



AGENDA
City of Dallas Planning Commission
TUESDAY, November 12, 2013 - 7:00 p.m.
City Hall Council Chambers
187 SE Court Street

- Planning Commission**
- President
Chuck Lerwick
- Vice President
David Shein
- Commissioner
Chris Castelli
- Commissioner
Denise Jones
- Commissioner
Carol Kowash
- Commissioner
Les Oehler
- Commissioner
Bob Wilson
- Staff**
- Community Development Director
Jason Locke
- City Attorney
Lane Shetterly
- Planner
John Swanson
- Recording Secretary
Patti Senger
1. CALL TO ORDER
 2. ROLL CALL
 3. APPROVAL OF MINUTES - Regular meeting of October 8, 2013 **Page 2**
 4. PUBLIC COMMENT – This is an opportunity for citizens to speak to items not on the agenda (3 minutes per person please.)
 5. PUBLIC HEARINGS
None
 6. OTHER BUSINESS
Worksession: Discussion of Draft Sign Code **Page 8**
 7. COMMISSIONER COMMENTS
 8. STAFF COMMENTS
 9. ADJOURN

Dallas City Hall is handicapped-accessible. Any requests for accommodation should be made at least 48 hours before the meeting to the Community Development Department, 503-831-3565 or TDD 503-623-7355.

For questions or comments on the agenda, contact: John Swanson at 503.831.3572 or john.swanson@ci.dallas.or.us



**City of Dallas
Planning Commission
Council Chambers - City Hall
October 8, 2013 - 7:00 p.m.**

DRAFT

MINUTES

1 **CALL TO ORDER**

2 Vice President David Shein called the meeting to order at 6:57 p.m.

3 **ROLL CALL**

4 Commissioners Present: Chris Castelli, Carol Kowash, Les Oehler, David Shein, Denise Jones,
5 and Robert Wilson.

6 Absent: Chuck Lerwick

7 Staff present: City Attorney Lane Shetterly, Community Development Director Jason
8 Locke, Planner John Swanson, and Recording Secretary Patti Senger.

9 **APPROVAL OF MINUTES**

10 Vice President David Shein presented the minutes of the regular meeting of September 10, 2013. He
11 declared that after hearing no corrections, additions or changes to the minutes, the minutes were
12 accepted as presented.

13 **PUBLIC COMMENT**

14 Vice President Shein explained the rules for making public comment.

15 There were no public comments.

16 **PUBLIC HEARING**

17 **Alternative Employment Programs (CUP 13-02)**

18 Vice President Shein announced this was a public meeting for the Alternative Employment Programs
19 (CUP 13-02), 124 SW Walnut Street in Dallas. He opened the Public Hearing at 7:02 p.m. and asked if
20 any commissioner needed to declare ex parte contact or had a conflict of interest. Commissioner
21 Denise Jones announced she had a potential conflict of interest. City Attorney Lane Shetterly stated she
22 would be able to participate in the hearing.

23 Vice President Shein explained the public hearing format to the audience.

24 STAFF REPORT

25 Planner John Swanson reviewed the staff report. He reported the applicant was Sunny Oaks, Inc., for
26 the property located at 124 SW Walnut Avenue on the corner of SW Walnut Avenue and Main Street.
27 He explained the property was zoned Commercial General (CG) and the adjacent land users were CG as
28 well. The property was not located in the 100-year floodplain or the floodway. The total building
29 square footage was 4,160, with 2840 currently used and 1679 vacant. The application was for the
30 vacant portion of the building to be used as an alternative to employment program for adults.

31 Mr. Swanson explained that the criteria for the conditional use application presented by the applicant
32 and the findings were located in the staff report. Staff concluded that the appropriate application had
33 been made, proper public hearing notification had been given, and that it met the zoning requirements.
34 Staff recommended approval with the conditions included in the staff report. [(1) Interior
35 improvements shall be constructed in accordance with all the plans and specifications as approved by
36 the City of Dallas Planning Commission. (2) The owner shall obtain all required building permits and
37 inspections from the City of Dallas Building Department prior to use of the proposed structure. (3) Any
38 construction must be completed within one calendar year of final approval date of the Planning
39 Commission decision. (4) The parking lot, including the ADA spot, must be re-stripped within 6 months of
40 approval of Conditional Use Permit.]

41 APPLICANT PRESENTATION

42 Brian Varly, 1945 Market Street, Salem, Oregon, stated he works for Sunny Oaks, Inc., that they were
43 established in 1973 to serve Marion and Polk County, and this would be the first facility in Polk County.
44 They had good values and look to areas where people were under-served or not served at all and
45 wanted to work to get them out of their homes and build relationships. Commissioner Carol Kowash
46 asked if part of the funding came from the Department of Human Services (DHS) and if they required
47 restrictive covenants on a property such as this. Stacy Hullim, 23745 Goose Neck Road, Sheridan
48 Oregon, answered Commissioner Kowash's question and indicated that was covered with state licensing
49 and was also posted.

50 Ms. Hullim explained they offered an alternative to employment with a goal to get people to be
51 employable, to learn skills and be a part of a community. She explained they worked with people who
52 were unable to learn those skills and supported people who did not use words.

53 PERSONS SPEAKING FOR OR AGAINST

54 There was none.

55 REBUTTAL

56 There was none.

57 COMMISSIONER QUESTIONS

58 Commissioner Chris Castelli asked about major alterations to the building. Mr. Varly explained they
59 would put up an interior wall for an office and would work with the Fire Marshal and the Building
60 Official for proper permitting.

61 Vice President Shein closed the public hearing at 7:12 p.m.

62 DISCUSSION BY COMMISSION

63 Commissioner Bob Wilson made a motion to approve the Conditional Use Application by Sunny Oaks,
64 Inc., for Alternative Employment Programs (CUP 13-02), located at 124 SW Walnut Street in Dallas, with
65 the conditions listed in the staff report. Commissioner Kowash seconded the motion and it was
66 approved unanimously by the Planning Commission.

67 **PUBLIC HEARING**

68 **16-Lot Subdivision in the Barberrry Mixed Use Node (SUB 13-01)**

69 Vice President Shein announced this was a public meeting for the 16-Lot Subdivision in the Barberrry
70 Mixed Use Node (SUB 13-01). He opened the Public Hearing at 7:15 p.m. and asked if any commissioner
71 needed to declare ex parte contact or had a conflict of interest. There was no declaration.

72 Vice President Shein explained the public hearing format to the audience.

73 **STAFF REPORT:**

74 Community Development Director Jason Locke reviewed the staff report. He explained that a 16-lot
75 subdivision would be accessed via SE Fir Villa Road and located directly south of the Motor Vu Drive-in.
76 It was 13.24 acres of which 1.86 would be developed. The property was located in a Residential (R)
77 zoning district and was included in the Barberrry Mixed Use Node.

78 Mr. Locke reviewed the background of the Barberrry Mixed Use Node and explained the relationship and
79 impact with the proposed application. He discussed the significant improvements that took place eight
80 years earlier that brought SE Academy Street up to “minor collector” standards with underground
81 utilities, power, and sidewalks. He explained that The Fife Group and Meadows Investment owned a
82 significant amount of the property in the Barberrry Mixed Use Node and participated financially in the
83 infrastructure improvements that were included in the Master Plan. He discussed SE Academy Street
84 and that it had been part of the Transportation System Plan (TSP) as a “major collector” and would have
85 significant vehicular, bicycle, and pedestrian traffic in the City. He explained the Barberrry Mixed Use
86 Node was adopted in the Comprehensive Plan in 1998. He discussed the need for a detailed master plan
87 for the entire Barberrry Mixed Use Node and how it would streamline the approval process on future
88 projects.

89 Mr. Locke stated the application was straightforward, that the 16 proposed lots ranged in size from
90 3,300 to 6,600 square feet. The infrastructure was available including the non-City provided utilities
91 such as electric and cable. He pointed out that the proposed subdivision would provide single-family
92 homes and provided a market choice for folks who did not want or could not afford large lots. Mr. Locke
93 summarized the applicant had submitted detailed findings and met the subdivision approval criteria,
94 addressed the master plan requirements, and staff suggested approval with the eight conditions listed in
95 the staff report. [(1) The project shall be completed in accordance with the general criteria, plans and
96 specifications, documents, and all other information presented to/or modified by the Planning
97 Commission. (2) The Final Plat shall be filed and recorded within two years of approval in accordance
98 with DDC Article 4, Section 4.3.090. (3) All grants of easement shall be recorded with the final plat. (4)
99 The applicant shall submit engineering plans to be reviewed and approved by the City Engineer. This
100 shall also include all necessary permit applications and studies as required. (5) Academy Street SE shall
101 be designed, constructed, and striped in accordance with the standards for a Major Collector. (6) No
102 work on the site shall commence until all permits and approvals have been secured from the Public

103 Works Department. (7) All future development on the created lots will be subject to Development
104 Standards review in accordance with DDC Article 2, Section 2.2.030. (8) There shall be no further
105 subdivisions and or site development within the Barberry Mixed Use Node until such time as the
106 applicant submits an application and secures approval for a detailed master plan for the entire Barberry
107 Mixed Use Node. This does not include lots that have been approved as part of this subdivision or prior
108 approved subdivisions.]

109 Commissioner Castelli asked about the letter from Oregon Department of Transportation (ODOT)
110 commenting on the conceptual plan and if there were any major changes since the letter was
111 submitted. Mr. Locke explained the letter was about a future intersection of the Barberry Mixed Use
112 Node at SE Barberry Avenue and E Ellendale Avenue. City Attorney Lane Shetterly pointed out that
113 ODOT was involved in the TSP but the letter was not relevant to this specific application.

114 APPLICANT PRESENTATION

115 Paul Trahan, 1116 SE Barberry, Dallas, Oregon, stated that Mr. Locke did an excellent job with the
116 presentation and assured the Planning Commission and staff that he was working on the details of the
117 master plan for the Barberry Mixed Use Node. He asked if there were any questions, and there were
118 none. Mr. Trahan stated that he was satisfied with the staff report and conditions of approval.

119 Don James, 12775 Westview Drive, Dallas, Oregon, stated he was with The Fife Group. He reported they
120 had a neighborhood meeting that was productive and explained the primary concern was existing
121 drainage issues for the northwest. He stated that development improves drainage and any issues would
122 be addressed with improvements. Mr. James reported the other concern was what type of housing
123 would be produced and he stated it would be based on the market conditions. He mentioned the
124 concerns about windows being lined up where houses could see into other houses and explained they
125 would make sure that wouldn't happen during development. He summarized that from his perspective
126 the meeting went really well.

127 PERSONS SPEAKING FOR OR AGAINST

128 There were none.

129 REBUTTAL

130 There was none.

131 COMMISSIONER QUESTIONS

132 Commissioner Kowash asked about the timeline and Mr. Trahan stated they would begin the first
133 quarter of next year.

134 Commissioner Jones asked about the exiting trees and Mr. James answered they would attempt to keep
135 all of the trees.

136 Vice President Shein closed the public hearing at 7:41 p.m.

137 DISCUSSION BY COMMISSION

138 Commissioner Bob Wilson made a motion to approve the 16-Lot Subdivision in the Barberry Mixed Use
139 Node (SUB 13-01), with the eight conditions listed in the staff report. Commissioner Les Oehler
140 seconded the motion and it was approved unanimously by the Planning Commission.

141 **OTHER BUSINESS**

142 There was none.

143 **COMMISSIONER COMMENTS**

144 Commissioner Oehler asked if there were any plans for a signal at the intersection of Fir Villa and E
145 Ellendale Avenue. Mr. Locke stated that ODOT would be doing improvements as traffic volumes
146 warranted. He mentioned the future intersection at SE Barberry Avenue and E Ellendale Avenue would
147 be signalized. Part of the Barberry Mixed Use Node included a school, which required traffic studies and
148 flow issues to be looked at. Commissioner Jones asked about the impact on schools with the
149 development. Mr. Locke explained that was why the detailed master plan was so important.

150 Commissioner Jones asked about the time line for the current 2013 Main Street Enhancement Project
151 and Mr. Locke stated that most of the work should be done by the end of October.

152 Commissioner Oehler asked about SE Academy Street as a major arterial coming in at SE LaCreole Drive
153 near LaCreole Middle School. Mr. Locke explained that there would be two distinct parts of SE Academy
154 and with the expansion, the likely scenarios would shift the traffic pattern, creating less traffic on certain
155 existing streets.

156 Commissioner Oehler asked if all of the homes in the subdivision were single family and Mr. Locke
157 stated they would be both small and medium sized single-family homes.

158 Commissioner Wilson asked about the sign code and Mr. Swanson explained that staff was working with
159 the Dallas Area Chamber of Commerce and a focus group consisting of business people, stakeholders,
160 and members of the public so there would be outside input and not only a City Hall point of view. He
161 explained that he hoped to have a draft version available in December. Commissioner Wilson suggested
162 starting with a broad perspective of community members for the committee rather than just focusing on
163 the business community; it could create a scenario with folks that actually use the code and those who
164 have to look at it. Vice President Shein pointed out it was a timely question since the Commission had
165 been discussing the public involvement process. Mr. Locke stated he would have to give it some
166 thought with consideration to the limitations on resources.

167 Commissioner Oehler asked what was being done about the sign problem. Mr. Locke stated they were
168 currently doing nothing. He explained that the code defined what kinds of signs could be put on
169 buildings and that they learned that the best intentions that would work for everybody could end up
170 working for nobody, and he stated that he did not want that to occur with the sign code revision.

171 Commissioner Oehler stated that he did not see a problem with an additional sign on the signpost that
172 already had signs for other businesses. Mr. Locke replied that they found a provision to allow them to
173 add a sign and that it required Council action; he has not moved forward with that yet.

174 Mr. Locke reminded the Planning Commission that the elected officials had been clear about garage sale
175 signs posted around town as a quality of life issue. He explained that was why they went down that
176 road and pointed out that the more the code was tightened down, more loopholes were created. He
177 summarized the desire was to create balance and then change what did not work.

178 Commissioner Kowash asked about the public hearing process for the sign code. Mr. Locke explained
179 that staff would bring the new sign code to the Planning Commission and then it would go to City
180 Council. Vice President Shein stated that the public would need to know when the hearings took place.
181 Commissioner Oehler stated that in addition to the City website, it should be covered in an article in the
182 newspaper. Mr. Locke said that it would be on Facebook as well.

183 **STAFF COMMENTS**

184 There were no additional staff comments.

185 The meeting adjourned at 7:58 p.m.

APPROVED:

President

Date

Chapter 3.6 SIGNS

PC Working Draft: November 12, 2013

Sections:

3.6.010	Purpose
3.6.020	Scope
3.6.030	Definitions
3.6.040	Exempted Signs
3.6.050	Prohibited Signs
3.6.060	Temporary Signs
3.6.065	Garage Sale Signs
3.6.070	Permanent Signs
3.6.075	Murals
3.6.080	Sign Permits
3.6.090	Abandoned Signs
3.6.100	Construction and Maintenance Standards
3.6.110	Nonconforming Signs
3.6.120	Exceptions
3.6.130	Enforcement
3.6.140	Sign Type Illustrations

3.6.010 Purpose. The City finds that signs provide an important medium through which individuals and businesses may convey a variety of messages.

The standards contained in this chapter are primarily intended to balance the needs of businesses and individuals to convey their messages through signs, and the right of the public to be protected against the proliferation of signs and their effect on public and traffic safety and the aesthetic qualities of the City. In an attempt to achieve that balance, the purpose of this chapter is to:

- A. Improve the visual qualities of Dallas's streetscape environment through the use of equitably applied sign height, size, and location standards;
- B. Provide minimum, consistent, and enforceable sign standards by regulating sign location, size, height, illumination, construction, and maintenance;
- C. Minimize visual clutter caused by temporary signs by limiting their numbers and duration of use;
- D. Protect citizen safety by prohibiting hazardous signs;
- E. Ensure compliance with state and federal laws regarding advertising by providing rules and standards that are content neutral; and
- F. Provide for near term and longer term improvements to signage through the use of appropriate amortization and incentive policies.

3.6.020 Scope. All signs visible from the public right-of-way or private areas open to public travel within the City limits shall be within the scope of this chapter. The content of signs is not regulated by this chapter. No sign shall be permitted in the City of Dallas unless it is in accordance with the provisions of this chapter or unless it is determined to be legally nonconforming to the requirements of this chapter, with the exception that where a planned development overlay exists, any sign regulations adopted with that planned development overlay shall take precedence.

3.6.030 Definitions. For the purpose of this chapter, certain terms and words are defined as follows: words used in the present tense include the future; the word “shall” is mandatory; the word “may” is discretionary; the phrase “used for” shall include the phrases “arranged for,” “designed for,” “maintained for,” and “occupied for”; and the word “business” shall be associated with the zoning terms and activities of “permitted use” and “conditional use.” The following terms shall mean:

Abandoned Sign - A sign or sign structure where either: (1) the sign is no longer used by the property or sign owner, in which case discontinuance of sign use may be shown by cessation of use of the property where the sign is located for the use or purpose associated with the sign; or (2) the sign has been damaged, and repairs and restoration have not been started within forty-five (45) days of the date the sign was damaged, or, once started, are not diligently pursued to completion.

Accessory Sign - Signage which is an integral part of outdoor display structures associated with a commercial or industrial use such as soft drink machines, gas pumps, newspaper dispensers, and other similar structures, equipment or uses.

Alteration — Any change in the size, shape, method of illumination, construction, or supporting structure of a sign.

Area (of a sign) –

(1). Projecting, Portable, and Freestanding: The area of the sign shall be measured as follows: The area around and enclosing the perimeter of the cabinet in which the sign is contained shall be totaled to determine the aggregate sign area. If the sign is composed of two or more sign cabinets, the area enclosing the entire perimeter of all cabinets within a single, continuous geometric figure shall be the area of the sign. The perimeter of measurable area shall not include embellishments such as pole covers, framing, and decorative roofing, provided that there is no written copy on such embellishments. All face areas of any multi-faced sign shall be counted in calculating its area. For a double-faced sign in a single cabinet, only the area of one face is counted.

(2) Wall Signs: The area around or enclosing each sign cabinet, or, where sign cabinets are not used, the area within a single, continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of the message.

Awning – A secondary covering attached to the exterior wall of a building. The location of an awning on a building may be above a window or a door, or over a sidewalk. An awning is often painted with information as to the name of the business, thereby acting as a sign, in addition to providing protection from weather.

Balloon Sign – A sign made from a nonporous bag of tough, light material normally filled with heated air or a gas lighter than air so as to rise and float, and displaying graphics, symbols or written copy, or a combination of graphics, symbols and written copy.

Canopy – An awning supported by at least two columns. A canopy is able to extend further from a building than an awning, as in the case of an entrance to a restaurant or retail store.

Canopy Sign - A sign painted on, printed on, or attached flat against the surface of a canopy or awning.

Changeable Copy Sign (Electronic) – A sign on which the copy changes by any electronic process or remote control.

Changeable Copy Sign (Manual) – A sign on which copy is changed manually, for example, the panel permanently affixed as part of a larger sign on which copy is placed, commonly used to advertise specials for commercial businesses.

Clearance (of a sign) – The vertical distance measured from the lowest point of the sign to the natural surface grade beneath the sign.

Copy – The message on a sign surface in either permanent or removable letter form.

Double-Faced Sign – A sign with advertising on two (2) faces wherein the faces are parallel or within ten degrees of parallel.

Electronic Changeable Copy Sign -- See Changeable Copy Sign (Electronic).

Face (of a sign) – The area of a sign on which the advertising is placed.

Festoons – A string of ribbons, tinsel, small flags, or pinwheels.

Flashing Sign — A sign which contains an intermittent or sequential flashing light source used primarily to attract attention. “Flashing sign” does not include electronic changeable copy signs or signs which, through reflection or other means, create an illusion of flashing of intermittent light.

Freestanding Sign - A sign supported upon the ground by a frame, pole(s), or other support structure(s) that is not attached to any building. A freestanding sign constitutes one sign, even if it has two or more faces.

Frontage - The length of the property line of a lot or parcel along a public right-of-way on which it borders.

Hanging Sign - A sign that hangs beneath a marquee, canopy, or awning and is perpendicular to the building face.

Hazardous Sign - A sign that is detrimental to the public health, welfare or safety, including but not limited to: any sign that has a design, color, or lighting which may be mistaken for a traffic light, signal, or directional sign; any sign that is located in such a manner as to obstruct free and clear vision to motorists or pedestrians at intersections and driveways; any sign which, because of its location, would prevent free ingress to or egress from any door, window, or fire escape; any sign that is attached to a standpipe or fire escape; any sign that has lighting which temporarily blinds or impairs one’s vision; and any sign that is in a leaning, sagging, fallen, decayed, deteriorated, or other unsafe condition.

Height (of a sign) - The vertical distance measured from the highest point of the sign to the natural surface grade beneath the sign.

Illuminated Sign - A sign with an artificial light source incorporated internally (direct illumination), or with an external light source directed to illuminate the exterior surface of the sign (indirect illumination). This definition includes signs with light sources that are disconnected from power.

Incidental Sign – A small sign, emblem, or decal typically used to inform the public of goods, facilities, or services available on a premises, such as a credit card sign or a sign indicating hours of business.

Maintenance - For the purposes of this chapter, the cleaning, painting, repair, or replacement of defective parts of a sign, or to achieve a change in sign face, in a manner that does not alter the basic design or structure of the sign.

Marquee - A permanent roof-like projection from a building above the building entrance.

Monument Sign - A freestanding sign of which the entire bottom of the sign is generally in contact with or in close proximity to the ground. “Monument sign” does not include pole or pylon signs.

Mounted Sign - A sign permanently attached to a building, including a Canopy sign, Projecting sign, Roof sign, Hanging sign and Wall sign.

Moving Sign — A sign that uses mechanized movement to attract attention, depict action, or to create a special effect or scene, and includes dancing inflatable displays.

Multi-tenant complex - A development consisting of one or more lots and two or more businesses sharing appurtenant facilities, such as driveways, parking and pedestrian walkways, and is designed to provide varied products and services at a single location.

Mural – Any painting, design, or image, including incidental copy, that is applied directly to the exterior of a building for artistic, informational, historic, or aesthetic purposes, and does not contain advertising.

Nonconforming Sign – An existing sign, lawful before enactment of this chapter, which does not conform to the requirements of this chapter.

Off-site sign – A sign not located on the site of the activity or business being advertised.

Permanent Sign – A sign structurally affixed to the ground or to a building and intended for display for more than twelve (12) consecutive months.

Pole Sign -- See “Pylon sign.”

Portable Sign – A sign not permanently affixed to a sign structure, a building, or the ground.

Projecting Sign – A sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

Pylon Sign - A freestanding sign, usually double-faced, mounted on one or two supports above ground level, also referred to as a “Pole sign.”

Roof Sign – A mounted sign that projects above the top of a wall, eave, or parapet.

Sign – Any device, structure, fixture, placard, and any related support structure erected for the purpose of displaying graphics, symbols, and/or written copy designed specifically for the purpose of advertising or identifying any business, person, institution, commodity, service, entertainment, or activity. “Sign” includes graphics, symbols and written copy painted or otherwise affixed directly on a building surface.

Site - A lot, parcel, or tract of land under common ownership, or developed together as a single development site, regardless of how many uses occupy the site.

Temporary Sign –

(1) A sign constructed of fabric, vinyl, paper, cardboard, plywood, or other light material, with or without a frame;

(2) A sign intended to be displayed for a specific and limited period of time; or

(3) A sign that will be rendered obsolete after the occurrence of an event or series of events.

Temporary signs typically include, but are not limited to: portable signs, special event signs, “for sale” and “for lease” signs, and political campaign signs.

Video Sign – An electronic changeable copy sign providing information in both a horizontal and vertical format (as opposed to linear), and having the capacity to create continuously changing sign copy in a wide spectrum of colors, shades, and light intensities.

Wall Sign – A sign attached parallel to and extending not more than twelve (12) inches from the wall of a building. This definition includes painted, individual letters, and cabinet signs.

Window Sign – An unlighted sign installed inside a window or painted on a window and intended to be viewed from the outside.

3.6.040 Exempted Signs. The following signs shall not require planning approval for their use, though some may require a building permit. Use of the signs in this section does not affect the amount or type of signage otherwise allowed by this chapter. All signs listed in this section are subject to all other applicable requirements of this chapter and other applicable provisions of the Dallas City Code and Dallas Development Code.

- A. Official signs placed or authorized by the city, county, state, or federal government in the publicly-owned right-of-way as well as official signs required by city, state, or federal government located on private property;
- B. Flags adopted or endorsed by a governmental agency;
- C. Tablets, cornerstones, or commemorative plaques;
- D. Window displays;
- E. Festoons;
- F. Balloon signs of less than twenty-four (24) inches in diameter;
- G. Seasonal decorations on private property;
- H. Signs erected by a recognized neighborhood watch group advertising the organization or program;
- I. Onsite handheld signs;
- J. Accessory signs;
- K. Signs for hospital or emergency services and railroads;
- L. Incidental Signs, provided the signs do not exceed one and a half (1.5) square feet in area for each sign, with no more than five (5) signs allowed for each permitted structure;
- N. An exterior sign erected next to an entrance, exit, rest room, office door, or telephone, provided the sign is no more than four square feet in area, used to identify or locate a property feature;
- O. Any sign that is not visible to motorists or pedestrians on any public highway, sidewalk, street, alley, or other area open to public travel;
- P. One indirectly illuminated or non-illuminated wall sign not exceeding one and one-half square feet in area placed on any residential building, used as a name or address plate;
- Q. Signs placed in or attached to a motor vehicle, bus, or railroad car that is regularly used for purposes other than the display of signs;
- R. Signs, up to four (4) square feet and no taller than four (4) feet, constructed or placed within a parking lot, to direct traffic and parking;
- S. A sign that does not exceed four (4) square feet in area and four (4) feet in height, and is erected to indicate a danger to the public or to designate where public access is prohibited;

- T. Signs located within a sports stadium or athletic field, or other outdoor assembly area, which are intended and oriented for viewing by persons within the facility;
- U. Covered flier boxes under one (1) square foot in area when attached to a temporary or permanent sign;
- V. Temporary signs, subject to Section 3.6.060
- W. Signs giving notice that a structure on a premises is protected by alarm or security service, provided such signs are not larger than 1 sq.ft. and are located within 5 feet of the structure.
- X. School Activity Signs. A sign denoting the participation of an occupant of the residence on the lot in a public or private school sport or activity, for a period not more than 30 days, provided such sign is no larger than 4 sq.ft.

3.6.050 Prohibited Signs. The following signs are prohibited:

- A. Hazardous signs.
- B. Signs that are otherwise permitted but not in compliance with the applicable requirements of this chapter, or in violation of any other provision of the Dallas City Code or Dallas Development Code.
- C. Signs within or which overhang streets, except as allowed in this chapter.
- D. Portable signs in the following categories:
 1. Signs on a vehicle parked on private property, public property or right-of-way, unless the vehicle is used for transport in the normal day-to-day operations of a business.
 2. Signs propped up by or leaning against a motor vehicle when such vehicle is parked in the public right-of-way.
- E. Moving signs.
- F. Balloon signs twenty-four (24) inches in diameter or greater.
- G. Video signs.
- H. Flashing signs.
- I. Roof signs.
- J. Signs that appear similar in shape, color, size or copy to traffic control devices.
- K. Off-site signs, except as lawfully exist prior to adoption of this Chapter.
- L. Signs in the right-of-way, unless approved by the City Manager.

3.6.060 Temporary signs.

- A. Temporary signs may be erected and maintained only in compliance with this section.
 1. Temporary signs that exceed the applicable area limitations set forth in 3.6.060.B shall not be permitted.
 2. Temporary signs that overhang a public right-of-way and that are authorized by a governmental agency are not subject to the provisions of 3.6.060.B, below.
 3. With the exception of subsection (2) above, and signs installed or authorized by a governmental agency, no temporary signs are permitted in or over public right-of-way.
 4. Temporary and portable signs over three feet tall shall be set back a minimum of five feet from the street side of a property line. This does not apply to a sign placed within a

recessed entryway, provided that no portion of the sign extends over a public sidewalk, or to signs which hang from the face or wall of a building, provided that the sign does not extend more than two inches from the face or wall.

5. Temporary signs affixed to a building may be placed no higher than the building's eave, top of wall, or parapet.

6. With the exception of subsection (2) above, temporary signs shall not be attached to trees, shrubbery, utility poles or traffic control signs or devices.

B. Temporary signage shall be allowed as follows:

1. Residential (RL, RM, RH) Zones:

Two temporary signs, not exceeding thirty two (32) square feet in area, are allowed per subdivision during the build-out of the residences in the subdivision. These types of signs are typically used for subdivision and model home identification. No such sign may be erected for an inhabited residence.

2. Commercial (CG, CN, and CBD) and Industrial (I) Zones:

Temporary signs shall be limited to two (2) per building or one (1) per business in a multi-tenant complex, shall not to exceed sixteen (16) square feet in area per sign, and shall be mounted flush with the exterior building face. Except as provided in subsection A(2), above, attachment of a temporary sign to permanent signs or structures, awnings, trees, or utility poles is prohibited. Temporary signs shall be placed for a period of not longer than 30 or 60 days, and shall require a permit and fee set by resolution of the City Council. (or no permit but sign must be dated in the lower right hand corner).

3. All Zones:

a. Signs not exceeding six (6) square feet each in area during the period from sixty (60) days prior to a regular or special election to five (5) days after the election.

b. One temporary sign per frontage, not exceeding six (6) square feet in area, during the time of sale, lease or rental of the lot or structure on the lot, provided that the sign is removed within thirty (30) days after the sale, lease or rental of the lot or structure.

c. One temporary sign per frontage, not exceeding six (6) square feet in area, during the time of construction, landscaping, or remodeling of the property, provided that the sign is removed within thirty (30) days after the completion of such construction, landscaping, or remodeling.

3.6.065 Garage Sale Signs.

(1) Only one sign shall be posted upon the premises on which the garage sale, as defined and regulated by DCC 7.500 et. seq., is to be held.

(2) One off premise sign for the purpose of directing people to the garage sale shall also be permitted but only a sign issued by the city shall be allowed. The city shall have available a reasonable supply of garage sale signs for use by individuals at no cost. The city may secure a deposit to cover the cost of replacing the sign in the event it is damaged or lost.

(3) Signs shall not be placed in the public right-of-way and shall be placed upon private property only with the consent of the property owner. Signs shall not be placed earlier than one hour before the garage sale starts and shall be removed by no later than one hour after the conclusion of the garage sale.

3.6. 070 Permanent Sign Regulations. Permanent signs may be erected and maintained only in compliance with the following specific provisions:

A. Residential Zones.

1. Each subdivision or multi-family complex is permitted one permanent non-illuminated monument sign not to exceed six (6) feet in height and forty-eight (48) square feet in area.

2. Each public school is permitted one (1) permanent sign per public street frontage. Each sign may take any of the following forms (although only one freestanding sign taller than six (6) feet in height is permitted per school): a freestanding sign no taller than fifteen (15) feet in height and no larger than thirty six (36) square feet in area; an indirectly illuminated or non-illuminated monument sign no taller than six (6) feet in height and no larger than forty-eight (48) square feet in area; and a wall sign placed no higher than thirty-five (35) feet above grade or the eave, top of wall, or parapet (whichever is less) and no larger than forty-eight (48) square feet in area. Each sign may include changeable copy (manual or electronic) subject to 3.6.070E (1 – 4, 6 and 7). Each sign shall meet the setbacks applicable to the residential zone in which it is located.

3. Each church is permitted one (1) non-illuminated or indirectly illuminated permanent sign per public street frontage. No sign shall be taller than eight (8) feet in height. If a church site has more than one frontage, the first sign shall be no larger than thirty two (32) square feet in area and any subsequent sign may be no larger than twelve (12) square feet in area. Each church is permitted one (1) wall sign placed no higher than thirty-five (35) feet above grade or the eave, top of wall, or parapet (whichever is less) and no larger than forty-eight (48) square feet in area. Each sign may include changeable copy (manual or electronic) subject to 3.6.070E (1 – 4, 6 and 7). Each sign shall meet the setbacks applicable to the residential zone in which it is located.

B. Central Business District (CBD) and Neighborhood Commercial (CN) Zones. Signs in the CBD and CN zones may be directly or indirectly lit. Each site or multi-tenant complex may have any combination of wall sign, monument sign, canopy sign, hanging sign, projecting sign, or freestanding sign not to exceed, in total, two square feet for each foot of lot frontage on a street. In the case of two frontages, the larger frontage will be used to compute total sign size. Window signs are permitted, provided they shall not exceed 50 percent of the total window area per window.

C. General Commercial (CG) and Industrial (I) Zones. Signs in the general commercial and industrial zones may be directly or indirectly lit and shall meet all setback requirements of the zone.

1. Freestanding Signs: Each site or multi-tenant complex is allowed one (1) permanent monument sign not to exceed forty-eight (48) square feet in area and six (6) feet in height per street frontage. In addition, each site or multi-tenant complex is allowed one (1) permanent pylon sign per 500 feet of frontage, not to exceed two (2) per site or multi-tenant complex, each not to exceed 125 square feet in area and thirty (30) feet in height.

2. Mounted Signs: In the case of a property with a single street frontage, the total area of all signs shall not exceed one square foot for each two lineal feet of lot frontage on that street. In the case of a property on a corner, or with multiple street frontages, the total area of signs shall not exceed one square foot for each two lineal feet of lot frontage along the primary street (which shall be determined by the property owner), plus one square foot for each four lineal feet along the other secondary street(s), provided those additional signs are located along the respective secondary street.

3. Window signs: Window signs are permitted, provided they shall not exceed 50 percent of the total window area per window.

D. Supplemental permanent sign provisions. (All zones)

1. No signs are permitted within a public right-of-way unless authorized by the public agency or agencies having jurisdiction over the right-of-way.

2. Signs shall be erected in an upright position and placed perpendicular to a horizontal surface conforming to the line from horizon to horizon.

3. Maximum square footage restrictions include changeable copy signs and exclude accessory and incidental signs.

4. Minimum vertical clearance for projecting, canopy, and hanging signs when over a walkway or access area is eight (8) feet.

5. Projecting and hanging signs may extend no more than six (6) feet from a building's façade. No projecting or hanging sign may be over sixteen (16) square feet in area.

6. Sign setbacks are measured from the nearest property line to the nearest portion of the sign. In addition to the specific setbacks noted above, all signs shall meet vision clearance requirements.

E. Electronic changeable copy signs are subject to the following standards:

1. One (1) electronic changeable copy sign is permitted per site or multi-tenant complex and shall only be allowed as part of a permanent freestanding or wall sign.

2. The electronic changeable copy portion of a freestanding sign may be no higher than twelve (12) feet above existing ground level.

3. The electronic changeable copy portion of a sign may not exceed twenty-four (24) square feet in area.

4. Electronic changeable copy signs must be set at least ten (10) feet from all property lines.

5. The electronic changeable copy portion of a sign will have its area calculated at a rate two (2) times that of other signs.

6. No temporary sign is allowed on a site or multi-tenant complex if an electronic changeable copy sign is utilized that is capable of displaying more than twelve (12) characters at one time or more than five (5) characters in a row. Double-faced electronic changeable copy signs shall be allowed up to twelve characters on each sign face.

7. Electronic changeable copy signs must be permanently mounted to the ground or a structure.

8. To be permitted under this section, an electronic changeable copy sign must meet the following standards:

a. The sign may not be illuminated by a flashing light or a light that varies in intensity.

b. The sign may not have a display surface that creates the appearance of movement.

c. The sign must not operate at an intensity level of more than 0.3 foot-candles over ambient light as measured at a distance of 150 feet.

d. The sign must be equipped with a light sensor that automatically adjusts the intensity of the sign according to the amount of ambient light.

e. The sign must be designed to either freeze the display in one static position, display a full black screen or turn off in the event of a malfunction.

f. The change from one message to another message may not be more frequent than once every thirty seconds and the actual change process must be accomplished in two seconds or less.

3.6.075 Murals.

1) A permit must be obtained for a mural as required in 3.6.080(B), except that the application must include a detailed rendering of the proposed mural including content, colors, and type of paint/material, and a plan for maintenance after completion.

2) A mural must be compatible with the architectural and aesthetic components of the building, not detract from the character of the district in which it is located, and not be detrimental to the public health, safety, and welfare.

3.6.080 Sign Permits.

A. General Provisions.

1. Except as provided in subsection (2), below, no sign that is not specifically listed as exempt from the provisions of this ordinance shall be erected, constructed, attached, relocated, or structurally altered without obtaining approval by the City.

2. Unless otherwise provided in this chapter, such approvals are not required for temporary signs, mounted signs that protrude less than twelve (12) inches, signs listed as exempt, or for routine sign maintenance.

B. Sign Permit.

1. Permit Requirements. An applicant for a sign permit shall supply the following information on forms provided by the City:

a. Size, height, location, description, and material of the sign;

b. Name of the manufacturer, contractor, owner, and business advertised;

- c. Scaled drawing(s) and description of copy, structure, and lighting;
- d. Photo(s) or drawing(s) of the proposed sign location(s); and
- e. Signature(s) of property the owner(s) or authorized designee(s).
- f. Other information required to demonstrate compliance with this Chapter.

2. Permit Approval. Permits shall be reviewed as a Type I procedure in accordance with Chapter 4.1.020.

3. Sign Permit Fee. The fee for a sign permit shall be set by a resolution adopted by the City Council.

4. Building Permit. If a separate building permit is required for a sign, a building permit shall be obtained prior to construction or installation.

3.6.090 Abandoned Signs.

Abandoned signs must be removed or made conforming within forty-five (45) days of the date they are deemed abandoned.

3.6.100 Construction and Maintenance Standards. The following standards apply to the construction and maintenance of signs in the City:

- A. All permanent signs shall be constructed and erected in accordance with the applicable design and construction requirements of the most recent edition of the State of Oregon Structural Specialty Code.
- B. All illuminated signs shall be subject to the provision of the State Electrical Specialty Code. It shall be the applicant's responsibility to demonstrate compliance with that code by supplying the City with a copy of an approved State Electrical Permit.
- C. All signs shall be maintained at all times in a state of good repair, and no person shall maintain or permit to be maintained on any premises owned or controlled by him or her any sign which is in a sagging, leaning, fallen, decayed, deteriorated, or other dilapidated or unsafe condition.

3.6.110 Nonconforming Signs.

- A. The following will require that a nonconforming sign be brought into compliance with this chapter: physical modification of a nonconforming sign or any action on a nonconforming sign that requires a building permit. This does not include replacement of a sign face without modification of the frame or general sign maintenance and repair.
- B. All temporary or portable signs not in compliance with the provisions of this Chapter on the effective date of this Chapter shall be removed or made compliant within 45 days of the effective date.
- C. Amortization. Any freestanding, roof, or animated sign that was lawfully established before the effective date of this Chapter, but which does not conform with the provisions of this

ordinance, shall be removed or brought into conformance with this ordinance within ten (10) years from the date of its adoption, or sooner, at the time of occurrence of any of the actions set forth in subsection A, above.

3.6.120 Exceptions. The Planning Commission may authorize exceptions from the requirements of this chapter where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, strict application of this chapter would cause an undue or unnecessary hardship, except that no exception shall be granted to allow a sign or a type of signage which is prohibited by Section 3.6.050 of this chapter. In granting an exception the Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or neighborhood or otherwise achieve the purposes of this chapter.

A. No exception shall be granted unless it can be established that:

1. The request is necessary to prevent an unnecessary hardship due to factors such as topography, location, surrounding development, lot shape or lot size;
2. The granting of the exception will not result in material damage or prejudice to other property in the vicinity; and
3. The request will not be detrimental to community standards and the appearance of the city.

B. Exceptions shall not be granted for the convenience of the applicant or for the convenience of regional or national businesses that wish to use a standard sign size that may exceed the limits in this code.

C. An exception request shall be made in accordance with Chapter 5.1.050 and processed as a Type III application.

3.6.130 Enforcement. Nothing contained herein shall preclude the issuance of citations for violations of this chapter, either prior to, concurrently with, or after action is commenced to declare a sign to be unlawful or to remove an unlawful sign.

A. General Provisions.

1. Any sign that does not conform to the requirements of this Chapter or other applicable provision of this code is considered a civil infraction and subject to the provisions of Dallas Municipal Code Chapter 1.052.

2. When a sign is removed, altered, and/or stored under these enforcement provisions, removal and storage costs may be collected against the sign owner and the person responsible for the placement of the sign. The city council shall establish the fees for removal and storage of signs, and for other associated fees, by resolution, from time to time.

B. Any sign installed or placed in the public right-of-way or on City-owned real property, except in conformance with the requirements of this chapter or other applicable provisions of this code, may be removed by the Planning Director or his or her designee as follows:

1. Immediate confiscation without prior notice to the owner of the sign.

2. If the City can ascertain contact information for the owner of the sign or for any person or business responsible therefore, the City shall contact that person or business and advise that: a) the sign was found in a location that the City believes to be a public right-of-way or City-owned property; b) that no permit was issued for the placement of the sign in that location, and that the sign is not otherwise lawfully permitted to be in that location; and c) that the City has confiscated the sign and will destroy it after thirty (30) days from the time notice was sent to the person or business responsible for the sign, unless the sign is claimed and the removal and notice costs are reimbursed to the City in full

3. If notification is not possible, the city shall store the sign for thirty (30) days from date of confiscation. The sign shall then be destroyed.

4. The city shall continue to store the sign for any additional period during which an appeal or review thereon is before the municipal court.

C. Signs found to be erected or maintained on private property in violation of the provisions of this Chapter or other applicable provisions of this code are considered a civil infraction and subject to the provisions of Dallas Municipal Code Chapter 1.052.

3.6.140 Sign Type Illustrations



Wall



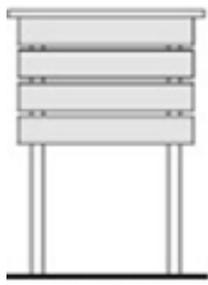
Hanging



Roof



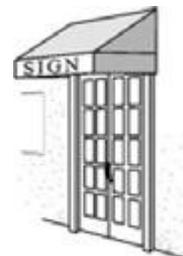
Projecting



Pole/Pylon



Monument



Canopy