CHAPTER 39 – MULTNOMAH COUNTY ZONING CODE

PART 6.0 -- COMMON DEVELOPMENT STANDARDS

Consisting of the following Sections:

6.A Applicability and Scope

39.6000 Applicability and Scope

6.B Grading and Stormwater

39.6200 Purposes
39.6205 Erosion Control Related Definitions
39.6210 Permits Required
39.6215 Exempt Land Use Activities
39.6220 Application Information Required
39.6225 Minimal Impact Project Permit Standards
39.6230 Grading and Erosion Control Permit Standards
39.6235 Stormwater and Run-Off Standards

6.C Parking, Signs, and Exterior Lighting

6.C.1 PARKING, LOADING, CIRCULATION AND ACCESS ~~OFF-STREET PARKING AND LOADING~~

39.6500 Purpose
39.6505 General Provisions
39.6510 Continuing Obligation
39.6515 Plan Required
39.6520 Use of Space
39.6525 Location of Parking and Loading Spaces
39.6530 Improvements Required
39.6535 Change of Use
39.6540 Joint Parking or Loading Facilities
39.6545 Existing Spaces
39.6550 Standards of Measurement
39.6555 Design Standards: Scope
39.6560 Access
39.6565 Dimensional Standards
39.6570 Improvements
39.6575 Signs
39.6580 Design Standards: Setbacks

39.6585 Landscape and Screening Requirements
39.6590 Minimum Required Off-Street Parking Spaces
39.6595 Minimum Required Off-Street Loading Spaces
39.6600 Exceptions from Required Off-Street Parking or Loading Spaces

6.C.2 SIGNS
39.6700 Purpose
39.6705 Applicability and Scope
39.6710 Conformance
39.6720 Exempt Signs
39.6725 Prohibited Signs
39.6730 Determination of Frontages
39.6735 Variances
39.6740 Base Zone Sign Regulations
39.6745 Signs Generally
39.6750 Signs Generally in the LM Zone
39.6755 Signs Generally in the C-3 Zone
39.6760 Signs for Office and Commercial Uses in the MR-4 Zone
39.6765 Signs Generally in the MR-4 Zone
39.6770 Billboard Regulations
39.6780 Sign Placement
39.6785 Fascia Signs
39.6790 Projecting Signs
39.6795 Flush Pitched Roof Signs
39.6800 Marquees and Awnings
39.6805 Directional Signs
39.6810 Temporary Signs
39.6815 Applicability in the Event of Conflicts
39.6820 Sign Related Definitions and Figures

6.C.3 EXTERIOR LIGHTING
39.6850 Dark Sky Lighting Standards

6.D Responses to an Emergency/Disaster Event
RESPONSES TO AN EMERGENCY/DISASTER EVENT
39.6900 Responses to an Emergency/Disaster Event

6.A - APPLICABILITY AND SCOPE

§ 39.6000 APPLICABILITY AND SCOPE

All development shall comply with the following as applicable:

(A) MCC 39.6210 through MCC 39.6235 (grading and erosion control).

(B) MCC 39.6235 (stormwater and drainage control).

(1) Stormwater and drainage control systems are required for impervious surfaces subject to MCC 39.6235.

(C) All provisions of Oregon law regulating on-site sewage disposal facilities for structures that include plumbing or otherwise.

(1) With respect to existing development, disposal of sewage may be controlled off-site in easement areas reserved for that purpose.

(D) MCC 39.6500 through MCC 39.6600 (parking, loading, and access) .

(E) MCC 39.6700 through MCC 39.6820 (signs).

(F) MCC 39.6850 (outdoor lighting).

(G) MCC 39.6900 (Responses to an Emergency/Disaster Event).

6.B – GRADING AND STORMWATER

§39.6200 [29.330] PURPOSES.

The purposes of the Grading and Erosion Control Standards are to promote the public health, safety and general welfare, and minimize public and private losses due to earth movement hazards in specified areas and minimize erosion and related environmental damage in unincorporated areas of the county, all in accordance with ORS 215, OAR 340-41-455 for the Tualatin River Basin, and the County Comprehensive Plan policies pertaining to grading and erosion control. These standards are intended to:

(A) Protect human life;

(B) Protect property and structures;

(C) Minimize expenditures for rescue and relief efforts associated with earth movement failures;

(D) Control erosion, production and transport of sediment;

(E) Regulate land development actions including excavation and fills, drainage controls and protect exposed soil surfaces from erosive forces; and

(F) Control stormwater discharges and protect streams, ponds, and wetlands.

§39.6205 [29.331] EROSION CONTROL RELATED DEFINITIONS.

For the purpose of this Subpart, the following definitions shall apply unless the context requires a different meaning.

CUT.

(A) An excavation;

(B) The difference between a point on the original ground surface and the point of lowest elevation on the final grade;

(C) The material removed in excavation work.

DISTURBED AREA. The total area of alteration of the naturally occurring ground surface resulting from construction activities whether permanent or temporary.

DRAINAGE AREA. The subject property together with the watershed (acreage) contributing water runoff to and receiving water runoff from the subject property.

DRAINAGEWAY. Any natural or artificial stream, swale, creek, river, ditch, channel, canal or other open watercourse.

EARTH MOVEMENT. Any type of land surface failure resulting in the downslope movement of material. The term includes, but is not limited to, soil creep, mudflow, rockslides, block failures, and massive landslides.

EROSION. The wearing away or removal of earth surface materials by the action of natural elements or forces including, but not limited to, wind, water or gravity.

EXCAVATION. Any act by which earth, sand, gravel, rock or any similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed, including the conditions resulting therefrom.

FILL.

(A) Any act by which earth, sand, gravel, rock or similar material is pushed, placed, dumped, stacked, pulled, transported, or in any way moved to a new location above the existing natural surface of the ground or on the top of a stripped surface, including the condition resulting there from.

(B) The difference in elevation between a point on the original ground surface and the point of higher elevation on a finished grade.

(C) The material used to make a fill.

GRADING. Any stripping, cutting, filling, stockpiling or any combination thereof, including the land in its cut or filled condition.

GRAVEL. Aggregate composed of hard and durable stones or pebbles, crushed or uncrushed, more than half of which is retained on a No. 4 sieve (2 mm).

GROUND DISTURBING ACTIVITY. Any activity that exposes soil through the use of motorized equipment.

MULCH. Organic materials, such as straw, bark, jute, coconut fibers, or nut shells spread over the surface of the ground, especially freshly graded or exposed soils, to prevent physical damage from erosive agents such as stormwater, precipitation or wind, and which shield soil surfaces until vegetative cover or other stabilization measures can take effect.

ORDINARY HIGH WATER MARK. Features found by examining the bed and banks of a stream and ascertaining where the presence and action of waters are so common and usual, and so long maintained in all ordinary years, as to mark upon the land a character distinct from that of the abutting upland, particularly with respect to vegetation. For streams where such features cannot be found, the channel bank shall be substituted. In braided channels and alluvial fans, the ordinary high water mark shall be measured to include the entire stream feature.

SLOPE.

(A) Any ground whose surface makes an angle from the horizontal; or

(B) The face of an embankment or cut section.

SPOIL MATERIAL. Any rock, sand, gravel, soil or other earth material removed by excavation or other grading activities.

STREAM. Areas where surface waters flow sufficient to produce a defined channel or bed. A defined channel or bed is indicated by hydraulically sorted sediments or the removal of vegetative litter or loosely rooted vegetation by the action of moving water. The channel or bed need not contain water year-round. This definition is not meant to include irrigation ditches, canals, stormwater runoff devices or other entirely artificial watercourses unless they are used to convey Class 1 or 2 streams naturally occurring prior to construction. Those topographic features resembling streams but which have no defined channels (such as, swales) shall be considered streams when hydrologic and hydraulic analyses performed pursuant to a development proposal predict formation of a defined channel after development.

STREAM PROTECTION. Activities or conditions which avoid or lessen adverse water quality and turbidity effects to a stream.

TOPOGRAPHIC INFORMATION. Surveyed elevation information which details slopes, contour intervals and drainageways. Topographic information shall be prepared by a registered land surveyor or a registered professional engineer qualified to provide such information and represented on maps with a contour interval not to exceed ten feet.

VEGETATION. All plant growth, especially trees, shrubs, grasses and mosses.

VEGETATIVE PROTECTION. Stabilization of erosive or sediment-producing areas by covering the soil with:

(A) Permanent seeding, producing long-term vegetative cover;

(B) Short-term seeding, producing temporary vegetative cover;

(C) Sodding, producing areas covered with a turf or perennial sod-forming grass; or

(D) Netting with seeding if the final grade has not stabilized.

WATER BODY. Rivers, streams, sloughs, drainages, including intermittent streams and seeps, ponds, lakes, aquifers, wetlands, and coastal waters.

WATERCOURSE. A channel in which a flow of water occurs, either continuously or intermittently with some degree of regularity. Watercourses may be either natural or artificial.

§39.6210 [29.336] PERMITS REQUIRED.

(A) All Ground disturbing activities, which are not determined to be exempt through the provisions of MCC 39.6215, shall be authorized either through a Minimal Impact Project (MIP) Permit or a Grading and Erosion Control (GEC) Permit as outlined in the table below.

The proposal qualifies for Minimal Impact Project review only if *all* of the following are met:	**A Grading and Erosion Control Permit is required if *any* of the following triggers are met:**
Less than 10,000 square feet of surface area is disturbed (excluding the placement of gravel, or asphalt) at any one time; and	**More than** 10,000 square feet of surface area is disturbed (excluding the placement of gravel, or asphalt) at any one time; or
Areas disturbed are **not within** 200' by horizontal measurement from the top of the bank of a water body or from the boundary of National Wetlands Inventory mapped wetlands associated with a water body, whichever distance is greater; and	Areas disturbed are **within** 200' by horizontal measurement from the top of the bank of a water body or from the boundary of National Wetlands Inventory mapped wetlands associated with a water body, whichever distance is greater; or
Slopes before development are **less than** 10 percent (10 Horizontal: 1 Vertical); and	Slopes before development are **greater than** 10 percent (10 Horizontal: 1 Vertical); or
Unsupported finished slopes will be **less than** 33 percent (3 Horizontal: 1Vertical) grade and are **less than** five feet in height; and	Unsupported finished slopes **exceed** a 33 percent (3 Horizontal: 1Vertical) grade and **greater than** five feet in height; or
No Hydrologic scour attributed to	Hydrologic scour attributed to

development **occurs** resulting in visible erosion, turbidity, or sediment deposition within a water body.	development **occurs** resulting in visible erosion, turbidity, or sediment deposition within a water body.

(B) Development projects subject to a Geologic Hazards permit regulated under MCC Part 5.2 & MCC 38.5500-38.5525 do not require a separate Minimal Impact Project Permit or Grading and Erosion Control Permit.

(C) Projects qualifying as a Large Fill Conditional Use are regulated by the provisions of MCC Part 7 (39.7200 – 39.7220) and do not require a separate Minimal Impact Project Permit or Grading and Erosion Control Permit.

~~§29.336 PERMITS REQUIRED.~~

~~The following activities require a Grading and Erosion Control permit:~~

~~(A) All ground disturbing activities where:~~

~~(1) More than 10,000 square feet of surface area is disturbed (excluding the placement of gravel, or asphalt) at any one time; or~~

~~(2) Areas disturbed are within 200' by horizontal measurement from the top of the bank of a water body or from the boundary of National Wetlands Inventory mapped wetlands associated with a water body, whichever distance is greater; or~~

~~(3) Slopes before development are greater than 10 percent (10 Horizontal: 1 Vertical); or~~

~~(4) Unsupported finished slopes exceed a 33 percent (3 Horizontal: 1Vertical) grade and five feet in height.~~

~~(B) Hydrologic scour attributed to development resulting in visible erosion, turbidity, or sediment deposition within a water body.~~

~~(C) Development projects subject to a hillside development permit do not require a separate grading and erosion control permit.~~

§39.6215 [29.339] EXEMPT LAND USES AND ACTIVITIES.

The following are exempt from the provisions of this Grading and Stormwater subpart of Chapter 39 and do not require either a Minimal Impact Project Permit or a Grading and Erosion Control Permit:

(A) Test pits or borings excavated for purposes of geotechnical evaluation or septic system suitability.

(B) Cemetery graves, but not cemetery soil disposal sites.

(C) Excavations for wells.

(D) Mineral extraction activities as regulated by the county zoning code.

(E) Exploratory excavations under the direction of certified engineering geologists or geotechnical engineers.

(F) Routine agricultural management practices.

(G) Residential gardening and landscape maintenance at least 100 feet by horizontal measurement from the top of the bank of a watercourse, or the mean high watermark (line of vegetation) of a body of water or wetland.

(H) Emergency response activities intended to reduce or eliminate an immediate danger to life, property, or flood or fire hazards.

(I) Forest practices as defined by ORS 527 (the State Forest Practices Act) and approved by the state Department of Forestry.

(J) Grading activities attributed to routine road maintenance when undertaken by an organization operating under Limit 10, Section 4d of the Endangered Species Act.

§39.6220 [29.342] APPLICATION INFORMATION REQUIRED.

~~An application for development subject to the requirements of this Subbase zone shall include two copies of the following:~~

An application for development subject to a Minimal Impact Project (MIP) Permit shall include a project description and two copies of information outlined in (A)-(C) below. An application for development subject to a Grading and Erosion Control (GEC)Permit the

requirements of this subpart of Chapter 39 shall include two copies of the information outlined in (A)-(D).

(A) A map, drawn to scale, showing the property line locations, area of disturbance, ground topography (contours), roads and driveways, existing structures, trees with eight-inch or greater caliper or an outline of wooded areas, watercourses and include the location of the proposed development(s), erosion control measures, existing sanitary drainfields, existing drywells, and trees proposed for removal.

(B) Calculations estimating the volume of all proposed cuts and fills.

(C) Documents stamped and signed by an Oregon licensed Professional Engineer demonstrating that the stormwater and runoff standards in MCC 39.6235 are met for qualifying projects:

~~(1) Stormwater runoff attributed to the development will be managed on-site for a storm of ten-year, 24 hour design frequency or, is to be discharged to a watercourse in or adjacent to the property at pre-developed rates;~~

(~~2~~1) Surcharges to sanitary drainfields have been reviewed by the City of Portland Sanitarian or other agencies authorized to review waste disposal systems; and

(~~3~~2) Any new discharges into public right-of-ways have complied with the governing agencies discharge review process;

(D) Narrative, map or plan information necessary to demonstrate compliance with MCC 39.6230 and the applicable provisions of the county zoning code. The application shall provide applicable supplemental reports, certifications, or plans relative to: engineering, soil characteristics, stormwater drainage, stream protection, erosion control, and/or replanting.

§ 39.6225 [29.333] MINIMAL IMPACT PROJECT PERMIT STANDARDS.

The following are the minimum standards for all ground disturbing activity on lands subject to this Chapter and Chapter 38:

(A) Persons conducting ground disturbing activities associated with a Minimal Impact Project are to utilize erosion control measures prescribed in the most current edition of the City of Portland's "City of Portland Erosion and Sediment Control Manual." Measures are

to be installed prior to commencement of ground disturbing activity and are to be maintained, in working order, through all phases of development.

(B) Persons conducting ground disturbing activities associated with a Minimal Impact Project must demonstrate compliance with the stormwater and run-off standards in MCC 39.6235.

(C) The Planning Director may take steps to ensure compliance with the requirements of this section, including but not limited to, field inspections by County staff, post construction certification of the work, and the posting of a notice providing County contact information in the event that questions arise concerning work occurring on-site.

§39.6230 [29.345] GRADING AND EROSION CONTROL PERMIT STANDARDS.

Approval of development plans on sites subject to a grading and erosion control permit shall be based on findings that the proposal adequately addresses the following standards. Conditions of approval may be imposed to assure the design meets the standards:

(A) *Design standards for grading and erosion control*.

(1) *General Grading standards*.

(a) Fill materials, compaction methods and density specifications shall be indicated. Fill areas intended to support structures shall be identified on the plan. The director may require additional studies or information or work regarding fill materials and compaction;

(b) Cut and fill slopes shall not be steeper than 3:1 unless a geological and/or engineering analysis certifies that steep slopes are safe and erosion control measures are specified;

(c) Cuts and fills shall not endanger or disturb adjoining property;

(d) The proposed drainage system shall have adequate capacity to handle stormwater attributed to development on-site for a storm of ten-year frequency and maintain the existing flood carrying capacity of all watercourses on or adjacent to the property;

(e) Fills shall not encroach on natural watercourses or constructed channels unless measures are approved which will adequately handle the existing flood carrying capacity for the altered portion of the stream.

(2) *General Erosion control standards*.

(a) On sites within the Tualatin River Drainage Basin, erosion and stormwater control plans shall satisfy the requirements of OAR 340. Erosion and stormwater control plans shall be designed to perform as prescribed by the currently adopted edition of the "*Erosion Prevention & Sediment Control Plans Technical Guidance Handbook (1994)*" and the "*City of Portland Stormwater Quality Facilities, A Design Manual (1995)*." Ground-disturbing activities within the Tualatin Basin shall provide a 100-foot undisturbed buffer from the top of the bank of a stream, or the ordinary high watermark (line of vegetation) of a water body, or within 100 feet of a wetland: unless a mitigation plan consistent with OAR 340 is approved for alterations within the buffer area.

(b) Stripping of vegetation, grading, or other soil disturbance shall be done in a manner which will minimize soil erosion, stabilize the soil as quickly as practicable, and expose the smallest practical area at any one time during construction;

(c) Development plans shall minimize cut or fill operations and ensure conformity with topography so as to create the least erosion potential and adequately accommodate the volume and velocity of surface runoff;

(d) Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development;

(e) Whenever feasible, natural vegetation shall be retained, protected, and supplemented;

1. A 100-foot undisturbed buffer of natural vegetation shall be retained from the top of the bank of a stream, or from the ordinary high watermark (line of vegetation) of a water body, or within 100 feet of a wetland;

2. The buffer required in subsection (e)1. may only be disturbed upon the approval of a mitigation plan which utilizes erosion and stormwater control features designed to perform as effectively as those prescribed in the currently adopted edition of the "*Erosion Prevention & Sediment Control Plans Technical Guidance Handbook (1994)*" and the "*City of Portland Stormwater Quality Facilities, A Design Manual*

(1995)" and which is consistent with attaining equivalent surface water quality standards as those established for the Tualatin River Drainage Basin in OAR 340;

(f) Permanent plantings and any required structural erosion control and drainage measures shall be installed as soon as practical;

(g) Provisions shall be made to effectively accommodate increased runoff caused by altered soil and surface conditions during and after development. The rate of surface water runoff shall be structurally retarded where necessary;

(h) Sediment in the runoff water shall be trapped by use of debris basins, silt traps, or other measures until the disturbed area is stabilized;

(i) Provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surface of fills by installation of temporary or permanent drainage across or above such areas, or by other suitable stabilization measures such as mulching or seeding;

(j) All drainage provisions shall be designed to adequately carry existing and potential surface runoff to suitable drainageways such as storm drains, natural watercourses, drainage swales, or an approved drywell system;

(k) Where drainage swales are used to divert surface waters, they shall be vegetated or protected as required to minimize potential erosion;

(l) Erosion and sediment control devices shall be required where necessary to prevent polluting discharges from occurring. Control devices and measures which may be required include, but are not limited to:

1. Energy absorbing devices to reduce runoff water velocity;

2. Sedimentation controls such as sediment or debris basins. Any trapped materials shall be removed to an approved disposal site on an approved schedule;

3. Dispersal of water runoff from developed areas over large undisturbed areas.

(m) Disposed spoil material or stockpiled topsoil shall be prevented from eroding into streams or drainageways by applying mulch or other protective covering; or by location at a sufficient distance from streams or drainageways; or by other sediment reduction measures;

(n) Such non-erosion pollution associated with construction such as pesticides, fertilizers, petrochemicals, solid wastes, construction chemicals, or wastewaters shall be prevented from leaving the construction site through proper handling, disposal, continuous site monitoring and clean-up activities.

(B) *Responsibility*.

(1) Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the person, corporation or other entity causing such sedimentation to remove it from all adjoining surfaces and drainage systems prior to issuance of occupancy or final approvals for the project;

(2) It is the responsibility of any person, corporation or other entity doing any act on or across a communal stream, watercourse or swale, or upon the floodplain or right-of-way thereof, to maintain as nearly as possible in its present state the stream, watercourse, swale, floodplain, or right-of-way during such activity, and to return it to its original or equal condition.

(C) *Implementation*.

(1) *Performance bond*. A performance bond may be required to assure the full cost of any required erosion and sediment control measures. The bond may be used to provide for the installation of the measures if not completed by the contractor. The bond shall be released upon determination the control measures have or can be expected to perform satisfactorily. The bond may be waived if the director determines the scale and duration of the project and the potential problems arising therefrom will be minor.

(2) *Inspection and enforcement*. The director may take steps to ensure compliance with the requirements of this Section, including but not limited to, inspections, peer review of engineering analysis (at the applicant's expense), post construction certification of the work, and the posting of a notice providing County contact information in the event that questions arise concerning work occurring on-site. The requirements of this subpart of MCC Chapter 39 shall be enforced by the Planning Director. If inspection by county staff reveals erosive conditions which exceed those prescribed by the Grading and Erosion Control Permit, work may be stopped until appropriate correction measures are completed.

(D) *Final approvals*. A certificate of occupancy or other final approval shall be granted for development subject to the provisions of this subpart of MCC Chapter 39 only upon satisfactory completion of all applicable requirements.

§39.6235 29.353

STORMWATER AND RUN-OFF STANDARDS

(A) ~~Persons creating~~ Development resulting in any new impervious surfaces exceeding 500 square feet shall include installation of a stormwater drainage system. ~~Replacement of existing impervious surfaces does not provide a credit to the 500 square foot threshold except that re-roofing projects on lawfully existing structures that will not require any structural permits do not require stormwater review.~~ The system shall be designed to ensure that the rate of runoff for the 10-year 24-hour storm event is no greater than that which existed prior to development at the property line ~~or~~ and any point of discharge into a watercourse.

~~29.333 REQUIREMENTS FOR A MINIMAL IMPACT PROJECT.~~

~~The following are the minimum erosion control requirements for all ground disturbing activities where a permit is not otherwise required or exempt under this subchapter:~~

~~(A) Prior to initiating work, persons proposing ground disturbing activities shall provide to the County two copies of a map, drawn to scale, showing the property line locations, area of disturbance, ground topography (contours), roads and driveways, existing structures, trees with eight-inch or greater caliper or an outline of wooded areas, watercourses and include the location of the proposed development(s), erosion control measures, existing sanitary drainfields, existing drywells, and trees proposed for removal.~~

~~(B) Persons conducting ground disturbing activities are to utilize erosion control measures prescribed in the current edition of the "Erosion Prevention & Sediment Control Plans Technical Guidance Handbook." Measures are to be installed prior to commencement of grading work and are to be maintained, in working order, through all phases of development.~~

~~(C) Persons creating new impervious surfaces exceeding 500 square feet shall install a stormwater drainage system. The system shall be designed to ensure that the rate of runoff for the 10 year 24 hour storm event is no greater than that which existed prior to development at the property line or point of discharge into a watercourse.~~

~~(D) The planning director may take steps to ensure compliance with the requirements of this subsection, including but not limited to, field inspections by County staff, post construction certification of the work, and the posting of a notice providing County contact information in the event that questions arise concerning work occurring on-site. (Ord. 1042, Add, 07/08/2004)~~

~~29.348 PERMIT FEE.~~

~~A fee for a grading and erosion control permit is imposed and the amount will be set by Board resolution.~~

6.C – PARKING, SIGNS, AND EXTERIOR LIGHTING

6.C.1 PARKING, LOADING, CIRCULATION AND ACCESS

§39.6500 [36.4100]- PURPOSE.

The purposes of these off-street parking and loading regulations are to reduce traffic congestion associated with residential, commercial, manufacturing, and other land uses; to protect the character of neighborhoods; to protect the public's investment in streets and arterials and to provide standards for the development and maintenance of off-street parking and loading areas.

§39.6505 [36.4105] GENERAL PROVISIONS.

In the event of the erection of a new building or an addition to an existing building, or any change in the use of an existing building, structure or land which results in an intensified use by customers, occupants, employees or other persons, off-street parking, loading and traffic circulation and access (whether pedestrian, vehicular or otherwise) shall be provided according to the requirements of this ~~Section~~ Subpart. For nonconforming uses, the objectives of this ~~section~~ Subpart shall be evaluated under the criteria for the Alteration, Modification, and Expansion of Nonconforming Uses.

§39.6510 [36.4115] CONTINUING OBLIGATION.

The provision for and maintenance of off-street parking and loading facilities without charge to users shall be a continuing obligation of the property owner. No building or any other required permit for a structure or use under this or any other applicable rule, ordinance or regulation shall be issued until satisfactory evidence in the form of a site development plan, plans of existing parking and loading improvements, a deed, lease, contract or similar document is presented demonstrating that the property is and will remain available for the designated use as a parking or loading facility.

§39.6515 [36.4120] PLAN REQUIRED.

A plot plan showing the dimensions, access and circulation layout for vehicles and pedestrians, space markings, the grades, drainage, setbacks, landscaping and abutting land uses in respect to the off-street parking area and such other information as shall be required, shall be submitted in duplicate to the Planning Director with each application for approval of a building or other required permit.

§39.6520 [36.4125] USE OF SPACE.

(A) Required parking spaces shall be available for the parking of vehicles of customers, occupants, and employees without charge or other consideration.

(B) No parking of trucks, equipment, materials, structures or signs or the conducting of any business activity shall be permitted on any required parking space.

(C) A required loading space shall be available for the loading and unloading of vehicles concerned with the transportation of goods or services for the use associated with the loading space.

(D) Except for residential and local commercial base zones, loading areas shall not be used for any purpose other than loading or unloading.

(E) In any base zone, it shall be unlawful to store or accumulate equipment, material or goods in a loading space in a manner which would render such loading space temporarily or permanently incapable of immediate use for loading operations.

§39.6525 [36.4130] LOCATION OF PARKING AND LOADING SPACES.

(A) Parking spaces required by this ~~Section~~ Subpart shall be provided on the lot of the use served by such spaces.

(B) Exception - The Planning Director may authorize the location of required parking spaces other than on the site of the primary use, upon a written finding by the Director that:

(l) Parking use of the alternate site is permitted by this Chapter;

(2) The alternate site is within 350 feet of the use;

(3) There is a safe and convenient route for pedestrians between the parking area and the use;

(4) Location of required parking other than on the site of the use will facilitate satisfaction of one or more purposes or standards or requirements of this Chapter; and,

(5) There is assurance in the form of a deed, lease, contract or other similar document that the required spaces will continue to be available for off-street parking use according to the required standards.

(C) Loading spaces and vehicle maneuvering area shall be located only on or abutting the property served.

§39.6530 [36.4135] IMPROVEMENTS REQUIRED.

(A) Required parking and loading areas shall be improved and placed in condition for use before the grant of a Certificate of Occupancy under MCC 29.012, or a Performance Bond in favor of Multnomah County equivalent to the cost of completing such improvements shall be filed with the Planning Director.

(B) Any such bond shall include the condition that if the improvement has not been completed within one year after issuance of the Certificate of Occupancy, the bond shall be forfeited.

Any bond filed hereunder shall be subject to the approval of the Planning Director and the County Attorney.

§39.6535 [36.4140] CHANGE OF USE.

(A) Any alteration of the use of any land or structure under which an increase in the number of parking or loading spaces is required by this ~~Section~~ Subpart shall be unlawful unless the additional spaces are provided.

(B) In case of enlargement or change of use, the number of parking or loading spaces required shall be based on the total area involved in the enlargement or change in use.

§39.6540 [36.4145] JOINT PARKING OR LOADING FACILITIES.

(A) In the event different uses occupy the same lot or structure, the total off-street parking and loading requirements shall be the sum of the requirements for each individual use.

(B) Owners of two or more adjoining uses, structures, or parcels of land may utilize jointly the same parking or loading area, when approved by the Planning Director, upon a finding by the Director that the hours of operation do not overlap and provided satisfactory legal evidence is presented to the Director in the form of a deed, lease, contract or similar document, securing full access to such parking or loading areas for all the parties jointly using them.

§39.6545 [36.4150] EXISTING SPACES.

Off-street parking or loading spaces existing prior to July 26, 1979 may be included in calculating the number of spaces necessary to meet these requirements in the event of subsequent enlargement of the structure or change of use to which such spaces are accessory. Such spaces shall meet the design and improvement standards of this ~~Section~~ Subpart.

§39.6550 [36.4160] STANDARDS OF MEASUREMENT.

(A) Square feet means square feet of floor or land area devoted to the functioning of the particular use and excluding space devoted to off-street parking and loading.

(B) When a unit or measurement determining the number of required off-street parking or off-street loading spaces results in a requirement of a fractional space, any fraction up to and including one-half shall be disregarded, and any fraction over one-half shall require one off-street parking or off-street loading space.

§39.6555 [36.4165] DESIGN STANDARDS: SCOPE.

(A) The design standards of this ~~section~~ Subpart shall apply to all parking, loading, and maneuvering areas except those serving a single family dwelling on an individual lot in a rural base zone and except those serving a single family or a two-family dwelling in an urban base zone. Any non-residential use approved on a parcel containing a single family dwelling shall meet the design standards of MCC 39.6560 through 39.6580.

(B) All parking and loading areas shall provide for the turning, maneuvering and parking of all vehicles on the lot. After July 26, 1979 it shall be unlawful to locate or construct any parking or loading space so that use of the space requires a vehicle to back into the right-of-way of a public street.

§39.6560 [36.4170] ACCESS.

(A) Where a parking or loading area does not abut directly on a public street or private street approved under Part 9 of this Chapter, there shall be provided an unobstructed driveway not less than 20 feet in width for two-way traffic, leading to a public street or approved private street. Traffic directions therefore shall be plainly marked.

(B) The Approval Authority may permit and authorize a deviation from the dimensional standard in paragraph (A) of this section upon finding that all the following standards in subparagraphs (1) through (4) are met:

(1) The authorized provider of structural fire service protection services verifies that the proposed deviation complies with such provider's fire apparatus access standards, or, if there is no such service provider, the building official verifies that the proposed deviation complies with the Oregon Fire Code;

(2) The County Engineer verifies that the proposed deviation complies with the County Road Rules and the County Design and Construction Manual Standards;

(3) Application of the dimensional standard would present a practical difficulty or would subject the property owner to unnecessary hardship; and

(4) Authorization of the proposed deviation would not:

(a) be materially detrimental to the public welfare;

(b) be injurious to property in the vicinity or in the base zone in which the property is located; or

(c) adversely affect the appropriate development of adjoining properties.

(C) Parking or loading space in a public street shall not be counted in fulfilling the parking and loading requirements of this ~~section~~ Subpart. Required spaces may be located in a private street when authorized in the approval of such private street.

§39.6565 [36.4175] DIMENSIONAL STANDARDS.

(A) Parking spaces shall meet the following requirements:

(l) At least 70% of the required off-street parking spaces shall have a minimum width of nine feet, a minimum length of 18 feet, and a minimum vertical clearance of six feet, six inches.

(2) Up to 30% of the required off-street parking spaces may have a minimum width of eight-and-one-half feet, a minimum length of 16 feet, and a vertical clearance of six feet if such spaces are clearly marked for compact car use.

(3) For parallel parking, the length of the parking space shall be 23 feet.

(4) Space dimensions shall be exclusive of access drives, aisles, ramps or columns.

(B) Aisle width shall be not less than:

(l) 25 feet for 90 degree parking,

(2) 20 feet for less than 90 degree parking, and

(3) 12 feet for parallel parking.

(4) Angle measurements shall be between the center line of the parking space and the center line of the aisle.

(C) Loading spaces shall meet the following requirements:

(l)

Base zone	Minimum Width	Minimum Depth
All	12 Feet	25 Feet

(2) Minimum vertical clearance shall be 13 feet.

§39.6570 [36.4180] IMPROVEMENTS

(A) Surfacing

(l) Except as otherwise provided in this section, all areas used for parking, loading or maneuvering of vehicles, including the driveway, shall be surfaced with at least two inches of blacktop on a four inch crushed rock base or at least six inches of Portland cement, unless a design providing additional load capacity is required by the fire service provider.

(2) The Approval Authority may permit and authorize a deviation from the surfacing standard in paragraph (A)(1) of this section and thereby authorize, alternate surfacing systems that provide a durable dustless surface, including gravel. A deviation under this paragraph may be permitted and authorized only upon finding that each parking area supporting the existing and the proposed development meets the following standards in subparagraphs (a) and (b) and, for parking areas of four or more required parking spaces, also meets the following standards in subparagraphs (c) and (d):

(a) The authorized provider of structural fire protection services verifies that the proposed deviation complies with such provider's fire apparatus access standards, or, if there is no such service provider, the building official verifies that the proposed deviation complies with the Oregon Fire Code;

(b) The County Engineer verifies that the proposed deviation complies with the County Road Rules and the County Design and Construction Manual Standards. Alternative surfacing can be considered for all areas used for parking, loading and maneuvering, including the driveway; however, approaches to paved public right-of-way shall be paved for a minimum of 21 feet from the fog line, or for a greater distance when required by the County Engineer;

(c) Authorization of the proposed deviation would not:

1. be materially detrimental to the public welfare;

2. be injurious to property in the vicinity or in the base zone in which the property is located; or

3. adversely affect the appropriate development of adjoining properties; and

(d) Any impacts resulting from the proposed resurfacing are mitigated to the extent practical. Mitigation may include, but is not limited to, such considerations as provision for pervious drainage capability, drainage runoff control and dust control. A dust control plan is required when a dwelling, excluding any dwelling served by the driveway, is located within 200 feet of any portion of the driveway for which gravel or other similar surfacing materials is proposed. Common dust control measures include, but are not limited to, reduced travel speeds, gravel maintenance planning, establishment of windbreaks and use of binder agents.

(3) Notwithstanding paragraph (A)(1) of this section, parking fields for intermittent uses such as special events associated with public parks, sporting events, and the like may be surfaced with gravel, grass or both and spaces may be unmarked if the parking of vehicles

is supervised. Grass fields used for parking shall be maintained so that grass is kept short and watered to minimize fire risk and reduce dust.

(B) Curbs and Bumper Rails

(l) All areas used for parking, loading, and maneuvering of vehicles shall be physically separated from public streets or adjoining property by required landscaped strips or yards or in those cases where no landscaped area is required, by curbs, bumper rails or other permanent barrier against unchanneled motor vehicle access or egress.

(2) The outer boundary of a parking or loading area shall be provided with a bumper rail or curbing at least four inches in height and at least three feet from the lot line or any required fence except as provided in (3) below.

(3) Except for development within the RC, BRC, SRC, PH-RC, OR, OCI and all CFU zones, the outer boundary of a parking or loading area with fewer than four required parking spaces may use a five foot wide landscape strip or yard planted with a near-continuous number of shrubs and/or trees. If the outer boundary of the parking area is within 50 feet of a dwelling on an adjacent parcel, the plant materials shall create a continuous screen of at least four feet in height except at vision clearance areas where it shall be maintained at three feet in height.

(C) Marking - All areas for the parking and maneuvering of vehicles shall be marked in accordance with the approved plan required under MCC 39.6515, and such marking shall be continually maintained. Except for development within the RC, BRC, SRC, PH-RC, OR, or OCI zones, a graveled parking area with fewer than four required parking spaces is exempt from this requirement.

(D) Drainage - All areas for the parking and maneuvering of vehicles shall be graded and drained to provide for the disposal of all surface water on the lot.

(E) Covered Walkways - Covered walkway structures for the shelter of pedestrians only, and consisting solely of roof surfaces and necessary supporting columns, posts and beams, may be provided. Such structures shall meet the setback, height and other requirements of the base zone which apply.

§39.6575 [36.4190] SIGNS.

Signs, pursuant to the provisions of this subpart shall also meet MCC 39.6780.

§39.6580 [36.4195] DESIGN STANDARDS: SETBACKS.

(A) Any required yard which abuts upon a street lot line shall not be used for a parking or loading space, vehicle maneuvering area or access drive other than a drive connecting directly to a street perpendicularly.

(B) In the RC, BRC, SRC, PH-RC, OR ~~or~~ and OCI base zones, off-street parking for new, replacement or expansion of existing commercial or industrial developments on a parcel less than 1 acre shall provide a minimum of 10 foot landscaped front yard or street side setback. All other minimum yard dimensions for parking shall be as required in ~~the Off-Street Parking and Loading Code Section~~ this Subpart.

(C) A required yard which abuts a street lot line shall not be paved, except for walkways which do not exceed 12 feet in total width and not more than two driveways which do not exceed the width of their curb cuts for each 150 feet of street frontage of the lot.

(D) ~~A p~~Parking or loading areas ~~not in a residential or office base zone listed in MCC .2002 through MCC .2966, but which adjoins such base zone~~ on property located in the C-3, LM, or MR-4 base zones that adjoins any other base zone located in the Urban Planning Area and along the same street, shall not be located closer to the street property line than the required setback of the adjoining base zone for a distance of 50 feet from the boundary of any such base zone.

(E) ~~A p~~Parking or loading areas ~~not in a residential or other base zone listed in MCC .2002 through MCC .2966, but~~ on property located in the C-3, LM, or MR-4 base zones ~~which is~~ and across a street from ~~such~~ any other base zone located in the Urban Planning Area, shall have a setback of not less than five feet from the street property line, and such five foot setback area shall be permanently landscaped and maintained.

§39.6585 [36.4200] LANDSCAPE AND SCREENING REQUIREMENTS.

(A) The landscaped areas requirements of MCC 39.8045 (C) (3) to (7) shall apply to all parking, loading or maneuvering areas which are within the scope of design standards stated in MCC 39.6555 (A).

§39.6590 [36.4205] MINIMUM REQUIRED OFF-STREET PARKING SPACES.

(A) The following Residential Uses shall have at least the number of off-street parking spaces indicated:

(1) Single Family Dwelling - Two spaces for each dwelling unit.

(2) Two Family Dwelling - Two spaces for each dwelling unit.

(3) Apartment – One and one-half spaces for each dwelling unit.

(4) Rooming or Boarding House or Fraternity - Two spaces plus one space for each three guest rooms.

(5) Motel or Hotel - One space for each guest room or suite.

(6) Mobile Home Park - One-and-one-half spaces for each mobile home space.

(7) Group Care Facility, Home for Aged, or Children's Home – One space for each four beds.

(8) A residential development designed and used exclusively for low income, elderly persons - One space for each eight dwelling units.

(B) The following Public and Semi-Public Buildings and Uses shall have at least the number of off-street parking spaces indicated:

(1) Auditorium or Meeting Room (except schools) - One space for each 60 square feet of floor area in the auditorium or, where seating is fixed to the floor, one space for each four seats or eight feet of bench length.

(2) Church - One space for each 80 square feet of floor area in the main auditorium or, where seating is fixed to the floor, one space for each four seats or eight feet of bench length.

(3) Church Accessory Use - In addition to spaces required for the church, one space for each ten persons residing in such building.

(4) Club or Association - These shall be treated as combinations of uses such as hotel, restaurant, auditorium etc., and the required spaces for each separate use shall be provided.

(5) Hospital – One space for each two beds, including bassinets

(6) Library – One space for each 100 square feet of reading room.

(7) Senior High School and Equivalent Private and Parochial School - One space for each 56 square feet of floor area in the auditorium or, where seating is fixed to the floor, one space for each eight seats or 16 feet of bench length, or one space for each ten seats in classrooms, whichever is greater.

(8) College, University, Institution of Higher Learning and Equivalent Private or Parochial School - One space for each five seats in classrooms or 45 square feet of floor area.

(9) Primary, Elementary, or Junior High and Equivalent Private or Parochial School - One space for 84 square feet of floor area in the auditorium, or one space for each 12 seats or 24 feet of bench length, whichever is greater.

(10) Kindergarten, Day Nursery, or Equivalent Private or Parochial School - One driveway, designed for continuous flow of passenger vehicles for the purpose of loading and unloading children plus one parking space for each two employees.

(11) Campground – One space for each campsite.

(C) The following Retail and Office Uses shall have at least the number of off-street parking spaces indicated:

(l) Store, Supermarket, and Personal Service Shop - One space for each 400 square feet of gross floor area.

(2) Service and Repair Shop - One space for each 600 square feet of gross floor area.

(3) Bank or Office, including Medical and Dental - One space for each 300 square feet of gross floor area.

(4) Restaurant, Coffee Shop, Tavern or Bar - One space for each 100 square feet of gross floor area.

(5) Mortuary - One space for each four chapel seats or eight feet of bench length.

(D) The following Commercial Recreation Uses shall have at least the number of off-street parking spaces indicated:

(1) Indoor Arena or Theater - One space for each four seats or eight feet of bench length.

(E)The following Manufacturing and Storage Uses shall have at least the number of off-street parking spaces indicated:

(l) Manufacturing - One space for each two employee positions on the largest shift, or one space for each 800 square feet of non-storage gross floor area, whichever is greater.

(2) Storage - One space for each 5,000 square feet of storage area for the first 20,000 square feet, plus one additional space for each additional 50,000 square feet.

(F) Unspecified Uses. Any use not specifically listed above shall have the off-street parking space requirements of the listed use or uses deemed most nearly equivalent by the Planning Director.

§39.6595 [36.4210] MINIMUM REQUIRED OFF-STREET LOADING SPACES.

(A) Commercial, Office or Bank, or Commercial Amusement Uses shall have at least the number of loading spaces indicated in the following table:

Square foot of Floor or Land Area	Minimum Loading Spaces Required
Under 5,000	0
5,000 - 24,999	1
25,000 - 59,999	2
60,000 - 99,999	3
100,000 - 159,000	4
160,000 - 249,999	5
250,000 - 369,999	6
370,000 - 579,999	7
580,000 - 899,999	8
900,000 - 2,999,999	9
Over 3,000,000	10

(B) Motel Uses shall have at least the number of loading spaces indicated in the following table:

Square foot of Floor or Land Area	Minimum Loading Spaces Required
Under 30,000	1
30,000 - 69,999	2
70,000 - 129,999	3
130,000 - 219,999	4
220,000 - 379,999	5
380,000 - 699,999	6
700,000 - 1,499,999	7
Over 1,500,000	8

(C) Manufacturing, Wholesale, Storage, Hospital Uses shall have at least the number of loading spaces indicated in the following table:

Square foot of Floor or Land Area	Minimum Loading Spaces Required
Under 5,000	0
5,000 - 39,999	1
40,000 - 99,999	2
100,000 - 159,999	3
160,000 - 239,999	4
240,000 - 319,999	5
320,000 - 399,999	6
400,000 - 489,999	7
490,000 - 579,999	8
580,000 - 699,999	9
670,000 - 759,999	10
760,000 - 849,999	11
850,000 - 939,999	12
940,000 - 1,029,999	13
Over 1,030,000	14

(D) Apartment Uses shall have at least: One loading space for each 50 dwelling units.

(E) Motion Picture Theater Uses shall have at least: One loading space.

(F) Public or Semi-Public Use: Treated as mixed uses.

(G) Unspecified Uses. Any use not specifically listed above shall have the loading space requirements of the listed use or uses deemed most nearly equivalent by the Planning Director.

§39.6600 [36.4215] EXCEPTIONS FROM REQUIRED OFF-STREET PARKING OR LOADING SPACES.

(A) The Planning Director may grant an exception with or without conditions for up to 30% of the required number of off- street parking or loading spaces, upon a finding by the Director that there is substantial evidence that the number of spaces required is inappropriate or unneeded for the particular use, based upon:

(l) A history of parking or loading use for comparable developments;

(2) The age, physical condition, motor vehicle ownership or use characteristics or other circumstances of residents, users or visitors of the use; or

(3) The availability of alternative transportation facilities; and

(4) That there will be no resultant on-street parking or loading or interruptions or hazards to the movement of traffic, pedestrians or transit vehicles.

(B) The Director shall file with the application for the building or other required permit, findings in support of any exception, including any conditions of approval.

(C) An exception in excess of 15% of the required number of spaces shall include a condition that a plan shall be filed with the application, showing how the required number of spaces can be provided on the lot in the future.

~~11.15. 6148 APPEAL OF ADMINISTRATION DECISION~~

~~A decision of the Planning Director under the provisions of MCC .6100 through .6148 may be appealed by the applicant to the hearings officer in the manner provided in MCC .8290 and .8295~~

6.C.1 SIGNS

§39.6700 [36.7400]- PURPOSE.

(A) This ~~Chapter~~ Subpart regulates signs which are visible from the right-of-way and from beyond the property where erected. These regulations balance the need to protect the public safety and welfare, the need for a well maintained and attractive community, and the need for identification, communication and advertising for all land uses. The regulations for signs have the following specific objectives:

(1) To ensure that signs are designed, constructed, installed and maintained so that public safety and traffic safety are not compromised;

(2) To allow and promote positive conditions for meeting sign users' needs while at the same time avoiding nuisances to nearby properties;

(3) To reflect and support the desired character and development patterns of the various zones; and,

(4) To ensure that the constitutionally guaranteed right of free speech is protected.

(B) The regulations allow for a variety in number and type of signs for a site. The provisions do not necessarily assure or provide for a property owner's desired level of visibility for the signs.

§39.6705 [36.7405] APPLICABILITY AND SCOPE.

This ~~Chapter~~Subpart regulates the number, size, placement and physical characteristics of signs. These regulations are not intended to, and do not restrict, limit or control the content or message of signs. This Subpart applies to all zones. The regulations of this ~~Chapter~~Subpart are in addition to all other regulations in the Multnomah County Zoning Code and State Building Code applicable to signs.

§39.6710 [36.7410] CONFORMANCE.

No sign may be erected unless it conforms with the regulations of this ~~Chapter~~Subpart. Sign permits must be approved prior to erection of the sign.

§39.6720 [36.7420] EXEMPT SIGNS.

The following signs are exempt from the provisions of this ~~Chapter~~ Subpart, but may be subject to other portions of the County Zoning Code:

(A) Signs not oriented or intended to be legible from a right of-way, private road or other private property;

(B) Signs inside a building, except for strobe lights visible from a right-of-way, private road or other private property;

(C) Signs legally erected in the right-of-way in accordance with MCC 29.500 through 29.583, the ~~Rules For Street Standards~~ Multnomah County Road Rules and Design and Construction Manual adopted thereunder, and Administrative Rules and Regulations pursuant to MCC 15.225 through 15.236;

(D) Building numbers required by the applicable street naming and property numbering provisions in Multnomah County Code;

(E) Signs carved into or part of materials which are an integral part of the building;

(F) Flags on permanent flag poles which are designed to allow raising and lowering of the flags;

(G) Banners on permanent poles which are designed and intended as a decorative or ornamental feature;

(H) Painted wall decorations and painted wall highlights;

(I) Bench advertising signs which have been lawfully erected.

§39.6725 [36.7425] PROHIBITED SIGNS.

The following signs are prohibited and shall be removed:

(A) Strobe lights and signs containing strobe lights which are visible beyond the property lines;

(B) Signs placed on or painted on a motor vehicle or trailer and parked with the primary purpose of providing a sign not otherwise allowed for by this ~~Code~~ Subpart;

(C) Abandoned signs;

(D) Balloon signs; and

(E) Signs in the right-of-way in whole or in part, except signs legally erected for informational purposes by or on behalf of a government agency.

§39.6730 [36.7430] DETERMINATION OF FRONTAGES.

(A) Primary Building Frontages

Primary building frontages are derived from each ground floor occupant's qualifying exterior walls (See MCC 39.6820 Figure 1).

(B) Corner Signs

Corner signs facing more than one street shall be assigned to a frontage by the applicant. The sign must meet all provisions for the frontage it is assigned to.

§39.6735 [36.7440] VARIANCES.

Under the provisions of MCC 39.8200 through 39.8215, variances may be requested for all sign regulations except as provided herein, and except for prohibited signs.

§39.6740 [36.7445] BASE ZONE SIGN REGULATIONS.

Signs are allowed in unincorporated Multnomah County depending on the base zone in which a property is situated as described in MCC 39.6745 through 39.6765. Signs are allowed on properties that are zoned PD or have CS designations to the extent that signs are allowed in the base zone, except as provided in this Subpart.

§39.6745 [36.7450] SIGNS GENERALLY

For all uses and sites in all zones except the LM, C-3 and MR-4 zones, the following types, numbers, sizes and features of signs are allowed. All allowed signs must also be in conformance with the sign development regulations of MCC 39.6775 through MCC 39.6820.

(A) The following standards apply to Free Standing Signs:

(1) Allowable Area - Free standing signs are allowed .25 square feet of sign face area per linear foot of site frontage, up to a maximum of 40 square feet.

(2) Number - One free standing sign is allowed per site frontage.

(3) Height - The maximum height of a free standing sign is 16 feet.

(4) Extension into the Right-Of-Way - Free standing signs may not extend into the right-of-way.

(B) The following standards apply to Signs Attached to Buildings:

(1) Total Allowable Area - The total allowable area for all permanent signs attached to the building is determined as follows: Eighteen square feet ~~of~~ maximum sign face area is allowed, or .25 square feet of sign face area per linear foot of the occupant's primary building frontage, whichever is more.

(2) Individual Sign Face Area - The maximum size of an individual sign within the total allowable area limit is 50 square feet.

(3) Types of Signs - Fascia, marquee, awning and painted wall signs are allowed. Projecting roof top and flush pitched roof signs are not allowed.

(4) Number of Signs - There is no limit on the number of signs if within the total allowable area limit.

(5) Extension into the Right-Of-Way - Signs attached to buildings may not extend into the right-of-way.

(C) Sign Features. Permanent signs may have the following features:

(1) Signs may be indirectly illuminated downward onto the sign face.

(2) Electronic message centers are not allowed.

(3) Flashing signs are not allowed.

(4) Rotating signs are not allowed.

(5) Moving parts are not allowed.

(D) Additional Signs Allowed. In addition to the sign amounts allowed based on the site and building frontages, the following signs are allowed in all base zones for all usages:

(1) Directional signs pursuant to MCC 39.6805.

(2) Temporary lawn, banner and rigid signs.

(3) Subdivisions may have a free standing sign at each entrance, up to a total of four, each of which may be up to ten feet in height and 50 square feet in area.

§39.6750 [11.15.7932] SIGNS GENERALLY IN THE LM ZONE

For all uses and sites in the LM zone, the following types, numbers, sizes and features of signs are allowed. All allowed signs must also be in conformance with the sign development regulations of MCC 39.6775 through 39.6820.

(A) The following standards apply to Free Standing Signs:

(1) Allowable Area - Free standing signs are allowed one square foot of sign face area per linear foot of site frontage, up to a maximum of 280 square feet.

(2) Number - One free standing sign is allowed for the first 300 linear feet of site frontage and one for each additional 300 linear feet of site frontage or fraction thereof. The second sign's area is determined by the length of frontage not part of the initial 300 feet.

(3) Height - The maximum height of a free standing sign is 30 feet.

(4) Extension into the Right-of-Way - Free standing signs may not extend into the right-of-way.

(B) The following standards apply to Signs Attached to Buildings:

(1) Allowable Area - For ground floor occupants, the total allowable area for all permanent signs attached to the building is determined as follows:

(a) Thirty two square feet of sign face area is allowed, or one square foot of sign face area per linear foot of occupant's primary building frontage, whichever is more.

(b) If there is no freestanding sign on the primary site frontage toward which the building face is oriented, then l.5 square feet of sign face per linear foot of the occupant's primary building frontage is allowed or 32 square feet, whichever is more. If the total of all signs attached to the building is more than one square foot of sign face area per linear foot of primary building frontage, then no freestanding sign is allowed.

(2) Individual sign face area -The maximum size of an individual sign within the total allowable area limits is 280 square feet.

(3) Types of Signs - Fascia, projecting, marquee, awning and flush pitched roof signs are allowed. Roof top signs are not allowed.

(4) Number of Signs - There is no limit on the number of signs if within the total allowable area limit. However, only one projecting sign is allowed per building frontage, and shall only be allowed if there is no free standing sign on the same site frontage.

(5) Extensions into the Right-of-Way - Signs attached to buildings may not extend into the right-of-way.

(C) Sign Features. Permanent signs may have the following features:

(1) Signs may be indirectly illuminated downward onto the sign face.

(2) Electronic message centers are not allowed.

(3) Flashing signs are not allowed.

(4) Rotating signs are not allowed.

(5) Moving parts are not allowed.

(D) Additional Signs Allowed. In addition to the sign amounts allowed based on the site and building frontages, the following signs are allowed:

(1) Directional signs pursuant to MCC 39.6805.

(2) Temporary lawn, banner and rigid signs.

(3) Subdivisions may have a free standing sign at each entrance, up to a total of four, each of which may be up to ten feet in height and 50 square feet in area.

(4) Painted wall signs Painted wall signs are allowed on all walls up to 50 percent of the exposed wall area.

§39.6755 [11.15.7934] SIGNS GENERALLY IN THE C-3 ZONE

For all uses and sites in the C-3 zone, the following types, numbers, sizes, and features of signs are allowed. All allowed signs must also be in conformance with the sign development regulations of MCC 39.6775 through 39.6820.

(A) The following standards apply to Free Standing Signs:

(1) Allowable Area - Free standing signs are allowed one square foot of sign face per linear foot of site frontage, up to a maximum of 75 square feet.

(2) Number - One free standing sign is allowed per site frontage.

(3) Height - The maximum height of a free standing sign is 20 feet.

(4) Extension into the Right-of-Way - Free standing signs may not extend into the right-of-way.

(B) The following standards apply to Signs Attached to Buildings:

(1) Total Allowable Area - For ground floor occupants, the total allowable area for all permanent signs attached to the building is determined as follows: Thirty square feet of sign face area is allowed, or one square foot of sign face area per linear foot of occupant's primary building frontage, whichever is more.

(2) Individual Sign Face Area - The maximum size of an individual sign within the total allowable area limits is 150 square feet, except for projecting signs which are limited to 75 square feet per face.

(3) Types of Signs - Fascia, projecting, marquee, awning and painted wall signs are allowed. Roof top and flush pitched roof signs are not allowed.

(4) Number of Signs - There is no limit on the number of signs if within the total allowable area limit. However, only one projecting sign is allowed per building frontage.

(5) Extensions into the Right-of-Way - Signs attached to buildings may not extend into the right-of-way.

(C) Sign Features. Permanent signs may have the following features:

(1) Signs may be indirectly illuminated downward onto the sign face.

(2) Electronic message centers are not allowed.

(3) Flashing signs are not allowed.

(4) Rotating signs are not allowed.

(5) Moving parts are not allowed.

(D) Additional Signs Allowed. In addition to the sign amounts allowed based on the site and building frontages, the following signs are allowed:

(1) Directional signs pursuant to MCC 39.6805.

(2) Temporary lawn, banner, and rigid signs.

(3) Subdivisions may have a free standing sign at each entrance, up to a total of four, each of which may be up to ten feet in height and 50 square feet in area.

§39.6760 [11.15.7938] SIGNS FOR OFFICE AND COMMERCIAL USES IN THE MR-4, ZONE

The following signs are permitted for office, clinic or limited commercial uses authorized as provided in the MR-4 zone.

(A) The following standards apply to Free-Standing Signs:

(1) Allowable Area - Free standing signs are allowed .40 square feet of sign face area per linear foot of site frontage, up to a maximum of 50 square feet.

(2) Number - One free standing sign is allowed per site frontage.

(3) Height - The maximum height of a free standing sign is 20 feet.

(4) Extension into the Right-of-Way - Signs may not extend into the right-of-way.

(B) The following standards apply to Signs Attached to Buildings:

(1) Total Allowable Area - For ground floor occupants, the total allowable area for all permanent signs attached to the building is determined as follows: Eighteen square feet of sign face area is allowed, or .60 square feet of sign face area per linear foot of the occupant's primary building frontage, whichever is more.

(2) Individual Sign Face Area - The maximum size of an individual sign within the total allowable area limit is 32 square feet.

(3) Types of Signs - Fascia, marquee, awning and painted wall signs are allowed. Projecting roof top and flush pitched roof signs are not allowed.

(4) Number of Signs - There is no limit on the number of signs if within the total allowable area limit.

(5) Extensions into the Right-of-Way - Signs attached to buildings may not extend into the right-of-way.

(C) Sign Features. Permanent signs may have the following features:

(1) Signs may be indirectly illuminated downward onto the sign face.

(2) Electronic message centers are not allowed.

(3) Flashing signs are not allowed.

(4) Rotating signs are not allowed.

(5) Moving parts are not allowed.

(D) Additional Signs Allowed. In addition to the sign amounts allowed based on the site and building frontages, the following signs are allowed:

(1) Directional signs pursuant to MCC 39.6805.

(2) Temporary lawn, banner and rigid signs.

(3) Subdivisions may have a free standing sign at each entrance, up to a total of four, each of which may be up to ten feet in height and 50 square feet in area.

§39.6765 [11.15.7940] SIGNS GENERALLY IN THE MR-4, ZONE

For all uses and sites in theMR-4 zone, except as provided in MCC 39.6760 for office and commercial uses in the MR-4 zone, the following types, numbers, sizes and features of signs are allowed. All allowed signs must also be in conformance with the sign development regulations of MCC 39.6775 through 39.6820.

(A) The following standards apply to Free Standing Signs:

(1) Allowable Area - Free standing signs are allowed .20 square feet of sign face area per linear foot of site frontage, up to a maximum of 40 square feet.

(2) Number - One free standing sign is allowed per site frontage.

(3) Height - The maximum height of a free standing sign is 16 feet.

(4) Extension into the Right-of-Way - Free standing signs may not extend into the right-of-way.

(B) The following standards apply to Signs Attached to Buildings:

(1) Total Allowable Area - For ground floor occupants, the total allowable area for all permanent signs attached to the building is determined as follows: Twelve square feet of sign face area is allowed, or .20 square feet of sign face area per linear foot of the occupant's primary building frontage, whichever is more.

(2) Individual Sign Face Area - The maximum size of an individual sign within the total allowable area limit is 20 square feet.

(3) Types of Signs - Fascia and painted wall signs are allowed. Projecting roof top and flush pitched roof signs are not allowed.

(4) Number of Signs - There is no limit on the number of signs if within the total allowable area limit.

(5) Extensions into the Right-of-Way Signs attached to buildings may not extend into the right-of-way.

(C) Sign Features. Permanent signs may have the following features:

(1) Signs may be indirectly illuminated downward onto the sign face.

(2) Electronic message centers are not allowed.

(3) Flashing signs are not allowed.

(4) Rotating signs are not allowed.

(5) Moving parts are not allowed.

(D) Additional Signs Allowed. In addition to the sign amounts allowed based on the site and building frontages, the following signs are allowed:

(1) Directional signs pursuant to MCC 39.6805.

(2) Temporary lawn, banner and rigid signs.

(3) Subdivisions may have a free standing sign at each entrance, up to a total of four, each of which may be up to ten feet in height and 50 square feet in area.

§39.6770 [36.7455] BILLBOARD REGULATIONS.

(A) Billboards are allowed in unincorporated Multnomah County as described in MCC 39.6700 through MCC 39.6820.

(B) Number of Billboards within unincorporated Multnomah County. The following standards and procedures apply to establishment of a billboard:

(1) No billboard, other than as provided in this section, may be erected in unincorporated Multnomah County.

(2) The Planning Director shall prepare an inventory of all billboards in existence in the unincorporated area of Multnomah County on the effective date of this section. A billboard shall be considered to be in existence if it meets the definition criteria of MCC 39.6820 and is currently being adequately maintained or has been issued a building permit prior to the effective date of this section. The inventory shall be known as the Total Billboard Allowance for Unincorporated Multnomah County.

(3) After the inventory has been established, one permit shall be established for each poster face billboard and two permits shall be established for each paint face billboard.

(4) Each permit shall reflect the location, size and height of each billboard as well as any other information deemed pertinent by the County.

(5) The size, shape, orientation or height of any billboard in existence on the effective date of this section shall not be changed unless such modifications bring the billboard closer to or into, conformance with the provisions of this section, except that "cut-out" extensions may be temporarily added to any billboard in order to conform to an advertiser's specifications.

(6) An existing billboard may be upgraded by substituting two permits authorizing two poster face billboards for one paint face billboard, and likewise may substitute one paint face for two poster face, provided the upgraded billboard(s) meets the requirements of this sign ordinance.

(7) As areas are annexed to Cities, the number of billboards located in the annexed area will be subtracted from the Total Billboard Allowance for Unincorporated Multnomah County.

(C) Limitation on the Relocation of Existing Billboards. The following standards apply to the relocation of a billboard:

(1) An existing billboard may be relocated to a new location, as described in this section, only in the event that such relocation is necessitated because:

(a) the owner is unable to continue the existing lease for the premises upon which the existing billboard is located;

(b) the billboard structure has been destroyed by other than the owner or has deteriorated and is no longer in safe condition;

(c) the economic viability of the existing location has been substantially impaired solely as a result of the full or partial obstruction of the billboard or changes in the automobile traffic pattern moving past the existing location; or

(d) the owner has lost a billboard site or sites as a result of acquisition of real property by a public entity for a public purpose.

(2) The owner shall notify the County prior to the removal or relocation of any billboard.

(3) Regardless of the number of billboards which are eligible for relocation at any time, within one calendar year the owner shall not relocate more than five percent of the total number of billboards that it maintains, provided however, that the owner shall have sole discretion in accordance with (B) (1) above which billboards are to be relocated and when a particular relocation shall occur.

(4) The owner of a billboard shall not maintain any greater number of billboards on interstate highways in unincorporated Multnomah County than were established prior to the effective date of this section. However, in the event that the owner is unable to continue the lease for the property upon which the existing billboard is located, the owner may relocate that billboard to another location on an interstate highway, except that any relocated billboard structure must be a minimum of two thousand feet from any other billboard structure subject to this subparagraph and in no event shall the owner relocate more than one billboard subject to this subparagraph within a calendar year.

(5) The owner of a billboard may, upon notice to the County, interchange two existing side-by-side poster face billboards with one paint face billboard and likewise may interchange one paint face with two side-by-side poster faces.

(6) No billboard relocated pursuant to this section shall be required to go through design review.

(7) Upon removal of an existing billboard, the permit for such billboard shall be deemed a relocation permit authorizing relocation of a billboard to a new site. There shall be no time limit on the owner's eligibility to utilize such relocation permits and the owner shall have the right to accumulate the number of permits for billboards to be relocated.

(8) When the owner elects to construct a relocated billboard, ~~he/she~~ they may select from the size and height of those permits available to it and may interchange size and height among permits; however, the owner may not accumulate height by adding heights from more than one permit.

(D) Standards Governing the Relocation of Billboards. The following additional standards apply to the relocation of a billboard:

(1) There shall not be more than four billboard faces in either direction within any 660 lineal feet on the roadway measured to include streets intersecting the initially measured roadway.

(2) A single billboard structure cannot be located within less than 330 lineal feet of zoning in which billboards are permitted in this section. There shall be a minimum of 660 feet of contiguous zoning to allow two or more billboards.

(3) The zoning on the opposite side of the street from the proposed relocation also must permit billboards. However, in areas zoned LM, GM, HM, M-1, M-2 OR M-3, if the lands on the opposite side of the road are zoned residential and have only a rear lot line adjacent to the road, billboards will be allowed subject to a 90-foot setback requirement inclusive of the right-of-way.

(4) There shall be at least 100 feet from any billboard to any residential zone fronting on the same side of the street.

(5) No painted billboard shall be relocated on a thoroughfare with less than two lanes utilized for traffic in one direction at all times.

(6) Base zones in Which Billboards are Permitted, pursuant to the other requirements of this section:

C-3 Retail Commercial
LM Light Manufacturing

(7) Sign free areas

(E) Development Standards. The following development standards apply to establishment, change, alteration and expansion of billboards:

(1) When a billboard is erected, its maximum height shall be determined by available relocation permits. A permit may be used for the height of the prior billboard or for a lesser height. However, in no case may a billboard be erected which is above the allowable height of the zone where located, or 50 feet, whichever is lower.

(2) All height measurements are measured from the top of the sign to the grade below the middle of the sign. Height measurements do not include temporary cutouts.

(3) No billboard shall have an area less than 288 square feet nor more than 672 square feet, except that cutout extensions may be temporarily added to any billboard from time to time in order to conform to an advertiser's specifications.

(4) Billboards shall be maintained in safe condition and all maintenance and reconstruction as may be necessary shall be in conformance with applicable County building regulations.

(5) No billboard shall be located on a roof.

(6) No billboard shall be located so that any portion of it extends over a property line and/or a public right-of-way.

(7) Billboards located within 45 feet of an intersection shall comply with Section 8.14 of the Administrative Rules and Regulations under MCC 15.229 (A) (14).

(8) No single billboard structure shall support more than two painted billboards or four poster faces.

(9) No billboard shall contain moving parts or flashing or intermittent lights.

(10) No permit shall be required to change the message on a billboard or to add or remove a cutout.

(11) Billboard lights shall be placed so the light is directed downward onto the billboard face and not directed toward a street or adjacent residential unit.

(12) Access to solar radiation for an existing solar energy collector shall be protected from encroachment by placement of a billboard.

(13) No billboard shall be located in a landscape area as required by design review on an approved site plan.

(14) V-shaped faces shall be allowed if located on a single billboard structure and the angle is less than 90 degrees.

(15) In addition to the Sign Free Areas listed above, relocated billboards must be positioned with care and consideration of the preservation of panoramic views of the rivers, the mountains and downtown Portland.

(F) Variances. No variances to the standards set forth in this Section are allowed.

§39.6780 [36.7465] SIGN PLACEMENT.

(A) Placement. All signs and sign structures shall be erected and attached totally within the site except when allowed to extend into the right-of-way.

(B) Frontages. Signs allowed based on the length of one site frontage may not be placed on another site frontage. Signs allowed based on a primary building frontage may be placed on a secondary building frontage.

(C) Vision Clearance Areas.

(1) No sign may be located within a vision clearance area as defined in subsection (C) (2) below. No support structure(s) for a sign may be located in a vision clearance area unless the combined total width is 12 inches or less and the combined total depth is 12 inches or less.

(2) Location of vision clearance Areas - Vision clearance areas are triangular shaped areas located at the intersection of any combination of rights-of-way, private roads, alleys or driveways. The sides of the triangle extend 45 feet from the intersection of the vehicle travel area (See MCC 39.6820 Figure 2). The height of the vision clearance area is from three feet above grade to ten feet above grade.

(D) Vehicle Area Clearances. When a sign extends over a private area where vehicles travel or are parked, the bottom of the sign structure shall be at least 14 feet above the ground. Vehicle areas include driveways, alleys, parking lots, and loading and maneuvering areas.

(E) Pedestrian Area Clearances. When a sign extends over private sidewalks, walkways or other spaces accessible to pedestrians, the bottom of the sign structure shall be at least 8-l/2 feet above the ground.

(F) Required Yards and Setbacks. Signs may be erected in required yards and setbacks.

(G) Parking Areas.

(1) Unless otherwise provided by law, accessory signs shall be permitted on parking areas in accordance with the provisions specified in each base zone, and signs designating entrances, exits or conditions of use may be maintained on a parking or loading area.

(2) Any such sign shall not exceed four square feet in area, one side. There shall not be more than one such sign for each entrance or exit to a parking or loading area.

§39.6785 [36.7470] FASCIA SIGNS.

(A) Height. Fascia signs may not extend more than six inches above the roof line.

(B) Extensions. No point on the face of a fascia sign may extend more than 18 inches from the wall to which it is attached, except for electronic message signs which may be up to 24 inches in thickness. Fascia signs may not extend beyond the corner of buildings.

§39.6790 [36.7475] PROJECTING SIGNS.

(A) Height. The face of projecting signs may not extend more than six inches above the roof line.

(B) Placement. Projecting signs are not allowed on roof tops or on pitched roofs.

(C) Support Structures. Support structures shall be designed so that there is the minimum visible support structure above the sign face. There shall be no more than one foot of support structure between the building wall and the sign.

§39.6795 [36.7480] FLUSH PITCHED ROOF SIGNS.

(A) Height. The face of flush pitched roof signs may not extend more than six inches above the roof line.

(B) Placement. Flush pitched roof signs shall be parallel to the building face. They may not extend beyond the building wall.

(C) Visual Backing. When viewed straight on, flush pitched roof signs shall have a visual backing formed by the roof.

(D) Support Structures. Support structures shall be designed so that there is no visible support structure above the sign.

§39.6800 [36.7485] MARQUEES AND AWNINGS.

Signs may be placed on or incorporated into marquees and awnings provided they do not extend above the upper surfaces of the structure. Signs may be hung below marquees and awnings if the sign clears the sidewalk by at least 8-l/2 feet.

§39.6805 [36.7490] DIRECTIONAL SIGNS.

Directional signs shall comply with the following provisions:

Maximum Sign Face Area:	Six Square Feet
Types of Signs Allowed:	Free Standing, Fascia, Projecting, Painted Wall
Maximum Height:	Free Standing 42 Inches Fascia and Projecting 8 Feet
Extensions into R/W:	Not Allowed
Lighting:	Indirectly illuminated downward onto the sign face
Flashing Lights:	Not Allowed
Electronic Message Centers:	Not Allowed
Moving or Rotating Parts:	Not Allowed

§39.6810 [36.7495] TEMPORARY SIGNS.

(A) Time Limit. Temporary signs and support structures, if any, must be removed within six months of the date of erection.

(B) Attachment. Temporary signs may not be permanently attached to the ground, buildings, or other structures.

(C) Lawn Signs. Lawn signs may not be greater than three square feet in area and may not be over 42 inches in height.

(D) Banners. One banner is allowed per primary building frontage and may not exceed 60 square feet. Additional temporary flags and pennants are allowed, but may not extend into the right-of-way.

(E) Temporary Rigid Signs. The following standards apply to temporary, rigid signs:

(1) Type - Rigid signs may be free-standing or placed on building sides.

(2) Size - The maximum size of a rigid sign is 32 square feet.

(3) Number - One rigid sign is allowed per site frontage.

(4) Height - Rigid signs on buildings may not be placed above roof lines. The maximum height free standing is eight feet.

(5) Extensions into the Right-of-Way - Rigid signs may not extend into the right-of-way.

(6) Lighting and Movement - Rigid signs may not be illuminated or have moving or rotating parts.

§39.6815 [36.7500] APPLICABILITY IN THE EVENT OF CONFLICTS.

The provisions of MCC 39.6700 through 39.6820 supersede all conflicting provisions of this Chapter.

§39.6820 [36.7505] SIGN RELATED DEFINITIONS AND FIGURES.

(A) **Abandoned Sign** - A sign structure not containing a sign for 120 continuous days or a sign not in use for 120 continuous days.

(B) **Awning Sign** - A sign incorporated into or attached to an awning.

(C) **Balloon Sign** - An inflatable temporary sign anchored by some means to a structure or developed parcel.

(D) **Banner** - A temporary sign made of fabric or other non-rigid material with no enclosing framework.

(E) **Bench Advertising Sign** - An outdoor advertising sign that is placed on a stationary object that is used primarily for sitting.

(F) **Billboard** - Billboard shall mean a sign face supported by a billboard structure.

(l) A painted billboard shall mean a 14' x 48' billboard.

(2) A poster billboard shall mean a 12' x 24' billboard.

(G) **Billboard Structure** - Billboard structure shall mean the structural framework which supports a billboard.

(H) **Building Frontage** -

(1) Primary - Primary building frontages are exterior building walls facing a right-of-way or private roadway, and any other exterior building wall facing a parking lot which contains a public entry to the occupant's premises.

(2) Secondary - Secondary building frontages are exterior building walls which are not classified as primary frontages.

(I) **Cutout** - Every type of display in the form of letters, figures, characters or other representations in cutout or irregular form attached to or superimposed upon a billboard.

(J) **Directional Sign** - A permanent sign which is designed and erected solely for the purpose of traffic or pedestrian direction and placed on the property to which the public is directed.

(K) **Electronic Message Center** - Signs whose message or display is presented with patterns of lights that may be changed at intermittent intervals by an electronic process.

(L) **Fascia Sign** - A single faced sign attached flush to a building.

(M) **Flush Pitched Roof Sign** - A sign attached to a roof with a pitch of one to four or greater and placed parallel to the building wall.

(N) **Free Standing Sign** - A sign on a frame, pole or other support structure which is not attached to any building.

(O) **Interstate Highway** - Every state highway that is part of the National System of Interstate and Defense Highways established pursuant to Section 103(d), Title 23, United States Code.

(P) **Lighting Methods**:

(1) Direct - Exposed lighting or neon tubes on the sign face.

(2) Flashing - Lights which blink on and off randomly or in sequence.

(3) Indirect - The light source is separate from the sign face or cabinet and is directed so as to shine on the sign.

(4) Internal - The light source is concealed within the sign.

(Q) **Maintenance** - Normal care needed to keep a sign functional such as cleaning, oiling and changing of light bulbs.

(R) **Marquee Sign** - A sign incorporated into or attached to a marquee or permanent canopy.

(S) **Moving Parts** - Features or parts of a sign structure which through mechanical means are intended to move, swing or have some motion.

(T) **Non-Conforming Sign** - A sign or sign structure lawfully erected and properly maintained that would not be allowed under the sign regulations presently applicable to the site.

(U) **Painted Wall Decorations** - Painted wall decorations are displays painted directly on a wall and are designed and intended as a decorative or ornamental feature.

(V) **Painted Wall Sign** - A sign applied to a building wall with paint and which has no sign structure.

(W) **Permanent Sign** - A sign attached to a building, structure, or the ground in some manner requiring a permit and made of materials intended for more than short-term use.

(X) **Projecting Sign** - A sign attached to and projecting out from a building face or wall and generally at right angles to the building. Projecting signs include signs projecting totally in the right-of-way, partially in the right-of-way or fully on private property.

(Y) **Repair** - Fixing or replacement of broken or worn parts. Replacement is of comparable materials only. Repairs may be made with the sign in position or with the sign removed.

(Z) **Right-of-Way** - Any way, street, alley or road dedicated to the use of the public.

(AA) **Rigid Sign** - A temporary sign, other than a lawn sign, made of rigid materials such as wood, plywood, plastic.

(BB) **Roof Line** - The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, chimneys or other minor projections.

(CC) **Roof Top Sign** - A sign on a roof with a pitch of less than one to four.

(DD) **Rotating Sign** - Sign faces or portions of a sign face which revolve around a central axis.

(EE) **Secondary Building Wall** - Exterior building walls or faces which are oriented toward another lot, not a right-of-way or private roadway.

(FF) **Sign** - Materials placed or constructed primarily to convey a message or other display and which can be viewed from a right of-way, private roadway or another property.

(GG) **Sign Face Area** -

(1) The area of sign faces enclosed in frames or cabinets is determined based on the outer dimensions of the frame or cabinet surrounding the sign face (see MCC 39.6820 Figure 3). Sign area does not include foundations, supports, and other essential structures which are not serving as a backdrop or border to the sign. Only one side of a double faced sign is counted.

(2) When a sign is on a base material and attached without a frame, such as a wood board or Plexiglas panel, the dimensions of the base material are to be used unless it is clear that part of the base contains no sign, related display or decoration.

(3) When signs are constructed of individual pieces attached to a building wall, sign area is determined by a perimeter drawn (the greatest height multiplied by the greatest width) around all the pieces (See MCC 39.6820 Figure 4).

(4) For sign structures containing multiple modules oriented in the same direction, the modules together are counted as one sign face (See MCC 39.6820 Figure 5).

(5) The maximum surface area visible at one time of a round or three dimensional sign is counted to determine sign area.

(6) When signs are incorporated into awnings, the entire panel containing the sign is counted as the sign face unless it is clear that part of the panel contains no sign, related display or decoration.

(HH) **Sign Height** - The vertical distance from the natural ground elevation at the midpoint of the sign to the highest point of the sign display surface, including cutouts.

(II) **Sign Structure** - A structure specifically intended for supporting or containing a sign.

(JJ) **Site** - A plot, parcel or area of land owned by or under the lawful control and in the lawful possession of one distinct ownership.

(KK) **Site Frontage** - That portion of a lot on one side of a street between two intersecting streets, accessways, or other rights-of-way (crossing or terminating) measured along the line of the street or for a dead-end street or accessway, all the property between an intersecting street or other right-of-way and the dead-end of the street or accessway.

(LL) **Structural Alteration** - Modification of the size, shape, or height of a sign structure. Also includes replacement of sign structure materials with other than comparable materials, for example metal parts replacing wood parts.

(MM) **Temporary Sign** - A sign not permanently attached to a building, structure, or the ground.

(NN) **Vision Clearance Area** - Those areas near intersections of roadways and ingress and egress points where a clear field of vision is necessary for public safety.

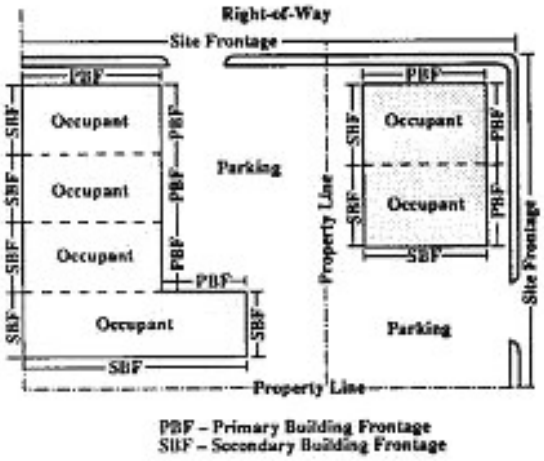


Figure 1 – Building Frontage Measurement

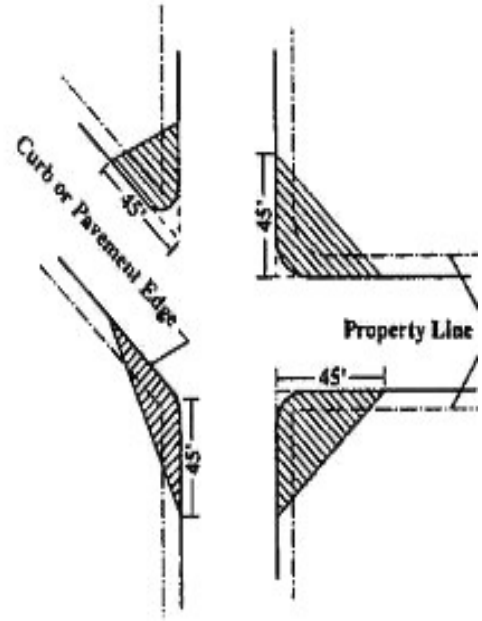


Figure 2 – Visibility Triangle

Visibility Triangle Areas at Typical Intersections

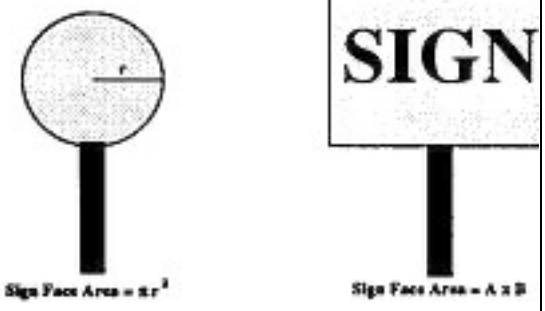


Figure 3 – Sign Face Measurements



Figure 4 – Sign Face Measurements



Figure 5 – Sign Face Measurements

6.C.3 EXTERIOR LIGHTING

§ 39.6850 [35.0570] DARK SKY LIGHTING STANDARDS.

(A) The purpose of the Dark Sky Lighting Standards in this Section is to protect and promote public health, safety and welfare by preserving the use of exterior lighting for security and the nighttime use and enjoyment of property while minimizing the obtrusive aspects of exterior lighting uses that degrade the nighttime visual environment and negatively impact wildlife and human health.

(B) The following exterior lighting is exempt from the requirements of paragraph (C) of this section:

(1) Lighting lawfully installed prior to October 22, 2016, provided that the building enlargement threshold in paragraph (C) of this section is not exceeded.

(2) Lighting used for safe pedestrian passage, installed at ground level (such as along walkways and stairs), provided that individual lights produce no more than 30 lumens.

(3) Lighting that shines for not more than 90 nights in any calendar year provided that individual lights produce no more than 70 lumens.

(4) Lighting which shines for not more than 60 nights in any calendar year associated with discrete farming practices as defined in ORS 30.930 and agricultural use as defined in OAR 603-095-0010, except that permanent lighting on buildings, structures or poles associated with farm practices and agricultural use is subject to the requirements of this section. For purposes of this exemption, “discrete farming practices” does not include farm stand or agri-tourism events or activities.

(5) Lighting which shines for not more than 60 nights in any calendar year associated with discrete forest practices as defined by ORS chapter 527 (The Oregon Forest Practices Act), except that permanent lighting on buildings, structures or poles associated with forest practices is subject to the requirements of this section.

(6) Lighting which shines for not more than 60 nights in any calendar year associated with theatrical, television, and performance activities. For purposes of this exemption, theatrical, television, and performance activities do not include farm stand or agri-tourism events or activities.

(7) Lighting in support of work necessary to protect, repair, maintain, or replace existing structures, utility facilities, service connections, roadways, driveways, accessory uses and exterior improvements in response to emergencies pursuant to the provisions of MCC 35.0535, provided that after the emergency has passed, all lighting to remain is subject to the requirements of this section.

(8) Lighting used by a public agency in service of a temporary public need, when such lighting cannot both serve the public need and comply with the standards in paragraph (C) of this section.

(9) Lighting required by a federal, state, or local law or rule, when such lighting cannot comply with both the law or rule and the standards in paragraph (C) of this section.

(10) Lighting used in support of public agency search and rescue and recovery operations.

(11) Traffic control devices in compliance with the Manual on Uniform Traffic Control Devices, when such lighting cannot both serve the public need and comply with the standards in paragraph (C) of this section.

(12) Lighting necessary to meet federal, state or local historic preservation standards when such lighting cannot both meet historic preservation standards and comply with the standards in paragraph (C) of this section.

(13) Underwater lighting.

(14) Lighting of national, state, and local recognized jurisdiction flags pursuant to the United States Flag Code or laws regulating the proper display of jurisdiction flags.

(C) The following standards apply to all new exterior lighting supporting a new, modified, altered, expanded, or replaced use approved through a development permit and to all existing exterior lighting on property that is the subject of a development permit approval for enlargement of a building by more than 400 square feet of ground coverage.

(1) The light source (bulbs, lamps, etc.) must be fully shielded with opaque materials and directed downwards. “Fully shielded” means no light is emitted above the horizontal plane located at the lowest point of the fixture’s shielding. Shielding must be permanently attached.

(2) The lighting must be contained within the boundaries of the Lot of Record on which it is located. To satisfy this standard, shielding in addition to the shielding required in paragraph (C)(1) of this section may be required.

6.D – RESPONSES TO AN EMERGENCY/DISASTER EVENT

§39.6900 [36.0535] RESPONSES TO AN EMERGENCY/DISASTER EVENT

Responses to an emergency/disaster event are allowed in all base zones when in compliance with the following standards:

(A) General standards for all response activities.

(1) Following emergency/disaster response actions, best management practices (BMPs) to prevent sedimentation and provide erosion control shall be utilized whenever disaster response actions necessitate vegetation removal, excavation, and/or grading. BMPs may include but are not limited to: use of straw bales, slash windrows, filter fabric fences, sandbags, straw cover, jute netting, etc.

(2) Structures or development installed or erected for a temporary use (e.g. sandbags, check dams, plastic sheeting, chain link fences, debris walls, etc.) shall be removed within one year following an emergency event. If it can be demonstrated that the continued use of these devices is necessary to protect life, property, public services or the environment, an extension of no more than two years may be granted by the Planning Director.

(3) The new exploration, development (extraction or excavation), and production of mineral resources, used for commercial, private or public works projects, shall not be conducted as an emergency/disaster response activity.

(4) No spoils resulting from grading or excavation activities shall be deliberately deposited into a wetland, stream, pond, lake, or riparian area within Multnomah County as a part of an emergency/disaster response action. The only exception to this is for construction of a fire line during a wildfire, where avoiding the aquatic area or its buffer zone has been considered and determined to not be possible without further jeopardizing life or property.

(B) Notification Requirements.

(1) Actions taken in response to an emergency/disaster event, as defined in MCC 39.2000, are allowed in all land use designations, subject to the following notification requirements.

(a) Notification of an emergency/disaster response activity shall be submitted either within 48 hours of the commencement of a response action, or by the next business day following the start of such an action, whichever is sooner. Notification shall be submitted by the party conducting an emergency/disaster response activity or their representatives. In the case of multiple responding parties, the first party to respond shall provide the required notification, unless, upon mutual agreement of responding parties, another responder elects to assume this responsibility.

(b) Notification shall be submitted by mail, fax, telephone, e-mail or in person. If notification occurs by telephone, a hard copy of the notification shall be submitted by mail or in person within 7 days.

(c) At a minimum, the following information shall be required at the time of notification:

1. Nature of emergency/disaster event.

2. Description of emergency/disaster response activities and magnitude of response actions to be taken, if applicable (such as extent of earth movement, erection of structures, etc.).

3. Location of emergency/disaster response activities.

4. Estimated start and duration of emergency/disaster response activities.

5. Contact person and phone number for the parties conducting emergency/disaster response actions.

(d) Repair and maintenance of an existing serviceable structure to its previously authorized and undamaged condition are not subject to the above referenced notification requirements.

(2) Upon notification of an emergency/disaster response action, the Planning Director shall, as soon as possible:

(a) Review their natural resource inventory data and notify the contact person for the emergency/disaster response actions of all inventoried natural resource sites, and their buffers, that are within or adjacent to the response area or that may be adversely affected by response activities;

(b) Notify applicable agencies of all emergency/disaster response activities.

(3) Upon response from applicable agencies, the applicant shall take necessary measures based on the recommendations of the applicable agencies to minimize impacts to resources from emergency/disaster response actions. If the recommendations of the applicable agencies conflict with those of the County or other jurisdictions, the recommendations of the County shall prevail for the purposes of this section.

(C) Post-Emergency/Disaster Response Application Requirements.

(1) Within 30 days following notification, a post-emergency/disaster response application shall be submitted by the party conducting the response action to the Planning Director. In the case of an event with multiple responding parties, the agency providing initial notification as required herein shall submit the application. An exception to this may occur if another responding party, by mutual agreement with the other respondents, elects to submit the application. Requests to extend this submittal deadline may be made in writing and shall include the reason why an extension is necessary. Extensions shall not exceed 30 days in duration and no more than two extensions shall be granted.

(2) Post-emergency/disaster response applications shall only address development activities conducted during an emergency/disaster response. Applications shall specify if development placed during an emergency/disaster event is permanent or temporary. Applicants shall be responsible for operations under their control and that of other responders, upon mutual agreement. Responders not agreeing to have another responder address their actions shall be responsible to submit an application for those actions.

(3) Emergency/disaster response actions not involving structural development or ground disturbance with mechanized equipment are exempt from these requirements, except for those actions within 500' of a known cultural resource (as determined in the notification process).

(4) Applications shall include the following information:

(a) Applicant's name and address.

(b) Location of emergency/disaster response.

(c) A written description of the emergency/disaster response, including any structures erected, excavation or other grading activities, or vegetation removal.

(d) A map of the project area drawn to scale, at a scale of 1"=200' or a scale providing greater detail. The map shall include:

1. North arrow and scale.

2. Boundaries, dimensions and size of subject parcel(s).

3. Topography at a contour interval sufficient to describe the terrain of the project site.

4. Bodies of water, watercourses, and significant landforms.

5. Existing roads and structures.

6. New structures placed and any vegetation removal, excavation or grading resulting from the response actions.

(e) An exception to the scale requirements of subsection (4)(d) may be granted for an event encompassing an area greater than one square mile. In such cases, a clear sketch map of the entire response action area shall be provided. In addition, a map of 1"=200' or a scale providing greater detail shall be provided that shows a section of the response area exemplifying the specific actions taken.

(D) Post-Emergency/Disaster Response Site Review.

All applications for post-emergency/disaster response Site Review shall be processed pursuant to the procedural provisions of a Type II decision and in compliance with the approval criteria of this section.

(E) Post-Emergency/Disaster Response Approval Criteria.

Actions taken in all land use designations that are in response to an emergency/disaster event shall be reviewed for compliance with the following standards:

(1) Vegetation shall be used to screen or cover road cuts, structural development, landform alteration, and areas denuded of vegetation, as a result of emergency/disaster response actions.

(2) Areas denuded of vegetation as a result of emergency/disaster response actions shall be revegetated with native plant species to restore the affected areas to its pre-response condition to the greatest extent practicable. Revegetation shall occur as soon as practicable, but no later than one year after the emergency/disaster event. An exception

to the one-year requirement may be granted upon demonstration of just cause, with an extension of up to one year.

(3) Spoil materials associated with grading, excavation and slide debris removal activities in relation to an emergency/disaster response action, shall either be:

(a) Removed from Multnomah County or deposited at a site within the Multnomah County where such deposition is, or can be, allowed, or

(b) Contoured, to the greatest extent practicable, to retain the natural topography, or a topography which emulates that of the surrounding landscape.

(4) If cultural resources are discovered within the area disturbed by emergency response actions, the project applicant shall immediately cease work and contact the Planning Director and the State Historic Preservation Office (SHPO).

(5) To the greatest extent practicable, emergency/disaster response actions shall not adversely affect natural resources.

(6) Buffer zones for wetlands, streams, ponds, riparian areas, sensitive wildlife sites or areas, and sites containing rare plants, shall be maintained to the maximum extent practicable.

(a) When emergency/disaster response activities occur within wetlands, streams, ponds, lakes, riparian areas, or the buffer zones of these areas, the applicant shall demonstrate the following:

1. All reasonable measures have been applied to ensure that the response actions have resulted in the minimum feasible alteration or destruction of the functions, existing contours, vegetation, fish and wildlife resources, and hydrology of wetlands, streams, ponds, lakes, or riparian areas.

2. Areas disturbed by response activities and associated development will be rehabilitated to the maximum extent practicable.

(b) Impacts to wetlands, streams, ponds, lakes, and riparian areas, and their buffers will be offset through mitigation and restoration to the greatest extent practicable. Mitigation and restoration efforts shall use native vegetation, and restore natural functions, contours, vegetation patterns, hydrology and fish and wildlife resources to the maximum extent practicable.

(c) If the Planning Director determines that the emergency/disaster response actions had minor effects on the aquatic area or its buffer zone that could be eliminated with simple modifications, a letter shall be sent to the project applicant that describes the effects and measures that need to be taken to eliminate them. If the project applicant accepts these recommendations, the Planning Director shall incorporate them into the Site Review decision.

(d) Unless addressed through (C) above, mitigation and restoration efforts shall be delineated in a Rehabilitation Plan. Rehabilitation Plans shall satisfy the following:

1. Plans shall include a plan view and cross-sectional drawing at a scale that adequately depicts site rehabilitation efforts. Plans will illustrate final site topographic contours that emulate the surrounding natural landscape.

2. Planting plans shall be included that specify native plant species to be used, specimen quantities, and plant locations.

3. The project applicant shall be responsible for the successful rehabilitation of all areas disturbed by emergency/disaster response activities.