

ORDINANCE NO. 2002-06

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, AMENDING CHAPTER 155 OF THE SEASIDE CODE OF ORDINANCES REGARDING THE SIGN CODE

THE CITY OF SEASIDE ORDAINS AS FOLLOWS:

SECTION 1. Chapter 155 is amended to read as follows:

155.01 TITLE

This Ordinance shall be known and shall be cited as the City of Seaside Sign Code.

155.02 PURPOSE

The purpose of this code is to provide minimum standards to safeguard life, health, property, and public welfare, including aesthetics, by regulating and controlling the size, design, construction, location, illuminations and maintenance of all signs.

155.03 DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

1. **A-FRAME** (Sandwich Board): A temporary, double faced, collapsible sign, hinged at the top and open at the bottom for self support.
2. **ALTERATION**: Any change in the size, shape, method of illumination, position, location, structural feature, or supporting structure of a sign.
3. **AREA**: The area within the outer dimensions of a sign. In the case of a multiple-faced sign, the area of each face shall be included in determining sign area, except for double-faced signs placed no more than 24 inches back-to-back, only one face will be used to calculate the sign area.
4. **AWNING**: A temporary or permanent shelter supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting framework.
5. **BILLBOARD**: A sign which advertises a business, commodity, or activity which is sold, offered or conducted on premises other than those where such a sign is located.
6. **BULLETIN BOARD, CHANGEABLE COPY SIGN, OR READER BOARD**: A sign of a permanent nature, but which accommodates changes in wording, indicating persons, events, products, or services offered on the premises of the sign location.
7. **BUSINESS**: A commercial or industrial enterprise.

8. BUSINESS FRONTAGE: The linear front footage of a building or portion thereof devoted to a specific business or enterprise, and having entrance/exit open to the general public.
9. BUSINESS PREMISES: A parcel of property or that portion thereof occupied by one tenant.
10. CANOPY: A non-movable roof-like structure attached to a building which does not include a reader board.
11. CONSTRUCTION SIGN: A sign stating the names, addresses, or telephone numbers of those individuals or businesses directly associated with a construction project on the premises.
12. DIRECT ILLUMINATION: A source of illumination on the surface of a sign or from within a sign.
13. ELECTRONIC READERBOARD: A sign on which display can be altered electronically by using patterns of lights. This sign may be changed at intervals of no less than one and one half (1.5) seconds and may contain only one screen of text or graphic display. The illumination shall be by steady continuous light.
14. FLASHING SIGN: A sign incorporating intermittent electrical impulses to a source of illumination or revolving in a manner which creates the illusion of flashing, or which changes color or intensity of illumination. This includes, but is not limited to, all lights on or within a building or premises or vehicle on or off the premises for the purpose of attracting attention for commercial purposes. This definition does not include time, tide, and temperature signs or electronic reader-board signs.
15. FRONTAGE: The single wall surface of a building facing a public right-of-way.
16. GROUND SIGN: A sign erected on a free-standing frame, mast or pole, and not attached to any building. Also known as a "free standing sign" or "pole sign".
17. INCIDENTAL SIGN: A sign intended primarily for the convenience and direction of the public on the premises which does not advertise but is information only. Includes signs which denote the hours of operation, credit cards, service station gasoline price sign, entrance and exit, and any signs required by law.
18. INDIRECT ILLUMINATION: A source of illumination directed toward a sign so that the beam of light falls upon the exterior surface of the sign.
19. ILLEGAL SIGN: A sign which is erected in violation of the Seaside Sign Code.
20. MARQUEE: A permanent roofed structure attached to and supported by the building and projecting over public property and includes a reader-board.

21. MARQUEE SIGN: A sign which is painted on, attached to, or supported by a marquee.
22. NEIGHBORHOOD IDENTIFICATION: A sign located on a wall or fence at the entry point of a single-family subdivision comprising not less than two acres, or a sign identifying a multiple-family development of ten or more dwelling units.
23. NON-CONFORMING SIGN: An existing sign, lawful at the time of enactment of this ordinance, which does not conform to the requirements of this code.
24. PARCEL OR PREMISES: A lot or tract of land under separate ownership, as depicted upon the county assessment rolls, and having frontage abutting on a public street.
25. POLITICAL SIGN: Any temporary sign which supports the candidacy of any candidate for public office or urges action on any other matter on the ballot of primary, general, or special elections.
26. PROJECTING SIGNS: Signs, other than wall signs, which are attached to and project from a structure or building face, usually perpendicular to the building face.
27. REAL ESTATE SIGN: A sign indicating that the premises on which the sign is located, or any portion thereof, is for sale, lease or rent.
28. ROOF SIGN: Any sign, other than painted signs, erected upon, against or directly above a roof or top of or above the parapet of a building.
29. SIGN: Any permanent identification, symbol or device which is affixed directly or indirectly upon a building, vehicle, structure, or land that directs attention to a product, place, activity, person, institution or business, that is designed to be seen from a public street or walkway. This may include banners, flags, balloons or other devices.
30. SHOPPING CENTER OR BUSINESS COMPLEX: Any building containing more than one business, or any group of buildings in close proximity to one another, sharing parking, ownership, and ingress or egress.
31. STREET FRONTAGE: That area of a building which fronts on a public street, road, or highway.
32. TEMPORARY SIGN: A sign which is not permanently affixed to the ground or to a permitted structure. These include all devices such as banners, pennants, flags (not including flags of nations), searchlights, sandwich boards, sidewalk signs, curb signs, balloons or other symbols designed to attract attention.
33. TIME AND TEMPERATURE SIGN: A message display providing only time, tide, and/or temperature information to the public. This information can be updated at intervals of no less than one second.
34. WALL GRAPHICS: Any mosaic, mural, or painting, or graphic art technique, or combination or grouping of mosaics, murals, or paintings or graphic art techniques

applied, implanted or placed directly onto a wall or fence and containing no copy, advertising symbols, lettering, trademarks or other references to any product, service, goods or advertising anything sold on or off the premises.

35. WALL SIGN: A sign attached to, or erected against, or painted upon the wall of a building with the face in a parallel plane of the building wall.

155.15 GENERAL PROVISIONS

(A) COMMERCIAL & INDUSTRIAL ZONES

1. Area: The total area of a sign for a business in a Commercial or Industrial Zone is limited to 1 and 1/2 square feet of area for each linear foot of front footage of the business or business building. Sign area shall include all borders, trims, structures and component parts surrounding the display surface with a maximum of two hundred (200) square feet allowed.

2. Corner Lots: Buildings on corner lots may have signs on both streets, and each street frontage will be used for computing the sign area for that side. If one sign is visible from more than one street, the area can be deducted from either frontage.

3. Lettering Limitations: Reader-board lettering shall not extend by any means above the roof or the reader-board.

4. Roof signs must comply with the following provisions:

a. The signs must be attached to an exterior façade such that it appears to be an integrated part of the exterior wall of the building.

b. The sign area may not extend more than 8 feet above the apparent roof line of the building that is visible from the street the sign faces; however, no sign may exceed the allowable height of the building within the district in which it is located.

c. The sign area on the façade cannot cover more than 50% of the total façade area.

(B) GENERAL RESIDENTIAL ZONES

1. Single Family and Duplex residential uses shall be allowed a sign not exceeding 2 square feet.

2. Apartments and Non residential uses shall be allowed a sign not exceeding 20 square feet.

(C) SPECIFIC RESIDENTIAL ZONES

1. Resort Residential: All provisions applicable to Commercial and Industrial zones shall apply to the Resort Residential Zone; however, the maximum allowable signage shall be limited to one hundred (100) square feet.
2. Residential Commercial: Non residential uses in the Residential Commercial zone which front on Roosevelt Drive are permitted 1 and 1/2 square feet of **sign** area for each linear foot of business street frontage with a maximum of two hundred (200) square feet. No more than fifty (50) square feet of sign area may face streets other than Roosevelt.

(D) OPEN SPACE, AQUATIC, & EFU ZONES

1. Signs within the OPR zone shall not exceed 40 square feet.
2. Signs within aquatic and EFU zones shall not exceed 40 square feet and they require a public hearing and approval of a conditional use by the Planning Commission in accordance with the provisions of Article 6 and Article 10 of the Seaside Zoning Ordinance.

155.16 SIGN LOCATION

1. Signs Projecting into Street Right of Ways: Unless otherwise provided under this ordinance, signs may project over a public right of way from the face of the building to which they are attached to a maximum of two feet (2') and must be located eight feet (8') or more above grade. Signs shall not project within two feet (2') of the curb line.
2. Signs Projecting into Alleys: No sign or sign structure shall project more than twelve inches (12") into any public alley and must be a minimum height of fourteen feet (14') above alley grade.
3. Access Restricted Locations: No sign or sign structure shall be erected in such a manner that any portion of its surface or support will interfere in anyway with the free use of any fire escape, exit or standpipe.
4. Code Restricted Locations: No sign shall obstruct any openings to such an extent that light or ventilation is reduced to a point below that required by the Building Code.
5. A-Frame or Sandwich Board Signs: These signs are not permitted more than 10' from the entrance to a building. They must be located entirely on the property with no more than one sign per business regardless of the permitted area allowed.. The sign area is limited to no more than 10 square feet per face. Only one sign is permitted per business
6. Signs erected within five feet (5') of an exterior wall in which there are openings within the area of the sign shall be constructed of noncombustible material or approved plastics.
7. Marquees: These structures, permitted under the building code, are not considered part of the sign area; however, any lettering area permanently placed on the face of a marquee must be deducted from the total allowed sign area.

8. Awnings signs: Signs incorporated into the non ridged cover of a permitted awning or signs which do not project below the face of the face of an awning and the support frame may project more than two (2) feet into a street right of way subject to a public hearing and approval of a conditional use by the Planning Commission in accordance with the provisions of Article 6 and Article 10 of the Seaside Zoning Ordinance. All signage will be counted against the sign area prescribed in Section 155.15.

155.17 SIGNS ALLOWED WITHOUT A PERMIT (EXEMPT)

The following signs are not regulated by this ordinance unless otherwise stipulated:

1. Signs placed by the City of Seaside or other informational signs placed by the Oregon State Highway Division.
2. Flags and insignia of national, state or local governments.
3. Signs of a temporary nature located completely within a commercial building.
4. Temporary political signs not exceeding ten (10) square feet, provided the signs are erected no more than thirty (30) days prior to and removed within ten (10) days following the elections for which they are intended. If the sign is not removed within the allotted time period, the campaign's treasurer will be subject to penalties listed in Section 155.92. (Signs must be located on private property).
5. Temporary, non-illuminated real estate (no more than one per tax lot) or construction and subdivision signs not exceeding six (6) square feet in residential zones or thirty two (32) square feet in commercial and industrial zones. Real estate signs must be removed within fifteen (15) days from the sale, lease or rental of the property. Construction and subdivision signs must be removed within seven (7) days of completion of the project. (Signs must be located on private property).
6. Nameplates indicating the name, address or profession of the occupant, not exceeding one square foot.
7. Temporary, off-premise, directional, open house, real estate signs, provided such signs do not exceed six (6) square feet in size in size and are located on private property, and are up only during the actual open-house hours.
8. Signs painted, attached, or otherwise incorporated on the vertical portion of an awning on a commercial building but not exceeding eight inch (8") lettering on the border.
9. Banners, but the square footage will be computed as part of the allowed signage.
10. "Open" signs, or parking directional signs not exceeding one (1) square foot in size.
11. Bank card signs, gas prices and similar signs not exceeding six (6) square feet in a Commercial-Industrial Zone. Limited to one sign per street frontage.

12. Minor maintenance and repairs to existing signs or for changes in sign copy for conforming signs.

13. Signs for directing traffic where such sign(s) are not visible from a public right-of-way or approved private road/right-of-way. Visibility must be obstructed by a permanent structure rather than vegetation.

155.18 EXCEPTIONS FOR SPECIAL SIGNS

(A) ALLOWED FOR CONDITIONALLY PERMITTED USES AUTHORIZED BY PLANNING COMMISSION EXCLUSIVE OF ZONING

The Planning Commission may authorize additional signage for uses authorized under a conditional use permit in accordance with Article 10 of the Seaside Zoning Ordinance. Signage for these uses may be permitted in excess of the area permitted under Article 2 of this ordinance. Although these signs are normally approved at the time the conditional use is authorized, the following provisions apply to existing conditionally permitted uses without further review by the Planning Commission:

(B) RV AND MOBILE HOME PARKS

In all existing RV and Mobile Home Parks, the maximum size of a sign will be thirty-two (32) square feet.

(C) EMERGENCY SERVICE PROVIDER

Signs identifying the name and location of emergency health care providers that provide service on the site. Such signs shall not exceed 1.5 square feet of area for each linear foot of frontage of the building or 100 square feet in sign area, whichever is least. Sign area shall include all borders, trims, structures and component parts surrounding the display surface.

(D) SCHOOLS, PARKS, & RECREATIONAL FACILITIES

(E) MURALS OR WALL GRAPHICS

No wall graphics shall be permitted without Planning Commission approval.

(F) TEMPORARY SIGNS FOR NEW BUSINESSES OR GRAND OPENINGS

The Building Official can issue a permit for a temporary sign for new businesses or for grand openings or other special events for a period not to exceed seven (7) days; however, the permit can be extended to a maximum of thirty (30) days. Temporary signs beyond thirty (30) days require Planning Commission approval.

155.40 Reserved

155.50 PROHIBITED SIGNS

The following signs are prohibited:

1. Flashing signs.
2. Unofficial signs which purport to be, are an imitation of, or resemble an unofficial traffic sign or signal, and which attempt to direct the movement of traffic or hide from view any official traffic sign or signal.

3. Signs or portion thereof obstructing any fire escape, stairway or standpipe; interferes with human exit through any window of any room located above the first floor of any building; obstructs any door or required exit from any building; or obstructs any required light or ventilation.
4. A sign or portion thereof extending beyond any property line of the premises on which such sign is located unless specifically permitted under this ordinance.
5. Roof signs projecting above the roof peak unless specifically permitted under this ordinance.
6. Signs painted directly upon the roof surface
7. Signs placed in any zone that would block vehicular vision clearance as defined in the Zoning Ordinance of Seaside unless the top of the sign does not extend more than 2 1/2 feet above the curb line or street center line if no curb exists.

155.60 ESTABLISHMENT OF SIGN PERMITS

A sign permit is required in each of the following instances:

1. Upon the erection of any new sign except exempted signs.
2. To alter an existing sign.
3. To erect a temporary sign for a new business or grand opening subject to Section 155.18, but no fee will be required.

155.70 REQUIRED INFORMATION FOR A SIGN PERMIT

For the purpose of review by the Building Official, a drawing, to scale, shall be submitted which indicates the location of all signs and sign structures (plot plan), material, color, texture, dimensions, shape relations and attachment to building and other structures, structural elements of the proposed sign, and the size and dimensions of any other signs located on the applicant's building or property.

155.80 REQUIRED CONFORMANCE FOR NON CONFORMING SIGNS

All existing A-frame or sandwich board signs shall conform to this ordinance within one (1) year of the effective date of this ordinance. Failure to comply within the stated time period will be justification for the City of Seaside to order the sign removed. If the sign owner fails to bring the sign into compliance or remove it, the City shall remove the sign, and all costs incurred, not paid within thirty (30) days of billing, shall be collected from the business owner in any manner prescribed by law.

155.90 UNSAFE OR ILLEGAL SIGNS

If the Building Official finds that a sign has been erected without a permit or is unsafe, or a sign permit has been issued in violation of this chapter, he shall cause the sign to be removed as follows:

1. If in the opinion of the Building Official, a sign is determined to cause an immediate danger to life, limb, or property, the Building Official must first attempt to find the person responsible for the sign and require its immediate removal or repair. If the responsible person(s) are unable to be located, the Building Official shall cause the sign to be removed or repaired and charge all costs to the responsible parties in addition to the penalties prescribed in Section 155.92.

2. The Building Official shall be given written notice to the permittee or owner of any sign erected or established under a sign permit but carried out in violation of the permit or this sign ordinance, that the sign must be removed or altered within seven (7) days.

Failure to remove or alter said signs as directed shall subject the permittee or owner to the penalties prescribed in this title.

155.91 SIGN PERMIT FEES

Fees to be paid prior to the erection, alteration, or structural repair (excluding minor maintenance) of a sign:

0 - 25 Square Feet.....	50.00
26 Square Feet & Over.....	100.00

The fee for any sign which is erected without a sign permit shall be double the regular sign fee.

Plan check fee, equal to 65% of the permit fee shall be required.

155.92 ENFORCEMENT

The Building Official is hereby authorized and directed to enforce all the provisions of this code. For such purpose, he shall have the powers of a law enforcement officer.

PENALTY: A person violating a provision of this Ordinance shall, upon conviction, be punished by a fine of not more than \$150. A violation of this Ordinance shall be considered a separate offense for each day the violation continues.

155.93 ABATEMENT OF SIGNS

1. **ABANDONED SIGNS:** All signs pertaining to businesses or occupants whose products or services have ceased to be offered to the public on the premises shall be removed within thirty (30) days.

2. **ABATEMENT OF NUISANCE SIGNS:** The following signs are hereby declared a public nuisance and shall be removed or the nuisance abated within thirty (30) days.

A. Illegal signs

155.94 BOARD OF APPEALS AND VARIANCE

To provide for reasonable interpretation of this Ordinance, and in certain instances where the Ordinance will produce hardship, a variance may be granted. The sign owner shall demonstrate that the situation is unique and that by complying with the Ordinance he will suffer substantial hardship. The owner cannot be granted any special privilege which would result in advantages over his neighbors.

The Planning Commission shall hear all appeals and requests for variances, and a variance from the terms of this Ordinance shall not be granted by the Planning Commission unless and until all of the following conditions are met:

1. A public hearing is held in the manner prescribed in the Seaside Zoning Code.
2. The sign owner must demonstrate by written application that all of the following circumstances exist.
 - a. That exceptional or extraordinary circumstances apply to the property or business which do not apply generally to other properties or businesses in the vicinity.
 - b. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties or businesses in the same district under the terms of this Ordinance.
 - c. That the variance requested is the minimum variance which will make possible the reasonable use of the property and still meet the intent of the Ordinance.
 - d. An application for a sign variance shall be accompanied by a filing fee of \$50.00

NOTE: OFF PREMISE SIGNS VISIBLE FROM ROOSEVELT/HIGHWAY 101 NEED A STATE PERMIT.

ADOPTED by the City Council of the City of Seaside on this 10th day of June, 2002, by the following roll call vote:

YEAS: HALLER, LARSON, BAKER-MONAGHAN, LYONS, JOHNSON, SCHAFER
NAYS: NONE
ABSTAIN: NONE
ABSENT: WYSONG

SUBMITTED to and **APPROVED** by the Mayor on this 11th day of June, 2002.

ATTEST:

ROSEMARY BAKER-MONAGHAN, MAYOR

Mark J. Winstanley, City Auditor
