

CITY OF DEPOE BAY

ORDINANCE NO. 58

SIGN ORDINANCE

Purpose and Scope of Sign Ordinance - The City Council finds and determines that the City of Depoe Bay is known for the natural beauty of its surroundings, including the inner harbor, the basaltic coastline, the wooded setting and the character of its residential and business districts; the City Council further finds that the natural, traditional and manmade advantages of the city have substantially contributed to the general view that Depoe Bay is a desirable place to live and to visit; The City Council also finds that the perceived character of Depoe Bay is an important economic asset to the residents of the area; and the City Council now finds, by reason of the foregoing, that reasonable and proper regulation of signs and advertising structures is conducive to the fullest enjoyment by the people of the community of such natural and traditional advantages and is necessary to prevent depreciation of property values in residential and commercial areas of the City.

The City Council further finds and determines that unless reasonably and properly regulated, signs and advertising structures are a potential hazard to the community by reason of the structural nature, illumination and electrification thereof.

THE CITY COUNCIL OF THE CITY OF DEPOE BAY ORDAINS AS FOLLOWS:

1. That Ordinance #24 of the City of Depoe Bay is hereby amended by striking Section 4.020 Sign Requirements in its entirety and substituting this Sign Ordinance.
2. There is hereby created a Design Review Committee for Signs, hereinafter referred to as "Committee".
 - A. The Committee's primary function shall be to review sign plans for proposed new signs and existing signs, when review of existing signs is required pursuant hereto.
 - B. The sign criteria contained in the ordinance is designed to provide the applicant and Committee with standards to govern the determination of the appropriateness of a sign proposal.
3. Membership of Committee.
 - A. The Committee shall consist of five members. All members shall be residents of the City of Depoe Bay or reside within its adopted urban growth boundary area, when such a boundary is designated and approved. Three members shall

constitute a quorum, a majority of a quorum shall be adequate to decide any issue before the Committee.

B. The Committee shall be appointed by the City Council for terms of three years. To the extent possible, the Committee should be composed of one architect, one engineer, two members of the business community, and one member of the Planning Commission, however, this shall not be required, and the validity of any decision of the Committee shall not be dependent upon the Committee being so constituted.

4. Standards for New Signs. New sign construction shall be compatible with:

A. Existing practice. All new sign proposals shall be of such a size, location and design, so as to conform to existing practice.

B. General character. A new sign proposal shall not be unduly garish in material, design, lighting or other characteristics.

C. All signs shall conform to acceptable safety requirements as determined by the City Building Inspector. Analysis of safety of electrical design of aluminum signs may be required.

5. Specific Standards.

A. There shall be no flashing, animated or moving signs, except time, temperature and date signs.

B. There will be no advertising signs for businesses or activities located outside of the city or its urban growth boundaries.

C. No sign shall detract from and/or block any area of scenic value, as inventoried in the Comprehensive Plan.

D. There shall be a maximum of 35 feet from the top of the sign to ground level.

E. A projecting, building-mounted sign shall have at least seven feet of clearance between the bottom of the sign and the sidewalk.

F. Projecting signs should be mounted near the center of a building to minimize blocking signs which may be located on buildings on either side. Prevailing standards in the area in terms of sign area and distance of the projection shall not be exceeded.

6. Existing Signs. Under the following circumstances, existing signs shall be subject to the same application procedures, review procedures and standards as for new signs:

A. If a sign is leased by the owner or operator of a business, the owner or operator must apply to the Committee for review of the sign prior to renewing a lease on its expiration date.

B. If a sign is damaged by wind or other forces sufficiently to require its removal and reconstruction, the owner or lessee must apply to the Committee for review of the sign's appropriateness relative to the standards contained in this ordinance.

C. Design review is not required for routine maintenance, nor is it required for changes in the text on signs.

7. Application Procedure. The following application procedure is required for all external attached, free-standing and off-premise signs, in which case application for erection permits shall be made upon blanks provided by the City office and shall contain, or have attached thereto, the following information:

- A. Name, address and telephone number of applicant.
- B. Location of building, structure, or lot to which or upon which the sign is to be attached or erected.
- C. Position of the sign, or other advertising structure on a building or in relation to nearby buildings or structures.
- D. One scaled drawing with full description of material, texture and/or finish, to be used.
- E. Name of person, firm, corporation or association erecting structure.
- F. Written consent of the owner of the building, structure, or land to which or on which the structure is to be erected.
- G. Any electrical permit required and issued for such sign.
- H. Any other information that the building inspector of Design Review Committee may find to be of assistance in the performance of their duties.

The application shall be forwarded by the City Recorder to the Design Review Committee which must hold a hearing on the matter of the application within fifteen days. Upon scheduling of the hearing within the fifteen day time period, public notice thereof shall be given by posting notice thereof at the City Hall. Prior to the hearing the application shall be submitted to the Building Inspector for his approval or rejection. At the hearing, the applicant may present such testimony or evidence as he deems appropriate. Other interested persons may appear and be heard also. The Committee shall consider all evidence, testimony and recommendations from the Building Inspector and shall thereupon enter its decision.

The applicant or opponents may appeal the decision of the Committee to the City Council.

8. Exceptions. Provisions and regulations of this ordinance shall not apply to the following signs:

- A. Real estate signs not exceeding six square feet in area which advertise the sale, rental or lease of the premises upon which such signs are located only.
- B. One professional name plate not exceeding one square foot in area.
- C. One bulletin board not over eight square feet in area for public, charitable or religious institutions when the same are located on the premises of such institutions.
- D. Signs denoting the architect, engineer or contractor when placed upon work under construction, and not exceeding twelve square feet in area.

E. An occupational sign denoting only the name and profession of an occupant in a commercial building, public institution building or dwelling house, and not exceeding two square feet in area.

F. Memorial signs or tablet, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials.

G. Traffic or other municipal signs, legal notices, railroad crossing signs, danger and such temporary, emergency or non-advertising signs as may be approved by the City Council.

H. Temporary Advertising Signs. This includes signs, banners penants, valances, window signs, intended to be displayed for a short period of time, not exceeding thirty days. However, temporary signs shall not be of a nature to jeopardize public safety or health, or be of a nature contrary to the objectives contained herein.

9. Standards for Specific Types of Signs:

A. Free Standing Signs. Those signs supported by uprights or braces placed upon the ground and not attached to any buildings. Free standing signs shall be permitted at the discretion of the Committee where a business establishment is set back from a street alignment of building facades. A business establishment thus set back, in addition to the signs permitted upon the building itself, may maintain a free standing sign of a size and design appropriate to the site. The sign should relate to the conduct of the business only. Signs so erected shall preserve clear vision areas for operators of motor vehicles.

B. Wall Signs. Wall signs include all flat signs, signs with projecting letters attached to a wall, or signs with letters painted directly upon a wall, or painted sign-boards attached securely to a wall. The prevailing practices in the immediate vicinity of the proposed sign shall constitute the standard to be followed in erecting wall signs.

C. Projecting Signs. A projecting sign includes any sign which is attached to a building or other structure and extends beyond the line of the building or structure, either up or out. The standards of this ordinance and the businesses in the immediate vicinity constitute the standards for erection of projecting signs.

9. In that this ordinance is necessary for the preservation of the health, safety and welfare of the City of Depoe Bay and the City of Depoe Bay does not now presently have an adequate sign ordinance, an emergency is declared to hereby exist and this ordinance shall take effect immediately upon its adoption by the City Council and approval by the Mayor.

PASSED AND ADOPTED by the City Council of the City of Depoe Bay
this 4th day of June, 1979.

A. N. Stahl
Mayor

ATTEST:

Richard H. Bennett

City Recorder