18.96 Sign Regulations

18.96.010 Purpose

This Chapter shall hereafter be known and designated as the "Sign Ordinance of the City of Ashland", and is adopted in recognition of the important function of signs and the need to safeguard and enhance the economic and aesthetic values in the City of Ashland through regulation of such factors as size, number, location, illumination, construction, and maintenance of signs; and thereby safeguard public health, safety and general welfare.

18.96.020 Definitions Relating to Signs

1. **Alteration.** Any change excluding content, and including but not limited to the size, shape, method of illumination, position, location, materials, construction, or supporting structure of a sign.

2. **Area.** The entire area within circles, triangles or rectangles which enclose the extreme limits of lettering, logo, trademark, or other graphic representation, together with any frame or structural trim forming an integral part of the display used to differentiate the sign from the background against which it is placed. In the case of a multi-faced sign, the area of each face shall be included in determining sign area, excepting double-faced signs placed no more than 24 inches back-to-back.

3. **Awning**. A temporary or movable shelter supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting framework.

4. **Building Face of Wall.** All window and wall area of a building in one plane or elevation.

5. **Bulletin Board or Reader Board.** A sign of a permanent nature, but which accommodates changeable copy.

6. **Business.** A commercial or industrial enterprise.

7. **Business Frontage.** A lineal front footage of a building or portion thereof devoted to a specific business or enterprise, and having a pedestrian entrance/exit open to the general public during all business hours.

8. **Business Premises.** A parcel of property or that portion thereof occupied by one tenant.

9. **Canopy.** A non-movable roof-like structure attached to a building.

10. **Construction sign.** A temporary sign erected on the premises where construction is taking place during the period of construction.

11. **Direct Illumination**. A source of illumination on the surface of a sign or from within a sign.

12. **Election.** The time designated by law for voter to cast ballots for candidates and measures.

13. **Flashing Sign.** A sign incorporating intermittent electrical impulses to a source of illumination or revolving or moving in a manner which creates the illusion of flashing, or which changes color or intensity of illumination. This definition is to include electronic time, date and temperature signs.

14. **Ground Sign.** A sign erected on a free-standing frame, mast or pole and not attached to any building. Also known as a "free-standing sign".

15. **Indirect Illumination.** A source of illumination directed toward a sign so that the beam of light falls upon the exterior surface of the sign.

16. **Illegal Sign.** A sign which is erected in violation of the Ashland Sign Code (18.96).

17. **Marquee Sign.** A sign which is painted on, attached to, or supported by a marquee, awning or canopy.

18. **Marquee.** A non-movable roof-like structure which is self-draining.

19. **Non-conforming Sign.** An existing sign, lawful at the time of enactment of this Ordinance, which does not conform to the requirements of this Code.

20. **Projecting Signs.** Signs other than wall signs, which are attached to and project from a structure or building face, usually perpendicular to the building face.

21. **Portable Sign.** A permitted sign not permanently attached to the ground or other permanent structure including sandwich boards, pedestal signs, ' A' Frame signs, flags, and wind signs (not including flags of national, state or city governments).

22. **Public Art.** Public Art defined, approved, and installed in accordance with section 2.17 of the Ashland Municipal Code shall not be regulated as a sign per the provisions of this Chapter.

23. **Real Estate Sign.** A sign erected on the premises, where the property, or a portion of the property, is actively listed for sale or lease, during the period of sale or lease.

24. **Replacement Sign.** A change in the materials of permitted sign in which the approved sign dimensions, supporting structure, and location remain unaltered.

25. **Roof Sign.** Any sign erected upon, against, or directly above a roof or top of or above the parapet of a building.

26. **Shopping Center or Business Complex.** Any business or group of businesses which are in a building or group of buildings, on one or more lots which are contiguous or which are separated by a public right-of-way or a privately owned flag drive used for access and not greater than 35 feet in width, which are constructed and/or managed as a single entity, and share ownership and/or function.

27. **Sign**. Any identification, description, illustration, symbol or device which is placed or affixed directly or indirectly upon a building, structure, or land, Interior illuminated panels, fascia strips, bands, columns, or other interior illuminated decorative features located on or off a structure, visible from the public right-of-way, and with or without lettering or graphics shall also be considered a sign and included in the overall sign area of the site.

Public Art shall not be considered a sign.

28. **Sign, Public.** A 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 lights.

29. **Street Frontage.** The lineal dimension in feet that the property upon which a structure is built abuts a public street or streets.

30. **Temporary Sign.** A sign which is not permanently affixed. All devices such as banners, pennants, flags, (not including flags of national, state or city governments), searchlights, curb signs, balloons or other air or gas-filled balloons.

31. **Three-Dimensional Sign.** A sign which has a depth or relief on its surface greater than six inches exclusive of the supporting sign structure and not to include projecting wall signs.

32. **Vehicle Sign.** A sign mounted on a vehicle, bicycle, trailer or boat, or fixed or attached to a device for the purpose of transporting from site-to-site.

33. **Wall Graphics.** Including but not limited to any mosaic, mural or painting or graphic art technique or combination or grouping of mosaics, murals, or paintings or graphic art techniques applied, implanted or placed directly onto a wall or fence.

34. **Wall Sign.** A sign attached to or erected against the wall of a building with the face in a parallel plane of the building wall.

35. **Wind Sign or Device.** Any sign or device in the nature of banners, flags, balloons, or other objects fastened in such a manner as to move upon being subject to pressures by wind or breeze.

(Ord. 2660, 1991; Ord 2982, 2009)

18.96.030 Exempted Signs

The following signs and devices shall not be subject to the provisions of this chapter except for 18.96.040 and 18.96.140

A. Informational signs placed by the City of Ashland or by the State or Oregon in the publicly owned right-of-way. Collective identification or directory signs placed by the City of Ashland showing the types and locations of various civic, business, recreation, historic interest areas, or other similar uses, when such signs are located on publicly owned right-of-way or on City of Ashland property.

B. Memorial tablets, cornerstones, or similar plaques not exceeding six square feet in size.

C. Flags of national, state or local governments.

D. Signs within a building provided they are not visible to persons outside the building.

E. Temporary signs not exceeding four square feet, provided the signs are erected no more

than 45 days prior to and removed within seven days following an election. (Ord 2844; S1 1999)

F. Temporary, non-illuminated real estate signs not exceeding six square feet in residential areas or twelve square feet in commercial and industrial areas, provided said signs are removed within fifteen days from the sale, lease or rental of the property. Such signs shall be limited to one sign per lot. Free-standing temporary real estate signs shall be no greater than five feet above grade.

G. Temporary non-illuminated construction signs on a lot with an aggregate area not exceeding sixteen (16) square feet in residential areas or thirty-two (32) square feet in commercial and industrial areas, provided said signs are removed within seven days of completion of the project. Such signs shall be limited to no more than four signs per lot. Free-standing temporary construction signs shall be no greater than five feet above grade.

H. Small incidental signs provided said signs do not exceed two square feet in area per sign, not more than two in number on any parcel or two per business frontage, whichever is greater. Within the Downtown Design Standards Zone, three incidental signs with a total area of seven square feet, provided no single incidental sign exceeds three square feet in area, are allowable per business frontage.

I. Temporary signs painted or placed upon a window in a non-residential zone, when such signs do not obscure more than twenty percent of such window area, and are maintained for a period not exceeding seven days. Signs which remain longer than seven days will be considered permanent and must comply with the provisions of the Ashland Sign Code (18.96).

J. Any sign which is not visible to motorists or pedestrians on any public highway, sidewalk, street or alley.

K. Strings of Lights. Strings of lights in non-residential zones where the lights do not exceed 5 watts per bulb do not flash or blink in any way. Strings of lights in residential zones are not regulated.

L. Temporary non-illuminated signs not exceeding 16 square feet for charitable fundraising events placed by non-profit and charitable organizations. Such signs shall not be placed more than seven days prior to the event and must be removed within two days following the event. No more than two such events may be advertised in this manner per lot per year.

All of the foregoing exempted signs shall be subject to the other regulations contained in this Chapter 18.96 relative to the size, lighting or spacing of such sign.

(Ord 2844, S1 1999; Ord. 2660, 1991; Ord. 2323, 1984; Ord. 2221, 1982; Ord 2982, 2009)

18.96.040 Prohibited Signs

A. No sign, unless exempted or allowed pursuant to this Chapter, shall be permitted except as may be provided in Section 18.96.030.

B. No movable sign, temporary sign or bench sign shall be permitted except as may be provided in Section 18.96.030.

C. No wind sign, device, or captive balloon shall be permitted except as may be provided in Section 18.96.030 and 18.96.080(B) 6

D. No flashing signs shall be permitted.

E. No sign shall have or consist of any moving, rotating, or otherwise animated part.

F. No three-dimensional statue, caricature or representation of persons, animals or merchandise shall be used as a sign or incorporated into a sign structure except as may be provided in Sections 18.96.080(B) 5.

G. No public address system or sound devices shall be used in conjunction with any sign or advertising device.

H. No roof signs or signs which project above the roof shall be permitted.

I. No exposed sources of illumination shall be permitted on any sign, or for the decoration of any building, including, but not limited to, neon or fluorescent tubing and flashing incandescent bulbs, except when the source of illumination is within a building, and at least ten (10) feet from a window which allows visibility from the public right-of-way, or when a sign is internally illuminated or the source of light is fully shielded from the public view.

J. No signs which use plastic as part of the exterior visual effects or are internally illuminated in the Historic District, as identified in the Ashland Comprehensive Plan, or in any residential districts shall be permitted.

K. No bulletin boards or signs with changeable copy shall be permitted, except as allowed in Section 18.96.060(D).

L. No wall graphics shall be permitted.

M. No unofficial sign which purports to be, is an imitation of, or resembles an official traffic sign or signal, or which attempts to direct the movement of traffic, or which hides from view any official traffic sign or signal shall be permitted.

N. Vehicle signs used as static displays such that the primary purpose of the vehicle is the display of the sign, placed or parked on the public right-of-way for a continuous period of 2 days or more. Vehicles and equipment regularly used in the conduct of the business such as delivery vehicles, construction vehicles, fleet vehicles, or similar uses, shall not be subjected to this prohibition.

(Ord. 2221, 1982; Ord. 2221, 1982; Ord. 2440, 1988; Ord 2982, 2009)

18.96.050 Sign Permits

A. Sign Permit Required. A sign permit is required in each of the following instances:

1. Upon the erection of any new sign except exempted signs.

2. To make alteration to an existing sign, including a change in the size or materials. Permits shall not be required for minor maintenance and repairs to existing signs or for changes in sign copy for conforming signs.

3. To alter an existing non-conforming sign, subject to Section 18.96.150.

4. To erect a temporary sign for a new business subject to Section 18.96.050(D).

B. Required Information for a Sign Permit. For the purposes of review by the Staff Advisor and Building Official, a drawing to scale shall be submitted which indicates fully the material, color, texture, dimensions, shape, relation and attachment to building and other structures, structural elements of the proposed sign, and the size and dimensions of any other signs located on the applicant's building or property.

C. Temporary Signs for New Businesses. The Staff Advisor or his/her designate can issue a permit for a temporary sign for new businesses for a period not to exceed seven days. A permit is required for these signs but the permit fee is waived.

D. Unsafe or Illegal Signs.

1. If the Staff Advisor or Building Official shall find that any sign is unsafe or insecure, or any sign erected or established under a sign permit has been carried out in violation of said permit or this chapter, he/she shall give written notice to the permittee or owner thereof to remove or alter such sign within seven days.

2. The Staff Advisor or Building Official may cause any sign which is an immediate peril to persons or property, or sign erected without a permit, to be removed immediately, and said sign shall not be re-established until a valid permit has been issued. Failure to remove or alter said signs as directed shall subject the permittee or owner to the penalties prescribed in this Title.

3. Any person who erects, constructs, prints, paints or otherwise makes a sign for which a sign permit or approval is required under Chapter 18.96 without first having determined a permit has been obtained for such sign, has committed an infraction, and upon conviction thereof is punishable as prescribed in section 1.08.020 of the Ashland Municipal Code. It shall not be a defense to this section that such person erected, constructed, printed, painted or otherwise made the sign for another. (amended Ord. 2754, 1995)

E. Sign Permit Record Required. The Planning Department shall keep a copy and permanent record of each sign permit issued.

F. Sign Permit Fee. The fee for a sign permit shall be as set forth in Resolution No. 88-01, as adopted by the City Council. The fee for any sign which is erected without a sign permit shall be double the regular sign fee.

18.96.060 General Sign Regulations

The following general provisions shall govern all signs in addition to all other applicable provisions of this chapter.

A. Variances. The following regulations pertaining to signs are not subject to the variance section of this Code:

1. Section 18.96.040 - Prohibited signs.

2. Section 18.96.110 - Abatement of nuisance signs.

3. Section 18.96.120 - Construction and maintenance standards.

4. The size, height and number of constraints of Sections 18.96.070, 18.96.080, 18.96.090 and 18.96.100, except as may be allowed in 18.96.130.

B. Obstruction by Signs. No sign or portion thereof shall be placed so that it obstructs any fire escape, stairway or standpipe; interferes with human exit through any window of any room located above the first floor of any building; obstructs any door or required exit from any building; or obstructs any required light or ventilation.

C. Bulletin Board or Reader Board. Twenty (20) percent of permitted sign area may be allowed as a bulletin board or reader board.

D. Placement of Signs.

1. **Near residential.** No sign shall be located in a commercial or industrial district so that it is primarily visible only from a residential district.

2. **Near street intersections.** No signs in excess of two and one-half feet in height shall be placed in the vision clearance area. The vision clearance area is the triangle formed by a line connecting points twenty-five feet from the intersection of property lines. In the case of an intersection involving an alley and a street, the triangle is formed by a line connecting points ten feet along the alley and twenty-five feet along the street. When the angle of intersection between the street and the alley is less than 30 degrees, the distance shall be twenty-five feet. This provision shall apply to all zones.

3. **Near driveways.** No sign or portion of thereof shall be erected within ten feet of driveways unless the same is less than two and one-half feet in height.

4. **Future street right-of-way.** No sign or portion thereof shall be erected within future street right-of-ways, as depicted upon the Master Street Plan, unless and until an agreement is recorded stipulating that the sign will be removed or relocated upon street improvements at no expense to the City.

18.96.070 Residential and North Mountain Sign Regulations

Signs in the residential (R) and North Mountain (NM) districts shall conform to the following

regulations:

A. Special Provisions:

1. No sign or portion thereof shall extend beyond any property line of the premises on which such sign is located.

2. Internally illuminated signs shall not be permitted.

3. Nothing contained herein shall be construed as permitting any type of sign in conjunction with a commercial use allowed as a home occupation, as no signs are allowed in conjunction with a home occupation. Signs in residential areas are only permitted in conjunction with a Conditional Use.

B. Type of Signs Permitted.

1. Neighborhood identification signs. One sign shall be permitted at each entry point to residential developments not exceeding an area of six square feet per sign with lettering not over nine inches in height, located not over three feet above grade.

2. Conditional Uses. Uses authorized in accordance with the Chapter on Conditional Use Permits may be permitted one ground sign not exceeding an overall height of five feet and an area of fifteen square feet, set back at least ten feet from property lines; or one wall sign in lieu of a ground sign. Such signs shall be approved in conjunction with the issuance of such conditional use permit. Said signs shall not use plastic as part of the exterior visual effect and shall not be internally illuminated.

3. Retail commercial uses allowed as a conditional use in the Railroad District and traveler's accommodations in residential zones shall be allowed one wall sign or one ground sign which meets the following criteria:

a. The total size of the sign is limited to six square feet.

b. The maximum height of any ground sign is to be three feet above grade.

c. The sign must be constructed of wood and cannot be internally illuminated.

4. North Mountain Signs. Signs for approved non-residential uses within the NM-R15, NM-C and NM Civic zones shall be permitted one ground sign not exceeding an overall height of five feet and an area of fifteen square feet, set back at least ten feet from property lines; or one wall or awning sign in lieu of a ground sign. Said signs shall not use plastic as part of the exterior visual effect and shall not be internally illuminated.

(ORD 2951, 2008)

18.96.080 Commercial-Downtown Overlay District (C-1-D).

Signs in the Commercial-Downtown Overlay District shall conform to the following regulations:
A. **Special Provisions.**

1. Frontage. The number and use of signs allowed by virtue of a given business frontage shall be placed only upon such business frontage.

2. Aggregate number of signs. The aggregate number of signs for each business shall be two signs for each business.

3. Material. No sign in the Commercial-Downtown Overlay District shall use plastic as part of the exterior visual effects of the sign.

4. Aggregate area of signs**.** The aggregate area of all signs established by and located on a given street frontage shall not exceed an area equal to one square foot for each lineal foot of street frontage. Aggregate area shall not include nameplates, and real estate and construction signs.

B. **Types of Signs Permitted.**

1. **Wall Signs.**

a. Number. Two signs per building frontage shall be permitted for each business, or one sign per frontage for a group of businesses occupying a single common space or suite.

b. Area. Buildings with two or fewer business frontages shall be permitted one square foot of sign area for each lineal foot of business frontage. For the third and subsequent business frontages on a single building, the business shall be permitted one square foot of sign area for every two lineal feet of business frontage. The maximum sign area on any single business frontage shall not exceed sixty (60) square feet.

Business frontages of three or more, on a single building, shall comply with the following criteria established within the City' s Site Design and Use Standards:

i. A pedestrian entrance designed to be attractive and functional, and open to the public during all business hours

ii. The pedestrian entrance shall be accessed from a walkway connected to a public sidewalk.

c. Projection. Signs may project a maximum of two feet from the face of the building to which they are attached, provided the lowest portion of the sign is at least eight feet above grade. Any portion lower than eight feet may only project four inches.

d. Extension above roof line. Signs may not project above the roof or eave line of the building.

2. **Ground Signs.**

a. Number. One sign, in lieu of a wall sign, shall be permitted for each lot with a street frontage in excess of fifty lineal feet. Corner lots can count one street frontage. Two or more parcels of less than fifty feet may be combined for purposes of meeting the foregoing standard.

b. Area. Signs shall not exceed an area of one square foot for each two lineal feet of street frontage, with a maximum area of sixty square feet per sign.

c. Placement. Signs shall be placed so that no sign or portion thereof shall extend beyond any property line of the premises on which such sign is located. Signs on corner properties shall also comply with the vision clearance provisions of Section 18.96.060(F).

d. Height. No ground sign shall be in excess of five feet above grade.

3. **Marquee or Awning Signs.**

a. Number. A maximum of two signs shall be permitted for each business frontage in lieu of wall signs.

b. Area. Signs shall not exceed the permitted aggregate sign area not taken up by a wall sign.

c. Projection. Signs may not project beyond the face of the marquee if suspended, or above the face of the marquee if attached to and parallel to the face of the marquee.

d. Height. Signs shall have a maximum face height of nine inches if placed below the marquee.

e. Clearance above grade. The lowest portion of a sign attached to a marquee shall not be less than seven feet, six inches above grade.

f. Signs painted on a marquee. Signs can be painted on the marquee in lieu of wall signs provided the signs do not exceed the permitted aggregate sign area not taken up by wall signs.

4. **Projection Signs.**

a. Number. One sign shall be permitted for each business or group of businesses occupying a single common space or suite in lieu of a wall sign.

b. Area. Except for marquee or awning signs, a projecting sign shall not exceed an area of one square foot for each two feet of lineal business frontage that is not already utilized by a wall sign. The maximum area of any projecting sign shall be 15 square feet.

c. Projection. Signs may project from the face of the building to which they are attached a maximum of two feet if located eight feet above grade, or three feet if located nine feet above grade or more.

d. Height and extension above roof line. Signs shall not extend above the roofline, eave or parapet wall of the building to which they are attached, or be lower than eight feet above grade.

e. Limitation on placement. No projecting sign shall be placed on any frontage on an arterial street as designated in the Ashland Comprehensive Plan.

5. **Three-Dimensional Signs.**

a. Number. One three-dimensional sign shall be permitted for each lot in lieu of one three square foot incidental sign otherwise allowed per 18.96.030H.

b. Surface Area. Flat surfaces in excess of two square feet shall count toward the total aggregate sign area per 18.96.080(A) 4.

c. Placement. The three-dimensional sign shall be located so that no sign or portion thereof is within a public pedestrian easement or extends beyond any property line of the premises on which such sign is located into the public right-of-way unless the sign is attached to the face of the building and located eight feet above grade, or the sign is attached to a marquee with the lowest portion of the sign not less than seven feet, six inches above grade not projecting beyond, or above, the face of the marquee.

d. Dimensions. No three-dimensional sign shall have a height, width, or depth in excess of three feet.

e. Volume. The volume of the three-dimensional sign shall be calculated as the entire volume within a rectangular cube enclosing the extreme limits of all parts of the sign and shall not exceed three (3) cubic feet. For the purposes of calculating volume the minimum dimension for height, width, or depth shall be considered one foot.

f. Materials. The three-dimensional signs shall be constructed of metal, wood, bronze, concrete, stone, glass, clay, fiberglass, or other durable material, all of which are treated to prevent corrosion or reflective glare. Three dimensional signs shall not be constructed of plastic. Three dimensional signs shall not be internally illuminated or contain any electrical component.

6. **Portable Business Signs**

a. Number. One portable business sign, limited to sandwich boards, pedestal signs, ‘ A’ frame signs, flags, and wind signs, shall be allowed on each lot excepting that buildings, businesses, shopping centers, and business complexes with permanent ground signs shall not be permitted to have portable signs.

b. Area. Sign area shall be deducted from the aggregate sign allowed for exempt incidental signs established in 18.96.030(H). Signs shall not exceed an area of four (4) square feet per face including any border or trim, and there shall be no more than two (2) faces.

c. Height. Sandwich board signs and ‘ A’ frame signs shall not extend more than three (3) feet above the ground on which it is placed. Pedestal signs shall

not extend more than four (4) feet above the ground on which it is placed. A freestanding wind sign shall not extend more than five (5) feet above the ground on which it is placed.

d. Placement. Signs shall be placed so that no sign or portion thereof shall extend beyond any property line of the premises on which such sign is located. Portable signs shall be located within ten feet of the business entrance and shall not be placed on public right-of-way. No portable business sign shall be constructed and placed so as to interfere with pedestrian ingress and egress as regulated within the Ashland Municipal Code.

e. General Limitations. Signs shall be anchored, supported, or designed as to prevent tipping over, which reasonably prevents the possibility of signs becoming hazards to public health and safety. Signs shall not be constructed of plastic, illuminated or contain any electrical component. No objects shall be attached to a portable sign such as but not limited to balloons, banners, merchandise, and electrical devices. Portable business signs shall be removed at the daily close of business. These signs are prohibited while the business is closed.

(Ord 2982, 2009)

18.96.090 Commercial, Industrial and Employment Districts

Signs in commercial, industrial, employment, and Croman Mill districts, excepting the Downtown-Commercial Overlay District and the Freeway Overlay District, shall conform to the following regulations:

A. Special Provisions.

1. Frontage. The number and use of signs allowed by virtue of a given business frontage shall be placed only upon such business frontage.

2. Aggregate number of signs. The aggregate number of signs for each business shall be two signs for each business frontage.

3. Aggregate area of signs. The aggregate area of all signs established by and located on a given street frontage, shall not exceed an area equal to one square foot of sign area for each lineal foot of street frontage. Aggregate area shall not include nameplates, and temporary real estate and construction signs.

B. Types of Signs Permitted.

1. Wall Signs.

a. Number. Two signs per building frontage shall be permitted for each business, or one sign per frontage for a group of businesses occupying a single common space or suite.

b. Area. Buildings with two or fewer business frontages shall be permitted one square foot of sign area for each lineal foot of business frontage. For the third and subsequent business frontages on a single building, the business shall be permitted one square foot of sign area for every two lineal feet of business frontage. The maximum sign area on any single business frontage shall not exceed sixty (60) square feet.

Business frontages of three or more, on a single building, shall comply with the following criteria established within the City' s Site Design and Use Standards:

i. A pedestrian entrance designed to be attractive and functional, and open to the public during all business hours

ii. The pedestrian entrance shall be accessed from a walkway connected to a public sidewalk.

c. Projection. Except for marquee or awning signs, a projecting sign may project a maximum of two feet from the face of the building to which they are attached, provided the lowest portion of the sign is at least eight feet above grade. Any portion lower than eight feet can only project four inches.

d. Extension above roof line. Signs may not project above the roof or eave line of the building.

2. Ground Signs.

a. Number. One sign shall be permitted for each lot with a street frontage in excess of fifty lineal feet. Corner lots can count both street frontages in determining the lineal feet of the street frontage but only one ground sign is permitted on corner lots. Two or more parcels of less than fifty feet may be combined for purposes of meeting the foregoing standard.

b. Area. Signs shall not exceed an area of one square foot for each two lineal feet of street frontage, with a maximum area of sixty square feet per sign.

c. Placement. Signs shall be placed so that no sign or portion thereof shall extend beyond any property line of the premises on which such sign is located. Signs on corner properties shall also comply with the vision clearance provisions of Section 18.96.060(F).

d. Height. No ground sign shall be in excess of five feet above grade.

3. Awning or Marquee Signs.

a. Number. Two signs shall be permitted for each business frontage in lieu of wall signs.

b. Area. Signs shall not exceed the permitted aggregate sign area not taken up by a wall sign.

c. Projection. Signs may not project beyond the face of the marquee if suspended, or above or below the face of the marquee if attached to and parallel to the face of the marquee.

d. Height. Signs shall have a maximum face height of nine inches if attached to the marquee.

e. Clearance above grade. The lowest portion of a sign attached to a marquee shall not be less than seven feet, six inches above grade.

f. Signs painted on a marquee. Signs can be painted on the marquee in lieu of wall sign provided the signs do not exceed the permitted aggregate sign area not taken up by wall signs.

4. Portable Business Signs

a. Number. One portable business sign, limited to sandwich boards, pedestal signs, ‘ A’ frame signs, flags, and wind signs, shall be allowed on each lot excepting that buildings, businesses, shopping centers, and business complexes with permanent ground signs shall not be permitted to have portable signs.

b. Area. Sign area shall be deducted from the aggregate sign allowed for exempt incidental signs established in 18.96.030(H). Signs shall not exceed an area of four (4) square feet per face including any border or trim, and there shall be no more than two (2) faces.

c. Height. Sandwich board signs and ‘ A’ frame signs shall not extend more than three (3) feet above the ground on which it is placed. Pedestal signs shall not extend more than four (4) feet above the ground on which it is placed. A freestanding wind sign shall not extend more than five (5) feet above the ground on which it is placed.

d. Placement. Signs shall be placed so that no sign or portion thereof shall extend beyond any property line of the premises on which such sign is located. Portable signs shall be located within ten feet of the business entrance and shall not be placed on public right-of-way. No portable business sign shall be constructed and placed so as to interfere with pedestrian ingress and egress as regulated within the Ashland Municipal Code.

e. General Limitations. Signs shall be anchored, supported, or designed as to prevent tipping over, which reasonably prevents the possibility of signs becoming hazards to public health and safety. Signs shall not be constructed of plastic, illuminated or contain any electrical component. No objects shall be attached to a portable sign such as but not limited to balloons, banners, merchandise, and electrical devices. Portable business signs shall be removed at the daily close of business. These signs are prohibited while the business is closed.

5. Three-Dimensional Signs.

a. Number. One three-dimensional sign shall be permitted for each lot in lieu of one three square foot incidental sign otherwise allowed per 18.96.030H.

b. Surface Area. Flat surfaces in excess of two square feet shall count toward the total aggregate sign area per 18.96.090(A) 4.

c. Placement. The three-dimensional sign shall be located so that no sign or portion thereof is within a public pedestrian easement or extends beyond any property line of the premises on which such sign is located into the public right-of-way unless the sign is attached to the face of the building and located eight feet above grade, or the sign is attached to a marquee with the lowest portion of the sign not less than seven feet, six inches above grade not projecting beyond, or above, the face of the marquee.

d. Dimensions. No three-dimensional sign shall have a height, width, or depth in excess of three feet.

e. Volume. The volume of the three-dimensional sign shall be calculated as the entire volume within a rectangular cube enclosing the extreme limits of all parts of the sign and shall not exceed three (3) cubic feet. For the purposes of calculating volume the minimum dimension for height, width, or depth shall be considered one foot.

f. Materials. The three-dimensional signs shall be constructed of metal, wood, bronze, concrete, stone, glass, clay, fiberglass, or other durable material, all of which are treated to prevent corrosion or reflective glare. Three dimensional signs shall not be constructed of plastic. Three dimensional signs shall not be internally illuminated or contain any electrical component.

(Ord 2982, 2009; Ord 3036, 2010)

18.96.100 Freeway Sign Zone

A. Purpose. This special overlay zone is intended to provide for and regulate certain ground signs which identify businesses in commercial districts located at freeway interchanges.

B. Establishment and Location of Freeway Sign Zones. Freeway sign zones shall be depicted on the official zoning map of the City and identified as the Freeway Overlay District.

C. Freeway Overlay Sign Regulations. All signs in this district shall comply with Section 18.96.090, except for ground signs, which shall comply with the provisions of Section 18.96.100(D), ground sign regulations.

D. Ground Sign Regulations.

1. **Number.** One freeway sign shall be permitted for each lot in addition to the signs allowed by 18.96.090 of this Chapter. (Ord. 2290, 1984)

2. **Area.** Signs shall not exceed an area of one hundred (100) square feet per sign.

3. **Height.** Signs shall not exceed a height of 2028 feet above mean sea level.

18.96.110 Abatement of Nuisance Signs

The following signs are hereby declared a public nuisance and shall be removed or the nuisance abated:

A. Flashing sign visible from a public street or highway.

B. Temporary, movable or portable signs located on the publicly owned right-of-way.

C. Illegal signs.

D. Signs in obvious disrepair which are not maintained according to the standards set forth in 18.96.120(C).

(Ord 2982, 2009)

18.96.120 Construction and Maintenance Standards

A. **Materials of construction.**

1. **Single and multi-family residential districts.** All signs and their supporting member may be constructed of any material subject to the provisions of this Chapter.

2. **Commercial and industrial districts.** All signs and their supporting members shall be constructed of non-combustible materials or fire-retardant treated wood which maintains its fire-resistive qualities when tested in accordance with the rain and weathering tests of the U.B.C. Standards No.32-37, unless otherwise provided in this Section.

3. **Non-treated signs.** All wall, ground, marquee and projecting signs of twenty square feet or less may be constructed of non-treated wood.

4. **Real estate and construction signs.** All signs may be constructed of compressed wood particle board or other material of similar fire resistivity.

5. **Directly illuminated signs.** All signs illuminated from within may be faced with plastics approved by the Building Code.

6. **Glass.** All glass used in signs shall be shatter-resistant, or covered by a shatter-resistant material.

7. **Wood.** Wood in contact with the ground shall be foundation-grade redwood, foundation-grade cedar, all heartwood cypress, or any species of wood which has been pressure-treated with an approved preservative. Trim and backing strips may be constructed of wood.

B. **Construction Methods.**

1. All signs shall be constructed of such materials or treated in such manner that normal weathering will not harm, deface or otherwise affect the sign.

2. All letters, figure and similar message elements shall be safely and securely attached to the sign structure.

3. All signs shall be designed and constructed to resist the applicable wind loads set forth in the Building Code.

C. **Maintenance.** All signs shall be maintained at all times in a state of good repair, and no person shall maintain or permit to be maintained on any premises owned or controlled by him/her, any sign which is in a sagging, leaning, fallen, decayed, deteriorated or other dilapidated or unsafe condition.

18.96.130 Nonconforming Signs

A. Any sign which does not conform with a provision of the Ashland Sign Code, and has been in existence for more than five years, is subject to this Section.

B. Alteration of any existing nonconforming sign. It is unlawful to alter any existing nonconforming sign. The sign must be brought into conformance with this Title upon any physical alteration. Acts of God or vandalism which damage these nonconforming signs shall be exempt from this Section, if the cost of the repair is less than 50% of the cost of replacing the sign with a conforming sign. However, the signs must be restored to their original design and a permit with a $10.00 fee will be required prior to the repair work.

C. Any nonconforming sign used by a business, shopping center, or business complex must be brought into conformance prior to any expansion or change in use which requires a Site Review or Conditional Use Permit. All nonconforming signs must be brought into conformance with the same provisions as are required for new signs. No building permits for new construction may be issued until this provision is complied with.

D. Variances can be granted using the variance procedure of this Title to alleviate unusual hardships or extraordinary circumstances which exist in bringing nonconforming signs into conformity. The variance granted shall be the minimum required to alleviate the hardship or extraordinary circumstance. (Ord. 2357, 1985)

18.96.140 Enforcement

The portions of this Chapter relating to the structural characteristics and safety of signs

shall be enforced by the Building Official or his/her designate; all other portions shall be enforced by the Staff Advisory or designate. (Ord. 2176, 1982)

18.96.150 Governmental Signs

Governmental agencies may apply for a Conditional Use to place a sign that does not conform to this Code when it is determined that, in addition to the criteria for a conditional use, the sign is necessary to further that agency's public purpose.

(Ord. 2557, 1985; Ord. 2440, 1988; ORD 2951, 2008)

18.96.160 Historic Signs

A. Historic Sign Inventory. The inventory of historically significant signs shall be established by resolution of the City Council.

B. Criteria for designation of historic signs. All signs for which designation as a Historic Sign are requested shall be substantially in existence at the time of the application; shall be displayed in their original location; shall be in association with an important event, person, group, or business in the history of the City of Ashland; shall follow a guideline of being in existence for approximately 40 years; and shall meet one of the following criteria:

1. The sign is exemplary of technology, craftsmanship or design of the period when it was constructed, uses historic sign materials or means of illumination, and is not significantly altered from its historic period. If the sign has been altered, it must be restorable to its historic appearance.

2. The sign is integrated into the architecture of the building and is exemplary of a historically significant architectural style.

C. The owner of any sign may request that said sign be reviewed for significance in the Historic Sign Inventory upon written application to the City Council. Application fees shall be the same as for Type I applications. Applications shall include written findings addressing the criteria for designation of historic signs, and current and historic photographs of the sign, if available.

1. The Council shall refer all requests for inclusion on the Historic Sign Inventory to the Historic Commission for review and recommendation to the Council within 30 days of the request. Notice of the Historic Commission meeting shall be mailed to all affected property owners within 100' of the subject property. if a recommendation is not made within 30 days, the request shall be forwarded to the Council without a recommendation.

2. The Council shall, after receiving the recommendation of the Historic Commission or after 30 days, provide notice to all affected property owners within 100' of the subject property of a public hearing before the City Council.

3. The Council shall decide, based on the criteria above and the recommendation of the Historic Commission, whether to approve the request to include the sign on the inventory.

4. Inclusion on the Historic Sign Inventory shall be by resolution of the Council.

5. The burden of proof shall be on the applicant.

D. Signs on the Historic Sign Inventory in any zoning district shall be exempt from the requirements of this Section except Sections 18.96.110 and 18.96.120(D). Also, that the sign area of the historic sign is exempted from the total allowable sign area, as defined in this Section, except as modified by Council conditions in E. below.

E. The City Council shall have the authority to impose conditions regulating area, maintenance, etc. on the signs included in the Historic Sign Inventory to further the purpose and intent of this ordinance.

F. Removal or demolition of a Historic Sign shall be done under permit and approval of the Staff Advisor. The Historic Commission shall review the permit at their next regularly scheduled meeting and shall have the authority to delay issuance for 30 days from the date of their review meeting. Such delay shall be to allow the Commission the opportunity to discuss alternate plans for the sign with the applicant.

G. Signs on the Historic Sign Inventory, which have been destroyed or damaged by fire or other calamity, by act of God or by public enemy to an extent greater than 50%, may be reconstructed in an historically accurate manner. Such reconstruction shall be authorized by the City Council, only after determination that the reconstruction will be an accurate duplication of the historic sign, based on review of photographic or other documentary evidence specifying the historic design. The Historic Commission shall review and make recommendations to the City Council on all such reconstructions.

H. Maintenance and Modification of Historic Signs.

1. All parts of the historic sign, including but not limited to neon tubes, incandescent lights and shields, and sign faces, shall be maintained in a functioning condition as historically intended for the sign. Replacement of original visible components with substitutes to retain the original appearance shall be permitted provided such replacements accurately reproduce the size, shape, color and finish of the original. Failure to maintain the sign in accord with this section shall be grounds for review of the historic sign designation by the City Council.

2. Modifications of a historic sign may be allowed, after review by the Historic Commission and approval by the City Council, only if such modifications do not substantially change the historic style, scale, height, type of material or dimensions of the historic sign, and does not result in a sign which does not meet the criteria for designation as a historic sign.

3. Changes in the location of a historic sign may be allowed, after review by the Historic Commission and approval by the City Council, only if such locational change does not result in the sign no longer meeting the criteria for designation as a historic sign. (Ord. 2598, 1990)

(Ord. 2598, 1990)