct signs on adjacent premises.

4. No temporary sign shall be erected or maintained which, by reason of its size, location or construction constitutes a hazard to the public.

### **B. Temporary Signs in Residential Sign Zones**

The following temporary signs shall be allowed on a lot without issuance of a permit and shall not affect the amount or type of signage otherwise allowed by this ordinance. This signage shall not be restricted by content, but is usually and customarily used to advertise real estate sales, political or ideological positions, garage sales, home construction or remodeling and similar activities. Signage shall be allowed for each lot as follows:

1. Signs not exceeding six square feet in area or four feet in height during the period from one hundred twenty days before a public election or the time the election is called, whichever is earlier, to five days after the public election.

2. A post-style sign not exceeding six square feet in area and five feet in height, or a hanging-style sign not exceeding six square feet in area and six feet in height, during the time of sale, lease or rental of the property provided that the sign is removed within fifteen days of the sale, lease or rental of the property, and a sign not exceeding six square feet in area during the time of construction or remodeling of the property, provided the sign is removed within seven days of the completion of any construction or remodeling. An additional sign of the same size may be erected if the property borders a second street and the signs are not visible simultaneously. On lots of more than two acres, the sign area may be increased to thirty-two square feet.

4. On property which has received subdivision or development approval, from that approval until issuance of a building permit for the last lot to be sold or completion of the development project, one temporary sign not exceeding thirty-two square feet in area and eight feet in height on properties less than four acres in size or two temporary signs not exceeding sixty-four square feet in area each and eight feet in height on properties greater than four acres in size.

### **C. Temporary Signs in Commercial and Industrial Zones**

The following temporary signs shall be allowed on a lot without issuance of a permit and shall not affect the amount or type of signage otherwise allowed by this ordinance. This signage shall not be restricted by content, but is usually and customarily used to advertise real estate sales, political or ideological positions, construction or remodeling, special events and similar activities. Signage shall be allowed for each lot as follows:

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1. Signs not exceeding four square feet in area and five feet in height, during the period from one hundred twenty days before a public election or the time the election is called, whichever is earlier, to five days after the public election.

2. A sign not exceeding thirty-two square feet in area and eight feet in height during the time of sale, lease or rental of the property provided that the sign is placed on the property for sale, lease, or rental and removed within fifteen days of the sale, lease or rental of the property, or a sign not exceeding thirty-two square feet in area and eight feet in height during the time of construction and remodeling of the property, provided the sign is placed on the property where construction and remodeling is taking place and removed within seven days of the completion of any construction or remodeling. An additional sign of the same size may be erected if the property borders a second street and the signs are not visible simultaneously. In no case shall the sign or signs be erected for more than twelve months.

3. A sign or banner not exceeding 50 square feet in area during the period of charitable fundraising or community event. This sign shall not be placed more than 30 days prior to the event and must be removed within seven days following the event.

### **D. Temporary Signs or Banners in the Public Right of Way**

No temporary signs or banners shall be allowed in the public right-of-way or on public property, except for those listed in this subsection.

1. Signs owned or erected or permitted by a governmental entity;
2. Bench signs located at transit stops so long as the bench sign copy does not exceed fifteen square feet and the bench sign is approved by the transit agency;
3. Signs attached to transit shelters, which are approved by the transit agency and the owner.

## **9. Nonconforming Signs**

A. Nonconforming signs may continue to exist, subject to the following provisions:

1. No additions or enlargements may be made to a nonconforming sign except those additions or enlargements that are required by law.
2. A sign that is moved, replaced, or structurally altered shall be brought into conformance with this Ordinance, except that:
  - a. Nonconforming signs may be repaired and maintained and may have the sign copy changed. A sign may be removed from its sign structure for repair or maintenance.

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b. Nonconforming signs may be structurally altered when the alteration is necessary for structural safety.

c. Nonconforming signs may be reconstructed if required to be moved for construction or repair of public works or public utilities and the sign reconstruction is completed within ninety days after the completion of the public works or public utility construction or repair.

3. A nonconforming sign that is damaged shall not be repaired if the estimated expense to repair the sign exceeds fifty percent of the replacement cost of the sign as of the day before the sign was damaged. A damaged nonconforming sign that cannot be repaired shall be removed within ninety days of the date the sign was damaged. As used herein, "nonconforming sign" includes the sign structure, foundation and supports. As an incentive, if a person wishes to remove a non-conforming sign the City will waive the fee for the application for the replacement sign.

4. Whenever a nonconforming sign is damaged and the estimated cost to repair the sign is fifty percent or less of its replacement value as of the day before the sign was damaged, it may be repaired and restored to the condition it was in before it was damaged and may continue to be used as a nonconforming sign, provided that such repairs and restoration are started within ninety days of the date the sign was damaged and repairs are completed within 12 months.

5. Whenever repairs and restoration of a damaged nonconforming sign are not started within ninety days of the date the sign was damaged or are diligently pursued once started, the sign shall be deemed abandoned.

6. Abandoned signs shall not be permitted as nonconforming signs and must be fully removed or lettering removed within 30 days of notice from City.

7. No nonconforming sign shall be permitted to remain unless properly repaired and maintained as provided in this Ordinance. A sign maintained in violation of this provision shall be removed as required by the City. Any nonconforming sign that is determined by the building official to be an unsafe sign shall be removed as provided by this ordinance. Any nonconforming sign determined by the City to be an abandoned sign shall be removed.

B. Nothing in this section shall be deemed to prevent the maintenance of any sign, or regular manual changes of sign copy on a sign.

### 10. Sign Zones – General

A. The following sign zones generally mirror the zones in the zoning ordinance. No permit shall be issued for any sign unless specifically allowed as an allowed sign under the terms of the applicable zone or otherwise allowed as a nonconforming sign under this

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ordinance. Any particular limitation in a sign regulation shall not be construed to exclude the applicability of other restrictions imposed under this ordinance.

B. The sign zones shall be as follows:

1. The residential sign zone includes all land within the RSF, RMF, RMP, TA, CRMX, and CN zones and related overlay areas.
2. The commercial/industrial sign zone includes all land within the C, CMX, I, LI, and F Zones and related overlay areas.

C. Property within a rezoned area shall be governed by the provisions of the sign ordinance applicable to the new zone upon the effective date of the ordinance amending the zoning map. Completed applications for sign permits made before the effective date of the zone change will be considered under the provisions of the this ordinance applicable to the zone existing at the time the application was completed. All signs which are not in compliance with the provisions of this ordinance applicable to the newly established zoning zone shall be considered nonconforming signs.

### 11. Residential Sign Zones

In addition to the temporary and permanent signage allowed without permits, the following signage is allowed with issuance of permits under this Ordinance.

#### A. Monument and Ground-Mounted Signs.

1. In multifamily developments, one double-faced monument sign, or not more than two single-faced monument signs on either side of a vehicular entrance shall be permitted on the primary street frontage. Sign area shall not exceed sixteen square feet for each sign face. Where a residential complex has multiple street frontages, this signage may be permitted on each building frontage that abuts a TSP designated arterial or collector street.
2. In subdivisions, not more than two single-faced monument signs for a subdivision or planned unit development having twenty or more lots may be permitted on either side of a public right-of-way or private street tract entrance. Sign area shall not exceed sixteen square feet for each sign face. Vacant lots may not have signs exceeding 2 square feet.
3. For churches, schools, public/semipublic facilities, and privately owned community centers; one single- or double-faced monument sign shall be permitted for each such facility. Where such a facility has multiple street frontages, this signage may be permitted on each frontage. Sign area shall not exceed fifty square feet for each sign face.

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### B. Bulletin Boards.

For schools, churches, public and semipublic facilities, and privately owned community centers, one single- or double-faced bulletin board may be incorporated into an approved monument sign. Sign area for a bulletin board shall not exceed twenty-four square feet for each sign face or 50% of sign area.

### C. Wall Signs.

1. For commercial uses permitted in residential zones, one wall sign for each tenant occupancy shall be permitted. Sign area for all wall signs shall not exceed eight percent of the building elevation area, with a maximum individual sign face area of fifty square feet on primary frontages. Sign area for all wall signs shall not exceed six percent of the building elevation area on secondary frontages, with a maximum individual sign face area of twenty-five square feet.

2. For churches, schools, and public/semipublic facilities, one wall sign for each building frontage shall be permitted. Sign area for all wall signs shall not exceed eight percent of the building elevation area with a maximum individual sign face area of fifty square feet on primary frontages, and six percent of the building elevation area on secondary frontages, with a maximum sign face area of twenty-five square feet.

3. A wall sign shall not project more than eighteen inches from the wall to which it is attached.

4. A wall sign located on an alley frontage shall not project more than twelve inches from the wall to which it is attached and shall have fifteen feet of clearance from natural grade.

5. A wall sign shall not project above the roof line, or top of the parapet wall, whichever is higher.

6. A wall sign shall not contain external braces, guy wires, "A" frames, or similar bracing systems.

7. The height of a wall sign attached to the end or face of a marquee shall not exceed thirty inches. The lower edge of this sign shall not extend below the marquee.

8. Wall signs on mansard roofs of thirty degrees or less may be installed vertically if solid background is used.

9. Wall signs shall be placed within the sign band, which is defined as the continuous horizontal band located on a building wall where there are no doors, windows or other architectural features.

### D. Awning Signs.



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1. For commercial uses permitted in residential zones, one awning sign for each building frontage shall be permitted. Total sign area including wall signs shall not exceed twelve percent of the building elevation area, with a maximum sign face area of fifty square feet on primary frontages, and eight percent of the building elevation area on secondary frontages, with a maximum sign face area of twenty-five square feet.

2. For churches, schools, and public/semi-public facilities, one awning sign for each building frontage shall be permitted. Total sign area including wall signs shall not exceed twelve percent of the building elevation area, with a maximum sign face area of fifty square feet on primary frontages, and eight percent of the building elevation area on secondary frontages, with a maximum sign face area of twenty-five square feet.

3. Awning signs are permitted only as an integral part of the awning to which they are attached or applied.

4. The awning supporting structure shall maintain a clearance of eight feet.

5. An awning shall not extend to within two feet from the curb. An awning shall not project above the roof line.

6. The awning sign shall extend no more than eight feet from the building face.

### E. **Banner Signs.**

For multifamily residential developments, one banner sign shall be permitted for each development. The banner sign shall be limited to a display period of a maximum of thirty continuous days twice for each calendar year. Sign area shall not exceed 100 square feet.

## 12. **Height and Illumination**

A. **Maximum Sign Height.** Monument and ground mounted signs shall be no more than twelve feet in height.

B. **Illumination.** Only indirect or halo-style (illuminated backlit letters) style of lighting is allowed subject to and consistent with any other City code that regulates lighting. All lamps, bulbs, and light producing sources must be shielded from view and not point upward into the sky.

## 13. **Commercial and Industrial Sign Zones**

In addition to the temporary and permanent signage allowed without permits, the following signage is allowed subject to issuance of permits and the requirements of this Ordinance:

### A. **Monument or Ground-Mounted Signs.**

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1. One single or double-faced monument or ground-mounted sign shall be permitted for each lot along the primary street frontage. Where a use has multiple street frontages, this signage may be permitted along each building frontage that abuts a TSP designated arterial or collector street. Sign area shall not exceed forty square feet for each sign face and sign height shall not exceed 12 feet from grade.

2. For churches, schools, and public/semipublic facilities, one single- or double-faced monument sign shall be permitted for each such facility. Where such a facility has multiple street frontages, this signage may be permitted on each frontage. Sign area shall not exceed forty square feet for each sign face and sign height shall not exceed 12 feet from grade.

### **B. Pole Signs.**

1. For lots located along the Hwy 97 Corridor, one freestanding single or double-faced pole sign shall be permitted on lots that have a minimum of 150 one hundred fifty feet of frontage on the highway. Sign area shall not exceed one hundred twenty square feet for each sign face and not exceed 24 feet in height as measure from natural grade.

2. Pole signs are prohibited within three hundred feet of public right-of-way designated as an overpass on the transportation system plan.

### **C. Wall Signs.**

1. The total sign face area for all building-mounted wall signs, including multiple signs for multiple tenants, shall not exceed eight percent of the building elevation area on the primary frontage, with a maximum individual sign face area of one hundred twenty square feet. In addition, where buildings have multiple tenants on one or multiple stories, 1.5 square feet will be allowed per each lineal feet of leased storefront width to properly accommodate businesses with various architectural designs.

2. Where the use has multiple building frontages, the total signage area on secondary building frontages shall not exceed six percent of the building elevation area, with a maximum individual sign face area of sixty square feet. However, if the building elevation area on a frontage exceeds five thousand square feet, the maximum individual sign area may increase to one hundred ninety-nine square feet.

3. A wall sign shall not project more than eighteen inches from the wall to which it is attached.

4. A wall sign located on an alley frontage shall not project more than twelve inches from the wall to which it is attached and shall have fifteen feet of clearance from natural grade.

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5. A wall sign shall not project above the roof line, or top of the parapet wall, whichever is higher.

6. A wall sign shall not contain external braces, guy wires, "A" frames, or similar bracing systems.

7. The height of a wall sign attached to the end or face of a marquee shall not exceed thirty inches. The lower edge of this sign shall not extend below the marquee.

8. Wall signs on mansard roofs of thirty degrees or less may be installed vertically if solid background is used.

9. Wall signs shall be placed within the sign band, which is defined as the continuous horizontal band located on a building wall where there are no doors, windows or other architectural features.

### **D. Freestanding Signs**

1. No part of a freestanding sign shall be erected or maintained within three feet of a street front property line, or within five feet of a side lot line, unless the application for the permit has been reviewed by the City to determine that the location of the sign does not interfere with adequate fire access to any property or lot.

2. No part of a freestanding sign shall project or extend into or over any public right-of-way.

3. No freestanding sign shall project or extend into any clear vision or vision clearance area except one or two sign poles supporting a freestanding sign may be located within the vision clearance area if they are necessary for the support of the sign, and if no other portion of the sign is located within the vision clearance area between three and one-half feet and ten feet over natural grade.

4. A freestanding sign shall be directly supported by poles or foundation supports in or upon the ground. No external cross braces, guy wires, "T" frames, "A" frames, "trusses," or similar bracing systems shall be used to buttress, balance, or support a freestanding sign.

5. Only one freestanding sign is allowed for each street frontage unless specifically authorized by this ordinance.

6. A minimum of nine feet in clearance is required in areas accessible to passenger vehicles or fifteen feet when accessible to trucks, semis, buses and other tall vehicles. The lowest point of these signs may be less than nine feet above grade in areas not accessible to vehicles when the signs are protected from physical damage by the installation of bumper poles, bollards, or other ground protections.

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7. Freestanding signs permitted in a Commercial/Industrial sign zone, shall not be located closer than fifty linear feet from the property line of any single-family residential, multifamily residential, or other residentially zoned property as measured along the street frontage.

### **E. Awning Signs.**

1. The total sign face area for awning signs and wall signs shall not exceed twelve percent of the building elevation area on the primary frontage, with a maximum sign face area of one hundred twenty square feet.

2. Where the use has multiple frontages, the signage on secondary building frontages shall not exceed eight percent of the building elevation area, with a maximum sign face area of sixty square feet. Awning signage shall be the calculation of the actual lettering or logo, not the dimensions of the awning itself. Any illumination of the awning shall be shielded and directed down so as to minimize glare and intrusion into the sky.

3. Awning signs are permitted only as an integral part of the awning to which they are attached or applied.

4. The awning supporting structure shall maintain a clearance of eight feet.

5. An awning shall not extend to within two feet from the curb. An awning shall not project above the roof line.

6. The awning sign shall extend no more than eight feet from the building face.

### **F. Numeric Information Signs.**

For principal uses, one single- or double-faced time, numeric information sign with a maximum of 10 square feet shall be permitted.

### **G. Bulletin Boards.**

1. For schools, churches and public and semipublic facilities, one single- or double-faced bulletin board may be incorporated into an approved monument or ground-mounted sign. Maximum sign area for a bulletin board shall not exceed twenty-four square feet for each sign face or no more than 50% of each sign face.

2. For theater marquees, one single-faced bulletin board, or one double-faced bulletin board constructed so that the two faces connect at one end with an angle of forty-five degrees or more, may be incorporated into a theater marquee. Maximum sign area for the bulletin board shall not exceed twelve percent of the building elevation area on the primary frontage, with a maximum sign face area of one hundred twenty square feet.

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a. The total combined area of theater marquee bulletin boards, awning signs and wall signs, including multiple signs for multiple tenants, shall not exceed eight percent of the building elevation area on the primary frontage, with a maximum individual sign face area of one hundred twenty square feet. In addition, where buildings have multiple tenants on one or multiple stories, 1.5 square feet will be allowed per each lineal feet of leased storefront width to properly accommodate businesses with various architectural designs of the building.

b. Where the theater has multiple building frontages, the total signage area on secondary building frontages shall not exceed six percent of the building elevation area, with a maximum individual sign face area of sixty square feet. However, if the building elevation area on a frontage exceeds five thousand square feet, the maximum individual sign area may increase to one hundred ninety-nine square feet.

### H. **Banner Signs and Balloon Signs.**

One banner sign or one balloon sign shall be permitted for each principal use and shall be limited to a display period of a maximum of thirty continuous days, twice during the calendar year. The size of a banner or balloon sign shall not exceed 100 square feet. Balloon signs shall not extend above the roofline of the building by more than ten feet.

### I. **Electronic Message Signs.**

For major or minor business complexes, one single or double-faced electronic message sign per complex may be incorporated into a monument or ground-mounted sign. Sign area of the electronic message portion of the sign shall not exceed fifty percent of the total sign face. Electronic message signs shall contain only Time, Temp, Road Conditions, Emergency data - fixed or slow scrolling only – no retail sales or flashing lights. Community-based events, such as an event at the Senior Center or similar community-based event is allowed as long as the words are fixed or slow scrolling.

### J. **Suspended Signs.**

One suspended sign per tenant space placed over a public sidewalk shall be permitted under an attached first floor awning or canopy with direct exterior pedestrian access. Sign area shall not exceed six square feet and must be 7 feet above the walking surface below the awning or canopy.

### K. **Projecting Signs.**

1. One or more projecting signs shall be permitted per use. Maximum sign area shall not exceed forty square feet. Total sign area for wall and projecting signs shall not exceed twelve percent of the building elevation area on the primary frontage.

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2. An otherwise authorized sign shall be permitted to project over public property if the sign meets all of the following requirements:

a. The sign is attached to the face of a building where the building face is located within five feet of the property line abutting a street;

b. No external cross braces, guy wires, trusses, or similar bracing systems are used in constructing the sign;

c. The sign extends no more than eight feet from the building face and is not less than eight feet above a pedestrian surface and no less than 15 feet from a vehicular surface;

3. Projecting signs shall not project above the roof line or parapet wall, whichever is higher.

4. Projecting signs shall conform to all provisions of this section, which are designed to eliminate blanketing and to provide safe minimum clearance along public sidewalks and streets.

5. The sign must have a minimum of eight feet clearance from natural grade/elevation.

6. Spacing between an earlier erected and any later erected projecting sign shall be a minimum of twenty feet.

**L. Roof Signs.**

1. For a principal use, the City may approve one roof sign, in lieu of other building-mounted signs, only upon finding that there are no other reasonable means of signing the business or use, due to extraordinary circumstances related to the physical location or structure of the building, distance from nearby streets, proximity of surrounding buildings or vegetation, or other factors over which the applicant has no control.

2. Approval of a roof sign shall be subject to the following standards:

a. The sign is installed on a gabled, hipped, mansard, or otherwise sloped roof;

b. Sign area for the roof sign shall not exceed eight percent of the roof elevation area, with a maximum area of one hundred twenty square feet;

c. The highest point of the roof sign shall not exceed the height of the ridge of the roof; and

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d. Issuance of a building permit and final approval of the installed sign by the designated building department.

### M. **Menu Boards**

Menu boards are allowed for commercial businesses that sell merchandise, services, or food via a drive-through window.

1. Businesses may have two primary menu boards not greater than 40 square feet each and provided that they are installed along the drive-through for display to on-site customers and not the general public.

2. In addition to the above, businesses may also have one pre-sell menu board not to exceed 20 square feet if it is installed along the drive-through for display to on-site customers and not the general public.

### N. **Billboards**

1. No billboard shall be constructed or maintained within the City Limits unless the owner obtains a billboard permit from the City.

2. An owner of a billboard site may apply for a billboard permit as provided in this Ordinance. The City shall issue or deny the billboard permit within thirty days of receipt of the permit application. If there is more than one complete application for a billboard permit, the City may select an application for approval by choice.

3. A billboard permit is subject to the following standards:

a. A billboard must be located abutting Highway 97 with written consent of property owner.

b. No more than 7 (the current number existing as of May 18, 2011) billboard permits shall be issued at any one time for billboards within the City limits.

c. A billboard permit may be assigned to another owner without the consent of the city. The permittee shall provide notice of any assignment to the city.

d. The allowed location of a billboard may be changed by modification of the permit. The City shall approve a modification if the new location is consistent with the requirements of this section of the Ordinance.

e. Except as provided herein each sign face of a billboard shall not exceed three hundred square feet in area. The signage area may be increased an additional twenty percent for any signage that is irregular in form and projects beyond the outer dimensions of the sign board, frame or cabinet.

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f. Each side of a double-faced billboard shall be a separate sign face for purposes of these signage area limitations.

g. Tri-vision sign are prohibited as well as electronic message billboards.

h. Any billboard may be double-faced, allowing sign copy on two sides of a sign structure, provided the two sides are parallel to each other within a deviation of ten degrees.

i. The building height zoning limitation for the lot upon which a billboard is situated applies to that billboard.

j. No billboard shall be located closer than one hundred fifty linear feet from the property line of any residentially zoned property as measured along the same side of the highway and at the highway frontage where a sign is proposed.

k. All billboards shall be subject to the separation requirements established by state statute or rule.

l. The provisions of this section control over any inconsistent requirement in the underlying sign zone applicable to the lot on which a billboard is located.

m. All wires servicing the billboard for lighting etc. shall be placed underground. No overhead wires or cables are allowed. If lighting is used it must comply with the City's lighting provisions.

### O. Signs in Business Complexes

1. Freestanding signs and monument signs in *minor* business complexes shall meet the following requirements:

a. One freestanding sign shall be permitted for the entire complex. The maximum height of such sign shall be twenty feet.

b. The maximum area of this sign shall be one hundred square feet for a single-faced sign and two hundred square feet for a double-faced sign.

c. One monument sign shall be permitted on each pad site or lot located within the minor business complex. The sign shall not exceed twelve feet in height and thirty-two square feet in area for a single-faced sign and sixty-four square feet in area for a double-faced sign.

2. Freestanding signs and monument signs in *major* business complexes shall meet the following requirements:



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- a. One freestanding sign shall be permitted for the entire major business complex. The maximum height of this sign shall be twenty-six feet.
- b. The maximum area of this sign shall be one hundred thirty square feet for a single-faced sign and two hundred sixty square feet for a double-faced sign.
- c. One monument sign shall be permitted on each pad site or lot located within the major business complex. The sign shall not exceed twelve feet in height and thirty-two square feet in area for a single-faced sign and sixty-four square feet in area for a double-faced sign.
- d. Where a complex has multiple street frontages, one freestanding sign shall be permitted on each street frontage classified as an arterial or collector on the transportation system plan and having a minimum of five hundred feet of frontage. There shall be three hundred lineal feet of separation, measured along each side of the right-of-way, between the two freestanding signs.

### **P. Automobile Service Station Signs**

An automobile service station sign plan shall be required for all automobile service stations. An application for an automobile service station sign plan approval shall be filed at the time permits for permanent signs on the property are sought and shall comply with the provisions contained in this section.

1. One freestanding sign shall be permitted. The sign area may include both a stationary sign face area and a bulletin board or electronic message sign area. The maximum area for such a sign shall be fifty square feet for a single-faced sign and one hundred square feet for a double-faced sign.
2. The maximum height of a freestanding monument or ground mounted sign shall be twelve feet.
3. The maximum height of a freestanding pole sign, including supporting structure, shall be twenty-four feet. The minimum clearance of a freestanding pole sign, excluding supporting structure, shall be fifteen feet as measured from natural grade.
4. Except for a service station opening for a period up to three weeks, flags, pennants, or other attention-seeking or advertising devices shall not be permitted.
5. Wall signs associated with an automobile service station sign plan shall not exceed the amount authorized in the relevant sign zone.

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6. In addition to wall signage allowed by this ordinance, signage shall be permitted on the automobile service station canopy if the vertical measurement of the signage does not exceed 3 feet as measured vertically on the canopy structure.

7. Legally required fuel pricing signs are exempt from this Ordinance.

### 14. Illumination – General Provisions

A. No sign, light, lamp, bulb, tube, or device shall be used or displayed in violation of this or any other City Ordinance.

B. Regardless of the maximum wattages or milliampere rating capacities allowable under the City Lighting Ordinance, no light source shall create an unduly distracting or hazardous condition to a motorist, pedestrian or the general public.

C. Lighted signs shall be placed, shielded or deflected so as not to shine into residential dwelling units or structures, or impair the road vision of the driver of any vehicle.

D. External light sources for a sign shall be directed and shielded to limit direct illumination of any object other than the sign.

E. Temporary signs shall not be illuminated.

F. No exposed reflective type bulb, par spot nor incandescent lamp, which incandescent lamp exceeds twenty-five watts, shall be exposed to direct view from a public street or highway, but may be used for indirect light illumination of the display surface of a sign.

G. When neon tubing is employed on the exterior or interior of a sign, the capacity of such tubing shall not exceed 60 milliamperes rating for white tubing nor one 30 milliamperes rating for any colored tubing.

H. When fluorescent tubes are used for interior illumination of a sign such illumination shall not exceed:

1. Within residential zones, illumination equivalent to four hundred twenty-five milliampere rating tubing behind a sign face with tubes spaced at least seven inches, center to center;

2. Within commercial or industrial sign zones, illumination equivalent to eight hundred milliampere rating tubing behind a sign face spaced at least nine inches, center to center.

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### 15. Maximum Sign Height.

- A. Monument and ground mounted signs shall be no more than twelve feet in height.
- B. Pole signs shall not exceed twenty-four feet in height.
- C. Balloon signs, if installed on the ground, shall not exceed the height of the highest building on the site.
- D. Billboards shall not exceed 30 feet in height.

### Sign Exception Process

A request for a Sign Exception may be applied for by submittal of an application to the City. A Sign Exception may be requested to deviate from certain requirements herein specified for signage including but not limited to area, dimension, height, location, and any other sign characteristics.

Sign Exceptions may be granted by the City, if the City deems a special circumstance exists which warrants the signage requested.

The following criteria shall be used in the review and approval of requests:

1. Conditions exist which are unique to the property or type and size of development, which would cause hardship under a literal interpretation of the sign code.
2. The granting of the Special Exception is in the best interest of the public at large and would not be contrary to the general objectives of the sign code and adopted land use plans; and
  - a) The signage shall be located on private property and shall adhere to ordinance specifications as it pertains to the clear vision triangle.
  - b) The City may attach any additional requirements necessary to maintain the intent and purpose of the sign ordinance.
  - c) An application for Sign Exception shall be scheduled for review by the City within 20 days of receipt of the application.

### 17. Construction and Maintenance Standards

- A. All permanent signs shall be constructed and erected in accordance with the requirements of the Uniform Building Code.
- B. All illuminated signs must be installed by a state-licensed contractor, subject to the requirements of the State Electrical Code.

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C. All electrically illuminated signs shall be listed, labeled, and tested by a testing agency recognized by the State of Oregon.

D. Building and electrical permits shall be the responsibility of the applicant. Prior to obtaining building and electrical permits, the applicant shall obtain a sign permit or demonstrate an exception from the permit requirements of this Ordinance.

E. All signs, together with all of their supports, braces, guys, and anchors shall be kept in good repair and be maintained in a safe condition. All signs and the site upon which they are located shall be maintained in a neat, clean, and attractive condition. Signs shall be kept free from excessive rust, corrosion, peeling paint or other surface deterioration. The display surfaces of all signs shall be kept neatly painted or posted.

F. No person required to obtain a sign permit under this Ordinance shall scatter, daub, or leave any paint, paste, glue, or other substances used for painting or affixing advertising matter or scatter or throw or permit to be scattered or thrown any bills, waste matter, paper, cloth, or materials of whatsoever kind removed from signs on any public street, sidewalk, or private property.

G. No sign shall be erected or maintained in such a manner that any portion of its surface or supports will interfere in any way with the free use of any fire escape, exit, or standpipe. No signs shall be erected or maintained so as to obstruct any building opening to such an extent that light or ventilation is reduced below minimums required by any applicable law or provisions of this Ordinance.

### **18. Enforcement**

A. The City is authorized and directed to enforce the provisions of this Ordinance.

B. The City may promulgate reasonable rules and regulations necessary to carry out the provisions of this Ordinance.

C. The City may store any sign ordered to be removed by the City for a period of thirty days from the time the person responsible therefore is notified as provided in this Ordinance. The City may continue to store such sign for any additional period during which an appeal thereon is before the City or appropriate jurisdiction.

D. At the expiration of the time specified in this Ordinance, if the person responsible for the sign or other interested person has not reclaimed the sign as provided herein, the City may destroy the sign or dispose of it in any manner deemed appropriate.

E. To reclaim any sign removed by the City, the person reclaiming the sign shall pay the city an amount equal to the entire costs incurred by the City.

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F. This Ordinance shall not be construed to create mandatory enforcement obligations for the city. The enforcement of this Ordinance shall be a function of the availability of sufficient financial resources consistent with adopted budgetary priorities and prosecutorial priorities within the range of delegated discretion to the city manager and City.

### 19. Removal of Signs

A. The City may remove or may order the removal of any sign erected or maintained in violation of the provisions of this Ordinance or other applicable provisions of this Ordinance.

B. Signs installed in violation of any prior sign Ordinance or applicable laws and regulations, and which are in violation of this Ordinance, shall be removed, replaced or altered in order to conform to the requirements of this Ordinance.

C. An order to remove a sign shall be in writing and mailed to the owner of the sign or the owner of the building, structure or premises on which the sign is located.

1. The order shall inform the owner that the sign violates the regulations in this Ordinance and must be brought into compliance or be removed within thirty days of the date of the order.

2. The City may order immediate removal of a sign.

3. The order shall also inform the sign owner the reasons why the City concludes the sign violates the regulations in this Ordinance and shall inform the owner of appeal rights.

4. If the owner fails to immediately remove an unsafe or abandoned sign or otherwise fails to file an appeal or remove a sign within thirty days of the date of the City's enforcement order, or within the time provided in the decision rendered following an appeal, the City may cause the sign to be removed.

5. The removal shall be at the expense of the owner of the sign or the owner of the building, structure, or premises on which the sign is located.

6. These costs and expenses, including, but not limited to, the notification, efforts to secure compliance, painting out of a sign, sign removal, storage, or transportation, shall be a lien against land or premises on which the sign is located, and may be collected or foreclosed in the same manner as liens that are entered in the liens docket of the city of La Pine.

7. Instead of removing a sign, the City may file charges against the sign owner in the appropriate jurisdiction or court.

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8. Each day following the thirty-day period in which the sign owner is not in compliance with this Ordinance constitutes a separate violation.

### **20. Removal of Unsafe and Abandoned Signs**

A. If the City finds that any sign is abandoned and/or in violation of the applicable provision of this Ordinance and that, by reason of its condition, it presents an immediate and serious danger to the public, the City may, without prior written notice, order the immediate removal or repair of the sign within a specified period. Costs may be collected by the City through the lien or similar process.

B. The City may remove or authorize others to remove the sign in the event that the person responsible for such sign cannot be found or if that person, after notification, refuses to repair or remove it.

C. The owner of the sign and the owner of the building, structure, or premises on which the sign is located, are jointly and severably liable for the cost of removing or repairing such signs.

D. Abandoned signs shall be reversed or painted over within thirty days of non-use, or the entire sign and sign structure removed within ninety days of the date the owner or tenant who no longer uses the sign or within ninety days of the date the sign was damaged.

E. A sign need not be removed under this section when a successor tenant, or business or property owner, agrees to maintain the sign as provided in this Ordinance, by filing a letter of intent with the City no later than thirty days after receiving notice to do so from the City.

### **21. Removal of Signs Erected Without a Permit or Erected on Public Property**

A. The City may remove or order the removal, without prior written notice, of any sign erected without a sign permit required by this Ordinance.

B. Removal costs may be collected by the City for removal of unlawful signs.

C. Any sign installed or placed on public property, except in conformance with the requirements of this Ordinance, shall be forfeited to the city and confiscated.

### **24. Compliance Schedule**

The City's goal is to have all signs within the City limits be in compliance with this Ordinance by July 1, 2016. The City may elect to extend this timeline or create triggering events to assure incremental compliance.

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**25. Enforcement Notice**

Where the City finds that any provisions of this Ordinance are being violated, it may initiate enforcement proceedings by sending an enforcement notice to appropriate parties. The enforcement notice shall state the nature of the violation, the actions and deadline dates for achieving compliance, possible enforcement proceedings, and other information.

**26. Prosecution of Violation**

If the enforcement notice is not complied with, the City shall authorize the City Attorney or designee to institute appropriate proceedings to prosecute such violations.

**EFFECTIVE DATE & ADOPTION**

**Effective Date**

The Sign Ordinance shall take effect once the City and County agree to a transition of services program and thirty (30) days after the date of the joint approval of such program.

**Adoption**

We hereby certify that the City of La Pine Sign Ordinance was adopted by the City Council, Deschutes County, Oregon this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor Ken Mullenex