

TO: HEARINGS OFFICER

FROM: LISA ANDERSON-OGILVIE, AICP, DEPUTY COMMUNITY
DEVELOPMENT DIRECTOR AND PLANNING ADMINISTRATOR

SUBJECT: SIGN VARIANCE AND SIGN PERMIT CASE NO. VAR-SI19-01;
5090 COMMERCIAL ST SE - 97306;
AMANDA NO.: 18-124770-SA & 19-109437-SI & 19-110750-SI

REQUEST

Summary: A request for two sign permits and a sign variance to allow construction of two freestanding vehicle viewing signs 13.7 square feet in size.

Request: A consolidated request including a Sign Variance and two Sign Permits to allow two additional vehicle viewing signs permitted under SRC 900.200(c)(2)(D) for use as pre-sell menu boards in the drive-through lanes of an existing eating and drinking establishment. The subject property is approximately .95 acres in size, zoned CR (Retail Commercial) and located within the South Gateway Overlay Zone, and located at 5090 Commercial Street SE – 97306 (Marion County Assessors Map and Tax lot number: 083W14BB / 01703).

OWNER/APPLICANT: Archland Property I, LLC c/o McDonald's Corporation

- Archland Property I, LLC members include: Corporation Service Company and Gold W Investors Business Trust

Pro Enterprises, LLC

- Pro Enterprises, LLC members include: Jill Seaman-Pollard, Alyssa Burgess, and Melanie Pollard

AGENT: Mark Shipman, Saalfeld Griggs Lawyers

RECOMMENDATION

Based on the Facts and Findings presented in this staff report, staff recommends the Hearings Officer DENY the request for a Sign Variance and Sign Permit to allow two additional vehicle viewing signs for use as pre-sell menu boards in the drive-through lanes of an existing eating and drinking establishment located at 5090 Commercial Street SE.

BACKGROUND

On December 21, 2018, Mark Shipman, Saalfeld Griggs Lawyers, filed sign variance

and sign permit applications on behalf of the applicants and property owners, Archland Property I, LLC and Pro Enterprises, LLC with a request to install two pre-sell menu board signs in the drive-through lane for an existing McDonald's restaurant for property zoned CR (Retail Commercial) and located within the South Gateway Overlay Zone. A vicinity map of the property is included as **Attachment A**.

SRC 900.200(c)(2)(D) allows one vehicle viewing sign with a display surface not exceeding 32 square feet in size, located on a vehicle accessway adjacent to a building or on the building, and intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle. No more than one vehicle viewing sign is allowed per vehicle accessway. The existing eating and drinking use is developed with two drive-through lanes, each drive-through lane currently has one menu board (vehicle viewing sign), approximately 19.3 square feet in size, and one pre-sell menu board (vehicle viewing sign), approximately 11 square feet in size. The pre-sell signs are non-permitted and exist in violation of the sign code. The applicant is requesting a sign variance to replace the two existing non-compliant pre-sell menu boards with two new electronic display vehicle viewing signs approximately 13.7 square feet in size.

In November 2012, City Council directed staff to conduct community outreach and research possible amendments to Salem Revised Code (SRC) Chapter 900 (Sign Code) related to the increased square footage and overall number of vehicle viewing signs, commonly referred to as menu boards and often used by fast food restaurants. The full report is included as **Attachment D**. As a result of this outreach effort, staff proposed a modest increase to the display area of menu board signs from 24 square foot maximum display surface to 32 square feet. This amendment was recommended to reduce the amount of time customers spend in the drive-through lane and to minimize the traffic hazard of vehicles that could extend into areas not designated for a drive-through. The increase in square footage allowed for vehicle viewing signs was amended and approved by City Council in 2014 pursuant to CA14-05. Consideration was also given to increase the number of vehicle viewing signs that could be allowed per drive-through lane, however this was not pursued due to lack of public support.

The public hearing before the City of Salem Hearings Officer is scheduled for June 26, 2019, at 5:30 p.m. in the Council Chambers, Room 240, Civic Center, located at 555 Liberty Street SE. A request for comments was sent to surrounding property owners on May 29, 2019. Public hearing notice was also posted on the property by the applicant on June 14, 2019, 12 days prior to the hearing, pursuant to SRC requirements.

PROPOSAL

The applicant is requesting a sign variance and two sign permits to allow two vehicle viewing signs approximately 13.7 square feet in size to be constructed in each drive-through lane for use a pre-sell menu boards. The business has two existing menu board signs permitted under SRC 900.200(c)(2)(D) that would remain in each of the two drive-through lanes. The variance is requested because SRC 900.200(c)(2)(D) allows only one vehicle viewing sign for each lane.

SUMMARY OF RECORD

The following items are submitted to the record and are available upon request: All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; any materials and comments from public agencies, City departments, neighborhood associations, and the public; and all documents referenced in this report.

APPLICANT'S STATEMENT

The applicant's written statement (**Attachment B**) and proposed sign plans (**Attachment C**) are attached and made a part of the staff report.

FACTS AND FINDINGS

1. Salem Area Comprehensive Plan (SACP) designation

The Salem Area Comprehensive Plan (SACP) map designation for the subject property is "Commercial." The subject property is within the Urban Growth Boundary and is located inside the Urban Service Area.

2. Zoning and Surrounding Land Uses

The subject property is zoned CR (Retail Commercial) and is located within the South Gateway Overlay Zone.

The zoning and uses of surrounding properties includes:

North:	CR (Retail Commercial) – Shopping complex
South:	Across Barnes Avenue SE – CR (Retail Commercial) – Dutch Bros. Coffee and Portland General Electric Substation
East:	CR (Retail Commercial) – Shopping complex
West:	Across Commercial Street SE – CR (Retail Commercial) – Shopping complex

3. Site Analysis

The subject property is approximately 0.95 acres in size and has frontage along Commercial Street SE which is designated as a Major Arterial Street on the Salem Transportation System Plan (TSP), and along Barnes Avenue SE which is designated as a Collector Street on the TSP. The signs will be located near the entrances to each of the two provided drive-through lanes near the northwest portion of the lot.

4. Neighborhood and Citizen Comments

Notice of the application was sent to the South Gateway Neighborhood Association (SGNA), and all property owners of record within 250 feet of the subject property. At the time of this staff report, no comments have been received from SGNA or surrounding property owners.

5. City Department and Public Agency Comments

The Building and Safety Division reviewed the proposal and indicated no concerns.

6. Sign Variance Applicability – SRC Chapter 900

SRC 900.040(a) provides that sign variances may be granted to the height and display surface standards, to increase the number of allowed signs, to allow relocation of a sign, and to allow structural alterations to a sign.

A sign variance shall not provide for any of the following:

- a) To allow a sign prohibited by SRC 900.020 (Prohibited Signs).
- b) To decrease a setback or special setback.
- c) To allow placement of a sign in a vision clearance area.
- d) To allow structural alterations to a non-conforming or non-complying sign.
- e) To authorize a sign not otherwise permitted on the property for which the variance is sought.
- f) To allow any sign other than those specifically allowed by this Chapter.
- g) To modify the display and brightness regulations for electronic display signs established by SRC 900.090.

7. Analysis of Sign Variance Criteria – SRC Chapter 900

Pursuant to SRC 900.040(d), an application for a sign variance shall be granted if the following criteria are met:

Criterion 1:

Compliance with the applicable standard would create an unnecessary hardship due to unique or unusual physical conditions of the property over which the applicant has no control, such as topography and lot shape, which are not present on other properties in the vicinity that have the same zone designation; the hardship does not result from actions of the applicant, owner, or previous owners of the property; and the sign variance is limited to the minimum reasonably necessary to alleviate the problem created by the unique or unusual physical conditions.

Applicant's Finding: The complete written statement provided by the applicant is included in this report as **Attachment B**. In summary, the hardship and practical difficulties identified by the applicant relate to the corner location of the restaurant, the nature of the business, and the existing double tandem queuing lanes to service customers. The applicant argues the additional signage is needed to alleviate excessive queuing into the adjacent shopping area located behind the restaurant.

Staff Finding: The subject property is approximately 0.95 acres in size and is developed similarly to other lots along the Commercial Street SE corridor. The property has frontage along two streets, Commercial Street SE and Barnes Avenue SE. The subject property and neighboring commercial properties are generally flat. Adjacent eating and drinking establishments developed with drive-through lanes are located on similar-sized lots and have similar lot coverages. The proposed pre-sell menu board signs would be located near the entrance of each of the two drive-through lanes, which are located near the site's access from Commercial Street SE. The proposed signs are approximately 13.7 square feet in size, which is less than the 32 square foot maximum size for a vehicle viewing sign.

SRC 900.200(c)(2)(D) allows one vehicle viewing sign for an individual business, located on a vehicle accessway adjacent to a building or on the building, and intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle. Each drive-through lane has one menu board (vehicle viewing sign), which is permitted under SRC 900.200(c)(2)(D). The variance request is to add one additional pre-sell menu board (vehicle viewing sign) to each lane.

The applicant's statement indicates that the lot's corner location, the nature of the business, and the existing double tandem queuing lanes necessitate additional signage to aid the efficient movement of vehicles through the subject property. The nature of the business and the double drive-through lanes are not unique physical conditions of the property to which the applicant has no control. These conditions described by the applicant refer to the existing site characteristics from when this eating and drinking use was originally developed in 2002. Efficiencies of the site layout was under the control of the applicant when developing the site, any hardship resulting from the layout of the site would be a result of the actions of the applicant, and not due to unique or unusual physical conditions of the property, therefore, the applicant does not adequately address this approval criterion.

Staff also finds that the applicant did not adequately demonstrate how the corner lot condition creates a hardship that necessitates increased signage. There are two fast-food restaurants in the vicinity developed with drive-through lanes that are also located on corner lots. The Arby's located at 4990 Commercial Street SE and Carl's Jr. located at 1450 Baxter Road are developed on lots smaller in

lot size than the subject property. The applicant has not addressed how the subject property features unique conditions that add to the congestion of the drive-through on the subject property. Staff finds that there are no unusual or unique conditions of the lot that necessitate additional signage.

Criterion 2:

The sign variance is necessary to permit signage comparable with other properties in the vicinity that have the same zone designation.

Applicant's Finding: The complete written statement provided by the applicant is included in this report as **Attachment B**. Commercial zones generally allow for more signage than what is permitted for businesses in other zones. In summary, the applicant states that the pre-sell boards will replace existing signage on the subject property which was determined permissible in the past. While other neighboring businesses do not provide customers with the same number of signs, the applicant claims that the businesses do not provide the same in-vehicle service that is provided on the subject property.

Staff Finding: Properties along the Commercial Street SE corridor located south of Kuebler Boulevard SE, including the subject property, are located within the boundaries of the South Gateway Overlay Zone, and are primarily zoned CR (Retail Commercial). There are many retail businesses and eating and drinking establishments in the vicinity. Comparable fast food restaurants with drive-through lanes in the vicinity include Arby's and Carl's Jr. which have been mentioned previously, and Burger King, which is located at 5145 Commercial Street SE.

As mentioned earlier in this report, the Arby's and Carl's Jr. restaurants in the vicinity are developed on corner lots. The Arby's drive-through features a menu board and a customer order display with a canopy. Carl's Jr's drive-through contains a menu board sign and several temporary promotional signs which are visible from the right-of-way. Burger King has three directional signs, one clearance bar with a customer order display, one pre-sell menu board, and one menu board located near the drive-through lane. The pre-sell board at Burger King is not digital and it is not visible from the public right-of-way. With the exception of customer order displays, there are no electronic display menu board signs present at these neighboring fast-food restaurants.

Staff was unable to find any issued permits for the existing non-compliant pre-sell menu board signs for the subject property, or any other evidence to support the applicant's claim that the existing pre-sell menu boards are permissible. The sign code has allowed only one vehicle viewing sign per vehicle accessway since before this McDonald's was constructed in 2002, these signs exist as non-compliant signs under current code. The applicant states that these signs were previously allowed. Non-illuminated signs not visible from a public sidewalk,

street, highway, or alley are exempted from sign permit requirements listed under SRC 900.030. However, these signs are visible from the right-of-way abutting Commercial Street SE, and would not qualify for the exemptions found in SRC 900.030. The existence of these signs on the subject property does not justify the variance request to replace the signs with new electronic display signs. As described in the applicant's written statement, this McDonald's location has more signs than neighboring businesses in the vicinity. The electronic display feature and overall number of signs existing on the property is not in character with signage of comparable uses in the vicinity. Therefore, the sign variance is not necessary to permit signage comparable with other properties in the vicinity with the same zone designation.

Criterion 3:

The sign variance will not adversely affect the function or appearance of the development and use of the property and surrounding properties.

Applicant's Finding: The complete written statement provided by the applicant is included in this report as **Attachment B**. In summary, the applicant argues the proposed signs will help to improve the function of the business by alleviating queuing congestion and providing an updated aesthetic for the recently remodeled restaurant. The digital pre-sell menu board signs will replace the existing non-digital pre-sell menu board signs, therefore there will be no adverse effect resulting from the approved variance request. The applicant also states that the proposed signs are internal to the subject property and will not impact the function or appearance of the surrounding properties.

Staff Finding: The variance request is to allow two additional pre-sell menu board signs to be located near the two drive-through entrances of the business. According to the site plan, there are seven other existing signs located in this area of the site, including two menu boards for each lane, two customer order displays, and three directional signs.

The proposed digital signs will replace existing non-compliant non-digital pre-sell signs located on the subject property. Part of the signage updates for the business also includes the construction of two digital menu boards permitted outright under SRC 900.200(c)(2)(D) to replace the non-digital menu boards. The sign code does not require special illumination standards for vehicle viewing signs, except that they must meet the general illumination standards for electronic display signs otherwise permitted under SRC Chapter 900. The applicant has indicated that these digital signs are being constructed to improve the aesthetics of the site and to improve employee safety by eliminating the need to manually adjust the signs located near the vehicle circulation area and drive-through lane.

While the proposed signs are located near the interior of the lot, the signs will be

visible from the public right-of-way abutting Commercial Street SE, the additional illumination and overall number of freestanding signs proliferates sign clutter on the subject property. The applicant has not addressed potential impacts resulting from an increased number of illuminated signs on the subject property. Staff finds that allowing the additional digital signs will adversely affect the appearance of the development site.

Criterion 4:

The sign variance will not impose limitations on other properties and signage in the area, including signage that would be allowed on adjacent properties.

Applicant's Finding: In summary, the applicant argues that the proposed signs will replace the existing signs on the subject property and will not impose additional restrictions on adjacent properties.

Staff Finding: If granted, the sign variance to allow construction of two additional vehicle viewing signs permitted by SRC Chapter 900, would not limit allowed signage for other buildings on the subject property or the allowed signage for adjacent properties.

8. Analysis of Sign Permit Approval Criteria – SRC Chapter 900

SRC Chapter 900.025(d) provides that an application for a sign permit shall be granted if the following criteria are met:

Criterion 1:

The sign meets the requirements of SRC Chapter 56.

Staff Finding: Freestanding signs less than 7 feet in height do not require a building permit. The proposed vehicle viewing signs are approximately 6 feet in height, building permits and engineering is not a requirement for the proposed signs.

Criterion 2:

The sign is allowed in the zone.

Staff Finding: One Vehicle viewing sign is permitted in the CR zone. The variance request is to increase the number of allowed vehicle viewing signs above the number of signs allowed, which is not permitted in the zone.

Criterion 3:

The sign will not interfere with the use of any public right-of-way, other public

easements, or other publicly owned property.

Staff Finding: No evidence has been presented that the sign will interfere with use of the public right-of-way, public easements or other publicly owned property.

Criterion 4:

The sign conforms to all the applicable standards in this Chapter.

Staff Finding: SRC 900.200(c)(2)(D) allows one vehicle viewing sign for an individual business, located on a vehicle accessway adjacent to a building or on the building, and intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle. The display surface of the vehicle viewing sign shall not exceed 32 square feet. If granted the variance request will allow the construction of one additional vehicle viewing sign per drive-through lane resulting in the allowance of two additional signs. If approved, the applicant will be required to submit electrical permits for the proposed digital signs. No electrical permits have been submitted to date. The proposed vehicle viewing signs comply with all other standards of SRC Chapter 900.

RECOMMENDATION

Based on the Facts and Findings presented in this staff report, staff recommends the Hearings Officer DENY the request for a Sign Variance and Sign Permit to allow two additional vehicle viewing signs permitted under SRC 900.200(c)(2)(D) for use as pre-sell menu boards in the drive-through lanes of an existing eating and drinking establishment for property approximately .95 acres in size, zoned CR (Retail Commercial) and located within the South Gateway Overlay Zone, and located at 5090 Commercial Street SE – 97306.

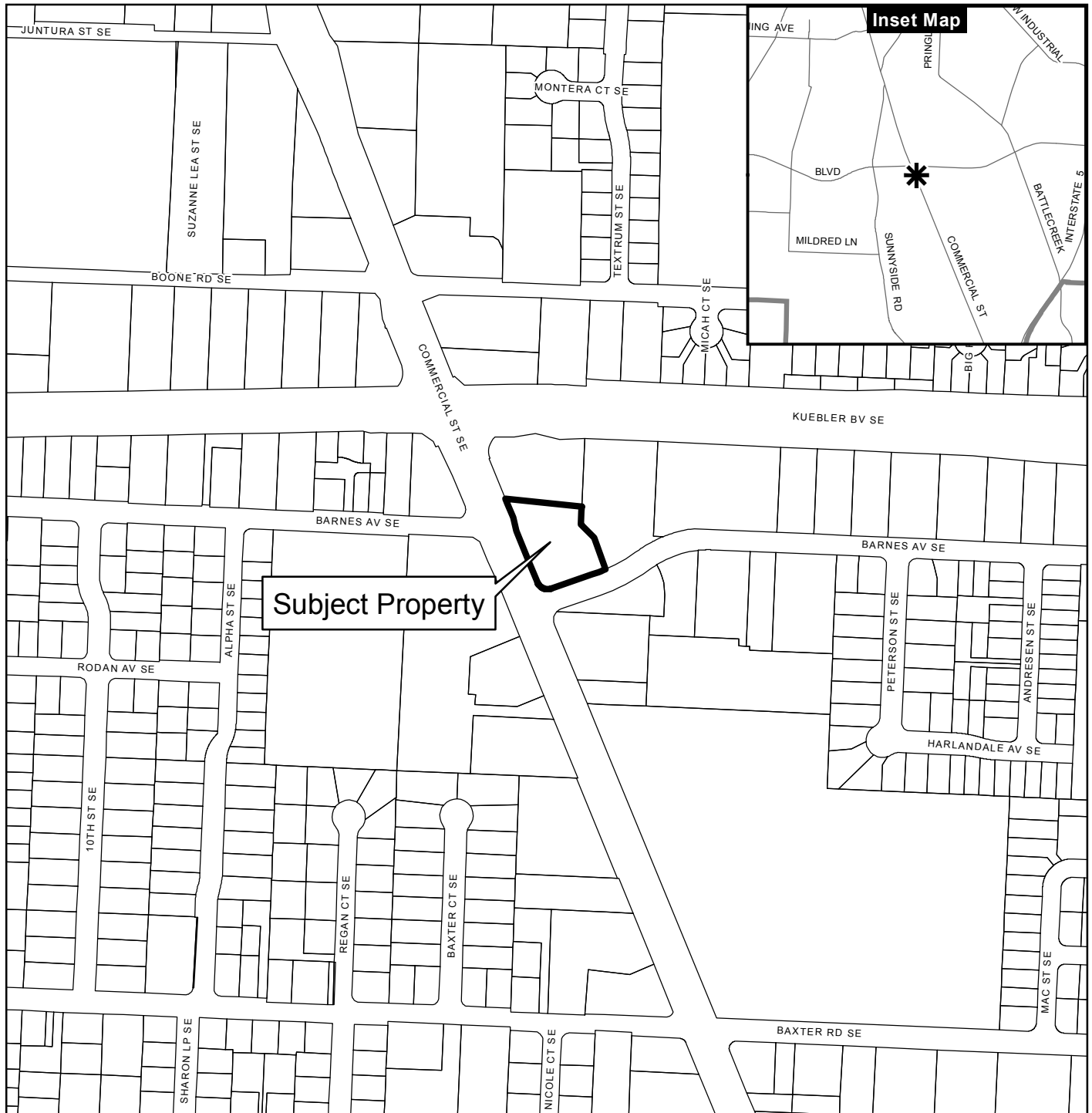
Attachments:

- A. Vicinity Map
- B. Applicant's Statement
- C. Plans
- D. City Council staff report dated May 27, 2014








Application Deemed Complete Date: May 8, 2019
State Mandated Decision Date: September 5, 2019

Prepared by: Hayley Feightner, Planner I

Vicinity Map 5090 Commercial Street SE



Legend

-  Taxlots
-  Urban Growth Boundary
-  City Limits
-  Outside Salem City Limits
-  Historic District
-  Schools
-  Parks



0 100 200 400 Feet



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SIGN VARIANCE WRITTEN STATEMENT

REAL PROPERTY OWNER:

Archland Property I, LLC
c/o McDonald's Corporation (36-0282)
110 N Carpenter St
Chicago, IL 60607

RESTAURANT OWNER/APPLICANT:

Pro Enterprises, L.L.C.
2791 19th St SE
Salem, OR 97302

**APPLICANT'S REPRESENTATIVE:**

Mark D. Shipman
Saalfeld Griggs PC
Park Place, Suite 200
250 Church Street SE
Salem, OR 97301

SUBJECT PROPERTY INFORMATION:

The subject property is located at 5090 Commercial Street Southeast and is most commonly known as the McDonald's Restaurant located at the corner of Kuebler Boulevard and Commercial Street Southeast, as set forth in Marion County Assessor's Map 08-3W-14BB, Tax Lot 1703, depicted in the attached *Exhibit "A"* (herein the "*Subject Property*"). The Subject Property is zoned Commercial Retail (CR) by the City of Salem (the "*City*") and is located within the South Gateway Overlay Zone. The properties to the north, south, east and west are all zoned CR. The signs currently located on the Subject Property have become outdated, use inefficient fluorescent bulbs, and require McDonald's employees to manually adjust the signs putting them in unnecessary danger of being hit by an unobservant driver.

PROPOSAL:

Applicant is proposing to place two (2) approximately fifty-three and one eighth inch ($53 \frac{1}{8}$ ") by seventy-one and one-half inch ($71 \frac{1}{2}$ ") pre-sell signs and two (2) approximately fifty-eight-inch (58") by seventy-one and one-half inch ($71 \frac{1}{2}$ ") menu board signs along the drive thru entrance of the McDonald's Restaurant (the "*Restaurant*") on the Subject Property. See *Exhibit "B"* (Approximate Specifications of New Signs). These signs comply with McDonald's Corporations signage requirements, will better complement the Subject Property and the recently remodeled restaurant. Together, these signs will replace the Restaurant's current drive thru signage with smaller, digital signs. This request is akin to that of expanding a non-conforming use, as the Restaurant currently has similar signage for each drive thru lane. See *Exhibit "C"* (Pictures of Existing Signage). Replacing the current signs with the proposed signs will provide a much-needed update to the aesthetics of the Subject Property as well as making the signs more energy efficient and programmable from within the Restaurant itself. This will increase efficiency

of the drive thru and improve the safety of the Restaurant's employees as the proposed signs will replace signs that currently must be updated by hand at several points throughout the day. In addition, the proposed signs use LED bulbs, which are more energy efficient than the current signs which are backlit by fluorescent light.

VARIANCE REQUEST:

Applicant requests a variance of Salem Revised Code (SRC) 900.200(b)(1), which states in relevant part:

SRC 900.200 - Permanent signs in Central Business District (CB), Retail Commercial (CR), and General Commercial (CG) Zones.

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

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

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

(A) *Freestanding signs.*

(i) *Height.* The height of a freestanding sign shall not exceed 20 feet for up to the first 100 feet of street front property line, plus an additional one foot in height for each 20 feet of street front property line over 100 feet, with a maximum height not exceeding 30 feet.

(ii) *Area.* The display surface of a freestanding sign shall not exceed one square foot per linear foot of street front property line up to the first 100 square feet of display surface, plus an additional one-quarter square foot of display surface for each additional one foot of street front property line over 100 feet, with a maximum display surface not exceeding 150 square feet.

Applicant proposes the installation of four (4) free standing signs on the Subject Property, one pre-sell sign, and one menu sign for each drive-thru on the Subject Property. The Applicant therefore requests a variance to the maximum freestanding sign (one per property) requirements in SRC 900.200(b)(1). The proposed signage does not exceed the maximum height or area requirements in SRC 900.200(b)(1)(A)(i)(ii).

VARIANCE CRITERIA:

Pursuant to SRC 900.040(d), a sign variance shall be granted if the following criteria are met:

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

(1) Compliance with the applicable standard would create an unnecessary hardship due to unique or unusual physical conditions of the property over which the applicant has no control, such as topography and lot shape, which are not present on other properties in the vicinity that have the same zone designation; the hardship does not result from actions of the applicant, owner, or previous owners of the property; and the sign variance is limited to the minimum reasonably necessary to alleviate the problem created by the unique or unusual physical conditions;

Proposed Finding: The Subject Property is currently operating as a McDonald's Restaurant and is located within a commercial shopping center on the corner of Barnes Avenue SE and Commercial Street SE. Given the location and nature of a fast food restaurant, two (2) vehicle (drive-thru) access lanes are located along the northern face of the Restaurant and wrap around the western face of the Restaurant to provide adequate vehicle queuing for each drive-thru lane. Due to the additional queuing lane, the corner location of the Restaurant, and the nature of the business, additional signage on the Subject Property is necessary for the efficient movement of vehicles through the Subject Property to avoid excessive queuing into the adjacent shopping area. As pictured above, the City has allowed additional signs of this nature on the Subject Property previously due to the needs and conditions of the Subject Property. Applicant is confining its request to the minimum number of signs necessary to alleviate the unusual conditions on the Subject Property. Additionally, the Applicant has provided proposed designs that, while exceeding the permissible number of signs, they are within the limitations for the permissible (area) square footage for signs on the Subject Property.

(2) The sign variance is necessary to permit signage comparable with other properties in the vicinity that have the same zone designation;

Proposed Finding: Commercial Street SE is designated as a major arterial in the Salem Transportation System Plan. Most properties located along the Commercial Street corridor have a CR (Retail Commercial) or other commercial zoning designation which anticipates the need for additional signage along the corridor, including within the Subject Property's CR zone. The requested variance will simply allow for the replacement of the existing signage on the Subject Property; this signage request is one that the City deemed to be appropriate for the area in the past. While other businesses in the general vicinity do not have the same number of signs, these neighboring businesses do not provide customers with the same in-vehicle service that is provided on the Subject Property.

(3) The sign variance will not adversely affect the function or appearance of the development and use of the property and surrounding properties; and

Proposed Finding: As discussed above, the proposed signage will help to improve the function of the vehicle accessways on the Subject Property, thus reducing unnecessary queuing on the adjacent commercial properties. As previously stated, the proposed signage will replace existing signs on the Subject Property meaning that there will not be an adverse impact on the function or appearance for the surrounding properties. The proposed signs are internal to the Subject Property and will not adversely affect the function or appearance of the development and use of the Subject Property and surrounding properties. All of the properties in the surrounding area are developed for retail commercial uses. Further, the proposed signs will be updated to provide a more up to date aesthetic for the Restaurant, improving the appearance of the Subject Property and thus the surrounding area.

(4) The sign variance will not impose limitations on other properties and signage in the area, including signage that would be allowed on adjacent properties.

Proposed Finding: As previously noted, the proposed signs will replace existing signs on the Subject Property. The proposed signs will not impose additional restrictions on adjacent properties.

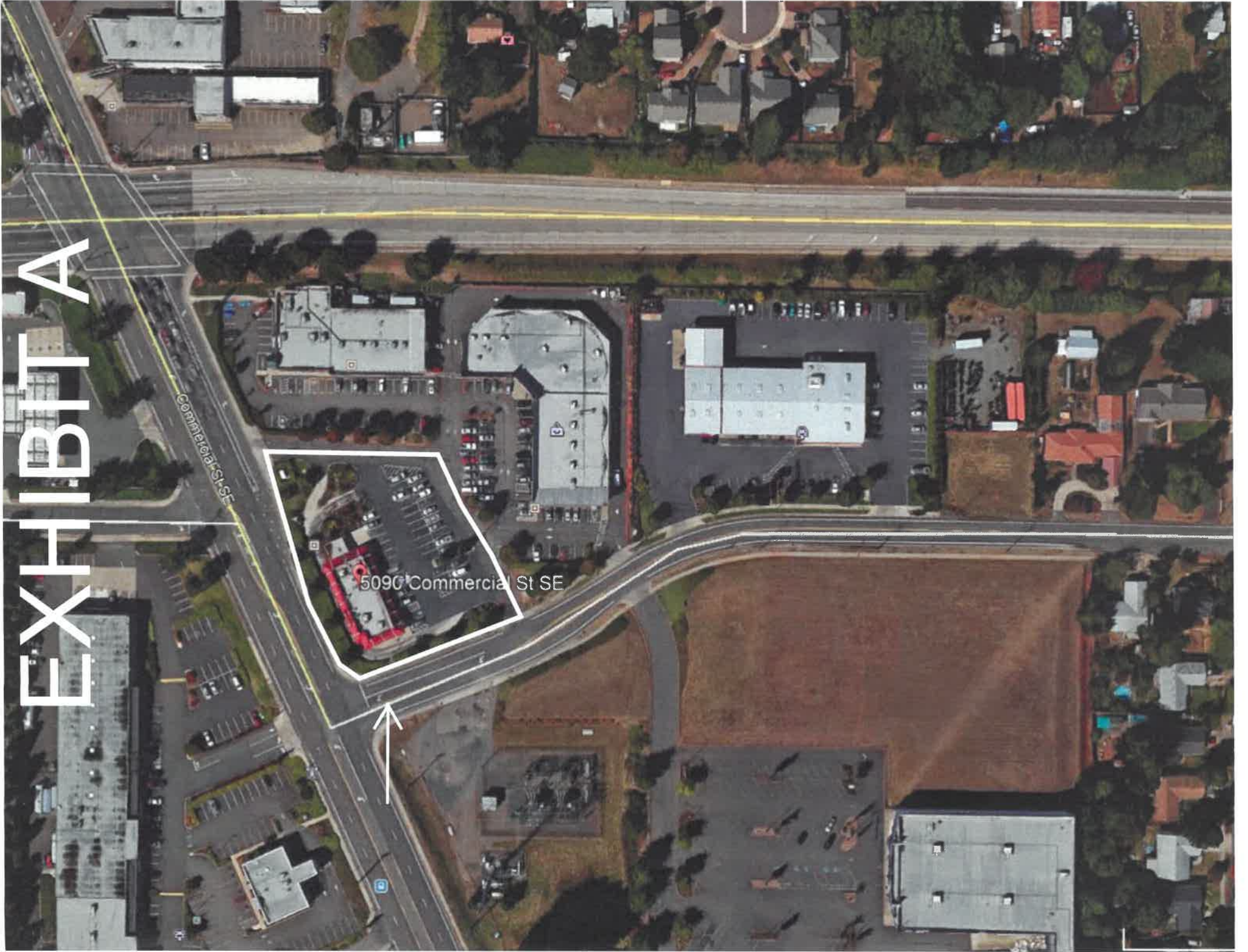
CONCLUSION:

Applicant has demonstrated that it satisfies the variance criteria and respectfully requests approval of the requested variance to Section 900.200(b)(1) of the Salem Revised Code.

EXHIBIT A
DEPICTION OF SUBJECT PROPERTY

(SEE ATTACHED)

EXHIBIT A



Commercial St SE

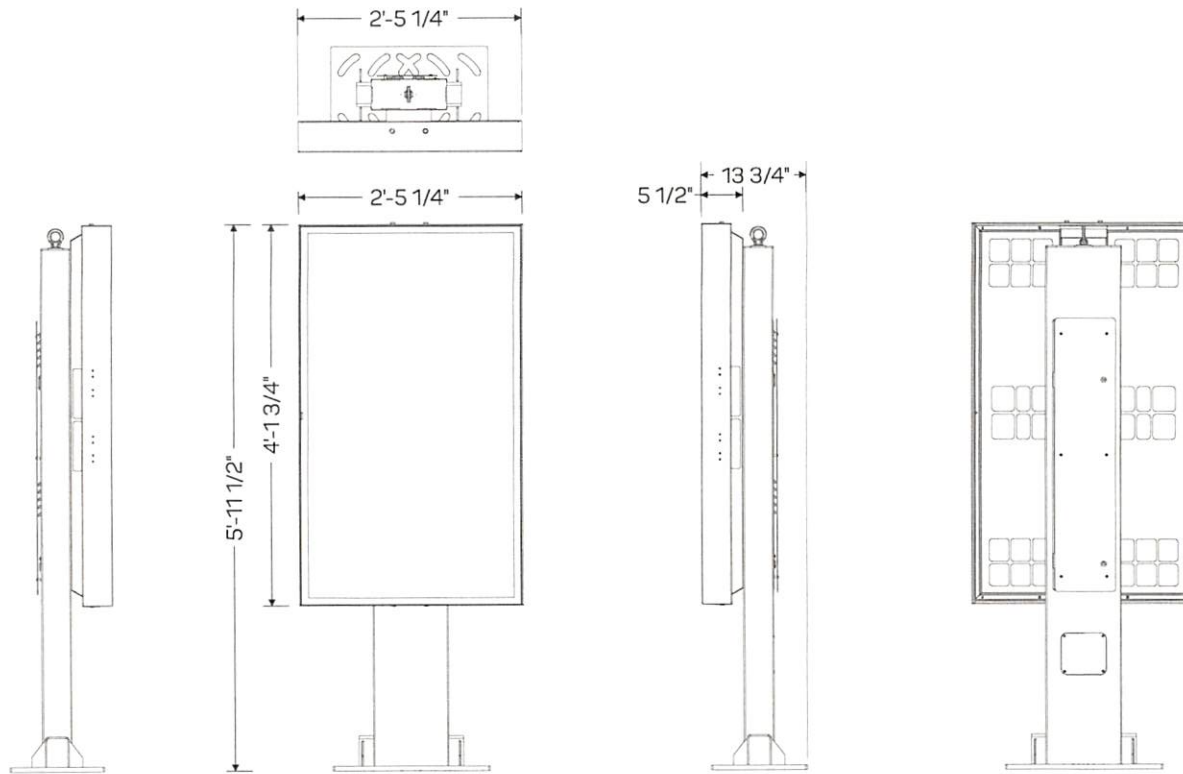
5090 Commercial St SE

EXHIBIT B
APPROXIMATE SPECIFICATIONS OF NEW SIGNS

(SEE ATTACHED)

Frame	Hot dip galvanized + anti-graffiti powder coated steel
Brackets	Hot dip galvanized
Panels	Aluminium + anti-graffiti powdercoat
Access fasteners	Security Torx
Media player access	Dual camlock
Eyebolt	Stainless crane on
Baseplate	McDonalds spec triple mounting pattern option

ODMB 02 SINGLE	
Displays	Samsung OH55F
Hardware	Stratacache Spectra NG
Heating/Cooling	Watlow 100W Heater Sunon 120mm AC Fan
Power Supply Units	60W DC Media Player Power Supply
Power Cables	1 x IEC Power Cable
Electrical Components	Isolated Ground 2 x IG Receptacles 20A Circuit Breaker
Communication Cables	2 x HDMI 1 x RS232
Certification	UL Certified



SCALE: 1/2" = 1'-0"



GRAPHIC DETAIL
NOT TO SCALE

EXHIBIT C
PICTURES OF EXISTING SIGNAGE







May 8, 2019



VIA ELECTRONIC MAIL: Planning@cityofsalem.net, HFeightner@cityofsalem.net
Original to follow via hand delivery

Hayley Feightner, Planner I
City of Salem
Community Development Department
555 Liberty St. SE, Room 305
Salem, OR 97301

RE: Response to Incomplete Letter for 5090 Commercial Street SE
Your File Nos: 18-124770-SA (Sign Variance Application)
Our File No: 28757

Hayley:

This letter and the attachments hereto are intended to be our response on behalf of Pro-Enterprises, L.L.C. and Archland Property I, LLC (the "**Applicant**") with respect to your Incomplete Application Letter dated December 28, 2018 regarding the property listed above. The Applicant is applying for this variance to install two (2) pre-sell boards.

You requested that the Applicant provide additional information regarding the following items: 1) Authority to Sign, 2) Sign Permit Application and Fees, 3) Site Plan, 4) Proposed Sign Plan, and 5) Existing Sign Plan.

AUTHORITY TO SIGN

The application was signed by Lorraine Fortelka on behalf of Archland Property I., LLC. Ms. Fortelka's title and position with the McDonald's Corporation is following:

Lorraine Fortelka, Senior Counsel
McDonald's Corporation
110 N. Carpenter Street
Chicago, IL 60607-2101
Telephone: (847) 848-5752
e-mail: lorraine.fortelka@us.mcd.com

Park Place, Suite 200
250 Church Street SE
Salem, Oregon 97301

Post Office Box 470
Salem, Oregon 97308

tel 503.399.1070
fax 503.371.2927

We have worked with Ms. Fortelka with respect to other McDonald's properties in the past and can attest to the fact that as a senior attorney with the McDonald's Corporation, she is authorized to sign on behalf of Archland Property I, LLC.

SIGN PERMIT APPLICATION AND PERMIT FEES

The sign permits, and associated application fees were submitted by Advanced Electric Signs Inc., a Washington corporation hired by the McDonald's Corporation's sign contractor under separate correspondence. Permit 19-109437-SI and 19-110750-SI are attached hereto as **Exhibit "A."**

SITE PLAN

Attached herein as **Exhibit "B."**

PROPOSED SIGN PLAN

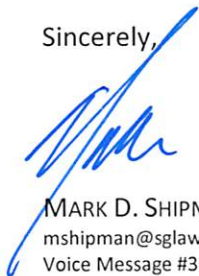
Attached please find the proposed cut sheet containing the specifications for the pre-sell boards, herein as **Exhibit "C."** This document shows overall height and construction type, specific sign dimensions, and illumination type. The overall height of the pre-sell/browse boards is $5'11\frac{1}{2}"$; the width is $2'5\frac{1}{4}"$; the pre-sell boards will be mounted to a fabricated steel column and will sit $1'9\frac{3}{4}"$ off the ground.

EXISTING SIGN PLAN

The previous signage consisted of static boards, with the primary menu board measuring almost twice the size as the new menu board, the previous menu board had to be manually rotated throughout the day requiring the employees to leave the safety of the restaurant building to ensure customers would be able to view the proper menus at the corresponding times of day. We have provided a comparison showing the previous sign standard and the new signage which will improve the restaurants drive thru service, provide digital menus that can be adjusted automatically, and keep employees within the safety of the building while decreasing the amount of signage on the property. That comparison is attached herein as **Exhibit "D."**

Pursuant to SRC 900.040(d) the Applicant has supplied necessary information to deem this application complete. Please don't hesitate to follow up with me if you have any questions or concerns.

Sincerely,



MARK D. SHIPMAN
mshipman@sglaw.com
Voice Message #310

MDS:rmg
Enclosures
cc: Client

EXHIBIT D

SIGNAGE COMPARISON

New & Proposed Signage Standard

Standard Unit- 71.6" High

Front

Back



Outdoor DMB- Coates O2

27.4 Sq. Ft. Display Area
(2) 55" Screens

Front

Back



Digital Pre-Sell- Coates O2

13.7 Sq. Ft. Display Area
(1) 55" Screen

Previous Signage Standard



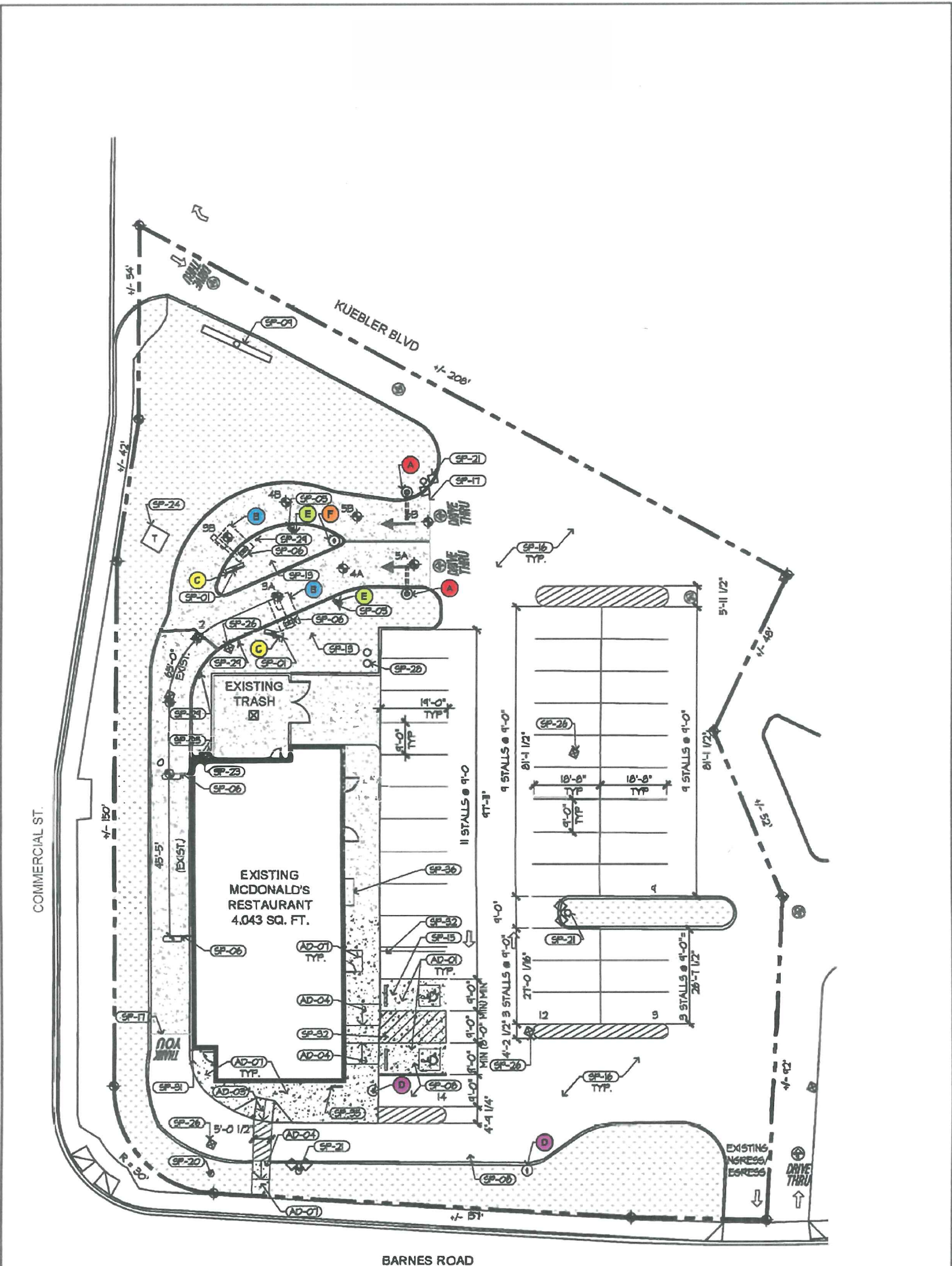
Pre-Sell (Static)

11 Sq. Ft.- Display Area



Menu Board (Static)

42 Sq. Ft- Display Area



SIGN LEGEND

- "Welcome" Gateway Sign (2 EXISTING)
- Customer Order Display with Integral Canopy (2 EXISTING)
- Digital Menu Board (2 NEW)
- Full Forward Stall Signs (1 EXISTING, 1 NEW)
- Proposed Placement of Digital Pre-Sell Boards (2 NEW)
- "Any Lane, Any Time" Sign (1 EXISTING)



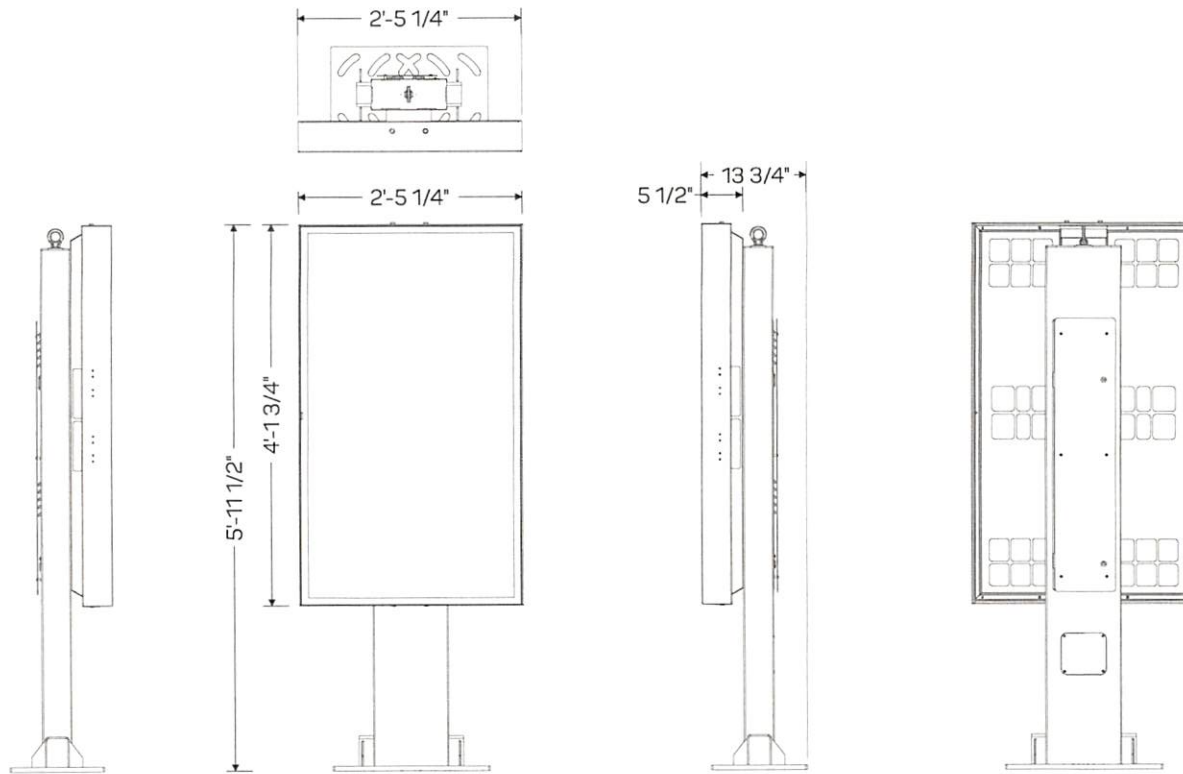
SITE PLAN

SCALE: 1" = 20'-0"



Frame	Hot dip galvanized + anti-graffiti powder coated steel
Brackets	Hot dip galvanized
Panels	Aluminium + anti-graffiti powdercoat
Access fasteners	Security Torx
Media player access	Dual camlock
Eyebolt	Stainless crane on
Baseplate	McDonalds spec triple mounting pattern option

ODMB 02 SINGLE	
Displays	Samsung OH55F
Hardware	Stratacache Spectra NG
Heating/Cooling	Watlow 100W Heater Sunon 120mm AC Fan
Power Supply Units	60W DC Media Player Power Supply
Power Cables	1 x IEC Power Cable
Electrical Components	Isolated Ground 2 x IG Receptacles 20A Circuit Breaker
Communication Cables	2 x HDMI 1 x RS232
Certification	UL Certified



SCALE: 1/2" = 1'-0"



GRAPHIC DETAIL
NOT TO SCALE

FUTURE REPORT: MAY 27, 2014 _____
 FOR COUNCIL MEETING OF: June 9, 2014 _____
 AGENDA ITEM NO.: 8.1 (a) _____
 July 28, 2014 _____
 4 (c)

TO: MAYOR AND CITY COUNCIL
 THROUGH: *Linda Norris*
 LINDA NORRIS, CITY MANAGER
 FROM: GLENN W. GROSS, DIRECTOR *G. W. Gross*
 COMMUNITY DEVELOPMENT DEPARTMENT
 SUBJECT: PROPOSED AMENDMENTS TO SALEM REVISED CODE
 CHAPTER 900 (SIGN CODE)

ISSUE:

Should the City Council conduct first reading of Ordinance Bill No. 8-14 amending Salem Revised Code Chapter 900 to increase display surface of a fast food menu board from 24 square feet to 32 square feet, hold a public hearing on the matter, and after such hearing, advance Ordinance Bill No. 8-14 to second reading for enactment?

RECOMMENDATION:

Conduct first reading of Ordinance Bill No. 8-14 amending SRC Chapters 900 to increase display surface of a fast food menu board from 24 square feet to 32 square feet, hold a public hearing on the matter, and after such hearing, advance Ordinance Bill No. 8-14 to second reading for enactment.

BACKGROUND:

Staff was given direction by Council in November 2012 to conduct community outreach and research possible amendments to Salem Revised Code (SRC) Chapter 900 (Sign Code) related to the increased square footage and overall number of vehicle viewing signs, commonly referred to as menu boards and often used by fast food restaurants. Council further directed staff to return with amendment recommendations.

Staff determined not to pursue the increase in number of menu boards due to lack of support.

Staff researched other jurisdictions' regulations governing vehicle viewing sign:

Jurisdiction	Regulation	Square Footage	Number of signs
Marion Co	Sign must not visible from ROW.	No limit	No limit
Keizer	If over 10 sq ft, must be screened from adjacent street	40	1 per business
Eugene	The sign's main purpose is to communicating to persons on the development site. (Drive Thru Lane)	40	1 sign
Bend	Not intended to be legible from the public ROW	45	No limit
Beaverton	Sign must not visible from ROW.	No limit	No limit
Portland	Sign must not visible from ROW.	No limit	No limit

Standard vehicle viewing signs for businesses in the City of Salem:

Business	Menu Board (sq. ft.)	2nd Menu/Pre-menu*
Arby's	36	none
Burger King	32	8
Carl's Jr	48	none
Dutch Bro	none	none
Jack In the Box	32	32
McDonald's**	32	32 - only at Center Street
Muchas Gracias	24	none
Starbucks	24	8
Subway	16	none
Taco Bell	36	none

* A pre-menu board is usually a menu board without audio capability placed earlier in the drive through queue for the purpose of allowing patrons to view some of the menu items before they order.

** All of the McDonald's restaurants in Salem have 2 drive thru lanes, each with one 32 square foot menu board, except their Center Street location, which has one lane with 2 boards, both of which are 32 square feet in size.

FACTS AND FINDINGS:

Outreach

1. The following summarizes responses received during outreach effort proposing an increase in the display surface of vehicle viewing signs from 24 to 32 square feet and overall number of vehicle viewing signs:

Support: Two citizens, Salem Sign, Security Signs, Foress Signs, Sunnyslope and Northgate Neighborhood Associations, and Salem Area Chamber of Commerce (Chamber). (The Chamber recommends the maximum display surface of these signs be 48 square feet in area.)

Opposed: Three citizens, Grant Neighborhood Association and Northeast Neighbors

2. Staff created an ad-hoc committee consisting of a business that utilizes menu boards, a representative of the Chamber, and two neighborhood representatives to assist staff in developing its recommendation.
3. In January of 2014 staff conducted a second round of outreach and sent a request for input and direction to Neighborhood Association Chairs, other interested parties, and the Chamber.
4. The following summarizes responses received during staff's 2014 outreach effort:

Support: West Salem Neighborhood Association, McDonalds Corporation, and the Chamber (increase to 48 square feet in area)

Opposed: Northeast Neighbors

Procedural Findings

5. Pursuant to SRC 300.1110(a)(3), staff may initiate a legislative land use proceeding by placing an ordinance on the City Council agenda for first reading.
6. ORS 197.610 and OAR 660-018-0020 require that notice be provided to the Department of Land Conservation and Development (DLCD) on any proposed amendment to a local land use regulation at least 35 days prior to the first public hearing. Notice to DLCD was mailed on May 20, 2014.


Proposed Code Amendments

7. The Sign Code currently limits vehicle viewing display areas to 24 square feet. The proposed amendment would increase the display area to 32 square feet. By providing this increase, the business may increase the font, pictures, and items listed. Often size of the menu board is dictated by requirements paced on the local restaurant by their franchise agreements with corporation headquarters. McDonald's restaurants have indicated that 70% of their business is conducted from the drive thru. Thus, adequate menu board size is

critical to serving their customers.

ALTERNATIVES:

1. Conduct first reading and schedule the matter for a public hearing before the Council.
2. Take no action.



Lisa Anderson-Ogilvie,
Urban Planning Administrator

Prepared by Amy J. Dixon, Planner II

- Attachments
1. Doug Bates, McDonald's Corporation Email
 2. Salem Area Chamber of Commerce Email and Letter
 3. West Salem Neighborhood Association Letter
 4. Northeast Neighbors Letter

Amy Dixon - RE: Sign Code Amendment

ATTACHMENT 1

From: Bates Doug <Doug.Bates@us.mcd.com>
To: Amy Dixon <adixon@cityofsalem.net>
Date: 11/4/2011 5:11 PM
Subject: RE: Sign Code Amendment
Attachments: OPF-1_COL Presell.pdf; OPF-4_COL.pdf; fp43menuboard.pdf; http presell.pdf

Hi Amy and thanks so much for including McDonald's in the amendment process.

The Pre-sell or preview board is internally illuminated. I have attached two versions that we use everywhere USA attached. The one is installed @ Commercial St. The other is a new one we are now using. It is triangular in shape and rotates depending on new menu item for breakfast, lunch or dinner. The overall height and face dimensions are similar. The Viewable area is actually 7.8sf on any single panel. 8sf viewable/panel should be adequate. The one installed at commercial street is the offset version, is slightly larger in overall surface area, but is still under 8sf viewable area.

The Menu board is also internally illumination and is four same size panels side by side. Each panel is 7.8sf viewable area. 8sf viewable per panel should be adequate or 32sf viewable area in total. The physical dimension is what is shown on the attachments. The post is 1'6" tall to bottom of menu board. I have attached both the existing menu board installed @ Commercial St and the newer menu board that we have recently rolled out to compliment the new pre-sell board. The new menu board's four panels are also triangular in shape. Only one face is visible at any time. The overall height of 6'9" works in our case, however some competitors might prefer 7'-0". If you consider the Administrative option of 10% this would cover that.

When a side x side or double DT lane is available we would like one menu board/DT lane or 64sf viewable area.

When we do not have the physical space to install a double or side by side arrangement, we would like the option to install a tandem arrangement. This arrangement would have one pre-sell board twp menu boards (roughly 20' apart). This should be considered as an alternate allowed solution to the side by side or double DT arrangement.

As a future option, we add a topper panel in the horizontal direction that is again no more than 8sf viewable.

For future flexibility, a 10% administrative increased allowance by staff would be a good variable.

Amy, let me know if this helps and is clear enough for you. If not let's discuss further as this is a huge issue for ALL QSR(Quick Service Restaurants). At McDonald's on average nationwide 70% of all of our business is DT. To successfully support our customers this is what we really need.

Again I real appreciate your request to assist in the sign code revisions on this topic.

Thank you,

Doug Bates | Area Construction Manager
12131 113th Ave NE | Suite 103 | Kirkland, WA 98034
Office: 425-821-4970 | Direct: 425-242-2411 | Cell: 425-577-0415 | Fax: 425-242-2498

From: Amy Dixon [adixon@cityofsalem.net]

Sent: Tuesday, October 25, 2011 7:42 AM

To: s-carlson sign; s-cascade sign; s-cascade lisa; s-coastal - billy Bobb; s-metrowestern nick; s-luminite Larry now EDS signs; s-es&a cheri; s-es&a j?; s-es&a tina; s-fastsigns; s-fastsigns Mark Smith; s-garrett sign; s-image king dean; john@martin-bros.com; michelle@martin-bros.com; s-meyer sign bill; s-meyer sign co; s-meyers sign; s- meyers sign - Steve Murphy; s-ramsay rick; s-ramsay TERRY; S-salem sign; s-security signs Joe Platt; s-security sign Melissa Hayden; s-tubeart; Bates Doug; s-campbell; s-Vancouver - Dick Miller; s-vancouver

Subject: Sign Code Amendment

The City of Salem is in the process of finishing up the last of the amendments to the Sign Code. One area that we need assistance is the drive thru menu and preview signs. The current code only allows one sign limited to 5 feet tall and 24 sq ft in area. We understand that this limitation does not fit with the needs of the industry. Therefore we are asking for assistance to determining an adequate size, height and number to accommodate your needs and your customers' needs.

Please let me know by November 7th.

Thanks,
amy

Amy J. Dixon
Associate Planner
City of Salem
Community Development Dept
Planning Division
555 Liberty St SE
Salem, Or 97301
(503) 588-6173, ext 7404
FAX (503) 588-6005

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SALEM AREA
CHAMBER OF
COMMERCE

ATTACHMENT 2

President
Ryan Allbritton
U.S. Bank

Chief Executive Officer
Jason Brandt

Executive Committee
Bruce Anderson
NW Natural
Jim Bauer
Willamette University
Brent DeHart
Northwestern Mutual
Barbara Hacke Resch
Morgan Stanley Wealth Management
LeAnn Keim
Columbia Bank
John K. Miller
Courthouse Fitness

Board of Directors
Curt Arthur
Sperry Van Ness Commercial Advisors, LLC
Patricia Callihan-Bowman
Express Employment Professionals
Cort Garrison
Salem Health
Byron Hendricks
Prudential Real Estate Professionals
Abby Heppner
Heppner Chiropractic, LLC
Eric Jamieson
Garrett Hemann Robertson P.C.
Terrence L. Kuenzi, CPA
Kuenzi & Company, LLC
Jim Lewis
Salem Association of Realtors
John Pataccoli
Redhawk Vineyard & Winery
Greggery Peterson
Broadway Café
Selma Moon Pierce, DDS
Mark Shipman
Salfeld Griggs PC
T.J. Sullivan
Huggins Insurance
Wendy Veliz Buck
Portland General Electric

Salem Area Chamber of Commerce
1110 Commercial Street NE
Salem, Oregon 97301
503-581-1466; Fax 503-581-0972
Salemchamber.org

February 13, 2014

Salem City Council
555 Liberty Street SE
Salem, OR 97301

To: Salem City Council
From: Salem Chamber Executive Committee
Re: Regulations for Vehicle Viewing Signage within the City of Salem

In September of 2012, the Salem Chamber was given the opportunity by City of Salem staff to share our position on sign code amendments being considered at that time by City Council.

One component of those City Council decisions was delayed to allow city staff an opportunity to gather more information and feedback from community stakeholders. The goal was to develop an appropriate recommendation to City Council relating to the size of "vehicle viewing signs" which includes menu boards for franchise restaurants.

Originally, the recommendation of city staff was to allow a maximum display surface of 48 square feet for the type of sign in question which the Salem Chamber continues to advocate for. However, after further community outreach, the city staff recommendation has changed to promote a maximum display surface of 32 square feet.

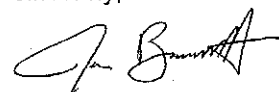
A size standard to allow for a maximum display surface of 48 feet would make all current signage in the City of Salem used by franchise restaurants legal. Some examples of franchise restaurants currently in operation within the city that are over the 32 square feet recommendation but under the 48 square feet Salem Chamber proposal include Arby's, Carl's Jr., and Taco Bell. Although these properties would be grandfathered in according to city staff even if a new 32 square foot standard were adopted, we feel the policy would send the wrong message to franchise owners needing to meet the obligations of franchise signage standards moving forward.

Our vision in cooperation with the City of Salem is to make our community the best place in Oregon to do business and these policy decisions are a great way for us to work together and showcase our city as a place that is open for business.

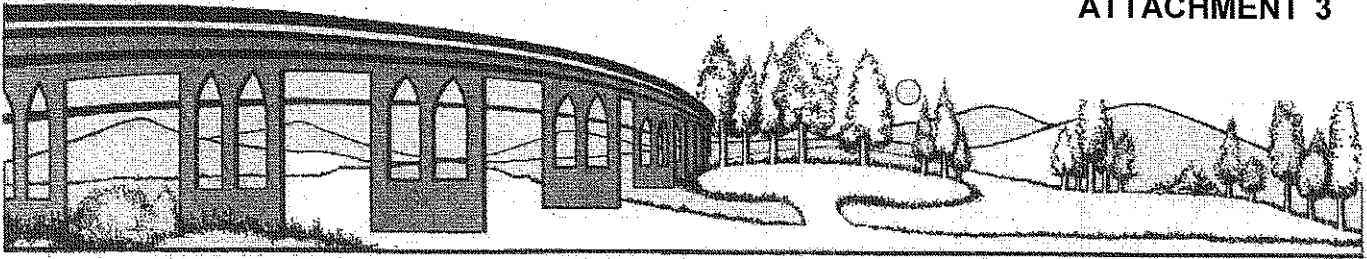
Franchise standards can be very strict as it relates to signage specifications and our hope is that the final decision made by City Council does not impede or over regulate the ability of local franchise owners to meet the obligations they must adhere to relating to sign standards.

We greatly appreciate all you continue to do as wonderful volunteers for our great city. Please feel free to reach out to me or any member of the Salem Chamber Executive Committee with any questions.

Sincerely,



Jason Brandt
Chief Executive Officer
Salem Area Chamber of Commerce



West Salem Neighborhood Association

555 Liberty Street SE Room 305 Salem, Oregon 97301 • 503-588-6207

To: Amy J. Dixon, Planner II
 From: West Salem Neighborhood Association ("WSNA")
 Date: February 7, 2014
 Subject: Proposed Change to the Rules for Electronic Signs Located in Residential Zones

Recommendation: WSNA has no issue as to the increase in the "menu board signs" in residential zones as long as this change has no effect upon the "freestanding sign exception" pertaining to non-profits etc..


Discussion: The above matter was discussed as new business during the WSNA's February 3, 2014 meeting.

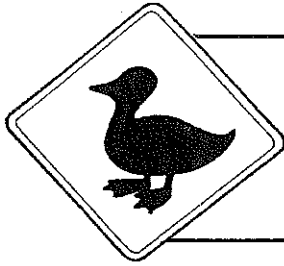
During the discussion it was determined that the specific matter regarding the increase from twenty-four square feet (24 sq. ft.) to thirty-two square feet (32 sq. ft.) in the display area of "menu board signs" was brought up before on or about March 4, 2013. Although at the time, the main focus was the proposed exception to the ban on freestanding internally illuminated signs in residential zones, the matter regarding "menu board sign" square footage was also addressed. At that time, there was no issue on this matter and we supported staff's recommendation.

The final City Council decision was to limit the "menu board sign" to twenty-four square feet.

As stated there was discussion and deliberation on February 3, 2014 regarding your request for informal comments on the second effort to increase the menu boards by eight square feet (8 sq. ft.) for a total of thirty-two (32 sq. ft.) from twenty-four square feet (24 sq. ft.). The end result was: there was again no issue to this matter, leaving our position the same as it was previously.

However, we do want to clarify that this "no issue position" to the proposed increase relates to "menu board signs" **only**. We do not intend that this code change will have any effect upon, or change to, the current requirements for the freestanding signs now allowed in the exception for non-profit membership assemble, recreational and cultural community services, religious assembly, or basic education use in residential zones. **That exception should remain as is with no change to square footage.**


 Joshlene Pollock, Land Use Chair on behalf of West Salem Neighborhood Association
joshpollock@comcast.net (714) 504-8979



NEN

NORTHEAST NEIGHBORS
555 Liberty Street SE, Rm 305
Salem, OREGON 97301

(503) 588-6207
www.salemnen.org

NEN Comments on Proposed Code Change Relating to Menu Sign Boards

At its meeting on January 21, the NEN Board voted unanimously to **oppose** any increase in the size or number of menu board signs. Our reasons remain much the same as in our previous letter on amendments to the vehicle viewing sign code: the impact on neighboring properties and the increase in "sign clutter."

Our comments are submitted for the Staff Report and future City Council Hearing.

ORDINANCE BILL NO. 8-14

AN ORDINANCE RELATING TO SIGN CODE, AMENDING SRC 900.200 AND 900.210

The City of Salem ordains as follows:

Section 1. SRC 900.200 is amended to read as follows:

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

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

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

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

(A) **Freestanding Signs.**

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

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

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(B) Wall Signs.

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

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

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

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

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

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

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

/////
/////
/////

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

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

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

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

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

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

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

1 limited to a display surface not exceeding twenty-two square feet and to a height
2 not exceeding fifteen feet.

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

5 **(1) Shopping Center.**

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

8 **(i)** For CR or CG zones, one freestanding sign or one wall sign.

9 However, when the shopping center is located on a corner lot where the
10 two intersecting streets are either designated arterials or designated
11 collectors, only one freestanding sign shall be allowed.

12 **(a) Freestanding Sign.**

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

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

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

29 **(ii)** For CB zones, one freestanding sign, projecting sign, or one
30 wall sign. However, when the shopping center is located on a

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corner lot where the two intersecting streets are either designated arterials or designated collectors, only one freestanding sign shall be allowed.

(a) Freestanding Sign.

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

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

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

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

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

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

5 (d) Projecting signs shall conform with SRC 900.140.

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

11 **(C) Vehicle Service or Loading Directional Sign.** In lieu of the sign
12 allowed in SRC 900.200(c)(1)(B), one freestanding sign or one wall sign
13 located at each service or loading entrance onto the premises. A wall sign
14 shall be limited to a display surface not exceeding eight square feet. A
15 freestanding sign shall be limited to a display surface not exceeding twenty-
16 two square feet and to a height not exceeding fifteen feet.

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

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

28 **(2) Individual Businesses.**

29 **(A)** One sign for each building frontage or building face; provided,
30 however, that no such sign shall be allowed on a building face where the

1 sign would be directed towards an abutting residential area.

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

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

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13 **Table 900-12**
14 **Wall Signs in CR and CG Zones**

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

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25 (b) **Roof Sign Standards.** Roof signs shall conform with SRC
26 900.145.

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28 (ii) **In the CB zones,** one wall sign, one projecting sign, or one roof
29 sign for each building frontage or building face; provided, however,
30 that no such sign shall be allowed on a building face where the sign

would be directed towards an abutting residential area.

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

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

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

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

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

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

1 surface authorized by SRC 900.200(c)(2)(A), and adding such display
2 surface to the wall sign.

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

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

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

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

16 (1) **Office Complex.**

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

19 (i) For CR or CG zones, one freestanding sign or one wall sign.

20 However, when the office complex is located on a corner lot where the
21 two intersecting streets are either designated arterials or designated
22 collectors, only one freestanding sign shall be allowed.

23 (a) **Freestanding Sign**

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

29 (2) **Area.** The freestanding sign shall be limited to a display
30 surface not exceeding one square foot per lineal foot of street

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

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

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

(a) Freestanding Sign.

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

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

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

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**Table 900-14
Wall Signs in CB Zones**

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

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

(d) Projecting signs shall conform with SRC 900.140.

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

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

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(2) Individual Businesses.

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

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

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

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

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

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

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

(a) The wall sign shall be limited to a display surface not exceeding

1 the square footage set forth in Table 900-16; provided, however,
2 that, where there is more than one business housed in the same
3 building, only the gross face area of the building frontage or building
4 face occupied by the business shall used in determining the display
5 surface of the wall sign.
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7 **Table 900-16**
8 **Wall Signs in CB Zones**

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

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20 **(b) Roof Sign Standards.** Roof signs shall conform with SRC
21 900.145.

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

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

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

29 **(D) Vehicle Viewing Sign.** One vehicle viewing signs, located on a vehicle
30 accessway adjacent to a building or on the building, and intended to be seen

1 by a person doing business from the vehicle accessway while the person is
2 within the person's motor vehicle. The display surface shall not exceed
3 ~~twenty-four~~ thirty-two square feet

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

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

11 **Section 2.** SRC 900.210 is amended to read as follows:

12 **900.210. Permanent Signs in Industrial Business Campus (IBC), Industrial**
13 **Commercial (IC), Industrial Park (IP), General Industrial (IG), Intensive Industrial**
14 **(II), and Employment Center (EC) Zones.** The following permanent signs are permitted in
15 the Industrial Business Campus (IBC), Industrial Commercial (IC), Industrial Park (IP),
16 General Industrial (IG), Intensive Industrial (II), and Employment Center (EC) zones:

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

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

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

28 (A) **Wall Signs.** The display surface for a wall sign shall not exceed one
29 hundred twenty-five square feet.
30

1 **(B) Freestanding Signs.**

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

6 (ii) **Area.** Where the sign is a freestanding sign, the sign shall be
7 limited in area to one square foot per lineal foot of street front property
8 line up to the first one hundred square feet of display surface, plus an
9 additional one-quarter square foot of display surface for each additional
10 one foot of street front property line over one hundred feet, with a
11 maximum limit of one hundred fifty square feet of display surface.

12 **(C) Projecting Sign Standards.** Projecting signs shall conform with SRC
13 900.140.

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

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

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

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

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

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

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

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

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

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

(1) Industrial Complex.

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

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

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front property line over one hundred feet, up to a maximum height not exceeding thirty-five feet.

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

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

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

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

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

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

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

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

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12 **Table 900-20**
13 **Wall Signs in Industrial Zones and EC Zone**

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

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24 (ii) **Roof Sign Standards.** Roof signs shall conform with SRC
25 900.145.

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

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that the display surface may be increased by forgoing part of the display surface authorized by SRC 900.210(c)(2)(A), and adding such display surface to the wall sign.

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

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

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

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

(1) Two signs per business shall be permitted on a building; one such sign, not greater than six feet in area, for each business on the glass frontage, and a second wall or parapet sign, not greater than fifteen square feet in area, for each business.

(2) One freestanding building directory sign per street frontage shall be permitted with each tenant, limited to one square foot of area; such sign shall be located within seventy-five feet of both a flexible space building and the principal entry drive to the area.

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

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1 **Section 3. Codification.** In preparing this ordinance for publication and distribution, the City
2 Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but within such
3 limitations, may:


- 4 (a) Renumber sections and parts of sections of the ordinance;
- 5 (b) Rearrange sections;
- 6 (c) Change reference numbers to agree with renumbered chapters, sections or other parts;
- 7 (d) Delete references to repealed sections;
- 8 (e) Substitute the proper subsection, section or chapter, or other division numbers;
- 9 (f) Change capitalization and spelling for the purpose of uniformity;
- 10 (g) Add headings for purposes of grouping like sections together for ease of reference; and
- 11 (h) Correct manifest clerical, grammatical or typographical errors.

12 **Section 4. Severability.** Each section of this ordinance, and any part thereof, is severable, and
13 if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of
14 this ordinance shall remain in full force and effect.

15 PASSED by the City Council this _____ day of _____, 2014 .

16 ATTEST:

17
18 City Recorder

19 Approved by City Attorney: 

20 Checked by: A. Dixon

21 g:\group\legal\council\2014\052714 amending sign code ord 8-14.docx

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West SALEM

NEIGHBORHOOD ASSOCIATION

Chair
Kenji Sugahara
kenji@obra.org

Co-Chair
Heather Swanson
Heather97304@gmail.com

Vice Chair
Vacant

Edgewater District
Janet Noakes

Land Use
Josh Pollock

Parks
Carl Goodwin

Safety and Preparedness
Josh Pollock, Interim

Schools
Herm Boes

Transit
Steve Evans

Transportation
Nick Fortey

Walker Pool
Jan Schmitt

Watershed Council
EM Easterly

July 10, 2014

DOCUMENT FILED

JUL 10 2014

CITY OF SALEM
CITY RECORDER

Mayor Anna Peterson and City Council
555 Liberty Street SE, Room 305
Salem, Oregon 97301

Re: Proposed Amendments to Salem Revised Code Chapter 900 (Sign Code) to Increase the Display Surface of a Fast Food Menu Board from 24 Square Feet to 32 Square Feet (CA 14-05)

Honorable Mayor and Council Members:

On July 7, 2014, the above referenced matter came before the West Salem Neighborhood Association (WSNA) membership as a published agenda item.

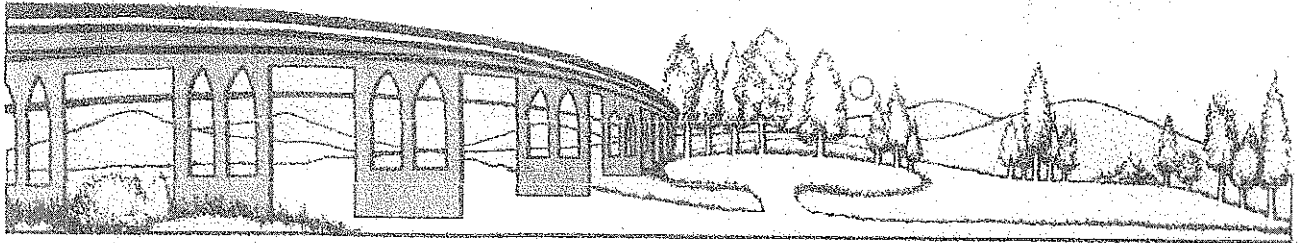
It was determined that on February 7, 2014, we submitted a letter indicating that the membership, present at that time, had "no issue" with the proposed increase in menu sign.

Currently, as a published agenda item, the vote was to unanimously accept our prior position and have attached our previous letter specifying the perimeters of our "no issue" position.

Respectfully submitted on behalf of the West Salem Neighborhood Association,



Joshlene Pollock, Land Use Chair
joshpollock@comcast.net
(714) 504-8979



West Salem Neighborhood Association

555 Liberty Street SE Room 305 Salem, Oregon 97301 • 503-588-6207

To: Amy J. Dixon, Planner II
From: West Salem Neighborhood Association ("WSNA")
Date: February 7, 2014
Subject: Proposed Change to the Rules for Electronic Signs Located in Residential Zones

Recommendation: WSNA has no issue as to the increase in the "menu board signs" in residential zones as long as this change has no effect upon the "freestanding sign exception" pertaining to non-profits etc..

Discussion: The above matter was discussed as new business during the WSNA's February 3, 2014 meeting.

During the discussion it was determined that the specific matter regarding the increase from twenty-four square feet (24 sq. ft.) to thirty-two square feet (32 sq. ft.) in the display area of "menu board signs" was brought up before on or about March 4, 2013. Although at the time, the main focus was the proposed exception to the ban on freestanding internally illuminated signs in residential zones, the matter regarding "menu board sign" square footage was also addressed. At that time, there was no issue on this matter and we supported staff's recommendation.

The final City Council decision was to limit the "menu board sign" to twenty-four square feet.

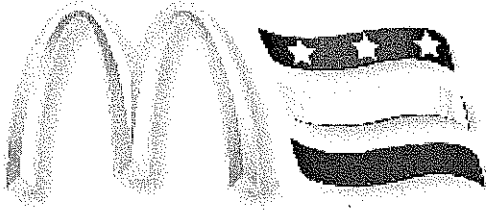
As stated there was discussion and deliberation on February 3, 2014 regarding your request for informal comments on the second effort to increase the menu boards by eight square feet (8 sq. ft.) for a total of thirty-two (32 sq. ft.) from twenty-four square feet (24 sq. ft.). The end result was: there was again no issue to this matter, leaving our position the same as it was previously.

However, we do want to clarify that this "no issue position" to the proposed increase relates to "menu board signs" **only**. We do not intend that this code change will have any effect upon, or change to, the current requirements for the freestanding signs now allowed in the exception for non-profit membership assemble, recreational and cultural community services, religious assembly, or basic education use in residential zones.

That exception should remain as is with no change to square footage.

Joshlene Pollock, Land Use Chair on behalf of West Salem Neighborhood Association
joshpollock@comcast.net (714) 504-8979

July 28, 2014
4 (c)



July 18, 2014

DOCUMENT FILED

JUL 21 2014

CITY OF SALEM
CITY RECORDER

McDonald's USA, LLC
12131 - 113th Ave. NE, Suite #103
Kirkland, WA 98034
Phone: 425-821-4970
Fax: 425-242-2498

Support for City Code change to increase DT menu boards from 24sf to 32sf in the City of Salem

To whom it concerns please accept this letter of support letter for the above menu board sf increase.

Background: 2 years ago McDonald's local operators undertook a very aggressive remodel program to a number of its existing Salem restaurants. 5 of the 6 restaurants remodeled only had one 32sf menu board. On average nationally 70% of our customers go through the DT. To optimize the DT's on these projects all 6 were fitted with 2-32sf menu boards. During this process the City raised the issue of whether the 32sf menu boards met the code. By interpretation it was determined that the 4 panel menu board's actual viewable area was less than 32 sf in total. That interpretation allowed for 32sf menu boards to be installed and meet the current code. It was only after these projects had been completed that the City had internal discussions about how they were interpreted and recommended a code change to actually state that 32sf signage would be allowed.

All other installed McDonald's menu boards located in the City of Salem are currently 32 sf. The importance to maintain this standard for the above restaurants' is the ease for our customers to find the order menu identical which makes for quicker and more accurate order taking, easier, and most efficient for both the customer and the restaurant staff.

Again at all other current locations in the City of Salem all of the existing McDonald's menu boards are currently 32 sf.

This action to reduce our menu boards from 32sf to 24sf is a hardship out of our control.
Please note that staff does support this code change.

We would appreciate a favorable ruling for the 32sf menu boards and will continue to support and follow the City staff's attempt to have City Council make this a permanent code change.

Thank you,

Doug Bates

*Email to doug.bates@us.mcd.com

Sincerely,

Doug Bates

McDonald's USA, LLC
Area Construction Manager
425.242.2411