



Oregon
Theodore R. Kubongoski, Governor

Department of Land Conservation and Development
635 Capitol Street, Suite 150
Salem, OR 97301-2540
(503) 373-0050
Fax (503) 378-5518
www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

08/07/2012

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Salem Plan Amendment
DLCD File Number 002-12

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Tuesday, August 21, 2012

This amendment was submitted to DLCD for review prior to adoption 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 Acknowledgment or 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 above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Amy Dixon, City of Salem
Gordon Howard, DLCD Urban Planning Specialist
Angela Lazarean, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

In person electronic mailed

DEPT OF

JUL 31 2012

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

Jurisdiction: **City of Salem**

Local file number: **CA10-01**

Date of Adoption: **6/23/2012**

Date Mailed: **July 27, 2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 3/05/2012

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".
Reformatting and renumbering Ordinance in preparation for major zoning code update.

Does the Adoption differ from proposal? Please select one
Yes.

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

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Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. 002-12 (19220) [17117]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **Amy Dixon, Planner II**

Phone: (503) 540-2304 Extension:

Address: **555 Liberty St SE, Rm 305**

Fax Number: **503-588-6005**

City: **Salem**

Zip: **97301-**

E-mail Address: **adixon@cityofsalem.net**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

<http://www.oregon.gov/LCD/forms.shtml>

Updated December 30, 2011



COMMUNITY DEVELOPMENT DEPARTMENT

555 Liberty St. SE / Room 305 • Salem, OR 97301-3503 • (503) 588-6173 • (503) TTY 588-6353 • (503) Fax 588-6005

July 27, 2012

NOTICE OF FINAL LAND USE DECISION Ordinance No. 4-12
SRC Chapters 62, 15, 31, 63, 76, 84, 94, 104, 119, 121, 133,
136, 137, 138, 143b, 143D, 143E, 161, 162, 163, 215, 300,
532 and establishing 900

YOU ARE HEREBY NOTIFIED that the City Council of the City of Salem adopted Ordinance No. 4-12 at their July 23, 2012, session, establishing Salem Revised Code Chapter 900, deleting Chapter 62, and amending various other chapters. A copy of the ordinance is attached.

Any person with standing may appeal the City Council's decision by filing a "Notice of Intent to Appeal" with the Land Use Board of Appeals **not later than 21 days** after July 27, 2012. Anyone with questions regarding filing an appeal with the Oregon Land Use Board of Appeals should contact an attorney.

The complete case file, including findings, conclusions, modifications, and conditions of approval, if any is available for review at the Community Development Department, 555 Liberty St SE, Room 305, Salem OR 97301. If you have any further questions, you may contact the City of Salem Planning Division at 503-588-6173.

A handwritten signature in cursive script that reads "Glenn W. Gross".

Glenn W. Gross
Urban Planning Administrator

cc: See Attached List

1 **ENGROSSED "B" ORDINANCE BILL NO. 4-12**
2 RELATING TO ESTABLISHING A NEW CHAPTER, SRC CHAPTER 900, SIGN CODE;
3 REPLACING EXISTING SALEM REVISED CODE CHAPTER 62; AMENDING SRC 15.080,
4 31.1090, 63.242, 76.020, 84.050, 94.200, 104.130, 119.900, 133.220, 137.070, 138.060,
5 143B.070, 162.130, 163.030, 215.050, 215.055, 300.100, 532.035, AND 532.040; AND
6 REPEALING SRC 62.001 THROUGH 62.620 AND THE APPENDICES THERETO, AND
7 121.430, 136.120, 143B.310, 143D.080, 143D.110, 143D.130, 143D.200, 143E.070, AND
8 161.110

9 *The City of Salem ordains as follows:*

10 **Section 1.** SRC Chapter 900 is added to the Salem Revised Code as follows:

11 **900.001. Purpose.** The purpose of this Chapter is to protect the health, safety, property, and
12 welfare of the public; to improve the neat, clean, orderly, and attractive appearance of the
13 community; to improve the effectiveness of signs in identifying and advertising businesses;
14 to provide for safe construction, location, erection, and maintenance of signs; to prevent
15 proliferation of sign clutter; to minimize adverse visual safety factors to travelers on public
16 highways; to minimize adverse impacts on adjacent properties; and to achieve these purposes
17 consistent with state and federal constitutional limits on the regulation of speech.

18 **900.005. Definitions; Rules of Construction.**

19 (a) Unless the context specifically requires otherwise, as used in this Chapter:

- 20 (1) "Abandoned sign" means any sign that has ceased to be actively maintained
21 and is in a dilapidated or deteriorated condition.
22 (2) "Approved plastic" means plastic that meets the standards of an approved
23 testing agency for use in construction of illuminated signs.
24 (3) "Approved testing agency" means a nationally recognized organization
25 primarily established for the purpose of testing methods and materials to approved
26 standards, and accepted as an approved testing agency by the Director.
27 (4) "Balloon" means an inflatable object, including, by way of illustration, but
28 not limitation, helium balloons and forced air filled balloons, generally made from
29 rubber, silk, or other similar material.
30 (5) "Building or structure" means a combination of materials to form a

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construction used for occupancy, use, or ornamentation, whether installed on, above, or below the surface of land. As used in this Chapter, building or structure does not include signs.

(6) "Building face" means the wall of a building facing a parking lot.

(7) "Building frontage" means the wall of a building facing a street.

(8) "Canopy" means a permanent roofed structure that is erected for the purpose of providing shelter to patrons in automobiles, which is not completely enclosed, and which may be freestanding or partially attached to a building.

(9) "Curb line" means the edge of the vehicular roadway within the overall right-of-way.

(10) "Cutout" means every type of display in cutout or irregular form attached to or superimposed upon a sign.

(11) "Designated arterial or designated collector" means those streets designated as arterials and collectors in the Salem Transportation System Plan adopted as part of the Salem Are Comprehensive Plan, and all streets included in the area bounded by 13th Street, Mission Street, the Willamette River, and D Street.

(12) "Director" means the City Manager, or the City Manager's designee. The City Manager's designee may subdelegate any or all authority, duties, and powers under this Chapter.

(13) "Display" means any visual form or character. A display may be comprised solely, or by a combination, of words, symbols, images, or graphic elements.

(14) "Display surface" means the area of a sign that carries the display. Display surface does not include the sign structure, foundations, or supports.

(15) "Effect" means sequential, intermittent, or simultaneous illumination by flashing light, other than by an electronic display. As used in this Chapter, effects include, but are not limited to:

(A) Animated effect: illumination that depicts a moving object, thing, person, animal, or happening, or depicts an ongoing series of images.

(B) Chaser effect: illumination that is intended to lead the eye by directional or sequential movement, including, but not limited to,

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movement that is linear or circular.

(C) Scintillating effect: illumination that provides a random twinkling of lights, including illumination that forms images, words, or sentences at the end of the sequence of twinkling lights.

(D) Speller effect: illumination that produces letters, numbers, or visual symbols, individually, or in group, including, but not limited to, illumination that flashes a complete word, phrase, or sentence.

(16) "Electronic display" means a display created by light emitting diodes, liquid crystal displays, plasma display panels, pixel or sub-pixel technology, or other similar technology. As used in this Chapter, electronic displays include, but are not limited to:

(A) Dissolve: the changing of an electronic display by means of varying light intensity or pattern, where one display gradually appears to dissipate or lose legibility simultaneously with the gradual appearance and legibility of a subsequent display.

(B) Fade: the changing of an electronic display by means of varying light intensity, where one display gradually reduces intensity to the point of being illegible or imperceptible and the subsequent display gradually increases intensity to the point of being legible or capable of being perceived.

(C) Scrolling: the changing of an electronic display by the apparent vertical movement of the visual image, such that a new visual image appears to ascend and descend, or appear and disappear from the margins of the sign in a continuous or unfurling movement.

(D) Static display: an electronic display which does not change.

(E) Travel: the changing of an electronic display by the apparent horizontal movement of the visual image.

(F) Video display: providing an electronic display in horizontal or vertical formats to create continuously moving images.

(17) "Flashing" means sudden or intermittent electrical illumination, and includes

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illumination that constitutes an effect.

(18) "Flexible space use" means a use listed as a Flexible Space Use in the Industrial Business Campus (IBC) zone.

(19) "Industrial complex" means a group of industrial businesses that forms a centralized unit with a joint parking area available for use by patrons of any single business, and may include retail businesses.

(20) "Market Street Interchange" means the area zoned for retail or general business or industrial use that is located within six hundred sixty feet from the edge of the pavement of the main-traveled way, excluding exit or entrance ramps of Interstate Freeway 5, and within one thousand feet of the centerline of Market Street.

(21) "Marquee" means a permanent roof-like structure projecting over the entrance of a building, that is not completely enclosed, freestanding, or attached to or supported by the building, and which is erected for the purpose of providing shelter to persons entering the building.

(22) "Nit" means a measurement of luminance, where one nit is equal to one candela per square meter (1cd/m²). A "candela" means a unit of measurement of the intensity of light, where one candela is the monochromatic radiation of 540THz with a radiant intensity of 1/683 watt per steradian in the same direction. By way of example, an ordinary wax candle generates approximately one candela.

(23) "Noncombustible" means a material that, in the form in which it is used and under the conditions in which it is anticipated to be used, will not ignite, burn, support combustion, or release flammable vapors when subjected to fire or heat.

(24) "Nonstructural trim" means a molding, batten, cap, nailing strip, lattice, or letter walkway attached to a sign.

(25) "Occupancy" means individual units within a building that are available for lease by a commercial or industrial tenant.

(26) "Office complex" means a group of businesses, other than retail or industrial businesses, that form a centralized unit with a joint parking area available for use by patrons of any single business.

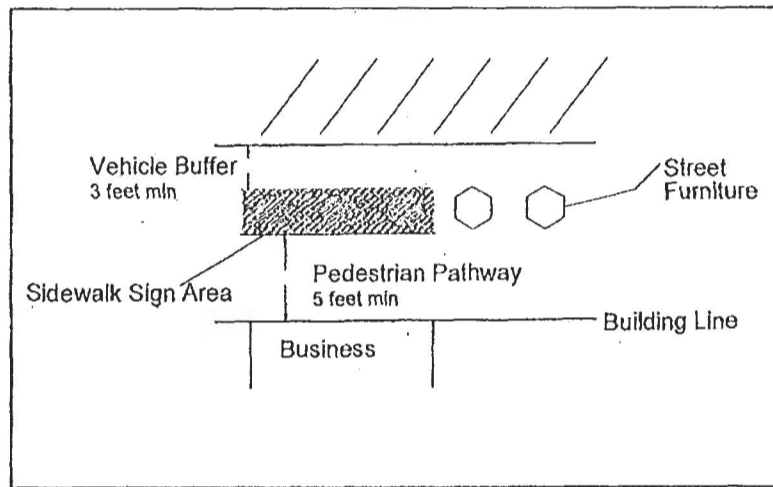
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(27) "Official traffic control device" means traffic signs, signals, directional signs, and notices erected by the public body pursuant to lawful authority.

(28) "Overhead electrical conductor" means any electrical conductor installed above ground, except when such conductor is enclosed in conduit or other material covering of equal or greater strength.

(29) "Pedestrian pathway" means that part of a public sidewalk that is maintained for free and unobstructed movement by pedestrians.

Illustration 900-1



(30) "Person" means an individual, corporation, limited liability company, firm, partnership, co-operative, association, joint venture, joint stock company, or other entity in law or fact.

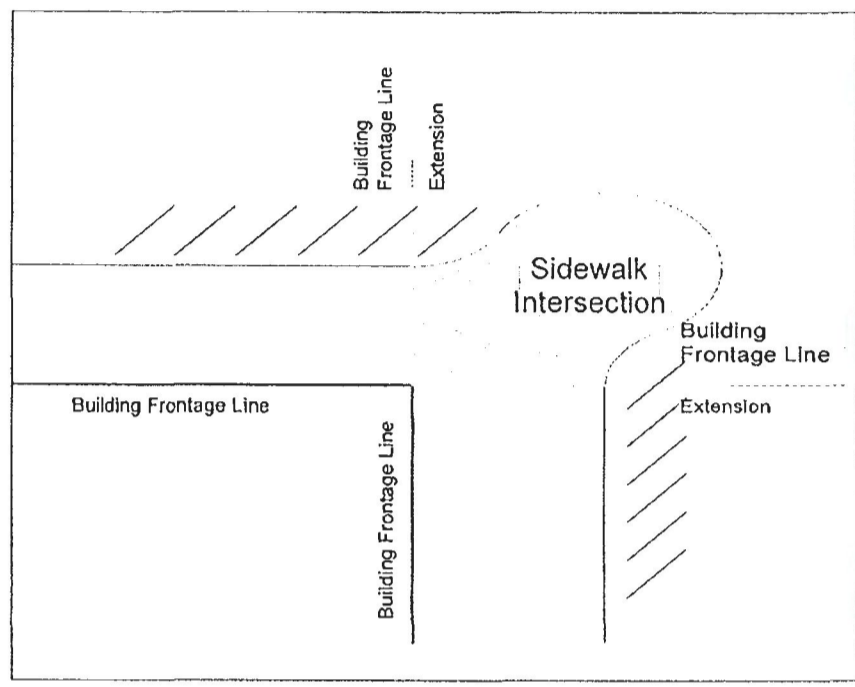
(31) "Shopping center" means a group of businesses that are primarily retail and that form a centralized unit and has a joint parking area available for use by patrons of any single business.

(32) "Sidewalk intersection" means the sidewalk area located adjacent to a street intersection created by extending a line from each building frontage to the edge of the curb at the intersection.

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Illustration 900-2



(33) "Sign" means any structure, board, poster, placard, or device which contains or comprises a display designed, used, or intended to attract the attention of the public. As used in this Chapter, sign includes the sign structure, display surface, and all other components. For purposes of this Chapter, the specific types of signs are defined as follows:

(A) "Temporary sign" means a sign that is not permanently affixed or attached to a building, structure, or the ground and that is intended to be used for limited periods of time. Temporary signs are lawn signs, portable signs, sidewalk signs, and temporary sign displays, which are further defined as follows:

- (i) "Lawn sign" means a temporary sign made of corrugated plastic, greybeard, or similar type material and that is generally supported by stakes inserted into the ground.
- (ii) "Portable sign" means a temporary sign that is self-supporting, meets an eighty mph wind load factor, and is designed to be moved

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from place to place. Portable signs include, but are not limited to, A-frame or sandwich board signs, signs attached to self-supporting and moveable wood or metal frames, and trailer reader boards.

(iii) "Sidewalk sign" means a temporary sign that does not meet an eighty mph wind load factor, and is designed to be moved from place to place. Sidewalk signs include, but are not limited to, A-frame or sandwich board signs, and signs attached to self-supporting and moveable wood or metal frames, but do not include trailer reader boards.

(iv) "Temporary sign display" means an attention attracting device or devices, including, but not limited to, pennants, banners, or balloons.

(B) "Permanent sign" means a sign that is permanently attached to a building, structure, or the ground and that is intended to be used for an ongoing, indefinite period of time. Permanent signs are building directories, freestanding signs, hanging signs, interior signs, outdoor advertising signs, projecting signs, roof signs, and wall signs, which are further defined as follows:

(i) "Building directory" means a sign giving the name and room number of the occupants of a building.

(ii) "Directional sign" means a sign designed to be read by a person on the premises on which the sign is located, and used only to identify and locate an office, entrance, exit, telephone, or similar place, service, or route.

(iii) "Freestanding sign" means a sign supported by one or more upright poles or braces, or placed upon a foundation, in or upon the ground and wholly detached from or only incidentally attached to a building or structure.

(iv) "Hanging sign" means a sign that is attached to the underside of a marquee, canopy, portico, porte-cochere, or other similar

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overhanging structure.

(v) "Interior sign" means a permanent sign located inside an enclosed building or structure, regardless of whether the sign is visible from the exterior of the building.

(vi) "Outdoor advertising sign" means a sign which is a substantial permanent structure that is either a wall sign or freestanding sign, with a display surface or surfaces normally and customarily used primarily for painting or posting a display thereon at periodic intervals, and which is located on a lot or parcel that is not owned or leased by the person constructing, erecting, or using the sign. Outdoor advertising signs are not limited as to content, but are usually and customarily used to advertise goods, products, businesses, services, or facilities which are not sold, manufactured, or distributed on or from the property or facilities on which the sign is located; or to present messages dealing with political, public interest, public service, or education issues; an election, candidate for election, or ballot measure; or religious matters, health, and other similar subjects.

(vii) "Projecting sign" means a sign, other than a wall sign, that projects beyond the building frontage or building face to which it is attached. "Projecting" means the distance that the sign extends from the building frontage or building face.

(viii) "Roof sign" means a sign erected upon or painted upon the roof of a building, canopy, portico, or marquee.

(ix) "Vehicle directional sign" means a freestanding sign or a wall sign that designates an automobile entrance onto or exit from property.

(x) "Vehicle viewing sign" means a freestanding sign or a wall sign that is intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor

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vehicle.

(xi) "Wall sign" means a sign painted on or attached to a wall or parapet of a building or structure, sign tower, or the face or end of a marquee or canopy, with the sign face parallel to, and projecting not more than eighteen inches from, the plane of the wall, parapet, face, or end.

(C) "Illuminated sign" means a permanent sign that uses electronic illumination as part of the sign. Illuminated signs are electronic display signs, electronic time and temperature signs, externally illuminated signs, and internally illuminated signs, which are further defined as follows:

(i) "Electronic display sign" means a sign including, or comprised solely or partially of, an electronic display which can be changed by automatic means, including, but not limited to, the operation of computer software.

(ii) "Electronic time and temperature sign" means a sign, or portion thereof, other than an electronic display sign, that announces time, temperature, or date.

(iii) "Externally illuminated sign" means a sign that is wholly or partially illuminated by a light source exterior to the sign that is primarily designed to illuminate the sign. Exterior light sources include, but are not limited to, exterior flood lights, or flashing light and effects that are part of the sign.

(iv) "Internally illuminated sign" means a sign wholly or partially illuminated by a light source that is located in the interior of the sign, and that passes light through the display surface of the sign.

(34) "Sign structure" means the entire structure that comprises the sign, including, but not limited to, the display surface, supports, foundation, and sign tower.

(35) "Sign tower" means a semi-detached structure, not integral to the building and erected for the purpose of signage.

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(36) "Special setback area" means an area equal to one-half of the right-of-way width specified in the Salem Transportation System Plan for the appropriate classification of the street, measured at right angles to the centerline of the actual street, or, where there is no street, from the centerline of the right-of-way.

(37) "Street front property line" means the property line abutting a street. Unless the property abuts only one street, the property line shall be at least fifty feet wide to qualify as a street front property line. An access easement shall not be included as part of the width for purposes of determining the street front property line. Access onto the street from the property is not required to establish the street front property line.

(38) "Unobstructed" means an area does not have any physical obstructions to free passage, any tripping hazards, or any area reserved for people to stand or sit.

(39) "Vehicle accessway" means driveway that gives access to a window whereby goods or services are provided to a patron of a business, and that typically includes queuing lanes, service windows, or service islands.

(39) "Vehicle buffer zone" means an area that runs parallel to and abuts a roadway, and creates a pedestrian safety zone and unobstructed accessibility to parked vehicles. The vehicle buffer zone is depicted on Illustration No. 900-1.

(40) "Vision clearance area" means the area providing visibility for vehicular, bicycle, and pedestrian traffic, as determined by SRC 76.170.

(b) As used in this Chapter, words used in the present tense include the future, the singular number includes the plural, and the word "shall" is mandatory and not directory.

(c) Nothing in this Chapter is intended, and shall not be construed, to restrict speech on the basis of its speaker, content, or viewpoint, and, to the extent that any provision of this Chapter is ambiguous, the provision shall not be interpreted to regulate on the basis of speaker, content, or viewpoint.

900.010. General Rule.

(a) No person shall construct, erect, enlarge, alter, or relocate any sign, or install electrical parts, wiring, or illumination in or upon a sign, until all required permits have been obtained, including but not limited to, sign permits, building permits, electrical

- 1 permits, and any other permit required under federal, state, or local law.
- 2 (b) Except as provided in SRC 900.030, no person shall erect, construct, enlarge, alter,
3 repair, move, improve, convert, equip, use, or maintain any sign, or cause or permit the
4 same to be done, in violation of any provision of this Chapter or a permit issued
5 hereunder.
- 6 (c) Nothing in this Chapter is intended, nor shall be construed, to permit the erection,
7 construction, enlargement, alteration, or maintenance of any sign at any place or in any
8 manner unlawful under any other federal, state, or local law. When any part of this
9 Chapter conflicts with another provision of federal, state, or local law, the provision that
10 establishes the stricter standard shall control.
- 11 **900.015. Exempt Signs.** The following signs are exempt from this Chapter:
- 12 (a) Official traffic control devices.
- 13 (b) Signs required to be erected by public officers pursuant to law or by order of the
14 court.
- 15 (c) Temporary signs located in Wallace Marine Park's Sports Field Complex allowed and
16 regulated pursuant to a park use permit issued by the City.
- 17 (d) Public murals, as defined by SRC 15.010, and regulated under the provisions of SRC
18 Chapter 15, and any rules adopted thereunder.
- 19 **900.020. Prohibited Signs.** The following signs are prohibited:
- 20 (a) Any sign which creates a public nuisance due to statements, words, or pictures of an
21 obscene or pornographic character.
- 22 (b) Any sign which violates ORS Chapter 377.
- 23 (c) Any sign which is placed on, affixed to, or painted on a motor vehicle, vehicle, or
24 trailer and placed on public or private property with the primary purpose of providing a
25 sign not otherwise permitted by this Chapter.
- 26 (d) Any sign located in a manner which could impede traffic on any street, alley,
27 bikeway, or other vehicular way.
- 28 (e) Any sign constructed in such a manner or at such a location that it will obstruct
29 access to any fire escape or other means of ingress or egress from a building. No sign
30 structure, or part thereof, shall cover, wholly or partially, any window or doorway in a

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manner that will substantially limit access to the building in case of fire.

(f) Any sign constructed or maintained which, by reason of its size, location, movement, coloring, or manner of illumination may be confused with or construed as an official traffic control device or which hides any official traffic control device from view.

(g) Any sign, other than an official traffic control device, located within a vision clearance area.

(h) Any sign that employs a structure, material, illumination, size, or placement not specifically allowed under this Chapter, unless the sign is a lawfully established non-conforming sign.

900.025. Sign Permits.

(a) **Applicability.** Except as otherwise provided in this Chapter, a permit is required for the construction, erection, enlargement, alteration, or relocation of any sign.

(b) **Procedure Type.** An application for a sign permit is a Type I procedure under SRC Chapter 300.

(c) **Additional Submittal Requirements.** In addition to the submittal requirements under SRC Chapter 300, an application for a sign permit shall contain:

- (1) The location of the sign by street and number.
- (2) The name and address of the sign owner and of the sign erector.
- (3) Two complete sets of plans for the sign, in a graphic form, detailed and clear enough to show compliance with this Chapter. At a minimum, the plans shall include:
 - (A) A detailed drawing of the sign, drawn to scale.
 - (B) Site plan drawn to scale, including location of all existing signs on the property and their sizes.
 - (C) Elevations of the building or structure with signs.
 - (D) Identification of materials and type of sign.
 - (E) A statement whether the sign is located on property owned or leased by the person constructing, erecting, or using the sign.

(d) **Criteria.** An application for a sign permit shall be granted if the following criteria are met:

- 1 (1) The sign meets the requirements of SRC Chapter 56.
- 2 (2) The sign is allowed in the zone.
- 3 (3) The sign will not interfere with the use of any public right-of-way, other
- 4 public easements, or other publicly owned property.
- 5 (4) The sign conforms to all the applicable standards in this Chapter.
- 6 (e) **Expiration.** Sign permits shall be valid for one hundred eighty days after the date of
- 7 issuance. The Director may grant a one-time extension for a sign permit, not to exceed
- 8 ninety days, upon showing that there was reasonable cause for the delay and that the
- 9 construction, erection, alteration, or other work still complies with this Chapter.
- 10 (f) **Permit Fees.** The application for a sign permit shall be accompanied by a fee as
- 11 prescribed by resolution of the council.
- 12 **900.030. Exceptions from Permit Requirement.**
- 13 (a) The following activities do not require a sign permit:
- 14 (1) Changing of copy on a sign specifically designed for the use of replaceable
- 15 copy.
- 16 (2) Painting, repainting, cleaning, and normal maintenance and repair of a sign,
- 17 where no substantial structural alteration is made.
- 18 (b) The following signs do not require a sign permit, but are otherwise regulated by this
- 19 Chapter:
- 20 (1) Temporary signs not located in the public right-of-way.
- 21 (2) Signs for dwelling units authorized under SRC 900.185(a).
- 22 (3) Vehicle directional signs.
- 23 (c) The following signs do not require a sign permit, and are allowed in addition to any
- 24 other signs otherwise allowed by this Chapter:
- 25 (1) A warning sign that does not exceed four square feet in display surface and
- 26 six feet in height, that is not located in a vision clearance area, and that is erected
- 27 on private property to warn the public of a danger on, or prohibiting or limiting
- 28 access to, the premises on which the sign is located.
- 29 (2) Permanent building plaques, cornerstones, name plates, and similar building
- 30 identifications.

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(3) House and building numbers where the numerals do not exceed six inches in height.

(4) Historical markers erected or maintained by public authority or by a historical society or historical organization identifying sites, buildings, or structures of recognized historical value.

(5) Non-illuminated signs not visible from a public sidewalk, street, highway, or alley.

(6) Interior signs.

(A) Non-illuminated interior signs in commercial and industrial zones including, but not limited to, signs attached to or painted on the inside of a window.

(B) Illuminated interior signs intended to be viewed from the public sidewalk, street, highway, alley, plaza, park, or other similar public place; provided, however, that the sign does not flash or employ an effect, and does not exceed eight square feet in display surface.

(C) Illuminated interior signs not intended to be viewed from the public right-of-way

(7) Directional signs that do not exceed eight square feet of display surface.

(8) Directional signs in commercial and industrial zones that do not exceed twenty-two square feet of display surface, that designate an automobile service entrance onto the premises, and limited to one per business per premise.

(9) Temporary signs authorized by a park use permit.

900.035. Sign Adjustments.

(a) **Applicability.** The Director may grant adjustments of up to ten percent of the applicable height and display surface size standards in this Chapter.

(b) **Procedure Type.** A sign adjustment is processed as a Type II Procedure under SRC Chapter 300.

(c) **Additional Submittal Requirements.** In addition to the submittal requirements for a sign permit required by SRC 900.025, an application for a sign permit that includes an adjustment shall contain a statement of the specific standard for which the adjustment is

1 requested, and the amount of the adjustment.

2 **(d) Criteria.** An application for a sign adjustment shall be granted if the adjustment
3 sought is not more than ten percent of the applicable height and display surface size
4 standards applicable to the sign in this Chapter.

5 **(e) Concurrent Processing Required.** Applications for sign adjustments shall be
6 processed concurrently with the sign permit application.

7 **900.040. Sign Variances.**

8 **(a) Applicability.** Sign variances may be granted to the height and display surface
9 standards, to increase the number of allowed signs, to allow relocation of a sign, and to
10 allow structural alterations to a sign.

11 **(1) Limitation.** A sign variance shall not provide for any of the following:

12 **(A)** To allow a sign prohibited by SRC 900.020, "Prohibited Signs."

13 **(B)** To decrease a setback or a special setback.

14 **(C)** To allow placement of a sign in a vision clearance area.

15 **(D)** To allow structural alterations to a non-conforming or non-complying
16 sign.

17 **(E)** To authorize a sign not otherwise permitted on the property for which
18 the variance is sought.

19 **(F)** To allow any sign other than those specifically allowed by this
20 Chapter.

21 **(G)** To modify the display and brightness regulations for electronic
22 display signs established by SRC 900.090.

23 **(b) Procedure Type.** A sign variance is a Type III procedure under SRC Chapter 300.

24 **(c) Submittal Requirements.** In addition to the submittal requirements for a sign
25 permit required by SRC 900.025, an application for a sign permit that includes a variance
26 shall contain a statement of the specific standard for which the variance is requested, and
27 the amount or scope of the variance.

28 **(d) Criteria.** An application for a sign variance shall be granted if the following criteria
29 are met:

30 **(1)** Compliance with the applicable standard would create an unnecessary

- 1 hardship due to unique or unusual physical conditions of the property over which
2 the applicant has no control, such as topography and lot shape, which are not
3 present on other properties in the vicinity that have the same zone designation; the
4 hardship does not result from actions of the applicant, owner, or previous owners
5 of the property; and the sign variance is limited to the minimum reasonably
6 necessary to alleviate the problem created by the unique or unusual physical
7 conditions;
- 8 (2) The sign variance is necessary to permit signage comparable with other
9 properties in the vicinity that have the same zone designation;
- 10 (3) The sign variance will not adversely affect the function or appearance of the
11 development and use of the property and surrounding properties; and
- 12 (4) The sign variance will not impose limitations on other properties and signage
13 in the area, including signage that would be allowed on adjacent properties.
- 14 (e) **Conditions of Approval.** The review authority may impose conditions on the
15 approval of a sign variance necessary to establish compliance with the approval criteria.
- 16 (f) **Concurrent Processing Required.** Applications for a sign variance shall be
17 processed concurrently with the sign permit application.
- 18 **900.045. Electronic Display Sign Conditional Use Permits.**
- 19 (a) **Applicability.** This section applies to applications for conditional use permits to
20 erect electronic display signs in residential zones.
- 21 (b) **Procedure Type.** Electronic display sign conditional use permit applications are
22 Type III procedures under SRC Chapter 300.
- 23 (c) **Additional Submittal Requirements.** In addition to the submittal requirements for
24 a sign permit required by SRC 900.025, an application for an electronic display sign
25 conditional use permit shall contain a statement addressing the criteria set forth in
26 subsection (d) of this section.
- 27 (d) **Criteria.** An application for an electronic display sign conditional use permit shall
28 be granted if the following criteria are met:
- 29 (1) The sign will not create or significantly increase street level sign clutter;
- 30 (2) The sign will not adversely impact the neat, clean, orderly, and attractive

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appearance of the surrounding vicinity to a significant degree;

(3) The sign will not create a traffic or safety hazard; and

(4) The sign complies with all other standards in this Chapter, including, but not limited to height and placement standards.

(c) **Conditions.** The review authority shall impose such conditions on an electronic display sign conditional use permit as are necessary to establish compliance with the approval criteria.

(f) **Concurrent Processing Required.** Electronic display sign conditional use permits shall be processed concurrently with the sign permit application.

900.050. Inspection; Re-inspection.

(a) A person who constructs, erects, re-erects, or structurally alters any sign for which a sign permit is required shall notify the Director of completion of the work thereon and request final inspection.

(b) The Director shall perform sign inspection upon notification by the permittee. A final inspection of all signs shall be made upon completion of all construction work and prior to the illumination of any sign.

(c) All signs may be inspected or re-inspected at the discretion of the Director. Upon presentation of proper credentials, the Director may enter at reasonable times any building, structure, or premises in the city to perform any duty imposed upon the Director by this Chapter. If entry is refused, the Director may use any other lawful means to obtain entry. If the building, structure, or premises is unoccupied, the Director shall first make a reasonable effort to locate the owner or other person with control of the building, structure or premises and request entry. If entry is refused, the Director may use any other lawful means to obtain entry. If the Director is unable, after making a reasonable effort, to locate the owner or other person with control of the building, structure, or premises, the Director may enter the building, structure, or premises, but shall, as soon as is practicable, document the efforts made to locate the owner or other person, and inform the owner or other person of the entry.

900.055. Measurements.

(a) **Size.** Size includes the height, length, width, and area of the display surface of a

- 1 sign. Measurements shall be rounded up to the nearest foot, or nearest square foot, as
2 applicable.
- 3 **(b) Display Surface Area.** Display surface area is the area that lies within a line drawn
4 around the outermost points of the display surface of the sign. Display surface area shall
5 be expressed in square feet. Where the display surface is three dimensional, including,
6 but not limited to, round or irregular solid shapes, the display surface area shall be
7 calculated by taking the largest cross-section, and drawing a line around the outermost
8 points of the cross-section. If there is open space between sections or modules of a
9 display surface area, the open space shall be deducted from the calculation of the display
10 surface area.
- 11 **(c) Gross Face Area.** The gross face area of a building frontage or a building face is the
12 area that lies within a line drawn around the outermost points of the building frontage or
13 building face. Gross face area shall be expressed in square feet. Where a building houses
14 more than one business, gross face area for each business shall be that area lying within a
15 line drawn around the outermost points of that portion of the building frontage or
16 building face that is actually occupied by the business.
- 17 **(d) Height.** Sign height shall be measured from the average level of the grade below the
18 sign to the topmost point of the sign structure.
- 19 **(e) Clearance.** Clearance shall be measured from the average level of the grade below
20 the sign to the lowest point on the sign structure.
- 21 **(f) Spacing and Density.**
- 22 (1) For the purpose of applying spacing requirements or density limits to signs,
23 distances shall be measured along a line parallel to the centerline of the adjacent
24 street or highway and between the nearest edges of the display surfaces.
- 25 (2) A back-to-back sign is counted as a single sign for the purpose of spacing and
26 density limits.
- 27 **(g) Setbacks.** For the purpose of applying setback requirements, distances shall be
28 measured from the property line to the nearest edge of the display surface.
- 29 **900.060. Materials.**
- 30 **(a)** Except as otherwise specified in this section, materials used for construction of signs

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shall be of the quality and grade specified for buildings and structures pursuant to SRC Chapter 56.

(b) Except for lamps, tubes, bulbs, or neon tubing, no glass shall be used in the display surface of any sign.

(c) Roof signs, wall signs, projecting signs, and hanging signs shall be constructed of noncombustible materials, except for nonstructural trim, display surfaces, and cutouts which may be constructed of wood, metal, approved plastics, or any combination thereof.

(d) Except as provided in subsection (e) of this section, only metal and approved plastics shall be used in construction of electronic display signs, internally illuminated signs, and externally illuminated signs.

(e) Combustible materials for covering or ornamenting a sign structure may be used for electronic display signs, internally illuminated signs, and externally illuminated signs, provided that no load-bearing member of the sign structure is constructed of combustible materials and there is no substantial fire or electrical safety hazard.

(f) The sign structure of outdoor advertising signs shall be metal.

900.065. Sign Supports. Unless approval to place a sign in right-of-way has been obtained from the applicable government agency, sign supports shall be located on private property.

900.070. Electronic Sign Construction.

(a) Electronic display signs, externally illuminated signs, and internally illuminated signs shall be permanently and rigidly affixed to the sign structure or building.

(b) The bottom of electronic display signs, externally illuminated signs, and internally illuminated signs and outline lighting enclosures shall not be less than sixteen feet above areas accessible to vehicles; provided, however, the bottom of such signs and enclosures may be less than sixteen feet above areas accessible to vehicles where such enclosures are protected from physical damage.

(c) Electronic display signs, externally illuminated signs, and internally illuminated signs shall have placed, within easy view, a laboratory label from an approved testing agency.

(d) Electronic display signs, externally illuminated signs, and internally illuminated signs shall be serviced by underground utilities.

(e) Where underground electric service is provided by a utility company, outdoor

1 advertising signs shall be serviced by underground utilities.

2 **900.075. General Illumination Standards; Zone-Specific Standards.**

3 (a) Except as otherwise provided in this section, permanent signs may be externally or
4 internally illuminated.

5 (b) Temporary signs shall not be externally or internally illuminated.

6 (c) No sign shall use lights or illumination that creates an unduly distracting or
7 hazardous condition to a motorist, a pedestrian, or the general public, or that may be
8 confused with or construed as an official traffic control device.

9 (d) Wall signs, roof signs, and projecting signs placed on a building face that fronts a
10 residential use may not be externally or internally illuminated.

11 (e) No reflective bulb, par spot, or incandescent lamp that exceeds twenty-five watts
12 shall be exposed to direct view from a public street, but may be used for indirect
13 illumination of a display surface.

14 (f) Neon tubing shall not exceed 300 milliamperes for white tubing or 100 milliamperes
15 for colored tubing.

16 (g) Fluorescent tubes used for interior illumination of a sign shall be placed behind a
17 plexiglass face and shall:

18 (1) In residential zones, not exceed illumination equivalent to 425 milliamperes,
19 and be spaced at least seven inches apart, measured from center to center.

20 (2) In commercial, industrial, and public zones, not exceed illumination
21 equivalent to 800 milliamperes and be spaced at least nine inches apart, measured
22 center to center.

23 (h) The light source for an internally illuminated sign may be comprised of light emitting
24 diodes, so long as the light emitting diodes are used for illumination only, do not create
25 an electronic display or effect, and conform to the brightness limitations set forth in SRC
26 900.090.

27 (i) **Zone-Specific Standards.** Notwithstanding subsection (a) of this section, the
28 following standards apply in the following zones:

29 (1) In the Residential Agriculture (RA), Single Family Residential (RS), Duplex
30 Residential (RD), Multiple Family Residential (RM1 and RM2), Multiple High-

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Rise Residential (RH), and Exclusive Farm Use (EFU) zones:

- (A) Freestanding signs shall not be internally illuminated.
- (B) Freestanding signs shall not be externally illuminated by a light source connected to the sign.
- (C) Sign illumination shall be directed away from and not be reflected upon adjacent premises. No sign shall be illuminated between the hours of midnight and 7:00 a.m.

(2) In the Neighborhood Commercial (CN), Neighborhood Center Mixed-Use (NCMU), Commercial Office (CO), and Fairview Mixed-Use (FMU) zones:

- (A) Sign illumination shall be directed away from and not be reflected upon adjacent premises.
- (B) No sign shall be illuminated between the hours of midnight and 7:00 a.m. or during business hours as specified in the NCMU Zone.

(3) In the South Waterfront Mixed-Use (SWMU) Zone, signs facing the Willamette River shall not be illuminated.

(4) In the Public and Private Cemeteries (PC), Capitol Mall (PM), and Public Service (PS) zones, externally and internally illuminated signs are permitted only where the adjacent property is zoned commercial or industrial.

(5) In the Public and Private Health Services (PH) Zone, only signs designating emergency entrances shall be illuminated.

(6) In the Public Amusement (PA) Zone, signs shall not be illuminated within three hundred feet of a residential zone.

900.080. Flashing Light; Zone-Specific Standards.

- (a) Unless otherwise prohibited by this Chapter, permanent signs may use internal or external flashing light, subject to the standards in this section.
- (b) Internally illuminated signs using flashing light shall have at least fifty percent of the illuminated display surface illuminated at all times.
- (c) The sequence of flashing light shall be uniform, even, and regular, or shall create an apparent motion that is continuous and smooth.
- (d) Where a sign is illuminated by an external light source, no flashing light is permitted.

- 1 (e) Signs with rotating or animated parts shall not be wholly or partially illuminated by
2 flashing light.
- 3 (f) Rotary beacon lights, zip lights, strobe lights, or similar devices shall be not attached
4 to, incorporated in, or maintained as part of any sign.
- 5 (g) No arrow or other directional indicator, or any light source or lamp or tube or group
6 of lights or lamps or tubes contained in a single unit or in multiple units, shall be erected
7 or maintained within view of any public street unless the device meets one of the
8 following:
- 9 (1) The device was constructed as an integral part of the sign and not later
10 attached or affixed thereto.
- 11 (2) The device is not illuminated by flashing light.
- 12 (3) The device is designed and used solely for illumination of a building or
13 pedestrian or vehicular traffic areas.
- 14 (h) When a residence, apartment, hospital, or home for the aged or convalescent is
15 located within a one hundred-foot line of sight distance of a sign containing flashing
16 light; such sign shall use flashing light only between the hours of 7:00 a.m. and 10:00
17 p.m.
- 18 (i) **Zone-Specific Standards.** Flashing light is not allowed for signs in the Residential
19 Agriculture (RA), Single Family Residential (RS), Duplex Residential (RD), Multiple
20 Family Residential (RM1 and RM2), Multiple High-Rise Residential (RH), Exclusive
21 Farm Use (EFU), Commercial Office (CO), Neighborhood Commercial (CN),
22 Neighborhood Center Mixed-Use (NCMU), Fairview Mixed-Use (FMU), Public and
23 Private Cemeteries (PC), Public and Private Educational Services (PE), Public and
24 Private Health Services (PH), Capitol Mall (PM), and Public Services (PS) zones.
- 25 **900.085. Effects.**
- 26 (a) The use of effects is allowed only where flashing light is allowed, subject to the
27 standards set forth in SRC 900.080 and in this section.
- 28 (b) No sign may use a speller effect, or effect in the form of a starburst, expanding
29 starburst, expanding arrow, or extending arrow.
- 30 (c) **Chaser Effects.**

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- (1) Each display surface may have only one chaser effect.
- (2) Only one sign per building frontage may use a chaser effect. If building has frontage on two or more streets, the building may have a sign using a chaser effect on each frontage.
- (3) No chaser effect is permitted to be on the same side of a sign as flashing light.
- (4) No chaser effect shall exceed twenty percent of the illuminated display surface of the sign.
- (5) No chaser effect shall produce an apparent motion in a single direction that exceeds ten feet per second plus an additional five feet per second for each ten-foot distance over twenty feet between the sign and the nearest adjacent street or highway right-of-way, up to a maximum of fifty feet per second.
- (6) This subsection shall not apply to chaser effects on theater marquees.

900.090. Electronic Display Signs.

- (a) No electronic display sign may be erected in a residential zone without first obtaining an electronic display sign conditional use permit pursuant to SRC 900.045.
- (b) No electronic display sign shall be allowed within a historic district.
- (c) All electronic display signs shall meet the following standards:
 - (1) **Zones.**
 - (A) In all industrial zones, public zones, South Waterfront Mixed-Use (SWMU) zones, and commercial zones, other than the Commercial Office (CO), and Neighborhood Commercial (CN) zones, the change from one electronic display to another electronic display shall be no more frequent than once every eight seconds, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.
 - (B) In all residential zones, Commercial Office (CO) zone, Neighborhood Commercial (CN) zone, Neighborhood Center Mixed-Use (NCMU) zone, and Fairview Mixed-Use (FMU) zone, the change from one electronic display to another electronic display shall be no more frequent than once every hour, except changes to correct hour-and-minute or temperature

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information, which may change no more often than once every three seconds.

(2) Change of Display. The actual change of display for an electronic display sign shall be completed in two seconds or less. Displays may change by fade or by instantaneous change from one static display to another, but shall remain as a static display after completing the change, and, once changed, shall remain static until the next change. Unless specifically authorized by this Chapter, dissolve, scrolling, travel, and video display are prohibited.

(3) Brightness. All electronic display signs must be constructed, be operated, or otherwise function in such a way as to not exceed the provisions of this paragraph.

(A) At the time of installation, electronic display signs may be illuminated to a degree of brightness that is no greater than 7,500 nits between sunrise and sunset and that is no greater than 1,000 nits between sunset and sunrise; provided, however, that an electronic display sign comprised solely of one color shall not exceed the following levels:

- (i)** For a display comprised of red only, 3,150 nits between sunrise and sunset, and 450 between sunset and sunrise;
- (ii)** For a display comprised of green only, 6,300 nits between sunrise and sunset, and 900 nits between sunset and sunrise;
- (iii)** For a display comprised of amber only, 4,690 nits between sunrise and sunset, and 670 nits between sunset and sunrise.

(B) All electronic display signs must be maintained and operated to meet the following brightness standards:

- (i)** No sign shall be brighter than is necessary for clear and adequate visibility.
- (ii)** No sign shall be of such intensity or brilliance as to impair the vision of a motor vehicle driver with average eyesight or to otherwise interfere with the driver's operation of a motor vehicle.
- (iii)** No sign shall be of such intensity or brilliance that it

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interferes with the effectiveness of an official traffic sign, device, or signal.

(C) The person owning or controlling an electronic display sign must adjust the sign to meet the brightness standards in accordance with the Director's instructions. The adjustment must be made immediately upon notice of non-compliance from the Director. The person owning or controlling the sign may appeal the Director's determination to the Hearings Officer, using the contested case procedures set forth in SRC Chapter 20J.

(D) All electronic display signs must be equipped with a mechanism that automatically adjusts the brightness in response to ambient conditions and must be equipped with a means to immediately turn off the display when it malfunctions; and the sign owner or operator must immediately turn off the sign or lighting when notified by the Director that it is not complying with the standards in this section.

(d) Notwithstanding any other provision in this Chapter, a municipal corporation providing transit services within the corporate limits of the city may erect one electronic display sign in each of the corporation's transit stops, which shall be limited to two square feet in display surface, screened from adjacent residential properties, and used only for the transmission of public information by the corporation.

900.095. Rotating and Animated Signs; Zone-Specific Standards.

(a) Unless prohibited by any other provision of this Chapter, permanent signs may contain rotating or animated parts, subject to the standards in this section.

(b) Temporary signs shall not contain rotating or animated parts.

(c) When a residence, apartment, hospital, or home for the aged or convalescent is located within a one hundred-foot line of sight distance of any sign with rotating parts, the sign shall rotate or be animated only between the hours of 7:00 a.m. and 10:00 p.m.

(d) No outdoor advertising sign shall contain animated or rotating parts; provided, however, that animated devices giving only the time or temperature are permitted.

(e) **Zone-Specific Standards.** Rotating and animated signs are not allowed in the

1 Residential Agriculture (RA), Single Family Residential (RS), Duplex Residential (RD),
2 Multiple Family Residential (RM1 and RM2), Multiple High-Rise Residential (RH),
3 Exclusive Farm Use (EFU), Commercial Office (CO), Neighborhood Commercial (CN),
4 Neighborhood Center Mixed-Use (NCMU), Fairview Mixed-Use (FMU), Public and
5 Private Cemeteries (PC), Public and Private Educational Services (PE), Public and
6 Private Health Services (PH), Capitol Mall (PM), and Public Services (PS) zones.

7 **900.100. Signs Installed Over or Within the Right-of-Way.** No sign shall be erected over
8 or within the public right-of-way unless the placement of the sign is first approved by the
9 governmental unit having jurisdiction over the right-of-way.

10 **900.105. Signs in Vision Clearance Areas.**

11 (a) Except in the Central Business District (CB), signs exceeding thirty inches in height
12 above the curb level, or street shoulder where there is no curb, shall not be placed in a
13 vision clearance area unless the bottom of the sign structure is eight and one-half feet or
14 more above the curb level, or the shoulder of a street where there is no curb.

15 (b) In the Central Business District (CB), signs exceeding thirty inches in height above
16 the curb level may be placed in a vision clearance area, and are not required to be placed
17 on a sign structure to elevate the sign above the curb level.

18 (b) No sign in a vision clearance area may have a supporting pillar or post that is greater
19 than twelve inches in diameter or a rectangular pillar or post with a diagonal cross section
20 measurement no greater than twelve inches.

21 **900.110. Signs in Special Setback Areas.**

22 (a) Permanent signs, or a portion of a permanent sign, may be located in special setback
23 areas, if the sign owner and the property owner enter into a written removal agreement
24 with the City, requiring removal of any portion of the sign located in the special setback
25 area when such removal is deemed necessary to widen the street.

26 (b) The removal agreement shall run with the land, and shall provide:

27 (1) That the sign owner and the owner of the premises, their heirs, successors,
28 and assigns shall remove the sign after not less than sixty days' written notice
29 from the Director;

30 (2) That, if the person responsible for removal does not remove the sign by the

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date stated in the notice, the City may do so and the costs shall be a lien against the land which may be foreclosed in the manner provided by law; and

(3) That the sign owner and property owner shall not be entitled to any damages or compensation on account of removing the sign or portion thereof.

(c) Nothing in this subsection shall be construed as denying the owner to compensation for any real property acquired for the widening.

(d) The removal agreement shall be recorded in the city lien docket.

900.115. Sign Location for Safety.

(a) No sign shall be erected or maintained which, by reason of its size, location, or construction constitutes a hazard to the public.

(b) No sign shall obstruct any building opening such that light or ventilation is reduced below minimums required by the Salem Revised Code or any other applicable law.

(c) No sign shall be erected within five feet of an exterior wall in which there are openings that lie directly behind the display surface unless the sign conforms with the requirements specified by SRC Chapter 56 and the sign is constructed of noncombustible materials or approved plastics.

(d) Any sign located on a sidewalk shall have a safety barrier of not less than eighteen inches, measured from the bottom of the sidewalk surface, and constructed of solid and seamless materials.

(e) No sign shall be placed within a sidewalk intersection.

(f) Signs shall be located not less than ten feet horizontally and ten feet vertically from all overhead electrical conductors which are energized in excess of seven hundred and fifty volts.

900.120. Sign Maintenance.

(a) All signs, together with the site and all components of the sign structure, shall be kept in good repair, free from deterioration, and in a neat, clean, attractive, and safe condition.

(b) No sign shall be located on a wall facing a side lot line if it is necessary to go onto the adjacent lot to install or service the sign, unless written consent of the adjacent property owner has been obtained prior to the issuance of the sign permit.

900.125. Land Divisions. Within thirty days of the recording of the final plat for a

1 subdivision or partition, signs on the new lots or parcels shall be modified to conform to the
2 applicable provisions of this Chapter; provided, however, no such modification shall be
3 required if the land division is for property that is used as a shopping center, office complex,
4 or industrial complex and the shopping center, office complex, or industrial complex
5 continues to be managed as a unit.

6 **900.130. Freestanding Signs.**

7 **(a) Setbacks.**

8 (1) Freestanding signs shall have a setback of not less than three feet from the
9 street front property line, unless the property is subject to a special setback area
10 and no authorization to place a freestanding sign in the special setback area has
11 been given, in which case the freestanding sign shall be setback not less than three
12 feet from the special setback area.

13 (2) Freestanding signs shall have a setback of not less than five feet from a side
14 property line.

15 **(b) Structure.**

16 (1) A freestanding sign shall be directly supported by poles or a foundation.

17 (2) No external cross braces, guy wires, "T" frames, "A" frames, "trusses," or
18 similar bracing systems shall be used in constructing freestanding signs. Nothing
19 in this subsection prohibits the use of standardized outdoor advertising structures
20 and stringers customarily used for the support of sections of the display surface.

21 **(c)** A corner lot shall be limited to one freestanding sign.

22 **900.135. Hanging Signs.**

23 **(a) Clearance.** Hanging signs shall have a vertical clearance of seven feet, six inches
24 between the bottom of the hanging sign and the grade below the sign.

25 **(b) Structure.** No supporting member of any hanging sign shall pierce or extend
26 through the support structure.

27 **(c) Size.** The display surface of a hanging sign shall not exceed six square feet.

28 **900.140. Projecting Signs.**

29 **(a) Clearance.** A minimum of ten feet clearance shall be required from the bottom edge
30 of all projecting signs to the grade below the sign.

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(b) Height.

(1) The height of a projecting sign which projects more than three feet six inches from the face of the building shall not exceed three feet; provided, however, that an additional four inches of height is allowed for each additional foot of clearance above ten feet from grade to bottom of sign, up to a maximum height of five feet.

(2) The height of a projecting sign which projects three feet six inches or less from the building is not limited.

(3) Notwithstanding paragraph (1) and (2) of this subsection, no projecting sign shall have a height that exceeds three feet above the roof line.

(c) Setbacks. The outer edge of a projecting sign shall have a setback of not less than two feet from the curb line.

(d) Projection.

(1) The maximum projection of a projecting sign shall not exceed four feet six inches; provided, however, that, where a projecting sign is located on a corner with two street frontages, the maximum projection is five feet six inches.

(2) The inner edge of the projecting sign shall not be more than six inches from the face of the building. Projection shall be measured from the wall to which the projecting sign is attached.

(e) Structure.

(1) No projecting sign shall be supported by external cross braces, guy wires, trusses, or similar bracing system.

(2) The inner edge of a projecting sign shall not be more than six inches from the face of the building to which it is attached.

(f) Spacing. Spacing between projecting signs shall be measured opposite the traffic flow in the traffic lane adjacent to the property, and shall be six feet between the signs for each foot of projection for adjacent signs that are installed at the same elevation.

900.145. Roof Signs.

(a) Width. On buildings that are less than fifty feet wide, the width of a roof sign shall be no greater than fifty percent of the width of building. On buildings that are fifty feet wide or greater, the width of a roof sign shall be no greater than twenty-five feet or

1 twenty-five percent of the width of the building, whichever is less.

2 **(b) Height.**

3 (1) Roof signs located on a flat roof shall not exceed the following heights:

4 (A) Building height of fifteen feet or less, six feet.

5 (B) Building height of fifteen to twenty feet, seven feet.

6 (C) Building height greater than twenty feet, eight feet.

7 (2) The height of a roof sign located on a gable, hipped roof, or pitched roof that
8 is less than eight feet in height shall be no greater than fifty percent of the vertical
9 height of the roof. The height of roof signs located on a gable, hipped roof, or
10 pitched roof that is eight feet in height or greater shall be no greater than four feet
11 or twenty-five percent of the vertical height of the roof, whichever is larger.

12 Vertical height shall be measured from the lower edge of the roof to the peak of
13 the gable, hip, or pitch, vertically from, and not along the plane of, the gable, hip,
14 or pitch.

15 (3) Roof signs located on a marquee or canopy shall not exceed a height of four
16 feet above the roof of the marquee or canopy.

17 **(c) Setbacks.**

18 (1) A roof sign shall be setback a minimum of three feet from the front wall.

19 (2) A roof sign shall be setback a minimum of three feet from each end wall.

20 **(d) Clearance.**

21 (1) A roof sign shall have a minimum clearance of three feet between the bottom
22 of the roof sign and the top of a parallel parapet.

23 (2) When a roof sign is placed on the peak of a roof, the roof sign shall have a
24 minimum clearance of one and one-half feet between the bottom of the sign and
25 the roof.

26 **(e) Structure.** Except for vertical poles, the supporting structure of a roof sign shall be
27 completely enclosed.

28 **900.150. Wall Signs.**

29 **(a) Wall Signs on Building Walls.** Wall signs placed on a wall of a building shall
30 conform to this subsection.

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(1) Height.

- (A) Wall signs may project above the higher of the eave line, roof line, or top of the parapet a distance equal to one-third of the height of the sign or three feet, whichever is less.
- (B) Wall signs that do not extend the full length of the wall may project above the eave line, roof line, or top of the parapet one-third of the height of a building if the building is less than fifteen feet in height, or six feet if the building is over fifteen feet in height.
- (C) The height of a wall sign that extends the full length of the wall shall not exceed four feet, measured from the roof line directly behind the wall to the top of the wall.
- (D) Wall signs attached to a marquee shall not exceed thirty inches in height.

(2) Structure.

- (A) The supporting structure for any wall sign shall be completely enclosed so as not to be visible from any public street, alley, or adjacent property.
- (B) No external braces, guy wires, "A" frames, or similar bracing system shall be used in constructing a wall sign.
- (C) Wall signs may be installed on mansard roofs of thirty degrees or less, if they are installed vertically, and if the supporting structure is completely enclosed so as not to be visible from any public street, alley, or adjacent property.

(3) Clearance.

- (A) The bottom of a wall sign that projects from a wall and is located on an alley shall have a clearance of not less than fourteen feet from grade and shall have a maximum projection from the wall to which it is attached of not more than twelve inches.
- (B) The lower edge of a wall sign attached to a marquee shall not extend below the marquee.

1 (b) Sign Towers. Wall signs may be placed on sign towers that conform to this
2 subsection.

3 (1) Width.

4 (A) The width of a sign tower shall not exceed twenty percent of the
5 width of the building frontage to which it is attached, when the sign tower
6 does not project from the wall a distance less than four feet.

7 (B) The width of the sign tower shall not exceed four feet when the sign
8 tower projects from the building frontage to which it is attached a distance
9 greater than four feet.

10 (C) The width of the sign tower shall not exceed four feet when the sign
11 tower includes a fin on the roof of the building to which the sign tower is
12 attached. Any fin shall be located generally perpendicular to the building
13 frontage.

14 (2) Height. The height of a sign tower:

15 (A) For buildings less than fifteen feet in overall height, shall not exceed
16 six feet, measured above a flat roof or the eave line on a pitched, hip, or
17 gabled roof.

18 (B) For buildings between fifteen and twenty-five feet in height, shall not
19 exceed the greater of nine feet or forty percent of the height of the
20 building, measured above a flat roof or the eave line on a pitched, hip, or
21 gabled roof.

22 (C) For buildings over twenty-five feet in height, shall not exceed the
23 greater of twelve feet, six inches or thirty percent of the height of the
24 building, measured above a flat roof or the eave line on a pitched, hip, or
25 gabled roof.

26 (D) Notwithstanding any other provision in this subsection, a sign tower
27 shall not exceed the applicable height standards in the zone where the sign
28 tower is located.

29 (3) Setbacks. Sign towers shall not project over public property, into any area
30 required to be landscaped, or over a setback line.

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(4) Zones. Sign towers shall be located only in industrial zones and commercial zones, other than the Commercial Office (CO) or Neighborhood Commercial (CN) zone.

(5) Structure. The supporting structure for sign towers shall be completely enclosed so as not to be visible from any public street, alley, or adjacent property.

900.155. Outdoor Advertising Signs.

(a) Prohibited Outdoor Advertising Signs. Outdoor advertising signs are not permitted:

- (1)** In residential zones, public zones, or in the Neighborhood Commercial (CN), Neighborhood Center Mixed-Use (NCMU), Commercial Office (CO), Central Business District (CB), South Waterfront Mixed-Use (SWMU), Employment Center (EC), and Fairview Mixed-Use (FMU) zones.
- (2)** In any urban renewal district, regardless of zone.
- (3)** Within the Willamette Greenway boundary.

(b) Back-to-Back Outdoor Advertising Signs. Outdoor advertising signs may have display surfaces placed back-to-back on the same structure and in a parallel plane.

(c) Multiple Display Surfaces. An outdoor advertising sign may have multiple display surfaces on the same sign structure and facing in the same direction provided that no display surface exceeds two hundred square feet.

(d) Wall Signs. An outdoor advertising sign that is a wall sign shall conform with the standards for wall signs set forth in this Chapter; provided:

- (1)** The outdoor advertising sign does not project above eave line of the roof of a building; and
- (2)** The outdoor advertising sign does not project over public property.

(e) Freestanding Signs. An outdoor advertising sign that is a freestanding sign shall conform with the standards for freestanding signs set forth in this Chapter; provided, however, that the outdoor advertising sign shall not project over public right-of-way.

(f) Size. Maximum display surface of an outdoor advertising sign shall be limited to three hundred square feet.

(g) Height.

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(1) Maximum height of the display surface and border and trim of an outdoor advertising sign shall be fourteen feet.

(2) Maximum height to the top of the permanent portion of an outdoor advertising sign shall not exceed thirty-five feet above the grade below the outdoor advertising sign; provided, however, that lawfully erected signs erected prior to April 28, 1969, within the city limits or in areas later annexed to the city may have up to ten percent additional height, provided such signs do not violate any other provisions of this Chapter.

(3) Outdoor advertising signs primarily to be viewed from the Interstate 5 Freeway shall not exceed forty feet in height measured from the top of the sign to the grade below the sign.

(h) Cutouts. Cutouts may be attached to an outdoor advertising sign and may add up to twenty-five percent additional display surface. Cutouts may project three feet above or two feet to either side or below the display surface. Cutouts shall be limited to one cutout per outdoor advertising sign or one unit on each face of a back-to-back sign. Cutouts shall be one integral unit and shall not project beyond the outdoor advertising sign in more than one horizontal and one vertical plane.

(i) Setbacks. Outdoor advertising signs shall be setback at least:

(1) One hundred feet in all residential zones; all public zones; and Neighborhood Commercial (CN), Neighborhood Center Mixed-Use (NCMU), Commercial Office (CO), Central Business District (CB), South Waterfront Mixed-Use (SWMU), and Fairview Mixed-Use (FMU) zones.

(2) Two hundred feet from an occupied residential structure fronting on the same street, regardless of zone.

(3) Two hundred feet from the Civic Center, which is the area bounded by Trade Street on the north, Liberty Street on the east, Leslie Street on the south, and Commercial Street on the west.

(4) Two hundred feet from the Capitol Mall, as that area is defined in ORS 276.010.

(j) Spacing and Density.

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(1) For the purposes of this subsection, back-to-back V-structured outdoor advertising signs are considered a single sign.

(2) No outdoor advertising sign shall be erected or maintained within five hundred feet of another outdoor advertising sign located on the same side of a street or highway.

(3) No outdoor advertising sign shall be erected or maintained within two hundred fifty feet of another outdoor advertising sign located on the opposite side of a street or highway.

(4) In addition to the requirements of subsections (2) and (3) of this section, no more than three outdoor advertising signs may be erected or maintained along both sides of a street or highway within a distance of one thousand lineal feet.

TEMPORARY SIGNS

900.160. Temporary Signs, General Standards.

(a) Temporary signs shall not be attached to fences, trees, shrubbery, utility poles, or like items and shall not obstruct or obscure permanent signs on adjacent premises.

(b) No temporary sign shall be placed within a sidewalk intersection.

(c) Except as provided in SRC 900.100, no temporary sign shall be installed in or project over public right-of-way.

(d) No temporary sign shall be erected or maintained which, by reason of its size, location, or construction constitutes a hazard to the public.

(e) Lawn signs and sidewalk signs shall not exceed a height of thirty inches above grade. Portable signs shall not exceed a height of six feet above grade.

(f) Lawn signs and sidewalk signs may be displayed a maximum of two, sixty-day continuous periods per year. Portable signs may be displayed a maximum of one year.

(g) Businesses with canopies, including but not limited to, gasoline stations, may have one or more temporary signs, with a total collective display surface not to exceed twenty-four square feet per canopy. The signs may be freestanding or attached to the supporting structure of the canopy, provided they are not installed in a manner that would present a hazard to vehicles driving under the canopy.

(h) Portable Signs.

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(1) Portable signs shall be placed and maintained such that a pedestrian pathway not less than five feet wide, and a vehicle buffer zone of not less than three feet wide, at all times provides free and unobstructed passage on the sidewalk. The pathway shall begin either where the sidewalk and the property line meet or between the portable sign and the street when the sidewalk sign is placed next to the building or property line and then extends into, or is placed entirely on, the adjacent sidewalk.

(2) Portable signs shall be placed and maintained such that a vehicle buffer zone not less than three feet wide at all times provides for free and unobstructed passage on the sidewalk.

(3) The portable sign shall not limit or interfere with the free and unobstructed use of the sidewalk.

(4) The placement of portable signs shall be limited to the normal business hours that the premises is open for business, and shall be removed from the sidewalk when the premises is not open for business.

(5) Placement shall be within the sidewalk area directly in front of the business premises; provided, however, that a portable sign may be placed on the sidewalk in front of an adjacent business if the business owner first secures written approval from the adjacent business. Notwithstanding this subsection, no more than one portable sign shall be permitted in the sidewalk area in front of a single business premises.

(6) No portable sign shall be located in an alley, or shall be located on or attached to streetscape landscaping or furniture.

(i) Temporary Sign Displays. Where allowed in the zone, temporary sign displays shall comply with the following:

(1) Temporary sign displays shall not use propellers or similar rotating or wind-activated devices or fluorescent paints or dyes.

(2) One temporary banner sign is allowed on each building frontage or building face for each separate business located on a premise, provided the temporary banner sign is located on a building. Display period is limited to thirty days, and

1 is renewable upon application for renewal and upon replacement of all banners
2 not neat, clean, and in good repair; provided, however, renewals shall not exceed
3 four renewals in any one-year period. The display surface of each temporary
4 banner sign shall be limited to fifty square feet.

5 (3) Pennants are limited to a display period of six months.

6 (4) The height to which a balloon may be displayed shall not exceed thirty-
7 five feet from point of attachment. Balloons shall be securely attached and
8 adequately tethered by a nonmetallic cable so as to withstand a wind pressure
9 of thirty pounds per square foot of exposed surface. The Director may require
10 any additional information and impose any conditions where such information
11 or conditions are required to ensure the safety of the public or adjacent
12 property. Balloons shall be limited to one per business per premise. Display
13 period shall be limited to fourteen days in any six-month period, measured
14 from the date of issuance of the sign permit and shall not exceed two permits
15 in any one year.

16 **900.165. Temporary Signs in Residential Zones.** The following temporary signs are
17 allowed in the Residential Agriculture (RA), Single Family Residential (RS), Duplex
18 Residential (RD), Multiple Family Residential (RM1 and RM2), Multiple Family High-Rise
19 Residential (RH), and Exclusive Farm Use (EFU) zones:

20 (a) Lawn signs, sidewalks signs, and portable signs conforming to the number and
21 display surface limitations as provided in Table 900-1.

22
23 **Table 900-1**

24 **Lawn, Sidewalk, and Portable Signs in Residential Zones**

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Lawn & Sidewalk Signs Display surface limitation for an individual sign	Portable Signs Display surface limitation for an individual sign	Total Collective Display Surface for all signs (All lawn, sidewalk, & portable signs located on a
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single property)			
All Properties	6 sq. ft.	6 sq. ft.	6 sq. ft. on any one premise

(b) In the RM1, RM2, and RH zones, apartment houses and retirement homes may have one temporary banner sign not to exceed fifty square feet in display surface, on each frontage for each separate complex, provided such temporary banner sign is located on a building. Display period is limited to sixty days and is renewable upon application for renewal and replacement of all banners not neat, clean, and in good repair.

(c) Properties which have received subdivision approval may, from the date of recording of the final plat until such time as a building permit is issued for the last lot or parcel to be sold, have the same square footage of temporary signage as is allowed for that size of subdivision, as set forth in Table 900-2.

Table 900-2

Lawn, Sidewalk, and Portable Signs for Subdivisions in Residential Zones

	Lawn & Sidewalk Signs Display surface limitation for an individual sign	Portable Signs Display surface limitation for an individual sign	Total Collective Display Surface for all signs (All lawn, sidewalk, & portable signs located on a single property)
Properties under 10,000 sq. ft. in area	6 sq. ft.	8 sq. ft.	8 sq. ft. on any one premise

Properties over 10,000 sq. ft. but less than one acre in area	6 sq. ft.	16 sq. ft.	16 sq. ft. on any one premise
Properties 1 acre or more in area	6 sq. ft.	32 sq. ft.	32 sq. ft. on any one premise

(d) **Temporary Sign Displays.** Temporary sign displays are not allowed in residential zones.

900.170. Temporary Signs in Commercial Zones.

(a) The following temporary signs are allowed in the Neighborhood Commercial (CN), Neighborhood Center Mixed-Use (NCMU), Commercial Office (CO), and Fairview Mixed-Use (FMU) zones:

(1) Lawn signs, sidewalk signs and portable signs conforming to the number and display surface limitations as provided in Table 900-3.

Table 900-3

Lawn, Sidewalk, and Portable Signs in CN, NCMU, CO, and FMU Zones

	Lawn & Sidewalk Signs Display surface limitation for an individual sign	Portable Signs Display surface limitation for an individual sign	Total Collective Display Surface for all signs (All lawn, sidewalk, & portable signs located on a single property)
All Properties under 10,000 sq. ft. in area	6 sq. ft.	8 sq. ft.	8 sq. ft. on any one premise

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All Properties over 10,000 sq. ft. but less than one acre in area	6 sq. ft.	16 sq. ft.	16 sq. ft. on any one premise
All Properties 1 acre or more in area	6 sq. ft.	32 sq. ft.	32 sq. ft. on any one premise

(2) Apartment houses and retirement homes may have one temporary banner sign not to exceed fifty square feet in display surface, on each frontage for each separate complex, provided such temporary banner sign is located on a building. Display period is limited to sixty days and is renewable upon application for renewal and replacement of all banners not neat, clean, and in good repair.

(3) Properties which have received subdivision approval may, from the date of recording of the final plat until such time as a building permit is issued for the last lot or parcel to be sold, have lawn signs, sidewalk signs, and portable signs conforming to the number and display surface limitations as provided in Table 900-4.

Table 900-4

Lawn, Sidewalk, and Portable Signs for Subdivisions in CN, NCMU, CO, and FMU Zones

	Lawn & Sidewalk Signs Display surface limitation for an individual sign	Portable Signs Display surface limitation for an individual sign	Total Collective Display Surface for all signs (All lawn, sidewalk, & portable signs located on a single property)
Properties under 10,000 sq. ft. in area	6 sq. ft.	8 sq. ft.	8 sq. ft. on any one premise

Properties over 10,000 sq. ft. but less than one acre in area	6 sq. ft.	16 sq. ft.	16 sq. ft. on any one premise
Properties 1 acre or more in area	6 sq. ft.	32 sq. ft.	32 sq. ft. on any one premise

(4) **Temporary Sign Displays.** Temporary sign displays are not allowed in the CN, NCMU, CO, and FMU zones.

(b) The following temporary signs are allowed in the Central Business District (CB) and SWMU zones:

(1) Private property:

(A) Lawn signs, sidewalk signs, and portable signs conforming to the number and display surface limitations specified in Table 900-5 are allowed on private property.

Table 900-5

Lawn, Sidewalk, and Portable Signs in CB and SWMU Zones

	Lawn & Sidewalk Signs Display surface limitation for an individual sign	Portable Signs Display surface limitation for an individual sign	Total Collective Display Surface for all signs (All lawn, sidewalk, & portable signs located on a single property)
Properties under 10,000 sq.	6 sq. ft.	8 sq. ft.	8 sq. ft. on any one premise

ft. in area			
Properties over 10,000 sq. ft. but less than one acre in area	6 sq. ft.	16 sq. ft.	16 sq. ft. on any one premise
Properties 1 acre or more in area	6 sq. ft.	32 sq. ft.	32 sq. ft. on any one premise

(B) **Temporary Sign Displays.** Pennants, balloons, and temporary banner signs are allowed on private property in the CB and SWMU zones.

(2) **Portable Signs in Right-of-Way.** Portable signs in public rights-of-way in the CB and SWMU zones require a permit, which shall, in addition to the regulations set forth in SRC 900.160(h), be subject to the following conditions:

(A) The portable sign shall be no more than thirty inches in height and twenty-four inches in width.

(B) A portable sign permit holder shall obtain and maintain current liability insurance and submit a certificate of insurance in conformance with SRC Chapter 42.025.

(C) The sidewalk sign permit shall terminate December 31st of the year in which the permit is issued.

(D) The portable sign permit may not be assigned or transferred to any third party.

(c) The following temporary signs are allowed in the Retail Commercial (CR) and General Commercial (CG) zones:

(1) Lawn signs, sidewalk signs, and portable signs conforming to the number and display surface limitations specified in Table 900-6.

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**Table 900-6
Lawn, Sidewalk, and Portable Signs in CR and CG Zones**

	Lawn & Sidewalk Signs Display surface limitation for an individual sign	Portable Signs Display surface limitation for an individual sign	Total Collective Display Surface for all signs (All lawn, sidewalk, & portable signs located on a single property)
Properties under 10,000 sq. ft. in area	6 sq. ft.	8 sq. ft.	8 sq. ft. on any one premise
Properties over 10,000 sq. ft. but less than one acre in area	6 sq. ft.	16 sq. ft.	16 sq. ft. on any one premise
Properties 1 acre or more in area	6 sq. ft.	32 sq. ft.	32 sq. ft. on any one premise

(2) Temporary Sign Displays. Pennants, balloons, and temporary banner signs are allowed on private property in the CR and CG zones.

900.175. Temporary Signs in Industrial Zones. The following temporary signs are allowed in the Industrial Commercial (IC), Industrial Business Campus (IBC), Industrial Park (IP), General Industrial (IG), Intensive Industrial (II), and Employment Center (EC) zones:

- (a) Lawn signs, sidewalk signs, and portable signs conforming to the number and display

1 surface limitations specified in Table 900-7.

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3 **Table 900-7**

4 **Lawn, Sidewalk, and Portable Signs in Industrial Zones**

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	Lawn & Sidewalk Signs Display surface limitation for an individual sign	Portable Signs Display surface limitation for an individual sign	Total Collective Display Surface for all signs (All lawn, sidewalk, & portable signs located on a single property)
Properties under 10,000 sq. ft. in area	6 sq. ft.	8 sq. ft.	8 sq. ft. on any one premise
Properties over 10,000 sq. ft. but less than one acre in area	6 sq. ft.	16 sq. ft.	16 sq. ft. on any one premise
Properties 1 acre or more in area	6 sq. ft.	32 sq. ft.	32 sq. ft. on any one premise

25 (b) **Temporary Sign Displays.** Pennants, balloons, and temporary banner signs are
26 allowed on private property in industrial zones.

27 **900.180. Temporary Signs in Public Zones.** The following temporary signs are allowed in
28 the Public Amusement (PA), Public and Private Cemeteries (PC), Public and Private
29 Educational Services (PS), Public and Private Health Services (PH), Public Services (PS),
30 and Capitol Mall (PM) zones:

1 (a) Lawn signs, sidewalk signs, and portable signs conforming to the number and display
 2 surface limitations specified in Table 900-8.

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 4 **Table 900-8**
 5 **Lawn, Sidewalk, and Portable Signs in Public Zones**

	Lawn & Sidewalk Signs Display surface limitation for an individual sign	Portable Signs Display surface limitation for an individual sign	Total Collective Display Surface for all signs (All lawn, sidewalk, & portable signs located on a single property)
Properties under 10,000 sq. ft. in area	6 sq. ft.	8 sq. ft.	8 sq. ft. on any one premise
Properties over 10,000 sq. ft. but less than one acre in area	6 sq. ft.	16 sq. ft.	16 sq. ft. on any one premise
Properties 1 acre or more in area	6 sq. ft.	32 sq. ft.	32 sq. ft. on any one premise

26 (b) **Temporary sign displays.** Temporary banner signs are allowed in public zones.

27 **PERMANENT SIGNS**

28 **900.185. Permanent Signs in Residential Zones.** The following permanent signs are
 29 allowed in the Residential Agriculture (RA), Single Family Residential (RS), Duplex
 30 Residential (RD), Multiple Family Residential (RM1 and RM2), Multiple Family High-Rise

1 Residential (RH), and Exclusive Farm Use (EFU) zones:

2 (a) **Dwellings.** Single family dwellings and dwelling units in duplexes are allowed
3 either one wall sign or one freestanding sign. A wall sign shall be limited to a display
4 surface not exceeding one square foot. A freestanding sign shall be limited to a display
5 surface not exceeding one square foot and to a height not exceeding thirty inches.

6 (b) **Residential Subdivisions, Residential Planned Unit Developments, and**
7 **Manufactured Dwelling Parks.**

8 (1) A residential subdivision, residential planned unit development, or
9 manufactured dwelling park is allowed one freestanding sign. The freestanding
10 sign shall be limited to a display surface not exceeding twelve square feet and to a
11 height not exceeding five feet. The freestanding sign shall be located at the
12 principal motor vehicle entrance to the subdivision, planned unit development, or
13 manufactured dwelling park.

14 (2) Businesses in a residential planned unit development are allowed the
15 following signs:

16 (A) Each business in a convenience service area is allowed one wall sign.
17 The wall sign shall be limited to a display surface not exceeding four
18 square feet.

19 (B) Each business in a limited retail service area is allowed one wall sign.
20 The wall sign shall be limited to a display surface not exceeding fifty
21 square feet.

22 (3) The signs permitted by this paragraph shall not extend above the eave line,
23 roof line, or top of a parapet wall.

24 (c) **Apartment Houses and Retirement Homes in Multiple Family Residential (RM1**
25 **and RM2) and Multiple Family High-Rise Residential (RH) Zones.** Apartment
26 houses and retirement homes located in the Multi Family Residential (RM1 and RM2)
27 zone and the Multiple Family High-Rise Residential (RH) zone are permitted the
28 following signs:

29 (1) **RM1 and RM2 Zones.** Two wall signs, or one wall sign and one
30 freestanding sign.

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(A) Wall signs shall be limited to a display surface not exceeding thirty-two square feet.

(B) Freestanding signs shall be limited to a display surface not exceeding twenty-four square feet and to a height not exceeding five feet.

(2) RH Zone. Two wall signs, or one wall sign and one freestanding sign.

(A) When two wall signs are used, one wall sign shall be limited to a display surface not exceeding thirty-two square feet and the second wall sign shall be limited to the greater of thirty-two square feet or two percent of the gross face area of building wall to which the sign is attached.

(B) When one wall sign and one freestanding sign are used:

(i) The wall sign shall be limited to a display surface not exceeding thirty-two square feet.

(ii) The freestanding signs shall be limited to a display surface not exceeding twenty-four square feet and to a height not exceeding five feet.

(3) Vehicle Directional Signs. One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding four square feet and to a height not exceeding thirty inches.

(d) Businesses. When the primary use of a building is for a business, unless located in an office complex or a residential planned unit development, the following signs are allowed:

(1) One wall sign or one freestanding sign.

(A) Wall signs shall be limited to a display surface not exceeding thirty-two square feet.

(B) Freestanding signs shall limited to a display surface not exceeding twenty-four square feet and to a height not exceeding five feet.

(2) Vehicle Directional Signs. One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited

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to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding four square feet and to a height not exceeding thirty inches.

(3) Facilities for Religious Services. In addition to the signs allowed in SRC 900.185(d)(1) and (2), facilities for religious services that have a school, day care facility, kindergarten, or other similar accessory use are allowed one additional sign, which may be either a wall sign or a freestanding sign.

(A) Wall signs shall be limited to a display surface not exceeding thirty-two square feet in display surface.

(B) Freestanding signs shall be limited to a display surface not exceeding twenty-four square feet and to a height not exceeding five feet.

900.190. Permanent Signs in the Neighborhood Commercial (CN), Neighborhood Center Mixed-Use (NCMU), and Fairview Mixed-Use (FMU) Zones. The following signs are permitted in the Neighborhood Commercial, Neighborhood Center Mixed-Use, and Fairview Mixed-Use zones:

(a) Dwellings. Single family dwellings and dwelling units in duplexes are allowed either one wall sign or one freestanding sign. A wall sign shall be limited to a display surface not exceeding one square foot. A freestanding shall be limited to a display surface not exceeding one square foot and to a height not exceeding thirty inches.

(b) Residential Subdivisions, Residential Planned Unit Developments, and Manufactured Dwelling Parks.

(1) A residential subdivision, residential planned unit development, or manufactured dwelling park is allowed one freestanding sign. The freestanding sign shall be limited to a display surface not exceeding twelve square feet and to a height not exceeding five feet. The freestanding sign shall be located at the principal motor vehicle entrance to the subdivision, planned unit development, or manufactured dwelling park.

(2) Businesses in a residential planned unit development are allowed the following signs:

(A) Each business in a convenience service area is allowed one wall sign.

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The wall sign shall be limited to a display surface not exceeding four square feet.

(B) Each business in a limited retail service area is allowed one wall sign. The wall sign shall be limited to a display surface not exceeding fifty square feet.

(3) The signs permitted by this paragraph shall not extend above the eave line, roof line, or top of a parapet wall.

(4) **Vehicle Directional Signs.** One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding four square feet and to a height not exceeding thirty inches.

(c) **Businesses.** Unless located in an office complex or a residential planned unit development, a business is allowed the following signs:

(1) **Wall Signs.** One wall sign for each building frontage and building face; provided, that no such sign shall be allowed on a building face where the sign would be directed toward an abutting residential area. Wall signs shall be limited to a display surface not exceeding the greater of thirty-two square feet or two percent of the gross face area of the building frontage or building face to which it is attached.

(2) **Freestanding Signs.** One freestanding sign. The freestanding sign shall be limited to a display surface not exceeding thirty-two square feet and to a height not exceeding five feet.

(3) **Facilities for Religious Services.** In addition to the signs allowed in SRC 900.190(c)(1) and (2), facilities for religious services that have a school, day care facility, kindergarten, or other similar accessory use are allowed one additional sign, which may be either a wall sign or a freestanding sign.

(A) Wall signs shall be limited to a display surface not exceeding thirty-two square feet in display surface.

(B) Freestanding signs shall be limited to a display surface not exceeding

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twenty-four square feet and to a height not exceeding five feet.

(4) Vehicle Directional Signs. One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding four square feet and to a height not exceeding thirty inches.

(d) Office Complexes. An office complex, and individual businesses in the office complex, are allowed the following signs:

(1) Office Complex.

(A) An office complex is allowed one freestanding sign or one wall sign.

(i) The freestanding sign shall be limited to a display surface not exceeding thirty-two square feet and to a height not exceeding five feet.

(ii) Wall signs shall be limited to a display surface not exceeding the greater of thirty-two square feet or two percent of the gross face area of the building frontage or building face to which it is attached.

(B) An office complex is allowed one wall sign for a building directory. The building directory shall be limited to a display surface not exceeding one square foot per occupancy in the complex.

(C) Vehicle Directional Signs. An office complex is allowed one vehicle directional sign at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding four square feet and to a height not exceeding thirty inches.

(2) Individual Businesses in an Office Complex. Each individual business in an office complex is allowed one wall sign. The wall sign shall be limited to a display surface not exceeding twenty-four square feet.

900.195. Permanent Signs Permitted in Commercial Office (CO) Zones. The following permanent signs are permitted in the Commercial Office (CO) Zone:

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(a) Dwellings. Single family dwellings and dwelling units in duplexes are allowed either one wall sign or one free standing sign. A wall sign shall be limited to a display surface not exceeding one square foot. A freestanding sign shall be limited to a display surface not exceeding one square foot and to a height not exceeding thirty inches.

(b) Residential Subdivisions, Residential Planned Unit Developments, and Manufactured Dwelling Parks.

(1) A residential subdivision, residential planned unit development, or manufactured dwelling park is allowed one freestanding sign. The freestanding sign shall be limited to a display surface not exceeding twelve square feet and to a height not exceeding five feet. The freestanding sign shall be located at the principal motor vehicle entrance to the subdivision, planned unit development, or manufactured dwelling park.

(2) Businesses in a residential planned unit development are allowed the following signs:

(A) Each business in a convenience service area is allowed one wall sign. The wall sign shall be limited to a display surface not exceeding four square feet.

(B) Each business in a limited retail service area is allowed one wall sign. The wall sign shall be limited to a display surface not exceeding fifty square feet.

(3) The signs permitted by this paragraph shall not extend above the eave line, roof line, or top of a parapet wall.

(4) **Vehicle Directional Signs.** One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding four square feet and to a height not exceeding thirty inches.

(c) Apartment Houses and Retirement Homes. Apartment houses and retirement homes are permitted the following signs:

(1) Two wall signs, or one wall sign and one freestanding sign.

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(A) Wall signs shall be limited to a display surface not exceeding thirty-two square feet.

(B) Freestanding signs shall be limited to a display surface not exceeding twenty-four square feet and to a height not exceeding five feet.

(2) Vehicle Directional Signs. One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding four square feet and to a height not exceeding thirty inches.

(d) Businesses. Unless located in an office complex or a residential planned unit development, a business is allowed the following signs:

(1) Wall Signs. One wall sign on each building frontage and building face; provided, that no such sign shall be allowed on a building face where the sign would be directed toward an abutting residential area. Wall signs shall be limited to a display surface that is the greater of thirty-two square feet or two percent of the gross face area of the building frontage or building face to which it is attached.

(2) Freestanding Signs.

(A) One freestanding sign that complies with this subparagraph.

(i) When the premise abuts a residential zone, a Commercial Office (CO) zone, or a public zone, the freestanding sign shall be limited to a display surface not exceeding twenty-four square feet and to a height of five feet.

(ii) When the premise abuts a commercial zone, other than a Commercial Office (CO) zone, or an industrial zone, the freestanding sign shall be limited to a display surface not exceeding twenty-four square feet, and to a height not exceeding fifteen feet.

(3) Facilities for Religious Services. In addition to the signs allowed in SRC 900.195(d)(1) and (2), facilities for religious services that have a school, day care facility, kindergarten, or other similar accessory use are allowed one additional

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sign, which may be either a wall sign or a freestanding sign.

(A) Wall signs shall be limited to a display surface not exceeding thirty-two square feet in display surface.

(B) Freestanding signs shall be limited to a display surface not exceeding twenty-four square feet and to a height not exceeding five feet.

(4) Vehicle Directional Signs. One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding four square feet and to a height not exceeding thirty inches.

(c) Office Complexes. An office complex, and individual businesses in the office complex, are allowed the following signs:

(1) Office Complex.

(A) One freestanding sign or one wall sign:

(i) One freestanding sign that complies with this subparagraph.

(a) When the premise abuts a residential zone, a Commercial Office (CO) zone, or a public zone, the freestanding sign shall be limited to a display surface not exceeding twenty-four square feet and to a height not exceeding five feet.

(b) When the premise abuts a commercial zone, other than a Commercial Office (CO) zone, or an industrial zone, the freestanding sign shall be limited to a display surface not exceeding twenty-four square feet, and to a height not exceeding fifteen feet.

(ii) **Wall Signs.** Wall signs shall be limited to a display surface that is the greater of thirty-two square feet or two percent of the gross face area of the building frontage or building face to which it is attached.

(B) One wall sign to be used as a building directory. The wall sign shall

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be limited to a display surface not exceeding one square foot per occupancy in the complex.

(C) Vehicle Directional Signs. One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding four square feet and to a height not exceeding thirty inches.

(2) Individual Businesses in an Office Complex. Each individual business in an office complex is allowed one wall sign. The wall sign shall have a display surface not exceeding twenty-four square feet.

900.200. Permanent Signs in Central Business District (CB), Retail Commercial (CR), and General Commercial (CG) Zones. The following permanent signs are allowed in the Central Business District (CB), Retail Commercial (CR), and General Commercial (CG) zones.

(a) Dwellings. Single family dwellings and dwelling units in duplexes are allowed either one wall sign or one freestanding sign. A wall sign shall be limited to a display surface not exceeding one square foot. A freestanding sign shall be limited to a display surface not exceeding one square foot and to a height not exceeding thirty inches.

(b) Permanent Signs for Businesses. Unless the business is located in a shopping center or office complex, a business may have the following signs:

(1) One freestanding sign, one projecting sign, one roof sign, or one wall sign on each building frontage. When the business is located on a corner lot, only one freestanding sign shall be allowed.

(A) Freestanding Signs.

(i) Height. The height of a freestanding sign shall not exceed twenty feet for up to the first one hundred feet of street front property line, plus an additional one foot in height for each twenty feet of street front property line over one hundred feet, with a maximum height not exceeding thirty feet.

(ii) Area. The display surface of a freestanding sign shall not

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exceed one square foot per lineal foot of street front property line up to the first one hundred square feet of display surface, plus an additional one-quarter square foot of display surface for each additional one foot of street front property line over one hundred feet, with a maximum display surface not exceeding one hundred fifty square feet.

(B) Wall Signs.

(i) For CR and CG zones, the display surface for a wall sign shall not exceed one hundred twenty-five square feet. Notwithstanding the size of the display surface authorized by this subparagraph, wall signs that are located on a marquee shall not extend below the lower edge of the marquee and shall be limited to a height not exceeding thirty inches.

(ii) For CB zones, the display surface for a wall sign shall not exceed that allowed by Table 900-9.

**Table 900-9
Wall Signs in CB Zones**

Gross face area of the face of the building to which the sign is attached in square feet	Permitted sign area is the greater of the following:
0 to 450	150 square feet or 33-1/3 percent of the gross face area
451 to 800	200 square feet or 25 percent of the gross face area
801 to 1250	250 square feet or 20 percent of the gross face area
1251 and over	15 percent of the gross face area

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(C) Projecting Sign Standards. Projecting signs shall conform with SRC 900.140.

(D) Roof Sign Standards. Roof signs shall conform with SRC 900.145.

(2) Any number of additional wall signs on each building, provided the total display surface of all wall signs allowed under this paragraph does not exceed the maximum display surface set forth in Table 900-10.

Table 900-10
Wall Signs in CB, CR, and CG Zones

Gross face area of building frontage in square feet	Display surface is limited to the greater of the following:
0 to 500	50 square feet or 15 percent of the gross face area
500 to 1000	75 square feet or 12 percent of the gross face area
1001 to 2000	120 square feet or 10 percent of the gross face area
2001 to 4000	200 square feet or 8 percent of the gross face area
4001 to 6000	320 square feet or 6 percent of the gross face area
6001 and over	360 square feet or 5 percent of the gross face area

(3) One hanging sign on each building frontage and each building face.

(4) One wall sign located on the wall abutting an alley adjacent to the building in which the business is located. The wall sign shall be limited to a display surface not exceeding six square feet.

(5) **Vehicle Directional Signs.** One freestanding sign or one wall sign located at each motor vehicle entrance to or exit from the premises. A wall sign shall be limited to a display surface not exceeding eight square feet. A freestanding sign shall be limited to a display surface not exceeding eight square feet and to a height not exceeding four feet.

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(6) Vehicle Viewing Sign. ~~Two~~ One vehicle viewing signs, located on a vehicle accessway adjacent to a building or on the building, and intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle. The display surface shall not exceed ~~forty-eight~~ twenty-four square feet.

(7) Vehicle Service or Loading Directional Sign. In lieu of the sign allowed in SRC 900.200(b)(5), one freestanding sign or one wall sign located at each service or loading entrance onto the premises. A wall sign shall be limited to a display surface not exceeding eight square feet. A freestanding sign shall be limited to a display surface not exceeding twenty-two square feet and to a height not exceeding fifteen feet.

(c) Permanent Signs for Shopping Centers. A shopping center and individual businesses in the shopping center are allowed the following signs:

(1) Shopping Center.

(A) One sign shall be allowed on each building frontage on a designated arterial or designated collector as follows:

(i) For CR or CG zones, one freestanding sign or one wall sign. However, when the shopping center is located on a corner lot where the two intersecting streets are either designated arterials or designated collectors, only one freestanding sign shall be allowed.

(a) Freestanding Sign.

(1) Height. The freestanding sign shall be limited to a height not exceeding twenty feet for the first one hundred feet of street frontage, plus an additional one foot for each twenty feet of street front property line over one hundred feet, up to a maximum height not exceeding thirty feet.

(2) Area. The freestanding sign shall be limited to a display surface not exceeding one square foot per lineal foot of street front property line for the first

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one hundred feet of street front property line, plus one quarter additional square foot for each foot of street front property line over one hundred feet, up to a maximum display surface of one hundred and fifty square feet.

(b) The wall sign shall be limited to a display surface not exceeding one hundred twenty-five square feet; provided, however, when the wall sign is located on a marquee, the wall sign not extend below the lower edge of the marquee, and shall be limited to a height not exceeding thirty inches.

(ii) For CB zones, one freestanding sign, projecting sign, or one wall sign. However, when the shopping center is located on a corner lot where the two intersecting streets are either designated arterials or designated collectors, only one freestanding sign shall be allowed.

(a) Freestanding Sign.

(1) **Height.** The freestanding sign shall be limited to a height not exceeding twenty feet for the first one hundred feet of street frontage, plus an additional one foot for each twenty feet of street front property line over one hundred feet, up to a maximum height not exceeding thirty feet.

(2) **Area.** The freestanding sign shall be limited to a display surface not exceeding one square foot per lineal foot of street front property line for the first one hundred feet of street front property line, plus one quarter additional square foot for each foot of street front property line over one hundred feet, up to a maximum display surface of one hundred fifty square feet.

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(b) The display surface for a wall sign shall not exceed that allowed by Table 900-11.

**Table 900-11
Wall Signs in CB Zones**

Gross face area of the face of the building to which the sign is attached in square feet	Permitted sign area is the greater of the following:
0 to 450	150 square feet or 33-1/3 percent of the gross face area
451 to 800	200 square feet or 25 percent of the gross face area
801 to 1250	250 square feet or 20 percent of the gross face area
1251 and over	15 percent of the gross face area

(c) Notwithstanding the size of the display surface authorized by this subparagraph, wall signs that are located on a marquee shall not extend below the lower edge of the marquee and shall be limited to a height not exceeding thirty inches.

(d) Projecting signs shall conform with SRC 900.140.

(B) Vehicle Directional Signs. One freestanding sign or one wall sign located at each motor vehicle entrance to or exit from the shopping center. A wall sign shall be limited to a display surface not exceeding eight square feet. A freestanding sign shall be limited to a display surface not exceeding eight square feet and to a height not exceeding four feet.

(C) Vehicle Service or Loading Directional Sign. In lieu of the sign allowed in SRC 900.200(c)(1)(B), one freestanding sign or one wall sign

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located at each service or loading entrance onto the premises. A wall sign shall be limited to a display surface not exceeding eight square feet. A freestanding sign shall be limited to a display surface not exceeding twenty-two square feet and to a height not exceeding fifteen feet.

(D) One wall sign to be used as a building directory. The wall sign shall be limited to a display surface not exceeding one square foot per occupancy in the complex.

(E) When a street front property line of the shopping center is greater than three hundred feet, the shopping center may have one additional freestanding sign. The freestanding sign shall be located along the street front property line exceeding such length. The freestanding sign shall be limited to a display surface not exceeding fifty square feet and to a height not exceeding twenty feet. When the shopping center has two freestanding signs located along the same street front property line, there shall be a minimum distance of one hundred feet between the signs.

(2) Individual Businesses.

(A) One sign for each building frontage or building face; provided, however, that no such sign shall be allowed on a building face where the sign would be directed towards an abutting residential area.

(i) In the CR or CG zones, one wall sign or one roof sign for each building frontage or building face; provided, however, that no such sign shall be allowed on a building face where the sign would be directed towards an abutting residential area.

(a) The wall sign shall have a display surface not exceeding the square footage set forth in Table 900-12; provided, however, that, where there is more than one business housed in the same building, only the gross face area of the building frontage or building face occupied by the business shall be used in determining the display surface of the wall sign.

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Table 900-12
Wall Signs in CR and CG Zones

Gross face area of building frontage or building face in square feet	Display surface is limited to the greater of the following
0 to 1000	50 square feet or 15 percent of the gross face area
1001 to 2000	150 square feet or 12 percent of the gross face area
2001 to 4000	240 square feet or 10 percent of the gross face area
4001 to 6000	400 square feet or 8 percent of the gross face area
6001 and over	480 square feet or 6 percent of the gross face area

(b) **Roof Sign Standards.** Roof signs shall conform with SRC 900.145.

(ii) **In the CB zones,** one wall sign, one projecting sign, or one roof sign for each building frontage or building face; provided, however, that no such sign shall be allowed on a building face where the sign would be directed towards an abutting residential area.

(a) The wall sign shall have a display surface not exceeding the square footage set forth in Table 900-13; provided, however, that, where there is more than one business housed in the same building, only the gross face area of the building frontage or building face occupied by the business shall be used in determining the display surface of the wall sign.

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**Table 900-13
Wall Signs in CB Zones**

Gross face area of building frontage or building face in square feet	Display surface is limited to the greater of the following
0 to 1000	50 square feet or 15 percent of the gross face area
1001 to 2000	150 square feet or 12 percent of the gross face area
2001 to 4000	240 square feet or 10 percent of the gross face area
4001 to 6000	400 square feet or 8 percent of the gross face area
6001 and over	480 square feet or 6 percent of the gross face area

(b) Roof Sign Standards. Roof signs shall conform with SRC 900.145.

(c) Projecting Sign Standards. Projecting signs shall conform with SRC 900.140.

(B) One wall sign on each building frontage or building face; provided, however, that no sign shall be allowed on a building face where the sign would be directed towards an abutting residential area. The wall sign shall have a display surface not exceeding eight square feet; provided, however, that the display surface may be increased by forgoing part of the display surface authorized by SRC 900.200(c)(2)(A), and adding such display surface to the wall sign.

(C) One hanging sign on each building frontage and each building face.

(D) Vehicle Viewing Sign. ~~Two~~ One vehicle viewing signs, located on a vehicle accessway adjacent to a building or on the building, and intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle. The display surface shall

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not exceed ~~forty-eight~~ twenty-four square feet.

(E) When the individual business does not have a building frontage or building face, the principal occupant of the building in which the business is located may execute a written assignment of a portion of that occupant's display surface allowed under subsection (b)(1) of this section, for use by such interior business for a wall sign.

(d) Permanent Signs for Office Complexes. An office complex and individual businesses in the office complex are allowed the following signs:

(1) Office Complex.

(A) One sign shall be allowed on each building frontage on a designated arterial or designated collector as follows:

(i) For CR or CG zones, one freestanding sign or one wall sign. However, when the office complex is located on a corner lot where the two intersecting streets are either designated arterials or designated collectors, only one freestanding sign shall be allowed.

(a) Freestanding Sign

(1) Height. The freestanding sign shall be limited to a height not exceeding twenty feet for the first one hundred feet of street frontage, plus an additional one foot for each twenty feet of street front property line over one hundred feet, up to a maximum height not exceeding thirty feet.

(2) Area. The freestanding sign shall be limited to a display surface not exceeding one square foot per lineal foot of street front property line for the first one hundred feet of street front property line, plus one quarter additional square foot for each foot of street front property line over one hundred feet, up to a maximum display surface of one hundred fifty square feet.

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(b) The wall sign shall be limited to a display surface not exceeding one hundred twenty-five square feet; provided, however, that, when the wall sign is located on a marquee, the wall sign not extend below the lower edge of the marquee, and shall be limited to a height not exceeding thirty inches.

(ii) For CB zones, one freestanding sign, projecting sign, or wall sign. However, when the office complex is located on a corner lot where the two intersecting streets are either designated arterials or designated collectors, only one freestanding sign shall be allowed.

(a) Freestanding Sign.

(1) **Height.** The freestanding sign shall be limited to a height not exceeding twenty feet for the first one hundred feet of street frontage, plus an additional one foot for each twenty feet of street front property line over one hundred feet, up to a maximum height not exceeding thirty feet.

(2) **Area.** The freestanding sign shall be limited to a display surface not exceeding one square foot per lineal foot of street front property line for the first one hundred feet of street front property line, plus one quarter additional square foot for each foot of street front property line over one hundred feet, up to a maximum display surface of one hundred fifty square feet.

(b) The display surface for a wall sign shall not exceed that allowed by Table 900-14.

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Table 900-14
Wall Signs in CB Zones

Gross face area of the face of the building to which the sign is attached in square feet	Permitted sign area is the greater of the following
0 to 450	150 square feet or 33-1/3 percent of the gross face area
451 to 800	200 square feet or 25 percent of the gross face area
801 to 1250	250 square feet or 20 percent of the gross face area
1251 and over	15 percent of the gross face area

(c) Notwithstanding the size of the display surface authorized by this subparagraph, wall signs that are located on a marquee shall not extend below the lower edge of the marquee and shall be limited to a height not exceeding thirty inches.

(d) Projecting signs shall conform with SRC 900.140.

(B) When a street front property line for the office complex exceeds three hundred feet, the office complex may have one additional freestanding sign. The freestanding sign shall be located along the street front property line exceeding such length. The freestanding sign shall be limited to a display surface not exceeding fifty square feet and to a height not exceeding twenty feet. When the office complex has two freestanding signs located along the same street front property line, there shall be a minimum distance of one hundred feet between such signs.

(C) **Vehicle Directional Signs.** One freestanding sign or one wall sign located at each motor vehicle entrance to or exit from the premises. A

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wall sign shall be limited to a display surface not exceeding eight square feet. A freestanding sign shall be limited to a display surface not exceeding eight square feet and to a height not exceeding four feet.

(2) Individual Businesses.

(A) One sign for each building frontage or building face; provided, however, that no such sign shall be allowed on a building face where the sign would be directed towards an abutting residential area

(i) For CR or CG zones, the sign may be a wall sign or roof sign.

(a) The wall sign shall be limited to a display surface not exceeding the square footage set forth in Table 900-15; provided, however, that, where there is more than one business housed in the same building, only the gross face area of the building frontage or building face occupied by the business shall be used in determining the display surface of the wall sign.

**Table 900-15
Wall Signs in CR and CG Zones**

Gross face area of building frontage or building face in square feet	Display surface is limited to the greater of the following
0 to 1000	50 square feet or 15 percent of the gross face area
1001 to 2000	150 square feet or 12 percent of the gross face area
2001 to 4000	240 square feet or 10 percent of the gross face area
4001 to 6000	400 square feet or 8 percent of the gross face area
6001 and over	480 square feet or 6 percent of the gross face area

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(b) Roof Sign Standards. Roof signs shall conform with SRC 900.145.

(ii) In the CB zones, the sign may be one wall sign, projecting sign, or roof sign.

(a) The wall sign shall be limited to a display surface not exceeding the square footage set forth in Table 900-16; provided, however, that, where there is more than one business housed in the same building, only the gross face area of the building frontage or building face occupied by the business shall be used in determining the display surface of the wall sign.

**Table 900-16
Wall Signs in CB Zones**

Gross face area of building frontage or building face in square feet	Display surface is limited to the greater of the following
0 to 1000	50 square feet or 15 percent of the gross face area
1001 to 2000	150 square feet or 12 percent of the gross face area
2001 to 4000	240 square feet or 10 percent of the gross face area
4001 to 6000	400 square feet or 8 percent of the gross face area
6001 and over	480 square feet or 6 percent of the gross face area

(b) Roof Sign Standards. Roof signs shall conform with SRC 900.145.

(c) Projecting Sign Standards. Projecting signs shall conform with SRC 900.140.

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(B) One wall sign on each building frontage or building face; provided, however, that no sign shall be allowed on a building face where the sign would be directed towards an abutting residential area. The wall sign shall have a display surface not exceeding eight square feet.

(C) One hanging sign on each building frontage and each building face.

(D) **Vehicle Viewing Sign.** ~~Two~~ One vehicle viewing signs, located on a vehicle accessway adjacent to a building or on the building, and intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle. The display surface shall not exceed ~~forty-eight~~ twenty-four square feet.

(E) When the individual business does not have a building frontage or building face, the principal occupant of the building in which the business is located may execute a written assignment of a portion of that occupant's display surface allowed by SRC 900.200(d)(2)(A), for use by such interior business for a wall sign.

(e) **Outdoor Advertising Signs.** Outdoor advertising signs that comply with this Chapter are allowed.

900.205. Permanent Signs in the South Waterfront Mixed-Use Zone.

(a) An individual business in the South Waterfront Mixed-Use Zone is allowed the following signs:

(1) One wall sign or one projecting sign on each building frontage on a designated arterial or designated collector.

(A) A wall sign shall have a display surface not exceeding the square footage set forth in Table 900-17; provided, however, that wall signs shall have a display surface not exceeding one hundred fifty square feet on the side of a building facing Riverfront Park, and shall not exceed a display surface of thirty-two square feet on the side of a building facing the Willamette River.

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Table 900-17
Wall Signs in South Waterfront Mixed-Use Zones

Gross face area of the building frontage or building face in square feet	Display surface is the greater of
0 to 1000	50 square feet or 15 percent of the gross face area
1001 to 2000	150 square feet or 12 percent of the gross face area
2001 to 4000	240 square feet or 10 percent of the gross face area
4001 to 6000	400 square feet or 8 percent of the gross face area
6001 and over	480 square feet or 6 percent of the gross face area

(B) Projecting Sign Standards. Projecting signs shall conform with SRC 900.140.

(2) One wall sign on each building face. The wall sign shall be limited to a display surface not exceeding eight square feet.

(3) One hanging sign for each building frontage and each building face.

(4) Vehicle Directional Signs. One freestanding sign or one wall sign located at each motor vehicle entrance to or exit from the premises. A wall sign shall be limited to a display surface not exceeding eight square feet. A freestanding sign shall be limited to a display surface not exceeding eight square feet and to a height not exceeding four feet.

(b) Each building in the South Waterfront Mixed-Use Zone that contains two or more businesses is allowed the following signs:

(1) One wall sign, one projecting sign, or one freestanding sign, for each building frontage on a designated arterial or designated collector; provided, however, that, when the building is located on a corner lot with two such intersecting street frontages, only one freestanding sign shall be allowed.

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(A) Freestanding Sign Standards.

(i) Height. The height of a freestanding sign shall not exceed twenty feet for up to the first one hundred feet of street front property line, plus an additional one foot in height for each twenty feet of street front property line frontage over one hundred feet, with a maximum height not exceeding thirty feet; provided, however, that freestanding signs located in the area between Riverfront Park and any building shall not exceed five feet in height.

(ii) Area. The display surface of a freestanding sign shall not exceed one square foot per lineal foot of street front property line up to one hundred square feet of display surface, plus an additional one-quarter square foot of display surface for each additional one foot of street front property line over one hundred feet, with a maximum display surface not exceeding one hundred fifty square feet; provided, however, that freestanding signs located in the area between Riverfront Park and any building shall have a display surface not exceeding thirty-two square feet.

(B) Wall Sign Standards. A wall sign shall have a display surface not exceeding the square footage set forth in Table 900-18; provided, however, that:

(i) When the wall sign is located on a marquee, the display surface shall be limited to a height not exceeding thirty inches and shall not extend below the lower edge of the marquee.

(ii) On the side of buildings facing Riverfront Park, wall signs shall have a display surface not exceeding one hundred and fifty square feet.

(iii) On the side of buildings facing the Willamette River, wall signs shall have a display surface not exceeding thirty-two square feet.

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Table 900-18
Wall Signs in South Waterfront Mixed-Use Zones

Gross face area of the building frontage or building face in square feet	Display surface is limited to the greater of the following
0 to 450	150 square feet or 33-1/3 percent of the gross face area
451 to 800	200 square feet or 25 percent of the gross face area
801 to 1250	250 square feet or 20 percent of the gross face area
1251 and over	15 percent of the gross face area

(C) Projecting Sign Standards. Projecting signs shall conform with SRC 900.140.

(2) One wall sign to be used as a building directory. The wall sign shall be limited to a display surface not exceeding one square foot per occupancy in the complex.

(3) One freestanding sign located between Riverfront Park and the building. The freestanding sign shall be limited to a display surface not exceeding thirty-two square feet and to a height not exceeding five feet.

(4) When one or more of the street front property lines exceeds three hundred feet, the building may have one additional freestanding sign. The sign shall be located along the street front property line exceeding such length. The freestanding sign shall be limited to a display surface not exceeding fifty square feet and to a height not exceeding twenty feet. When two freestanding signs are located on the same street front property line, there shall be a minimum distance of one hundred feet between such signs.

900.210. Permanent Signs in Industrial Business Campus (IBC), Industrial Commercial (IC), Industrial Park (IP), General Industrial (IG), Intensive Industrial

1 (II), and Employment Center (EC) Zones. The following permanent signs are permitted in
2 the Industrial Business Campus (IBC), Industrial Commercial (IC), Industrial Park (IP),
3 General Industrial (IG), Intensive Industrial (II), and Employment Center (EC) zones:

4 (a) **Dwellings.** Single family dwellings and dwelling units in duplexes are allowed
5 either one wall sign or one freestanding sign. A wall sign shall be limited to a display
6 surface not exceeding one square foot. A freestanding shall be limited to a display
7 surface not exceeding one square foot and to a height not exceeding thirty inches.

8 (b) **Permanent Signs for Business.** Unless the business is located in an industrial
9 complex or is classified as flexible space use, a business may have the following signs:

10 (1) One freestanding sign, one projecting sign, one roof sign, or one wall sign, for
11 each building frontage; provided, however, that, when the business is located on a
12 corner lot, only one freestanding sign shall be allowed.

13 (A) **Wall Signs.** The display surface for a wall sign shall not exceed one
14 hundred twenty-five square feet.

15 (B) **Freestanding Signs.**

16 (i) **Height.** Freestanding sign height is limited to twenty feet for
17 up to the first one hundred feet of street front property line, plus an
18 additional one foot in height for each twenty feet of street front
19 property line over one hundred feet, with a maximum height of
20 thirty feet.

21 (ii) **Area.** Where the sign is a freestanding sign, the sign shall be
22 limited in area to one square foot per lineal foot of street front
23 property line up to the first one hundred square feet of display
24 surface, plus an additional one-quarter square foot of display
25 surface for each additional one foot of street front property line
26 over one hundred feet, with a maximum limit of one hundred fifty
27 square feet of display surface.

28 (C) **Projecting Sign Standards.** Projecting signs shall conform with
29 SRC 900.140.

30 (D) **Roof Sign Standards.** Roof signs shall conform with SRC 900.145.

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(2) Any number of additional wall signs on each building; provided, however, that the total display surface of all signs allowed under this paragraph does not exceed the maximum display surface set forth in Table 900-19. No single wall sign allowed under this paragraph shall have a display surface exceeding one hundred square feet.

**Table 900-19
Wall Signs in Industrial Zones and EC Zone**

Gross face area of building frontage in square feet	Display surface is limited to the greater of the following
0 to 500	50 square feet or 15 percent of the gross face area
500 to 1000	75 square feet or 12 percent of the gross face area
1001 to 2000	120 square feet or 10 percent of the gross face area
2001 to 4000	200 square feet or 8 percent of the gross face area
4001 to 6000	320 square feet or 6 percent of the gross face area
6001 and over	360 square feet or 5 percent of the gross face area

- (3) One hanging sign on each building frontage and each building face.
- (4) One wall sign located on the wall abutting an alley adjacent to the building in which the business is located. The wall sign shall be limited to a display surface not exceeding six square feet.
- (5) **Vehicle Directional Signs.** One freestanding sign or one wall sign located at each motor vehicle entrance to or exit from the premises. A wall sign shall be limited to a display surface not exceeding eight square feet. A freestanding sign shall be limited to a display surface not exceeding eight square feet and to a height not exceeding four feet.
- (6) **Vehicle Viewing Sign.** ~~Two~~ One vehicle viewing signs, located on a vehicle accessway adjacent to a building or on the building, and intended to be seen by a

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person doing business from the vehicle accessway while the person is within the person's motor vehicle. The display surface shall not exceed ~~forty-eight~~ twenty-four square feet.

(7) Vehicle Service or Loading Directional Sign. In lieu of the sign allowed in SRC 900.210(b)(5), one freestanding sign or one wall sign located at each service or loading entrance onto the premises. A wall sign shall be limited to a display surface not exceeding eight square feet. A freestanding sign shall be limited to a display surface not exceeding twenty-two square feet and to a height not exceeding fifteen feet.

(c) Permanent Signs for Industrial Complexes. An industrial complex and individual businesses in the industrial complex are allowed the following signs:

(1) Industrial Complex.

(A) One freestanding sign for each building frontage on a designated arterial or designated collector; provided, however, that, when the industrial complex is located on a corner lot with two such arterials or collectors, only one freestanding sign shall be allowed.

(i) Height. The freestanding sign shall be limited to a height not exceeding twenty feet for the first one hundred feet of street front property line, plus an additional one foot for each twenty feet of street front property line over one hundred feet, up to a maximum height not exceeding thirty-five feet.

(ii) Area. The freestanding sign shall be limited to a display surface not exceeding one square foot per lineal foot of street front property line for the first one hundred square feet of street front property line, plus one-quarter additional square foot for each additional foot of street front property line over one hundred feet, up to a maximum display surface not exceeding two hundred fifty square feet.

(B) Vehicle Directional Signs. One freestanding sign or one wall sign located at each motor vehicle entrance to or exit from the complex. A

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wall sign shall be limited to a display surface not exceeding eight square feet. A freestanding sign shall be limited to a display surface not exceeding eight square feet and to a height not exceeding four feet.

(C) One wall sign to be used as a building directory. The wall sign shall be limited to a display surface not exceeding one square foot per occupancy in the complex.

(D) If a street front property line of the industrial complex is greater than three hundred feet, the industrial complex may have one additional freestanding sign. The freestanding sign shall be located along each street front property line exceeding such length. The freestanding sign shall be limited to a display surface not exceeding fifty square feet and to a height not exceeding twenty feet. If the shopping center has two freestanding signs on the same street front property line, there shall be a minimum distance of one hundred feet between the signs.

(E) **Vehicle Service or Loading Directional Sign.** In lieu of the sign allowed in SRC 900.210(c)(1)(B), one freestanding sign or one wall sign located at each service or loading entrance onto the premises. A wall sign shall be limited to a display surface not exceeding eight square feet. A freestanding sign shall be limited to a display surface not exceeding twenty-two square feet and to a height not exceeding fifteen feet.

(2) **Individual businesses.** Unless the business is classified as flexible space use, a business may have the following signs:

(A) One wall sign or one roof sign for each building frontage or building face; provided, however, that no sign shall be allowed on a building face when the sign would be directed towards a residential area.

(i) The wall sign shall have display surface not exceeding the square footage set forth in Table 900-20; provided, however, that, where there is more than one business housed in the same building, only the gross face area of the building frontage or building face occupied by the business shall be used in determining the display

1 surface for the wall sign.

2 **Table 900-20**

3 **Wall Signs in Industrial Zones and EC Zone**

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Gross face area of building frontage or building face, in square feet	Display surface is limited to the greater of the following
0 to 1000	50 square feet or 15 percent of the gross face area
1001 to 2000	150 square feet or 12 percent of the gross face area
2001 to 4000	240 square feet or 10 percent of the gross face area
4001 to 6000	400 square feet or 8 percent of the gross face area
6001 and over	480 square feet or 6 percent of the gross face area

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16 (ii) **Roof Sign Standards.** Roof signs shall conform with SRC
17 900.145.

18 (B) One wall sign on each building frontage or building face; provided,
19 however, that no sign shall be allowed on a building face where the sign
20 would be directed towards an abutting residential area. The wall sign shall
21 have a display surface not exceeding eight square feet; provided, however,
22 that the display surface may be increased by forgoing part of the display
23 surface authorized by SRC 900.210(c)(2)(A), and adding such display
24 surface to the wall sign.

25 (C) One hanging sign on each building frontage and each building face.

26 (D) **Vehicle Viewing Sign.** ~~Two~~ One vehicle viewing signs, located on a
27 vehicle accessway adjacent to a building or on the building, and intended
28 to be seen by a person doing business from the vehicle accessway while
29 the person is within the person's motor vehicle. The display surface shall
30 not exceed ~~forty-eight~~ twenty-four square feet.

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(E) If the individual business does not have building frontage or a building face, an occupant of the building in which the business is located may execute a written assignment of a portion of that occupant's display surface allowed by SRC 900.210(c)(2)(A), as a wall sign for use by such interior business.

(d) Permanent Signs For Flexible Space Use. A flexible space business may have the following signs:

- (1) Two signs per business shall be permitted on a building; one such sign, not greater than six feet in area, for each business on the glass frontage, and a second wall or parapet sign, not greater than fifteen square feet in area, for each business.
- (2) One freestanding building directory sign per street frontage shall be permitted with each tenant, limited to one square foot of area; such sign shall be located within seventy-five feet of both a flexible space building and the principal entry drive to the area.

(e) Outdoor Advertising Signs. Outdoor advertising signs that comply with this Chapter are allowed in the Industrial Business Campus (IBC), Industrial Commercial (IC), Industrial Park (IP), General Industrial (IG), and Intensive Industrial (II) zones.

900.215. Permanent Signs in Public Zones.

(a) Signs permitted in Public and Private Cemeteries (PC), Capitol Mall (PM), and Public Service (PS) zones.

- (1) The following signs are permitted in PC, PM, and PS zones:
 - (A) Wall Signs.** One wall sign for each building frontage, which shall be limited to the greater of thirty-two square feet or two percent of the gross face area of the building frontage on which it is located.
 - (B) Freestanding Signs.** One freestanding sign for each building frontage which shall be limited to five feet in height and twenty-four square feet in total display surface. Such signs shall be set back at least three feet from a street front property line or the special set back area established by the Salem Zoning Ordinance, whichever is greater, provided further that, where adjacent property is zoned residential or commercial office, signs

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shall be set back at least twenty feet from the side lot line abutting a CO or residential zone.

(C) Vehicle Directional Signs. One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding eight square feet and to a height not exceeding thirty inches.

(D) Electronic Display Signs. Electronic display signs no larger than eight hundred square feet shall be permitted in the PS Zone within stadiums, athletic fields, and other outdoor assembly facilities, where they are intended primarily for viewing by persons within the facility, are oriented toward the interior of the facility and viewing stands, and are used only during events where the public attends as spectators.

Notwithstanding any other provision of this Chapter, signs allowed by this paragraph may employ dissolve, fade, scrolling, static display, travel, and video display. Signs allowed by this paragraph shall not be subject to the electronic sign display standards set forth in SRC 900.090(c).

(E) Where a commercial use is permitted in a PS Zone, the signs allowed for such a use shall be the same as those permitted in subsection (d)(1) of this section.

(F) Externally Illuminated and Internally Illuminated Signs. Externally illuminated signs and internally illuminated signs are permitted only in PC, PM, and PS zones where the adjacent property is zoned commercial or industrial. No flashing illumination shall be permitted.

(b) Signs permitted in Public and Private Educational Services (PE) Zones.

(1) The following signs are permitted in PE Zones:

(A) Wall Signs. One wall sign for each building frontage, which shall be limited to the greater of thirty-two square feet or two percent of the gross face area of the building frontage on which it is located.

(B) Freestanding Signs. One freestanding sign for each building

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frontage, which shall be limited to five feet in height and twenty-four square feet in total display surface; provided, however, that one such sign may be sixteen feet in height and thirty-two square feet in total display surface. Such signs shall be set back at least three feet from a street front property line or the special setback area established by the Salem Zoning Ordinance, whichever is greater, provided further that, where adjacent property is zoned residential or commercial office, signs shall be set back at least twenty feet from the side lot line abutting a CO or residential zone.

(C) Vehicle Directional Signs. One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding eight square feet and to a height not exceeding thirty inches.

(D) Electronic Display Signs. Electronic display signs no larger than eight hundred square feet shall be permitted in the PE Zone within stadiums, athletic fields, and other outdoor assembly facilities, where they are intended primarily for viewing by persons within the facility, are oriented toward the interior of the facility and viewing stands, and are used only during events where the public attends as spectators. Notwithstanding any other provision of this Chapter, signs allowed by this paragraph may employ dissolve, fade, scrolling, static display, travel, and video display. Signs allowed by this paragraph shall not be subject to the electronic sign display standards set forth in SRC 900.090(c).

(E) Externally Illuminated and Internally Illuminated Signs. No flashing illumination shall be permitted.

(c) Signs permitted in Public and Private Health Services (PH) Zones.

(1) The following signs are permitted in PH Zones:

(A) Wall Signs. One wall sign for each building frontage, which shall be limited to the greater of thirty-two square feet or two percent of the gross face area of the building frontage on which it is located.

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(B) Freestanding Signs. One freestanding sign for each building frontage, which shall be limited to five feet in height and twenty-four square feet in total display surface; provided, however, that one such sign may be fifteen feet in height and twenty-four square feet in total display surface. Such signs shall be set back at least three feet from a street front property line or the special setback area established by the Salem Zoning Ordinance, whichever is greater, provided further that, where adjacent property is zoned residential or commercial office, signs shall be set back at least twenty feet from the side lot line abutting a CO or residential zone.

(C) Vehicle Directional Signs. One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding eight square feet and to a height not exceeding thirty inches.

(D) Electronic Display Signs. Electronic display signs no larger than eight hundred square feet shall be permitted in the PH Zone within stadiums, athletic fields, and other outdoor assembly facilities, where they are intended primarily for viewing by persons within the facility, are oriented toward the interior of the facility and viewing stands, and are used only during events where the public attends as spectators.

Notwithstanding any other provision of this Chapter, signs allowed by this paragraph may employ dissolve, fade, scrolling, static display, travel, and video display. Signs allowed by this paragraph shall not be subject to the electronic sign display surface standards set forth in SRC 900.090(c).

(E) Externally Illuminated and Internally Illuminated Signs. Only emergency vehicle directional signs and emergency entrances to a building in PH Zones shall be externally illuminated signs or internally illuminated signs. No flashing illumination shall be permitted.

(d) Signs permitted in Public Amusement (PA) Zones.

- (1) The following signs are permitted in the PA Zone:

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(A) All signs permitted in SRC 900.200 shall be permitted in a PA Zone; provided, however, that any sign permitted by this paragraph shall not be an externally illuminated sign, an internally illuminated sign, or an electronic display sign when it is erected or maintained within three hundred feet of the boundary of the residential zone.

(B) Freestanding Signs. For an office complex in a PA Zone, each separate occupancy may have one freestanding sign not exceeding thirty feet in height and one hundred square feet in total display surface. Each sign shall be separate and not part of any other sign allowed on this property. No such freestanding sign shall be installed within one hundred feet of another freestanding sign on the same property. Where a PA Zone is adjacent to a residential zone, no electronic display sign, externally illuminated sign, or internally illuminated sign shall be installed or maintained within three hundred feet of the boundary of the residential zone.

(C) Electronic Display Signs. Electronic display signs no larger than eight hundred square feet shall be permitted in the PA Zone within stadiums, athletic fields, and other outdoor assembly facilities, where they are intended primarily for viewing by persons within the facility, are oriented toward the interior of the facility and viewing stands, and are used only during events where the public attends as spectators.

Notwithstanding any other provision of this Chapter, signs allowed by this paragraph may employ dissolve, fade, scrolling, static display, travel, and video display. Signs allowed by this paragraph shall not be subject to the electronic sign display surface standards set forth in SRC 900.090(c).

900.220. Commercial/Rural Urban Development Overlay Zone.

(a) Subject to the limitations in this section, signs permitted in the underlying zones are allowed in the Commercial/Rural Urban Development Overlay Zone.

(b) **Area I.**

(1) Freestanding signs shall be limited to a display surface of three feet by five

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feet and to a height not to exceed five feet.

(2) Wall signs shall not be visible from the residential areas to the west.

(c) Area II.

(1) Freestanding signs shall be limited to a display surface of three feet by five feet and to a height not to exceed five feet.

(2) Wall signs shall not be visible from the residential areas to the east.

(d) Areas III and IV.

(1) Wall signs shall not be visible from the residential areas to the east.

(2) Freestanding signs on the Commercial Street frontage shall not cause glare to adjacent residential uses.

900.225. Saginaw Street Urban Development Overlay Zone. Subject to the limitations in this section, signs permitted within the underlying zone are allowed in the Saginaw Street Urban Development Overlay Zone, except no signs shall be permitted along the Saginaw Street frontage.

900.230. Chemawa/I-5 Northeast Quadrant Gateway Overlay Zone.

(a) Subject to the limitations in this section, signs permitted within the underlying zone are allowed in the Chemawa/I-5 North East Quadrant Gateway Overlay Zone, except the following signs are prohibited:

(1) Outdoor advertising signs.

(2) Temporary signs, except when located in interior areas not visible from outside the boundary of the district.

(b) Signs are not permitted within the district perimeter setback.

(c) Freestanding signs:

(1) Shall not be visible from Interstate-5.

(2) Are limited to a height of ten feet.

(3) May be built on a landscaped berm no higher than four feet in height.

(d) Wall signs are limited to a display surface not exceeding one hundred fifty square feet or ten percent of the gross face area of the wall, whichever is less when visible from Interstate-5.

1 **900.235. Riverfront Overlay Zone.**

2 (a) Subject to the limitations in this section, signs permitted within the underlying zones
3 are allowed in the Riverfront Overlay Zone, except the following signs are prohibited:

4 (1) Outdoor advertising signs.

5 (b) Freestanding signs shall be restricted to a display surface of twenty-four square feet
6 and to a height not exceeding five feet. Freestanding signs shall be set back at least five
7 feet from a street property line.

8 (c) A maximum of one wall sign per building frontage or building face is permitted.
9 Wall signs on a building frontage shall be limited to a display surface that is the greater
10 of thirty-two square feet or two percent of gross face area of the building frontage. Wall
11 signs on a building face shall be limited to a display surface of twenty-four square feet.

12 (d) Illumination of signs is prohibited on the riverfront side of buildings.

13 **900.240. Broadway High Street Overlay Zone.**

14 (a) Subject to the limitations in this section, signs permitted within the underlying zones
15 are allowed in the Broadway High Street Overlay Zone, except the following signs are
16 prohibited:

17 (1) Outdoor advertising signs.

18 (2) Trailer reader boards.

19 (3) Roof signs.

20 (4) Wall signs on sign towers.

21 (b) Freestanding signs shall be limited to a display surface not exceeding twenty-four
22 square feet and to a height not exceeding five feet. Freestanding signs shall be setback at
23 least five feet from the public right-of-way.

24 (c) A maximum of one wall sign per building frontage or building face is permitted.
25 Wall signs on a building frontage shall be limited to a display surface not exceeding the
26 greater of thirty-two square feet or two percent of gross face area of the building frontage.
27 Wall signs on building face shall be limited to a display surface not exceeding twenty-
28 four square feet.

29 **900.245. Portland/Fairgrounds Road Overlay Zone.**

30 (a) Subject to the limitations in this section, signs permitted in the underlying zones are

1 allowed in the Portland/Fairgrounds Road Overlay Zone, except the following signs are
2 prohibited:

- 3 (1) Outdoor advertising signs;
- 4 (2) Trailer reader boards; and
- 5 (3) Rotating, moving, flashing, changing, or blinking signs.

6 **(b) Freestanding Signs.**

7 (1) Freestanding signs shall be restricted to a maximum of ten feet in height
8 above grade, which includes structural, framing, and design elements attached to,
9 or supporting the sign.

10 (2) Total display surface for freestanding signs is limited to forty square feet,
11 unless within shopping centers or office complexes. Where the street frontage for
12 a shopping center or office complex exceeds one hundred feet in length, the
13 display surface may be increased one square foot for every five feet of street
14 frontage over one hundred feet. Such signs shall not exceed eighty square feet in
15 display surface.

16 (c) Wall signs shall be limited to thirty-two square feet or two percent of gross face area
17 of the wall to which it is attached, whichever is less. When a business has no
18 freestanding sign, then one sign can be up to forty square feet in display surface.

19 (d) Sign towers are allowed, provided the sign and supporting structure does not exceed
20 ten feet above the roof line.

21 **(e) Signs for Businesses Outside Shopping Centers and Office Complexes.**

22 (1) Each business is allowed two signs. When the business is located on two or
23 more street frontages, one additional sign limited to thirty-two square feet in
24 display surface is allowed for the second street frontage. Where allowed by this
25 Chapter, roof signs may not exceed forty square feet in display surface.

26 (2) When the total display surface of all signs is less than the total display surface
27 allowed for the business, then the display surface of the signs may be increased up
28 to a maximum display surface of forty-six square feet for a sign which was
29 limited to forty square feet in display surface and 36.8 square feet for a sign which
30 was limited to thirty-two square feet in display surface. In no case shall the total

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display surface of all signs exceed the total display surface allowed.

(f) Signs for Shopping Centers and Office Complexes.

(1) Each shopping center or office complex shall have a maximum of one sign unless the shopping center or office complex is located on two or more street frontages. One additional forty square foot sign for the second street frontage is permitted.

(2) Each individual business in a shopping center or office complex is allowed one sign per business with a maximum display surface of thirty-two square feet. Where allowed by this Chapter, roof signs may not exceed thirty-two square feet in display surface.

(3) Within integrated shopping centers and office complexes, a freestanding sign may not exceed forty square feet in area unless street frontage of a shopping center or office complex exceeds one hundred feet in length. Where the street frontage for a shopping center or office complex exceeds one hundred feet in length, the freestanding sign display surface may be increased one square foot for every five feet of street frontage over one hundred feet. Such freestanding signs shall not exceed eighty square feet in display surface.

900.250. Edgewater Street/Wallace Road Area Overlay Zone.

(a) Subject to the limitations in this section, signs permitted within the underlying zone are allowed in the Edgewater Street/Wallace Road Area Overlay Zone, except the following signs are prohibited:

(1) Outdoor advertising signs in Area 1, Area 2, Area 3, and Area 5.

(b) In Area 1 (Wallace Road Corridor) and Area 5 (Edgewater Street Corridor), freestanding signs shall be limited to a display surface of forty square feet and to a height of ten feet above grade, including structural, framing, and design elements attached to or supporting the sign.

900.255. South Gateway Overlay Zone. Signs permitted in the underlying zones are allowed in the South Gateway Overlay Zone, except the following signs are prohibited:

(a) Outdoor advertising signs.

(b) Trailer reader boards.

1 (c) Rotating, moving, flashing, changing, or blinking signs.

2 **900.260. West Salem Industrial Overlay Zone.**

3 (a) Subject to the limitations in this section, signs permitted in the underlying zones are
4 allowed in the West Salem Industrial Overlay Zone.

5 (b) The face of wall signs shall be located so as to not be visible from the residential area
6 across McNary Avenue.

7 (c) Signs shall not cause glare to adjacent residential uses.

8 **900.265. Willamette Greenway Overlay Zone.**

9 (a) Subject to the limitations in this section, signs permitted in the underlying zones are
10 allowed in the Greenway Overlay Zone, except the following signs are prohibited:

11 (1) Outdoor advertising signs.

12 (b) **Structures.** All structures, including supporting members, shall be screened,
13 colored, or surfaced so as to blend with the riparian area. Colors shall be natural earth or
14 leaf tones. Surfaces shall be nonreflective. Screening shall be sight-obscuring.

15 (c) No sign shall have a display surface visible from the Willamette River.

16 (d) **Lighting.**

17 (1) Lighting within the Greenway Overlay Zone shall not flash when visible from
18 the Willamette River, and shall not be focused or oriented onto the river surface.

19 (2) Maximum aggregate intensity of all lighting falling on the Willamette River
20 surface shall not exceed one-tenth foot-candle per square foot.

21 (3) No red or green lights shall be visible from the Willamette River.

22 **900.270 Commercial/High Density Residential Overlay Zone.** Subject to the limitations
23 in this section, signs permitted in the underlying zones are allowed in the Commercial/High
24 Density Residential Overlay Zone, except outdoor advertising signs are prohibited.

25 **900.275. Historic Districts.** In addition to other regulations applicable to permanent signs
26 within this Chapter, signs in historic districts shall be designed and approved in accordance
27 with SRC Chapter 230.

28 **900.280. Permanent Signs for Individual Businesses in the Market Street Interchange.**

29 A service station, restaurant, motel, hotel, or trailer camp located in the Market Street
30 Interchange that is not located in a shopping center may have one freestanding sign which

1 shall be limited to a display surface not exceeding two hundred fifty square feet, and to a
2 height of fifty feet with a maximum clearance between the bottom of the sign and the grade
3 of thirty feet. If such sign is erected, it shall be in lieu of and not in addition to any
4 freestanding sign permitted for such business along the street frontage on which it is located.
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6 *[Reserved for Expansion]*
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8 **900.300. Non-Conforming Signs.**

9 (a) Except as otherwise provided in this section, signs which were erected prior to the
10 effective date of this ordinance, and which are made non-conforming by its enactment,
11 shall be considered non-conforming signs which may remain for their lifetime, subject to
12 SRC 900.305. Where a sign permit is granted prior to the effective date of this
13 ordinance, the permit shall be valid for a period of ninety days from the effective date of
14 this ordinance.

15 (b) Any non-conforming sign which is:

16 (1) An unsafe sign shall be removed within the time specified in SRC 900.310.

17 (2) An abandoned sign shall be removed within the time specified in SRC
18 900.315.

19 (3) A prohibited sign shall be removed within the time specified in SRC 900.325.

20 (c) A non-conforming sign may be repaired and maintained, and may have the
21 advertising copy thereon changed including the name of the business or owner thereof. A
22 non-conforming sign may be removed from its sign structure for the purpose of repair
23 and maintenance under this subsection if a sign repair permit has been obtained.

24 (d) Non-conforming signs may be structurally altered where such alteration is necessary
25 for structural safety.

26 (e) Non-conforming signs may be reconstructed if they are moved for construction or
27 repair of public works or public utilities, and such reconstruction is completed within one
28 year.

29 (f) Non-conforming signs may be reconstructed if they are damaged by an act of God or
30 an accident, provided that such damage does not exceed fifty percent of the cost of

1 reconstruction of the entire sign and provided that such sign is reconstructed within six
2 months of the date the sign was damaged.

3 (g) Non-conforming signs shall be properly repaired and maintained as provided in this
4 Chapter. A sign maintained in violation of this subsection shall be removed as provided
5 in applicable provisions of SRC 900.310-900.330.

6 **900.305. Removal of Non-Conforming Signs.**

7 (a) The Director may remove any sign erected or maintained in violation of this Chapter
8 or other applicable provisions of the Salem Revised Code.

9 (b) Unless the sign is an unsafe sign subject to SRC 900.310, the Director shall give
10 thirty days' written notice to the owner or lessee of the sign or to the owner of the
11 building, structure, or premises on which the sign is located, to remove the sign. If the
12 sign is not removed in such thirty-day period, the Director may remove the sign.

13 **900.310. Removal of Unsafe Signs.** If a sign is erected or maintained in violation of SRC
14 900.020, "Prohibited Signs"; SRC 900.060, "Materials"; SRC 900.105, "Signs in Vision
15 Clearance Areas"; SRC 900.115, "Sign Location for Safety"; SRC 900.120, "Sign
16 Maintenance"; or SRC 900.160, "Temporary Signs, General Standards," and presents an
17 immediate and serious danger to public health, safety, or welfare, the Director may, without
18 prior notice, order the immediate removal or repair of the sign within such period of time that
19 the Director deems appropriate to eliminate the danger. The Director may remove the sign in
20 the event that the owner or lessee of the sign cannot be found, or refuses to repair or remove
21 the sign within the time established by the Director.

22 **900.315. Removal of Abandoned Signs.**

23 (a) The Director may remove any abandoned sign.

24 (b) Unless the sign is an unsafe sign subject to SRC 900.310, the Director shall give
25 thirty days' written notice to the owner or lessee of the sign, or to the owner of the
26 building, structure, or premises on which the sign is located, to remove the sign. If the
27 sign is not removed in such thirty-day period, the Director may remove the sign or cause
28 the sign to be removed.

29 (c) Evidence of cessation of active use of an abandoned sign includes, but is not limited
30 to, failure to maintain a sign; failure to repair damage within ninety days of the date the

1 damage occurs; failure to remove a temporary sign within a reasonable time period after
2 the date the sign was erected; or vacation of the building, structure, or premises upon
3 which the sign is located. As used in this section, abandoned signs do not include:

4 (1) Outdoor advertising signs where a person has merely leased or contracted
5 space thereon, and the owner of the sign provides evidence that the lease or
6 contract has expired and the owner is actively seeking new lessees or persons with
7 whom to contract for use of the sign.

8 (2) Signs which the successor to the owner or lessee agrees to maintain as
9 provided in this Chapter, provided the new owner or new lessee files a letter of
10 intent with the Director within thirty days after the written notification by the
11 Director to remove the sign.

12 **900.325. Removal of Prohibited Signs or Signs Erected Without a Permit.** The Director
13 may remove or order the removal, without prior written notice, of any prohibited sign or sign
14 erected without a sign permit required by this Chapter.

15 **900.330. Procedure Upon Removal; Costs of Removal.**

16 (a) The Director shall, within thirty days after removal, notify the owner or lessee of a
17 sign and the owner of the building, structure, or premises upon which the sign was
18 located, that the sign has been removed. Any sign removed by the Director shall be
19 stored for a period of thirty days from the date notification is given. If the identity or
20 address of the owner or lessee of the sign or the owner of the building, structure, or
21 premises upon which the sign was located cannot be located after reasonable effort, the
22 Director shall store the sign for a period of thirty days after the date the Director
23 determines that notification cannot be made. The Director shall continue to store any
24 sign that has been removed for the additional time during which any appeal of the
25 removal is pending. At the expiration of the time specified in this section, if the owner or
26 lessee of the sign, or the owner of the building, structure, or premises upon which the
27 sign is located, has not reclaimed the sign as provided in subsection (b) of this section,
28 the sign may be destroyed or disposed of in any manner the Director deems appropriate.

29 (b) To reclaim any sign that has been removed, the person reclaiming the sign shall pay to
30 the City an amount equal to all costs incurred by the City in removing and storing the sign.

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(c) Where the owner or lessee of a sign and/or the owner of the building, structure, or premises upon which the sign is located, have been notified of the requirement to remove a sign under SRC 900.305, "Removal of Non-Complying Signs"; SRC 900.310, "Removal of Unsafe Signs"; or SRC 900.315, "Removal of Abandoned Signs"; and such person has refused to remove the sign, or where the Director has removed or caused the removal of any sign under SRC 900.310, "Removal of Unsafe Signs" or SRC 900.325, "Removal of Prohibited Signs or Signs Erected Without a Permit," all costs incurred in removal, storage, and disposal of the sign shall be charged to the owner or lessee of the sign, or the owner of the building, structure, or premises upon which the sign was located. The owner or lessee of the sign and the owner of the building, structure, or premises on which the sign is located, shall be jointly and severably liable for the cost of removing, storing, and disposing of the sign, and all costs of such removal, storage, and disposal may be entered in the City's lien docket as a lien against land or premises on which the sign is located, and may be collected or foreclosed in the same manner as any debt, charge, or lien.

900.335. Stop Work Orders; Permit Revocation; Civil Penalties; Enforcement.

(a) Stop Work Orders and Permit Revocation.

- (1) The Director may suspend work or revoke a sign permit upon a finding that:
 - (A) The work is not authorized by a valid permit;
 - (B) Inaccurate information was used to obtain the permit;
 - (C) The applicant is not complying with the terms of the permit or this Chapter;
 - (D) The work is, or threatens to become, a hazard to property or public safety; is adversely affecting or about to adversely affect adjacent property or rights-of-way; or is otherwise adversely affecting the public health, safety, or welfare;
 - (E) The permittee fails to notify the Director of the progress of construction for inspection purposes; or
 - (F) The permit was issued in error.
- (2) The Director shall issue a written notice specifying the basis for the

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suspension or revocation that must be remedied prior to resuming other work on the project.

(b) Civil Penalty. Any person who fails to comply with the requirements of this Chapter, or the terms of a permit issued hereunder; who undertakes an activity regulated by this Chapter without first obtaining a permit; or who fails to comply with a stop work order issued pursuant to this Chapter; shall be subject to a civil penalty, not to exceed \$2,000 per violation. Each day that a violation continues shall constitute a separate violation.

(c) Civil Penalties Against Agents. Any person who acts as the agent of, or otherwise assists, a person who engages in an activity which would be subject to a civil penalty, may likewise be subject to a civil penalty.

(d) Prohibition of Final Occupancy; Injunctive Relief.

(1) The City shall not issue a Notice of Final Occupancy for property on which a violation of this Chapter has occurred or is occurring, until the violation has been cured and any penalty imposed is paid.

(2) The City may seek injunctive relief against any person who has willfully constructed, erected, enlarged, altered, or relocated any sign in violation of this Chapter, such relief to be in effect for a period not to exceed five years.

(e) Remedies not Exclusive. The remedies provided in this Chapter are cumulative and not mutually exclusive and are in addition to any other right, remedies, and penalties available to the City under any other provision of law.

900.340. Appeals.

(a) Hearings Officer. Any person whose sign permit has been revoked, or who has been ordered to alter or remove a sign, may appeal the decision to the Hearings Officer by filing a written notice of appeal with the Director, not later than fifteen business days after the date the decision is issued. The notice of appeal shall state the basis of the appeal, and why the decision was in error, and shall be accompanied by the appeal fee.

(b) An order requiring the removal of a sign under SRC 900.310, SRC 900.315, or SRC 900.325 shall be stayed until a final decision is issued by the Hearings Officer. No stay shall be provided for an order of the Director requiring the removal of a sign under SRC

1 900.315.

2 (c) The hearings upon appeal or review are contested case proceedings, and shall be
3 conducted under SRC Chapter 20J.

4 **900.345. Constitutional Issues Involving Application of Sign Code.** When an appeal
5 raises an issue involving the application of state or federal constitutional law in the issuance
6 of a sign permit, the revocation of a sign permit, or an order to alter or remove a sign, the
7 Salem Municipal Court shall hear and decide the constitutional law issues on an expedited
8 basis. The court shall conduct a trial on the constitutional issues. The City Attorney may
9 appear on behalf of the City. Following the hearing, the court shall issue a written opinion
10 on the constitutional issues. The court's decision shall be appealable by either party by writ
11 of review to Marion County Circuit Court. The City Attorney shall have the authority to
12 initiate an appeal of the court's decision on behalf of the City. If no appeal is filed, the
13 Court's decision shall be binding upon the parties, and shall be incorporated into the final
14 decision.

15 **900.350. Violations.**

16 (a) It shall be unlawful to construct, erect, enlarge, alter, or relocate any sign, or install
17 electrical parts, wiring, or illumination in or upon a sign, until all required permits have
18 been obtained, including but not limited to, sign permits, building permits, electrical
19 permits, and any other permit required under this Chapter or under any applicable federal,
20 state, or local law.

21 (b) Except as provided in SRC 900.030, it shall be unlawful to erect, construct, enlarge,
22 alter, repair, move, improve, convert, equip, use, or maintain any sign, or cause or permit
23 the same to be done, in violation of any provision of this Chapter, or of a permit issued
24 under this Chapter.

25 (c) A violation of this section is an infraction. Each day that a violation continues shall
26 constitute a separate violation.

27 **Section 2.** SRC 15.080 is amended to read as follows:

28 **15.080. Public Murals; Creation; Approval by Salem Public Art Commission.** No
29 person shall commence creation of any public mural without first obtaining approval
30 from the Salem Public Art Commission, and agreeing to donate the public mural to the

1 City's public art collection, as provided in SRC 15.090. Murals that are created without
2 approval from the Salem Public Art Commission or are inconsistent with the conditions
3 of approval from the Salem Public Art Commission are not public murals and are subject
4 to SRC Chapter 900, ~~62~~. Approval of a public mural does not require historic design
5 review.

6 **Section 3.** SRC 31.1090 is amended to read as follows:

7 **31.1090. Location.**

8 (a) The issuance of a license shall not grant the licensee permission to operate
9 in violation of any ~~existing~~ law or regulation. The operation of the mobile food
10 unit shall conform with all applicable zoning and land use requirements, and
11 shall be located so as to not create a traffic or safety hazard.

12 (b) If the mobile food unit is located on private property not owned by the
13 licensee, the licensee shall maintain on-site a copy of an agreement between the
14 licensee and the property owner granting permission to use the property.

15 (c) Mobile food units shall not operate or be located in a public right of way.
16 Mobile food units may operate on City owned property provided the licensee is
17 granted a site specific permit which shall be displayed conspicuously on-site.

18 (d) Mobile food units shall only be located at one development site for a
19 maximum of six months in any consecutive twelve month period, which
20 commences from the date of occupation of the development site by ~~any~~ the
21 mobile food unit. As used herein, a development site means any lot, parcel,
22 integrated shopping center defined in SRC Chapter 900 ~~62.050~~(#) or any
23 aggregation of lots or parcels, portions of which share parking, access, or
24 landscaping.

25 **Section 4.** SRC 63.242 is amended to read as follows:

26 **63.242. Deferral of Street Improvements in Partitions.**

27 (a) Upon satisfaction of the requirements of subsection (b) of this section, an
28 applicant may defer those improvements required pursuant to SRC 63.235(c)
29 ~~62.235~~(e) until a lot owner applies for a building permit or until such street
30 improvements are required by the council, whichever is earlier.

1 (b) An applicant seeking deferral under subsection (a) of this section, shall sign a
2 street improvement deferral agreement. Said agreement shall be in a form
3 approved by the city attorney and shall be filed in the deed records of the
4 appropriate county. The fact that street improvements have been deferred shall be
5 noted on the final plat which is approved by the planning administrator.
6 (c) City Required Deferral. Where future street improvements are anticipated, the
7 Director of Public Works may require all or a portion of the improvement to be
8 deferred.

9 **Section 5.** SRC 76.020 is amended to read as follows:

10 **76.020. Certain Activities on Streets and Sidewalks Street Prohibited; Exceptions.**

11 (a) Except as provided in subsection (b) of this section, it shall be unlawful for
12 any person to have or maintain on any public street or sidewalk a stand of any
13 kind, a mobile device or other such vehicle used for the sale of merchandise of
14 any character or for the conduct of any private business or calling of any
15 character.

16 ~~(b) Nothing in this section shall be construed to prevent Peddlers or street~~
17 ~~vendors from the use mobile devices or pushcarts of on the public streets and~~
18 ~~sidewalks with mobile devices or pushcarts, when provided with proper if the~~
19 ~~person has obtained and maintains all required licenses and permits, or those~~
20 ~~persons using public streets pursuant to a current including, but not limited to a~~
21 ~~street encroachment permit. or a permit issued pursuant to SRC Chapter 42 and~~
22 ~~SRC Chapter 62.~~

23 **Section 6.** SRC 84.050 is amended to read as follows:

24 **84.050. Size and Placement.**

25 (a) The figures in the numbers required by SRC 84.010 shall not be less than
26 three inches high, shall be a contrasting color to the background, and shall be
27 placed so that the same may be seen from the adjoining sidewalk or public or
28 private street.

29 (b) Where a building is located more than thirty five feet from the public or
30 private street on which it fronts, or is situated so that the front entrance is not

1 readily visible from the street, a sign with address numbers shall be located at the
2 intersection of the public street and the private driveway serving the building, or if
3 there is no driveway access to the street on which the building fronts, the sign
4 shall be placed within ten feet of the property line at a point providing pedestrian
5 access to the building. ~~The sign shall be in conformance with the SRC 62.060(a).~~

6 **Section 7.** SRC 94.200 is amended to read as follows:

7 **94.200. Park Operating Policy.**

8 (a) Except for unusual and unforeseen emergencies, city parks shall be open to
9 the public every day of the year during designated hours. The Director may
10 establish opening and closing hours for each individual park. ~~The, which~~ hours
11 shall be posted in the park ~~therein for public information.~~

12 (b) ~~Except as provided in SRC 62.060 (a), (b), (d), (f), (g), (n) and (o) and in this~~
13 ~~section, no temporary sign shall be erected or maintained in any city park.~~ The
14 Director may issue permits for as part of a park use permit, allow the erection and
15 maintenance of temporary signs in conjunction with park reservations, special
16 events, services or uses under sign regulations promulgated ~~developed~~ by the
17 Director, ~~and the Building Official.~~

18 (c) A park, or portion thereof, may be reserved for organized or group activities.
19 Reservations shall be made through the Director on an approved application form.
20 The Director may approve such application upon finding:

- 21 (1) That the proposed activity or use of the park will not unreasonably
22 interfere with or detract from the general public enjoyment of the park;
- 23 (2) That the proposed activity and use will not unreasonably interfere or
24 detract from the promotion of public health, welfare, safety, and
25 recreation;
- 26 (3) That the proposed activity or use is not reasonably anticipated to incite
27 violence, crime, or disorderly conduct;
- 28 (4) That the proposed activity will not entail unusual, extraordinary
29 activity, or burdensome expense, or police operation by the city; and
30 (5) That the facilities desired have not been reserved for other use at the

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day and hour required in the application.

(d) The Director shall have the authority to regulate the activities in park areas when necessary to prevent congestion and to procure the maximum use and safety for the convenience of all. Visitors shall comply with any directions given to achieve this end. Failure to so comply with such regulations shall be considered a violation of this section.

Section 8. SRC 104.130 is amended to read as follows:

104.130. Community Event Temporary Signage. Temporary signs identifying or pertaining to the community event may be installed by the permit holder within the event site as described in the community event permit. Signs erected pursuant to this section shall not require a sign permit under SRC Chapter 900, 62, but shall be removed immediately upon the conclusion of the activity or event, and any damage resulting for the installation of the sign promptly repaired.

Section 9. SRC 119.900 is amended to read as follows:

119.900. Residential Sales/Development Office. Where permitted as a special use, residential sales and/or development offices for a subdivision, Planned Unit Development (PUD), condominium development, apartment complex, or mobile home park shall meet the following development standards:

- (a) The principal use of the office is for the sale, rent, lease, and/or development of lots, parcels, units and/or structures in the subdivision or development.
- (b) A structure, building, mobile home, manufactured home in a mobile home park, or a manufactured home meeting the provisions of SRC 119.710, which is being temporarily used as an office, shall, except for a mobile home, be constructed or sited for the ultimate purpose of a legally permitted use. A mobile home which is being temporarily used as an office shall be removed when its use as a development/sales office ceases.
- (c) The exterior of the structure shall be finished and the site must be landscaped and maintained while the structure, building, or mobile/manufactured home is being used as a temporary sales/development office. All plant material that dies or is diseased while the structure is being used as an office shall be replaced.

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~~(d) All signs identifying the structure or building as the sales or development office shall comply with the Salem Sign Code (SRC Chapter 62).~~

(de) The hours of operation for the temporary sales/development office shall be limited to the hours between 8:00 a.m. and 8:00 p.m.

(ef) The use of the structure as a temporary sales/development office shall terminate upon the completion of the subdivision or development or when the sale, rent, or lease of all lots, parcels, and/or structures in the subdivision or development occurs.

(fg) Upon termination of the use of the structure or building as a sales and/or development office, the property shall be restored to its residential condition and use.

Section 10. SRC 133.220 is amended to read as follows:

133.220. Adjustment for Temporary and Seasonal Gravel Surfaced Parking and Loading Areas.

(a) As used in this section, "seasonal" means limited to a period of no more than six months in any twelve month period, but related to a unique or an annually occurring event or condition; and "temporary" means limited to a fixed maximum term not to exceed five years, and related to a condition or need which is expected to cease within that fixed term.

(b) The administrator may grant an adjustment for the use of a gravel surfaced parking or loading area on either a seasonal or temporary basis upon being satisfied that the seasonal or temporary need cannot be otherwise reasonably and economically met; the use will be, in fact, seasonal or temporary; and each of the following conditions is or will be met by the applicant:

(1) A seasonal permit shall be granted for only that period, not to exceed six months in any twelve month period, as is necessary to meet a genuine need for gravel parking, and may be renewed annually upon a new adjustment application;

(2) At the conclusion of the seasonal permit the area used for parking and not paved in accordance with SRC 133.200 will be closed to vehicle

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access by a physical barrier;

(3) A temporary permit shall be granted for only that period, not to exceed one year and annually renewable for no more than four additional years, which is necessary to meet a genuine need for gravel parking;

(4) The seasonal or temporary permit may be renewed annually, up to a total period of five years. The applicant shall be required to submit written findings that the facts upon which the approval was originally based have not changed to an extent sufficient to warrant an entirely new adjustment application. If the administrator finds a substantial change in the circumstances upon which approval was originally granted, he may require a new adjustment application for the renewal.

(5) Gravel parking and loading areas shall be improved with a minimum of four inches of base rock covered by a minimum of two inches of three-quarter inch or smaller crushed rock as a leveling course, except that, gravel parking and loading areas used exclusively by passenger cars need only be improved with a minimum of three inches of base rock;

(6) No gravel parking or loading area shall be permitted within 500 feet of any R district or within the CB district;

(7) Gravel parking and loading areas shall be screened from all adjacent uses by a sight-obscuring fence, wall, or hedge;

(8) Wheel barriers shall be provided to designate and protect each parking space;

~~(9) Parking lot signing shall be provided in accordance with SRC chapter 62;~~

~~(910)~~ No gravel parking area shall exceed 15,000 square feet; provided that any more restrictive area requirement established by state or federal law or administrative regulation as applicable shall be met; and

~~(1011)~~ A landscaped area at least five feet in depth, which may include the required screening, shall be provided along the perimeter of each gravel parking area.

1 Section 11. SRC 137.070 is amended to read as follows:

2 **137.070. Development Standards.**

3 (a) Land Use.

4 (1) Residential uses shall be developed at a minimum density of 20
5 dwelling units per acre. All multiple family projects, either newly created or
6 deemed as a change of use within an existing building, shall comply with
7 either the applicable standard or guidelines of the Development Design
8 Handbook.

9 (2) Retail service and office activities within Area I shall be restricted to the
10 ground floor of a building.

11 (3) Retail, service and office activities within Area I shall not exceed 50
12 percent of gross floor area of a project.

13 (4) Food stores in Area I shall not contain more than 15,000 square feet in
14 gross floor area for each establishment.

15 (5) Outdoor business activities are permitted within the public right-of-way
16 subject to SRC 42.140, Sidewalk Sales Permit, and 42.160, Sidewalk Café
17 Permit. In addition:

18 (A) Fixtures, tables and chairs must be set back from a curb a minimum
19 of 3 feet.

20 (B) Outdoor storage is not permitted within the public right-of-way.

21 (b) Height

22 (1) New buildings and structures shall be permitted up to a maximum
23 height of 70 feet.

24 ~~(c) Signs~~

25 ~~(1) Signs permitted within the underlying zone are allowed in the overlay~~
26 ~~zone pursuant to SRC Chapter 62 except:~~

27 ~~(A) Outdoor advertising signs are prohibited.~~

28 ~~(B) Illuminated signs are prohibited on the riverfront side of structures.~~

29 ~~(2) Freestanding signs shall be restricted to five feet in height and 24 square~~
30 ~~feet of total sign area. Freestanding signs shall be set back as least five feet~~

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from a street property line.

~~(3) Wall signs shall be limited to a greater of 32 square feet or 2 percent of gross face area on the building to which it is attached. A maximum of one wall sign per street or parking lot frontage is permitted. Wall signs along a parking lot frontage shall be limited to 24 square feet in total sign area.~~

~~(4) Signs along the public right of way shall be designed in accordance with a master plan for the Riverfront District.~~

Section 12. SRC 138.060 is amended to read as follows:

138.060. Development Standards.

(a) Land Use

(1) Within Area II

(A) Office, retail and service uses are limited to the ground floor of a building.

(B) At least 50 percent of the floor area of each new building shall include dwelling units. All multiple family projects, either newly created or deemed a change of use within an existing building, shall comply with either the applicable standard or guidelines of the Development Design Handbook.

(b) Height

(1) All new structures shall be limited to a maximum height of 50 feet.

~~**(c) Signs**~~

~~**(1)** Signs permitted within the underlying zone are allowed in the overlay zone pursuant to SRC Chapter 62 except:~~

~~**(A)** Outdoor advertising signs are prohibited.~~

~~**(B)** Trailer reader boards are prohibited.~~

~~**(C)** Roof mounted signs are prohibited~~

~~**(D)** Sign towers are prohibited~~

~~**(2)** Freestanding signs shall be restricted to five feet in height and 24 square feet of total sign area. Freestanding signs shall be setback at least five feet from a street property line.~~

1 ~~(3) Wall signs shall be limited to a greater of 32 square feet or 2 percent of~~
2 ~~gross face area of the building to which it is attached. A maximum of one~~
3 ~~wall sign per street or parking lot frontage is permitted. Wall signs along a~~
4 ~~parking lot frontage shall be limited to 24 square feet in total sign area.~~
5 ~~(4) Signs along the Broadway/High Street public right-of-way shall be~~
6 ~~designed in accordance with a streetscape program for Broadway and High~~
7 ~~Streets.~~

8 **Section 13.** SRC 143B.070 is amended to read as follows:

9 **143B.070. Prohibited Uses Within Overlay Zone.**

10 (a) No building, structure or land shall be used, erected, structured, or structurally
11 altered or enlarged for any use not permitted under the underlying zone, ~~including:~~

12 (b) No freestanding support structure shall be erected, structurally altered, or
13 enlarged in the area within 300 feet of public right-of-way.

14 ~~(1) Outdoor Advertising signs as defined in SRC 62.050;~~

15 ~~(2) Freestanding Support Structures within 300 feet of~~
16 ~~Portland/Fairgrounds Road right-of-way;~~

17 ~~(3) Trailer reader boards as defined in SRC 62.080 (e); and~~

18 ~~(4) Rotating, moving, flashing, changing, or blinking signs as defined in~~
19 ~~SRC 62.250, 62.260, 62.270, 62.280, and 62.290.~~

20 **Section 14.** SRC 162.130 is amended to read as follows:

21 **162.130. Additional Standards.** Additional standards may apply to development in the
22 SWMU Zone. In the event there is any conflict between the standards of this Chapter
23 and those contained in other chapters of the Salem Revised Code, the provisions of this
24 Chapter shall control. Chapters that provide additional standards include, but may not be
25 limited to:

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27	Sign Code	SRC Chapter 900 62
28	Home Occupations	SRC Chapter 124
29	General Development Standards	SRC Chapter 130
30	Accessory Structures	SRC Chapter 131

1	Landscaping	SRC Chapter 132
2	Off-Street Parking, Loading,	
3	and Driveways	SRC Chapter 133
4	Floodplain Overlay Zones	SRC Chapter 140
5	Willamette Greenway	SRC Chapter 141

6 **Section 15.** SRC 153.030 is amended to read as follows:

7 **163.030. Site Plan Review, Exemptions.** The following development applications shall
8 not require site plan review:

- 9 (a) The construction of single-family or duplex dwellings on an individual lot,
10 including the construction of accessory structures associated with such dwellings.
- 11 (b) The installation of signs pursuant to SRC Chapter 900, ~~62~~.
- 12 (c) Regular and ordinary repair or maintenance of existing structures, utilities,
13 landscaping, and impervious surfaces, and the installation or replacement of
14 operational equipment or fixtures.
- 15 (d) The alteration or regular and ordinary repair or maintenance of the front or
16 face of an existing building.
- 17 (e) Interior construction or tenant improvements that involve no change of use.

18 **Section 16.** SRC 163.215.050 is amended to read as follows:

19 **215.050. Detailed Plan Standards.** A Detailed Plan shall comply with the following
20 standards:

21 (a) **District.** The following development standards apply throughout the entire
22 district:

23 (1) **Transportation and Circulation.**

24 (A) **Standards.**

- 25 (i) Pedestrian scale street lighting shall be provided along all
26 streets.
- 27 (ii) Except as otherwise provided in this subsection, all streets
28 shall be designed and constructed in conformance with Public
29 Works Street Design Standards.

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(B) Guidelines. Pedestrian scale street lights shall be no taller than twenty feet.

(C) Applicant Determined Standards. None allowed.

(2) Residential Density.

(A) Standards.

(i) Maximum Density. Maximum residential density for the district, including the Core Area, shall be six dwelling units per acre, unless a density bonus is granted pursuant to subparagraph (A)(ii) of this paragraph, in which case the maximum residential density shall be eight dwelling units per acre. The maximum residential density may not be varied or adjusted.

(ii) Residential Density Bonus. The maximum residential density may be increased to eight dwelling units per acre for the district, including the Core Area, if either an increased riparian area protection and additional tree conservation is provided within the district Detailed Plan that meets the standards set forth in subclause (aa) and (bb) of this clause, or, where the district does not include any riparian areas suitable for protection or trees suitable for conservation, the residential density bonus may be achieved by dedicating additional public open space, as provided in subclause (cc) of this clause.

(aa) Additional Riparian Area Protection. The riparian corridor boundary is increased from fifty feet to seventy five feet horizontally from the top of the bank on each side of a waterway as defined in SRC 68.020, is platted as a separate lot or parcel, and dedicated as a natural area in perpetuity.

(bb) Additional Tree Conservation. At least fifty percent of all trees, as defined in SRC Chapter 68, on the property will be preserved, and the trees will receive continued protection through methods, including, but not limited to, covenants,

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conditions and restrictions included in the deeds of lots and parcels that are sold.

(cc) Additional Common Open Space. The additional common open space shall not be less than ten percent of the area of the district, including the Core. In calculating the ten percent, any area reserved for natural resource protection or common open space meeting the requirements of SRC 215.045(a)(2), or private open space meeting the requirements of subsection (a)(6) of this section, shall be excluded. The additional common open space shall be appropriate to the scale and character of the development proposed in the NCMP, considering its size, types of uses, and the number and types of dwellings being proposed, as well as appropriate for the neighborhood of the City surrounding the district.

(B) Guidelines. None.

(C) Applicant Determined Standards. None allowed.

(3) Setbacks.

(A) Standards. None.

(B) Guidelines. The minimum setback from adjacent property zoned Residential Agriculture (RA) or Single Family Residential (RS) is thirty feet.

(C) Applicant Determined Standards. The NCMP shall establish minimum front, rear and side yard setbacks for development within the district.

(4) Building Design.

(A) Standards.

(i) Height. The height of buildings or structures, other than accessory structures, shall not exceed thirty-five feet. The height of accessory structures shall comply with SRC Chapter 131.

(ii) Architectural Features.

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(aa) Buildings and structures in the district shall have design character that is compatible with other buildings and structures in the district.

(bb) All buildings and structures, other than detached single family dwellings, shall incorporate architectural features, including, but not limited to, cornices, bases, fenestration, fluted masonry, bays, recesses, arcades, display windows, unique entry areas or other architectural treatments to create visual interest, community character, and a sense of pedestrian scale. Simple relief provided by window cutouts or sills on an otherwise flat facade, in and of itself, does not within the overall design of buildings or structures create visual interest, community character or sense of pedestrian scale.

(B) Guidelines. None

(C) Applicant Determined Standards. None allowed.

(5) Parking and Loading.

(A) Standards.

(i) Off-street parking and loading shall comply with SRC Chapter 133. Because parking requirements in SRC Chapter 133 are established by reference to the Standard Industrial Classification (SIC) manual, the Planning Administrator shall determine the most appropriate SIC classification, based on comparison with uses and examples listed in this Chapter.

(ii) Each single family dwelling shall have, at the time of construction, a garage that is constructed of the same materials and color as the dwelling, and that may be attached to, or detached from, the dwelling. Nothing in this subclause shall prevent the removal or conversion of a garage, so long as the minimum number of on-site parking spaces required for the single family dwelling is provided. Exception to this requirement may be made

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if, at the time of the building permit review, the applicant shows that the construction of the single family dwelling is being provided by a not-for-profit organization to families at or below the City's sixty percent median income level as defined by the U.S. Department of Housing and Urban Development; provided, however, that provisions shall be made for a minimum of four hundred and eighty cubic feet of storage in a portion of the single family dwelling or on-site in a detached accessory structure. Such exemption shall only be made for those single family dwellings built on lots created through a subdivision.

(B) Guidelines. None.

(C) Applicant Determined Standards. None allowed.

(6) Private Open Space.

(A) Standards. Residential development shall contain private open space that meets the following:

(i) For dwelling units located at or within five feet of finished grade, a minimum of ninety-six square feet of private open space per dwelling unit shall be provided, with no dimension that is less than six feet.

(ii) For dwelling units located more than five feet above finished grade, a minimum of forty-eight square feet of private open space per dwelling unit shall be provided, with no dimension that is less than six feet.

(iii) For each dwelling unit, a direct and accessible route to all private open space by a doorway on the same level as the private open space shall be provided.

(iv) Private open space shall be visually separated from abutting common open space by landscaping or fencing.

(B) Guidelines. None

(C) Applicant Determined Standards. None allowed.

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(7) Landscaping.

(A) Standards. None

(B) Guidelines.

(i) For every two thousand square feet of gross district area, at least one tree shall be planted, or one existing tree retained.

(ii) Trees shall be of a variety that will, within fifteen years of planting, provide at least one-third canopy coverage of common open space, private open space, and setbacks.

(iii) A minimum of two plant units, as defined in SRC Chapter 132, shall be planted adjacent to the primary entry way of each dwelling unit.

(iv) Provide new trees, or retain existing trees, at a minimum density of ten plant units per linear foot of each building's exterior wall and not more than twenty-five feet from each of the exterior walls.

(v) Plant shrubs at a minimum density of one plant unit per fifteen linear feet of each building's exterior walls and not more than twenty-five feet from each of the exterior walls.

(vi) Plant at least one canopy tree every fifty feet along the perimeter of the parking areas. The trunks shall be located within fifteen feet of the edge of the parking area.

(C) Applicant Determined Standards. None allowed.

(8) Street Trees.

(A) Standards.

(i) Street trees shall be planted in planting strips in public street rights-of-way, unless the area is subject to one or more utility easements, in which case the street trees shall be placed outside utility easements, or in sidewalk tree wells on public streets without planting strips.

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(ii) The planting area for street trees shall contain not less than sixteen square feet. Typical dimensions for a planting area are four feet by four feet.

(iii) The minimum caliper size for street trees at the time of planting shall be two inches, measured four feet above grade.

(iv) Spacing of street trees shall be based upon the type of trees selected and the canopy size at maturity. Generally, street trees should be spaced no more than thirty feet apart, unless the spacing would conflict with existing trees, retaining walls, utilities and similar features, in which case the trees should be spaced as close to thirty feet apart as practicable.

(B) Guidelines. Within the public street right-of-way, plant trees at one of the following ratios:

(i) One canopy tree in each fifty feet of street frontage or fraction thereof; or

(ii) One columnar tree in each thirty feet of street frontage or fraction thereof.

(C) Applicant Determined Standards. None allowed.

~~(9) Signage.~~

~~(A) Standards.~~

~~(i) Except as allowed below, signage shall conform with SRC 62.360, "Signs Permitted in Residential Districts."~~

~~(ii) Signage for non-residential uses shall conform with SRC 62.372.~~

~~(B) Guidelines. None.~~

~~(C) Applicant Determined Standards. None allowed.~~

(24) Subarea Size.

(A) Standards. Each subarea of a Class 3 NMCP shall be at least three contiguous acres. Subarea size is a non-variable standard.

(B) Guidelines. None.

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(C) Applicant Determined Standards. None allowed.

(b) Outside the Core Area. The following development standards apply outside the Core Area:

(1) Garages and Carports.

(A) Standards.

(i) Setbacks. Garages for single family dwellings, or garages or carports for manufactured homes on individual lots, that have a vehicle entrance facing a street or accessway shall be set back at least twenty feet from the following line that is closest to the entrance of the garage or carport:

(aa) The right-of-way line, property line abutting an accessway, or most interior access easement line;

(bb) The outside curblines; or

(cc) The edge of the sidewalk furthest from the street.

(ii) Paving. Between the line specified in subclause (i) of this clause, the required garage or carport, there shall be a driveway serving the garage or carport for each dwelling with a minimum paved area of nine feet by twenty feet and available for the parking of a vehicle.

(B) Guidelines. None.

(C) Applicant Determined Standards. None allowed.

(c) Inside the Core Area. The following development standards apply inside the Core Area:

(1) Transportation and Circulation.

(A) Standards.

(i) Pedestrian streets shall be provided, with direct access to key pedestrian attractions, including, but not limited to, nearby schools, retail areas, and transit centers.

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- (ii) Pedestrian streets shall be designed to encourage interaction among residents in the district and adjoining neighborhoods outside the district.
- (iii) Pedestrian amenities shall be included as integral elements of the streetscape design.
- (iv) One or more pedestrian-scale amenities shall be provided at every one hundred feet in the sidewalk area. Pedestrian amenities include, but are not limited to, street furniture, plantings, distinctive paving, drinking fountains, public plazas, sitting areas, covered walkways, public art, and significant water features (i.e., creek and fountain).
- (v) Pedestrian streets shall have minimum sidewalk widths of eight feet.
- (vi) Pedestrian amenities shall be proportionately scaled to the surrounding walkways, landscaping and buildings.
- (vii) Except as otherwise provided in this subsection, streets shall be designed and constructed in conformance with Public Works Street Design standards and specifications.

- (B) Guidelines.** None.
- (C) Applicant Determined Standards.** None allowed.

(2) Setbacks.

- (A) Standards.** None.
- (B) Guidelines.** The minimum setback for the Core Area from adjacent property zoned Single Family Residential (RS) or Residential Agriculture (RA) is fifty feet.
- (C) Applicant Determined Standards.** None allowed.

(3) Building Orientation.

- (A) Standards.**
 - (i) Buildings shall be located as close to the edge of pedestrian streets as practicable, given final topographic contours and the

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location and size of vehicular accessways, or shall have their entries oriented towards abutting public streets.

(ii) Primary building entrances shall be oriented to maximize pedestrian access and connectivity.

(iii) Direct and convenient pedestrian pathways shall be provided from parking areas to building entrances.

(B) Guidelines. None.

(C) Applicant Determined Standards. None allowed.

(4) Building Design.

(A) Standards.

(i) The height of buildings or structures, other than accessory structures, shall not exceed thirty five feet. Height may be increased to a maximum of forty feet, provided the visual impact of the additional height is mitigated by the location's unique physical attributes, including, but not limited to, changes in topography or significant stands of trees.

(ii) Along pedestrian streets, buildings shall be designed to provide protection from sun and rain through canopies, arcades, pergolas or similar features.

(B) Guidelines.

(i) **Ground Floor Area.** The ground floor area of each individual building or structure shall be not greater than thirty thousand square feet.

(ii) **Drive-through facilities.** Drive-through facilities, except for pharmacies, are prohibited.

(C) Applicant Determined Standards. None allowed.

(5) Hours of Operation.

(A) Standards. None.

(B) Guidelines. Hours of operation for retail sales and service, office and institutional uses shall be limited to the time between 6:00 a.m. and

1 11:00 p.m., Sunday through Thursday, and between 6:00 a.m. and 1:00
2 a.m., Friday and Saturday.

3 (C) Applicant Determined Standards. None allowed.

4 **Section 17.** SRC 215.055 is amended to read as follows:

5 **215.055. Additional Standards.** Additional standards may apply to development in the
6 NCMU zone as a result of regulations found in the following chapters. In the event of a
7 conflict between the standards contained in the NCMU zone and those contained within
8 other chapters of the SRC, the standards contained in the NCMU shall apply.

- | | |
|---|---------------------------|
| 9 (a) Signs | SRC Chapter <u>900</u> 62 |
| 10 (b) Preservation of Trees and Vegetation | SRC Chapter 68 |
| 11 (c) Landslide Hazards | SRC Chapter 69 |
| 12 (d) Trees and Shrubs | SRC Chapter 86 |
| 13 (e) Home Occupations | SRC Chapter 124 |
| 14 (f) Wetlands | SRC Chapter 126 |
| 15 (g) General Development Standards | SRC Chapter 130 |
| 16 (h) Accessory Structures | SRC Chapter 131 |
| 17 (i) Landscaping | SRC Chapter 132 |
| 18 (j) Off-Street Parking, Loading, and Driveways | SRC Chapter 133 |
| 19 (k) Flood Plain Overlay Zones | SRC Chapter 140 |

20 **Section 18.** SRC 300.100 is amended to read as follows:

21 **300.100. Procedure Types.**

22 (a) All land use actions required under the Salem Revised Code are classified
23 as one of four procedure types in Table 300.100-1. The procedure type governs
24 the decision-making process for the specific land use application.

25
26 **Table 300.100-1: Land Use Procedure Types**

27 Procedure Type	Decision Process	Decision Type	Process Description
28 Type I	Ministerial	Permit	29 Type I procedure is used when there are clear and 30 objective standards and criteria that do not require interpretation or the exercise of policy or legal judgment in their application. Decisions on Type I applications are made by staff. Public notice and hearing are not

			required.
Type II	Administrative	Limited Land Use	Type II procedure is used when the standards and criteria require limited discretion or legal judgment in their application. Decisions on Type II applications are made by staff. Public notice and opportunity to comment prior to issuance of a decision is provided. A public hearing is not required unless the decision is appealed.
Type III	Quasi-Judicial	Land Use	Type III procedure is used when the standards and criteria require discretion or legal judgment in their application. Decisions on Type III applications are made by the Hearings Officer, Historic Landmarks Commission, or Planning Commission. Public notice and hearing are required. The decision may be appealed.
Type IV	Quasi-Judicial	Land Use	Type IV procedure is used for site-specific land use actions initiated by an applicant, the Historic Landmarks Commission, Planning Commission, or City Council. Type IV applications result in a recommendation from the Planning Commission or Historic Landmarks Commission to the City Council, which then makes the final decision. Public notice and hearings are required for both the initial hearing making recommendation and subsequent hearing taking final action.

(b) The specific procedure type assigned to a land use application is specified in Table 300.100-2.

(c) When the procedure type for a land use application is not identified in Table 300.100-2, specified elsewhere in the Salem Revised Code, or otherwise required by law, the Planning Administrator shall determine the applicable procedure based on the guidelines in this subsection. Questions as to the appropriate procedure shall be resolved in favor of the procedure type providing the greatest notice and opportunity to participate by the public.

(1) Type I procedures shall be used when the land use action will be based on standards and criteria that do not require interpretation or the exercise of policy or legal judgment.

(2) Type II procedures shall be used when the land use action will be based on standards or criteria that require only limited discretion or legal judgment.

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(3) Type III procedures shall be used when the land use action will be based on standards and criteria that require the exercise of discretion or legal judgment.

(4) Type IV procedures shall be used when the land use action will be based on standards and criteria that require the exercise of discretion or legal judgment, and where the land use application must first be referred to an advisory body for review and recommendation to the City Council, which then makes the decision.

(d) Notwithstanding any other provision in this section, and upon payment of the applicable fee, an applicant may choose to process a land use application that would be a Type I procedure as a Type II or Type III procedure, or to process a land use application that would be a Type II procedure as a Type III procedure.

Table 300.100-2: Land Use Applications by Procedure Type

Application	Procedure Type	Pre-App. Required	Review Authority		Applicable Code Chapter(s)
			Decision	Appeal	
ADJUSTMENT	II	N	PA	HO	SRC 116
ADMINISTRATIVE CONDITIONAL USE	II	N	PA	HO	SRC 116
CODE INTERPRETATION	III	N	PC	CC	SRC 110
COMPREHENSIVE PLAN CHANGE					
-Minor Plan Change (Applicant Initiated)	III	Y	PC	CC	SRC 64
-Minor Plan Change (City Initiated)	IV	N	PC – Recommendation; CC – Decision	-	SRC 64
CONDITIONAL USE	III	Y	HO	PC	SRC 117
DESIGN REVIEW					
-Administrative – Standards	I	Y	PA	-	SRC 120
-Discretionary – Guidelines	III	Y	PC	CC	SRC 120
FAIRVIEW MIXED-USE ZONE					
-Fairview Plan	III	Y	PC	CC	SRC 143C
-Fairview Plan Amendment – Minor	II	Y	PA	PC	SRC 143C
-Fairview Plan Amendment – Major	III	Y	PC	CC	SRC 143C

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Table 300.100-2: Land Use Applications by Procedure Type

Application	Procedure Type	Pre-App. Required	Review Authority		Applicable Code Chapter(s)
			Decision	Appeal	
-Refinement Plan	III	Y	PC	CC	SRC 143C
-Refinement Plan Amendment – Minor	II	Y	PA	PC	SRC 143C
-Refinement Plan Amendment – Major	III	Y	PC	CC	SRC 143C
FLOOD PLAIN OVERLAY ZONE					
-Floodplain Development Permit	I	N	BO & PWD	-	SRC 140
-Floodplain Overlay Zone Variance	III	N	HO	CC	SRC 140
HISTORIC REVIEW					
-Historic Design Review (Minor)	I	N	PA	HLC	SRC 230
-Historic Design Review (Major)	III	N	HLC	HO	SRC 230
-Historic Resource Adaptive Reuse	III	N	HO	PC	SRC 230
-Historic Resource DEMOLITION	III	N	HLC	CC	SRC 230
-Local Historic Resource Designation	IV	N	HLC – Recommendation; CC – Decision	-	SRC 230
-Local Historic Resource Designation Removal (Class 1)	I	N	PA	-	SRC 230
-Local Historic Resource Designation Removal (Class 2)	IV	N	HLC – Recommendation; CC – Decision	-	SRC 230
MANUFACTURED DWELLING PARK PERMIT	II	Y	PA	HO	SRC 123
NEIGHBORHOOD CENTER MASTER PLAN					
-Class 1 NCMP	III	Y	PC	CC	SRC 215
-Class 2 NCMP	III	Y	PC	CC	SRC 215
-Class 2 NCMP Detailed Plan (Subsequent Phases)	II	N	PA	PC	SRC 215
-Class 3 NCMP (First Subarea)	III	Y	PC	CC	SRC 215
-Class 3 NCMP (Subsequent Subareas)	III	Y	PC	CC	SRC 215
-NCMP Minor Amendment	II	N	PA	PC	SRC 215
-NCMP Major Amendment	III	N	PC	CC	SRC 215
NEIGHBORHOOD PLANS					

Table 300.100-2: Land Use Applications by Procedure Type					
Application	Procedure Type	Pre-App. Required	Review Authority		Applicable Code Chapter(s)
			Decision	Appeal	
-Neighborhood Plan Change (Applicant Initiated)	III	Y	PC	CC	SRC 64
-Neighborhood Plan Change (City Initiated)	IV	N	PC – Recommendation; CC – Decision	-	SRC 64
PARTITION					
-Tentative Plan	II	N	PA	PC	SRC 63
-Final Plat	Exempt	N	PA	-	SRC 63
PLANNED UNIT DEVELOPMENT					
-Tentative Plan	III	Y	PC	CC	SRC 121
-Tentative Plan w/ Subdivision	III	Y	PC	CC	SRC 121
-Final Plan	I	N	PA	-	SRC 121
PROPERTY LINE ADJUSTMENT	I	N	PA	-	SRC 63
PROPERTY LINE VERIFICATION	I	N	PA	-	SRC 63
REPLAT	II	N	PA	PC	SRC 63
SIGNS					
-Sign Permit	I	N	CDD	-	SRC <u>900 62</u>
-Sign Adjustment	II	N	CDD	-	SRC <u>900 62</u>
-Sign Conditional Use Permit	III	N	HO	PC	SRC <u>900 62</u>
-Sign Variance	III	N	HO	PC	SRC <u>900 62</u>
SITE PLAN REVIEW					
-Type I Limited	I	N	PA	-	SRC 163
-Type I	I	N	PA	-	SRC 163
-Type II	II	N	PA	HO	SRC 163
SPECIFIC CONDITIONAL USE	III	Y	HO	PC	SRC 118
SUBDIVISION					
-Tentative Plan	II	N	PA	PC	SRC 63
-Final Plat	Exempt	N	PA	-	SRC 63
-Subdivision of Manufactured Dwelling Park	II	N	PA	PC	SRC 63
TREE & VEGETATION REMOVAL					
-Tree Conservation Plan	I	N	PA	-	SRC 68
-Tree Conservation Plan Adjustment	I	N	PA	-	SRC 68

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Table 300.100-2: Land Use Applications by Procedure Type

Application	Procedure Type	Pre-App. Required	Review Authority		Applicable Code Chapter(s)
			Decision	Appeal	
-Tree & Vegetation Removal Permit	I	N	PA	-	SRC 68
-Hardship Variance	II	N	PA	HO	SRC 68
-Economical Use Variance	II	N	PA	HO	SRC 68
URBAN GROWTH MANAGEMENT					
-Urban Service Area Amendment	IV	N	CC	-	SRC 66
-UGA Development Permit Preliminary Declaration	II	N	PA	CC	SRC 66
-UGA Development Permit	I	N	PWD	-	SRC 66
VALIDATION OF UNITS OF LAND	III	Y	HO	PC	SRC 63
VARIANCE	III	Y	HO	PC	SRC 115
WILLAMETTE GREENWAY					
-Greenway Development Permit – Outside Compatibility Review Boundary	II	N	PA	HO	SRC 141
-Greenway Development Permit – Inside Compatibility Review Boundary	III	Y	HO	PC	SRC 141
ZONE CHANGE					
-Zone Change (Applicant Initiated)	III	Y	HO	PC	SRC 113
-Zone Change (City Initiated)	IV	N	PC – Recommendation; CC – Decision	-	SRC 113
ZONE CHANGE W/ COMPREHENSIVE PLAN CHANGE	III	Y	PC	CC	SRC 113; SRC 64

LEGEND

PA – Planning Administrator; BO – Building Official; CDD – Community Development Director; PWD – Public Works Director; HO – Hearings Officer; HLC – Historic Landmarks Commission; PC – Planning Commission; CC – City Council

Section 19. SRC 532.035 is amended to read as follows:

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532.035. Development Standards for Residential Development in Lieu of Neighborhood Center Master Plan. In lieu of developing the property through a Neighborhood Center Master Plan, residential development that meets the standards set forth in this section and SRC Chapter 63 is permitted without a Neighborhood Center Master Plan approved in accordance with SRC Chapter 215. In the event of a conflict between SRC Chapter 63 and this section, the standards in this section shall control.

(a) **Lot Standards.** All lots shall comply with the standards set forth in Table 532-3.

**TABLE 532-3
LOT STANDARDS**

Table 532-3: Lot Standards		
Requirement	Standard	Limitations & Qualifications
Lot Area	Min. 7,000 sq. ft.	Exclusive of any accessway.
Lot Width	Min. 70 ft.	Exclusive of any accessway.
Lot Depth	Min. 70 ft.	Exclusive of any accessway.
	Min. 120 ft.	Exclusive of any accessway. Applicable to double frontage lots.
	Max. 300% of average lot width.	
Street Frontage	Min. 70 ft.	

(b) **Setbacks; Lot Coverage; Height.** All development shall comply with the setback, lot coverage, and building height requirements set forth in Table 532-4. For purposes of this subsection, setbacks shall be measured from the most interior of the following lines:

- (1) The property line; or
- (2) The most interior access easement line, if an access easement exists.

**TABLE 532-4
SETBACKS; LOT COVERAGE; HEIGHT**

Table 532-4: Setbacks; Lot Coverage; Height		
Requirement	Standard	Limitations & Qualifications
Setbacks		
Abutting Street		

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Table 532-4: Setbacks; Lot Coverage; Height		
Requirement	Standard	Limitations & Qualifications
Buildings	Min. 12 ft.	Applicable along streets other than collector or arterial streets.
	Min. 20 ft.	Applicable along collector or arterial streets.
Accessory Structures	None.	Applicable to accessory structures extending no more than 4 feet above grade.
	Same as for Main Building.	Applicable to accessory structures extending more than 4 feet above grade.
Interior Front		
Buildings	Min. 12 ft.	
Accessory Structures	Min. 12 ft.	
Interior Side		
Buildings	Min. 5 ft.	
Accessory Structures	Min. 5 ft.	Minimum setback does not apply to accessory structures having at least one wall which is an integral part of a fence.
Interior Rear		
Buildings	Min. 14 ft.	For any portion of a main building not more than one story in height.
	Min. 20 ft.	For any portion of a main building greater than one story in height.
Accessory Structures	Min. 0 ft.	Applicable to accessory structures not more than 9 feet in height. Accessory structures shall be set back a minimum of one foot from an alley.
	Min. 0 ft., plus one foot for each one foot of height over 9 ft.	Applicable to accessory structures greater than 9 feet in height. Accessory structures shall be set back a minimum of one foot from an alley, unless a greater setback is required based on the accessory structure height.
Lot Coverage		
Buildings	Max. 60%	Maximum lot coverage includes attached accessory structures.
Accessory Structures	Max. 600 sq. ft.	Applicable when main building contains a gross floor area not more than 1,200 square feet in size.
	Max. 50% of main building gross floor area or 1,000 square ft., whichever is less.	Applicable when main building contains a gross floor area greater than 1,200 square feet in size.
Height		
Buildings	Max. 28 ft. or existing building height, whichever is greater.	Applicable to existing buildings.
	Max. 35 ft.	Applicable to new buildings.
Accessory Structures	Max. 15 ft.	

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(c) Garages and Setbacks.

(1) Each single family dwelling, other than manufactured homes on individual lots, shall have, at the time of construction, a garage that is constructed of the same materials and color as the dwelling, and that may be attached to, or detached from, the dwelling. Nothing in this paragraph shall prevent the removal or conversion of a garage, so long as the minimum number of on-site parking spaces required for the single family dwelling is provided.

Exception to this requirement may be made if, at the time of the building permit review, the applicant shows the construction of the single family dwelling is being provided by a not-for-profit organization to families at or below the City's sixty percent median income level as defined by the U.S. Department of Housing and Urban Development; provided, however, that provisions shall be made for a minimum of four hundred and eighty cubic feet of storage in a portion of the single family dwelling or on-site in a detached accessory structure. Such exemption shall only be made for those single family dwellings built on lots created through a subdivision.

(2) **Setbacks.** Garages for single family dwellings, or garages or carports for manufactured homes on individual lots, that have a vehicle entrance facing a street or accessway shall be set back at least twenty feet from the following line that is closest to the entrance of the garage or carport:

- (A) The right-of-way line, property line abutting an accessway, or most interior access easement line;
- (B) The outside curblines; or
- (C) The edge of the sidewalk furthest from the street.

(3) **Paving.** Between the line specified in paragraph (2) of this subsection and the required garage or carport, there shall be a driveway serving the garage or carport for each dwelling with a minimum paved area of nine feet by twenty feet and available for the parking of a vehicle.

~~(d) Signage. Signage shall comply with SRC 62.360.~~

1 **Section 20.** SRC 532.040 is amended to read as follows:

2 **532.040. Other Provisions.** Additional standards may apply to development in the
3 NCMU zone as a result of regulations found in the following chapters. In the event of a
4 conflict between the standards contained in the NCMU zone and those contained within
5 other chapters of the SRC, the standards contained in the NCMU zone shall apply.

- | | | |
|----|--|---------------------------|
| 6 | (a) Signs | SRC Chapter <u>900</u> 62 |
| 7 | (b) Preservation of Trees and Vegetation | SRC Chapter 68 |
| 8 | (c) Landslide Hazards | SRC Chapter 69 |
| 9 | (d) Trees and Shrubs | SRC Chapter 86 |
| 10 | (e) Home Occupations | SRC Chapter 124 |
| 11 | (f) Wetlands | SRC Chapter 126 |
| 12 | (g) General Development Standards | SRC Chapter 130 |
| 13 | (h) Accessory Structures | SRC Chapter 131 |
| 14 | (i) Landscaping | SRC Chapter 132 |
| 15 | (j) Off-Street Parking, Loading, and Driveways | SRC Chapter 133 |
| 16 | (k) Flood Plain Overlay Zones | SRC Chapter 140 |

17 **Section 22.** SRC 62.001 through 62.620 and the appendices thereto, and 121.430, 136.120,
18 143B.310, 143D.080, 143D.110, 143D.130, 143D.200, 143E.070, 161.110 are repealed.

19 **Section 23. Codification.** In codifying this ordinance the City Recorder may change the word
20 “ordinance,” “code,” “article,” “section,” or “chapter” to reflect the proper terminology; may
21 renumber sections, subsections, paragraphs and clauses to reflect proper sequencing; may correct
22 any cross-references in this ordinance, and in other Chapters; and may correct any typographical
23 errors in the text which do not affect the meaning of text.

24 **Section 24. Effect of Repeal.** Repeal of a code section does not revive a code section or
25 ordinance in effect before or at the time the repealed code section or ordinance took effect. The
26 repeal does not affect a fee, charge, or penalty incurred before the repeal took effect, nor a suit,
27 prosecution, or proceeding pending at the time of the repeal to collect any fee or charge or
28 prosecute any offense committed under the repealed code section or ordinance.

29 **Section 25. Severability.** If any section, subsection, sentence, clause or phrase of this ordinance
30 is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity


1 of the remaining portions of this ordinance. The Council hereby declares that it would have
2 passed this ordinance, and each section, subsection, sentence, clause, and phrase thereof,
3 irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases
4 may be declared invalid or unconstitutional, and, if for any reason this ordinance should be
5 declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full
6 force and effect.

7
8 PASSED by the City Council this 23rd day of July, 2012.

9 ATTEST:

10
11 *Kathryn Hall*

12 City Recorder

13 Approved by City Attorney: 

14
15 Checked by: A. Dixon

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FOR COUNCIL MEETING OF: July 9, 2012
AGENDA ITEM NO.: 4 (b)

TO: MAYOR AND CITY COUNCIL
THROUGH: LINDA NORRIS, CITY MANAGER
FROM: VICKIE HARDIN WOODS, DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT
SUBJECT: SUPPLEMENTAL REPORT FOR CONTINUED PUBLIC HEARING -
FOR ENGROSSED ORDINANCE BILL NO. 4-12,
PROPOSED OVERHAUL OF THE CITY'S SIGN CODE,
ESTABLISHING A NEW CHAPTER, SRC CHAPTER 900,
REPLACING EXISTING SRC CHAPTER 62, AND
AMENDING SRC CHAPTERS 15, 31, 63, 76, 84, 94, 104, 119, 121,
133, 136, 137, 138, 143B, 143D, 143E, 161, 162, 163, 215, 300, 532

ISSUE

Should City Council advance B-Engrossed Ordinance Bill No. 4-12 to second reading for enactment, and direct staff to perform further outreach and return to Council with recommendations and possible amendments regarding:

1. Allowance of internally illuminated signs in residential zones for non-profit membership assembly, recreational and cultural community services, religious assembly, and basic education use,
2. Exempt illuminated signs not visible from the right-of-way or adjacent properties, and
3. Allowance of increased square footage and number for certain vehicle viewing signs.

RECOMMENDATION

Staff recommends that City Council advance B-Engrossed Ordinance Bill No. 4-12 to second reading for enactment, and direct staff to perform further outreach and return to Council with recommendations and possible amendments regarding:

1. Allowance of internally illuminated signs in residential zones for non-profit membership assembly, recreational and cultural community services, religious assembly, and basic education use,
2. Exempt illuminated signs not visible from the right-of-way or adjacent properties, and
3. Allowance of increased square footage and number for certain vehicle viewing signs.

BACKGROUND

On June 4, 2012, City Council continued the public hearing on Engrossed Ordinance Bill No. 4-12 to July 9, 2012, and referred the matter to staff to address issues raised at the public hearing.

FACTS AND FINDINGS:

1. On June 4, 2012, a public hearing was held before the City Council for review of Engrossed Ordinance Bill No. 4-12.
2. Council continued the hearing to the July 9, 2012 City Council meeting to allow staff time to address the following issues:
 - a. **Internally Illuminated Sign in Residential Districts**
Council directed staff to seek input from a neighborhood association and comment on the motion to allow internally illuminated signs in residential districts for churches.

Staff Response:

There are three types of illuminated signs. They are internally illuminated signs, externally illuminated signs (i.e. flood lights) and electronic display signs (LED message boards). Current code provisions and the proposed ordinance allow only externally illuminated signs and electronic display signs (as conditional use) in residential zones. The following is staff's analysis of each type of illuminated sign:

Internally Illuminated Signs

The lighting for internally illuminated signs are shielded and defused by the sign faces. This use is currently not allowed in residential zones.

Externally Illuminated Signs

Externally illuminated signs are illuminated by exterior lights, such as a flood lamp, that often shed light out further than the sign itself. The light may project on to adjacent properties.

Electronic Display Signs

Electronic display sign illumination can be extremely intense and at times impact adjacent areas. For these reasons, conditional use approval is required to utilize this type of illuminated sign in residential zones.

Staff contacted Northeast Neighbors (NEN) seeking input. At the time of this report, staff had not received a recommendation from NEN.

Staff believes that allowing churches to have internally illuminated signs in residential zoning districts has merit pending more extensive public outreach. Staff also believes that other non-residential uses in addition to

churches may benefit from internally illuminated signs. Staff recommends conducting public outreach on the possibility of allowing these other uses to have internally illuminated signs. These additional uses are non-profit membership assembly, recreational and cultural community services, religious assembly, and basic education uses (Attachment A). These use classifications are being created for the Uniform Development Code.

b. **Signs Not Visible from the Right-of-way or Adjacent Properties**

Council directed staff to develop language that would not limit the number of drive through signs when such signs are not visible from the right-of-way or adjacent properties.

Staff Response: The purpose of the Sign Code is to promote advertising while minimizing adverse visual safety factors to travelers and aesthetic impact to adjacent properties. Therefore, the public traveling on the right-of-way and adjacent property owners would only be impacted when signs are visible to them. This amendment could be an alternative to specifying size and number of signs in response to requests from fast food restaurants for menu boards. Staff recommends that Council refer this issue to staff for further examination, outreach and return to Council with recommendation and possible amendment.

c. **Square Footage and Number of Vehicle Viewing Signs**

Fast-food industry representatives have requested that the Sign Code be amended to allow larger (current code allows 24 square foot maximum) and up to two (current code allows only one) vehicle viewing signs (e.g. menu boards). Originally, staff recommended allowing two signs each with a maximum display surface of 48 square feet. Concerns from neighborhood associations resulted in a revised recommendation of two signs each with a maximum display surface of 32 square feet.

Staff Response: Continued concerns from neighborhood associations regarding the potential negative impact have led staff to recommend this issue be referred to staff for further examination. Therefore, the B-Engrossed Ordinance Bill No. 4-12 limits vehicle viewing signs to 1 sign with a maximum display area of 24 square feet.



Glenn W. Gross, Urban Planning Administrator

Prepared by Amy J. Dixon, Planner II

Attachment: A. UDC Classification Definitions

G:\CD\PLANNING\CASE APPLICATION FILES 2011-On\CODE AMENDMENTS\CA10-01 - Sign Code - deleting Ch 62 and establishing Ch 900, etc (Amy)\Amys Signs Report-CA10-01 SUPPLMNTL REPORT 7-9-12 w GG Edits.doc

(b) **Basic Education.**

(1) **Characteristics.** Basic Education is characterized by institutions that are licensed by the State to provide comprehensive state-mandated basic education primarily to minors. Students generally come to the site to receive instruction, although some distance learning may be included. Instruction generally takes place within one or more enclosed buildings.

(2) **Examples.** Public and private primary, elementary, middle, and high schools; charter schools; alternative education schools and programs approved by the School District; state-recognized secondary school Career and Technical Education programs (vocational high schools).

(3) **Exceptions.**

(A) Head Start programs are included in Education Services: Day Care.

(B) Adult basic education programs leading to a General Equivalency Diploma (GED) are included in Education Services: Post-Secondary and Adult Education.

(d) **Recreational and Cultural Community Services.**

(1) **Characteristics.** Recreational and Cultural Community Services are characterized by indoor and outdoor services and facilities typically of a public or non-profit nature providing a range of on-going, on-site recreational and cultural services to the public. Services or activities are generally provided on an on-going basis, not just for special events. Recreational and Cultural Services generally have employees on-site during open hours.

(2) **Examples.** Aquariums; art museums; community centers; golf courses; libraries; museums; zoological gardens; senior centers; youth clubs; indoor and outdoor swimming pools, spectator-oriented ball fields and tennis courts designed to accommodate less than 300 spectators, when operated by the City or a non-profit community club or association.

(3) **Exceptions.**

(A) For-profit recreational enterprises, such as amusement parks and membership sports and recreation clubs, are included in Recreation, Entertainment, and Cultural Services and Facilities: Commercial Entertainment – Indoor or Commercial Entertainment – Outdoor.

(B) Large-scale event-oriented uses are included in Recreation, Entertainment, and Cultural Services and Facilities: Major Event Entertainment.

(f) **Non-Profit Membership Assembly.**

(1) **Characteristics.** Non-Profit Membership Assembly is characterized by facilities for the assembly of members of civic, social, fraternal, or other non-profit membership groups. Activities on-site often include membership meetings as well as social, philanthropic and/or recreational functions and activities primarily for members of the organization.

(2) **Examples.** Meeting places for civic clubs, fraternal, or veteran organizations; grange halls; bars and restaurants owned and operated by civic, social, or fraternal organizations for use by their members.

(g) **Religious Assembly.**

(1) **Characteristics.** Religious Assembly is characterized by facilities for worship services. Religious Institutions typically are designed to provide for the assembly of persons for the purpose of religious exercise.

(2) **Examples.** Churches; mosques; synagogues; temples.

(3) **Exceptions.**

(A) Religious Assembly that includes residential housing of their members, such as convents and monasteries are included in Residential: Group Living -- Room and Board.

(B) Schools operated by religious organizations are included in Education Services: Basic Education.

(C) Child care services operated by religious organizations other than those provided for congregants during worship services and church activities are included in Education Services: Day Care.

FOR COUNCIL MEETING OF:
AGENDA ITEM NO.:

April 9, 2012
8.1 (a)

June 4, 2012
4 (g)

July 9, 2012
4 (b)

TO: MAYOR AND CITY COUNCIL
THROUGH: *Linda Norris*
LINDA NORRIS, CITY MANAGER

FROM: VICKIE HARDIN WOODS, DIRECTOR *VHW*
COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: ADDITIONAL INFORMATION RECEIVED FOR PROPOSED
OVERHAUL OF THE CITY'S SIGN CODE, ESTABLISHING A NEW
CHAPTER, SRC CHAPTER 900, REPLACING EXISTING SRC
CHAPTER 62, AND AMENDING SRC CHAPTERS 15, 31, 63, 76, 84,
94, 104, 119, 121, 133, 136, 137, 138, 143B, 143D, 143E, 161, 162,
163, 215, 300, 532

ISSUE:

Communication regarding Ordinance Bill No. 4-12.

RECOMMENDATION:

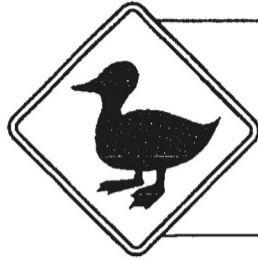
Information only.

BACKGROUND:

Ordinance Bill No. 4-12 is a rewrite of the City's sign code. A future report on Ordinance Bill No. 4-12 was provided to the City Council on March 19, 2012. Staff also presented the amendments to many of the neighborhood associations, the Downtown Advisory Board, Salem Area Chamber of Commerce, West Salem Business Association, and to the sign companies who regularly do business in Salem.

FACTS AND FINDINGS:

1. On March 21, 2012, staff received the attached comment to Ordinance Bill No. 4-12 from the Northeast Neighbors (NEN). Because the Sign Code is a land use ordinance, a public hearing will need to be held on the ordinance. The comment from NEN will be included in the record for the hearing.



NEN

NORTHEAST NEIGHBORS
555 Liberty Street SE, Rm 300
Salem, OREGON 97301
(503) 588-6261

RECEIVED

MAR 23 2012

March 21, 2012

COMMUNITY DEVELOPMENT

TO: Mayor and City Council

FROM: Joan Lloyd and Jacqueline Schindele, Co-Chairs

RE: NEN Opposition to Proposed Vehicle Viewing Sign Code Amendment

Last evening, March 20, 2012, Northeast Neighborhood Association voted unanimously to **oppose** the proposed vehicle viewing sign code amendment.

When Amy Dixon attended our meeting on February 7, we stated that we would need time to consider the change and last night we discussed it. All of us think that the current 24 square feet per sign is large enough for the public to see. The 48 square foot sign is immense and not needed and two of them per lane are overwhelming and unnecessary. We talked about nearby residents having to put up with them and how these huge signs would be a distraction to drivers who may not pay attention to pedestrians and other drivers while viewing the signs. I took a tape measure to the meeting and we saw how large a 48 square foot sign is, no matter what the configuration (6x8, 12x4, 16x3, etc). Picture a patio door that is six feet wide and eight feet tall or a sheet and a half of plywood and that is the size that one sign could be.

The proposed vehicle viewing signs would be imposing, a potential hazard and unnecessary. **Those are the main reasons that NEN opposes the sign code amendment.**

This testimony is submitted for the Staff Report and future City Council Public Hearing.

FOR COUNCIL MEETING OF:
AGENDA ITEM NO.:

May 14, 2012
8.1 (b)

TO: MAYOR AND CITY COUNCIL
THROUGH: *Linda Norris* LINDA NORRIS, CITY MANAGER
FROM: VICKIE HARDIN WOODS, DIRECTOR *Vickie Woods*
COMMUNITY DEVELOPMENT DEPARTMENT
SUBJECT: SUPPLEMENTAL REPORT TO AMEND ORDINANCE BILL NO. 4-12,
THE PROPOSED REVISION OF THE CITY'S SIGN CODE

ISSUE:

Should Ordinance Bill No. 4-12 be amended to allow vehicle viewing signs, such as, drive thru menu boards, to be a maximum of thirty-two square feet in sign display area?

RECOMMENDATION:

Amend Ordinance Bill No. 4-12 to allow vehicle viewing signs, such as, drive thru menu boards, to be a maximum of thirty-two square feet in sign display area.

BACKGROUND:

A vehicle viewing sign is intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle. A vehicle accessway typically includes queuing lanes, service windows or service islands

The fast food industry informed staff that the size and number of vehicle viewing signs used as drive thru menu boards were not adequate for their industry. They expressed a desire to have the sign code amended to accommodate their needs. Their recommendation was to allow two signs for each drive thru lane with a sign having a display area of sixty-four square feet. After reviewing sign codes from other Oregon jurisdictions, staff proposed two signs but limited the display area of each sign to forty-eight square feet in sign area in Ordinance Bill No. 4-12.

During outreach effort, Neighborhood Associations expressed concerns relates to the size and number of these signs. They indicated that these signs would greatly impact the surrounding properties, could cause traffic hazards and would contribute to sign clutter.

Staff believes the concerns of the neighborhood associations have merit, and are proposing that Ordinance Bill No. 4-12 be amended to limit the size of vehicle viewing signs from forty-eight square feet to thirty-two square feet in display area.

FACTS AND FINDINGS:

1. Based on concerns raised by neighborhood associations, Staff recommends that Ordinance Bill No. 4-12 be amended to lower the maximum square footage of the display surface for vehicle viewing signs from forty-eight square feet in area to thirty-two square feet in area.
2. To make this change, the following provisions in Ordinance Bill No. 4-12 will need to be amended as follows:

900.200. Permanent Signs in CB, CR and CG Zones. The following permanent signs are allowed in the Central Business District (CB), Retail Commercial (CR) and General Commercial (CG) zones.

(b) Permanent Signs for Business. Unless the business is located in a shopping center or office complex, a business may have the following signs:

(6) Vehicle Viewing Sign. Two vehicle viewing signs, located on a vehicle accessway adjacent to a building or on the building, and intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle. The display surface shall not exceed ~~forty-eight~~ thirty-two square feet.

(c) Permanent Signs for Shopping Centers. A shopping center and individual businesses in the shopping center are allowed the following signs:

(2) Individual Businesses.

(D) Vehicle Viewing Sign. Two vehicle viewing signs, located on a vehicle accessway adjacent to a building or on the building, and intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle. The display surface shall not exceed ~~forty-eight~~ thirty-two square feet.

(d) Permanent Signs for Office Complexes. An office complex and individual businesses in the office complex, are allowed the following signs:

(2) Individual Businesses.

(D) Vehicle Viewing Sign. Two vehicle viewing signs, located on a vehicle accessway adjacent to a building or on the building, and intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle. The display surface shall not exceed ~~forty-eight~~ thirty-two square feet.

900.210. Permanent Signs in Industrial Business Campus (IBC), Industrial Commercial (IC), Industrial Park (IP), General Industrial (IG), Intensive Industrial (II) and Employment Center (EC) Zones. The following permanent signs are permitted in the Industrial Business Campus (IBC), Industrial Commercial (IC), Industrial Park (IP), General Industrial (IG), Intensive Industrial (II) and Employment Center (EC) zones:

(b) Permanent Signs for Business. Unless the business is located in an industrial complex or is classified as flexible space use, a business may have the following signs:

(6) Vehicle Viewing Sign. Two vehicle viewing signs, located on a vehicle accessway adjacent to a building or on the building, and intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle. The display surface shall not exceed ~~forty-eight~~ thirty-two square feet

(c) Permanent Signs for Industrial Complexes. An industrial complex and individual businesses in the industrial complex are allowed the following signs:

(2) Individual businesses. Unless the business is classified as flexible space use, a business may have the following signs:

(D) Vehicle Viewing Sign. Two vehicle viewing signs, located on a vehicle accessway adjacent to a building or on the building, and intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle. The display surface shall not exceed ~~forty-eight~~ thirty-two square feet.



Glenn W. Gross, Urban Planning Administrator

Prepared by Amy J. Dixon, Planner II *AJD*

G:\CD\PLANNING\CASE APPLICATION FILES 2011-On\CODE AMENDMENTS\1-Staff Reports\Sign Code Information SR 4-30-12.ajd.doc

FUTURE REPORT FOR: March 19, 2012
FOR COUNCIL MEETING OF: April 9, 2012
AGENDA ITEM NO.: 8.1 (a)
June 4, 2012
4 (g)

TO: MAYOR AND CITY COUNCIL
THROUGH: *Linda Norris*
LINDA NORRIS, CITY MANAGER
FROM: VICKIE HARDIN WOODS, DIRECTOR *VHW/for*
COMMUNITY DEVELOPMENT DEPARTMENT
July 9, 2012
4 (b)

SUBJECT: PROPOSED OVERHAUL OF THE CITY'S SIGN CODE, ESTABLISHING A NEW CHAPTER, SRC CHAPTER 900, REPLACING EXISTING SRC CHAPTER 62, AND AMENDING SRC CHAPTERS 15, 31, 63, 76, 84, 94, 104, 119, 121, 133, 136, 137, 138, 143B, 143D, 143E, 161, 162, 163, 215, 300, 532

ISSUE:

Should the City Council enact Ordinance Bill No. 4-12, establishing a new chapter SRC Chapter 900, Sign Code, that would replace the existing SRC Chapter 62, Sign Code, and making conforming amendments to SRC Chapters 15, 31, 63, 76, 84, 94, 104, 119, 121, 133, 136, 137, 138, 143b, 143d, 143e, 161, 162, 163, 215, 300, and 532?

RECOMMENDATION:

Staff recommends that the City Council hold a public hearing on May 14, 2012, to consider adoption of Ordinance Bill No. 4-12 and, after the hearing, advance Ordinance Bill No. 4-12 to second reading for enactment on May 29, 2012.

BACKGROUND:

In 2007, staff began a comprehensive review of SRC Chapter 62, the City's sign code. SRC Chapter 62 was originally adopted in 1967, and has had numerous amendments over the years. Due to these many amendments, the sign code has become complex, confusing, and difficult to administer. In addition, certain aspects of the sign industry have changed, while the City's need for an efficient and effective mechanism to administer the City's sign regulations remains constant.

Due to the complexity of laws surrounding freedom of speech and sign code requirements, staff proposed a three phase amendment process to Council. The first phase was a limited reorganization and improvements to the procedures that addressed then-pressing needs. The second phase addressed LED lighting and electronic message signs, a new sign technology. The first phase was completed with the adoption of Ord. Bill No.92-07, in 2008. The second phase was completed with the adoption of Ord. Bill No. 1-09 in 2009.

Ord. Bill No. 4-12 represents the third and final phase. This phase is a comprehensive review of the existing SRC Chapter 62, with the objective of creating a clear organizational scheme, simplifying and clarifying language, eliminating redundancy and ambiguity in the existing sign regulations, and identifying inconsistencies and gaps to address and eliminate them. The third phase is intended to be "policy neutral," unless existing inconsistencies or gaps in the sign

regulations exist that need to be addressed or rectified, signage regulations are needed for recently created zones, or industry has requested an amendment. If adopted, Ord. Bill No.04-12 will improve and clarify the City's signs regulations and the ease with which it can be administered, benefiting both the public and staff. Ord. Bill No. 04-12 will also reflect the format that is being used as part of the drafting of the Unified Development Code.

Signs can be regulated under a City's "police power," which is the power to adopt regulations for the public health, safety and welfare. Members of the City Council of the City of Los Angeles v. Taxpayers for Vincent, 466 U.S. 789, 805; 104 S.Ct. 2118; 80 L.Ed.2d 772 (1984). Signs can obstruct views, distract motorists, displace alternative uses for land, create visual blight, and pose other problems that legitimately call for regulation Berman v. Parker, 348 U.S. 26, 32-33, 75 S.Ct. 98, 102-103, 99 L.Ed. 27 (1954). To be constitutional under the free speech clauses in the U.S. and Oregon constitutions, the regulations must be a reasonable "time, manner, and place" regulation, and must be "content neutral" – i.e., the regulation cannot be based on what the sign say. City of Cincinnati v. Discovery Network, Inc., 507 U.S. 410, 428, 113 S.Ct. 1505, 123 L.Ed.2d 99 (1993). Therefore, zoning, size limitations, height restrictions, and other regulations of the physical characteristics of signs are constitutional if they are content-neutral, serve a significant governmental interest, and leave open ample alternative channels for communication of the information." Metromedia, Inc. v. San Diego, 453 U.S. 490, 516, 101 S.Ct. 2882, 69 L.Ed.2d 800 (1981); Valley Outdoor, Inc. v. County of Riverside, 337 F.3d 1111, 1114-15 (9th Cir.2003) (sign restrictions based on zoning, size, and height are constitutionally permissible).

FACTS AND FINDINGS:

Procedural Findings

1. Pursuant to SRC 300.1110(a)(3), legislative land use proceedings may be initiated by staff by the preparation and placement of an ordinance bill on the City Council agenda for first reading. The City Council may schedule a public hearing on the ordinance bill, refer it to another review authority for review and recommendation, or decline to schedule a public hearing.
2. Oregon Revised Statutes (ORS) 197.610 and Oregon Administrative Rules (OAR) 660-018-0020 require that notice be provided to the Department of Land Conservation and Development (DLCD) on any proposed amendment to a local land use regulation at least 35 days prior to the first public hearing. Notice to DLCD was mailed to DLCD on March 5, 2012 as required.
3. ORS 227.186 requires notice to be mailed to affected property owners when a proposed legislative action would limit or prohibit land uses previously allowed under the zoning district applicable to their property. Twelve properties are affected by the change of regulating signage based on zoning of the property rather than by Urban Renewal Area within the Central Business District (See Attachment A). Notice of the proposal will be mailed to these affected property owners as required under ORS 227.186.

Public Outreach

In order to gather public input and comments on the proposed revisions, Staff met with the following entities:

- 13 of 19 neighborhood associations, which accepted our invitation to present the amendments at their neighborhood meetings;
- Downtown Advisory Board;
- Salem Area Chamber of Commerce;
- Owners of property within the Fairview Mixed-use zone; and

Staff sent copies of the amendments requesting comments to:

- Sign industry representatives; and
- Interested parties.

Staff has not received any suggested changes or concerns identified on the proposed amendments.

Proposed Amendments

1. Ord. Bill No. 4-12 would reorganize the City's sign regulations as follows:

SRC 900.001-900.055: Establish the general administrative framework for the Chapter.

SRC 900.060-900.155: Establish the general development standards for signs generally, for the different specific sign types.

SRC 900.160-900.180: Establish the specific sign regulations for temporary signs in all zones.

SRC 900.185-900.215: Establish the specific sign regulations for permanent signs in all zones.

SRC 900.220-900.280: Establish additional specific sign regulations for all overlay zones.

SRC 900.285-900.295: Reserved for expansion.

SRC 900.300-900.350: Establish the enforcement provisions for the entire chapter.

2. The proposed amendments include signage requirements found in other SRC chapters, such as, SRC Chapter 141, 143A, and 150.

3. The proposed amendments create signage requirements for the following newly created zones:

a) Fairview Mixed-Use

When FMU zone was created, signage requirements for the zone were not established. Therefore, staff met with the FMU zoned property owners to determine the signage needs of the owners and businesses. With consideration of the residential uses, these owners determine that signage needs are similar to businesses within Commercial Neighborhood (CN) zones. Therefore, the proposed amendments add FMU Zone to the regulations governing CN Zones.

b) Neighborhood Center Mixed-Use

When NCMU zone was created, signage requirements for the zone were established. Since the Sign Code was being amended, it was determined that the NCMU requirements would be incorporated into the Sign Code at time of adoption of the Sign Code amendments.. Therefore, the proposed amendments add NCMU Zone to the regulations governing CN Zones.

4. The proposed amendments revise signage requirements for the following types of signs:
 - a) **Vehicle Viewing Signs**
 Restaurants owners that rely heavily on vehicle viewing signage recently expressed a need to amend the current language. These owners indicated more signs with larger display areas are necessary to adequately communicate information to customers in a timely manner to provide significant customer service. The proposed amendment changes from one twenty-four square foot vehicle viewing sign to two forty-eight square foot signs.
 - b) **Outdoor Advertising Signs**
 Outdoor advertising signs are prohibited within all Urban Renewal Areas under the current Sign Code. Pringle Creek Urban Renewal is schedule to close in June 2012. Two zones within the Pringle Creek Urban Renewal Area would support outdoor advertising signs once the Urban Renewal area is no longer in affect. These zones are Central Business District and Commercial Retail zones. To ensure protection of this area and future urban renewal areas, outdoor advertising signs within the Central Business District would be prohibited under the proposed amendments. All properties within the Central Business District are currently within urban renewal districts, except twelve properties that are along east side of Church Street NE. These properties are identified in Attachment A. With this change, outdoor advertising signs would be prohibited from these twelve properties where previously they had been allowed under the Sign Code.
5. SRC Chapters 15, 31, 63, 76, 84, 94, 104, 119, 121, 133, 136, 137, 138, 143B, 143D, 143E, 161, 162, 163, 215, 300, and 532 reference SRC Chapter 62. Amendments to these chapters are necessary to conform to SRC Chapter 900.

Consistency of the Proposed Amendments with the Salem Area Comprehensive Plan (SACP)

1. The Salem Area Comprehensive Plan (SACP) is the long-range plan for guiding development within the Salem/Keizer Urban Growth Boundary. The overall goal of the SACP is to accommodate development in a timely, orderly, and efficient arrangement of land uses and public facilities and services that meet the needs of present and future residents of the Salem urban area.
2. The overall intent of Residential development is to promote a variety of housing opportunities and provide an adequate supply of developable land to support such housing. In addition, the comprehensive plan establishes the following policy:

Scenic and historic Areas, Natural Resources and Hazards Policy No. 8 (Protection of Residential Areas): Residential areas shall be protected from more intensive land use activity in abutting zones.
3. The Mixed-Use development goal is to provide a mixture of complementary land uses to create economic and social vitality. In addition, the comprehensive plan establishes the following policy:

Mixed-Use Development Policy No. 8 (Design): Provide appropriate transitions between mixed-use areas and adjacent single-use neighborhoods.

4. The Economic development goal is to strengthen the economic base to sustain the economic growth necessary to provide adequate employment opportunities and maintain community livability. The comprehensive plan establishes the following policy:

Economic Development Policy No. 3 (Economic Development Functions): *Economic Development Functions shall encourage industrial and other economic development in a livable environment and develop standards which ensure an attractive climate for prospective industrial development.*

5. The Industrial designation intent is to identify the location of industrial uses and to provide a variety of industrial sites for all types of industrial uses through the Salem urban area. In addition, the comprehensive plan establishes the following policy:

Industrial Development Policy No. 4 (Interface with other uses): *Industrial land shall be subject to industrial development standards which ensure that development and operations is compatible with surrounding land uses.*

6. Scenic and Historic Areas, Natural Resources and Hazards goal is to protect natural, historic, cultural and scenic resources. The comprehensive plan establishes the following policy:

Scenic and Historic Areas, Natural Resources and Hazards Policy No. 10 (Historic Sites and Structures): *The historic cultural and architectural character shall be preserved.*

7. Willamette River Greenway goal is to protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreation qualities of lands along the Willamette River. The comprehensive plan establishes the following policy:

Willamette River Greenway Policy No. 1 (Use of Land): *Regulation to control the intensity of the uses shall be maintained.*

The proposed amendments are consistent with the comprehensive plan and the above identified policies through the following means:

- Relocating sign regulation to the Sign Code, making the Sign Code clearer and easier to understand helps to accommodate development in a timely, orderly, and efficient arrangement of land uses.
- Limiting size, location and illumination of signs in residential, transitional commercial zones, historic districts and Willamette River Greenway to protect these areas.
- Allowing adequate signage within commercial and industrial areas to promote economic vitality of the community;
- Creating signage standards to ensure compatibility between uses and zones.

ALTERNATIVES:

The City Council may:

- A. Set a public hearing on the proposed amendments.
- B. Refer the proposed amendments to the Planning Commission for further review and recommendation.
- C. Take no action.



Glenn W. Gross, Urban Planning Administrator

Prepared by Amy J. Dixon, Planner II

Attachment A. Affected Church Street NE Properties

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(Future Rpt 3-19-12).doc

Effected Properties - Outdoor Advertising Signs would be prohibited				
#	Tax Lot	Address	Owner	Businesses
1	073W22DD01700	588 CHURCH ST NE	FIRST CHRISTIAN CHURCH	Dept of Energy
2	073W22DD01600	630 UNION ST NE	FIRST CHRISTIAN CHURCH	Dept of Energy
3	073W22DD01500	625 MARION ST NE	FIRST CHRISTIAN CHURCH	Dept of Energy
4	073W22DD02600	480 CHURCH ST NE	PAULUS,HELEN G	Black Night Bar and Food Mart
5	073W22DD02700	610 MARION ST NE	PAULUS,HELEN G	Black Night Bar and Shoe Repair store
6	073W22DD02800	610 MARION ST NE	PAULUS,HELEN G	Parking Lot
7	073W22DD02900	476 CHURCH ST NE	MACY'S DEPARTMENT STORES INC	Parking Lot
8	073W22DD03000	444 CHURCH ST NE	TRANSPORTATION REALTY INCOME	Greyhound Bus Depot
9	073W22DD03100	605 CENTER ST NE	CENTER STREET LLC	Empty Office Building
10	073W22DD05500	630 CENTER ST NE	PACIFIC FIRST BANK	Chase Bank
11	073W22DD05600	617 CHEMEKETA ST NE	AMERITITLE INC	Amerititle
12	073W27AA02000	280 CHURCH ST NE	STATESMAN JOURNAL CO	Statesman Journal

ATTACHMENT A

CITY OF SALEM
DEVELOPMENT DEPARTMENT
RTY ST. S.E. - ROOM 305
SALEM, OR 97301



U.S. POSTAGE  PITNEY BOWES

ZIP 97301 \$ 003.30⁰
02 1W
0001366670 JUL 30 2012

DEPT OF

JUL 31 2012

LAND CONSERVATION
AND DEVELOPMENT

Attention: Plan Amendment Specialist
Department of Land Conservation and Development
635 Capitol St NE, Ste 150
Salem OR 97301