

**CITY OF ROCKAWAY BEACH, OREGON  
ORDINANCE NO. 2024-06**

**AN ORDINANCE AMENDING CITY OF ROCKAWAY BEACH ZONING  
ORDINANCE 143 SECTION 4.050 SIGN REQUIREMENTS**

WHEREAS, the City of Rockaway Beach (“City”) recognizes that certain amendments to the Rockaway Beach Zoning Ordinance are needed to allow for the placement of signs on municipal properties and open spaces, address non-conforming signs, and align discrepancies regarding home occupation signs noted in other sections of the code (“Proposed Amendments”);

WHEREAS, through regular Planning Commission meetings in April and May 2024, City staff worked with the Planning Commission to develop the Proposed Amendments to address the deficiencies in the current ordinance;

WHEREAS, on August 16, 2024, the City provided proper notice of the Proposed Amendments to the Department of Land Conservation and Development;

WHEREAS, on October 17, 2024, the Rockaway Beach Planning Commission conducted a properly noticed public hearing on the Proposed Amendments, and having received no objections, recommended that City Council adopt the Proposed Amendments;

WHEREAS, on December 11, 2024, the City Council conducted a properly noticed public hearing and first and second reading on the Proposed Amendments; and

WHEREAS, based upon all materials relevant to the proposal, staff reports, findings made by the Rockaway Beach Planning Commission, and testimony and comments submitted at the public hearings, both orally and in writing, the Rockaway Beach City Council has made the findings of fact as set forth in Exhibit A.

**NOW, THEREFORE, The City of Rockaway Beach ordains as follows:**

Section 1. Findings. The City Council hereby adopts the Findings of Fact set forth in the above recitals and attached as Exhibit A as its basis for adopting the Proposed Amendments to the Rockaway Beach Zoning Ordinance.

Section 2. Amendments. The Rockaway Beach Zoning Ordinance 143, Section 4.050 is hereby amended, in total, as follows:

**Section 4.050. Sign Requirements.**

1. Placement. No sign shall be placed in or extend over a required street right-of-way except sidewalks. Signs over sidewalks shall not be less than 8 feet from the sidewalk grade. Where no sidewalk exists, the 6 feet of right-of-way on either side of the street shall be considered the sidewalk.
2. Measurements. The following shall be used in measuring a permanent sign to determine compliance with this Chapter:
  - a. Signs shall be limited to the following:

- i. Commercial uses, other than motel, hotel, or timeshare condominium; one square foot of sign area for each lineal foot of street frontage, but not to exceed 75 square feet in area.
    - ii. Motel, hotel, or timeshare condominiums; 75 feet in area.
    - iii. Light industrial; 24 square feet in area.
    - iv. Nonresidential uses such as churches or schools; 12 square feet in area.
    - v. Multifamily and condominiums; 12 square feet in area.
    - vi. Home occupation; 1 square foot in area.
  - b. Sign area shall be calculated such that one side of an opposing-sided or non-parallel sign may be used for the purposes of measuring square footage. The larger side must be used for the determining factor.
  - c. Off premise signs shall be no larger than 24 square feet in area.
- 3. Sandwich board signs. For the purposes of this section, "sandwich board sign" means a sign which consists of two panels hinged or attached at the top or side, designed to be movable and stand on the ground.
  - a. One nonilluminated sandwich board sign, with each face not exceeding eight square feet in area, shall be allowed per business.
  - b. Sandwich board signs must be placed directly in front of the associated establishment.
  - c. The sandwich board sign shall not be located within a street or street right-of-way, except that where sidewalks exist, such a sign may be located on a public sidewalk. The sign shall not obstruct pedestrian traffic. If located on a public or private sidewalk, it shall be placed either adjacent to the curb or adjacent to the building so as to allow a 36- inch minimum walkway.
  - d. Sandwich board sign area shall not be deducted from the aggregate sign area allowed in Section 4.050(3).
  - e. Nonprofit and community organizations without an associated establishment may display a sandwich board sign during special events in public open spaces related to the event. All dimensions and placement standards outlined in Sections (a) through (d) shall apply.
- 4. Short Term Rental (STR) Signs. Signage requirements specific to Short Term Rentals (STRs) are governed by Section 113.04(C) of the Rockaway Beach Code of Ordinances. All sign regulations for STRs shall follow the requirements outlined in that section, as defined and enforced separately from the standards in Section 4.050.
- 5. Prohibitions. The following are expressly prohibited, unless specifically stated otherwise in this Chapter:
  - a. There shall be no moving or flashing signs.
  - b. Light from a sign shall be directed away from a residential use or zone and shall not be located so as to detract from a motorist's view.
  - c. External light sources for a sign shall be directed downward and shielded to limit direct illumination of any object other than the sign.
- 6. Nonconforming Signs. Nonconforming permanent signs existing at the time this 2025 Ordinance becomes effective, may continue, subject to the restrictions in this section:
  - a. A nonconforming sign shall not be:
    - i. Expanded in size or height that increases nonconformity; or
    - ii. Relocated.

- b. A nonconforming permanent sign may be maintained or altered, including changing the face or repair, provided no changes are made that would increase nonconformity.
  - i. If a nonconforming sign is destroyed by wind, fire, rain or by any other natural disaster, the sign shall not be replaced and shall lose its nonconformity and any remaining portions shall be removed; any new signage erected in its place shall comply with the provisions of this Chapter.
- 7. Exempt Signs. The following signs are exempt from regulations under this Chapter:
  - a. Signs erected or maintained by or on behalf of a federal, state, county, or local governmental body.

Section 3. Unamended Provisions. All unamended provisions of Ordinance No. 143 shall remain in full force and effect.


Section 4. Severability. A determination of invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, section, or part of this ordinance shall not affect the validity of the remaining parts to this ordinance.

Section 5. Effective Date. Pursuant to the Rockaway Beach City Charter, this ordinance shall become effective on the thirtieth day after its adoption.

1st reading by the Rockaway Beach City Council December 11, 2024.

2<sup>nd</sup> reading by the Rockaway Beach City Council December 11, 2024.

Adopted and Approved by the Rockaway Beach City Council December 11, 2024.

  
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 Charles McNeilly, Mayor

City Council	Aye/Nay
Mary McGinnis	x/
Tom Martine	x/
Kristine Hayes (Absent)	<del>—/</del>
Alesia Franken	x/
Penny Cheek	x/

Attest:

  
 \_\_\_\_\_  
 Melissa Thompson, City Recorder



**CITY OF ROCKAWAY BEACH  
CITY COUNCIL ACTION**

**FINDINGS OF FACT**

Case File: Ordinance #2024-06: An Ordinance Amending the City of Rockaway Beach Zoning Ordinance 143, Section 4.050, Sign Requirements

Hearing Date: December 11, 2024

**REQUEST:** City staff request the City Council action to adopt the proposed ordinance for administrative purposes. This ordinance was drafted with the intent to provide City staff with a pathway to permit signs on public open spaces and municipal property and to address pre-existing non-conforming signs. The proposed ordinance will not require any amendment to be made to the Rockaway Beach Comprehensive Plan.

**REPORT OF FACTS:**

The following is a summary of the facts and testimony found to be relevant to this decision:

1. City staff received a request to permit a sign on municipal property. Upon review of the Rockaway Beach Zoning Ordinance, staff found that no authority existed to allow for the permitting approval for such a request.
2. City staff drafted proposed revisions to the Rockaway Beach Zoning Ordinance, Section 4.050, Sign Requirements to provide authority necessary to approve such a permitting request. Additionally, City staff also recommended additional changes to address pre-existing non-conforming signs. The proposed revisions were presented to the Rockaway Beach Planning Commission for discussion and consideration at their regular meeting on April 18, 2024.
3. A public hearing was held before the Rockaway Beach Planning Commission on October 17, 2024 and notice was provided to the public. After receiving public comments, the Planning Commission deliberated and recommended the proposed ordinance be forwarded to the City Council for consideration at a public hearing, with amendments.

**REVIEW CRITERIA:**

Rockaway Beach Zoning Ordinance. Article 9. Amendments.

Section 9.010. Authorization to Initiate Amendments. An amendment to the text of this ordinance or to a zoning map may be initiated by the City Council, Planning Commission, or by application of the property owner(s), contract purchaser(s), or his/her/their authorized agent.

*Finding: The requested amendment to the text of the ordinance has been initiated by the Planning Commission and recommended for adoption.*

Section 9.015. Burden of Proof. The burden of proof is placed upon the initiator of the amendment. That burden shall be to prove:

1. The proposed amendment fully accords with applicable Comprehensive Plan goals and policies; and
2. The proposed amendment is required to meet a land use need.

*Finding: Sign requirements are not specifically addressed in the Comprehensive Plan. The proposed amendment is required to meet land use permitting needs for signs on municipal property and public open spaces.*

Section 9.020. Amendment Procedures. The following procedures shall be observed in consideration of an amendment request:

1. A request shall be initiated by filing an application with the City pursuant to Section 11.030.
2. Notice of a public hearing shall be given pursuant to Section 11.040.
3. The Planning Commission shall hold a public hearing on the request pursuant to Section 11.060.
4. The Planning Commission will forward its recommendation to the City Council and the City Council will hold a public hearing pursuant to Section 11.060.
5. The City Council will make a decision on the request pursuant to Section 11.060(6).

*Finding: Notice of the public hearing has been given pursuant to Section 11.040. A Planning Commission meeting has been held pursuant to Section 11.060 and its recommendation forwarded to the City Council.*



**CONCLUSION:**

In order to allow the permitting of signs on municipal and public open spaces, address pre-existing non-conforming and exempt signs, City staff recommendation of adoption of Ordinance #2024-06, amending the City of Rockaway Beach Zoning Ordinance, Section 4.050, Sign Requirements.

Submitted by:



Mary Johnson