

## **CHAPTER 4.7 SIGN REGULATIONS**

### **Section 4.7.10 - PURPOSES**

The City's sign regulations serve the community by doing the following:

- a. Requiring sound construction and maintenance of signs, and by limiting the number of visual images communicated;
- b. Providing an equitable opportunity to use signs as a communication medium outside of public rights-of-way;
- c. Providing standards for location, size, type, and number of signs; and
- d. Providing reasonable limits on the magnitude and extent of graphic communication presented to the public.

### **Section 4.7.20 - OFFENSES**

Any person who erects, installs, maintains, alters, repairs, removes, or uses a sign in violation of the provisions in this chapter or of the Corvallis Building Code shall be committing a Class B infraction subject to the penalties set forth in section 4.7.120.02 of this chapter. Any person who causes or permits any of these actions shall also be in violation of these regulations.

### **Section 4.7.30 - SIGN MAINTENANCE REQUIRED**

Signs shall be maintained to protect the public safety, present a neat appearance, and prevent deterioration.

- a. A permit is not required for normal maintenance and repair of a sign or sign structure, such as painting, repainting, and cleaning.
- b. A permit is required for structural and electrical modifications, including changes of sign size, shape, and location.

### **Section 4.7.40 - NONCONFORMING SIGNS**

- a. The following shall be considered nonconforming signs:
  - 1. Signs that existed when these regulations were adopted, that have an approved City, County, or State sign permit, and that conformed to the provisions of Ordinance 72-57 as amended, but do not conform to sign regulations in this chapter; and
  - 2. Signs on lands annexed to the City and that have an approved County or State sign permit.

- b. Nonconforming signs may continue to be used until altered, replaced, or moved, at which time the sign shall be brought into conformance with all provisions of this Code.
- c. Abandoned nonconforming signs shall be removed within 180 days. A new sign permit at the same address shall not be issued until the abandoned nonconforming sign is removed. Where a new business fails to remove nonconforming signs from the premises, the property owner shall be responsible for their removal.

#### **Section 4.7.50 - PROHIBITED SIGNS**

No person shall erect, install, maintain, alter, repair, remove, or use (or cause or allow such action) any sign unless specifically authorized by these regulations. No permit shall be issued for the erection, display, or maintenance of any sign in violation of these regulations. The following types of signs are specifically prohibited:

- a. Signs that obstruct the vision clearance area (as defined in Chapter 4.1 - Parking, Loading, and Access Requirements) of a street or driveway intersection in zones that have a front-yard setback requirement;
- b. Signs that obstruct ingress or egress through any door, window, fire escape, standpipe, or like facility required or designated for safety or emergency use;
- c. Signs that may be confused with public traffic signs or highway identification signs, or appear graphically similar to these types of signs;
- d. Signs that use words such as "STOP," "SLOW," "CAUTION," "LOOK," "DANGER," or any other word, phrase, symbol, or character that may mislead or confuse motorists;
- e. Signs or sign structures determined by the Building Official to constitute a hazard to the public safety or health by reason of poor structural design or construction, inadequate maintenance, lack of repair, or dilapidation;
- f. Signs located on or above public rights-of-way without written consent of the applicable jurisdiction, unless permitted by sections 4.7.70 through 4.7.90 below. This includes, but is not limited to: sandwich boards, posters on utility poles, political signs in parking strips, and signs on sidewalks;
- g. Signs that flash, blink, fluctuate, or have chaser, scintillating, or speller effects, including search lights;
- h. Signs that move or have any moving part. This includes movement by mechanical, electrical, or kinetic means, wind currents, or any other means;
- i. Signs that inflate, including balloons and blimps;

- j. Pennants, flags, and banners. See section 4.7.70.b regarding official national, state, and local flags and section 4.7.80.05 regarding temporary banners;
- k. Signs that have copy changeable by other than manual means (except time and temperature signs that are part of a permanent sign);
- l. Roof signs including those projecting more than 4 ft. above an eave on sloped roofs, or 4 ft. above the parapets on flat roofs;
- m. Signs with visible A-frames, trusses, or guy wires as part of the sign or sign structure;
- n. Signs placed on, affixed to, or painted on any motor vehicle, trailer, or other mobile structure not registered, licensed, and insured for use on public highways; and
- o. Handbills (including any notice, placard, poster, showbill, dodger, circular, pamphlet, booklet, letter, folder, sheet, sticker, or banner) except as permitted by the Corvallis Criminal Code.

#### **Section 4.7.60 - SIGN PERMIT PROCEDURE**

Unless exempt through section 4.7.70, a sign permit is required for installation of each sign and billboard.

- a. A completed sign permit application accompanied by the appropriate fee shall be submitted for review to the Development Assistance Center.
- b. The Director shall review the sign permit application to ensure it is complete and accompanied by the appropriate fee, and that the proposed sign complies with the requirements of this Code and other City ordinances. A permit shall be issued only when all of these criteria have been met.
- c. An approved sign permit does not replace, supersede, or waive structural or electrical standards and permits required by the Corvallis Building Code. These other permits must also be obtained prior to work on the installation of a sign.
- d. The applicable permit review fee shall be doubled if sign installation is begun before the permit is obtained. Payment of the double fee shall not relieve any person from full compliance with these regulations.
- e. The permit shall expire if a sign is not installed within 180 days from the date of a sign permit application approval. Reapplication shall include a new, fully completed application form and a new permit review fee. The application must comply with the findings in "b" above, including any amendments to these regulations adopted since the previous permit approval.
- f. An approved sign permit may be revoked by the Director if the sign is not constructed and installed as approved, if incorrect information was provided on the

application, or if the City approved the permit in error. A decision of the Director may be appealed to the Land Development Hearings Board in accordance with Chapter 2.19 - Appeals.

- g.** All signs shall be subject to inspection and reinspection by the Director. Footing inspections may be required for all signs having footings.

**Section 4.7.70 - EXEMPTIONS FROM SPECIFIC REQUIREMENTS OF REGULATIONS**

The following types of graphic communication are exempt from one or more requirements of this chapter, but shall comply with other applicable provisions. They are not subject to allocation limits specified in sections 4.7.80 and 4.7.90 below. Limitations on number and size of these classes of signs, if any, are noted below.

- a.** Signs erected in a public right-of-way by an agent of the City, Benton County, the State of Oregon, the U.S. Government, or a public utility are exempt from the provisions of these regulation. Exempt signs include:

- 1. Street identification signs; and
- 2. Traffic control, safety, warning, hazard, construction, and related signs.

- b.** One official national, state, and local government flag or banner per property when installed in a manner that meets City ordinances and when flown and maintained with the respect due to these symbols of honor and authority, as specified by the U. S. Flag Code, are exempt from the provisions of these regulations. As per Section 4 of the Flag Code, the American flag should never be used for advertising purposes.

The flag structure shall not exceed 20 ft. in height or a height 10 percent greater than the maximum height of the primary structure on the property, whichever is greater. All structures over 10 ft. in height supporting flags require a Building Permit and inspection(s) of the footing and structure, as per the Corvallis Building Code, prior to installation of the structure.

- c.** Campaign signs related to local, state, or national elections shall be exempt from the permit requirements and allocation limitations, provided they comply with the following: campaign signs shall be limited to the time period between 90 days preceding the election date to 15 days following the election date; and campaign signs shall be located only on private property and outside of vision clearance areas.

- d.** Signs required by City ordinance, County ordinance, or State or Federal law are exempt from the provisions of these regulations. Examples include address numbers, street names, public notices, restaurant health inspection ratings, handicapped access signs, and Civil Defense Shelter signs.

- e. One permanent memorial sign or tablet per property that displays only historical information, name of a building, date of erection, and/or logo, is exempt from the provisions of these regulations. Sign area shall not exceed 10 sq. ft.
- f. Permanent signs directing and guiding traffic and parking on private property, not to exceed 6 sq. ft. and limited to one sign per driveway entrance or street frontage are exempt from the provisions of these regulations. Other signs that designate reserved parking spaces or are related to traffic or parking regulations, if limited to 2 sq. ft., are also exempt.
- g. A non-illuminated blade sign (one per entrance to a building) placed above a walkway and under weather-protecting awnings, marquees, and parapets is exempt from the sign area limits of sections 4.7.80 and 4.7.90 below and from the limitation of two attached signs per occupant or business. An approved permit is required prior to installation. (See section 4.7.80.06 below for additional blade sign standards.)
- h. Signs that communicate only to persons inside buildings or building complexes or on private property shall be exempt from the provisions of these regulations.
- i. Signs, decorations, and displays inside of windows or attached to the inside of a window are exempt from these requirements, except those signs prohibited by section 4.7.50.
- j. Temporary signs conforming with this chapter shall be exempt from the permit requirements.

**Section 4.7.80 - ALLOCATION PROVISIONS AND DESIGN STANDARDS BY TYPE OF SIGN**

The following provisions and design standards organized by type of sign specify how the total sign allocation may be used. Unless specified elsewhere in these regulations, the sign allocation for a property shall be determined by multiplying the length of a property's primary frontage by the "primary frontage multiple," which is identified for each zone in section 4.7.90 below.

**4.7.80.01 - General Sign Standards**

- a. All signs and sign structures shall comply with the standards of these regulations and with the provisions of the Corvallis Building Code. Unless otherwise permitted by these regulations, no sign shall exceed 200 sq. ft. in area.
- b. Sign allocation for a given frontage may be apportioned to attached signs and, if permitted by these regulations, to free-standing and temporary signs. That portion of the sign allocation used by a business or tenant for attached signage on a given frontage shall be used in not more than two signs. If

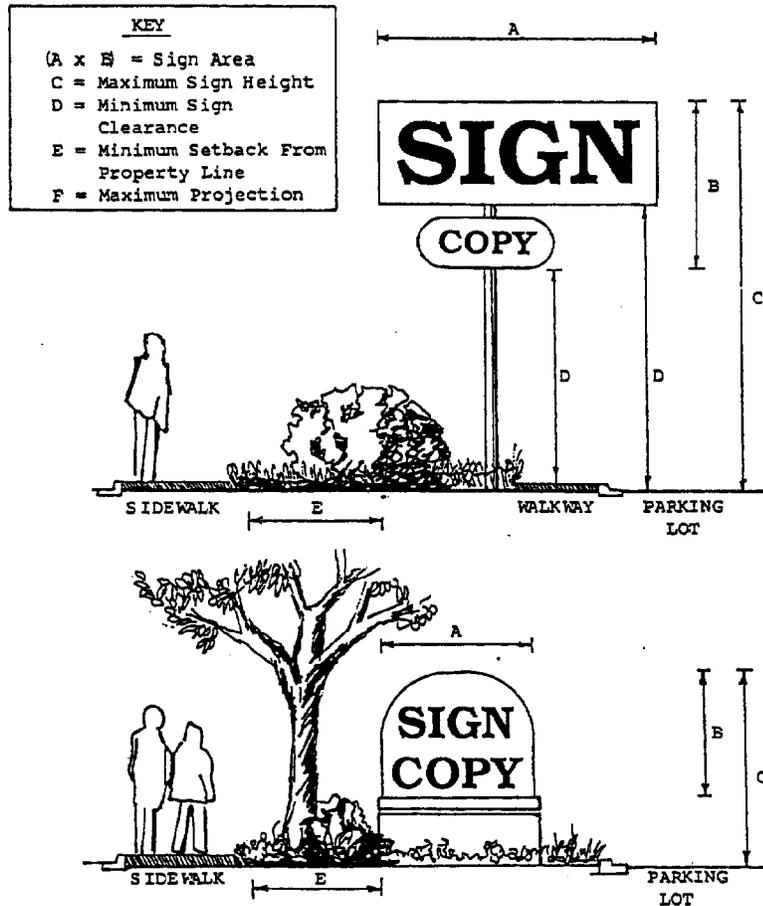
property frontage allocation for attached signs exceeds the maximum sign area size of the zone, additional allocation may be used in additional sign(s), provided that an 8-ft. separation is maintained between signs.

- c. Sign area allocation for a primary frontage may be used for attached sign(s) that face a secondary frontage, limited to one sign per establishment. The amount of allocation used for secondary frontage signs shall be subtracted from and shall not exceed the total sign allocation for the property.
- d. The maximum projection of attached signs facing secondary frontages shall be 6 in., except no sign shall project over a public alley.
- e. Minimum setback from the curb face where signs are permitted over a public street right-of-way shall be 2 ft.
- f. Where illuminated signs are permitted, illumination may be provided by internal lighting or external spot lighting unless otherwise specified. In no case shall this illumination cause direct glare on adjacent properties or streets.
- g. Up to two poles, each with a maximum diameter of 6 in., may be placed within the vision clearance area (as defined in section 4.1.40 of Chapter 4.1 - Parking, Loading, and Access Requirements) and used to support a sign above a vision clearance area. Any other intrusion into the vision clearance area by a sign or its supporting structure is prohibited without written approval of the City Engineer.

#### **4.7.80.02 - General Requirements for Free-Standing Signs**

- a. Monument signs are free-standing signs that are roughly rectilinear in shape, generally with a consistent width down to or no more than 2 ft. from the ground surface, and are limited to maximum heights as specified in section 4.7.90.
- b. Pole signs are free-standing signs that have more than 2 ft. of support elements that attach the sign to the ground surface, and are limited to maximum heights as specified in section 4.7.90. Pole signs are prohibited in gateway areas.
- c. Minimum separation between free-standing signs on the same side of a public right-of-way shall be 100 ft., unless specified differently by the applicable zone.
- d. Minimum clearance for pole signs above a pedestrian walkway shall be 10 ft.

- e. The following diagram illustrates the terms applicable to free-standing signs under this section and section 4.7.90.

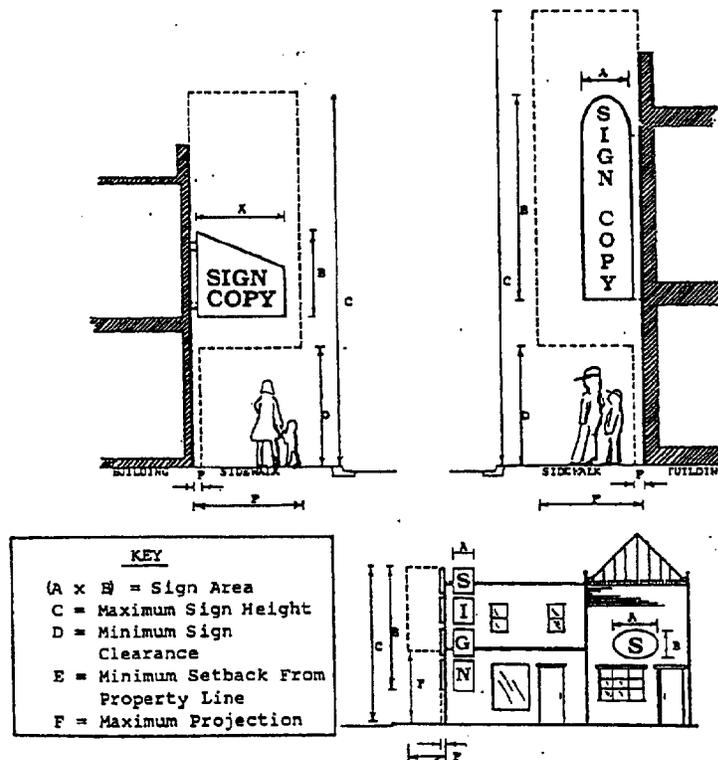


#### 4.7.80.03 - General Requirements for Attached Signs

- a. Where an attached sign projects more than 6 in., minimum clearance above a pedestrian walkway shall be 7.5 ft.
- b. In residential zones, an attached sign shall not extend above the top of a wall, eave, or parapet. In other zones, an attached sign may extend up to 4 ft. above a wall, eave, or parapet on the exterior of the building face.
- c. Where an attached sign projects more than 1 ft., the edge of the sign face closest to the building shall not project more than 6 in.
- d. For attached signs (other than awnings and marquees) that project more than 1 ft., a minimum separation of 5 ft. for each foot of projection shall be

maintained between signs to facilitate visibility. No attached sign shall project more than 8 ft. from the building face.

- e. The following diagram illustrates the terms applicable to attached signs under this section and section 4.7.90.



#### 4.7.80.04 - General Requirements for Temporary Signs Other Than Banner Signs

One temporary sign per property (other than banner signs) maintained in sound condition, appearance, and repair, shall be allowed. Maximum sign area and height for a temporary sign shall be as specified for each zone in section 4.7.90 below. Total sign area of temporary signs shall reduce, and shall not exceed, total sign allocation of a property. A temporary sign installed and used in compliance with these regulations is exempt from permit requirements.

#### **4.7.80.05 - General Requirements for the Use of Banner Signs**

Banner signs are allowed in all office, OSU, commercial and industrial zones, and in residential zones for properties with a primary frontage measuring greater than 200 ft.

- a. Banner signs require an approved sign permit. Banners shall be used consistent with either option provided below in a calendar year. The first banner permit issued on a property shall determine the option chosen. The options are:
  1. Each property is limited to three sign permits for banners per year. The maximum sign area for a banner shall be 16 sq. ft. Each sign permit for a banner shall be valid for 30 consecutive days, after which time the banner shall be removed; or
  2. Each property is limited to two sign permits for banners per year. The maximum sign area for a banner shall be 100 sq. ft. Each sign permit for a banner shall be valid for seven consecutive days, after which time the banner shall be removed.
- b. All banners shall be securely attached flush with a building face and comply with the maximum sign height provisions for attached signs in the applicable zone. The sign area of a banner sign shall not reduce a property's sign allocation.

#### **4.7.80.06 - General Requirements for Blade Signs**

- a. One non-illuminated blade sign (above the walkway and under weather protecting awnings, marquees, and parapets) placed at each entrance to a building shall be allowed. An approved sign permit is required prior to installation. Blade signs are exempt from the limitation of two attached signs per occupant or business, as discussed in section 4.7.80.01.b above.
- b. Vertical dimension of a blade sign shall not exceed 1 ft. and the width shall not exceed 90 percent of the width of the weather protection, for a maximum sign area per sign of 4 sq. ft.

### **Section 4.7.90 - ALLOCATION PROVISIONS AND SIGN STANDARDS BY ZONE**

The following provisions and design standards, organized by zone designation, specify how a property's total sign allocation may be used. Unless specified elsewhere in these regulations, total sign allocation shall be determined by multiplying the length of the property's primary frontage by the primary frontage multiple, which varies from zone to zone as described below.

**4.7.90.01 - Sign Standards for All Residential Zones Except MUR**

Table 4.7-1 and its associated special instructions outline the sign standards for all residential zones (RS-3.5, RS-5, RS-6, RS-9, RS-9(U), RS-12, RS-12(U), and RS-20) except the Mixed Use Residential (MUR) Zone.

<b>Table 4.7-1 - Residential Zones Except MUR</b>					
<b>Sign Type</b>	<b>Primary Frontage Multiple</b>	<b>Maximum Sign Area</b>	<b>Maximum Sign Height</b>	<b>Maximum Sign Projection</b>	<b>Setback</b>
Attached	0.10 sq. ft.	5 sq. ft.	16 ft.	6 in.	NA
Temporary	0.10 sq. ft.	5 sq. ft.	4 ft.	NA	NA

**Special Instructions**

- a. Attached signs shall not extend above eaves.
- b. Unless specified below, signs shall be limited to one frontage.
- c. Where a primary frontage exceeds 100 ft.:
  - 1. Permanent monument signs are allowed (minimum setback is 5 ft.);
  - 2. Maximum height for temporary and monument signs is 6 ft.;
  - 3. Maximum sign area is 16 sq. ft.; and
  - 4. Illuminated signs are permitted.
- d. Banner signs that comply with section 4.7.80.05 shall be permitted on properties with more than 200 ft. of primary sign frontage.

**4.7.90.02 - Sign Standards for the MUR Zone and the Monroe Avenue Minor NC**

Table 4.7-2 and its associated special instructions outline the sign standards for the Mixed Use Residential (MUR) Zone and the part of the Neighborhood Center Zone that is a Minor Neighborhood Center (Minor NC) on the north side of Monroe Avenue between 14<sup>th</sup> and 26<sup>th</sup> streets

<b>Table 4.7-2 - MUR and Monroe Avenue Minor NC Zones</b>					
<b>Sign Type</b>	<b>Primary Frontage Multiple</b>	<b>Maximum Sign Area</b>	<b>Maximum Sign Height</b>	<b>Maximum Sign Projection</b>	<b>Setback</b>
Attached	1.5 sq. ft.	32 sq. ft.	20 ft.	See 4.7.80	NA
Monument	1.5 sq. ft.	32 sq. ft.	6 ft. for MUR 8 ft. for Minor NC	See 4.7.80	5 ft.
Temporary	1.5 sq. ft.	5 sq. ft.	6 ft.	See 4.7.80	5 ft.

**Special Instructions**

- a. Attached signs may project over the right-of-way.
- b. Height of attached signs shall not exceed 4 ft. above the eave or parapet.
- c. Banner signs that comply with section 4.7.80.05 are permitted.
- d. Illuminated signs are permitted.

**4.7.90.03 - Sign Standards for the Minor NC (Except Monroe Avenue), PA-O, and RTC Zones**

Table 4.7-3 and its associated special instructions outline the sign standards for the Minor Neighborhood Center (Minor NC) elements of the Neighborhood Center Zone (except Monroe Avenue) and the Professional and Administrative Offices (P-AO) and Research Technology Center (RTC) zones.

<b>Table 4.7-3 - Minor NC (Except Monroe Avenue), PA-O, and RTC Zones</b>					
<b>Sign Type</b>	<b>Primary Frontage Multiple</b>	<b>Maximum Sign Area</b>	<b>Maximum Sign Height</b>	<b>Maximum Sign Projection</b>	<b>Setback</b>
Attached	1.5 sq. ft.	100 sq. ft.	25 ft.	See 4.7.80	NA
Monument	1.5 sq. ft.	100 sq. ft.	8 ft. for Minor NC, 12 ft. for PA-O and RTC	See 4.7.80	5 ft.
Pole	1.5 sq. ft.	100 sq. ft.	20 ft. Prohibited in Minor NC	See 4.7.80	5 ft.
Temporary	1.5 sq. ft.	5 sq. ft.	6 ft.	See 4.7.80	NA

**Special Instructions**

- a. Height of attached signs shall not exceed 4 ft. above the eave or parapet.
- b. Banner signs that comply with section 4.7.80.05 shall be permitted.
- c. Illuminated signs are permitted.

**4.7.90.04 - Sign Standards for the Major NC, MUCS, MUGC, CB, CBF, LI-O, LI, GI, II, MUT, MUE, and RF Zones**

Table 4.7-4 and its associated special instructions outline the sign standards for the Major Neighborhood Center (Major NC) element of the Neighborhood Center Zone, the Mixed Used Community Shopping (MUCS), Mixed Use General Commercial (MUGC), Central Business (CB), Central Business Fringe (CBF), Limited Industrial-Office (LI-O), Limited Industrial (LI), General Industrial (GI), Intensive Industrial (II), Mixed Use Transitional (MUT), Mixed Use Employment (MUE), and Riverfront (RF) Zones. Further restrictions on the RF Zone are contained in section 3.15.80 of Chapter 3.15 - Riverfront (RF) Zone.

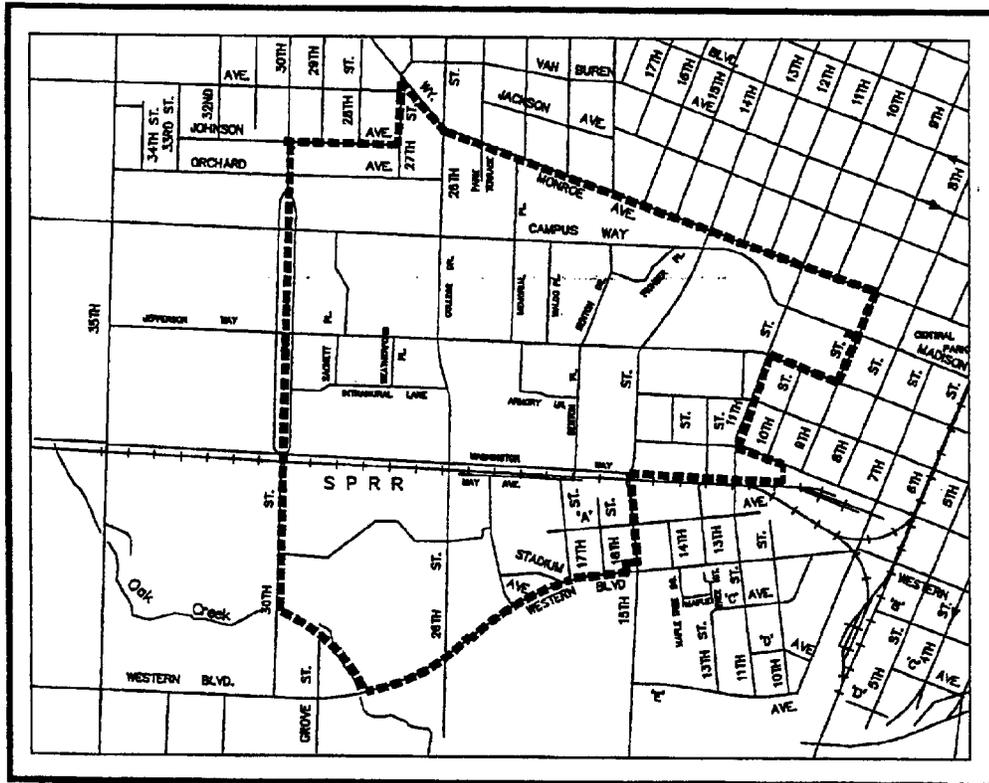
<b>Table 4.7-4 - Major NC, MUCS, MUGC, CB, CBF, LI-O, LI, GI, II, MUT, MUE, and RF Zones</b>					
<b>Sign Type</b>	<b>Primary Frontage Multiple</b>	<b>Maximum Sign Area</b>	<b>Maximum Sign Height</b>	<b>Maximum Sign Projection</b>	<b>Setback</b>
Attached	1.5 sq. ft.	200 sq. ft.	25 ft.	See 4.7.80	NA
Monument	1.5 sq. ft.	200 sq. ft.	12 ft. unless specified differently per zone or gateway standards	See 4.7.80	NA
Pole	1.5 sq. ft.	200 sq. ft.	25 ft. unless specified differently per zone. Prohibited in gateways and Major NC	See 4.7.80	NA
Temporary	1.5 sq. ft.	5 sq. ft.	6 ft.	See 4.7.80	NA

**Special Instructions**

- a. Attached signs may project over the right-of-way only in the CB Zone.
- b. Height of attached signs shall not exceed 4 ft. above the eave or parapet.
- c. Illuminated signs are permitted.
- d. Banner signs that comply with section 4.7.80.05 shall be permitted.

**4.7.90.05 - Sign Standards for Oregon State University (OSU) Zone**

Sign regulations for the OSU Zone vary, depending on the location and visual impact of the sign in relation to properties surrounding the zone. The following part of the OSU Zone is called the "exemption area": the area east of 30th Street, south of Johnson Street and Monroe Avenue, west of the east boundary of the OSU Zone, and north of Western Boulevard and Oak Creek.



### OSU SIGN EXEMPTION AREA

- a. Any sign inside the exemption area shall be exempt from these regulations, provided that:
  1. The sign is more than 100 ft. inside the exemption area;
  2. The sign has a sign area of less than 32 sq. ft.; and
  3. The sign doesn't function as a graphic communication to people outside the exemption area.
- b. Any sign located in the OSU Zone but outside the exemption area shall be exempt from these regulations, provided the sign does not function as a graphic communication to people on adjacent streets or private property.
- c. All other signs in the OSU Zone outside the exemption area shall have a sign area not greater than 32 sq. ft. Monument signs shall not exceed 6 ft. in height, and attached signs shall not vertically or horizontally project more than 6 in. from a building. Pole signs are prohibited. Unless otherwise exempt, signs along the boundary shall have a minimum separation of 100 ft. An approved Corvallis Sign Permit is required prior to installation of any

sign not exempt by the provisions of section 4.7.70 and sections 4.7.80.03, 4.7.80.05 "a" and "b," and 4.7.80.06 above.

- d. In cases where OSU believes that graphic communication needs exceed allocation provisions or the specified sign area and height, OSU may petition the Planning Commission for approval to exceed limitations as a modification of the Physical Development Plan (see Chapter 3.36 - Oregon State University (OSU) Zone).

#### **4.7.90.06 - Sign Standards for the Historic Preservation (HP) Zone**

A sign to be placed on property in a Historic Preservation Zone shall comply with the provisions in this chapter and in Chapter 2.9 - Historic Preservation Provisions.

#### **4.7.90.07 - Sign Standards for the Willamette River Greenway (WRG) Zone**

A sign to be placed on property in the Willamette River Greenway Zone and visible from the Willamette River shall be consistent with the purposes of the Greenway, as stated in Chapter 3.30 - Willamette River Greenway (WRG) Zone Overlay.

#### **4.7.90.08 - Sign Standards for the Agriculture-Open Space (AG-OS) Zone**

A sign to be placed on property in the Agriculture-Open Space Zone shall comply with the standards for uses in residential zones.

#### **4.7.90.09 - Signs in Planned Developments**

A sign plan shall be required for all Planned Developments (see Chapter 2.5), whether or not variations from the requirements of this chapter are requested. The plan shall establish the location and allocation guidelines for signs in a way that ensures all parties in the development have an equitable opportunity to communicate through signs without creating undue negative effects on surrounding properties. The sign plan shall be reviewed as follows:

- a. The sign plan shall be reviewed by the Planning Commission concurrently with the Detailed Development Plan.
- b. Before approving the sign plan, the Commission shall find that the signs in the proposed sign plan comply with this Code and/or are compatible with the types of development (existing and future) surrounding the Planned Development.
- c. A sign permit for each sign in a Planned Development shall be obtained prior to construction or installation. A proposed sign shall comply with these regulations and any additional guidelines or conditions specified in the approved sign plan before a permit may be issued for the sign.

- d. Modifications of a Planned Development sign plan shall follow the provisions for a Major Planned Development Modification outlined in Chapter 2.5 - Planned Development.

#### **Section 4.7.100 - SIGN CONSTRUCTION STANDARDS**

This section provides material, design, construction, and safety clearance standards for the construction of signs.

##### **4.7.100.01 - Materials for Permanent Signs**

Materials for construction of permanent signs or sign structures shall be of the quality and grade specified in Chapter 4 of the Uniform Sign Code as published by the International Conference of Building Officials.

##### **4.7.100.02 - Materials for Temporary Signs**

Temporary signs shall be constructed of weather-resistant paper, cloth, canvas, wood, plastic, metal, or other material with sufficient structural integrity to withstand wind and moisture, so as to maintain appearance and service for the term of use.

##### **4.7.100.03 - Design and Construction of Signs**

Signs and sign structures shall be designed and constructed as specified in the Corvallis Building Code.

##### **4.7.100.04 - Clearances For Signs**

- a. Signs shall not be placed close to electrical conductors or in other unsafe locations.
- b. No sign or sign structure shall be erected in such a manner that any portion of its surface or supports will interfere in any way with the free use of any fire escape, exit, or standpipe.
- c. No sign shall obstruct any building openings to the extent that light or ventilation is reduced to a point below that required by the Corvallis Building Code.
- d. Signs erected within 5 ft. of exterior wall openings shall be constructed of noncombustible material or approved plastics.

#### **Section 4.7.110 - VARIANCE TO STANDARDS**

There may be rare instances where a combination of strict application of the standards in this chapter and/or public safety concerns may preclude signs as a communication medium for a primary frontage. In these cases, it may be appropriate to vary a particular standard

to enable a property owner to use signage in a manner similar to other properties in the zone.

- a. To request a variance, an applicant shall submit a completed Sign Variance application and appropriate review fee.
- b. The Land Development Hearings Board shall hold a public hearing and provide notice on the application in accordance with Chapter 2.0 - Public Hearings.
- c. A variance request shall not be granted for any of the following:
  1. Size of a proposed sign;
  2. Limitations on visibility resulting from required landscaping;
  3. Location of buildings or other structures;
  4. Lack of exposure on a primary sign frontage;
  5. Convenience or economic hardship to the applicant; or
  6. Inclusion of signs otherwise prohibited by these regulations.
- d. To approve a sign variance request, the Land Development Hearings Board must find that the application meets all of the following criteria:
  1. The proposed sign is not of a type prohibited by these regulations;
  2. The variance is the minimum remedy necessary to eliminate the hardship;
  3. The variance does not substantially subvert the basic regulating formula relating the amount of sign area to the amount of sign frontage; and
  4. No alternative solution that complies with these regulations is available to the applicant.
- e. The Land Development Hearings Board shall impose such conditions on the approval as necessary to achieve the purposes of these regulations.
- f. The decision of the Land Development Hearings Board shall be final unless appealed to the City Council in accordance with Chapter 2.19 - Appeals.
- g. Where a sign approved through variance procedures is not installed within one year, the variance approval shall expire and all work must fully comply with this Code.

## **Section 4.7.120 - ADMINISTRATIVE**

### **4.7.120.01 - Enforcement**

The Director shall administer and enforce sign regulations and is authorized to issue citations for violations in accordance with Chapter 1.3 - Enforcement.

### **4.7.120.02 - Violations**

Violations of these regulations shall be considered a Class B infraction and are subject to the procedures provided in ORS 153.110 through 153.310, as now constituted.

- a. A person cited for a violation shall be fined up to \$100.00.
- b. Each day a sign is in violation shall be considered a new violation.

### **4.7.120.03 - Ordered Removal**

The Director may order removal of any sign erected or maintained in violation of these regulations.

- a. The Director shall deliver a warning notice that the sign is in violation of these regulations. The notice shall be provided to individuals using the sign, to the owner of the sign or enterprise, and/or to the property owner.
- b. The notice shall allow three working days for removal of temporary signs and 14 working days for removal of permanent signs.
- c. If the owner or permittee fails to remove the sign as directed in the warning notice, the Director may issue a citation and may remove the sign. Any expense related to removal shall be paid by the owner or permittee of the sign. If such persons cannot be found, the expense shall be paid by the owner of the building, structure, or property to which the sign is affixed.
- d. If the condition of the sign presents an immediate threat to public safety, the Director may order immediate removal of the sign, without prior notice. Any expenses related to removal shall be paid by the owner or permittee of the sign. If such persons cannot be found, the expense shall be paid by the owner of the building, structure, or property.

### **4.7.120.04 - Limitation of Liability**

The City shall not be held responsible for any damage to persons or property by reason of approval, disapproval, or the issuance of a sign permit authorized herein, or inspection or reinspection of a sign as authorized by this chapter.