



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

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Salem, Oregon 97301-2524

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### NOTICE OF ADOPTED AMENDMENT

May 16, 2006



TO: Subscribers to Notice of Adopted Plan or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Carlton Plan Amendment  
DLCD File Number 001-06

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures\*

#### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: June 2, 2006**

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.**

Cc: Doug White, DLCD Community Services Specialist  
Matthew Crall, DLCD Transportation Planner  
Mark Fancey, City of Carlton

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DEPT OF

MAY 15 2006

NOTICE OF ADOPTION

Must be filed within 5 working days
See OAR 660-18-040

LAND CONSERVATION
AND DEVELOPMENT

Jurisdiction: City of Carlton Local File Number: LA06-01
Date of Adoption: May 8, 2006 Date Mailed: May 12, 2006
Date Proposal was Provided to DLCD: February 23, 2006

Type of Adopted Action: (Check all that apply)

- Comprehensive Plan Text Amendment
Comprehensive Plan Map Amendment
X Land Use Regulation Amendment
Zoning Map Amendment
New Land Use Regulation
Other: (Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

This amendment would revise the City's Sign Code and amend requirements for street frontage improvements required with development.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

Same

Plan Map Changed from: NA to NA

Zone Map Changed from: NA to NA

Location: NA

Acres Involved: NA

Specify Density: Previous: NA New: NA

Applicable Statewide Planning Goals: 1, 2, 12

Was an Exception Adopted? Yes: No: X

DLCD File Number: 001-06 (15033)

Did the Department of Land Conservation and Development receive a notice of Proposed Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: \_\_\_ No: \_\_\_  
If no, do the Statewide Planning Goals apply. Yes: \_\_\_ No: \_\_\_  
If no, did the Emergency Circumstances Require immediate adoption. Yes: \_\_\_ No: \_\_\_

Affected State or Federal Agencies, Local Governments or Special Districts: \_\_\_\_\_

Local Contact: \_\_\_\_\_ Area Code + Phone Number: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ Zip Code+4: \_\_\_\_\_

## ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision** per ORS 197.610, OAR Chapter 660 -- Division 18.

1. Send this form and TWO (2) Copies of the Adopted Amendment to:  
**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**
2. Submit **TWO (2) copies** of the adopted material, if copies are bound please submit **TWO (2) complete copies** of documents and maps.
3. Please note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date the "Notice of Adoption" is sent to DLCD.
6. In addition to sending the "Notice of Adoption" to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need more copies?** You can copy this form onto 8 1/2 x11 green paper only; or call the DLCD office at (503) 373-0050; or fax your request to: (503) 378-5518; or Email your request to [Larry.French@state.or.us](mailto:Larry.French@state.or.us) - ATTENTION: PLAN AMENDMENT SPECIALIST.

**ORDINANCE # 647**

**AN ORDINANCE AMENDING THE CITY OF CARLTON DEVELOPMENT CODE**

**WHEREAS**, the City of Carlton deemed it necessary to amend the Carlton Development Code; and

**WHEREAS**, notice of the said public hearing was duly given to the public; and

**WHEREAS**, the Carlton Planning Commission held a public hearing on the proposed amendments to the City of Carlton Development Code on April 3, 2006, at which time the public was given full opportunity to be present and heard on the matter;

**WHEREAS**, the Carlton City Council held a public hearing on the proposed amendments to the City of Carlton Development Code on May 8, 2006, at which time the public was given full opportunity to be present and heard on the matter;

**NOW THEREFORE; The people of the City of Carlton ordain as follows;**

**SECTION 1. Adoption.** The amendment to the City of Carlton Development Code attached hereto and marked Exhibit A is hereby adopted.

**SECTION 2. Emergency Clause.** The Council desires and deems it necessary for the preservation of the health, peace, and safety of the City of Carlton that this ordinance take effect at once, and therefore, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage by the Council and approval by the Mayor.

Passed by this Council this 8<sup>th</sup> day of May, 2006, by the following vote:

AYES: Bemy, Williams, Carl, VanDewalle, Rhoads, Early

NAYS: \_\_\_\_\_

Approved by the Mayor this 8<sup>th</sup> day of May, 2006.

Katie Price  
Mayor

ATTEST: [Signature]  
City Recorder

**EXHIBIT A**

**Legislative Amendment 06-01**

**Amendments to the Carlton Development Code**

**Amendments to Section 2.206 - Signs:**

**2.206 SIGNS**

**2.206.01 Purpose**

The purpose of these sign regulations is to provide equitable signage rights, promote traffic and pedestrian safety, and increase the economic viability of the City, by classifying and regulating the location, size, type and number of signs, in a content-neutral manner.

Within the commercial areas, the City recognizes the need for businesses and organizations to inform the public about their location and their services. It also recognizes that a sign is a relative low cost form of business advertising.

The City recognizes that the citizens of Carlton want to retain their unique small – town quality. One method of preserving the look of a small town is by controlling the number, size and type of signs allowed within the commercial district and to provide design guidelines that benefit the citizens and the businesses in improving the visual quality of the community.

**2.206.02 Definitions**

See Signs, Section 1.200.02.

**2.206.03 General Provisions**

- A. **Conflicting Standards:** Signs shall be allowed subject to the provisions of this subsection, except when these provisions conflict with the specific standards for signs in the subject district.
- B. **Signs Subject to State approval:** All Off-premise advertising signs visible to the traveling public from state highways are further subject to the regulations and permit requirements of the State of Oregon, Department of Transportation.

- C. Uniform Sign Code: All signs shall comply with the provisions of the Uniform Sign Code of the Uniform Building Code.
- D. Sign Clearances: A minimum of eight (8) feet above sidewalks and fifteen (15) feet above driveways shall be provided under all free standing or wall mounted signs.

**2.206.04 Signs Allowed**

The following signs and sign work are allowed outright in all zones. These signs shall not require a permit, and shall not be included when determining compliance with total allowed area:

- A. Re-painting, changes to the sign face or copy and maintenance of signs legally existing on the effective date of this Ordinance.
- B. Temporary signs:
  - 1. Real estate signs not exceeding 6 square feet that advertise the sale, rental, or lease of premises upon which the sign is located. Real estate signs may be used up to two (2) years without a permit. **Only one (1) real estate sign per lot may be displayed at any time.**
  - 2. Political signs shall not exceed six (6) square feet. Political signs may be used up to sixty (60) days prior to an election but shall be removed not later than seven (7) days following the date of the election.
  - 3. Portable signs and other temporary signs that do not exceed **six (6)** square feet in area. No lot may display temporary signs for more than 90 days in any 365-day period. Only one **(1)** temporary sign per lot may be displayed at a time.
  - 4. Balloons or similar types of tethered objects for a period not to exceed two weeks.
- C. Signs posted by or under governmental authority including legal notices, traffic, danger, no trespassing, emergency and signs related to public services or safety.

- D. Directional or informational signs bearing no advertising message and not exceeding four (4) square feet in area erected for the convenience of the public such as signs identifying restrooms, public telephones, walkways and similar features or facilities.
- E. Flags on permanent flagpoles that are designed to allow raising and lowering of the flags.
- F. Signs within a building.
- G. In a commercial or industrial zone, signs painted or hung on the inside of windows.
- H. Residential Name Plates: Shall not exceed two (2) square feet. Only one such sign shall be permitted upon the premises and may only be indirectly illuminated.
- I. Memorial signs or tablets and names of buildings and dates of erection when cut into or attached to the surface or façade of the building.
- J. Signs placed by a public utility showing the location of underground facilities.
- K. Government Signs. Signs posted by or under governmental authority including legal notices, traffic, danger, no trespassing, emergency and signs related to public services or safety.**
- L. Building or freestanding signs that display or reflect the history or character of Carlton, as approved by the City Council, after recommendation by the Planning Commission.**

**2.206.05 Signs Prohibited**

The following signs are prohibited in all zones:

- A. Portable signs within the public right of way, **except for sidewalk or sandwich board signs that comply with Subsection 2.206.08(D).**
- B. Signs that emit odor, visible matter, or sound, however an intercom system for customers remaining in their vehicles, such as used in banks and "drive thru" restaurants, shall be allowed.

- C. Signs that use or employ side guy lines of any type.
- D. Signs that obstruct any fire escape, required exit, window or door opening used as a means of egress.
- E. Signs closer than 24 inches horizontally or vertically from any overhead power line or public utility guy wire.
- F. No vehicle or trailer shall be parked on a public right-of-way or public property, or on private property so as to be visible from a public right-of-way which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby premises. This provision applies where the primary purpose of a vehicle is for advertising purposes and is not intended to prohibit any form of vehicular sign, such as a sign attached to a motor vehicle which is primarily used for business purposes, other than advertising.
- G. Rotating/revolving signs, except by conditional use permit.
- H. Flashing signs.
- I. Private signs that project into public right-of-ways, except signs under a canopy that project over a public sidewalk **and where** the sign is not less than **eight (8)** feet above the sidewalk.
- J. Signs that obstruct required vision clearance area as defined in **Section 2.209.08** or obstruct a vehicle driver's view of official traffic control signs and approaching or merging traffic, or which present a traffic hazard.
- K. Signs that interfere with, imitate, or resemble any official traffic control sign, signal or device, emergency lights, or appears to direct traffic, such as a beacon light.
- L. Signs attached to any pole, post, utility pole, or otherwise placed in the public right-of-way.
- M. Signs or sign structures placed on or over private property without the written consent of the owner or agent thereof.



- N. Pennants, banner signs and streamers except in a commercial zone, with prior approval of the City Manager for a period of display not to exceed 30 days.
- O. Billboard signs
- P. Roof signs, except by Variance.
- Q. Signs attached to trees, shrubs, stones or fences.
- R. Bench signs, except as a conditional use, or those designating donor(s).
- S. Any sign on unimproved property unless allowed as a real estate or temporary sign.
- T. Any illegible sign or sign that has 25 percent or more of its surface destroyed, defaced or missing.
- U. Message Signs, except by conditional use permit..**

**2.206.06 Signs in Non-Commercial Zones**

The following regulations apply to signs in the AH, SR, MH, MX, and MR zones:

- A. Maximum number. Any combination of signs not exceeding the sign area and height limitations of this Section; plus signs allowed in **Subsection 2.206.04.**
- B. Maximum total sign area for property on which the building or buildings are located:
  - 1. Single-family and two-family (duplex) dwelling - six (6) square feet.
  - 2. Multiple family dwelling - 24 square.
  - 3. Public and semi-public - 32 square feet.
- C. Maximum sign height, of freestanding signs- six (6) feet.
- D. Location, of freestanding signs - where fences are allowed.

- E. Illumination. Signs may only be indirectly illuminated by a concealed light source, and shall not flash, blink, fluctuate or produce glare.

**2.206.07 Review Procedures in Non-commercial zones**

- A. Permit Required. No property owner, lessee or contractor shall construct or alter any sign without first obtaining a valid sign permit.
- B. Current Signs. Owners of conforming or nonconforming signs existing as of the date of adoption of this Ordinance are not required to obtain a permit.
- C. Permit Fees. Permit fees may be established by City Council resolution.
- D. Application Requirements. An application for a sign permit shall be made on a form prescribed by the City Manager. The application shall include, at a minimum, a sketch drawn to scale indicating the proposed sign and identifying existing signs on the premises, the sign's location, graphic design, structural and mechanical design and engineering data which ensures its structural stability. The application shall also contain the names and address of the sign company, person authorizing erection of the sign and the owner of the subject property.

The City Manager shall issue a permit for a sign unless the sign is in violation of ~~violation of~~ **does not comply with** the provisions of these regulations or other provisions of this Code. Sign permits mistakenly issued in violation of these regulations or other provisions of this Ordinance are void. The City Manager may revoke a sign permit if he or she finds that there was a material and misleading false statement of fact in the application for the permit.

- E. Design, Construction, and Maintenance. All signs shall be designed, constructed, and maintained according to the following standards:
  - 1. All signs shall comply with the applicable provisions of Uniform Building Code in effect at the time of the sign permit application and all other applicable structural, electrical and other regulations. The issuance of a sign permit under these

regulations does not relieve the applicant of complying with all other permit requirements.

2. All signs shall be maintained in a good structural condition at all times.
3. The owner shall be responsible for its erection and maintenance and its compliance with the provisions of these regulations or other laws or Ordinances regulating signs.

#### 2.206.08 Signs in Commercial and Industrial Zones

All signs in the CB, CI, and IG zones shall conform to Subsections 2.206.02 thru 2.206.05 and the following standards:

- A. Signs or sign structures located in commercial and industrial zones which are within 75 feet of a residentially zone property shall be set back so as to meet the side and front yard setback requirements of the adjoining residential district.
- B. Accessory Temporary signs are permitted provided such signs are securely affixed to the surface of a building wall or window, and must have the date of initial posting clearly written on the face of the sign. Such signs, including but not limited to sale signs and special product announcements, must be removed not later than ten (10) days after initial posting. Such signs shall not exceed the permitted ratio of sign area, including temporary signs, to building face area.
- C. Historical signs that are an integral part of a building design, or signs with a cultural significance to the community, as determined by the ~~Design Review Committee~~ **Planning Commission**, may be exempted from the standards for signs.
- D. Sidewalk signs or sandwich boards shall be professional in appearance with a maximum height of 346" inches and a maximum width of 24" inches in width. The total sign area shall not exceed six (6) square feet per side. Signs must be removed at the close of each business day. Sidewalk and sandwich board signs shall only be allowed within a public right-of-way when they can be placed so that a minimum clear width of 36 inches within the right-of-way is available for pedestrians immediately adjacent to the sign. Adjacent private property may be used to provide the 36-inch clear width area when approved by the City Manager.

- E. Suspended signs that are suspended from the underside of a horizontal plane surface and is supported by that surface, shall have a maximum area of three (3) square feet and shall not project more than 30" inches from the face of the building.

**2.206.09 Signs in Commercial and Industrial Zones, Appearance**

Signs shall be constructed of wood, brick, tile, masonry, synthetic materials, glass, wrought iron, or metal. Signs shall be constructed of materials consistent with the age, appearance and purpose of the buildings adjacent to the sign. The design shall reflect and be consistent with the appearance, design, architecture and historical character of adjacent buildings and uses. Fluorescent or unusually bright colors shall not be permitted.

**2.206.0910 Signs in Commercial and Industrial Zones, Size**

- A. Businesses with Two (2) or More Street Frontages:
  - 1. Land abutting more than one (1) street shall be allowed its quota of signs on each of the streets, and up to ten (10) percent of the permitted quota on any street may be deducted there from and added to the other street frontage.
  - 2. Where a business located on a corner erects an attached sign designated to be read from both intersecting public streets, the total aggregate area of such sign shall not exceed one-half that which would be allowed for separate signs fronting on the intersecting public streets.
  - 3. Where a business located on a corner is allowed a monument sign, it may have one (1) such sign designed to be read from both intersecting public streets, or two (2) such free-standing signs, provided that each sign is designed to be read from only one (1) of the intersecting streets.
- B. Area.
  - 1. Wall Signs shall not exceed ten percent of the building face facing a street. For purposes of the area, the height of the lower level or story or 20 feet, whichever is larger, shall be multiplied by the building frontage. Height of lettering cannot exceed twenty-four (24) inches.

2. Awning signs shall not exceed ten percent of the awning area. For purposes of **calculating the awning** area ~~shall be based upon~~, the height shall be multiplied by the width of the awning.
3. Projecting Signs shall not exceed five (5) percent of the building face facing a street. For purposes of calculating the area, the height of the lower level or story, or 20 feet, whichever is less, shall be multiplied by the building frontage. Height of lettering cannot exceed eight (8) inches.
4. Roof Signs are not permitted except by variance.
5. Free-standing Signs - One (1) square foot of sign area for each linear foot of property frontage upon a City street or a total of 50 square feet for each street frontage, whichever is lesser.

C. Height.

Not more than four **(4)** feet above the eave line provided the maximum height above the ground line shall not exceed 20 feet.

D. Location

Attached to the building, except such signs shall not be roof signs.

**2.206.101 Signs in Commercial and Industrial Zones, Design Review Requirements**

All signs permitted within the commercial or industrial zones of the City shall conform with the following design review criteria, unless otherwise provided for in this Ordinance:

- A. Signs must be compatible in design and color with the architectural and historical qualities of Carlton and with the buildings with which they are associated.
- B. Signs illuminated by spotlights or indirect lighting shall be lighted in such a manner that glare from the light source is not visible to pedestrian or vehicle traffic.
- C. Directory signs (wall, projecting, and freestanding), and the individual signs comprising a directory sign shall be uniform or consistent in size, shape, and design. Individual signs in a directory sign may be added, moved, or substituted with signs for

new businesses or uses without going through the design review process, provided that the design is consistent and the provisions of the original permit are met.

**2.206.112**

**Sign in Commercial and Industrial Zones, Permit Application**

- A. Permit Required. No property owner, lessee or contractor shall construct, alter or relocate any sign without first obtaining a valid sign permit.
- B. Current Signs. Owners of conforming or nonconforming signs existing as of the date of adoption of this Ordinance are not required to obtain a permit.
- C. Permit Fees. Permit fees may be established from time to time by City Council resolution.
- D. Application Requirements. An application for a sign permit shall be made on a form prescribed by the City Manager. The application shall include the following information:
  - 1. The names and addresses of the sign company, person authorizing erection of the sign and the owner of the subject property.
  - 2. The location by street address of the proposed sign.
  - 3. A drawing suitable for folding for file storage, accurately colored and to scale showing the details of the sign, including all mounting structures and devices, materials from which constructed, lighting, and the name of the proposed lettering style, along with detailed illustration of the sign face.
  - 4. An accurate scaled site plan, showing the location of building(s), street(s) and other existing sign(s).
  - 5. In the case of wall and projecting signs, an accurate scaled drawing of all building faces to be signed, including the scaled outlines of all existing a proposed signs.
- E. Design, Construction, and Maintenance. All signs shall be designed, constructed, and maintained according to the following standards:

1. All signs shall comply with the applicable provisions of Uniform Building Code in effect at the time of the sign permit application and all other applicable structural, electrical and other regulations. The issuance of a sign permit under these regulations does not relieve the applicant of complying with all other permit requirements.
2. All signs shall be maintained in a good structural condition at all times.
3. The owner shall be responsible for its erection and maintenance and its compliance with the provisions of these regulations or other laws regulating signs.

**2.206.123 Sign in Commercial and Industrial Zones, Review Procedure**

- A. All signs requiring a permit shall be reviewed by the City staff. Staff shall consider the design, lettering, arrangement, size, texture, materials, colors, lighting, placement, and appropriateness of the proposed sign in relation to other signs and other structures on the premises and contiguous area in keeping with the intent of this Ordinance. City staff shall recommend approval, modification or denial of the permit to the Planning Commission.
- B. In the event the permit is modified or denied by the Planning Commission, the applicant may appeal to the City Council by giving written notice of the appeal to the City Recorder no later than ten (10) days following the modification or denial of the sign permit application by the Planning Commission. The City Council shall hear the matter at its next regularly scheduled meeting. The Planning Commission shall furnish to the City Council its findings and conclusions with respect to the permit. The City Council may modify or deny the permit.

**2.206.134 Nonconforming Signs**

To ease the economic impact of this ordinance on persons with substantial investments in signs in existence on the date of adoption of this ordinance, nonconforming signs may be continued provided they are maintained in good repair, subject to the following provisions. All signs erected after 30 days following adoption of this ordinance must be approved prior to installation. All signs must be in conformance with the provisions of **Section 206** within ten (10) years of adoption of this ordinance.

- A. Loss of Nonconforming Status. A nonconforming sign shall immediately lose its nonconforming status if:
1. The sign is altered in any way in structure or copy, which tends to be or makes the sign less in compliance with the requirements of this section than it was before the alteration.
  2. The sign is relocated to a position making it less in compliance with the requirements of this section.
  3. The sign is replaced.
  4. Signs not maintained in good repair, any illegible sign or sign that has 25 percent or more of its surface destroyed, defaced, missing or inaccurately represents the name or nature of the current business.

In such events the City Manager shall notify the sign user, sign owner, or owner of the property upon which the sign is located of cancellation of the signs nonconforming status and the sign shall be removed or a new sign permit secured.

- B. Damaged Nonconforming Sign Faces. When a nonconforming sign is damaged or destroyed by fire, flood, wind, or other calamity, such sign face may be restored to its original condition provided such work is completed within thirty (30) days of such calamity. A sign structure or support mechanisms so damaged shall not be replaced except in conformance with the provisions of these regulations
- C. Abandoned Signs. All signs and sign structures for a business shall be removed within thirty (30) days after that business ceases to operate on a regular basis. Abandoned signs that are not removed may be removed by the City following notice to the property owner. The property owner will be assessed the cost of sign removal if the owner fails to remove the abandoned sign and the City exercises its authority under this provision

**2.206.145 Variances - Signs**

Any allowance for signs not complying with the standards set forth in these regulations shall be by variance. Variances to **Section 2.206** will be processed according to the procedures in **Section 3.102** however, the criteria



in Section 3.102 shall not be used, but instead the following criteria shall be used to review and decide sign variance applications:

- A. There are unique circumstances or conditions of the lot, building or traffic pattern such that the existing sign regulations create an undue hardship;
- B. The requested variance is consistent with the purpose of the chapter as stated in **Subsection 2.206.01**;
- C. The granting of the variance compensates for those circumstances in a manner equitable with other property owners and is thus not a special privilege to any other business. The variance requested shall be the minimum necessary to compensate for those conditions and achieve the purpose of this chapter;
- D. The granting of the variance shall not decrease pedestrian or traffic safety; and,
- E. The variance request shall not be the result of a self-imposed condition or hardship.

**2.206.156 Unlawful sign removal.**

- A. Any unlawful sign that has not been removed within 30 days after notification of the property owner may be removed by the City and the costs charged to the property owner. If removal costs have not been paid and the sign reclaimed within thirty (30) days of its removal by the City, the City is entitled to file a lien against the property on which the sign was located to secure payment of such costs and expenses of removal by the City. The City may sell or otherwise dispose of the sign so removed and apply the proceeds towards the cost of removal.
- B. Signs which are found upon public streets, sidewalks, rights-of-way, or other public property, or which present an immediate and serious danger to the public may be removed without prior notice.

**2.206.17 Conditional Uses**

- A. Procedures. Applications for conditional use permits for rotating/revolving signs or message signs shall be processed according to the procedure set forth in Section 3.104 of this**

Ordinance. The criteria to be reviewed and applied in conditional use permit proceedings are set forth in this Section, and the criteria of Section 3.103 shall not be applied.

B. Decision Criteria. The following criteria shall be used to review and decide conditional use permit applications for rotating/revolving, and message signs:

1. The proposed sign is located in the CB, CI, or IG zones.
2. The proposed sign, when conditioned, will not significantly increase or lead to street level sign clutter, or to signs adversely dominating the visual image of the area.
3. The proposed sign, as conditioned, will not adversely impact the surrounding area to a significant degree.
4. The proposed sign will not present a traffic or safety hazard.
5. If the application is for a message sign, no rotary beacon lights, zip lights, strobe lights, or similar devices shall be allowed. No chaser effect or other flashing effect consisting of external lights, lamps, bulbs or neon tubes are allowed.
6. If the application is for a rotating/revolving sign, such sign cannot flash or be illuminated by intermittent light. Rotating/revolving signs shall revolve at a speed no greater than five (5) revolutions per minute.
7. The total allowed sign area for a business shall be reduced by 25 percent if the business has a rotating/revolving or message sign.
8. The proposed sign will comply with all other regulations, including, but not limited to height and placement restrictions.

Amendments to Section 2.201.03:

2.201.03 Application of Public Facility Standards

Standards for the provision and utilization of public facilities or services available within the City of Carlton shall apply to all land developments in accordance with the following table of reference. No development permit shall be approved unless the following improvements are provided for prior to occupancy or operation, or unless future provision is assured in accordance with **Subsection 3.208**.

**Public Facilities Improvement Requirements Table**

	Fire Hydrant	Streets	Water Hookup	Sewer Hookup	Storm Drain	Street Lights
Single Family Dwelling & Duplex	No	C-2	Yes	Yes	Yes	No
Multifamily Dwelling	C-1	Yes	Yes	Yes	Yes	Yes
New Commercial Building	C-1	Yes	Yes	Yes	Yes	Yes
Commercial Expansion	C-1	C-3	Yes	Yes	Yes	Yes
New Industrial Building	C-1	Yes	Yes	Yes	Yes	Yes
Industrial Expansion	C-1	C-3	Yes	Yes	Yes	Yes
Partition, Subdivisions, PUD, or Manufactured Home Park	C-1	Yes	Yes	Yes	Yes	Yes

**Legend:** No = Not required Yes = Required C = Conditional, as noted:

C-1. Fire Hydrants for Commercial, Industrial Expansions, or Residential Uses: One or more fire hydrants are required as per the Uniform Building Code and Uniform Fire Code or if adequate fire flows are not available to the site. If the existing water lines are insufficient to provide adequate fire flows, water lines shall be upgraded to provide sufficient capacity at the developer's expense.

C-2. New Single-Family Dwellings or Duplexes: are responsible for sidewalk construction across all property frontages including curb and gutter where necessary. In addition, if so required by the City Engineer, a 3/4 street improvement to city street standards for all boundary streets (See Section 2.401.05).

C-3. Street Improvements for Commercial or Industrial Expansions: The City will require improvement to full City standards when the use meets any of the following criteria:

- a. The expanded use generates an average of 100+ trips per day as documented in the Trip Generation Manual of the Institute of Transportation Engineers or other qualified source; or
- b. The expanded use includes at least weekly shipping and delivery trips by vehicles over 20,000 pounds gross vehicle weight; or
- c. The subject use expands by at least 25%.

**Amendments to Section 2.202.03:**

**2.202 STREET STANDARDS**

**2.202.03 General Provisions**

The following provisions shall apply to the dedication, construction, improvement, or other development of all public streets in the City, and are intended to provide a general overview of typical minimum design standards. All streets shall be designed in conformance with the specific requirements of the most recently adopted **Standard Specifications for Public Works Construction in the City of Carlton**.

The standard sections contained in **Standard Specifications for Public Works Construction in the City of Carlton** are minimum requirements only and shall not be construed as prohibiting the City Engineer from requiring thicker sections or engineer designed pavement sections in lieu of standard sections where conditions warrant.

- A. The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets
- B. Development proposals shall provide for the continuation, and connection to, all streets, bikeways and pedestrian facilities within the development and to existing streets, bikeways and pedestrian facilities outside the development.

C. Alignment: All streets other than minor streets or cul-de-sacs, as far as practical, shall be in alignment with existing streets by continuation of the centerline thereof. The staggering of street alignments resulting in "T" intersections shall leave a minimum distance recommended by the City Engineer.

D. Future extension of streets: Where necessary to give access to or permit a satisfactory future development of adjoining land, streets, bikeways and pedestrian facilities, shall be extended to the boundary of a tract being developed. Reserve strips and street plugs may be required to preserve the objectives of street extensions.

E. Existing Streets

1. ~~Three-quarter Full-street~~ improvements to all existing streets adjacent to, within or necessary to serve the property, shall be required at the time of partitioning or subdivision development, unless the applicant demonstrates to the satisfaction of the City Engineer that the condition and sections of the existing streets meet City standards and are in satisfactory condition to handle projected traffic loads.

Full street improvements to all existing streets adjacent to, within or necessary to serve the property, shall be required when it is determined that the vehicular and/or pedestrian impacts from the proposed development necessitate such improvements.

2. For infill development that does not include partitioning or subdivision, construction of sidewalks, including curb and gutter where necessary, along all property frontages shall be the minimum requirement of development. A 3/4 street improvement shall be required if the City Engineer determines that the existing streets are not in condition to handle projected traffic loads.

23. The City ~~may allow~~ shall require the applicant to record an approved improvement deferral agreement or non-remonstrance agreement, see Subsection 3.208.03, in lieu of street improvements, where the following criteria are met:

a. ~~The contiguous length of the existing street to be improved (including the portion of the existing streets~~

~~which must be improved to serve the development) is less than 200 feet, and~~

- ~~b~~ a. The existing roadway condition and sections are adequate to handle existing and projected traffic loads, and
- ~~e~~ b. Existing public utilities (water, sanitary sewer and storm sewer) located within the existing roadway are adequate, or can be improved without damaging the existing roadway surface.

G. New Streets

Where new streets are created, full street improvements shall be required. Three-quarter streets may be approved in lieu of full street improvements on boundary streets when the City finds it to be practical to require the completion of the other 1/4 street improvement when the adjoining property is developed. The City may allow 3/4 street improvements if all of the following criteria are met:

1. The adjoining land abutting the opposite side of the street is undeveloped and
2. Storm water drainage is provided for on the non-curbed side of 3/4 street improvements in areas judged by the City Engineer to have drainage concerns.

One (1) foot wide reserve strips and street plugs may be required to preserve the objectives of 3/4 streets.

- F. Cul-de-sacs: Cul-de-sacs shall have maximum lengths of 400 feet and serve no more than 18 dwelling units. All cul-de-sacs shall terminate with circular turn-a-rounds.
- G. Dead-end streets: When it appears necessary to continue a street or public access way into a future subdivision or adjacent acreage, streets, or public access way shall be platted to a boundary of a subdivision or partition. The street may be platted without a turnaround unless the planning commission finds that a turnaround is necessary

- I. Street Names: Street names and numbers shall conform to the established pattern in the City and shall be subject to the approval of the City. Street names shall be required for all new publicly dedicated streets and private streets.
- J. Grades and Curves: Grades shall not exceed 6 percent on arterials, 10 percent on collectors, or 12 percent on any other public or private street. To provide for adequate drainage, all streets shall have a minimum slope of 0.5 percent. Center line radii of curves shall not be less than 300 feet on major arterials, 200 feet on minor arterials, or 100 feet on other streets, and shall be to an even ten (10) feet. On arterials there shall be a tangent of not less than 100 feet between reversed curves. Where existing conditions, particularly topography, make it otherwise impractical to provide buildable lots, the Planning Commission may accept steeper grades and sharper curves.
- K. Marginal Access Streets: If a development abuts or contains an existing or proposed arterial street or railroad right-of-way, the City may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
- L. Vision Clearance Area: Vision Clearance areas shall be maintained on corner lots at the intersection of all public streets and at the intersections of a public street with a private street as outlined in Subsection 2.209.08.

**Amendments to Section 2.208.05:**

**2.208 DEVELOPMENT STANDARDS FOR LAND DIVISIONS**

**2.208.05 Improvement Requirements**

All improvements required by this ordinance or as conditions of approval of any subdivision or partition shall be completed prior to the issuance of any building permits for any structures within the subject development. If the Developer requests approval to record the final plat before all required improvements have been constructed and all conditions of approval have been met by the Developer and accepted by the City, the Developer shall provide a security guarantee satisfactory to the City that all improvements

will be constructed in conformance with all City standards and ordinances and all conditions of approval will be satisfied. If the total street frontage of the development is less than or equal to 250 feet, the applicant may request to sign and the City may grant an improvement deferral agreement or non-remonstrance agreement.

Amendments to Section 3.208.03:

3.208 PERFORMANCE GUARANTEES

3.208.03 Improvement Deferral

If public improvements are required as a condition of approval of an action under this ordinance, such improvements shall be the obligation of the applicant but may, be deferred by the City.

The improvements may be deferred on all or a portion of the public improvements required as a part of the condition of approval under this ordinance, until a stated time such as the owner applies for a building permit or certificate of occupancy, or until required by council, whichever is earlier. A property owner seeking deferral under this ordinance shall sign an improvement deferral agreement that runs with the property, until owner installs improvements or until such improvements are required by the City Council. Said agreement shall be in a form approved by the City Attorney, shall be recorded with Yamhill County, and shall be filed in the office of the City Recorder.

In lieu of an improvement deferral agreement, the Council may require a non-remonstrance agreement. Such an agreement shall be recorded with Yamhill County and would run with the property until the City installs the improvements and assesses the property owner the owner's proportionate cost of the improvements.

Amendments to Section 2.401.05:

2.401.05 Boundary Street Requirements

- A. The owner(s) of property upon which application for permits for new construction shall be responsible, at a minimum, for sidewalk construction and improvement along all property frontages ~~for the improvement~~ of all boundary streets.



- B. Prior to approval of an application for a permit for new construction where all boundary streets do not meet or exceed the requirements of **Standard Specifications for Public Works Construction in the City of Carlton** the following action shall be taken;
1. A partial street improvement, including curbing, sidewalk and piped storm drainage shall be installed in conformance with plans reviewed and approved by the City Engineer in all boundary streets; **or an improvement deferral agreement or non-remonstrance agreement, see Section 3.208.03**, shall be filed.
  2. A partial street improvement, referenced in subsection 1., above, shall consist of a pavement width equal to 3/4 of the width designated for the boundary street by the **City of Carlton, Transportation System Plan** or 24 feet, which ever is the greater.
  3. The City may require all or a portion of the improvements be deferred if it is in the interest of the city to do so because of programmed future construction or safety considerations.