

1 **BEFORE THE BOARD OF COMMISSIONERS**

2 **FOR LINCOLN COUNTY, OREGON**

3 ORDINANCE # 484

4
5 **Amending Lincoln County Code Chapter 1: creating a new section authorizing**
6 **Public Park Master Plan Zone (PMP), LCC 1.1379; amending LCC 1.1405 and**
7 **declaring an emergency**
8

9 WHEREAS by Resolution # 14-17-09B the Board of Commissioners initiated and
10 referred to the Lincoln County Planning Commission legislative amendments to Lincoln
11 County Code (LCC) Chapter 1 to consider mechanisms to develop public park master plans
12 for both state and local parks within the parameters of state and local land use planning
13 requirements; and

14 WHEREAS after public notice as required by the LCC Chapter 1, the Planning
15 Commission held a hearing on January 26, 2015 and on March 5, 2015 adopted Findings,
16 Conclusion and a Final Order which made recommendations to the Board of
17 Commissioners to adopt the code amendments; and

18 WHEREAS on June 3, 2015, after notice as required by the LCC Chapter 1, the
19 Board held a public hearing on the recommendations from the Planning Commission.
20 Additional information was requested, and the Board met in a special meeting on December
21 1, 2015 with representatives of Oregon State Parks to receive that information. The Board
22 now desires to move forward with adoption of the amendments to the LCC.

23 Now, therefore, the Lincoln County Board of Commissioners Ordains as follows:

24 **SECTION 1.** LCC Chapter 1 is amended to add the following:

25 **1.1379 Public Park Master Plan Zone PMP**

26 **(1) Purpose:**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing ordinance to be omitted. New sections are in **boldfaced** type.

1 The purpose of the PMP Zone is to facilitate the development, maintenance
2 and enhancement of state and local public parks. The PMP zone is intended to
3 provide for the implementation of state park master plans adopted by the Oregon
4 Parks and Recreation Department pursuant to OAR chapter 736, division 18, and
5 ORS 390.180, and local park master plans adopted by the Lincoln County Board of
6 Commissioners pursuant to OAR chapter 660, division 34.

7 **(2) Uses Permitted Outright:**

8 The following uses and their accessory uses are permitted subject to the
9 applicable provisions of LCC 1.1401 to 1.1499, 1.1501 to 1.1599 and 1.1901 to 1.999:

10 (a) All land uses, facilities and improvements set forth in the applicable state
11 park master plan adopted by the Oregon Parks and Recreation Department pursuant
12 to OAR chapter 736, division 18, and ORS 390.180, including “minor variations” of
13 such uses as defined in OAR 736-18-0040.

14 (b) All land uses, facilities and improvements set forth in the applicable local
15 park master plan adopted by the Lincoln County Board of Commissioners pursuant
16 to OAR chapter 660, division 34.

17
18 **SECTION 2.** LCC 1.1405 is amended as follows:

19 **1.1405 Sign Requirements**

20 **(1) Scope:**

21 Every sign erected, altered or relocated within unincorporated Lincoln County
22 shall conform to the provisions and requirements of this section. Except as otherwise
23 provided in this subsection, every sign erected, altered or relocated within
24 unincorporated Lincoln County shall conform to the provisions and requirements of
25 this section. This section does not apply to:

26 (a) The display of a national or state flag.

27 (b) Traffic and street signs erected and maintained by a road authority as defined
28 in ORS 801.445.

29 (c) Trespass signs posted in accordance with ORS 164.245 to 164.270.

30 (d) The display of a temporary interior window sign.

31 (e) Temporary holiday decorations.

32 **(2) Definitions:**

33 As used in this section:

34 (a) “Accessory sign” means a sign which is accessory to and in conjunction with
35 an established main use of land.

36 (b) “Advertising sign” or “lot sign” means a sign which is the main use of lot or
37 parcel on which it is located and is not accessory to or in conjunction with any other use.

38 (c) “Free standing sign” means a sign which is supported by a separate

1 independent structure and is not attached to or supported by any other building or
2 structure.

3 (d) "Nonconforming sign" means a sign which was erected legally but which does
4 not comply with currently applicable sign restrictions and regulations.

5 (e) "Projecting sign" means a sign which is attached to the wall or roof of a
6 building and which projects above the lowest part of the roof or more than 12 inches
7 beyond the surface of the wall of the building to which it is attached.

8 (f) "Sign" means an identification, description, illustration, statement, display, or
9 device which is affixed to or represented, directly or indirectly, upon a building, structure,
10 or land, and which is intended to accomplish communication.

11 (g) "Size" means the aggregate area of all sign display surfaces located on a single
12 structure, but excluding posts and base that are without attached identification,
13 description or illustration. Two surfaces parallel and back to back on the same structure
14 shall be considered a single display surface.

15 (h) "Temporary sign" means any sign which is not permanently installed or
16 affixed to any sign structure or building, and is accessory to an event, lease, rental or sale
17 of limited, fixed duration.

18 (i) "Wall sign" means a sign attached to or painted on a wall of a building with a
19 display surface which projects no more than 12 inches from the surface of the wall and
20 not above the lowest roof of the building to which it is attached.

21 **(3) General Requirements:**

22 (a) No permanent sign shall be placed in or extend over a required side yard or street
23 right-of-way or within 10 feet of the front property line in a required front yard.

24 (b) There shall be no moving or flashing signs.

25 (c) Light from a sign shall be directed away from a residential use or zone and shall
26 not be located so as to distract motorists.

27 (d) Where it can be demonstrated that directional signs are needed for directing or
28 controlling vehicular access, or where such signs are required as a condition of approval
29 for public safety, such signs may be permitted in addition to any other signs permitted by
30 this section. Such signs shall be placed at each motor vehicle entrance or exit, shall not
31 exceed nine square feet in size and six feet in height, and shall not restrict required site
32 distances.

33 (e) In the R-1, R-2, R-3, RR1-2, RR-5, A-C and T-C zones, one accessory sign shall
34 be allowed and shall be limited to the following size:

35 (A) A sign not exceeding two square feet in size accessory to a single family
36 dwelling or a home occupation.

37 (B) A sign not exceeding 32 square feet in size accessory to any other permitted or
38 conditional use in the zone.

39 (f) In the R-4, C-1, C-T, M-P, I-P and P-F zones accessory signs are allowed. Not
40 more than one projecting sign or free standing sign may be permitted per lot. The sign or

1 signs shall not exceed a total aggregate area of 200 square feet or one square foot for every
2 foot of lot frontage along streets, other than alleys, whichever is less. No sign shall exceed
3 35 feet in height measured from road level, and display surfaces shall not be greater than
4 twelve 12 feet in height nor 25 feet in width.

5 **(g) In the PMP zone, accessory signs are allowed in accordance with the**
6 **applicable state park master plan adopted by the Oregon Parks and Recreation**
7 **Department pursuant to OAR chapter 736, division 18 and ORS 390.180, or the local**
8 **park master plan adopted by the Lincoln County Board of Commissioners pursuant**
9 **to OAR chapter 660, division 34.**


10

11 **SECTION 3.**

12 Oregon State Parks and Lincoln County are prepared to use the provisions of this
13 Ordinance to timely move forward with Master Plans (or Planning efforts) currently funded
14 (or funding pending) for this fiscal year. Therefore, this Ordinance needs to be adopted
15 immediately and an emergency is declared to exist and this Ordinance shall take effect upon
16 its passage.

DATED this 10th day of February, 2016.


LINCOLN COUNTY BOARD OF COMMISSIONERS



Bill Hall, Chair



Doug Hunt, Commissioner



Terry N. Thompson, Commissioner

ATTESTED TO:



Tanya Graham, Recorder

APPROVED AS TO FORM:



Wayne Belmont, County Counsel

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