

## Chapter 17.53

### BILLBOARDS

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**17.53.010 Purpose.**

The purpose of this chapter is to protect the health, safety, property and welfare of the public; to provide a neat, clean, orderly and attractive community appearance; to provide for the safe and proper location, erection and maintenance of billboards; to prevent the proliferation of billboards; to minimize to the greatest extent possible the visual distractions, and their resultant dangers, associated with billboards to travelers on public highways and other rights-of-way; and to achieve this purpose consistent with speech guarantees under the state and federal constitution.

**Statutory Reference:** ORS

**History:** Ord. 1350 (part), 2004.

**17.53.020 Definitions.**

As used in this chapter, except when the context indicates otherwise, the following words and phrases have the following meanings:

(1) "Billboard" means a sign with any sign face exceeding two hundred (200) square feet in area.

(2) "City Administrator" or "Administrator" means the Gladstone City Administrator or the Administrator's designee.

(3) "I-205 corridor" means the portion of the city abutting Interstate 205. The precise location of the I-205 corridor is delineated in Exhibit A, which is attached to this ordinance and incorporated herein by reference. The I-205 corridor is a static boundary, and shall not be expanded or enlarged unless specifically authorized by the City Council.

(4) "Public right-of-way" means an area dedicated or deeded to the public for public use and under the control of a public agency, including but not limited to highways, public streets, bike paths, alleys and sidewalks, whether improved or unimproved. .

(5) "Sign" means any writing, video projection, pictorial representation, illustration, decoration (including any material used to differentiate sign copy from its background), emblem, symbol, design, trademark, banner, flag, pennant, balloon, streamer, spinner, ribbon, sculpture, statue, or any other figure or character that:

(a) Is a structure or any part thereof (including a building's roof or wall); or

(b) Is written, printed, projected, painted, constructed, transmitted or otherwise placed or displayed upon or designed into a structure or an outdoor screen or monitor, or a board, plate, canopy, awning, marquee, or a vehicle, or upon any material object or device; and

(c) By reason of its form, color, wording, symbol, design, or illustration, attracts or is designed to attract attention and communicate a message.

(6) "Sign face" means the sum of the surfaces of a sign as seen from one plane or elevation included within the outer dimensions of the sign board, frame or cabinet.

(7) "Tri-vision sign" means a sign that contains display surfaces composed of a series of three-sided rotating slates arranged side by side, either horizontally or vertically, that are rotated by a mechanical process, capable of displaying a total of no more than three separate and distinct messages, on message at a time. The rotation from one message to another message must be no more frequent than every eight seconds and the actual rotation process must be accomplished in four seconds or less.

**Statutory Reference:** ORS

**History:** Ord. 1350 (part), 2004.

**17.53.030 Application and processing.**

(1) An application for billboard permit approval must be made on city approved forms. All information requested from an applicant must be provided. Payment of the permit fee set by resolution must accompany all complete applications

(2) An application for a billboard permit must specify the location of the proposed billboard.

(3) A billboard permit applicant must demonstrate that the applicant owns, leases or otherwise has authority over the location of the billboard.

(4) The Administrator may request any additional information reasonably deemed necessary to complete a review of the application.

(5) The Administrator will issue or deny the billboard permit within 60 days of receiving a complete application meeting the requirements of this section.

(6) If the applicant demonstrates that the proposed billboard conforms to this Chapter's requirements, the Administrator will issue the billboard permit.

(7) Only one billboard permit application at a time will be processed for a given parcel of property. If more than one application is submitted for a parcel of property, then the first complete application submitted to the Administrator will be processed. All other applications will be rejected.

(8) An applicant will provide a list of those persons entitled to notice under GMC 17.94.050, and will provide mailing labels addressed to those persons.

(9) Review of billboard permit applications is not subject to GMC 17.80 (design review).

(10) The Administrator's decision may be appealed consistent with GMC 17.94.050.

**Statutory Reference:** ORS

**History:** Ord. 1350 (part), 2004.

#### **17.53.040 Prohibited signs.**

(1) Any billboard that is not in compliance with this chapter is prohibited.

(2) Any sign with a sign face 200 feet or less is prohibited, unless it complies with Chapter 17.52.

(3) Tri-vision signs are prohibited.

(4) Signs incorporating, relying upon or equipped with any moving, rotating or otherwise animated parts or elements are prohibited

**Statutory Reference:** ORS

**History:** Ord. 1350 (part), 2004.

#### **17.53.050 Billboard standards.**

(1) No billboard may be constructed or maintained within the city unless the owner obtains

a billboard permit from the Administrator.

(2) Billboards are allowed on properties located within the I-205 corridor, subject to the terms of this chapter. Billboards are otherwise prohibited within the city.

(3) Billboards are only permitted on properties zoned commercial or industrial under the Gladstone Municipal Code, as of the effective date of this ordinance.

(4) No more than 7 billboard permits will be issued and be effective at any time for billboards within the I-205 corridor

(5) A billboard permit may be assigned without the consent of the city, but the permittee must provide the city with notice of any assignment.

(6) The permitted location of a billboard may be changed by modification of the permit. The Administrator will approve the modification if the new location meets all requirements of this chapter.

(7) Except as provided in this subsection, each sign face of a billboard must not exceed 672 square feet in area. The sign face area may be increased an additional 20% for any signage that is irregular in form and projects beyond the outer dimensions of the sign board, frame or cabinet. Each side of a double-faced billboard is a separate sign face for purposes of these area limitations.

(8) The top of a billboard may not be higher than 45 feet above the right-of-way upon which it fronts.

(9) No billboard may be located closer than 150 linear feet from the property line of any property zoned other than commercial or industrial.

(10) All billboards are subject to the requirements of state law.

(11) A billboard permit expires 18 months after its date of issue unless construction of the billboard, its associated structures and all associated real property improvements has been completed. A building permit must be sought and obtained prior to construction. The expiration of a billboard permit shall reduce the total number of billboards allowed under (4) of this section on a 1:1 basis. Notwithstanding the total number of billboards allowed under (4) of this section, the Administrator will keep an official written record of the number of billboards allowed in the I-205 corridor that accounts for any expired permits.

**Statutory Reference:** ORS

## Gladstone Municipal Code

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**History:** Ord. 1350 (part), 2004.