

December 12, 2017

To: Yachats Planning Commission
From: Larry Lewis, City Planner
Re: Sign Ordinance Amendments

The Planning Commission will discuss the sign ordinance amendments at the December 19, 2017 work session. The attached table summarizes existing Yachats sign regulations versus existing Waldport sign regulations.

The primary differences between the Yachats and Waldport sign regulations include:

Total area of sign allowed – Yachats allows total area of signs at 0.75 feet of lineal feet of street frontage. Waldport regulates total area of signs by type of sign.

Roof signs – Yachats allows a roof sign to be 30' above the center line of the adjacent right-of-way. Waldport allows a roof sign to be 16' above the adjacent street grade or the peak of roof, whichever is less restrictive.

Digital signs – Yachats prohibits digital signs. Waldport allows one digital sign per business with regulations.

Free-standing signs – Yachats allows 2 free-standing signs per property, maximum 30' height, maximum 32 sq. ft. or 100 sq. ft. if 300 linear frontage. Waldport allows 1 free-standing sign per street frontage per property, single pole signs are prohibited, monument and multiple pole signs are allowed with a maximum height of 8 feet, maximum 10' width, and maximum 50 sq. ft.

A-Frame signs – Yachats prohibits A-Frame signs except for events. Waldport allows A-Frame signs with regulations.

Exempt and Temporary signs - Yachats identifies several different types of signs that are exempt from permits with regulations. Waldport identifies regulations for temporary signs.

Format/Sections – Yachats includes 'Purpose' and 'Enforcement' sections. Waldport includes 'Definitions', 'Maintenance and Appearance', 'Abandoned Sign', and 'Variance' sections.

A draft sign ordinance amendment is also attached. This is the Waldport sign ordinance with the name changed to Yachats and section number changes to match the Yachats Municipal Code Chapter 9.44.

COMPARISON OF EXISTING YACHATS SIGN REGULATIONS & WALDPOR SIGN REGULATIONS

	Type of Sign	Existing Yachats Sign Regulations	Existing Waldport Sign Regulations
A.	Residential/ Home Sign	<ul style="list-style-type: none"> • Home business: One 1½ sq. ft. sign per street frontage. May be free standing. • B&B: One 3 sq. ft. sign per street frontage. May be free standing. • One 3 sq. ft. sign bearing name of occupant or the premises. 	<ul style="list-style-type: none"> • Home Business: One wall sign not exceeding 2 sq. ft. • B&B: One wall sign not exceeding 6 sq. ft. • No moving or flashing signs, lit signs, roof signs, A-Frame signs or banner signs.
R-4 & Commercial Zone Sign Requirements			
B.	Obstruction of Directional or Traffic Control Signs	<ul style="list-style-type: none"> • Signs shall be constructed, erected and maintained in a fashion not hazardous to the welfare and safety of the general public. • Prohibits signs which imitate or obstruct the view of any official traffic control device or sign. 	No sign allowed to be within 10 feet of any government-installed sign within a street right-of-way (stop signs, traffic control signs, etc.)
C.	Total Area of Signs Allowed on a Property	0.75 square feet of sign for each linear foot of a singular frontage with no one sign exceeding 32 sq. ft. with exception.	Total area of signs allowed is regulated by type of sign, e.g. max. 50 sq. ft. free-standing sign, max. 20% of a building façade.
D.	Building Façade	Wall sign shall not exceed the lesser of 100 sq. ft. or 20% of building façade.	A maximum 20% of a building façade is allowed to have building signs including wall sign, projecting/hanging sign, window sign and roof sign.
E.	Projecting Signs	Allowed on private property with min. 7½' ground clearance and not extend more than 5' from the building wall.	Allowed on private property and may extend over a sidewalk within the public right-of-way with min. 7½' clearance from ground.
F.	Roof Signs	<ul style="list-style-type: none"> • Prohibits signs painted directly on roof surface. • Max height of 30' above center line of adjacent right-of-way. 	<ul style="list-style-type: none"> • Roof signs shall not exceed 16 feet in height above the adjacent street grade or the peak of the roof, whichever is less restrictive. • Prohibits roof signs painted directly on roof or attached flush to the roof surface.
G.	Moving or Flashing Signs	Prohibited except for moving event banners, pennants and flags	One digital sign allowed per business. Message is allowed to change every 15 seconds, plus other regulations.
H.	Permanent Free-Standing Signs	<ul style="list-style-type: none"> • Max. 2 free-standing signs per property. • Business w/ 300 linear front and rear frontage can have one sign up to 100 sq. ft. on principal frontage and max. 32 sq. ft. sign on abutting street. • Max. 30' height. 	<ul style="list-style-type: none"> • 1 free-standing sign permitted per street frontage per property. • Single pole signs are prohibited. • Monument and multiple pole signs are allowed with a max. 8' height, max. 10' width, and max. 50 sq. ft.

	Type of Sign	Existing Yachats Sign Regulations	Existing Waldport Sign Regulations
I.	A-Frame Signs	Not permitted unless considered an event sign.	One A-Frame sign allowed per business on private property or on a sidewalk with regulations: <ul style="list-style-type: none"> • Max. 8 sq. ft. • Max. dimensions of 2' wide and 4' tall • Maintain min. 4' sidewalk clearance • Secured by interior weight so not movable (pushed, pulled, blown) • No objects attached to A-Frame signs • Only permitted during business hours and removed during periods of high winds • No permit required.
J.	Banners	Flags, banners, and similar decorations allowed. No permit required.	One banner sign allowed per business on private property with regulations. No permit required. (Depoe Bay allows a banner every 10' of frontage.)
K.	Illumination	Exterior illumination allowed if source of light no visible to surrounding property. Not cause direct glare into or upon any other building and not directed towards any road nor distract motorists.	Allowed if directed away from a residential use or zone and not located so as to distract motorists. No sign of such intensity or brilliance to impair vision of a motor vehicle driver or interfere with effectiveness of official traffic sign, device, or signal.
L.	Signs Exempt from Permits/ Temporary Signs	<ul style="list-style-type: none"> • Construction activity signs (max. 3 signs on one pole not to exceed 4 sq. ft.) • Credit card or association signs (max. 4 signs, max 3 sq. ft.) • Directional signs (max. 6 sq. ft.) • Event signs advertising business activity or event such as a sale or business opening. Max. 4 signs per occurrence. Max. 0.75 sq. ft. of lineal street frontage or max. 32 sq. ft. • Garage, estate or yard sale (max. 1 sign, max. 4 sq. ft., max 2 days prior to and during sale) • Nameplate • Political signs (max. 4 sq. ft., 45 days prior to and 10 days after election, on private property) • Real estate signs (max 6 sq. ft. on residential properties and max 20 sq. ft. on commercial properties) • Vacancy and open/closed signs (4 sq. ft. or smaller) 	<p>Temporary Signs</p> <ul style="list-style-type: none"> • No more than 1 per property. Not permitted in the public right-of-way. • Max. 8 sq. ft. • Max. 90 consecutive days or for any period to time during which the property is for sale, lease or rent, or for an election or event. • No movable (pushed, pulled, blown, etc.) • No objects attached, e.g. balloons, banners, etc.
M.	Format of Sign Ordinance	<ul style="list-style-type: none"> • Includes 'Purpose' section • No definitions • Includes 'Enforcement' section 	<ul style="list-style-type: none"> • No 'Purpose' section • Includes definitions • Includes 'Maintenance and Appearance' section • Includes 'Abandoned Sign' section • Includes 'Variance' section

Chapter 9.44 - Signs

Sections:

9.44.010	Scope.
9.44.020	Definitions.
9.44.030	Permits required.
9.44.040	Zone requirements.
9.44.050	Temporary signs.
9.44.060	Nonconforming signs.
9.44.070	Maintenance and appearance of signs.
9.44.080	Abandoned signs.
9.44.090	Variances.

9.44.010 Scope.

Every sign erected, altered or relocated within the City of Yachats shall conform to the provisions of this Chapter. It does not regulate traffic and street signs erected and maintained by a road authority as defined in ORS 801.445, trespass signs posted in accordance with ORS 164.245 to 164.270, holiday decorations, temporary interior window signs, or the display of the national or state flag.

9.44.020 Definitions.

"A-Frame sign" means a freestanding sign which is ordinarily in the shape of an "A" or some variation thereof, which is readily moveable, and is not permanently attached to the ground or any structure.

"Banner sign" means a ground-mounted or building-mounted banner, pennant, flag or similar type of sign on fabric or similar material.

"Building sign" means a wall, projecting/hanging, window or roof sign.

"Free standing sign" means a sign which is supported by a separate independent structure and is not attached to or supported by any other building or structure.

"Monument sign" means a ground-mounted sign supported from grade with a solid base that is at least 75% of the width of the sign. A monument sign can also be supported with multiple architectural-designed posts. Single posts are prohibited.

"Nonconforming sign" means a sign which was erected legally but which does not comply with currently applicable sign restrictions and regulations.

"Off-premises sign" means any sign used for the purpose of displaying, advertising, identifying or directing attention to a business, service, activity or place, including products offered for sale or sold on premises other than on the premises where such sign is displayed.

"Projecting sign" means a sign which is attached to the wall, overhang or awning of a building and which projects more than twelve (12) inches beyond the wall, overhang or awning of the building.

"Sign" means an identification, description, illustration, or device which is affixed to or represented, directly or indirectly, upon a building, structure or land, and which directs attention to a product, place, activity, person, institution or business.

"Temporary sign" means any sign which is not permanently installed to or affixed to any sign structure or building, and is accessory to an event, election, government or institutional sponsored activity, lease, rental or sale of limited, fixed duration. A temporary sign does not include an A-Frame sign as identified above.

"Size" means the aggregate area of all sign display surfaces located on a single structure, but excluding posts and base that are without attached identification, description or illustration. Two surfaces parallel

and back to back on the same structure, e.g. a projecting sign or 2-sided monument sign, shall be considered a single display surface.

"Wall sign" means a sign attached to or painted on a wall of a building with a display surface which projects no more than twelve (12) inches from the surface of the wall and not higher than the lowest roof edge above the building wall to which it is attached.

9.44.030 Permits required.

A. Except as herein provided, no sign shall be erected, replaced, altered or relocated without the business owner first obtaining a sign permit and the property owner (if different) granting permission for a sign permit, demonstrating that the sign is or will be in compliance with all provisions of this Chapter. A-Frame signs and Banner signs, as defined above, are exempt from sign permits.

B. Permits are issued for specific property only. Permits may transfer with ownership provided the signage is not altered or moved except to bring it into compliance with this section.

C. Fees for sign permits shall be established by resolution of the city council, and shall be paid prior to the sign being placed or altered.

D. Signs conforming to the current code that are damaged by acts of nature, vandalism or accident shall not be assessed a new sign permit fee when repaired to the pre-damaged condition. The owner of free-standing signs shall be required to obtain a building permit prior to construction.

E. A building permit shall be required of all signs for all free-standing signs as provided for in the Oregon Structural Specialty Code, which shall be issued prior to sign placement, construction, or alteration.

9.44.040 Zone requirements.

A. In the R-1, R-2, and R-3 zones: one (1) accessory sign shall be allowed and shall be limited to the following sizes and restrictions:

1. Only wall signs are allowed in the R-1, R-2 and R-3 zones.
2. A sign not exceeding two (2) square feet in size accessory to a single-family dwelling or a home occupation, or six (6) square feet for a bed and breakfast inn.
3. A sign not exceeding twenty-four (24) square feet in size accessory to any other permitted or conditional use in the zone.
4. No moving or flashing signs, lit signs, roof signs, A-Frame signs, or banner signs shall be allowed in the R-1, R-2 and R-3 zones.
5. No sign shall be placed within ten (10) feet of any government-installed sign within a street right-of-way (stop signs, traffic control sign, etc.)

B. In the R-4, C-1, P-F, and S-P zones:

1. General sign requirements:
 - a. No sign shall be placed within ten (10) feet of any government-installed sign within a street right-of-way (stop signs, traffic control signs, etc.)
 - b. External light illuminating from a sign shall be directed away from a residential use or zone and shall not be located so as to distract motorists.
 - c. No sign shall be of such intensity or brilliance as to impair the vision of a motor vehicle driver or interfere with the effectiveness of an official traffic sign, device, or signal.
 - d. Where it can be demonstrated that directional signs are needed for directing or controlling vehicular access, or where such signs are required as a condition of approval for public safety, such signs may be permitted in addition to any other signs permitted by this section. Such signs shall be placed at each motor vehicle entrance or exit, shall not exceed nine (9) square feet in size and six (6) feet in height, and shall not restrict required sight distances or pedestrian and vehicular flow.
2. Sign types:

a. Building Signs. A maximum 20% of a building façade is allowed to have signs. A building façade is an exterior side of a building excluding the roof.

1) Wall signs.

2) Projecting signs. Projecting signs may extend over a sidewalk within the public right-of-way with a minimum clearance of 7.5 feet from the ground so as to not affect pedestrian traffic. Placement of projecting signs on Hwy 101 sidewalks are subject to agreement with the Oregon Department of Transportation.

3) Window signs.

4) Roof signs. Roof signs shall not exceed 16 feet in height above the adjacent street grade or up to the peak of the roof, whichever is less restrictive. Roof signs painted directly on the roof surface, or on a surface attached flush to the roof surface, are prohibited.

b. Permanent free-standing signs.

1) No more than one free-standing sign is permitted per street frontage per property.

2) Single pole signs are prohibited.

3) Monument signs shall have a maximum 8 foot height, maximum 10 foot width, and maximum 50 square feet.

4) Electrical service to free-standing signs shall be underground.

c. A-Frame signs.

1) No more than one A-Frame sign is permitted per business.

2) A-Frame signs may be placed on private property.

3) A-Frame signs may be placed within the right-of-way on a sidewalk, however a minimum four (4) feet of lateral clearance shall be maintained on a sidewalk. A-Frame signs may not impede pedestrian access or opening of vehicle doors. Placement of A-Frame signs on Hwy 101 sidewalks are subject to agreement with the Oregon Department of Transportation.

4) A-Frame signs shall be a maximum of eight (8) square feet with maximum dimensions of two (2) feet wide by four (4) feet tall.

5) A-Frame signs shall be secured by means of attaching an interior weight so as not to be movable (pushed, pulled, blown, etc.)

6) No objects shall be attached to A-Frame signs, e.g. balloons, banners, etc.

7) A-Frame signs are only permitted during business hours and should be removed during periods of high winds.

d. Banner signs.

1) One banner sign is allowed per business.

2) Banner signs shall not exceed 20 square feet.

3) Ground-mounted banner signs may be placed on private property and not be mounted in or extend into public right-of-way. Banners attached to a building may extend over a sidewalk within the public right-of-way with a minimum clearance of 7.5 feet from the ground so as to not impede pedestrian access.

4) No banner, other than the American flag, shall be placed in flagpole holes along Hwy 101, and no banners shall be placed in the planters.

e. Digital signs.

1) One digital sign is allowed per business or institution. In addition, one digital 'open' sign is allowed per business.

2) Digital signs may not be externally or internally illuminated by a flashing light or a light that varies in intensity.

3) Digital signs must be equipped with a light sensor that automatically adjusts the intensity of the sign according to the amount of ambient light.

4) Digital signs must be designed to either freeze the display in one static position, display a

full black screen or turn off in the event of a malfunction.

5) The change from one message to another message may not be more frequent than once every fifteen (15) seconds and the actual change process must be accomplished in two seconds or less.

6) If attached to a building or displayed inside a building so as to be visible from outside, the digital sign shall be considered to be a building sign and included in the maximum 20% of a building façade that is allowed to have signs.

9.44.050 Temporary signs.

In addition to the allowances for signs provided by this section, temporary signs are allowed on private property with the following standards:

- A. No more than one temporary sign is permitted per property. Temporary signs are not permitted in the public right-of-way.
- B. Temporary signs shall be a maximum of eight (8) square feet.
- C. Temporary signs are allowed for not more than ninety (90) consecutive days or for any period of time during which the property is for sale, lease or rent, or for an election or event.
- D. Temporary signs shall be secured so as not to be movable (pushed, pulled, blown, etc.)
- E. No objects shall be attached to temporary signs, e.g. balloons, banners, etc.

9.44.060 Maintenance and appearance of signs.

All signs, together with all of their supports, braces, guys and anchors, shall be kept in good repair and maintained in a safe condition. All signs shall be maintained in a neat, clean and attractive condition.

9.44.070 Nonconforming signs.

A nonconforming sign or sign structure shall not be moved, structurally altered or enlarged in any manner unless such movement, alteration or enlargement would bring the sign into conformity with the requirements of this Chapter.

9.44.080 Abandoned signs.

- A. Any sign shall be removed when the associated business or event has been discontinued or completed, or when the sign is no longer properly repaired or maintained as required by this Chapter.
- B. Abandoned non-conforming signs shall be removed in their entirety.

9.44.090 Variances.

To provide for reasonable interpretation of this Chapter, and in certain instances where this Chapter will produce hardship, a business owner (with permission from the property owner, if different) may apply for a variance pursuant to Chapter 9.80 of this Code.