

IN THE BOARD OF COUNTY COMMISSIONERS OF THE STATE OF OREGON
FOR THE COUNTY OF YAMHILL YAMHILL COUNTY, OREGON
SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

82-282

JUN 1 12 05 PM '82

In the Matter of Amending Ordinance 83, 1976)
as amended by Ordinance 102, 111, 135, 138,)
156, 201, 204, 233, 234, 257, 258 and 259,)
to establish a Comprehensive Signage)
Ordinance in Accordance with the provisions)
of ORS Chapters 197 and 215 and for the)
repeal of all prior ordinance provisions)
relating thereto.)

CHARLES STERN
COUNTY CLERK
DEPUTY
ORDINANCE NO. 298

The Board of Commissioners of Yamhill County, Oregon (The Board), on the 30th day of June, 1982, sat for the transaction of County business in regular session, Commissioner Ted Lopuszynski, Robin J. Hamblet and Colin Armstrong being present.

WHEREAS, public concern has been expressed regarding the impact of existing Ordinance regulations of signage; and

WHEREAS, existing Ordinance language severely restricts the ability of the citizens and businesses of Yamhill County to provide information regarding services and goods; and

WHEREAS, the healthy economy of Yamhill County requires that the public be informed of available goods and services within the County; and

WHEREAS, this need must be balanced with the obligation to preserve the aesthetic environment that has enhanced Yamhill Countys' livability; and

WHEREAS, this Ordinance has been reviewed and recommended for adoption by the Amity, Carlton, Dayton, McMinnville, Newberg/Dundee, Sheridan, Willamina/Grand Ronde and Yamhill Planning Advisory Committees and the Board appointed Land Use Ordinance Task Force; and

WHEREAS, the Yamhill County Planning Commission held a public hearing on the 20th day of May, 1982 and recommended unanimously for adoption of this Ordinance; and

WHEREAS, the Board of Commissioners ordered a public hearing on the 30th day of June, 1982, which was duly noticed in accordance with provisions of ORS 215.060; and

WHEREAS, this Ordinance is in the best interest of the citizens of Yamhill County.

NOW THEREFORE THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY ORDAINS AS FOLLOWS:

Section 1. The Yamhill County Zoning Ordinance, Ordinance No. 83, 1976 as amended by Ordinances 102, 111, 135, 156, 201, 204, 233, 234, 257, 258 and 259 is hereby amended by the addition of Article X attached hereto as "Exhibit A" and, by this reference, incorporated herein.

Section 2. Sections 10.300, 11.410, 12.320, 13.320, 14.380, 15.200, 16.200, 17.360, 18.360, 19.350, 20.300, 21.300, 22.310, 23.300, 24.330, 25.330, 26.310, 27.300, 28.300, 29.300, 30.300 and 31.300 as references thereto of the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976 as amended by Ordinances 102, 111, 135, 138, 156, 201, 204, 233, 234, 257, 258 and 259 are hereby repealed. Provided this repeal relates only to the provisions of the above Sections relating to signage.

Section 3. This Ordinance being necessary for the health, welfare and safety of the citizens of Yamhill County and an emergency being declared to exist shall be effective upon the passage hereof. Provided, however, that Section 1006.09 of Article X as provided in Section 1 of this Ordinance shall not become effective until such time as an inventory of pre-existing signage has been completed and accepted by order of the Board.

DONE this 30th day of June, 1982, at McMinnville, Oregon.

ATTEST:

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STERN
County Clerk

Elaine Pearcey
ELAINE PEARCEY
Deputy

Ted Lopuszynski
Chairman Ted Lopuszynski

Robin J. Hamblet
Commissioner Robin J. Hamblet

Colin Armstrong
Commissioner Colin Armstrong

APPROVED AS TO FORM BY:

Daryl S. Garrettson
Daryl S. Garrettson
Legal Counsel

EXHIBIT A

ARTICLE X

1006 SIGNS

1006.01 Purpose.

The purpose of this Section is to provide information about and direct travelers to services and points of interest; and to provide a pleasant environment to the people of Yamhill County while regulating such signs that will not, by reason of their size, location, construction or manner of display endanger the public safety of individuals or confuse, mislead or obstruct the vision necessary for public safety and welfare and to preserve the aesthetic and recreational value of travel on roadways.

1006.02 General Provisions.

A. Permits. Shall be required for all signs that are:

1. electrical or illuminated;
2. free standing and greater than one hundred (100) square feet in surface area;
3. roof mounted or wall mounted and greater than twenty (20) square feet in area;
4. business identification signs erected within County rights-of-way; and
5. all business identification or advertising signs along state highway corridors, whether sited on-premise or off-premise shall conform to the provisions of the Oregon Motorist Information Act, 1971, and are subject to permits from the Oregon State Highway Division; signs within the highway corridor, permitted by the State, shall be deemed to meet the requirements of this Ordinance.

B. Political signs, together with pre-existing Billboards, are exempt from the permit provisions of this Section; however, said signs are subject to the requirements regulating illumination and structural integrity as provided by the Uniform Building Code, as adopted by Yamhill County.

C. Setbacks.

All signs shall be situated so as not to adversely affect safety, corner vision or other similar conditions. Unless otherwise specified, all signs shall observe the yard setback requirements of the district in which they are located. Modifications of setback standards shall be subject to the Type A application procedure set forth in Section 1301.

D. Blanketing.

No sign shall be situated in a manner which results in the blanketing of an existing sign.

E. Illuminated Sign.

Signs shall be nonflashing and nonrevolving. Artificially illuminated signs, or lights used to indirectly illuminate signs shall be placed, shielded or deflected so as not to shine in residential dwelling units, structures, or create excessive glare along adjacent roadways. The light intensity of an illuminated sign shall not exceed the accepted standards of the sign industry, as provided by the Oregon Electric Sign Association.

F. Pre-existing Signs.

1. Signs and sign structures not conforming to the requirements of this Ordinance shall be subject to the amortization provisions set forth in subsection 1006.09.

2. Pre-existing Billboards shall be exempt from the above provisions; except, Billboards shall be deemed to be a business nonconformity and be subject to Section 1205 of this Ordinance.

G. Off-Premise Signs.

Off-premise signs shall not be allowed except as provided in subsection 1006.07.

1006.03 On-premise Signs in the F-40, EF-40, AF-20, AF-10, MR, LIP, RI, LI and HI Districts.

In the F-40, AF-20, AF-10, MR, LIP, RI, LI and HI Districts on-premise signs shall be regulated as follows:

- A. The following on-premise signs shall be permitted:
1. those denoting the name of the owner or the name or address of the property, provided that such sign shall not exceed twenty-four (24) square feet;
 2. those advertising the sale or rental of the property, provided that such sign shall not exceed twelve (12) square feet;
 3. warning or safety signs associated with a permitted or conditional use, provided that such sign shall not exceed twelve (12) square feet;
 4. those describing activities conducted by a business, agricultural or forestry enterprise allowed as a permitted or conditional use on the parcel or lands under the same ownership; and
 5. those denoting a home occupation.
- B. For all parcels of more than five (5) acres in size, permitted signs shall not exceed a total of one-hundred fifty (150) square feet, and no single sign shall exceed fifty (50) square feet in area. For all parcels of five (5) acres or less in size permitted signs shall not exceed a total area of sixty-four (64) square feet and no single sign shall exceed thirty-two (32) square feet in area.
- C. No sign shall project over any right-of-way line, except as provided in Subsection 1006.07.

- D. All signs advertising the sale of seasonal produce grown on site, or on other lands under the same ownership, shall be permitted only during the season in which the produce is harvested and made available for sale.
- E. Flashing signs or signs illuminated in such a manner that they appear to flash shall be prohibited, except that illuminated signs may be allowed as provided in subsection 1006.06.
- F. Roof signs shall be allowed; however, if greater than 20 square feet in area, they shall be subject to Section 1006.01, A, (3), as provided herein.

1006.04 On-premise Signs in the VLDR Districts.

In the VLDR Districts, on-premise signs shall be regulated as follows:

- A. The following on-premise signs shall be permitted:
 - 1. those denoting the name of the owner or the name and address of the property;
 - 2. those advertising the sale or rental of the property;
 - 3. warning or safety signs associated with a permitted or conditional use;
 - 4. those advertising the sale of agricultural or forest products grown on the same parcel;
 - 5. those denoting a home occupation; and
 - 6. those describing activities allowed as a conditional use on the parcel.
- B. Not more than two signs shall be permitted on any parcel, the total square footage of which shall not exceed twelve (12) square feet, except for six (6) square feet on a parcel of less than one (1) acre in size.
- C. No sign shall project over any right-of-way line, except as provided in subsection 1006.07.
- D. Signs advertising the sale or rental of real property, on a temporary basis, shall be exempt from the provisions of this Section.

- E. All signs advertising the sale of seasonal produce, grown on site, shall be permitted only during the season in which the produce is harvested and made available for sale.
- F. Roof signs, illuminated signs, flashing signs or signs illuminated in such a manner that they appear to flash shall be prohibited, except that illuminated signs may be allowed as provided in Subsection 1006.06.

1006.05 On-premise signs in the RC, HC and LC Zoning Districts.

In the RC, HC and LC Districts, on-premise signs shall be regulated as follows:

- A. Where a site is occupied by one or more businesses the permitted area of on-premise signs shall be as follows:
 - 1. the total sign area shall not exceed eight (8) percent of the total square footage of the on-premise principal business buildings and business parking area, as required in this Ordinance, and in no case shall the total sign area exceed 2000 square feet;
 - a. Where more than one business activity exists upon a single site, and such businesses occupy separate buildings, each such business shall be allowed signage not to exceed 8% of the total square footage of each principal business building and required parking area; except as may be modified in accordance with an approved P.U.D. or site design.
 - 2. a single face of any one (1) sign shall not exceed one-half of the total permitted sign area or two-hundred (200) square feet, whichever is less;
 - 3. a minimum of two-hundred (200) square feet of sign area shall be permitted for any single site regardless of the size of the business area as determined by Section 1006.04(A)(1);

4. if two or more businesses share a common business space and/or parking area; the total signage area allowed shall be proportionately allocated between or among such businesses; and shall not exceed the total sign area allowed as set out by this section; and
 5. illuminated and or lighted signs may be allowed as provided in subsection 1006.06.
- B. On-premise signs may be erected or maintained only upon or above:
1. that portion of a building, structure or property actually occupied or used for the purposes advertised by the on-premise sign; or
 2. any adjacent property, under common ownership, or leased under the same lease as the advertised enterprise and which is used for storage, parking or business related purposes, and which is located not more than three-hundred (300) feet from some portion of the premises directly occupied for the advertised use, and which lies within the same zoning district as the advertised use.
- C. Sign heights shall be limited as follows:
1. any sign attached to or placed upon a building shall not extend more than fifteen (15) feet above the highway grade or building whichever is higher; and
 2. no free-standing sign shall extend more than thirty-five (35) feet above the grade of the roadway.
- D. Service signs shall be exempt from the calculation of the allowed square footage, unless they are primarily used to attract customers to the premise. Service signs include, but are not limited to, the following:
1. signs attached to or part of vending machines, public telephones or other devices furnishing public services not related to the business conducted on the premises;
 2. signs displayed for direction or instruction (restroom, freight entrance, parking, etc.);

3. signs required by law or designed solely in the interest of public safety; and
 4. signs located directly on and not extending beyond the component parts of inexchangeable display stands, as long as they do not exceed fifty (50) square feet of sign area for all such devices on the property.
- E. Nothing in this Ordinance shall be deemed to affect signs within enclosed buildings or inside windows, whether or not such signs are visible from the roadway.
- F. Flashing signs, strings of lights, pennants or similar devices shall be prohibited, except for the following:
1. national, state, institutional or corporate flags properly displayed;
 2. holiday decorations in season; and
 3. streamers, banners, etc., used for one (1) week only to call attention to the grand opening of a completely new business or the grand opening of a business that has relocated to entirely new premises.

1006.06 Electrical and Illuminated Signs in the LIP, RI, LI, HI, RC, HC and LC Zoning Districts

Electrical and illuminated signs shall be permitted on-premise within the LIP, RI, LI, HI, RC, HC and LC Districts and shall be regulated as follows:

- A. Electrical equipment used in connection with electrical or illuminated signs shall be installed in accordance and by permit with the Uniform Building Code.
- B. Signs incorporating electrical components shall be constructed of noncombustible materials, other than plastics, as approved by the Uniform Building Code.

The enclosed shell of electric signs shall be water tight except that service holes fitted with covers shall be provided into each compartment of such signs.

- C. Every sign containing electrical components or illumination devices shall bear an underwriters label, or approved substitute, and the name of the sign erector and the date of installation. Such name and date shall be placed and maintained at a location on the sign structure where it is readily legible.
- D. No electrical or illuminated sign shall exceed (fifty) 50 square feet in surface area.

1006.07 Off-premise Business Identification Sign

- A. Off-premise business identification signs shall be regulated by the Yamhill County Road Department and permitted within County rights-of-way as follows:
 - 1. For such signs within County or public rights-of-way, a placement permit and permit to work within the right-of-way shall be obtained from the Yamhill County Road Department prior to placement of any such sign. Such signs shall meet all requirements as listed herein.
 - a. Design. An official off-premise business identification sign shall be 18 by 30 or 12 by 18 inches in size. It shall have a standardized blue background with a white reflectorized border, and lettering shall be of the same white reflectorized material.
 - 2. Off-Premise business identification signs shall not be erected until the County Roadmaster, or his designate, has reviewed and approved the sign design and proposed location. A fee for this review may be set by the Board.
 - a. The County Roadmaster, or his designate, shall inspect and shall have the authority to order the painting, repair, alteration or removal of a sign which may constitute a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence or placement not in accordance with this section.

- b. Sign Text. The letter heights and widths shall be such that a single sign, or all the signs comprising a sign assembly, may be read by a motorist without having to reduce the speed of his vehicle below the normal operating speed of the roadway. The text may include only the name of the establishment and the direction and, if desired, distance to it.
- c. Sign Supports. The posts used for mounting the sign shall conform with the County Engineer's standards for breakaway and yielding type posts.
- d. Locations. For purposes of measurement, an intersection is defined as that point in the centerline of a County or public road where the centerline of another County or public road intersects or joins the centerline of such road at an angle, whether such road crosses or not. The following minimum measurements shall apply to the location of single or assembled signs:
 - 1. a sign must be located not less than eight (8) feet from the edge of the pavement or two (2) feet from the face of curbs to the near edge of the sign. The sign must face the flow of the traffic nearest it;
 - 2. a sign must be located not less than two hundred (200) feet approaching and two hundred (200) feet beyond a traffic control sign or device in the direction of a traffic flow;
 - 3. a sign must be located not less than one hundred (100) feet approaching and one hundred (100) feet beyond other intersections;
 - 4. a sign must be located not less than seven hundred (700) feet approaching and two hundred (200) feet beyond a railroad grade crossing in the direction of flow of the traffic;

5. a sign must be located not less than two hundred (200) feet approaching another business identification sign or assembly or two hundred (200) feet beyond in the direction of the flow of the traffic;
6. the location of an existing traffic control device or the need for a new device shall take precedence over the location of a business identification sign, either existing or proposed; and
7. signs shall be located in those areas where there is a change in direction from one roadway to another, or where there may be confusion over which direction to take.

B. Off-premise business identification signs erected in conformance with permits issued by the State of Oregon shall be permitted in any Zoning District as provided in Section 1006.02,A,(5).

1006.08 Sign Construction and Maintenance.

All signs shall be constructed and maintained as follows:

A. Construction.

All signs covered by this Ordinance shall be constructed at the expense of the sign or business owner, and shall be erected in conformance with this Ordinance. All signs subject to building or electrical permits shall be reviewed by the Director, or his designate, and approved prior to its construction or placement. Off-premise business identification signs are prohibited except as provided for in subsection 1006.07.

B. Maintenance and Removal.

Every sign, including those specifically exempt from this Ordinance, shall be maintained in good structural condition at all times. All signs shall be kept neatly painted, including all metal parts and supports. The Planning Director, or his authorized representative, shall inspect and shall have the authority to order the painting, repair, alteration or removal of a sign which may constitute a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence. Every sign containing any electrical components or illuminated by electric lighting must bear an Underwriter's label, or an approved substitute.

C. Signs Requiring State Permits.

For those signs requiring State permits and County review any violation of State requirements shall be deemed to be a violation of County requirements and the County may seek to correct the violation as it would for any violation of this Ordinance.

1006.09 Nonconforming Signs, Removal.

- A. Pre-existing Billboards, maintained as a business enterprise, are exempt from the above amortization provisions.

1006.10 Temporary Signs for Nonprofit Organizations

Temporary signs for nonprofit organizations may be allowed to advertise various nonprofit, charitable activities. Signs may be placed upon private property, upon consent of the property owner, but shall not precede the event by more than one (1) week. All such signs shall be removed by the sponsoring organization not later than five (5) days following the event. Such signs shall conform to the requirements of the underlying District.

1006.11 Temporary Political Signs

Temporary political signs advertising candidates or issues may be erected on private property, with consent of the property owner, during an election campaign. Such signs shall conform to the requirements of the State of Oregon.

1006.12 Abandonment and Removal.

Any sign which does not contain legibly printed matter on the display surface, or which by its nature has become obsolete for a period of three months shall be deemed to have been abandoned by the owner thereof and shall be subject to removal by the County Road Master or his designate.