



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

8/17/2009

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 016-07

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. 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: Monday, August 31, 2009

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 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 THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Amy Dixon, City of Salem
Gloria Gardiner, DLCD Urban Planning Specialist

<paa> N

Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

In person electronic mailed

DEPT OF

AUG 10 2009

LAND CONSERVATION AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: City of Salem

Local file number: CA 07-9

Date of Adoption: July 27, 2009

Date Mailed: August 6, 2009

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes Date: Jan. 28, 2008

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".

Amendment to Salem Revised Code Chapter 62 to create code language addressing new technology in lighting signs.

Does the Adoption differ from proposal? Yes

Added definitions, created clear and concise definitions and sections to eliminate discretion, eliminated size in relationship to rate of change of electronic display signs, created a conditional use process and criteria, reorganized sections, added language to allow signs for drive thru uses.

Plan Map Changed from: NA

to:

Zone Map Changed from: NA

to:

Location: City Wide

Acres Involved:

Specify Density: Previous: NA

New:

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-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. 016-07 (16552) [15669]

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

Local Contact: **Amy Dixon, Associate Planner** ^{AD} Phone: (503) 588-6173 Extension: **7404**
Address: 555 Liberty St SE, Rm 305 Fax Number: **503-588-6005**
City: Salem Zip: 97301 E-mail Address: adixon@cityofsalem.net

1 **ENGROSSED**

2 **ORDINANCE BILL NO. 1-09**

3 RELATING TO SRC CHAPTER 62, "SIGN CODE", ADDRESSING NEW SIGN
4 TECHNOLOGY; AMENDING SRC 62.010, SRC 62.050, SRC 62.085, SRC 62.280, AND SRC
5 62.502; RENUMBERING SRC 62.504 AND SRC 62.505; AMENDING AND
6 RENUMBERING SRC 62.240, SRC 62.260, AND SRC 62.503; AND CREATING NEW
7 PROVISIONS

8 *The City of Salem ordains as follows:*

9 **Section 1.** SRC 62.010 is amended to read as follows:

10 **62.010. Definitions; Rules of Construction.**

11 (a) As used in this Chapter, unless the context specifically requires otherwise:

12 (1) "Approved plastic" means a plastic that meets the standards of an
13 approved testing agency for use in construction of an ~~electric~~ ~~electronic~~
14 ~~display sign~~ ~~externally illuminated sign~~ ~~or internally illuminated sign~~.

15 (2) "Approved testing agency" means a nationally recognized
16 organization primarily established for the purpose of testing methods and
17 materials to approved standards, and accepted as such by the Director.

18 (3) "Blanketing" means blocking a motorist's view of one projecting sign
19 by another projecting sign.

20 (4) "Building" or "Structure" means a combination of materials to form a
21 construction used for occupancy, use or ornamentation, whether installed
22 on, above, or below the surface of land. As used in this Chapter,
23 "building" includes all structures other than sign structures.

24 (5) "Building frontage" ~~or building face~~ means a building facade facing
25 a street or a parking lot.

26 (6) "Building Official" means the head of the Building and Safety
27 Division of the Department of Community Development for the City, or
28 the Building Official's designee.

29 (7) "Canopy" means a permanent roofed structure, which may be
30 freestanding or partially attached to a building, ~~which is~~ erected for the

1 purpose of providing shelter to patrons in automobiles, ~~and which~~ that is
2 not completely enclosed.

3 (8) "Curb line" means the line indicating the edge of the vehicular
4 roadway within the overall right-of-way.

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

7 (10) "Designated arterial ~~and or designated~~ collector" means those streets
8 designated as arterials and collectors in the Salem Transportation System
9 Plan adopted under SRC 64.230, and all streets included in the area
10 bounded by 13th Street, Mission Street, the Willamette River, and D
11 Street.

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

15 (12) "Display" means any identifiable visual form or character, and which
16 may be comprised solely, or be comprised of a combination of, words,
17 symbols, images, and graphic elements.

18 (13) "Display surface" means the area on a sign ~~structure for~~ carrying the
19 display. ~~Display surface does not include sign structure, foundations or~~
20 ~~supports.~~

21 (14) "Effect" means sequential, flashing, or simultaneous illumination by
22 electrical means ~~other than by an electronic display.~~ As used in this
23 Chapter, ~~"effect" includes~~ ~~effects include,~~ but ~~is are~~ not limited to:

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

27 (B) "Chaser effect": illumination that is intended to lead the eye
28 by producing lineal or circular movement.

29
30

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

4 (D) "Speller effect": illumination that spells a word, one letter,
5 sentence, number, or character at a time, including flashing a
6 complete word or words or sentence.

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

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

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

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

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

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

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

30 (16) "Flashing" means sudden or intermittent electrical illumination.

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

6 (18) "Marquee" means a permanent roof-like structure projecting over the
7 entrance of a building, ~~which is not freestanding, and which is~~ attached to
8 or supported by the building, ~~which is erected for the purpose of providing~~
9 ~~shelter to persons entering the building, and which is not completely~~
10 ~~enclosed~~ As used in this Chapter, marquee does not include a "canopy."

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

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

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

23 (22) "Office complex" means a premises ~~planned and developed as a~~
24 ~~unit, that has an undivided or non-segregated parking area; that is~~
25 ~~identified by a name that characterizes the development as a unitary~~
26 ~~premises; that has multiple occupancies by business or service firms; that~~
27 ~~does not include a business which does not participate in the maintenance~~
28 ~~and promotional activities of the premises; that fronts on a designated~~
29 ~~arterial or collector street; that has a marked or segregated parking or use~~
30 ~~area for use by patrons of the premises; and that does not include any retail~~

1 outlets.

2 ~~(2322)~~ "Pedestrian pathway" means an area located on a public sidewalk
3 that is maintained for the purpose of free and unobstructed pedestrian
4 movement.

5 ~~(2423)~~ "Person" means an individual, corporation, limited liability
6 company, firm, partnership, co-operative, association, joint venture, joint
7 stock company, or other entity in law or fact.

8 ~~(2516)~~ ~~"Shopping center" or "integrated shopping center"~~ means a
9 premises planned and developed as a unit, that has ~~an undivided or non-~~
10 ~~segregated parking area for use by patrons of the premises~~, that is
11 identified by a name that characterizes the development as a unitary
12 premises; that has multiple occupancies by retail, business or service
13 firms; that does not include a business which does not participate in the
14 maintenance and promotional activities of the premises; that fronts on a
15 designated arterial or collector street; ~~that has a marked or segregated~~
16 ~~parking or use area for use by patrons of the premises.~~

17 ~~(2624)~~ "Sidewalk Intersection" means the sidewalk area located at an
18 intersection on a street corner that is created by extending intersecting
19 property lines to the edge of a roadway at a street intersection (Appendix
20 7, Figure 1). The sidewalk intersection is a pedestrian-only area with the
21 purpose of allowing free and unobstructed pedestrian movement while
22 maintaining a safe vision clearance triangle for motor vehicles at roadway
23 intersections.

24 ~~(2725)~~ "Sign" means any structure, board, poster, placard or device which
25 contains or comprises a display that is designed, used, or intended to
26 attract the attention of the public. As used in this Chapter, "sign" includes
27 the structure, display surface, and all other components. For purposes of
28 this Chapter, the ~~specific~~ types of signs are ~~defined as follows~~:

29 (A) Temporary signs. A sign that is not permanently affixed or
30 attached to a building, structure, or the ground and that is intended

1 to be used for a limited time. Temporary signs are comprised of
2 the following types:

3 (i) Lawn sign. A temporary sign which is made of a
4 corrugated plastic, greyboard or similar type material.

5 (ii) Portable Sign. Any sign that is not permanently
6 affixed to a building, structure, or the ground; a sign
7 designed to be moved from place to place. These signs
8 primarily include, but are not limited to, A-frame or
9 sandwich board signs, signs attached to wood or metal
10 frames, designed to be self-supporting and moveable, and
11 further including trailer reader boards.

12 (iii) Rigid sign. A temporary sign meeting a wind load
13 factor and constructed of materials of a grade and quality
14 consistent with the requirements for structural materials in
15 SRC Chapter 56.

16 (iv) Sidewalk Sign. A temporary sign that is portable and
17 self-supporting, and which is made of corrugated
18 cardboard, plastic, greyboard or similar type material which
19 does not meet an eighty mph wind load factor. These signs
20 primarily include, but are not limited to, A-frame or
21 sandwich board signs, signs attached to wood or metal
22 frames that are designed to be self-supporting and
23 moveable, but do not include trailer reader boards.

24 (v) Temporary sign display. An attention attracting device
25 or devices, including, but not limited to, flags, pennants,
26 banners, streamers, valences or balloons.

27 (B) Permanent sign. Any sign that is permanently affixed or
28 attached to a building, structure, or the ground and that is intended
29 to be used for an ongoing, indefinite period of time. Permanent
30 signs are comprised of the following types:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

(i) Building directory. An attached wall sign giving the name and room number of the occupants of a building. Where secondary signs are permitted, a building directory may be a secondary sign.

(ii) Interior sign. A sign located inside an enclosed building or structure, regardless of whether the sign is visible from the exterior of the building.

(iii) On-premise sign. A permanent sign which is used by the owner or lessee of the property upon which the sign is located. On-premise signs are not restricted as to content, but are normally and customarily used to advertise the business or facility located on the property or the goods, products, or services provided by the business or facility located on the property.

(iv) Outdoor advertising sign or advertising sign. A permanent sign which is a substantial permanent structure 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 property other than the property 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, to present messages dealing with political, public interest, public service, education, an election, a candidate for election, a ballot measure, religious matters, health, and other similar subjects.

1 (v) Principal sign. The principal permanent, on-premise
2 sign. Principal signs are not limited as to content, but are
3 normally and customarily used to identify or advertise a
4 business or facility located on the property to approaching
5 motorists or pedestrians.

6 (vi) Secondary sign. An incidental, permanent, on-premise
7 attached wall sign or sign on the face or ends of a marquee,
8 canopy, or wall facade for signs.

9 (C) Categories of Permanent Signs Based on Structure.

10 (i) Freestanding sign. A sign supported by one or more
11 upright poles or braces, or placed upon a foundation, in or
12 upon the ground and wholly detached from or only
13 incidentally attached to any building or other structure.

14 (ii) Projecting sign. A sign, other than a wall sign, that
15 projects beyond the building frontage face to which it is
16 attached. "Projecting" means the distance which a sign
17 extends from the building frontage face to which it is
18 attached.

19 (iii) Roof sign. A sign erected upon or painted upon the
20 roof of a building, a roof structure, or a canopy roof.

21 (iv) Under marquee sign. A sign which is erected or
22 maintained under a marquee.

23 (v) Wall sign. A sign painted on or attached to or erected
24 against the wall or parapet of a building or structure or
25 against the faces or ends of a marquee or canopy or on a
26 wall facade for signs with the exposed face of the sign in a
27 plane parallel to the plane of the wall or face and projecting
28 not more than eighteen inches therefrom. "Wall sign" also
29 means and includes a principal or secondary sign erected in
30 supporting or ornamental columns attached to and located

1 under an overhanging roof and which sign is erected in a
2 plane generally parallel to the nearest face of the building.

3 (D) Categories of Illuminated Signs.

4 ~~(i) Electric sign. A sign containing electrical wiring, but~~
5 ~~not including a sign illuminated by an exterior flood light~~
6 ~~source.~~

7 ~~(i) Electronic display sign. A sign including, or~~
8 ~~comprised solely or partially of an electronic display, which~~
9 ~~can be changed by automatic means, including, but not~~
10 ~~limited to, the operation of computer software.~~

11 (ii) Electronic time and temperature sign. A sign ~~or~~
12 ~~portion thereof~~ employing matrix display(s) or lighted
13 bulbs, lamps or tubes to announce ~~that announces~~ time,
14 temperature, or date.

15 (iii) Externally illuminated sign. ~~means~~ A sign illuminated
16 by an exterior light source which is primarily designed to
17 illuminate such sign, ~~including a sign illuminated by an~~
18 ~~exterior flood light source.~~

19 (iv) Internally illuminated sign. ~~means~~ A sign that is
20 wholly or partially illuminated by an internal light source
21 that passes through the display surface of the sign.

22 ~~(2826)~~ "Street frontage" means ~~that portion of~~ a lot ~~which abuts~~ line
23 ~~fronting on~~ a street. Unless the premises has only one such ~~street~~ frontage,
24 the width ~~along such lot line must~~ ~~shall~~ be at least fifty feet to qualify as a
25 ~~street~~ frontage. An access easement shall not qualify as a ~~street~~ frontage.
26 Access to a street is not required to establish a ~~street~~ frontage.

27 ~~(2927)~~ "Unobstructed" means an area does not have any physical
28 obstructions to free passage, tripping hazards, or people standing or
29 sitting. "Unobstructed" does not include a pedestrian pathway through
30 which persons actively travel.

1 ~~(30) "Vehicle accessway" means driveway that gives access to a window~~
2 ~~whereby goods or services are provided to a patron of a business, typically~~
3 ~~including queuing lanes, service windows or service islands.~~

4 ~~(3128)~~ "Vehicle buffer zone" means an area that runs parallel to and abuts
5 a roadway. Its purpose is to create a pedestrian safety zone and
6 unobstructed accessibility to parked vehicles (See Appendix 7, Figure 3a
7 and 3b).

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

11 **Section 2.** SRC 62.050 is amended to read as follows:

12 **62.050 Measurements.** ~~The following shall be used in measuring a sign to determine~~
13 ~~compliance with this Chapter:~~

14 (a) ~~Area or Sign Area. (1) Sign area shall be expressed in square feet and shall~~
15 ~~be that area lying measured within a line lines drawn around between the~~
16 ~~outermost points of the display surface of the a sign, but excluding essential sign~~
17 ~~structure, foundations, or supports. The area of all signs in existence at the time~~
18 ~~of enactment of this ordinance, whether conforming or nonconforming, shall be~~
19 ~~counted in establishing the permitted sign area. Where the display surface of a~~
20 ~~sign is of a three dimensional, including, but not limited to, round, or irregular~~
21 ~~solid shapes, the sign area shall be calculated by taking the largest cross-section of~~
22 ~~the display surface, and drawing a line around the outermost points of the cross~~
23 ~~section, shall be used in a flat projection for the purpose of determining sign area.~~
24 (2) ~~Where open area is employed between sections or modules forming the~~
25 ~~display surface of an on-premise a sign, the open area shall be deducted from the~~
26 ~~calculation of sign area. an additional ten percent of sign area is permitted within~~
27 ~~the perimeter lines drawn to measure the sign.~~

28 ~~(b) Gross Face Area of Building Frontage. The gross face area of a building~~
29 ~~frontage shall be expressed in square feet and shall be that area lying within a line~~
30 ~~around the outermost points of the building frontage including any wall facade.~~

1 ~~Where a building houses more than one business, gross face area for each~~
2 ~~business shall be that area lying within a line drawn around the outermost points~~
3 ~~of that portion of the building frontage that is actually occupied by the business.~~

4 ~~(cb) Height. Sign height shall be~~ is measured from the average level of the grade
5 below the sign to the topmost point of the sign ~~structure.~~

6 ~~(de) Clearance. Clearance shall be~~ is measured from the average grade below
7 the sign to the lower most point of the sign ~~structure.~~

8 ~~(d) Gross Face Area. The gross face area expressed in square feet shall be~~
9 ~~computed by drawing a line drawn around the outermost points of the building~~
10 ~~face or other surface to which the sign is attached, including any wall façade for~~
11 ~~signs extending beyond the building face, and measuring the area contained~~
12 ~~within such lines. Where secondary signs are permitted on a frontage other than a~~
13 ~~street or parking lot frontage, GFA shall be measured on street frontage only.~~

14 ~~(e) Multiple business occupancies. Where more than one business is housed in~~
15 ~~the same building, only the gross face area of the lineal building frontage~~
16 ~~occupied by the business, shall be included in determining the size of signs for~~
17 ~~such business.~~

18 ~~(ef) Size. Size includes the height, length, width, and area of a sign.~~

19 ~~Measurements shall be rounded up to the nearest square foot.~~

20 ~~(fg) Spacing and Density.~~

21 (1) For the purpose of applying spacing requirements or density limits to
22 signs, distances shall be measured ~~along a line~~ parallel to the centerline of
23 the adjacent street or highway ~~and between the nearest edges of the~~
24 ~~display surfaces of the signs.~~

25 (2) A back-to-back sign is counted as a single sign for the purpose of
26 spacing and density limits.

27 **Section 3.** SRC 62.240 is renumbered 62.070 and amended to read as follows:

28 **62.070. 62.240. ~~Noncombustible and Combustible Incombustible Materials.~~**

29 ~~(a) All signs erected within the Downtown Parking District boundaries shall have~~
30 ~~primary structural members of incombustible materials. Wooden stringers for the~~

1 support of sections of the display surface of outdoor advertising signs may be
2 used within the Downtown Parking District boundaries if they conform to SRC
3 62.230(b)(1).

4 ~~(b)~~ Combination signs, Roof signs, wall signs, projecting signs, and signs on
5 marquees other than under marquee signs, signs on canopy and wall facades shall
6 be constructed of ~~incombustible~~ noncombustible materials except for
7 nonstructural trim, display surfaces and cutouts which may be constructed of
8 wood, metal, approved plastics, or any combination thereof. Except as provided in
9 subsection ~~(b)~~ (d) of this section, only metal and approved plastics shall be used
10 in construction of electronic display electric signs, internally illuminated signs,
11 and externally illuminated signs.

12 ~~(e)~~ Work platforms attached to signs for service and maintenance, may be
13 constructed of wood or metal.

14 ~~(b)~~ (d) The Director building official may approve the use of combustible materials
15 for covering, erecting a facade on, or ornamenting ornamentation of a sign
16 structure for an electronic display electric sign, internally illuminated sign, and
17 externally illuminated sign, provided that he finds that:

- 18 (1) The use of such materials is permitted in the Fire Zone in which the
19 sign is located or proposed to be located.
- 20 (2) There is no load-bearing member of the sign structure constructed of
21 combustible materials.
- 22 (3) There is no substantial fire or electrical safety hazard.

23 ~~(e)~~ The building official may permit the use of combustible wood signs as
24 freestanding signs in the Downtown Parking District if limited to a maximum area
25 of 32 square feet and if the poles or supports in the ground are properly treated or
26 creosoted.

27 **Section 4.** SRC 62.085 is amended to read as follows:

28 **62.085. Electric Sign Construction.**

29 (a) Electronic display Electric signs, internally illuminated signs, and externally
30 illuminated signs shall be permanently and rigidly affixed to the sign structure,

1 building, or other structure. Electric signs may be mechanically activated for
2 animation, but may not be wind-activated.

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

8 (c) Every ~~electronic display, electric sign, internally illuminated sign, and~~
9 ~~externally illuminated sign~~ shall have placed, within easy view, a laboratory label
10 from an approved testing agency.

11 **Section 5.** SRC 62.260 is renumbered SRC 62.095 and amended to read as follows:

12 ~~62.095. 62.260. Limitation on Sign~~ **General Illumination Standards.**

13 (a) No sign shall be erected or maintained which, by use of lights or illumination
14 creates an unduly distracting and hazardous condition to a motorist, pedestrian, or
15 the general public ~~or which may be confused with or construed as a traffic control~~
16 ~~device.~~ In addition:

17 (ba) No exposed reflective type bulb, par spot ~~or~~ ~~or~~ incandescent lamp ~~that,~~
18 ~~which~~ exceeds 25 ~~twenty-five~~ watts, shall be exposed to direct view from a public
19 street ~~or highway,~~ but may be used for indirect light illumination of a ~~the~~ display
20 surface ~~of a sign.~~

21 (cb) ~~When Neon tubing is employed on the exterior or interior of a sign, the~~
22 ~~capacity of such tubing~~ shall not exceed 300 milliamperes rating for white tubing
23 ~~or~~ ~~or~~ 100 milliamperes rating for any colored tubing.

24 (de) When fluorescent tubes are used for interior illumination of a sign, ~~the~~
25 ~~fluorescent tubes~~ ~~such illumination~~ shall not exceed:

26 (1) Within Residential zones, ~~zone districts,~~ illumination equivalent to
27 425 milliamperes rating tubing behind a plexiglass face, with tubes spaced
28 at least seven inches, center to center.

29 (2) Within ~~Commercial, Industrial and Public zones,~~ other zoning
30 districts, illumination equivalent to 800 milliamperes rating tubing behind a

1 plexiglass face spaced at least nine inches, center to center.

2 ~~(e) The light source for an internally illuminated sign may be comprised of light~~
3 ~~emitting diodes, so long as the light emitting diodes are used for illumination~~
4 ~~only, do not create an electronic display or effect, and conform to the brightness~~
5 ~~limitations set forth in SRC 62.090(b)(4).~~

6 **Section 6.** SRC 62.090 is hereby added to SRC Chapter 62:

7 **62.090. Electronic Display Signs.**

8 (a) No electronic display sign in a Residential zone may be erected without first
9 obtaining a conditional use permit, as provided in SRC 62.375.

10 (b) No electronic display sign shall be allowed within a historic district.

11 (c) All electronic display signs shall meet the following standards:

12 (1) **Zones.**

13 (A) In all Industrial zones, Public zones, and Commercial zones,
14 other than the Commercial Office Zone, the change from one
15 electronic display to another electronic display shall be no more
16 frequent than once every eight seconds, except changes to correct
17 hour-and-minute or temperature information, which may change
18 no more often than once every three seconds.

19 (B) In all Residential zones and in the Commercial Office Zone,
20 the change from one electronic display to another electronic
21 display shall be no more frequent than once every hour, except
22 changes to correct hour-and-minute or temperature information,
23 which may change no more often than once every three seconds.

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

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

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

10 **(i)** For a display comprised of red only, 3,150 nits between
11 sunrise and sunset, and 450 between sunset and sunrise;

12 **(ii)** For a display comprised of green only, 6,300 nits
13 between sunrise and sunset, and 900 nits between sunset
14 and sunrise;

15 **(iii)** For a display comprised of amber only, 4,690 nits
16 between sunrise and sunset, and 670 nits between sunset
17 and sunrise.

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

20 **(i)** No sign shall be brighter than is necessary for clear and
21 adequate visibility.

22 **(ii)** No sign shall be of such intensity or brilliance as to
23 impair the vision of a motor vehicle driver with average
24 eyesight or to otherwise interfere with the driver's operation
25 of a motor vehicle.

26 **(iii)** No sign shall be of such intensity or brilliance that it
27 interferes with the effectiveness of an official traffic sign,
28 device or signal.

29 **(C)** The person owning or controlling an electronic display sign
30 must adjust the sign to meet the brightness standards in accordance

1 with the Director's instructions. The adjustment must be made
2 immediately upon notice of non-compliance from the Director.
3 The person owning or controlling the sign may appeal the
4 Director's determination to the Hearings Officer, using the
5 contested case procedures set forth in SRC Chapter 20J.

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

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

17 **Section 7.** SRC 62.375 is hereby added to SRC Chapter 62:

18 **SRC 62.375. Conditional Uses.**

19 **(a) Procedures.** Applications for conditional use permits for electronic display
20 signs shall be processed according to the following procedure:

21 **(1)** Requests for conditional use shall be filed with the Director, on a form
22 provided by the Director, and accompanied by a fee as approved by the
23 City Council. The request shall include the information required for a sign
24 permit, as specified in SRC 62.030(c), the scope of the conditional use
25 sought by the applicant, and a statement as to why the request satisfies the
26 approval criteria.

27 **(2)** The Hearings Officer shall conduct a public hearing on the request for
28 conditional use. The Director shall give written notice of the hearing by
29 mail to owners of property located within two hundred and fifty feet of the
30 lot or parcel upon which the sign will be located, as shown upon the latest

1 assessment role of the county assessor and each affected neighborhood
2 organization. Failure of a person to receive the notice specified in this
3 section shall not invalidate any proceeding in connection with the
4 application for a conditional use.

5 (3) The Hearings Officer shall approve, approve with conditions, or deny
6 the conditional use, based upon the evidence introduced at the hearing.
7 The Hearings Officer may impose such conditions as the Hearings Officer
8 deems necessary to mitigate any adverse impacts which may result from
9 approving the conditional use. The hearing shall be conducted under the
10 procedures used for a quasi-judicial land use hearing.

11 (4) The Hearings Officer shall issue a decision in writing explaining the
12 reasons why the conditional use was approved or denied. Notice of the
13 decision shall be provided to the applicant by personal delivery or by first
14 class mail mailed to the address of the applicant as set forth on the
15 application. Notice of the decision shall be provided to any person who
16 appeared before the Hearings Officer, in person or by written testimony,
17 by personal delivery or by first class mail mailed to the address provided
18 by the person to the Hearings Officer. Unless City Council review is
19 initiated pursuant to SRC 62.600(b), the decision of the Hearings Officer
20 shall be final.

21 (b) **Decision Criteria.** The following criteria shall be used to review and decide
22 conditional use permit applications for electronic message signs:

23 (1) The proposed sign, as conditioned, will not create or significantly
24 increase street level sign clutter;

25 (2) The proposed sign, as conditioned, will not adversely impact the neat,
26 clean, orderly, and attractive appearance of the surrounding area to a
27 significant degree;

28 (3) The proposed sign will not present a traffic or safety hazard; and

29 (4) The proposed sign will comply with all other regulations, including, but
30 not limited to sign height and placement restrictions.

1 **Section 8.** SRC 62.280 is amended to read:

2 **62.280. Signs Permitted in Public Zones.**

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

5 (1) The following signs are permitted in PC, PM and PS districts:

6 (A) **Wall Signs.** One wall sign for each building ~~faci~~ng or
7 frontage. ~~on a street or parking lot.~~ Wall signs, which shall be
8 limited to the greater of thirty-two square feet or two percent of the
9 gross face area of the building ~~frontage face~~ on which it is located.

10 (B) **Freestanding Signs.** One freestanding sign for each ~~building~~
11 frontage ~~on a street or parking lot,~~ which shall be limited to five
12 feet in height and twenty-four square feet in total sign area. Such
13 signs shall be set back at least three feet from a street front
14 property line or the special set back area established by the Salem
15 Zoning Ordinance, whichever is greater, provided further that
16 where adjacent property is zoned residential or commercial office,
17 signs shall be set back at least twenty feet from the side lot line
18 abutting a CO or residential district.

19 (C) **Vehicle Directional Signs.** One permanent sign to identify
20 each motor vehicle entrance onto or exit from the premises shall be
21 permitted, which shall be limited to thirty inches in height and four
22 square feet in total sign area.

23 (D) **Electronic Display Signs.** ~~Electronic display~~ signs no larger
24 than eight hundred square feet shall be permitted in the PS district
25 within stadiums, athletic fields and other outdoor assembly
26 facilities, where they are intended primarily for viewing by persons
27 within the facility, are oriented toward the interior of the facility
28 and viewing stands, and are only used during events where the
29 public attends as spectators. Notwithstanding any other provision
30 of this Chapter, signs allowed by this paragraph may employ

1 ~~dissolve, fade, scrolling, static display, travel and video display~~
2 any effect, and shall not be subject to the limitations imposed
3 under SRC 62.270. ~~Signs allowed by this paragraph shall not be~~
4 ~~subject to the electronic sign display area limitation set forth in~~
5 ~~SRC 62.090(b)~~

6 (E) Where a commercial use is permitted in a PS district, the signs
7 allowed for such a use shall be the same as those permitted in
8 subsection (d)(1) and (2) of this section.

9 ~~(E-2) Externally Illuminated and Internally Illuminated Signs:~~
10 ~~Illumination.~~ Where adjacent property is zoned commercial or
11 industrial, ~~externally illuminated signs and internally illuminated~~
12 ~~signs are permitted~~ in PC, PM and PS districts. ~~may be externally.~~
13 No flashing signs ~~illumination~~ shall be permitted.

14 ~~(23) Animation.~~ No sign in a PC, PM, or PS district shall be
15 mechanically or electrically animated or wind activated.

16 (b) Signs permitted in Public and Private Educational Services (PE)
17 Districts

18 (1) The following signs are permitted in PE districts:

19 (A) Wall Signs. One wall sign for each ~~building facing or~~
20 ~~frontage, on a street or parking lot.~~ Wall signs, which shall be
21 limited to the greater of thirty-two square feet or two percent of the
22 gross face area of the building ~~frontage face~~ on which it is located.

23 (B) Freestanding Signs. One freestanding sign for each ~~building~~
24 ~~frontage, on a street or parking lot,~~ which shall be limited to five
25 feet in height and twenty-four square feet in total sign area;
26 provided, however, that one such sign may be sixteen feet in height
27 and thirty-two square feet in total sign area. Such signs shall be set
28 back at least three feet from a street front property line or the
29 special set back area established by the Salem Zoning Ordinance,
30 whichever is greater, provided further that where adjacent property

1 is zoned residential or commercial office, signs shall be set back at
2 least twenty feet from the side lot line abutting a CO or residential
3 district.

4 (C) **Vehicle Directional Signs.** One permanent sign to identify
5 each motor vehicle entrance onto or exit from the premises shall be
6 permitted, which shall be limited to thirty inches in height and four
7 square feet in total sign area.

8 (D) ~~Electronic Display Signs.~~ Electronic Display signs no larger
9 than eight hundred square feet shall be permitted in the PE-PS
10 district within stadiums, athletic fields and other outdoor assembly
11 facilities, where they are intended primarily for viewing by persons
12 within the facility, are oriented toward the interior of the facility
13 and viewing stands, and are only used during events where the
14 public attends as spectators. Notwithstanding any other provision
15 of this Chapter, signs allowed by this paragraph may employ
16 dissolve, fade, scrolling, static display, travel and video display
17 any effect, and shall not be subject to the limitations imposed
18 under SRC 62.270. Signs allowed by this paragraph shall not be
19 subject to the electronic sign display area limitation set forth in
20 SRC 62.090(b).

21 (E2) ~~Externally Illuminated and Internally Illuminated Signs.~~
22 Illumination. Externally illuminated signs and internally
23 illuminated signs are permitted in PE districts. may be illuminated
24 internally or externally. Except as provided in paragraph (1)(C) of
25 this subsection, No flashing signs illumination shall be permitted.

26 (c) **Signs permitted in Public and Private Health Services (PH) Districts**
27 **(PH).**

28 (1) The following signs are permitted in PH districts:

29 (A) **Wall Signs.** One wall sign for each building facing or
30 frontage. on a street or parking lot. Wall signs, which shall be

1 limited to the greater of thirty-two square feet or two percent of the
2 gross face area of the building ~~frontage~~ face on which it is located.

3 **(B) Freestanding Signs.** One freestanding sign for each ~~building~~
4 ~~frontage~~ ~~on a street or parking lot~~, which shall be limited to five
5 feet in height and twenty-four square feet in total sign area;
6 provided, however, that one such sign may be fifteen feet in height
7 and twenty-four square feet in total sign area. Such signs shall be
8 set back at least three feet from a street front property line or the
9 special set back area established by the Salem Zoning Ordinance,
10 whichever is greater, provided further that where adjacent property
11 is zoned residential or commercial office, signs shall be set back at
12 least twenty feet from the side lot line abutting a CO or residential
13 district.

14 **(C) Vehicle Directional Signs.** One permanent sign to identify
15 each motor vehicle entrance onto or exit from the premises shall be
16 permitted, which shall be limited to thirty inches in height and four
17 square feet in total sign area.

18 **(D) ~~Electronic Display Signs.~~** ~~Electronic display~~ signs no larger
19 than eight hundred square feet shall be permitted in the ~~PH-PS~~
20 district within stadiums, athletic fields and other outdoor assembly
21 facilities, where they are intended primarily for viewing by persons
22 within the facility, are oriented toward the interior of the facility
23 and viewing stands, and are only used during events where the
24 public attends as spectators. Notwithstanding any other provision
25 of this Chapter, signs allowed by this paragraph may employ
26 ~~dissolve, fade, scrolling, static display, travel and video display~~
27 ~~any effect, and shall not be subject to the limitations imposed~~
28 ~~under SRC 62.270. Signs allowed by this paragraph shall not be~~
29 ~~subject to the electronic sign display area limitation set forth in~~
30 ~~SRC 62.090(b).~~

1 ~~(E2) Externally Illuminated and Internally Illuminated Signs:~~

2 ~~Illumination.~~ Only those signs which designate emergency
3 vehicle directional signs and emergency entrances to a building in
4 PH districts shall be ~~externally illuminated signs or internally~~
5 ~~illuminated signs.~~ No flashing signs ~~illumination~~ shall be
6 permitted.

7 (d) Signs permitted in Public Amusement (PA) Districts.

8 (1) The following signs are permitted in the PA district:

9 (A) All signs permitted in SRC 62.502 shall be permitted in a PA
10 district. A sign permitted by this paragraph shall not be an
11 ~~externally illuminated sign, an internally illuminated sign, or an~~
12 ~~electronic display sign~~ if it is erected or maintained within three
13 hundred feet of the boundary of the residential district.

14 (B) Freestanding Signs. For an office complex in a PA district,
15 each separate occupancy may have one freestanding sign not
16 exceeding thirty feet in height and one hundred square feet in total
17 sign area. Each such sign shall be separate and not part of any
18 other sign allowed on this property. No such freestanding sign
19 shall be installed within one hundred feet of another freestanding
20 sign on the same property. Where a PA district is adjacent to a
21 residential district, ~~no electronic display sign, externally~~
22 ~~illuminated sign or internally~~ illuminated sign shall be installed or
23 maintained within three hundred feet of the boundary of the
24 residential district.

25 (C) ~~Electronic Display Signs.~~ ~~Electronic display~~ signs no larger
26 than eight hundred square feet shall be permitted in the ~~PA PS~~
27 district within stadiums, athletic fields and other outdoor assembly
28 facilities, where they are intended primarily for viewing by persons
29 within the facility, are oriented toward the interior of the facility
30 and viewing stands, and are only used during events where the

1 public attends as spectators. Notwithstanding any other provision
2 of this Chapter, signs allowed by this paragraph may employ
3 ~~dissolve, fade, scrolling, static display, travel and video display,~~
4 any effect, and shall not be subject to the limitations imposed
5 under SRC 62.270. ~~Signs allowed by this paragraph shall not be~~
6 ~~subject to the electronic sign display area limitation set forth in~~
7 ~~SRC 62.090(b).~~

8 **Section 9.** SRC 62.502 is amended to read:

9 **62.502. Permanent Signs for Businesses. ~~Outside Integrated Shopping Center or~~**
10 **~~Business Complexes.~~ Except for theaters, ~~Unless the business is located in Each~~**
11 **~~business outside an integrated shopping center or office complex, as defined in Section~~**
12 **~~62.503 a business~~ may have the following signs:**

13 (a) ~~Except as otherwise provided by SRC 62.410(d) and (e), One principal wall~~
14 ~~sign or one freestanding~~ sign for each street frontage, and located on that frontage.

15 **(1) Wall Signs:** Where a wall sign is used as the principal sign ~~is a wall~~
16 ~~sign, sign area~~ it shall be limited to a maximum size of 125 square feet;
17 ~~provided however~~ except that where secondary signs are allowed, the
18 permitted ~~this sign area may be increased by adding sign area authorized~~
19 ~~under subsection (b) of this section to the wall sign~~ area for secondary
20 signs may be added in whole or in part to increase the area of a principal
21 wall sign. No secondary sign shall exceed one half the size allowed for the
22 first principal wall sign, but in no event exceeding 100 square feet.
23 Permitted area for secondary signs may be added in whole or in part to
24 increase the area of a principal sign. ~~Notwithstanding any sign area~~
25 ~~authorized by this subsection (a)(1), any wall sign that is located on the~~
26 ~~face or end of a marquee shall be limited in height to thirty inches and~~
27 ~~shall not extend below the lower edge of the marquee~~

28 **(2) Freestanding Signs:** Freestanding sign height is limited to 20 feet for
29 up to the first 100 feet of frontage plus an additional one foot in height for
30 each 20 feet of frontage over 100 feet with a maximum height of 30 feet.

1 Where the sign is a freestanding sign, the sign shall be area is limited in
2 area to one square foot per lineal foot of property street frontage up to the
3 first 100 square feet of sign area plus an additional one-quarter square foot
4 of sign area for each additional one foot of street frontage over 100 feet
5 with a maximum limit of 150 square feet of sign area. Freestanding sign
6 height is limited to twenty feet for up to the first 100 feet of street frontage
7 plus an additional one foot in height for each twenty feet of street frontage
8 over 100 feet with a maximum height of thirty feet. Where located on the
9 faces or ends of a marquee, a principal sign is limited in height to 30
10 inches and shall not extend below lower edge of marquee.

11 (b) In addition to the sign allowed under subsection (a)(1) of this section, any
12 number of additional wall signs are allowed on each building; provided, however,
13 that the total sign area of all signs allowed under this paragraph secondary signs
14 shall not exceed the maximum total sign area set forth is limited in relation to the
15 gross face area of the permanent building facing a street or streets as provided in
16 Appendix No. 3, and further provided that no single sign allowed under this
17 paragraph No secondary sign shall exceed one-half the sign area of size allowed
18 for the a wall sign erected pursuant to subsection (a)(1) of this section, with a
19 maximum sign area not to exceed, but in no event exceeding 100 square feet.
20 Secondary Signs authorized by this subsection may be located on a wall facing
21 any frontage face of a building, marquee, canopy, or wall facade for signs which
22 face on a street, parking lot, side lot line shall not be allowed unless it is necessary
23 to go onto the adjacent lot to service the sign unless, or alley; provided, however,
24 that the written consent of the adjacent property owner has first been obtained
25 shall be required where such sign faces across a side lot line. Where located on
26 the faces or ends of a marquee, the a secondary sign is limited in height to thirty
27 inches in height and shall not extend below the lower edge of a marquee.

28 (c) In addition to the sign allowed under subsection (a)(1) of this section, one
29 under marquee sign per building frontage. shall be permitted.
30

1 (d) ~~In addition to the sign allowed under subsection (a)(1) of this section,~~ one An
2 alley sign limited to a wall sign ~~located on the wall abutting an alley adjacent to~~
3 ~~the building in which the business is located, which shall not exceed~~ of six square
4 feet ~~in sign area~~ shall be permitted in addition to any secondary wall signs
5 allowed. Such sign shall be permitted to identify the business and shall not be
6 used to identify services or products.

7 (e) ~~In addition to the sign allowed under subsection (a)(1) of this section,~~ one
8 permanent ~~freestanding sign or one wall sign located at~~ to identify each motor
9 vehicle entrance ~~to or exit from the premises~~ shall be permitted, which signs
10 shall ~~not exceed~~ be limited to eight square feet in ~~sign~~ area and a height of four
11 feet ~~in height~~.

12 (f) ~~In addition to the sign allowed under subsection (a)(1) of this section,~~ For a
13 motor vehicle service entrance onto the premises, ~~one~~ limited to either a
14 freestanding sign of 22 ~~twenty-two~~ square feet in area and a height of 15 ~~fifteen~~
15 feet, or a ~~one~~ wall sign of eight square feet, provided that a freestanding sign
16 located on the front ten feet of property adjacent to a street shall be limited in
17 height to three feet. If a principal sign on the same frontage would be allowed to
18 project over public property under provisions of this Chapter, a projecting
19 directional sign may be used limited to eight square feet, a minimum clearance of
20 ten feet and a projection of four feet six inches.

21 (f) ~~Where an individual business does not have a frontage on a street or parking~~
22 ~~lot, the principal occupant of the building or the property owner or lessee of the~~
23 ~~property where the sign will be located may execute a written release of a portion~~
24 ~~of his allowable principal sign area for use by such business for a sign. A release~~
25 ~~by a lessee is limited to the shorter of the term of the lease or lessee's occupancy.~~

26 (g) A building wall sign to be used as a building directory¹ sign limited to one
27 square foot per occupant. ~~In addition to the sign allowed under subsection (a)(1) of~~
28 ~~this section, one free standing sign or one wall sign, not to exceed twenty-four~~
29 ~~square feet, located on a vehicle accessway adjacent to a building or on the~~
30

1 ~~building, and intended to be seen by a person doing business from the vehicle~~
2 ~~accessway while the person is within the person's motor vehicle.~~

3 ~~(h) Temporary signs shall be permitted as provided in Section 62.312.~~

4 ~~(i) Signs in commercial and industrial districts shall be constructed according to~~
5 ~~the requirements of SRC 62.130 through 62.200. Additional requirements for~~
6 ~~each class of sign are stated in SRC 62.390 through SRC 62.450.~~

7 **Section 10.** SRC 62.503 is renumbered as SRC 62.503, SRC 62.504 and SRC 62.505, and
8 amended to read:

9 **62.503. Permanent Signs for Integrated Shopping Centers and Business Complexes.**
10 Signs permitted by this section shall be the only permanent signs permitted for in an
11 integrated shopping centers and for individual businesses located within shopping
12 centers or business complex.

13 (a) ~~A shopping center is allowed the following signs.~~ Specific signs for an
14 integrated shopping center are:

15 (1) ~~Except as provided in SRC 62.410(d) and (e), One freestanding sign~~
16 ~~for the center each street frontage on a designated arterial or designated~~
17 ~~collector street; provided, however, if the shopping center is located on a~~
18 ~~corner lot with two such intersecting street frontages, only one~~
19 ~~freestanding sign shall be allowed, which may be located on the principal~~
20 ~~street frontage or at the corner of the intersection of the street frontages.~~

21 ~~(A) Height.~~ The height of such freestanding principal Sign height
22 shall be limited to 20 twenty feet for up to the first 100 feet of street
23 frontage, plus an additional one foot in height for each 20 twenty
24 feet of street frontage over 100 feet, up to with a maximum height
25 of 35 thirty-five feet.

26 ~~(B) Area.~~ Freestanding principal Sign area shall be limited to one
27 square foot per lineal foot of property street frontage for up to the
28 first 100 square feet of street frontage of sign area plus one-quarter
29 additional square foot of sign area for each additional foot of street
30

1 frontage over 100 feet, up to with a maximum sign area limit of
2 250 square feet.

3 ~~(2) Temporary promotional or sign displays for a center wide promotion~~
4 ~~or event.~~

5 ~~(23) In addition to the sign allowed under subsection (a)(1) of this section,~~
6 ~~one freestanding permanent or one wall sign to identify each motor~~
7 ~~vehicle access entrance onto or exit from to the premises shall be~~
8 ~~permitted, which signs shall be limited to eight square feet in area and a~~
9 ~~height of four feet.~~

10 ~~(34) A In addition to the sign allowed under subsection (1) of this section,~~
11 ~~one wall sign to be used as a building directory. sign The square footage~~
12 ~~of the sign shall be based on the total number of occupants in the shopping~~
13 ~~center, but shall be limited to one square foot per occupant.~~

14 ~~(4) In addition to the sign allowed under subsection (a)(1)(A) of this~~
15 ~~section, if one or more of the street frontages of the shopping center~~
16 ~~exceeds 300 feet, the shopping center may have one additional~~
17 ~~freestanding sign on each street frontage exceeding such length, which~~
18 ~~shall be limited to twenty feet in height and fifty square feet in sign area.~~
19 ~~If two free standing signs are located on the same street frontage, there~~
20 ~~shall be a minimum distance of 100 feet between such signs.~~

21 ~~(5) Temporary signs as provided in SRC 62.311.~~

22 (b) Specific signs for individual businesses in a shopping center shall be allowed
23 the following signs: integrated shopping centers:

24 (1) One wall sign or one roof principalsign for each facing or building
25 frontage, on a designated arterial or designated collector street or parking
26 lot, provided however that no such sign shall be allowed on a building
27 frontage facing a the parking lot where the sign would be directed towards
28 does not abut a residential area. The principal sign shall be a wall sign or
29 roof sign. Sign area shall be limited as specified in Appendix 2 of this
30 Chapter, SRC Chapter 62.

1 (2) ~~In addition to the sign allowed under subsection (b)(1) of this section,~~
2 one ~~wall sign~~ secondary sign for ~~on~~ each street ~~building~~ frontage, or
3 parking lot ~~provided, however, that no sign shall be allowed on a building~~
4 ~~frontage facing a parking lot where the sign would be directed towards a~~
5 ~~residential area.~~ Frontage for each business. The sign shall be limited to a
6 wall sign of ~~The wall sign shall be no greater than~~ eight square feet in total
7 sign area; ~~provided, however, the sign area may be increased by forgoing~~
8 ~~part of the sign area authorized under subsection (b)(1) of this section; and~~
9 ~~adding such sign area to the wall sign.~~

10 (3) ~~In addition to the sign allowed under subsection (b)(1) of this section,~~
11 one under marquee sign for each ~~building~~ frontage; ~~provided, however,~~
12 ~~that no sign shall be allowed on a building frontage facing a parking lot~~
13 ~~where the sign, if installed, would be directed towards a residential area.~~
14 For each business.

15 (4) ~~In addition to the sign allowed under subsection (b)(1) of this section,~~
16 ~~one free standing sign or one wall sign, not to exceed twenty-four square~~
17 ~~feet, located on a vehicle accessway adjacent to a building or on the~~
18 ~~building, and intended to be seen by a person doing business from the~~
19 ~~vehicle accessway while the person is within the person's motor vehicle.~~

20 (5e) If the Specific signs for interior business. Where an individual
21 business does not have ~~building~~ frontage; ~~on a street or parking lot,~~ the
22 principal occupant of the building in which the interior business is located
23 may execute a written ~~assignment~~ release of a portion of ~~that occupant's~~
24 his allowable principal sign area ~~allowed under subsection (b)(1) of this~~
25 ~~section~~ for use by such interior business for a wall sign.

26 ~~SRC 62.504. Permanent Signs for Office Complexes. Signs permitted by this section~~
27 ~~shall be the only permanent signs permitted for an office complex and for individual~~
28 ~~businesses located within the office complex.~~

29 (6d) ~~An office complex is allowed the following signs:~~ Specific signs for a
30 "business complex." "Business complex" for purposes of this section means one

1 property ownership with the property owner and one or more business tenants as
2 occupants or two or more business tenants as occupants of the property.

3 ~~(1) Except as provided in SRC 62.410(d) and (e), the business complex~~
4 ~~may have One freestanding principle sign shall be allowed for the~~
5 ~~complex for each street frontage on a designated arterial or designated~~
6 ~~collector; provided, however, if the office complex is located on a corner~~
7 ~~lot with two intersecting street frontages, only one freestanding sign shall~~
8 ~~be allowed; which may be located on the principal street frontage or at the~~
9 ~~corner of the intersection street frontages.~~

10 ~~(A) Height The height of such freestanding principal Sign height~~
11 ~~shall be limited to a height of 20 twenty feet for up to the first 100~~
12 ~~feet of street frontage; plus an additional one foot in height for~~
13 ~~each 20 twenty feet of street frontage over 100 feet; up to with a~~
14 ~~maximum height of 30 thirty feet.~~

15 ~~(B) Area The freestanding Sign area shall be limited to one~~
16 ~~square foot per lineal foot of property street frontage for the first~~
17 ~~100 feet of street frontage; up to 100 square feet in sign area plus~~
18 ~~one quarter additional square foot of sign area for each foot of~~
19 ~~street frontage over 100 feet; up to with a maximum sign area limit~~
20 ~~of 150 square feet in sign area.~~

21 ~~(2) In lieu of the freestanding sign under subsection (a)(1) of this section,~~
22 ~~the office complex may have a wall sign for each street frontage on a~~
23 ~~designated arterial or designated collector, which shall be limited to a~~
24 ~~maximum sign area of 125 square feet; provided, however, if the wall sign~~
25 ~~is located on the face or end of a marquee, the wall sign shall be limited to~~
26 ~~thirty inches in height and shall not extend below the lower edge of the~~
27 ~~marquee.~~

28 ~~(3) In addition to the sign allowed under subsection (a)(1) of this section,~~
29 ~~if one or more of the street frontages of the office complex exceeds 300~~
30 ~~feet, the office complex may have one freestanding sign on each street~~

1 frontage exceeding such length, which shall be limited to twenty feet in
2 height and fifty square feet in sign area. If two free standing signs are
3 located on the same street frontage, there shall be a minimum distance of
4 100 feet between such signs.

5 (b) Individual businesses in an office complex shall be allowed the following
6 signs:

7 (1) One wall sign or one roof sign for each building frontage, provided
8 however, that no sign shall be allowed on a building frontage facing a
9 parking lot if the sign would be directed towards a residential area. Sign
10 area shall be limited as specified in Appendix 2 of this Chapter.

11 (2) In addition to the sign allowed under subsection (b)(1) of this section,
12 one wall sign on each building frontage, provided, however, that no sign
13 shall be allowed on a building frontage facing a parking lot where the sign,
14 if installed, would be directed towards a residential area. The wall sign
15 shall be no greater than eight square feet in total sign area.

16 (3) In addition to the sign allowed under subsection (b)(1) of this section,
17 one under marquee sign for each building frontage, provided, however,
18 that no sign shall be allowed on a building frontage facing a parking lot
19 where the sign, if installed, would be directed towards a residential area.

20 (4) In addition to the sign allowed under subsection (b)(1) of this section,
21 one free standing sign or one wall sign, not to exceed twenty-four square
22 feet, located on a vehicle accessway adjacent to a building or on the
23 building, and intended to be seen by a person doing business from the
24 vehicle accessway while the person is within the person's motor vehicle.

25 (5) If the individual business does not have building frontage, the
26 principal occupant of the building in which the business is located may
27 execute a written assignment of a portion of that occupant's sign area
28 allowed under subsection (b)(1) of this section, for use by such business
29 for a wall sign.

1 **SRC 62.505: Land Divisions**

2 ~~(B) No permits shall be issued for such freestanding sign until the person~~
3 ~~who will own the sign and the owners of the property upon which the sign~~
4 ~~is to be erected jointly and severally agree in writing on a form provided~~
5 ~~by the city that said sign shall be the sole freestanding sign located on the~~
6 ~~property for the business complex or any individual business located~~
7 ~~thereon including such sign of the owner of the property. This agreement~~
8 ~~shall apply to the property if later divided into multiple property~~
9 ~~ownership and shall bind all such owners and further provide that the~~
10 ~~agreement shall be recorded. The city recorder shall cause such agreement~~
11 ~~to be recorded at the office of the county officer having custody of the~~
12 ~~deed records for the county in which the affected premises are located.~~
13 ~~The building official shall acknowledge satisfaction of the deed upon~~
14 ~~removal of the permitted sign under the agreement and may thereafter~~
15 ~~issue a permit for a new conforming sign upon a basis of a new agreement.~~

16 ~~(C) Within 30^{thirty} days of a subdivision or partition legal division of~~
17 ~~property, the original sign for a business complex must signs shall be~~
18 ~~reduced in size to conform to the applicable provisions of this Chapter; to~~
19 ~~provision of this Chapter; provided, however, no such reduction shall be~~
20 ~~required if the land division is for property that is used as a shopping~~
21 ~~center or office complex, and the shopping center or office complex~~
22 ~~continues to be managed as a unit; this paragraph shall not apply if in the~~
23 ~~legal division of property ownership of the business complex property is~~
24 ~~composed of the same individual(s).~~

25 ~~(D) In lieu of the freestanding sign, the business complex may have a wall~~
26 ~~sign for each street frontage of the same size and type permitted for an~~
27 ~~individual business outside an integrated shopping center. In addition, one~~
28 ~~subordinate freestanding sign per frontage is allowed where the frontage~~
29 ~~on which the sign is located exceeds 300 feet in length. No freestanding~~
30 ~~sign shall be installed within 100 feet of another freestanding sign. A~~

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

~~minimum setback of 50 feet for each freestanding sign shall be required from any side lot line. Where a secondary freestanding sign is allowed, it shall be limited to 20 feet in height and 50 square feet in area.~~

~~(2) An individual business in a "business complex," including that of the property owner if he is an occupant, shall be limited to wall signs of the same type and area permitted for an individual business in an integrated shopping center by this section.~~

~~(3) Signs in a business complex shall be constructed according to the requirements of SRC 62.130 through 62.200. Additional requirements for each class of sign areas stated in SRC 62.390 through 62.450.~~

Section 11. SRC 62.504, Signs for Individual Businesses in the Market Street Interchange, is hereby renumbered as SRC 62.506; and SRC 62.505, Signs for Theaters, is hereby renumbered as SRC 62.521.

Section 12. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

PASSED by the City Council this 27th day of July, 2009.

ATTEST:

Kathleen Hall

City Recorder

Approved by City Attorney: *[Signature]*

Checked by: A. Dixon

G:\Group\legal\Council\072709 Engrossed Sign Code ord.doc

CITY OF SALEM
PLANNING DIVISION
555 LIBERTY ST SE ROOM 305
SALEM OR 97301-3503

ATTN: Plan Amendment Specialist

DEPT. OF LAND CONSERVATION & DEV.
635 CAPITOL ST NE, SUITE 200
SALEM OR 97301-2540