

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

Ordinance No. 98

An ordinance amending Ordinance No. 100 by adding new subsections under Section 1.00, adding Section 8.60 and repealing Section 4.212(b) to provide for the regulation of signs.

Multnomah County ordains as follows:

Section 1. Policy.

- A. The Board of County Commissioners of Multnomah County, Oregon recognizing that the zoning ordinance is in need of periodic revision and amendment to improve the zoning ordinance, and in the interest of public health, safety and general welfare of Multnomah County citizens, the Board does hereby determine the necessity of amending the zoning ordinance as hereinafter more particularly described.
- B. The Board further determines and takes public notice that it initiated and proposed this change by a resolution dated December 24, 1974, and that the Planning Commission has held hearings on this ordinance and that the Planning Commission recommends to the Board of County Commissioners that this be enacted.

Section 2. Amendment.

Section 1.00 is amended by adding the following subsections which read:

- "1.081 Board: Board of County Commissioners of Multnomah County, Oregon."
- "1.201 Existence: To continue to be in being, to remain."
- "1.202 Election: The time designated by law for voters to cast ballots for candidates or measures."
- "1.251 Highway, State: Any road or highway designated as such by law or by the Oregon Transportation Commission and includes both primary and secondary state highways."
- "1.421 Measures or Ballot Measures: Questions submitted to the voters for decision by state, municipal or quasi-municipal authorities."
- "1.441 Non-Conforming Sign: A sign that does not conform to the requirements of this ordinance."
- "1.461 Principal Use: The main use to which the premises are devoted and the primary purpose for which the premises exist."
- "1.471 Road, County: Every public way, thoroughfare, road, street or easement within the County used or intended for use by the general public for vehicular travel but excluding private driveways."
- "1.521 Signs, Bench Advertising: An outdoor advertising sign that is placed on a stationary object that is used primarily for sitting."

- "1.522 Sign, Political: A sign that advocates the election of a candidate or the passage or defeat of a ballot measure."
- "1.523 Sign, Public: A non-commercial sign erected by a public officer or employee in the performance of a public duty which shall include but not be limited to motorist informational signs and warning signs."
- "1.524 Sign, Useful Life Span: The time period placed on a sign for federal tax purposes, at the end of such time the sign is regarded for accounting purposes as valueless. Useful life span is commonly referred to as depreciation and is evidenced by depreciation schedules."

Section 3. Amendment.

Section 8.60 is amended by adding the following subsections which read:

"8.60 Signs"

"8.61 Outdoor Advertising Signs.

Purpose: The purpose of this Section is to provide for local level implementation and furtherance of the State of Oregon policies, as stated in ORS 377.705, regarding the regulation of Outdoor Advertising Signs. This Section prevents the construction of new off-premise advertising signs and provides for

the elimination of those that are currently in existence."

"8.611 Definitions.

For the purpose of this Section, the terms as defined in ORS 377.710 and Section 1 of this ordinance shall apply to this Section, unless redefined or the context requires otherwise."

"8.612 Prohibition Against Erection of Outdoor Advertising Signs.

(a) No outdoor advertising sign shall be erected after the effective date of this Section within any C or M district or on property which is rezoned to a 'C' or 'M' district if such sign would be visible to the traveling public from a state highway or county road.

(1) Section 8.612 shall not apply to bench advertising signs in a C district."

"8.613 Existing Signs.

(a) All outdoor advertising signs in existence within any district on the effective date of this Section shall be regarded as non-conforming, but may remain in existence for the longer of the following time

periods, provided such signs are properly maintained and kept in a good state of repair:

1. Five (5) years from the effective date of this Section, or
2. For the remainder of its useful life span subject to the subsection (b) hereof.

(b) Any owner who claims a useful life span for an outdoor advertising sign beyond five (5) years from the effective date of this Section shall file an affidavit within one (1) year of the effective date of this Section with the Director of the Department of Environmental Services stating the useful life span of such sign. Attached thereto shall be the appropriate federal tax forms, including but not limited to the depreciation schedules for such sign. The Director shall maintain records appropriate to the useful life of said sign.

(c) Change of ownership or any improvements to an outdoor advertising sign shall not thereby extend the useful life span beyond that which was previously assigned to such sign.

"8.614 Abatement of Non-Conforming Signs.

Any outdoor advertising sign that remains in existence after its date for removal as provided by subsection 8.613 of this Section or which is unlawfully erected following the effective date of this Section may be abated as a nuisance pursuant to the provisions of Ordinance No. 69."

"8.615 Temporary Signs.

- (a) Nothing in this Section shall prohibit the erection of a political sign provided it is erected not more than sixty (60) days prior to an election and is removed within seven (7) days following the election.
- (b) Political signs of winning primary election candidates shall be removed within seven (7) days following the primary election and may be erected sixty (60) days prior to the general election.
- (c) Political signs shall not be more than four (4) square feet in size.
- (d) Temporary directional outdoor advertising signs which identify the location of a seasonal harvest or sale of agricultural or forest products may be erected pursuant to permit issued by the Planning Director.
  - (1) Such signs shall not exceed sixteen

(16) square feet, shall not obscure motorist vision and shall be removed within three (3) days from conclusion of the sale or harvest.

(2) The Planning Director may impose conditions relating to location, character, design and construction necessary to assure compatibility with the surroundings.

(3) No permit shall be issued for more than three (3) signs for any one sale or harvest to any one applicant."

"8.616 Variances.

(a) The Board of Adjustment may authorize a variance to allow existing or new off-premise directional signs after a public hearing and upon finding that:

1. The literal interpretation and strict application of the provisions of this Section would cause hardship to a use because of unique or unusual conditions pertaining to the location of such use.
2. The granting of the requested variance would not be materially detrimental to the property in the vicinity or to the general public.

3. Any off-premise directional sign subject to such variance shall meet the following standards:
  - a. Language. Contain only the name of the principal use and directions thereto, and, if a statement, it shall be permanent lettering and not exceed ten (10) words, describing the principal use.
  - b. Location. Shall be located only on those arterial streets or highways nearest to the principal use for which the signs give direction, and shall only be placed on or over private property.
  - c. Size, Number and Illumination. A principal use shall not have more than two (2) off-premise directional signs. Any such sign shall not exceed thirty-two (32) square feet in area, shall not exceed fifteen (15) feet in height, and if illuminated, it shall only be by an indirect, non-flashing source.

(b) The Board of Adjustment may authorize an existing outdoor advertising sign to remain

beyond the time specified by 8.613 upon a finding that the removal of the sign would create a continuing and substantial financial hardship to the owner of the property upon which the sign is located. Such signs shall be removed within thirty (30) days from transfer of title of the property or such earlier date specified by the Board.

- (c) In granting a variance, the Board of Adjustment may attach thereto such more restrictive conditions regarding the location, character, design, size, time allowed to exist and other features of the sign as it may deem to be in the public interest and necessary to assure compatibility with the surroundings."

"8.617 Exempt Signs.

Nothing in this ordinance shall apply to a public sign."

"8.618 Conformance With Other Sections.

This Section is in addition to the requirements established in Sections 4 and 5 of this ordinance, and this Section shall not be interpreted to repeal any requirements contained in Sections 4 and 5, and if this Section and the requirements of Sections 4 and 5 are subject to differing interpretations, the more restrictive shall apply."

Section 4. Repeal.

Section 4.212(b) is hereby repealed as of the effective date of this ordinance.

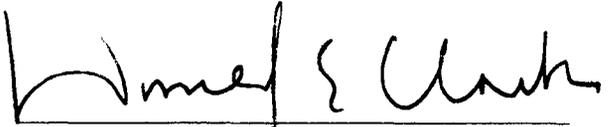
Section 5. Adoption.

This ordinance being necessary for the health, safety and general welfare of the people of Multnomah County, shall take effect on the thirtieth (30th) day after its adoption pursuant to Section 5.50 of the Charter of Multnomah County.

Adopted this 22nd day of April, 1975, being the date of its second reading before the Board of County Commissioners of Multnomah County, Oregon.

BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

BY

  
Chairman

(SEAL)