



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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Salem, Oregon 97301-2524

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Web Address: <http://www.oregon.gov/LCD>

## NOTICE OF ADOPTED AMENDMENT

September 1, 2006

TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of West Linn Plan Amendment  
DLCD File Number 010-05



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: September 19, 2006**

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Stacy Hopkins, DLCD Regional Representative  
Peter Spir, City of West Linn

<paa> ya/



# FORM 2

## DLCD NOTICE OF ADOPTION DEPT OF

This form must be mailed to DLCD within 5 working days after the final decision  
per ORS 197.610, OAR Chapter 660 - Division 18

AUG 30 2006

(See reverse side for submittal requirements)

LAND CONSERVATION  
AND DEVELOPMENT

Jurisdiction: CITY OF WEST LINN Local File No.: MIX-05-39  
(If no number, use none)

Date of Adoption: 8-17-06 Date Mailed: 8-29-06  
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: NOV 22 2005

Comprehensive Plan Text Amendment  Comprehensive Plan Map Amendment

Land Use Regulation Amendment  Zoning Map Amendment

New Land Use Regulation  Other: \_\_\_\_\_

(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write ASee Attached.≡

AMEND SIGN CODE SO IT IS CONTENT  
NEUTRAL

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write ASame.≡ If you did not give notice for the proposed amendment, write AN/A.≡

SAME

Plan Map Changed from: --- to \_\_\_\_\_

Zone Map Changed from: --- to \_\_\_\_\_

Location: --- Acres Involved: \_\_\_\_\_

Specify Density: Previous: --- New: \_\_\_\_\_

Applicable Statewide Planning Goals: NONE

Was an Exception Adopted? Yes: \_\_\_\_\_ No: X

DLCD File No.: 010-05(14830)

Did the Department of Land Conservation and Development receive a notice of Proposed Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes:  No:   
 If no, do the Statewide Planning Goals apply. Yes:  No:   
 If no, did The Emergency Circumstances Require immediate adoption. Yes:  No:   
 Affected State or Federal Agencies, Local Governments or Special Districts: NONE

Local Contact: PETER SPIR Area Code + Phone Number: 503-656-4211  
 Address: 22500 SALAMO ROAD City: WEST LINN, OR  
 Zip Code+4: 97068 Email Address: PSPIR@CI.WEST-LINN.OR.US

## ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
 per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:  

**ATTENTION: PLAN AMENDMENT SPECIALIST**  
**DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT**  
**635 CAPITOL STREET NE, SUITE 150**  
**SALEM, OREGON 97301-2540**
2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the ANotice of Adoption≅ is sent to DLCD.
6. In addition to sending the ANotice of Adoption≅ to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only ; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to [Larry.French@state.or.us](mailto:Larry.French@state.or.us) - **ATTENTION: PLAN AMENDMENT SPECIALIST.**

**ORDINANCE NO. 1539  
WEST LINN, OREGON**

**AN ORDINANCE AMENDING THE WEST LINN COMMUNITY DEVELOPMENT CODE  
TO ESTABLISH THE SIGN CODE AS CONTENT NEUTRAL**

**WHEREAS**, the First Amendment of the U.S. Constitution states that no law shall be made abridging the freedom of speech; and,

**WHEREAS**, to ensure that freedom of speech is not abridged, it is required that the city's sign permitting process be considered content neutral in that the code not distinguish or discriminate between signs based on the content or text of the signs; and,

**WHEREAS**, the City became aware that the current sign code, contained in chapter 52 of the Community Development Code, does distinguish or discriminate between signs based on the content or text of the signs and is therefore not content neutral; and,

**WHEREAS**, the City Attorney's office proposed changes to CDC Chapter 52: Signs to achieve content neutrality; and,

**WHEREAS**, the City provided notice pursuant to CDC Chapter 99; and,

**WHEREAS**, the West Linn Planning Commission conducted a public hearing on May 11, 2006 and recommended that the amendments be adopted by the City Council and incorporated into the West Linn Community Development Code; and,

**WHEREAS**, the City Council held a public hearing on July 24, 2006 and hereby adopts the findings of fact and conclusions in the record justifying its decision,

**NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AMENDMENTS TO THE WEST LINN COMMUNITY DEVELOPMENT CODE AS FOLLOWS** (additions are underlined and in bold, deletions are struck out):

PASSED AND APPROVED THIS 14<sup>th</sup> DAY OF AUGUST 2006.

Norman B. King 8-17-2006  
NORMAN B. KING, MAYOR

ATTEST:

Nancy R. Davis  
Witness

APPROVED AS TO FORM:

Smith W. King  
City Attorney

# PROPOSED CONTENT NEUTRAL SIGN CODE

May 11, 2006

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**52.000 SIGNS**

**52.010 PURPOSE**

The purpose of this chapter is to maintain or improve the aesthetic quality of the City's residential and business environment; to prevent the proliferation of signs and sign clutter; to minimize adverse visual safety factors to travelers on public roadways and private areas open to public vehicular travel; to provide for safe construction, location, erection and maintenance of signs; and to improve the effectiveness of signs in identifying and advertising businesses, all by classifying and regulating signs. (ORD. 1276)

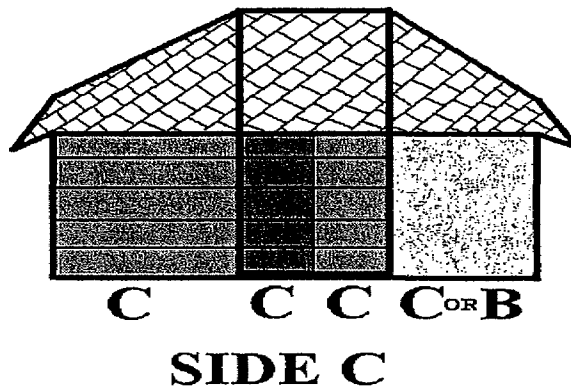
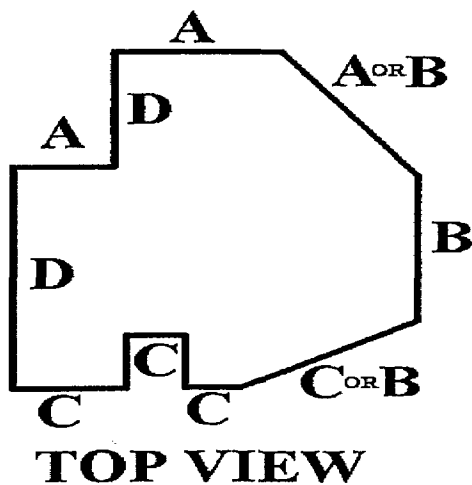
**52.020 DEFINITIONS**

For the purposes of this Code, the terms or phrases listed below are to be interpreted as follows:

**Attached sign.** A sign which is mounted to the walls of a building and may either be flat against or projecting from the wall.

**Billboard sign.** A freestanding sign in excess of the maximum size allowed for freestanding signs. (ORD 1514)

**Building face.** The area of a single side of a structure used for computing allowable signage for that structure. More specifically, the building face is the height from grade to the roof eaves multiplied by the width of all walls facing the same direction on a single side of a structure. See illustration below.



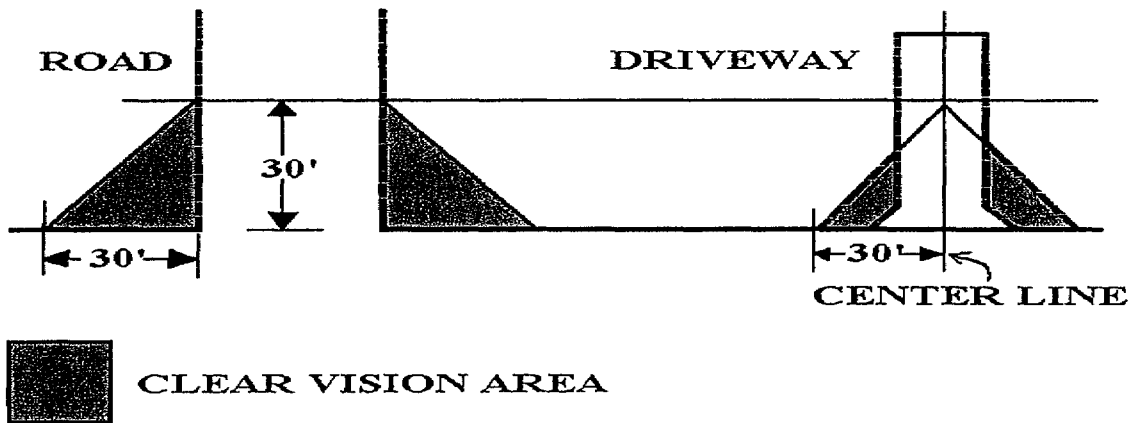
Note: For angled walls, walls cannot be double counted. In other words, to calculate the building face of side "C," you would add  $C+C+(C \text{ or } B)$ , while side "B" would then consist of  $B+(A \text{ or } B)$  only. (ORD. 1378)

**Business.** A commercial, office, or industrial development of one or more buildings on one or more tax lots in which there may be shared facilities such as parking, pedestrian mall, or common ownership of real property upon which the development is located. (ORD. 1276)

**Business center.** A commercial or industrial area planned and built as a unit containing two or more commercial or industrial establishments on a fully developed site of four acres or more in size, associated by common agreement or under common ownership which comprise a single commercial or industrial unit with common parking, limited access, and a minimum frontage of 200 lineal feet. A large independent store or business on a fully developed site greater than 10 acres in size may also be considered as a shopping center for the purpose of outdoor advertising.

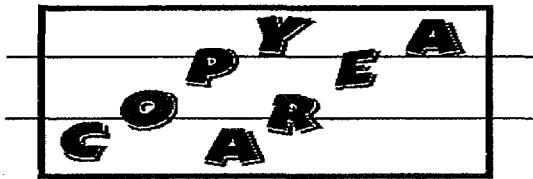
**City sign.** Signs which are erected and maintained by the City. This shall include temporary signs which are specifically approved by the City for placement in the public right-of-way in accordance with a resolution adopted pursuant to Section 52.109(D). (ORD. 1385)

**Clear vision area.** An area of unobstructed visibility which must be maintained for corner lots and driveways as specified in Section 42.050 of this Code. See illustration below.





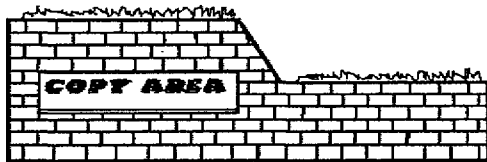
**Copy area.** The smallest rectangular area which encompasses a business logogram or message. This is used to compute the sign area for, among others, channelized letter signs. The copy area for backlit awning signs shall consist of the area which is illuminated. Depending on the emphasis of the sign structure, the materials on which the sign are placed may be included in the copy area calculations. See illustration below.



**CHANNELIZED SIGN**



**ILLUMINATED PORTION OF AWNING**



**SUBDIVISION MONUMENT**



**SUBDIVISION SIGN**

~~**Garage sale.** A sale not more than three times each calendar year and not lasting longer than three consecutive days held in a residence or combination of residences for the purposes of selling used or handcrafted items generated from the residence(s) participating in the sale. A City of West Linn business license is required for those people who conduct garage or estate sales as a service to the occupants residing at the location of the sale. Card trading sales, sample sales, and seasonal craft bazaars are not considered as garage sales as they are only permissible in commercial zones and only with a Temporary Use permit, subject to conditions.~~

**Grade.** For the purpose of establishing the height of freestanding signs, the centerline of the nearest street shall be considered grade. The height of all signs mounted on a building shall be measured from the same point considered to be the grade of the building.

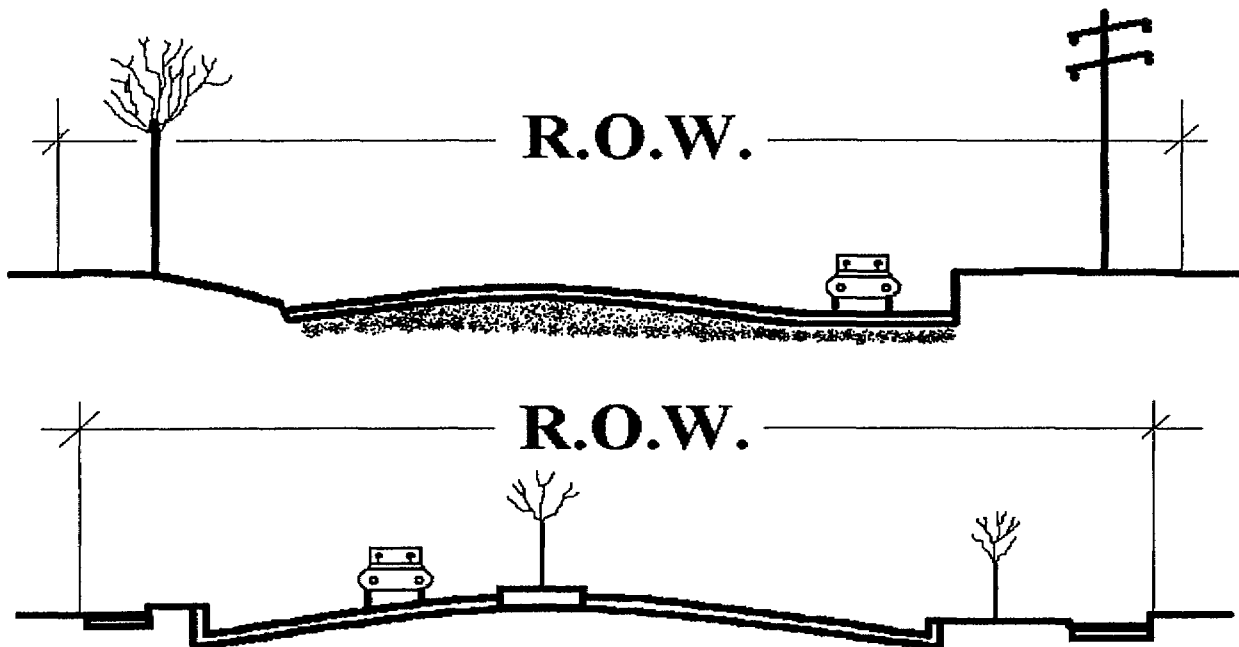
**Incombustible material.** Flame resistant material as defined in the Uniform Building Code, Chapter 43, Fire-Resistive Standards.

**Maintain.** To permit a sign, sign structure, or part thereof to continue; or to repair or refurbish a sign, sign structure, or part thereof.

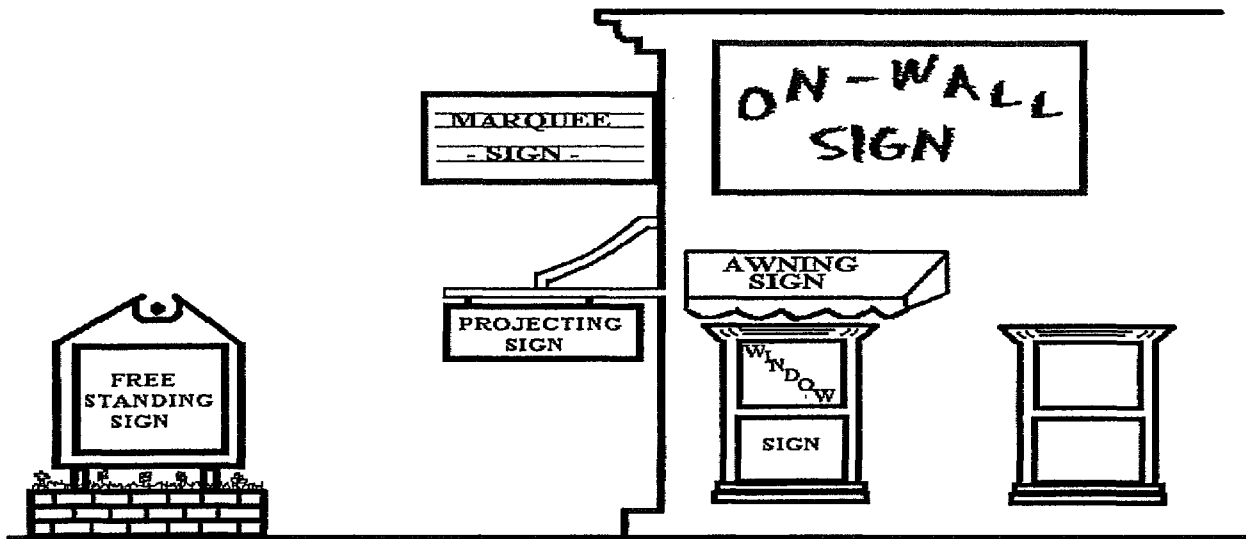
**Non-conforming building.** Any building lawfully constructed prior to the effective date of the Community Development Code, or any subsequent amendment thereto, but which does not conform to current setbacks, height, or structural restrictions of the Code or is so designed that conforming uses cannot adequately use it.

**Non-conforming use.** Any building lawfully constructed prior to the effective date of the Community Development Code codified in this chapter or subsequent amendment thereto, which does not conform to the regulations for the district in which it is located.

**Public Right-of-Way (ROW).** The dedicated area between lots where streets, pedestrian ways, or bicycle paths are typically located. The right-of-way shall include the areas such as the center median, the area between the street and the sidewalk, parking strips, and unimproved areas adjacent to highways. See illustration below.



**Sign.** Any description, words, numbers, or illustration, which is affixed directly or indirectly upon a building, vehicle, structure, or land, which directs attention to a product, place, activity, person, institution, or business, and which is visible from any public street, waterway, alley, or private area open to public vehicular travel. National flags and flags of political subdivisions shall not be construed as signs. See illustration below. (ORD. 1377)



**Sign, A-frame.** A temporary, freestanding, and portable form of advertising, also known as a sandwich board. A-frames may be placed within 10 feet of the structure containing the business being promoted and are subject to the same time limits as other temporary signs. (ORD. 1378)

**Sign, attached.** A sign which is mounted to the walls of a building and may either be flat against or projecting from the wall.

**Projecting sign.** A double-faced sign which projects more than 18 inches from the building wall to which it is attached.

**Wall sign (flat).** A sign which is painted or which is attached so its surface is parallel with the mounting wall and is readable from one side only.

**Sign, awning.** ~~A business logogram or message~~ **A sign** painted, stamped, perforated, stitched, or otherwise applied on the valance of an awning.

**Sign base.** The structure beneath a freestanding sign which houses the upright supports for that sign.

**Sign, changeable copy.** A sign designed such that the copy can be readily altered as described below:

**Changeable copy sign (manual).** A sign on which copy is changed manually in the field; e.g., readerboards with changeable letters.

**Changeable copy sign (automatic).** A sign on which the copy changes automatically on a lampbank or through mechanical means; e.g., electronic or electrical time and temperature units.

**Sign, electric.** Any sign containing electrical wiring but does not include sign illuminated by an exterior floodlight source.

**Sign, entryway.** A free-standing sign placed at the ~~edge of a parking lot which gives the name and logogram of the business located at that site.~~ Maximum height of this sign is **entry to a commercial or industrial property that does not exceed** 30 inches **in height** above grade and shall **does** not obstruct vision of motorists at driveway or street intersections.

**Sign face or faceplate.** The material on which a design, message, or logogram is printed or otherwise affixed. "Faceplate change" includes any change to an existing sign display.

**Double-faced signs.** Signs which have only two ~~advertising~~ **sign** surfaces back-to-back. Allowable sign square footage applies to only one side of double-faced signs. (ORD. 1248)

**Single-face signs.** Signs which have one advertising surface and only one side is visible to public right-of-way or private areas open to public vehicular travel, though not always placed flat against the surface of a wall.

**Sign, freeway-oriented.** A sign primarily designed to be read by a motorist traveling on a highway designated by the Oregon State Highway Department as a

freeway or expressway; specifically, this shall be Interstate 205 and shall not include Highway 43. (ORD. 1276)

**Sign, freestanding.** A sign which is ground supported only and has no support other than one or more columns placed on a foundation designed to withstand the maximum "moment" developed by the sign in high wind without lateral bracing or support. Right-of-way setback distance to free-standing signs is measured to the closest part of the sign and/or support structures to the right-of-way.

(ORD. 1248)

**Sign, illuminated.** A sign which uses a light source to make recognizable its message or image in darkness. This definition shall include internally and externally lighted signs as well as reflectorized, glowing, or radiating signs.

**Sign, marquee.** Any sign affixed to or constructed in a permanent roofed structure projecting over a pedestrian or vehicular travel way from the side of a building.

~~**Sign, name plate.** A sign that contains a resident or business name and/or address.~~

**Sign, Non-conforming.** Any sign lawfully installed prior to the effective date of this Code, or any subsequent amendment thereto, which does not meet the current applicable standards for compliance.

~~**Sign, off-premise.** A sign placed at a location other than on the lot or property where the business or event being advertised or otherwise promoted is located.~~

~~**Sign, on-premise.** A sign which carries only advertisements strictly incidental to a lawful use of the premises on which it is located.~~

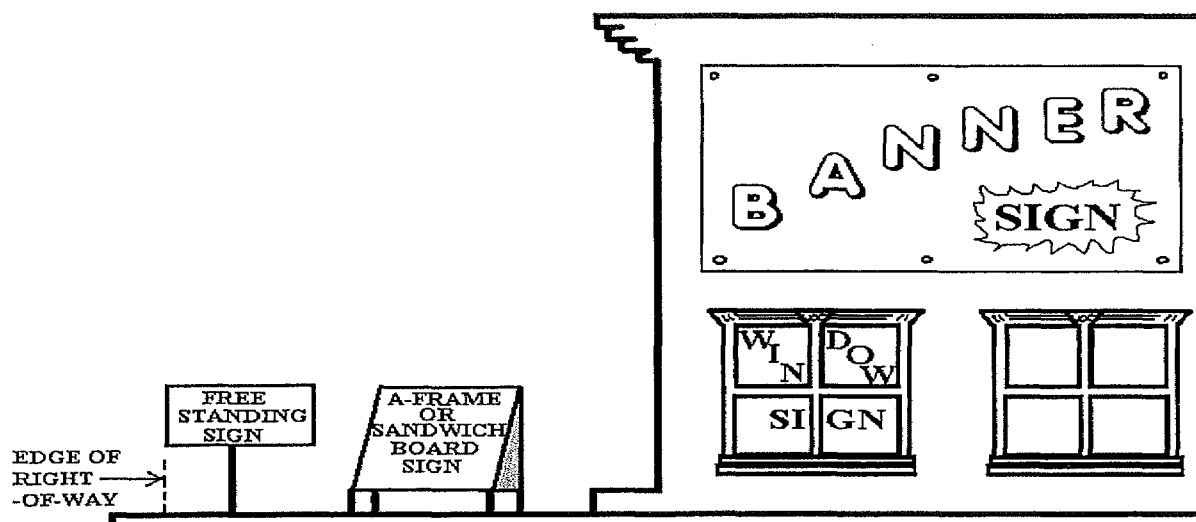
**Sign, permanent.** A sign constructed of durable materials such as wood, plastic, or metal which can withstand the deteriorating effects of weathering (tearing, cracking, peeling, warping, e.g.) for a period of not less than six years. See illustration for "Sign."

**Sign, roof.** A sign erected upon or above a roof or parapet wall of a building and which is wholly or partially supported by said building.

**Sign structure.** The supports, braces, and framework of the sign.

**Sign, subdivision monument.** The entryway treatment for subdivisions typically includes the name of the subdivision. This is referred to as the subdivision monument. These monuments are subject to separate design review, but must still adhere to the standards of this sign code. **A sign at the entry to a subdivision on land owned by the homeowners association or the developer.**

**Sign, temporary.** Any sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard, or other light materials, with or without frames, intended to be displayed for a limited period of time. See illustration below.



**Total sign area.** The accumulated amount of signage from several locations. Total allowable sign area may normally be divided among two or more signs.

## 52.101

### PROCEDURES AND APPROVAL PROCESS

- A. A sign exempt from City approval does not require application with the City but shall conform to all other applicable provisions of this Chapter.
- B. A sign subject to City approval is a sign for which approval will be granted by the Planning Director provided all conditions are satisfied; and,
  - 1. The Planning Director shall make the decision in the manner provided by Section 99.060.
  - 2. The decision may be appealed to the City Council as prescribed by Section 99.240(A). (ORD. 1474)

- C. The following Code provisions may be applicable in certain situations:
  - 1. Chapter 42, Clear Vision Area.
  - 2. Chapter 75, Variance.

**52.102 TIME LIMIT ON SIGN APPROVAL**

- A. Approval of a sign by the Planning Director shall be void after 90 days if:
  - 1. The sign has not been installed within that 90-day period; or,
  - 2. The sign is a departure from the approval plan.
- B. The Planning Director shall, upon written request by the applicant, grant an extension of the approval period not to exceed 30 days provided that:
  - 1. No changes are made on the original sign as approved by the Director.
  - 2. The applicant can show intent of initiating placement of the sign on the site within the 30-day extension period.
  - 3. There have been no changes in the applicable policies and ordinance provisions on which the approval was based.

**52.103 PERMIT**

- A. No sign shall be erected, structurally altered, relocated, or replaced, except for maintenance of signs that conform with this chapter, without first obtaining a permit from the Planning and Development Department, paying the requisite fee, and otherwise complying with all applicable provisions of this chapter, unless a provision of this chapter specifically exempts a sign from the permit requirement.
- B. A copy of each sign permit, including the permit number, shall be kept by the Planning Director, business owner, person contracting for the erection of the sign, and by the sign company.

**52.104 THE APPLICATION**

- A. **Permanent Sign Permits**
  - 1. An application for a permanent sign permit shall be initiated by the property owner or the owner's authorized agent.

2. A pre-application conference shall be a prerequisite to the filing of an application.
3. An application for a sign permit shall be made on a form prescribed by the Planning Director and shall be filed with the Planning and Development Department. The application shall include three copies of a sketch drawn to scale indicating the following:
  - a. Name, address, and telephone number of the applicant.
  - b. Location by street number and legal description of the building, structure or lot to which or upon which the sign is to be installed or affixed.
  - c. A drawing approximately to scale showing design of the sign including dimensions, height, sign area, ~~sign title, letter size, color,~~ materials, method of attachment, source of illumination, and showing the relationship to any building or structure to which it is or is proposed to be installed or affixed or to which it relates. **For purposes of this section, "design" does not include text or copy, but an applicant may provide information concerning color, size and style of lettering.**
  - d. A site plan drawn to scale indicating the location of the sign relative to property lines, structures, other signs on premises, streets and sidewalks; and the location of any structures, and free-standing signs on abutting properties.
4. The applicant shall pay the required fee. When a sign is erected or placed prior to approval of a required sign permit, the sign permit application fee shall be doubled. Payment of the double fee shall not relieve an applicant from fully complying with the requirements of this ordinance or from any penalties prescribed herein.



(ORD. 1276)

5. After the applicant has installed his or her sign, he or she shall inform the Planning and Development Department of the sign's completed installation.

**B. Temporary Sign Permits**

An application for a temporary sign shall require a deposit set by resolution. The deposit shall be fully refunded to the applicant if the signs are removed within three days of the date specified in the application. The deposit shall be forfeited to the City if the signs are not so removed, and the temporary sign shall be subject to impoundment. (ORD. 1378)

**52.105 BUSINESS LICENSE**

Any person or firm in business of hanging, re-hanging, placing, constructing, installing, structurally altering, relocating, or painting any on-premise signs, except those signs which do not require permits, shall have obtained a City of West Linn business license.

**52.106 SIGN IDENTIFICATION**

Each electrical sign shall have affixed to the sign the name of the sign fabricator or installer and the electrical power consumption stated in volts and amperes. Such information shall be in sufficient size and contrast to be readable upon close inspection.

Upon final approval of any temporary sign permit application, the City will issue an approval decal to be affixed to the sign. This decal shall be affixed in any corner of the approved sign and shall not be transferrable to unapproved signs.

(ORD. 1378)

**52.107 MAINTENANCE AND SAFETY**

A. Each electrical sign shall be constructed to meet the requirements of the State Electrical Code.

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

condition, free from rust, corrosion, peeling paint, or other surface deterioration.

- C. No sign shall be erected or maintained in such a manner that any portion of its surface or its supports will interfere in any way with the free use or access to any fire escape, exit, or standpipe. No sign shall be erected or maintained so as to obstruct any window so that light or ventilation is reduced below minimum standards required by any applicable law or building code.
- D. The Building Official may order the removal of any sign erected or maintained in violation of this Chapter. The Building Official shall give written notice, sent by certified mail, to the owner of the sign, or if the sign owner cannot be located, to the property owner. If the sign has not been removed or corrected within a 30-day period, the Building Official may requisition the removal of the sign and the charge for removal shall become a lien on the property. If the Building Official finds that any sign is in violation of this section to the extent that he deems it an immediate and serious danger to the public, he may order its immediate removal.
- ~~E. Upon discontinuance in business or occupancy of any establishment, the Building Official may require the removal of the on-premise signs advertising or identifying the establishment according to the procedure in paragraph "D" above.~~

52.108

#### NON-CONFORMING SIGNS

- A. An existing sign shall be brought into conformance with this Chapter ~~upon~~ ~~substantial change in the nature of the business or~~ if a change is made in design of the sign frame or supporting structure. A change in plastic face plate of a non-conforming sign will not require replacement of the total sign, but the new sign face shall conform as fully as possible to the standards of this ordinance. ~~Examples of substantial changes in the nature of the business are: change from professional office such as a doctor,~~

~~attorney, or accountant to a retail outlet; or, a change from retail outlet to a service business such as a plumbing or auto repair shop.~~

- B. Any sign which is structurally altered, relocated, or replaced shall immediately be brought into compliance with all the provisions of this chapter, except the signs that are temporarily removed to allow remodeling of the premises and shall be allowed to be relocated upon the completion of remodeling.

**52.109 EXEMPTIONS**

- A. Signs placed inside windows are exempt from the provisions of this chapter. (ORD. 1276)
- B. Signs in the Willamette Falls Drive Commercial Overlay Zone, as defined in Chapter 58 of this Code, shall be reviewed and approved subject to the criteria found in Section 58.090(C)(25) of that chapter. However the dimensional standards for signs in the Willamette Falls Drive Commercial Overlay Zone shall be based on the table in section 52.300. (ORD 1514)
- C. Parking lot signs. Signs up to three square feet in area ~~and placed at a height with a maximum height no greater than five feet above grade or in accordance with the provisions of Section 42.050, which are located in a parking lot for the purpose of directing parking and traffic,~~ **and directed to the interior of a parking lot and not to a right of way** shall not require a sign permit.  
(ORD. 1378)
- D. City signs are exempt from the provisions of this chapter. ~~Standards for City signs shall be adopted by resolution of the City Council.~~  
(ORD. 1385)

**52.110 VARIANCES**

- A. Sign height and sign area variances shall be a Class II variance, and shall be reviewed pursuant to the provisions of Chapter 75 and Section 52.110(C).

- B. All other sign variances shall be treated as Class I variance, and shall be reviewed pursuant to the provisions of Sections 75.050 and 55.110(c).
- C. The granting authority may grant a variance from the requirements of this Chapter if it is established that:
  - 1. The architectural design of a building, the location of a building site or location of building thereon, or some other circumstance relating to the sign proposal, is unusual or unique and that, because of this, a hardship will be created in that the applicant will be denied an opportunity to identify their business or location relatively equal to the opportunity accorded other members of the community not burdened with such unusual or unique architectural design, building site, or other circumstance.
  - 2. The design is consistent with the request and will not be injurious to the neighborhood in which the property is located or to property established to be affected by the request; and,
  - 3. The request is the minimum variance necessary to provide reasonable signage for the property affected. (ORD. 1276)

**52.200**

**~~APPROVAL STANDARDS~~**

- ~~A. The Planning Director shall make findings with respect to the following criteria when approving, approving with conditions, or denying an application:
  - 1. ~~The following prohibitions shall apply:
    - a. ~~Located in the right of way. Signs shall not be located in or extended upon the public right of way (which includes the area where power poles and street signs are located) except traffic control signs and devices, or City Signs, as authorized under Section 52.109. Please see Section 52.310 for special locational rules regarding the erection of temporary signs adjacent to city street rights of way. Signs (permanent or temporary) are prohibited within state~~~~~~

~~highway rights of way unless authorized by the Oregon Department of Transportation. (ORD. 1506)~~

- ~~b. Off premise advertising. Signs that advertise an activity, business product, or service not conducted or sold on the premises upon which the sign is located are prohibited, except as specifically authorized in this chapter.~~
- ~~c. Flush or double face. All signs, except when flush against a building wall or viewed from only a single direction, shall be double face construction.~~
- ~~d. Portable signs. Signs that are mobile or portable are prohibited, except as may be specifically authorized in this chapter.~~
- ~~e. Signs on roof or above eaves. Signs that are mounted upon roofs or project above eaves or parapet walls of the building, are prohibited.~~
- ~~f. Obscene. Signs that contain statements, words, or pictures of an obscene, indecent, or immoral character, such as will offend public morals or decency, are prohibited.~~
- ~~g. Imitate official signs. Signs that contain, or are an imitation of, an official traffic sign or signal, or contain the words "stop," "go slow," "caution," "danger," "warning," or similar words, are prohibited.~~
- ~~h. Obstruct passage. Signs so located or mounted in such a manner or location that they may obstruct emergency egress from a building or may obstruct or substantially limit passageway to or through any exit hallway, corridor, door, or window, in case of fire or other emergency, are prohibited.~~
- ~~i. Emit noise. Signs that emit music, talk, or other sound including public address announcements, the use of which~~

~~may startle a motorist or otherwise distract them from the business of safely controlling their vehicle, are prohibited.~~

~~j. Moving devices. Signs that contain or consist of banners, posters, pennants, ribbons, streamers, balloons, strings of light bulbs, spinners, or other similarly moving devices, are prohibited. Limited exceptions may be made by the Planning Director under the temporary promotional sign permit.~~

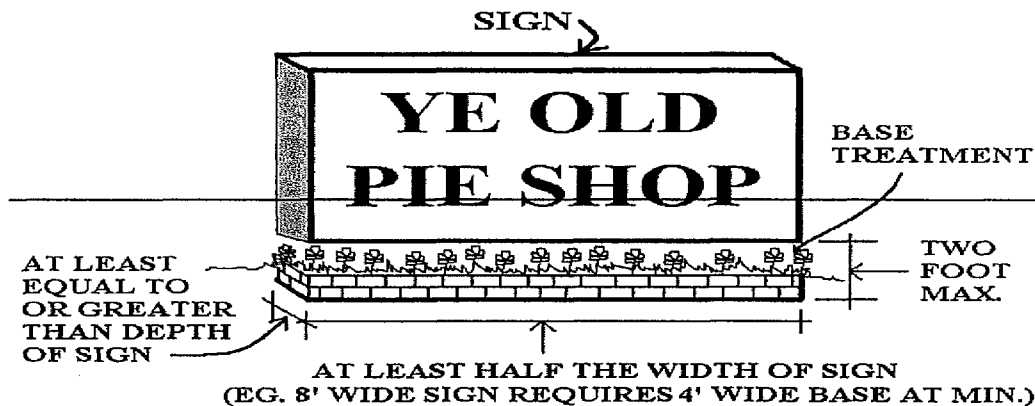
~~k. Movement. Signs that have blinking, flashing, fluttering lights, reflectors, or other illuminating devices which have a changing light intensity, brightness, or color are prohibited. Beacon lights are not permitted. Electronic changeable copy signs are permitted. Electronic changeable copy signs may be permitted subject to the Planning Director finding that the following approval criteria is satisfied:~~

- ~~1) The design and placement of the sign shall consider and minimize any possible adverse impacts to vehicular and pedestrian safety.~~
- ~~2) The sign shall meet all other pertinent dimensional design requirements of this chapter.~~
- ~~3) The Planning Director may impose restrictions on the frequency of message change, the hours of operation, and the methods in which the message changes from one message to another (e.g., one message per day, no moving or scrolling letters, etc.) to maximize safety and reduce impacts to the visual environment.~~
- ~~4) Signs in excess of 24 feet shall be subject to conditional use process. (ORD. 1378)~~

1. ~~Billboard signs are prohibited. (ORD 1514)~~
2. ~~Relationship to roadway and traffic safety:~~
  - a. ~~The scale of the sign, letter size, amount of legend, and design is appropriate for roadway and/or walking visibility.~~
  - b. ~~The size, location, content, coloring, or manner of illumination shall not create a traffic hazard or be confused with or construed as a traffic control device or which hide from view any traffic or street sign or signal.~~
  - c. ~~The location satisfies the requirements of Chapter 42, Clear Vision Area.~~
  - d. ~~The minimum clearance of 15 feet above vehicular driveways and 8 feet above pedestrian walkways is maintained.~~
3. ~~Compatibility between adjoining uses:~~
  - a. ~~Signs shall be designed to be compatible with other nearby signs, other elements of street and site furniture, and with adjacent structures. Compatibility shall be determined by the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size, and the size and style of lettering. (ORD. 1276)~~
  - b. ~~The light from any illuminated sign is shaded, shielded, directed, or reduced so that the light intensity or brightness is minimized. Installation of transformers in the power line of a sign, or some other remedy may be required to reduce the light intensity on an existing or new sign. (ORD. 1276)~~
4. ~~Relationship to the natural and physical environment:~~
  - a. ~~Any sign shall be located as to preserve the existing trees, topography, and natural drainage, to the degree possible.~~

b. All permanent signs shall be landscaped or installed on a wood, stone, or other base structure that meets the following standards:

- 1) Signs shall be installed on a base treatment with a maximum height of two feet, a width of at least one half as wide as the sign face and a depth equal to or greater than the width of the sign.
- 2) In the event a sign is erected on a multiple pole or piling structure, the base treatment required herein shall be apportioned among each of the upright members.
- 3) All base treatments shall be landscaped with low maintenance plants and/or constructed of stone, masonry, or wood treated against water damage and insect assault. See illustration below. (ORD. 1276)



e. Signs shall be of a comparable scale with the existing structure(s) on site and on adjoining sites, and shall have comparable architectural features with the structures on the site and on adjoining sites. This does not require the same architectural styles. (ORD. 1276)

d. Changeable copy signs (manual) shall be designed to minimize the opportunity for unauthorized personnel to change the copy.



5. All permanent signs shall meet the dimensional standards of CDC Section 52.300. All temporary signs shall meet the dimensional standards of CDC Section 52.310 unless waived by variance. (ORD 1513)

**CDC 52.200            PROHIBITED SIGNS**

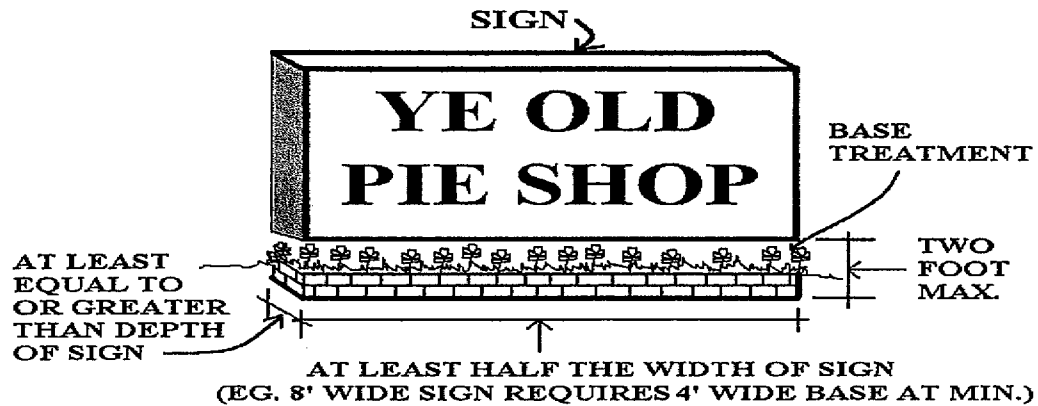
**The following signs are prohibited:**

- A. Signs in right-of-way. Signs shall not be located in or extended onto public rights of way. Traffic control signs and devices installed by the governmental entity responsible for the right-of-way and City signs are exempt from this prohibition.
- B. Mobile or portable signs. Mobile or portable signs are prohibited, except as specifically authorized by this chapter.
- C. Signs on roofs or above eaves. Signs mounted on roofs or that project above eaves or parapet walls of a building are prohibited.
- D. Traffic safety risks. Signs that imitate an official traffic sign or signal are prohibited in locations where they create a risk that they may be perceived as actual traffic signs or signals.
- E. Signs that obstruct passage. Signs may not be placed in locations where they may obstruct or substantially limit emergency egress from a building or may obstruct or substantially limit passage to or through any exit, door or window that may be used in case of fire or emergency.
- F. Noise-emitting signs. Signs that emit sounds audible from within a vehicle are prohibited as traffic safety risks.
- G. Moving devices. Signs that contain or consist of banners, posters, pennants, ribbons, streamers, balloons, strings of light bulbs, spinners or other similar moving devices, are prohibited, except as specifically permitted on temporary signs.
- H. Signs with movement.. Signs that have blinking, flashing, or fluttering lights, reflectors, or other illuminating devices that have a changing light intensity, brightness, or color, other than permitted electronic changeable copy signs, are prohibited.
- I. Beacon lights. Beacon lights are prohibited.

**52.210 APPROVAL STANDARDS**

**All signs shall meet the following standards:**

- A. **The scale of the sign and its components shall be appropriate for its location and consistent with the applicable design standards.**
- B. **The size, location, or manner of illumination shall not create a traffic hazard and shall not hide from view any traffic or street sign or signal.**
- C. **The sign shall be located in compliance with Chapter 42, Clear Vision Area.**
- D. **Signs and sign structures located over vehicular driveways and pedestrian walkways shall allow at least 15 feet of clearance over driveways and 8 feet of clearance over walkways.**
- E. **The light from any illuminated sign shall be shaded, shielded, directed or reduced so that the light intensity or brightness is minimized light pollution from the sign. Light pollution shall mean light or illumination other than on the sign face.**
- F. **Signs shall be located to preserve existing trees, topography and natural drainage, to the extent possible consistent with the installation of the sign.**
- G. **All permanent signs shall be located within a landscaped area or installed on a wood, stone, or other base structure that meets the following standards:**
  - 1. **Signs shall be installed a base with a maximum height of two feet, a minimum width of at least one-half as wide as the sign face, and a depth equal to or greater than the depth of the sign.**
  - 2. **In the event a sign is erected on a multiple pole or piling structure, the base required by Subsection 1 shall be apportioned among each of the upright members.**
  - 3. **Any wood used in a base shall be treated against water damage and insect assault.**



- H. Manual changeable copy signs shall be designed to minimize the opportunity for unauthorized personnel to change the sign copy.
- I. Electronic changeable copy signs are permitted in Business Centers only, either as separate signs or as part of a larger sign. The approval authority may impose conditions of approval regarding the frequency of copy change, the hours of operation, and the methods by which the message is changed in order to assure compliance with the standards of this section and this chapter. Electronic changeable copy signs are subject to the following requirements:
1. The sign face for the electronic changeable copy sign or portion of a sign may not exceed 24 square feet, provided however that electronic changeable copy signs with greater than 24 square feet may be approved through the conditional use process.
  2. The design and placement of the sign shall not adversely affect vehicular and pedestrian safety.
  3. The sign shall comply with all other requirements of this chapter.
- J. Where both sides of a sign may be viewed from a right of way, the signs shall be double-faced.

**52.300 PERMANENT SIGN DIMENSIONAL STANDARDS**

	FREESTANDING SIGNS						ON WALL SIGNS		
	City Appvl. Req'd.	Illumination	No. Allwd.	Max. Sq. Ft.	Max. Ht. (ft.)	ROW Setbek (ft.)	No. Allwd.	Max. Sq. Ft.	Max. Ht. (ft.)
<b>Residential Uses</b>									
Res. Name Plate	No	No	1	2	4	5	or 1 <sup>△</sup>	2	12
Type I Home Occ.	No	No	1	2	4	5	or 1 <sup>△</sup>	2	12
Type II Home Occ.	No	No	1	3	4	10	or 1 <sup>△</sup>	3	12
Subd. Monument	Yes	Yes	5	32 totl*	8	5	n/a	n/a	n/a
Multi-family Ctr.	Yes	Yes	2	24 totl*	8	5	or 2 <sup>△</sup>	24 totl*	12
<b>Commercial Uses</b>									
Bus. in Res. Zone	Yes	Yes	1	16	8	10	2	5%*	12
Bus. in Comm/Ind. <sup>†</sup>	Yes	Yes	1	32	8	5	3	10%*	25
Business Center <sup>‡</sup>	Yes	Yes	1	180	20	15	3	10%*	25
Bus. Entryway	Yes	Yes	1/entry	4	3	5	n/a	n/a	n/a
<b>Public Uses</b>									
Public or Semi-Public Facility <sup>‡</sup>	Yes	Yes	1	24	20	5		18	25

**Notes for Permanent Sign Dimensional Standards**

\* To calculate maximum area, numbers followed by the word "total" represent the total sign area from all signs combined. A percentage figure (10%, e.g.) represents the allowed signage derived from one building face. For example, a wall 10 feet tall by 30 feet long is 300 square feet. Ten percent of that figure is 30. Therefore, a business owner may place a sign, or combination of signs that total 30 square feet on as many as two separate walls. Businesses in multiple tenant buildings shall only use the area of the building face which corresponds to the portion of the building which houses the business.

<sup>△</sup> For number of signs allowed, "or 1" and "or 2" designates that an applicant may have either 1 freestanding sign or 1 on wall sign, but not both. A dash (-) means that there is no specified limit on these signs, but as City approval is required for these signs, limits which satisfy the purpose of this Code may be imposed.

<sup>†</sup> Take-out restaurants may have an additional 32 square feet for menu boards with a maximum height of six feet and a maximum base height of one foot. Gas stations may have two freestanding signs. (ORD. 1408)

<sup>‡</sup> May include a changeable copy sign limited to 35 percent of total sign area. Where business centers are located within 200 feet of I 205 Highway right of way, the freestanding sign may be freeway oriented. Freeway oriented signs shall have a maximum total sign area of 180 square feet and a maximum height of 20 feet above the grade of the nearest lane of I 205 or 60 feet, whichever is less. Freeway oriented signs shall be oriented to be viewed from I 205. (ORD. 1394)

(ORD 1513)

<sup>3</sup>Size and number of signs not limited for parks. Schools may have two permanent signs, subject to the limitations above.

NOTE: "n/a" means that this standard is not applicable for this type of sign or that no sign is allowed.

**52.300 PERMANENT SIGN DESIGN STANDARDS**

Amend CDC 52.300 to read:

	City Appvl. Req'd	Illumination	FREESTANDING SIGNS				ON WALL SIGNS		
			No. Allwd.	Max. Sq. Ft.	Max Height (ft.)	ROW setbck (ft.)	No. Allwd	Max Sq. Ft.	Max Ht. (ft.)
<u>Residential uses including Type 1 and II Home Occ.</u>	<u>No</u>	<u>No</u>	<u>1</u>	<u>2</u>	<u>4</u>	<u>5</u>	<u>or 1^</u>	<u>2</u>	<u>12</u>
<u>Multi-family Complex</u>	<u>Yes</u>	<u>Yes</u>	<u>2</u>	<u>24 total*</u>	<u>8</u>	<u>5</u>	<u>or 2^</u>	<u>24 total*</u>	<u>12</u>
<u>Subdivision Monument</u>	<u>Yes</u>	<u>Yes</u>	<u>5 per subdiv</u>	<u>32 total*</u>	<u>8</u>	<u>5</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
<u>Industrial Zone Uses</u>	<u>Yes</u>	<u>Yes</u>	<u>10</u>	<u>32</u>	<u>8</u>	<u>5</u>	<u>3</u>	<u>10%</u>	<u>35</u>
<u>Commercial Uses in Residential Zone</u>	<u>Yes</u>	<u>Yes</u>	<u>1</u>	<u>16</u>	<u>8</u>	<u>10</u>	<u>2</u>	<u>5%*</u>	<u>12</u>
<u>Commercial Uses in Nonresidential Zone</u>	<u>Yes</u>	<u>Yes</u>	<u>1<sup>1</sup></u>	<u>32<sup>2</sup></u>	<u>8</u>	<u>5</u>	<u>3</u>	<u>10%*</u>	<u>25</u>
<u>Business Center</u>	<u>Yes</u>	<u>Yes</u>	<u>1</u>	<u>150<sup>3</sup></u>	<u>20</u>	<u>15</u>	<u>3</u>	<u>10%*</u>	<u>25</u>
<u>Business Entryway</u>	<u>Yes</u>	<u>Yes</u>	<u>1 per entry</u>	<u>4</u>	<u>3</u>	<u>5</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
<u>Public Uses</u>	<u>Yes</u>	<u>Yes</u>	<u>1<sup>4</sup></u>	<u>24</u>	<u>20</u>	<u>5</u>	<u>No limit</u>	<u>18 total</u>	<u>25</u>

Notes for Permanent Sign Design Standards

\* To calculate maximum area, numbers followed with the word “total” are the maximum total area of all signs combined. Standards expressed as consents represent the allowed signage size a percentage of one building face. For example, a wall 10 feet tall by 30 feet wide has 300 square feet. If the standard is 10%, signs totaling 30 square feet are permitted. The maximum percentage is for the building – a building with multiple occupants is restricted to the stated percentage per building, not per occupant.

^ For number of signs allowed, “or 1” and “or 2” designate that the total number of freestanding and wall signs cannot exceed the number stated. If the standard is “or 1,” the applicant may have one freestanding sign or one wall sign, but not both.

<sup>1</sup>Gas stations may have two freestanding signs.

<sup>2</sup>Restaurants with drive through or take-out windows may have an additional 32 square feet.

<sup>3</sup>Up to 35 percent of the total sign area may be used as a changeable copy sign. Where business centers are located within 200 feet of I-205 right-of-way, the freestanding sign may be freeway-oriented. Freeway-oriented signs shall have a maximum total sign area of 210 square feet and a maximum height of 20 feet above the grade of the nearest lane or I-205 or 60 feet, whichever is less. Freeway-oriented signs shall be oriented to view from I-205. Freeway-oriented signs shall not be smaller than 80 square feet. The approval authority may allow a 10 percent increase in the total square footage in order to accommodate unique design problems.

<sup>4</sup>Parks may have two signs per frontage. Signs in parks directed at pedestrians or cyclists within the parks are not limited in number or size. Schools may have two signs.

N/a means not applicable.

52.310 — TEMPORARY SIGN DIMENSIONAL STANDARDS

	FREESTANDING SIGNS					ON WALL SIGNS			
	—City Appvl. Req'd.	—Illumi- nation	—No. —Allwd.	—Max. —Sq. Ft.	—Max. —Ht. —(ft.)	—ROW —Setbek —(ft.)	—No. —Allwd.	—Max. —Sq. Ft.	—Max. —Ht. —(ft.)
<u>Residential Uses</u>									
—Garage Sale	—No	—No	—5	—4	—7	— <sup>3</sup>	—1	—4	—12
—Political Signs	—No	—No	—1/lot <sup>2</sup>	—16	—7	— <sup>3</sup>	—0	—N/A <sup>4</sup>	—N/A <sup>4</sup>
—Construction	—No	—No	—2	—32	—9	— <sup>3</sup>	—0	—N/A <sup>4</sup>	—N/A <sup>4</sup>
<u>Commercial Uses</u>									
—Bus. Promotional	—Yes	—No	—1	—32	—5	—1 <sup>3</sup>	—1	—32	—25
—Bus. Ctr. Promo.	—Yes	—No	—1	—32	—5	—1 <sup>3</sup>	—2	—32	—25
—Political Signs	—No	—No	—1/lot <sup>2</sup>	—16	—7	—1 <sup>3</sup>	—0	—N/A <sup>4</sup>	—N/A <sup>4</sup>
—Construction	—No	—No	—2	—32	—9	—1 <sup>3</sup>	—0	—N/A <sup>4</sup>	—N/A <sup>4</sup>
<u>Real Estate</u>									
—Less than 1 Acre	—No	—No	—2	—6	—9	—1 <sup>3</sup>	—2	—6	—12
—More than 1 Acre	—No	—No	—2	—24	—12	—20 <sup>3</sup>	—2	—6	—25
—Off Premise R.E.	—No	—No	—3	—6	—7	—1 <sup>3</sup>	—N/A <sup>4</sup>	—N/A <sup>4</sup>	—N/A <sup>4</sup>
—Off Premise Subd.	—Yes	—No	—5	—32	—5	—5 <sup>3</sup>	—N/A <sup>4</sup>	—N/A <sup>4</sup>	—N/A <sup>4</sup>
<u>Other</u>									
—Public or Semi-Public	—Yes	—No	—	—32	—25	—1 <sup>3</sup>	—	—32	—25
—Political	—No	—No	—1/lot <sup>2</sup>	—16	—7	—1 <sup>3</sup>	—0	—N/A <sup>4</sup>	—N/A <sup>4</sup>
—Constr. or Development	—No	—No	—2	—32	—9	—1 <sup>3</sup>	—1	—32	—25

**52.310 TEMPORARY SIGN DESIGN STANDARDS**

	City Appvl. Req'd	Illuminat ion	FREESTANDING SIGNS				ON WALL SIGNS		
			No. Allwd.	Max. Sq. Ft.	Max Height (ft.)	ROW setbck (ft.)	No. Allwd	Max Sq. Ft.	Max Ht. (ft.)
<u>Residential uses</u>	No	No	5	24 total	7	1	1	4	12
<u>Commercial/Industrial Uses In:</u>									
<u>Non-Business Center</u>	Yes	No	:	32 total	5	1	1	32	25
<u>Business Center</u>	Yes	No	:	32 total	5	1	2	32	25
<u>Public Uses</u>	Yes	No	5	32	25	1	No limit	32 total	25
<u>Undeveloped/Developing Property</u>									
<u>Less than 1 Acre</u>	No	No	2	6	9	1	n/a	n/a	n/s
<u>More than 1 Acre</u>	No	No	2	24	12	20	n/a	n/a	n/s

**Notes for Temporary Sign Dimensional Standards:**

<sup>1</sup>Temporary signs are limited to 60 days per calendar year. Freestanding temporary signs shall be located within 10 feet of the business building. For business centers, a maximum of two temporary signs may be located outside of the 10-foot limit, but must be located on the same tax lot as the business. All temporary freestanding off premise signs must be removed at the conclusion of business hours or by dusk, whichever comes first, except for those signs that have received a permit. On premise freestanding **Freestanding** signs may remain out until the close of the event (sale, open house, election, etc.).

<sup>2</sup>"One per lot (1/lot)" refers to the limit on temporary political signs. Political signs may not be placed on private property without the property owner's knowing consent. No political signs can be placed on public lands (i.e., city owned buildings, parks, open spaces, and other city facilities, etc.) or in median strips. This restriction shall not prevent a property owner from displaying more than one political sign as long as each sign represents a separate candidate or issue.  
(ORD. 1506)

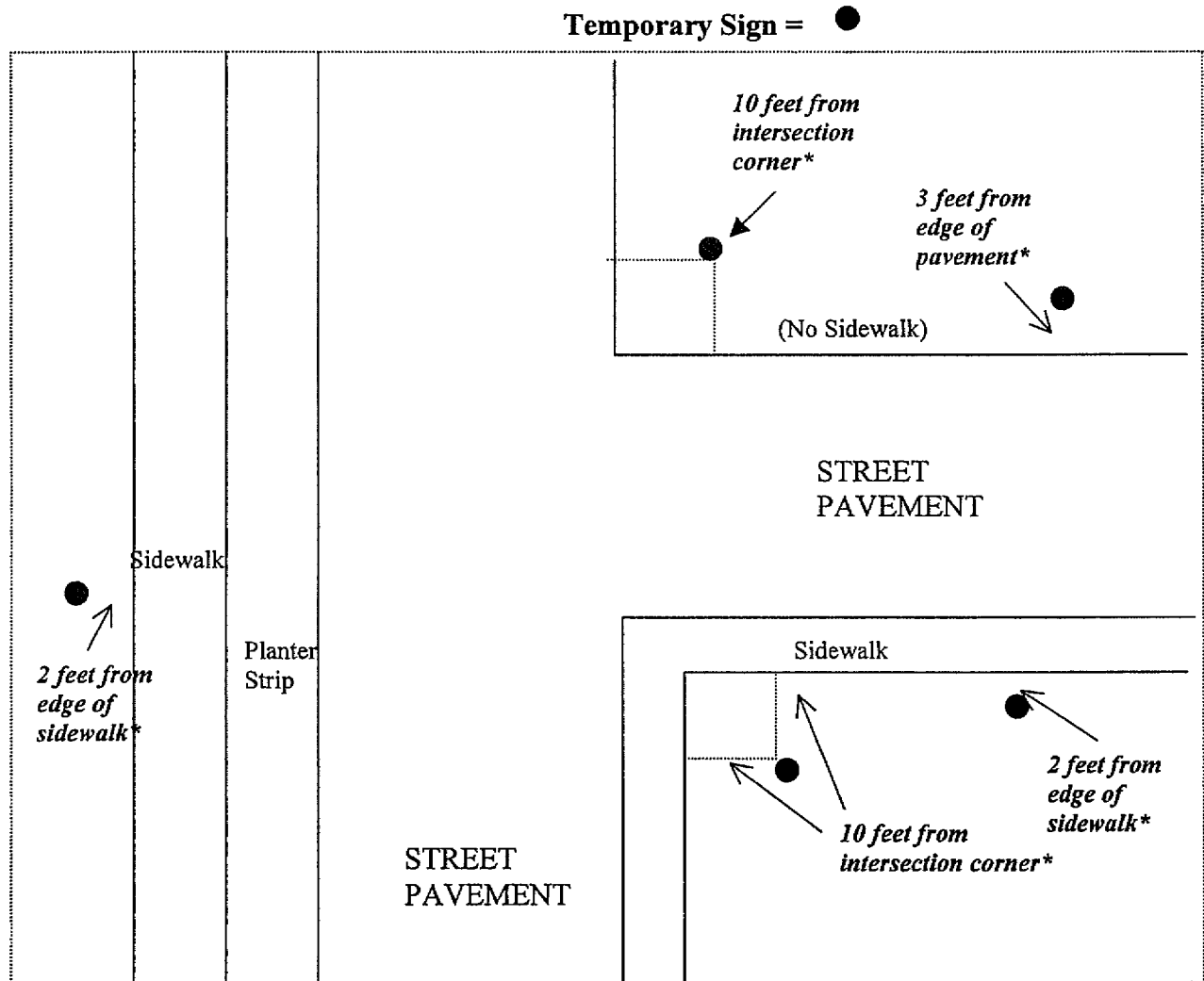
<sup>3</sup> <sup>2</sup>Temporary signs may be located, with the permission of the property owner of the property fronting upon the street where the sign is to be placed, two feet outside of an adjacent sidewalk where one exists, or three feet outside of the edge of pavement where no sidewalk exists for an adjacent public right-of-way. Temporary signs shall also not be located within 10 feet of the



intersection of two public rights-of-way, measured from either the edge of pavement or, if a sidewalk exists, the edge of sidewalk. The entire sign must meet these setback standards.  
(ORD. 1506)

<sup>4</sup>"N/A" means that this standard is not applicable for this type of sign or that no sign is allowed.

**FIGURE 52-8: ILLUSTRATION OF PROPER TEMPORARY SIGN PLACEMENT**



*\* Sign placement either by the property owner or with the property owner's permission. If the sign is located within the public right-of-way, permission must be obtained by the property owner of the street frontage where the sign is being placed. (ORD. 1506)*

**52.400**

**NEWLY ANNEXED LAND**

All signs on land annexed to the City of West Linn shall comply with the relevant provisions of the sign ordinance within 30 days of the completion of the annexation. (ORD. 1180)

(AMENDED PER ORD. 1506; 8/04)