

Yachats Zoning & Land Use Code

Chapter 9.44 - Signs

Section 9.44.010 Purpose.

This chapter regulates signs which are visible from the right-of-way and from beyond the property where erected. These regulations balance the need to protect the public safety and welfare, the need for a well-maintained and attractive community, and the need for identification, communication and advertising for all land uses. The regulations for signs have the following specific objectives:

- A. To ensure that signs are designed, constructed, installed and maintained so that public safety and traffic safety are not compromised;
- B. To allow and promote positive conditions for meeting sign users' needs while at the same time avoiding nuisances to nearby properties;
- C. To reflect and support the desired character and development patterns of the various zones;
- D. To allow for a variety in number and type of signs in commercial zones while preventing signs from dominating the visual appearance of the area;
- E. To ensure that the constitutionally guaranteed right of free speech is protected.

This chapter establishes a permit procedure, and defines the duties of city authorities in administration and enforcement of these regulations.

Permits are required for signs that are not exempt as listed in Section 9.44.050.

Section 9.44.020 General requirements.

The following regulations shall apply to all signs within the city:

A. Allowed Sign Area.

- 1. A total area for signs on a property shall be limited to not more than 0.75 square foot of sign for each linear foot of a singular frontage with no one sign exceeding thirty-two (32) square feet, except as a wall sign or mansard roof sign is permitted hereafter. A maximum of two freestanding signs will be allowed on a property. A business with a minimum of three hundred (300) linear front and rear footage can choose to have one sign up to one hundred (100) square feet on the principal frontage street and a second sign, not to exceed thirty-two (32) square feet, on the alternate noncontiguous abutting street.
- 2. In determining linear feet of frontage, the contiguous tax lots under single ownership on which the business is located shall be considered.
- 3. Only signs requiring a permit shall be included when computing allowed sign area, except as provided hereafter.
- 4. A two-sided sign shall be considered one sign when the two surfaces are parallel and back to back on the same sign support structure.
- 5. The area of a sign comprised of individual letters fixed or painted directly to a building surface shall be the area within an imaginary perimeter enclosing the sign with a six inch

margin on all sides between the perimeter of the area and the outermost edge of the letter or letters.

- B. Height of Sign. The highest edge or point of any sign or its structure shall be no higher than thirty (30) feet above center line of the adjacent right-of-way.
- C. Illumination.
 - 1. Interior illumination of signs is allowed. Exterior illumination is allowed if the source of light is not visible to surrounding property. In either instance, the illumination shall not cause direct glare into or upon any building other than the building to which the sign is accessory nor be directed towards any road nor distract motorists.
 - 2. Illuminated signs shall bear the Underwriters Laboratory label or equivalent.
- D. More Than One Business. If a building is devoted to more than one permitted use, it is the property owner's responsibility to apportion the total allowed sign area and supply written consent to the applicant for the sign permit.
- E. More Than One Street Frontage. If a property abuts two rights-of-way, the allowed sign area shall be displayed only on the frontage from which that sign allowance is derived.
- F. Obstruction of Passageways.
 - 1. Signs shall not obstruct any window or door opening used as a means of ingress and/or egress nor interfere with any opening required for ventilation.
 - 2. Signs shall not obstruct walkways or rights-of-way.
- G. Off-Premises Signs. Sign permit applications for off-premises signs shall include a signed agreement by the owner of the property on which the sign is to be placed. The combination of all signage for any given site shall not exceed the maximum allowed signage as provided in this section.
- H. Removal of Obsolete Signs. All signs covered in this title shall be taken down, removed, or de-lettered within thirty (30) days after cessation of the business, unless a proposed and justified extension is approved by city staff. City staff may grant one 30 day extension.
- I. Safety. Signs shall be constructed, erected and maintained in a fashion not hazardous to the welfare and safety of the general public.

Section 9.44.030 Specific requirements.

- A. Awning, Canopy and Marquee Signs. The sign area shall not exceed the lesser of: (1) thirty-two (32) square feet; or (2) fifty (50) percent of the area of the awning, canopy or marquee to which the sign is attached.
- B. Freestanding Ground Signs. These signs shall conform to general requirements with no further specific requirements.
- C. Home Business and Bed and Breakfast Inn Signs. Signs identifying the premises of a permitted home business (as defined in Ordinance 73) (one and one-half square feet) or bed and breakfast inn (three square feet) shall conform to the standards and procedures governing conditional uses within the Ordinance. Properties abutting two or more noncontiguous streets

shall be permitted signage at each street as limited above (one and one-half square feet for businesses or three square feet for bed and breakfasts) on each street.*

D. Projecting Signs.

1. The bottom edge of a projecting sign shall be a minimum of seven feet six inches above adjacent grade.
2. The projecting sign shall not extend more than five feet from the building wall to which the sign is attached.

E. Roof Signs. The height of the highest edge or point of a roof sign shall be the lesser of: (1) thirty (30) feet above adjacent grade; or (2) the ridge line of a pitched roof or four feet above a flat roof.

F. Wall Signs and Mansard Roof Signs.

1. A sign on a mansard roof shall be considered a wall sign.
2. The area of a wall sign shall not exceed the lesser of: (1) one hundred (100) square foot; or (2) twenty (20) percent of the area of the building wall or the face of the mansard roof to which it is attached.
3. A wall sign shall not project more than sixteen (16) inches from the wall to which it is attached.
4. The highest edge or point of a wall sign shall not project higher than the wall to which the sign is attached.

G. Window Signs. Permanent signs inside windows that can be read from outside the building shall be computed into the total allowable sign area.

* This may be in conflict with Section 9.72.050. It is the council's intention that Section 90.44.030(C) take precedence.

Section 9.44.040 Prohibited signs.

- A. Signs that blink, rotate, swing, revolve, or otherwise attract attention through movement or flashing of parts, including devices such as strings of lights, or strings of pennants. Event banners, pennants and flags may be permitted, provided they meet all other requirements of this title;
- B. Portable, A-frame, and wheeled signs;
- C. Roof signs painted directly on the roof surface;
- D. Signs painted with phosphorescent or luminescent or sparkling paint;
- E. Signs that violate any law of the state of Oregon;
- F. Signs which imitate or obstruct the view of any official traffic control device or sign;
- G. Signs, other than event signs, displayed on vehicles not incidental to the primary use of the vehicle. (Ord. 211, Amended, 01/15/1999; Ord. 175, 1995; Ord. 73E § 3.010(4), 1992; Ord. 140, 1991)

Section 9.44.050 Signs exempted from permits.

- A. Construction activity signs relating to construction activity occurring, or about to occur, on a property. These signs shall meet the following requirements:

1. A maximum number of three signs on one pole not to exceed four square feet each, oriented to each abutting right-of-way;
 2. May be erected twenty (20) days prior to start of construction of the work. If start of construction is delayed beyond twenty (20) days, the sign(s) shall be removed but may be re-erected when construction actually begins;
 3. Shall be located on the premises of the construction activity;
 4. Must be removed within thirty (30) days of completion of construction.
- B. Credit card, rating or association signs, provided the area of each sign is three square feet or less and provided there are no more than four such signs. These signs shall be attached to the primary sign or displayed in a window.
- C. Directional signs not exceeding six square feet in area.
1. Public directional signs not exceeding six square feet in area.
 2. Private Directional Signs. A limit of four private commercial directional signs not to exceed two and one-half square feet each.
- D. Event signs advertising the occurrence of a business-related activity or event, such as a sale or business opening, and signs advertising the occurrence of a community activity or event sponsored by a civic, philanthropic, educational or religious organization. These signs shall meet the following requirements:
1. A maximum of four signs for each occurrence, except decorative, seasonal or event banners approved and placed by the Yachats Area Chamber of Commerce in permanent brackets installed expressly for that purpose; and the national colors;
 2. A maximum sign size shall comply with Section 9.44.020(A)(1);
 3. A maximum display duration of thirty (30) days, except ninety (90) days for Chamber of Commerce banners defined above in subsection (D)(1). Signs shall be removed within three days after termination of the event;
 4. May be located on property other than the premises of the advertised event, provided the property owner has provided written consent to the placement of the sign(s).
- E. Garage, estate or yard sale signs advertising the occurrence of a sale of goods by the owner or occupant of the premises. These signs shall meet the following requirements:
1. A maximum number of one sign per right-of-way frontage;
 2. A maximum sign size of four square feet;
 3. Shall be displayed no more than two days prior to and during actual days of the sale;
 4. Shall be located on the premises of the sale, except for a maximum of two off-premise signs with the approval of landowner;
 5. Must be removed within one day following the sale.
- F. Nameplate, indicating the name, address, and occupation or profession of the occupant, provided the sign area is one and one-half square foot or less.

- G. Non-Business, Residential Properties. A sign bearing the name of the occupant or the premises may be allowed provided the sign area is no more than three square feet.
- H. Permanent, non-flashing signs in or on vending machines, gasoline pumps, or other similar devices or containers indicating only the contents, pricing and instructions as to use.
- I. Political signs identifying candidates for public office, or relating to political parties, ballot issues, or elections. These signs shall meet the following requirements:
 - 1. A maximum sign size of four square feet;
 - 2. A maximum display duration of forty-five (45) days prior to the election date. Signs shall be removed within ten days after the election date;
 - 3. May be located on private property provided the property owner has given written consent to the placement of the sign.
- J. Real Estate Signs. Signs not exceeding six square feet on residential properties or not exceeding twenty (20) square feet on commercial properties advertising the sale, lease or rental of the property. A maximum of one sign oriented to each abutting right-of-way is allowed. Signs shall be removed within fourteen (14) days after the property has been sold, leased or rented.
- K. Temporary Signs. Temporary signs occupying no more than forty (40) percent of the glazed window area.
- L. Separate vacancy and open/closed signs that are four square feet in area or smaller. (Other open/closed signs incorporated as part of other signs are not exempt.)
- M. Flags, banners, and similar decorations, provided such decorations do not include any lettering or meet all other requirements of this title.

Section 9.44.060 Application procedure.

- A. Application Form. Applications for sign permits shall be submitted at the city office on prescribed application forms. Applications shall include the following information:
 - 1. The names, addresses and telephone numbers of the applicant, the owner of the property on which the sign is to be installed, the owner of the sign, and the person or company who will install the sign;
 - 2. The location of the building, structure or lot on which the sign is to be installed;
 - 3. A site plan of the property, showing accurate placement thereon of the proposed sign;
 - 4. Plans with configurations of the proposed sign, covering the materials and methods of construction and installation. Plans shall include details of dimensions, materials, weight and other relevant factors (see Section 9.44.040(D));
 - 5. The written consent of the owner of the building, structure or property on which the sign is to be installed;
 - 6. Such other information as the city may require to determine full compliance with this and other applicable ordinances of the city;
 - 7. If a business, evidence that owner has a city business license;

8. If unused, a sign permit will expire one year from date of issuance.
- B. Planning Commission Action. Upon the filing of a sign permit application, the planning commission or its designee shall examine the plans, specifications and other submitted data, together with the sign sub-committee/or designated authority site inspection report. The sign permit application should be filed no later than the eighth day prior to the regular meeting date of the planning commission. If it appears the proposed sign is in compliance with this title and other applicable ordinances and if the appropriate permit fee has been paid, the commission or its designee shall issue a permit for the proposed sign.
- C. Application Fee. A filing fee of twenty-five dollars (\$25.00) shall be paid at the time of filing each sign permit application. More than one sign may be applied for by each permit application.
- D. Permits Are Licenses. All rights and privileges acquired under the provisions of this chapter are mere licenses and, as such, are at any time revocable for just cause by the city. All permits issued pursuant to this chapter are subject to this provision.

Section 9.44.070 Enforcement.

- A. Enforcement Officers. The city council or designated agent shall be the enforcement officers for these regulations. The planning commission shall assist by making recommendations. A sign sub-committee may be appointed by the planning commission chair to conduct annual or more frequent inspections of signs displayed in the city. When a sign permit application is filed, the sign sub-committee or the designated agent shall inspect the site of the proposed sign and approve or disapprove such or report to the planning commission if there are mitigating circumstances.
- B. Enforcement procedure shall be as provided in the section of this title regarding remedies. For purposes of enforcement a sign shall be considered a structure.

Section 9.44.080 Appeal of planning commission action.

An appeal shall be governed by Chapter 9.88.

Section 9.44.090 Nonconforming signs.

The city council finds that signs are less permanent in nature and more readily replaced than other structures regulated in this title. The council further finds that indefinite continuation of this nonconforming sign is contrary to the objectives of this section. Therefore, notwithstanding provision in Chapter 9.76, the following regulations shall apply to signs:

- A. Limitation. Any sign deemed to be nonconforming at the time these sign regulations become effective shall be deemed to be in compliance if the sign's owner can prove that the sign was erected with an approved sign permit at the time. In the event that a nonconforming sign is damaged or destroyed by any means to the extent of fifty (50) percent or more of its replaced value, the sign may not be rebuilt or used thereafter unless it conforms to all of the provisions of this title.
- B. Notification. Within ninety (90) days of the effective date of these regulations, the sign sub-committee or the council appointed designated agent, shall conduct the first of its annual inspections and shall notify owner of nonconforming signs and inform them of the provisions of the section on limitation.