

**PORT ORFORD PLANNING COMMISSION
CITY COUNCIL CHAMBERS, PORT ORFORD CITY HALL
REGULAR MEETING, PUBLIC HEARING and WORKSHOP
Tuesday, February 9, 2021
3:30 PM**

Please join my meeting from your computer, tablet or smartphone.

Planning Commission 2/9/2021

Tue, Feb 9, 2021 3:30 PM - 5:30 PM (PST)

<https://global.gotomeeting.com/join/798242893>

You can also dial in using your phone.

United States (Toll Free): [1 877 309 2073](tel:18773092073)

United States: [+1 \(646\) 749-3129](tel:+16467493129)

Access Code: 798-242-893

Agenda

1. Call to Order
2. Additions to the Agenda
3. Approval of Agenda
4. Approval of Minutes: January 12, 2021
6. Public Hearing
None
7. Planning Matters
 - Sign Ordinance

Other Business

- A. Announcements and Communications:
 - City Planner Comments
 - Planning Commission Comments
- B. Old and Continuing Business
9. Public Considerations
10. Adjourn

CITY OF PORT ORFORD PLANNING COMMISSION
MINUTES OF MEETING

Tuesday, January 12, 2021, 3:30 p.m.
Regular Meeting, Virtually Held
555 W. 20th Street
Port Orford, Oregon

Date Draft:
Date Corrected:
Date Final:

1. Call to Order.

Planning Assistant Patty Clark called to order the regular meeting of the City of Port Orford Planning Commission Tuesday, January 12, 2021 at 3:30 p.m. due to lack of a chair or active chair.

Those members present were: Commissioner Leonard, Commissioner Nieraeth, Commissioner Jezuit, Commissioner Schofield, Commissioner Berndt.

City staff present were Planner Crystal Shoji, Legal Counsel Kudlac and Planning Assistant Patty Clark.

Others present were Ann Vileisis, Greg Thelen, Penny.

2. Additions to the Agenda: None.

3. Approval of Agenda:

Commissioner Nieraeth moved to approve the agenda for the meeting of January 12, 2021 as written with Commissioner Leonard as second. *Motion carried 5-0.*

Comm. Leonard	<u>Yes</u>	Comm. Nieraeth	<u>Yes</u>	Comm. Berndt	<u>Yes</u>
Comm. Jezuit	<u>Yes</u>	Comm. Schofield	<u>Yes</u>		

4. Approval of Minutes: Commissioner requested the definition of Controlled Development. Planner Shoji advised it is not a public zone, but state parks and shoreland.

Commissioner Leonard made the motion to approve the minutes as written of Port Orford Planning Commission regular session dated November 10, 2020 with Commissioner Nieraeth as second. *Motion carried 5-0.*

Comm. Leonard	<u>Yes</u>	Comm. Nieraeth	<u>Yes</u>	Comm. Berndt	<u>Yes</u>
Comm. Jezuit	<u>Yes</u>	Comm. Schofield	<u>Yes</u>		

5. Comments from the Public:

Penny commented about the applications for the Planning Commission. She understood that local residency is required in the City of Port Orford, but there can be one or two positions in the UGB. She reported Applicant Schofield did not supply a home address within the city, only a business address. She wonders if that person can supply a physical address in the city.

Ann Vileisis commented about the Port Orford lighting ordinance, which is still in progress in commissioner's queue. The ordinance is to help preserve the dark skies in Port Offord. Ms. Vileisis recaps that the planning commission has worked on this ordinance for over a year, sent it to city council last fall, and city council sent it back for adjustment. Due to turnover with Comm. McHugh no longer in chair position and possibly new members, she reviewed the items that need adjusted. Items are to review the security light requirements, the penalty definition, and the streetlights that involved ODOT, Coos-Curry Electric and Port Orford coordination. Ms. Vileisis would like to see this ordinance back on the agenda soon.

6. Review of Planning Commission Applications for Appointment: The city council will need a recommendation from the planning commission for commissioner appointments. There are two terms up for reappointment and one open seat.

- a. Michele Leonard is at end of term and up for reappointment. Ms. Leonard reminded commissioners that she was voted in as vice chair, but she did not expect Chair McHugh to leave. She respectfully declined any nomination as chair.
- b. Diane Schofield is at end of term and up for reappointment. Ms. Schofield reported she lives in Port Orford and rents a commercial space in Brookings but does not live in Brookings at this time.
- c. Greg Thelen applied for the open seat on the planning commission. Mr. Thelen expressed his appreciation to the commissioners for considering him for the position. He reported he is relatively new to Port Orford and loves living in Port Orford. He has been involved in the lighting ordinance. He wants to be involved and help the community.

Commissioner Nieraeth moved to recommend to council the reappointment Michele Leonard and Diane Schofield and recommend Greg Thelen to the open seat with Commissioner Berndt as second. *Motion carried 5-0.*

Discussion: None.

Comm. Leonard	<u>Yes</u>	Comm. Nieraeth	<u>Yes</u>	Comm. Berndt	<u>Yes</u>
Comm. Jezuit	<u>Yes</u>	Comm. Schofield	<u>Yes</u>		

- 7. Election of 2021 Planning Commission Officers (Chair, Vice Chair, Secretary): City Planner Shoji clarified that chair does not need to perform any tasks more than anyone else other than running a meeting and keep things controlled at a meeting. There is a framework in place for meetings.

Commissioner Nieraeth volunteered for the Chair position. Commissioner Berndt nominated Commissioner Nieraeth as chair with Commissioner Jezuit as second. ***Motion carried 5-0.***

Discussion: None.

Comm. Leonard	<u>Yes</u>	Comm. Nieraeth	<u>Yes</u>	Comm. Berndt	<u>Yes</u>
Comm. Jezuit	<u>Yes</u>	Comm. Schofield	<u>Yes</u>		

Chair Nieraeth resumes the meeting and requested nominations for a Vice Chair.

Commissioner Leonard volunteered for the Vice Chair position. Commissioner Berndt made a motion that Commissioner Leonard is Vice Chair with Commissioner Jezuit as second.

Motion carried 5-0.

Discussion: None.

Comm. Leonard	<u>Yes</u>	Comm. Nieraeth	<u>Yes</u>	Comm. Berndt	<u>Yes</u>
Comm. Jezuit	<u>Yes</u>	Comm. Schofield	<u>Yes</u>		

Assistant Planner Clark will continue serving as secretary through December.

8. Planning Matters

- a. Planning Commission Training: City Planner Shoji presented a well-prepared slide show informing the role of the planning commission, ethics of a commissioner, statewide planning goals and legal requirements.

- b. Announcements and Communications:

City Planner Comments: None.

Planning Commission Comments: Commissioner Leonard asked if dark skies, sign ordinances or building height restrictions would be on the next agenda. Assistant Planner Clark advised the building height restriction code is now on the city council's agenda, not the planning commissioners. The dark sky and sign ordinances will need to be addressed by the planning commission.

Commissioner Berndt would like to add cell tower heights to the next meeting agenda. City Planner Shoji suggested cell towers fall under federal law and there will not be much the commission can do regarding the cell tower heights or number of cell towers in the city. Legal Counsel Kudlac will review the federal law pertaining to cell tower restrictions.

- c. Old and Continuing Business: None.

9. Public Considerations: None.

10. Commissioner Berndt moved to adjourn the meeting with Commissioner Leonard as second. *Motion carried 5-0.*

Comm. Leonard Yes Comm. Nieraeth Yes Comm. Berndt Yes

Comm. Jezuit Yes Comm. Schofield Yes

Chair Nieraeth adjourned the January 12, 2021 meeting at 4:50 p.m. `

15.16.

Chapter 15.16

SIGN CODE

Sections:

Article I. General Provisions

- 15.16.010 Short Title.
- 15.16.020 Purpose.
- 15.16.030 Applicability.
- 15.16.040 Conformance Required.
- 15.16.050 Definitions.

Article II. General Regulations

- 15.16.060 Exempt Signs.
- 15.16.070 Prohibited signs.
- 15.16.080 Determination of frontages.
- 15.16.090 Nonconforming signs.

Article III. Basic Sign Regulations by Zone

- 15.16.100 Introduction.
- 15.16.110 Signs in Commercial, Industrial, and Marine Activity Zones
- 15.16.120 Signs in controlled development and public facilities and park zones
- 15.16.130 Signs in Residential Zones

Article IV. Specific Sign Development Regulations

- 15.16.140 Applicability of article.
- 15.16.150 Sign placement.
- 15.16.160 Fascia signs.
- 15.16.170 Projecting signs.
- 15.16.180 Flush pitched roof signs.
- 15.16.190 Marquees and awnings.
- 15.16.200 Directional signs.
- 15.16.210 Temporary signs.

Article V. Permits, Fees and Penalties

- 15.16.220 Permit required.

- 15.16.230 Reserved for Future Expansion
- 15.16.240 Permit application.
- 15.16.250 Fees.
- 15.16.260 Violations–Penalties.

Article VI. Dark Sky

15.16.270 Outdoor Lighting

Article I. General Provisions

- 15.16.010 Short title.

This chapter shall be known and may be cited as the “Port Orford Sign Ordinance.” (Ord. 367-87 § 1.1, 1987)

- 15.16.020 Purpose.

A. 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:

1. To insure that signs are designed, constructed, installed and maintained so that public safety and traffic safety are not compromised;

2. To allow and promote positive conditions for meeting sign users’ needs while at the same time avoiding nuisances to nearby properties;

3. To reflect and support the desired character and development patterns of signs in the various zones;

4. To allow for a variety in number and type of signs in commercial, industrial and marine activity zones while preventing signs from dominating the visual appearance of the area; and

15.16.

5. To ensure that the constitutionally guaranteed right of free speech is protected.

B. the regulations allow for a variety in number and type of signs for a site. The provisions do not necessarily assure or provide for a property owner's desired level of visibility for the signs. (*Ord. 367-87 § 1.2, 1987*)

15.16.030 Applicability.

This chapter regulates the number, size, placement and physical characteristics of signs. The regulations are not intended to, and do not restrict, limit or control the content or message of signs. The regulations of this chapter apply to all zones. The regulations of this chapter are in addition to all other regulations in the city of Port Orford ordinances and state building code applicable to signs. (*Ord. 367-87- § 1.3, 1987*)

15.16.040 Conformance required.

No sign may be erected unless any required permits have been obtained, and the sign conforms to the requirements of this chapter. (*Ord. 2001-02 § 1, 2001*)

15.16.050 Definitions.

As used in this chapter:

“Abandoned sign” means a sign structure not containing a sign for one hundred (120) continuous days or a sign not in use for one hundred twenty (120) continuous days.

“Awning sign” means a sign incorporated into or attached to an awning.

“Balloon sign” means an inflatable temporary sign anchored by some means to a structure or developed parcel.

“Banner” means a temporary sign made

of fabric or other nonrigid material with no enclosing framework.

“Bench advertising sign” means an outdoor advertising sign that is placed on a stationary object that is used primarily for sitting.

Building Frontage, Primary.

“Primary building frontages” are exterior building walls facing a right-of-way or private roadway, and any other exterior building wall facing a parking lot which contains a public entry to the occupant's premises.

Building Frontage, Secondary.

“Secondary building frontages” are exterior building walls which are not classified as primary frontages.

“Cutout” means every type of display in the form of letters, figures, characters or other representations in cutout or irregular form attached to or superimposed upon a sign.

“Direction sign” means a permanent sign which is designated and erected solely for the purpose of traffic or pedestrian direction and placed on the property to which the public is directed.

“Electronic message center” means a sign whose message or display is presented with patterns of lights that may be changed at intermittent intervals by an electronic process.

“Fascia sign” means a single-faced sign attached flush to building.

“Freestanding sign” means a sign on a frame, pole or other support structure which is not attached to any building.

“Lawn sign” means a temporary sign placed in the lawn or ground of a site usually facing a right-of-way.

Lighting Method

15.16.

1. "Direct lighting" means exposed lighting or neon tubes on the sign face.

2. "Flashing lighting" means lights which blink on and off randomly or in sequence.

3. "Indirect lighting" means the light source is separate from the sign face or cabinet and is directed so as to shine on the sign.

4. "Internal lighting" means the light source is concealed within the sign.

"Maintenance" means normal care needed to keep a sign functional such as cleaning, oiling and changing of light bulbs.

"Marquee sign" means a sign incorporated into or attached to a marquee or permanent canopy.

"Moving parts" means features or parts of a sign structure which through mechanical means are intended to move, swing or have some motion.

"Nonconforming parts" means a sign or sign structure lawfully erected and properly maintained that would not be allowed under the sign regulations presently applicable to the site.

Painted Wall Decorations. Painted wall decorations are displays painted directly on a wall and are designed and intended as a decorative or ornamental feature.

"Painted wall sign" means a sign applied to a building wall with paint and which has no sign structure.

"Permanent sign" means a sign attached to a building, structure or the ground in some manner requiring a permit and made of materials intended for more than short-term use.

"Pitched roof sign" means a sign attached to a roof with a pitch of one to four or greater and placed parallel to the building wall.

"Political sign" means any sign erected or displayed for the purpose of supporting a political candidate, political party or position on a ballot measure for a particular election.

"Projecting sign" means a sign attached to and projecting out from a building face or wall and generally at right angles to the building. Projecting signs include signs projecting totally in the right-of-way, partially in the right-of-way or fully on private property.

"Repair" means fixing or replacement of broken or worn parts. Replacement is of comparable materials only. Repairs may be made with the sign in position or with the sign removed.

"Right-of-way" means any way. Street, alley or road dedicated to the use of the public.

"Rigid sign" means a temporary sign, other than a lawn sign, made of rigid materials such as wood, plywood or plastic.

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

"Rooftop sign" means a sign on a roof with a pitch of less than one to four.

"Rotating sign" means sign face or portions of a sign face which revolve around a central axis.

15.16.

“Sandwich board sign” means usually two hinged boards attached together in an A-shape with signs on each board which may be a portable temporary sign.

“Secondary building wall” means exterior building walls or faces which are oriented toward another lot, not a right-of-way or private roadway.

“Sign” means material placed or constructed primarily to convey a message or other display and which can be viewed from a right-of-way, private roadway or another property.

Sign Face Area.

1. The area of sign faces enclosed in frames or cabinets is determined based on the outer dimensions of the frame or cabinet surrounding the sign face (see *Figure 15.16.050A*, set out at the end of this section). Sign area does not include foundations, supports, and other essential structures which are not serving as a backdrop or border to the sign. Only one side of a double-faced sign is counted.

2. When a sign is on a base material and attached without a frame, such as a wood board or Plexiglas panel, the dimensions of the base material are to be used unless it is clear that part of the base contains no sign, related display or decoration.

3. When signs are constructed of individual pieces attached to a building wall, sign area is determined by a perimeter drawn (the greatest height multiplied by the greatest width) around all the pieces (see *Figure 15.16.050B*, set out at the end of this section).

4. For sign structures containing multiple modules oriented in the same direction, the modules together are counted as one sign face (see *Figure 16.16.050C*, set out at the end of this section).

5. The maximum surface area visible at one time of a round or three-dimensional sign is counted to determine sign area.

6. When signs are incorporated into awnings, the entire panel containing the sign is counted as the sign face unless it is clear that part of the panel contains no sign, related display or decoration.

“Sign height” means the vertical distance from the natural ground elevation at the mid point of the sign to the highest point of the sign display surface, including cutouts.

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

“Site” means a plot, parcel or area of land owned by or under the lawful control and in lawful possession of one distinct ownership.

“Site frontage” means that portion of a lot on one side of a street between two intersecting streets, access ways, or other rights-of-way (crossing or terminating) measured along the line of the street or for a dead-end street or access way, all the property between an intersecting street or other right-of-way and the dead-end of the street or access way (see *Figure 15.16.050D*, set out at the end of this section).

15.16.

“Structural alteration” means modification of the size, shapes, or height of a sign structure. Also includes replacement of sign structure material with other than comparable materials, for example metal parts replacing wood parts.

“Temporary sign” means a sign not permanently attached to a building, structure or the ground.

“Vision clearance area” means those areas near intersections of roadways and ingress and egress points where a clear field of vision necessary for public safety.

“Zone” means an area of the city created for a particular purpose as defined in *Title 17* of this code. (*Ord 367-87 § 1.6, 1987*)

Figure 15.16.050

Sign Face Measurements

**Next Page has the figures described below
It has been left out of this non-pdf copy
As it is blank (pics are in the pdf copy)**

**THE FIGURES DEPICT TWO TYPES
OF SIGNS AND SHOW THE SIGN
FACE AREA AND HOW TO
DETERMINE IT.**

**THE TOP OF THIS PAGE IS TAKEN
UP WITH DRAWINGS OF BUILDING
FRONTAGE MEASUREMENTS
FIGURE 15.16.050 D**

Article II. General Regulations

15.16.060 Exempt signs

The following signs are exempt from the provisions of this chapter, but may be subject to other City of Port Orford ordinances.

- A. Signs not oriented or intended to be legible from a right-of-way, private road or other private property;
- B. Signs inside a building, except for strobe lights visible from a right-of-way, private road or other private property;
- C. Signs legally erected in the right-of-way;

- D. Building address numbers;
- E. Signs carved into or part of materials which are an integral part of the building.
- F. Flag on permanent flagpoles which are designed to allow raising and lowering of the flags;
- G. Banners on permanent poles which are designed and intended as a decorative or ornamental feature;
- H. Painted wall decorations and painted wall highlights; and
- I. Bench advertising signs which have been lawfully erected. (Ord. 367-87 § 2.1, 1987)

15.16.070 Prohibited signs.

The following signs are prohibited and shall be removed:

A. Strobe lights and signs containing strobe lights which are visible beyond the property lines;

B. Signs placed on or painted on a motor vehicle or trailer and parked with the primary purpose of providing a sign not otherwise allowed for in this chapter;

C. Abandoned signs; and

D. Signs in the right-of-way in whole or in part, except signs legally erected for informational purposes by or on behalf of a government agency, or otherwise permitted under this code. (Ord.367-87 § 2.2, 1987)

15.16.080 Determination of frontages.

A. Primary Building Frontage. Primary building frontages are derived from each ground floor occupant’s qualifying exterior walls (see *Figure 15.16.050D*, set out at the end of *Section 15.16.050*.)

B. Corner Signs. Corner signs facing more than one street shall be assigned to a frontage by the applicant. The sign must meet all provisions for the frontage to which it is assigned. (Ord. 367-87 § 2.3, 1987)

15.16.090 Nonconforming signs.

Signs not conforming to the regulations of this chapter are subject to the following provisions:

A. Permanent Signs in all Zones. In all zones lawfully erected non-conforming signs may continue to exist and are subject to the following regulations.

1. Maintenance, repairs and changing of sign faces, when no structural alterations are made, are allowed.

2. Signs and sign structures which are moved, replaced or structurally altered shall be brought into

15.16

conformance with the current sign regulations.

3. All nonconforming signs allowed by this section must comply with all other provisions of this chapter including having a valid sign permit as required by *Article V* of this chapter.

B. Temporary Signs. Nonconforming temporary signs shall be removed. (Ord 367-87 § 2.4, 1987)

Article III. Basic Sign Regulations by Zone

15.16.100 Introduction.

Signs are allowed in the *City of Port Orford* depending on the zoning district in which a property is situated as described in *Title 17* of this code. (Ord. 367-87 § 3.1, 1987)

15.16.110 Signs in Commercial, Industrial, and Marine Activity Zones.

For all uses and sites in area zoned Commercial (4-C), Industrial (5-I) and Marine Activity (7-MA), the following types, numbers, sizes, and features of signs are allowed. All allowed signs must also be in conformance with the development regulations of *Article IV* of this chapter.

A. Freestanding Signs.

1. Allowable Area. Freestanding signs are allowed up to a maximum of one hundred (100) square feet of sign face area per site frontage.

2. Number. One or more freestanding signs is are allowed for each site frontage, provided that the sum of the area of all signs shall be equal to, or less than, one hundred (100) square feet of sign face area per site frontage.

3. Height. The maximum height of a free standing sign is forty-five (45) feet.

4. Extension into Right-of-Way. Freestanding signs may not extend into the right-of-way, without written permission of the agency having jurisdiction over the right of way.

15.16

B. Signs Attached to Buildings

1. Allowable Area. The total allowable area for all permanent signs attached to the building is a maximum of one hundred eighty (180) square feet of sign area per site frontage.

2. Individual Sign Face Area. The maximum size of an individual sign within the total allowable area limits is one hundred eighty (180) square feet.

3. Types of Signs. Fascia, projecting, marquee, awning, rooftop and pitched roof signs are allowed.

4. Number of Signs. There is no limit on the number of signs if within the total allowable area limit.

5. Extension into the Right-of-Way. Signs attached to buildings may not extend into the right-of-way, without written permission of the agency having jurisdiction over the right of way.

C. Sign Features. Permanent signs may have the following features:

1. Signs may be indirectly, internally or directly illuminated.

2. Electronic message centers are allowed.

3. Fifteen (15) percent of the face of all sign types may be flashing.

4. Rotating signs are allowed.

5. Moving parts are allowed.

D. Additional Signs Allowed. In addition to the sign amounts allowed on site frontages, the following are allowed in these zoning districts for all usages:

1. Vehicular direction signs;

2. Temporary lawn, temporary banner and temporary rigid signs. (*Ord 910-90 § 1, 1990; Ord. 367-87 § 3.2, 1987; Ord. 2001-02 § 3, 2001*)

15.16.120 Signs in Controlled Development (6-CD), Public Facilities and Parks Zones (8-PF), and Battle Rock Mixed Use Zone (10-MU).

For all uses and sites in areas zoned Controlled Development (6-CD), Public Facilities and Parks (8PF), and Battle Rock Mixed Use Zone (10-MU), the following types, numbers, sizes, and features of signs are allowed. All allowed signs must also be in conformance with the development regulation of Article IV of this chapter.

A. Freestanding Signs.

1. Allowable Area. Freestanding signs are allowed up to a maximum of seventy-five (75) square feet.

2. Number. One or more freestanding signs is are allowed per frontage provided that the sum of the area of all signs shall be equal to, or less than, seventy-five (75) square feet of sign face area per site frontage.

3. Height. The maximum height of a freestanding sign is fifteen (15) feet.

4. Extension into the Right-of-Way. Freestanding signs may not extend into the right-of-way, without written permission of the agency having jurisdiction over the right of way.

B. Sign Attached to Buildings.

1. Total Allowable Area. The total allowable area for all permanent signs attached to the building is seventy-five (75) square feet of sign face area.

2. Individual Sign Face Area. The maximum size of an individual sign within the total allowable area limit is seventy-five (75) square feet.

3. Types of Signs. Fascia, marquee, awning,

15.16

painted wall signs, projecting, rooftop and flush pitched roof signs are allowed

4. Number of Signs. There is no limit on the number of signs if within the total allowable area limit.

5. Extension into the Right-of-Way. Signs attached to buildings may not extend into the right-of-way, without written permission of the agency having jurisdiction over the right of way.

C. Sign Features. Permanent signs may have the following features:

1. Signs may be indirectly or internally illuminated.

2. Electronic message centers are not allowed.

3. Fifteen (15) percent of the face of all sign types may be flashing.

4. Rotating signs are allowed.

5. Moving parts are allowed.

D. Additional Signs Allowed. In addition to the sign amounts allowed based on site frontages. The following signs are allowed in these zoning districts for all usages:

1. Vehicular direction signs;

2. Temporary lawn, temporary banner and temporary rigid signs. (*Ord. 367-87 § 3.3, 1987; Ord. 2001-02 § 3, 2001*)(*Ord 2007-04 § 120, 2007*)

15.16.130 Signs in Residential Zones

For all uses and sites in area zoned Residential 1 (1-R) and Residential 2 (2-R), the following types, numbers, sizes, and features of signs are allowed. All allowed signs must also be in conformance with the development regulations of Article IV of this chapter.

A. Freestanding Signs:

1. Allowable Area. Freestanding signs are allowed up to a maximum of five square feet.

2. Number. Two freestanding signs are allowed per site frontage.

3. Height. The maximum height of a freestanding sign is eight feet above grade level.

4. Extension into the Right-of-Way. Free standing signs may not extend into the right-of-way, without written permission of the agency having jurisdiction over the right of way.

B. Signs Attached to Buildings.

1. Total Allowable Area. The total allowable area for all permanent signs attached to the building is twenty-five (25) square feet of sign face area.

2. Individual Sign Face Area. The maximum size of an individual sign within the total allowable area limit is twenty-five (25) square feet.

3. Types of Signs. Only painted wall signs are allowed. Fascia, marquee, awning, projecting, rooftop, and flush pitched roof signs are not allowed.

4. Number of Signs. Two building signs are allowed per site frontage.

5. Extension into the Right-of-Way. Signs attached to buildings may not extend into the right-of-way, without written permission of the agency having jurisdiction over the right of way.

C. Signs features. Permanent signs may have the following features:

1. Signs may be indirectly or internally illuminated.

2. Electronic message centers are not allowed.

3. Flashing signs are not allowed

4. Rotating signs are not allowed.

5. Moving parts are not allowed.

D. Additional Signs Allowed. In addition to the sign allowed based on site frontages, the following signs are allowed in these zoning districts for all usages:

1. Vehicular direction signs;

2. Temporary lawn, temporary banner and temporary rigid signs. (Ord. 367-87 § 3.4, 1987; Ord. 2001-2002 § 3, 2001)

Article IV. Specific Sign Development Regulations

15.16.140 Applicability of article.

Applicability of article. All signs allowed under Article III must comply with the development regulations of this article. (Ord. 367-87 § 4.1, 1987)

15.16.150 Sign Placement

A. Placement. All signs and sign structures shall be erected and attached totally within the site except when allowed to extend into the right-of-way.

B. Frontages. Signs allowed based on one site frontage may not be placed on another site frontage. Signs allowed based on a primary building frontage may be placed on a secondary building frontage.

C. Vision Clearance Areas.

1. No sign may be located within a vision clearance area as defined in subsection (C) (2) of this section. No support structure(s) for a sign may be located in a vision clearance area unless the combined total width is twelve (12) inches or less and the combined total depth is twelve (12) inches or less.

2. Location of vision clearance areas are triangular shaped areas located at the intersection of any combination of rights-of-way, private roads, alleys or driveway. The sides of the triangle extend forty-five (45) feet from the intersection of the

15.16

vehicle travel area along the most heavily travelled road, and 10 feet from the intersection of the vehicle travel area along the less travelled road, right of way, private road, alley, or driveway.

D. Vehicle Area Clearance. When a sign extends over a private area where vehicles travel or are parked, the bottom of the sign structure shall be at least fourteen (14) feet above the ground. Vehicle areas include driveways, alleys, parking lots, and loading and maneuvering areas.

E. Pedestrian Area clearances. When a sign extends over private sidewalks, walkways or other spaces accessible to pedestrians, the bottom of the sign structure shall be at least eight and one-half feet above the ground.

F. Required Yards and Setbacks. Signs may be erected in required yards and setbacks.

G. Parking Areas.

1. Unless otherwise provided by law, accessory signs shall be permitted on parking area in accordance with the provisions specified in each district, and signs designating entrances, exits, or conditions of use may be maintained on a parking or loading area.

2. Any such sign shall not exceed six square feet in area on one side. There shall not be more than one such sign for each entrance or exit to a parking or loading area. (Ord. 367-87 § 4.2, 1987)

15.16.160 Fascia signs.

A. Height. Fascia signs may not extend more than two feet above the roof line.

B. Extensions. No point on the face of a fascia sign may extend more than eighteen (18) inches from the wall to which it is attached, except for electronic message signs which may be up to twenty-four (24) inches in thickness. (Ord. 367-87 § 4.3, 1987)

B. Placement Projecting signs are not allowed on rooftops or on pitched roofs.

C. Support Structures. Support structures shall be designed so that there is the minimum visible support structure above the sign face. There shall be no more than one foot of support structure between the building wall and the sign. (Ord. 367-87 § 4.4, 1987)

15.16.170 Projecting signs.

A. Height. The face of projecting signs may not extend more than two feet above the roof line.

15.16.180 Flush Pitched roof signs.

A. Height. The face of flush pitched roof signs may not extend more than six inches above the roof line.

B. Placement. Flush pitched roof signs shall be parallel to the building face. They may not extend beyond the building wall.

C. Visual Backing. When viewed straight on, flush pitched roof signs shall have a visual backing formed by the roof.

D. Support Structures. Support structures shall be designed so that there is no visible support structure above the sign. (Ord. 367-87 § 4.5, 1987)

15.16.200 Directional signs.

Directional signs shall comply with the following provisions:

A. Maximum Sign Face Area. Nine square feet;

B. Types of Signs Allowed. Freestanding, fascia, projecting and painted wall;

C. Maximum Height. Freestanding: six feet; fascia and projecting: eight feet;

D. Extension into Right-of Way. Not allowed, without written permission of the agency having jurisdiction over the right of way;

E. Lighting. Indirect or internal;

F. Flashing Lights; Not allowed;

G. Electronic Message Centers. Not allowed;

H. Moving or Rotating Parts. Not allowed. (Ord. 367-87 § 4.7, 1987)

15.16.210 Temporary signs.

A. Time Limit. All temporary signs, temporary banners, temporary rigid signs and support structure thereof, erected or placed for the purposes of advertising, a specific event or activities related to a specific event, shall be removed within seven days after the event or purpose has occurred.

15.16

~~1. Political Signs. Political signs and support structures, if any, must be removed within seven days after the date of the election for which the sign was erected.~~

~~2. All Other Temporary Signs. With the exception for real estate "for sale" signs, all other temporary signs and support structures, if any, must be removed within six months of the date of erection.~~

B. Attachment. Temporary signs may not be permanently attached to the ground, buildings, or other structures.

C. Lawn Signs. Lawn signs may not be greater than five square feet in area and may not be over six feet in height.

D. Banners. One banner is allowed per primary building frontage and may not exceed sixty (60) square feet. Additional temporary flags and pennant are allowed, but may not extend into the right-of-way.

E. Temporary Rigid Signs.

1. Type. Rigid signs may be freestanding or placed on building sides.

2. Size.

a. Residential Zones 1-R and 1-2. The maximum size of a rigid sign is five square feet.

b. All Other Zones. The maximum size of a rigid sign is thirty-two (32) square feet.

3. Number. One rigid sign is allowed per site frontage.

4. Height.

a. Rigid signs on buildings may not be placed above roof lines.

b. The maximum height freestanding is six feet in residential zones one, two and three.

c. The maximum height freestanding in all other zones is eight feet.

5. Extension into the Rights-of-Way. Rigid signs may not extend into the right-of-way, without written permission of the agency having jurisdiction over the right of way.

~~Temporary rigid signs for political purposes shall have the permission of the adjoining property owner, and shall not exceed 4 square feet in area (per side). They shall be placed no sooner than 60 days before the election to which they pertain, and shall be removed within seven days of the conclusion of the election to which they pertain.~~

~~Real estate "for sale" signs may be placed into City rights of way with the permission of the adjoining property owner, and shall be removed within five (5) days of the sale of the property to which they pertain. They shall be no larger than 4 square feet (per side).~~

6. Lighting and Movement. Rigid signs may not be illuminated or have moving or rotating parts. (Ord. 367-87 § 4.8, 1987; Ord. 2001-02 § 3, 2001)

Article V. Permits, Fees and Penalties

15.16.220 Permit, Fees and Penalties

Unless exempted by Section 15.16.230, it is unlawful for any person to erect, alter, relocate, reconstruct or maintain or cause to be erected, altered, relocated, reconstructed or maintained on public or private property within the corporate limits of the City of Port Orford any sign or signs without first having obtained and paid for and having in force and in effect a current permit thereof from the City of Port Orford. (Ord. 367-87 § 5.1, 1987)

15.16.230 Reserved for Future Expansion
(Ord. 2001-02 § 3, 2001)

15.16.240 Permit application

A. Application for Existing Sign. If a sign exists on the effective date of the ordinance codified in this chapter, then on or before January 1, 1988, the owner or lessee of such sign shall file a permit

15.16

application with the city of Port Orford. This permit application shall contain an accurate description of the location and character of each sign it is desired to maintain; the name and address of the applicant and of the person by whom such sign is to be maintained; and such other information as the city may require to locate the sign and to show compliance with the provisions of this chapter and applicable building codes.

B. Application for the Erections, Alteration, Relocation or Reconstruction of a Sign or Signs.

Any person desiring to procure a permit for the erection, alteration, relocation or reconstruction of a sign or signs shall file with the city a written application upon forms furnished by the city and accompanied by the appropriate application fee as required by Section 15.16.250. Such application shall be accompanied by the written consent of the owner or the lessee of the property upon which such sign(s) is/are to be erected, altered, relocated and reconstructed. If said sign is to be erected, altered, relocated or reconstructed over or on a public sidewalk, then the application shall be accompanied by the written consent of the owner or lessee of the properties adjacent to the place where said sign is to be located. Such application shall contain an accurate description of the location or proposed location and character of each sign it is desired to erect, alter, relocate or reconstruct; the name and address of the applicant and of the person by whom such sign is to be erected, altered, relocated or reconstructed; and such other information as the City may require to locate the sign and to show compliance with the provisions of this chapter and applicable building codes. The city may require that the application be accompanied by a plan or design of the sign or proposed sign, showing its weight, dimensions, electrical equipment, details of its attachment and hangings and its position relative to the building or site. (Ord. 367-87 § 5.3, 1987)

15.16.250 Fees.

A. Application fee for the Erection, Alteration, Relocation or Reconstruction of a Sign. Every application for a permit to erect, alter, relocate or construct a sign with a total sign face area of twenty-five (25) square feet or larger shall be

twenty-five dollars (\$25.00).

B. Annual Permit Fee. Each sign is required to have a permit shall be subject to an annual permit fee of five dollars (\$5.00) on which shall be due and payable on the first of July of each fiscal year. (Ord. 2001-02 § 3,2001)

15.16.260 Violations - Penalties.

A. The conviction of any person for violation of any of the provision of this chapter shall not operate to relive such person form paying any fee or penalty thereupon for which such person shall be liable, nor shall the payment of any such fee be a bar to or prevent any prosecution in any court of competent jurisdiction of any complaint for the violation of any of the provisions of this chapter.

B. Any person violating any of the provisions of this chapter shall upon conviction thereof in any court of competent jurisdiction, be punished by a fine of not to exceed five hundred dollars (\$500.00).

C. Nuisance and Injunction, Any violation of this chapter is declared to be a nuisance. In addition to any other relief provided by this chapter, the city may apply to a court of competent jurisdiction for an injunction to prohibit the continuation of any violation of this chapter. Such application for relief may include seeking a temporary restraining order, temporary injunction and permanent injunction.

D. Removal if Unsafe or Illegal Signs by City. If the City's **building inspector Code Enforcement Officer** shall find that any sign or sign structure regulated herein is unsafe or insecure or has been constructed or erected or is being maintained in violation of the provisions of this chapter or of the building code of this City, he shall give written notice to the sign permit holder or, if there is no sign permit holder, to owner of the site. If the sign permit holder or the owner of the site fails to remove or alter the sign or sign structure so as to comply with the provision of this chapter or the building code within thirty (30) days after such notice, such sign or sign structure is declared a nuisance and may be removed or altered to comply by the City at the expense of the sign permit holder or the site owner. (Ord. 367-87 § 505, 1987)

15.16

ARTICLE VI DARK SKY

15.16.270 Outdoor Lighting

A. Purpose. The purpose of this provision is to make outdoor lighting used for residential, commercial and public areas appropriate to the need, and to minimize light from shining skyward or offsite onto adjacent public rights of way or private properties. Nothing in this ordinance should be interpreted to restrict the amount of lighting necessary for safe and efficient operations. Further, it is to encourage through regulation of type, kinds, construction and uses of outdoor illumination devices, lighting practices and systems to conserve energy without decreasing safety, utility, security and productivity while enhancing nighttime (dark skies) enjoyment of property within the city of Port Orford.

B. Definitions. The "IES" (Illuminating Engineering Society of North America) Lighting Handbook, most recent edition and the City of Port Orford Development Code and Building Code shall be used for the definition of terms used in this Ordinance but not defined herein. In the case where a definition of a term is found to be in conflict with a definition or term in any other ordinance, "IES" Handbook or regulation, the more restrictive definition will apply.

Capped. "Capped" applies to residential porch lights of 60 watts or less or the incandescent equivalent and means the fixture has a cover over the top but doesn't mean the entire horizontal portion of the lamp or bulb must be covered.

Full Cutoff. "Full Cutoff" means a light fixture designed and constructed so that light is directed down and no light is projected above the horizontal plane.

Fixture. "Fixture" means the assembly that holds the lamp or bulb in a lighting system.

Glare. “Glare” means stray unshielded light striking the eye that may result in (a) nuisance or annoyance such as light shining into a window; (b) discomfort causing squinting of the eyes; (c) disabling vision by reducing the ability of the eyes to see into shadows; (d) reduction of visual performance.

Installed. “Installed” means initial installation of outdoor lighting fixtures, poles, electrical wiring and related mounting equipment following the effective date of this Ordinance. Projects with approved construction plans prior to the effective date of this Ordinance are excluded from compliance with the ordinance in the initial installation only.

Lamp or bulb. “Lamp or bulb” means the light producing source installed in the socket portion of a fixture.

Recessed. “Recessed” means When a light is built into a structure or portion of a structure such that the light is fully cut off and no part of the lamp or bulb extends or protrudes beyond the underside of a structure or portion of a structure.

Replacement. “Replacement” means the installation of a new lighting fixture in place of an existing fixture, and/or the installation of a new lighting housing or head to an existing pole, bracket, wall, tree or other structure. Replacement does NOT mean the changing of light bulbs or lamps in a fixture for the same or lower wattage bulbs.

Safety/security. “Safety/Security” means (a) sufficient lighting at building entrances, exits, walkways and parking areas to allow customers and employees to see any physical barriers and to be seen at all times as they access to vehicles and sidewalks, and (b) the use of full cutoff light fixtures above doors, loading areas, building access points and safety areas.

Shielding. “Shielding” means an externally applied device such as a shroud or hood of metal, wood, opaque plastic or opaque glass

so that light emitted by the fixture is directed downward below the horizontal plane onto the site and does not shine direct illumination skyward or onto adjacent or nearby property.

Unshielded. “Unshielded” means light fixtures lacking any means to restrict the emitted light to below the horizontal plane or to shine or glare skyward or onto adjacent or nearby property.

Uplighted. “Uplighted” means a shielded light fixture usually installed on the ground or permanently mounted to an architectural element, tree or other structure that has the light from the fixture directed in a contained distribution pattern above the horizontal plane to illuminate an adjacent or nearby building element, sign, shrub, tree or other landscaping.

C. Submittals. All applications for building permits or land use planning review which include installation of outdoor lighting fixtures shall comply with the provisions of this Ordinance. The Planning Director and/or the City Administrator shall have the authority to request additional information in order to achieve the purposes of this Ordinance. The applicant shall, by signing the permit application, agree to comply with the provisions of this Ordinance, a copy of which shall be provided with the application packet.

D. Requirements for Installation. Except as exempted by provision of this Ordinance, as of the effective date of this Ordinance, the installation of outdoor lighting fixtures shall be subject to the provisions of this ordinance.

E. Shielding. All nonexempt lighting fixtures subject to this Ordinance shall be designed as a full cutoff fixture or have a shielding or recessed method to direct light emissions down onto the site and minimize

illumination or glare onto adjacent properties or skyward.

1. Any and all franchised or leased mercury vapor style security lights serviced by Coos Curry Electric Cooperative Inc., or privately operated in the public, private, or commercial sectors, inside the city limits of Port Orford must be retro-fitted with skycaps or replaced with a full cutoff fixture, or decommissioned within 18 months after the effective date of this Ordinance.

2. All externally lit commercial signs should shine from the top and point down toward the ground. Signs with uplighting must be shielded so that illumination or glare onto adjacent properties or skyward is minimized.

3. All outdoor fixtures, except porch lights, using lights of more than 60 watts, (or the incandescent equivalent of 60 watts) such as but not limited to, entrance lights, walkway lights and driveway lights must be shielded, recessed, capped or under a canopy.

4. Porch lights installed adjacent to entry doors are encouraged to use as low wattage as possible to accomplish the purpose of the light.

F. Commercial Business Lighting. Nothing in this ordinance should be interpreted to restrict lighting necessary to conduct business in a safe and efficient manner. Businesses are encouraged to turn off parking lot lights, building lights, signs, landscaping lights and other similar exterior lighting features, except for lights necessary for personal and building safety during the hours that the business is closed.

G. Prohibitions.

1. Laser Light Source. The use of laser source light or any similar high intensity light for outdoor advertising or entertainment is prohibited.

2. Searchlights. The use of searchlights for purposes other than public safety or emergencies is prohibited.

3. Blinking & Flashing Lights. All blinking and flashing lights except for traffic control fixtures, public safety or emergencies are prohibited.

H. EXEMPTIONS.

1. Nonconformance:

a. Outdoor light fixtures, except Mercury Vapor lights, lawfully installed prior to and operable on the effective date of the requirements codified in this Ordinance are exempt from such requirements **except as follows:**

b. Strings of decorative lights less than 15 watts (or the incandescent equivalent of 15 watts) per individual bulb are exempt from the requirements of this Ordinance.

e. Carnivals, fairs and temporary events that require the use of outdoor lighting require a city permit. Permanent installations at dedicated sites must conform to the requirements of this Ordinance.

d. Lighting for a properly displayed U.S. flag is exempt.

e. Temporary exemptions as granted by the City of Port Orford.

f. Construction lighting necessary for an allowed use is exempt except that permanent installations at dedicated sites must conform to the requirements of this

~~Ordinance.~~

I. ~~Enforcement, Abatement & Penalties.~~
Lighting disputes should be settled between the parties whenever possible. Education and voluntary compliance are encouraged. As a last resort, non-conformance with this Ordinance will be enforced according to the Port Orford Municipal Code Chapter 8.04, Nuisance. (Ord.2010-01 Amend. Ord. 367-87 § VI, 2010)

—