

FOR MEETING OF: SEPTEMBER 25, 2019
CASE NO.: VAR-SI19-02

TO: HEARINGS OFFICER

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

SUBJECT: SIGN VARIANCE AND SIGN PERMIT CASE NO. VAR-SI19-02;
3995 RICKEY STREET SE – 97317;
AMANDA NO.: 19-113015-SA & 19-109902-SI & 19-109904-SI

REQUEST

Summary: A request for two sign permits and a sign variance to allow construction of two freestanding vehicle viewing signs approximately 20 square feet and 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(b)(6) for use as an additional menu board and pre-sell menu board in the drive-through lane of an existing eating and drinking establishment. The subject property is approximately 0.88 acres in size, zoned CR (Retail Commercial) and located at 3995 Rickey Street SE - 97317 (Marion County Assessors Map and Tax lot number: 072W31C / 00500).

OWNER/APPLICANT: McDonald's Corporation

AGENT: Site Enhancement Services

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 menu board signs in the drive-through lane of an existing eating and drinking establishment located at 3995 Rickey Street SE.

BACKGROUND

On June 5, 2019, Site Enhancement Services filed sign variance and sign permit applications on behalf of the applicant and property owner, McDonald's Corporation, with a request to install two additional menu board signs in the drive-through lane for an existing McDonald's restaurant for property zoned CR (Retail Commercial). A vicinity map of the property is included as **Attachment A**.

SRC 900.200(b)(6) 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 one drive-through lane, which currently has three menu board signs. The two existing menu boards (vehicle viewing signs) are approximately 43 square feet in size, and the pre-sell menu board (vehicle viewing sign) is approximately 11 square feet in size. Staff was unable to find any sign permits for the existing nonconforming signs. The applicant is requesting a sign variance to replace two existing non-compliant menu boards with two new electronic display vehicle viewing signs approximately 20 and 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 September 25, 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 September 5, 2019. Public hearing notice was also posted on the property by staff on September 14, 2019, 11 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 20 square feet and 13.7 square feet in size to be constructed in the drive-through lane for use menu boards. The business has one existing menu board sign permitted under SRC 900.200(b)(6) that would remain in the drive-through lane. The variance is requested because SRC 900.200(b)(6) allows only one vehicle viewing sign for each drive-through 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).

The zoning and uses of surrounding properties include:

North: CR (Retail Commercial) – Coop's Car Connection (Motor vehicle sales)
South: Across Rickey Street SE – CR (Retail Commercial) – Carl's Jr.
East: Across Lancaster Drive SE – CR (Retail Commercial) – Space Age Fuel (Gas Station)
West: CR (Retail Commercial) and Salem City Limits – Single Family residences

3. Site Analysis

The subject property is approximately 0.88 acres in size and has frontage along Lancaster Drive SE which is designated as a Major Arterial Street on the Salem Transportation System Plan (TSP), and along Rickey Street SE which is designated as a Local Street on the TSP. The signs are proposed to be located on the drive-through lane developed along the western portion of the lot.

4. Neighborhood and Citizen Comments

Notice of the application was sent to the Southeast Mill Creek Association (SEMCA), 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 SEMCA 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 narrow size of the lot and the building's location on the property. The applicant states that McDonald's achieves fast service with two drive-through menu boards and ordering stations. The building's location at the rear of the lot restricts the feasibility of adding an additional tandem drive-through lane, and the location of the drive through cannot be changed because of potential effects to the parking and vehicle use

area.

Staff Finding: The subject property is approximately 0.88 acres in size and is developed similarly to other lots in the vicinity. The property has frontage along two streets, Rickey Street SE and Lancaster Drive 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 menu board and pre-sell menu board signs would be located in the drive-through lane, near the northern portion of the lot. The proposed signs are approximately 20 square feet and 13.7 square feet in size, which is less than the 32 square foot maximum size for a vehicle viewing sign.

SRC 900.200(b)(6) 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 a motor vehicle. The variance request is to add one additional menu board sign and one pre-sell menu board (vehicle viewing sign) to the drive-through lane.

The applicant's statement indicates that the lot's narrow size and the building's location on the lot necessitate additional signage on the subject property. The lot is approximately 150 feet in width and 200 feet in depth. The lot width to depth ratio is consistent with lot sizes of neighboring properties in the vicinity that are developed with similar uses with the same zone designation. Staff finds that the applicant did not adequately demonstrate how the narrow size of the lot creates a hardship that necessitates increased signage.

Additionally, the building's location on the lot refers to existing site characteristics from when this eating and drinking establishment was originally developed in 1994. 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.

In summary, the applicant has not adequately addressed how the subject property features unique conditions that create a hardship in complying with the applicable standard. Staff finds that there are no unusual or unique conditions of the lot that necessitate additional signage, therefore this criterion is not met.

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**. The applicant states that this approval criterion does not apply to this variance because of the uniqueness of the request. The proposed menu board utilizes new technology that is not seen with other companies in the industry and is therefore not comparable to signage seen on other properties. The applicant states that this type of technology is the future of the industry and it is reasonable to expect other establishments to follow McDonalds' lead.

Staff Finding: The property is adjacent to City of Salem city limits. Properties in the vicinity to the south and east are primarily zoned CR (Retail Commercial). The Marion County zoning designation for abutting properties to the west and to the north are designated RS (Single Family Residential). There are several retail businesses and eating and drinking establishments developed in the vicinity. Comparable fast food restaurants in the area with drive-through lanes include Carl's Jr., located at 1135 Lancaster Drive SE, and Burger King, which is located 1280 Lancaster Drive SE.

The applicant's written statement did not provide an analysis of menu board signage present at comparable fast food restaurants in the vicinity. The applicant argues that this criterion is not applicable to the variance request because the signs utilize new technology that is not seen with other companies in the industry. The digital features of the proposed signs are not prohibited by the sign code, as provided below in Section 8 of this staff report. The applicant is requesting two additional signs to be provided in a single drive-through lane for the business. The replacement of the signs would not meet the criteria for an exempt sign and does not fall under allowed repair and maintenance permitted for nonconforming signs under SRC 900.300. This amount of signage is not seen at other properties in the vicinity. The applicant has not adequately demonstrated how the sign variance is necessary to permit signage comparable with other properties in the vicinity that have the same zone designation, therefore staff finds that this criterion is not met.

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 be beneficial to the site and will have no adverse effect to the property and surrounding areas. The digital menu board signs will replace existing non-digital menu boards in their exact location. The aggregate display surface size of the proposed menu board signs will decrease from the existing signage. The applicant also argues that the corridor is primarily developed with commercial uses, and modifications that will allow for services offered at these

types of properties should be supported and approved.

Staff Finding: The variance request is to allow two additional menu board signs to be located within the drive-through of the business, which is located to the north and west of the building. The proposed digital signs will replace existing non-compliant non-digital menu board signs located on the subject property. Part of the signage updates for the business also includes the construction of one digital menu boards permitted outright under SRC 900.200(b)(6) to replace the non-digital menu board. 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 provide a more positive experience for customers.

The number of menu board signs permitted in SRC Chapter 900 is limited to prevent sign proliferation. The applicant is requesting the replacement of existing non-conforming signs that are larger than the proposed signs, which would decrease the aggregate display surface of the menu board signs present on the property. Because the proposed signs will have a lesser impact than the existing signs, staff finds that the variance will not adversely affect the function or appearance of the development and use of the property and surrounding properties. This criterion is met.

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: The applicant's written statement provided as **Attachment B** indicates that the proposed signs will have no impact on adjoining properties and the neighborhood. The signs will have adjustable illumination features that automatically adjust to low light and nighttime environments, and the signs are also screened from abutting uses by trees and fencing. The applicant argues that the adjustable nature of the signs and screening provided near the location of the proposed signs would not impose limitations on other 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 per vehicle accessway is permitted in the CR zone. The variance request is to increase the number of allowed vehicle viewing signs above the number of signs permitted under SRC 900.200(b)(6).

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(b)(6) 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 two additional vehicle viewing 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(b)(6) for use as menu

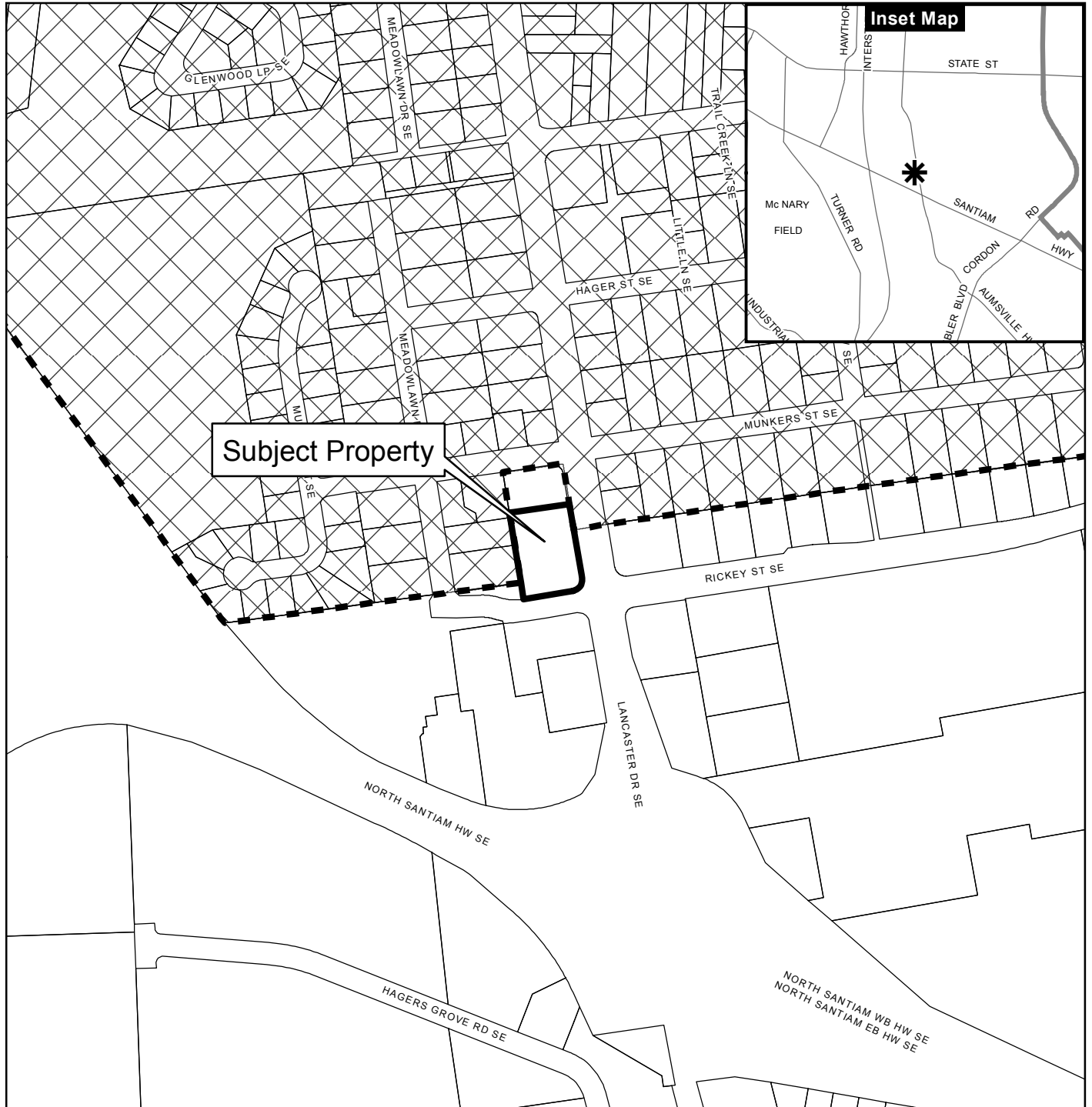
boards in the drive-through lane of an existing eating and drinking establishment for property approximately 0.88 acres in size, zoned CR (Retail Commercial) and located at 3995 Rickey Street SE - 97317.

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








Application Deemed Complete Date: August 16, 2019
State Mandated Decision Date: December 14, 2019

Prepared by: Hayley Feightner, Planner I

Vicinity Map 3995 Rickey 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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Statement of Justification

The McDonald's that is located at 3995 Rickey St SE is respectfully relief from the code that will allow the property the ability to reflect the investment being made into the site and the community as well as improve the overall customer experience. As part of the investment into this location, McDonalds is seeking to replace its 2 existing menu boards and 1 existing pre-menu board with new menu boards using new digital technology.

The area that requires relief is as follows:

- Number of drive-through signs and size
 - Allowed: 1 per access way, NTE 32SF
 - Requested: 3
 - 2 Menu Boards at approximately 20SF each
 - Replacing 2 existing menu boards at approximately 45SF
 - 1 Pre-Menu Board at approximately 10SF
 - Replacing 1 existing pre-menu board.

The requested signs all serve a purpose that work together to create an overall aesthetic balance as well as help to improve the customer experience. These signs will also help to ensure that motorists can easily navigate the site, entering and exiting quickly, yet safely.

This request is necessary due to the unique conditions of the property. The lot is narrow and the building is placed close to the rear of the lot in such a fashion that the creation of a second lane for drive thru is not possible. McDonald's prides itself on fast and thorough service. One of the ways they have been able to accomplish this is with the use of 2 drive thru menu boards and ordering stations. These boards are located at the back of the building and it is not feasible to create a second lane. Additionally, if the menu boards were moved to the side of the building to create a second lane, this would adversely affect parking and potentially create driving hazards not only for motorist, but for pedestrians.

The approval criteria of permitting signage comparable to other properties in the vicinity does not apply to this case. This request is unique in two ways. First, the menu boards being requested are using new, state-of-the-art digital technology. This technology is relatively new and is not the norm in the industry. McDonald's has long been at the forefront of this type of change, using the newest technology possible to satisfy its customers. This type of technology is the future of the industry and it is reasonable to expect other establishments to follow McDonald's lead

The additions of these new signs will be beneficial to the site and will have no adverse effect to the site or the surrounding areas. These new signs do not change the use. The new signs serve the same purpose, but are smaller, more concise and easier for the consumer to use. The current menu boards are approximately 45SF. The proposed boards are approximately 20 SF and the proposed pre-menu boards are approximately 10SF. This is a significant decrease in overall sign square footage. Additionally, these signs do substantially not alter the appearance of the site. The new menu boards will be in the same location as the existing signs. The modification of the existing antiquated display with the new digital technology will only impact the direct user of the product. This user has made the choice to enter

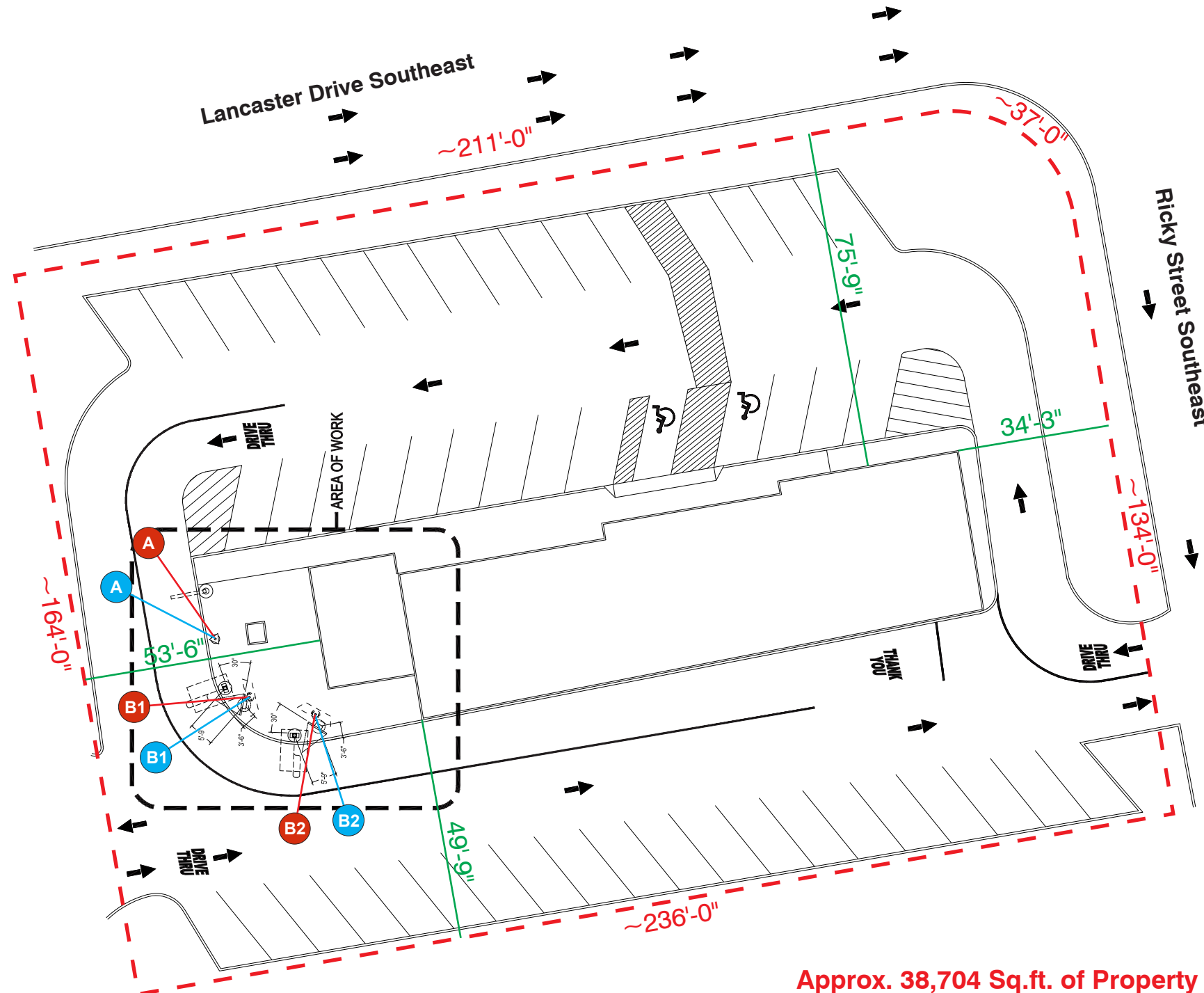
onto the commercial property and expects the transaction that they are seeking to be able to be accomplished in an expedited and concise manner. In addition, this corridor is primarily commercial in nature and modifications that will allow for services offered at these types of properties should be supported and approved.

These new signs will have little to no impact on adjoining properties and the neighborhood. The signs are smaller and give off less illumination than the current signs. Included in this submission are statements showing the lumen output as well as a letter showing the adjustable nature of these signs. The default minimum brightness is 500 nits which is 20% of the maximum brightness, but it can be adjusted to by only 1% of maximum brightness. These signs also can be set to automatically dim in low light and nighttime environments. Whether its manual or automatic, the ability to adjust the brightness of the signs will make any impact on the adjoining properties negligible. In addition to the adjustable nature of the signs are trees and fencing across from where the signs will be located. These trees will provide substantial shielding from the illumination of the signs, thus protecting the neighboring from any illumination.

The new signs will not affect the provision of public services nor increase demand on public or private utilities. As previously stated, these signs will put off less illumination than the current signs. They are much more efficient and will require less energy to operate. Also, they will be in the same area as the current signs. This will not have any impact on the provision of public services.

The modifications do not diminish the intent of the originally approved plan. These new signs serve the same purpose as the original plans however, they utilize new digital technology. The new signs are designed to optimize development potential in ways that benefit current future citizens. This upgrade in technology will allow for a better overall customer experience at this site. The increase in customer experience directly relates to the viability and use of the site. A fully functioning, well run McDonald's property is a benefit to any community and this specific corridor.

The digital displays that are requested provide the customer with 100% up-to-date messaging in a clear and readily legible manner. The existing messaging is manually controlled which, unfortunately, often leads to inconsistent and out-of-date offerings in the display rotation. These inconsistencies lead to elongated time for the customers in the drive thru lanes and decreases to the overall experience during the transaction phase of the experience. The goal of the digital displays is to make sure that the customers have clear and concise messages so that time on site is focused, controlled, and expedited. A focused and satisfied motorist is more aware of their surrounding and less likely to cause vehicular infractions.



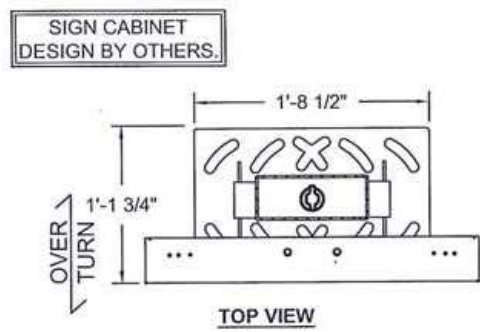
Approx. 38,704 Sq.ft. of Property

Process permit for sign B1, that is to be permitted outright.

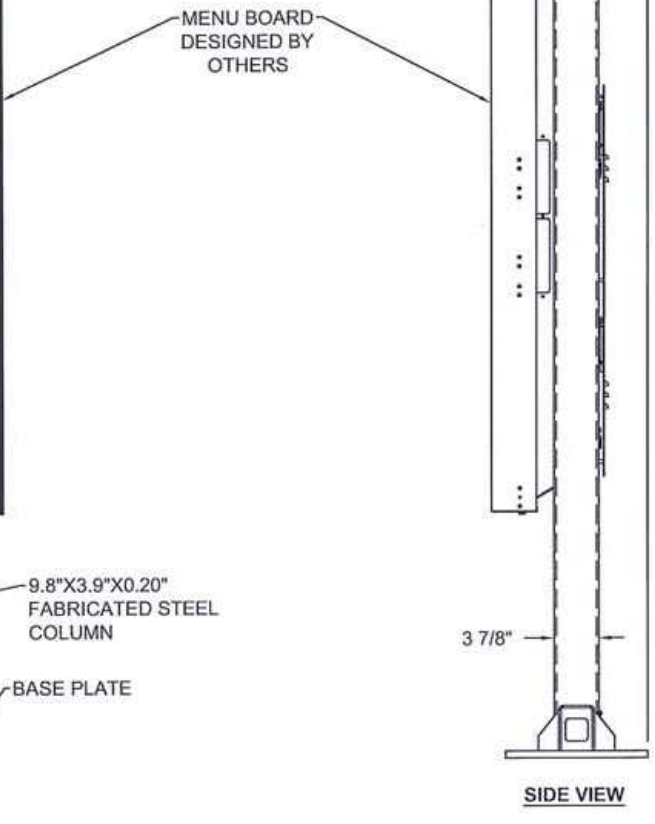
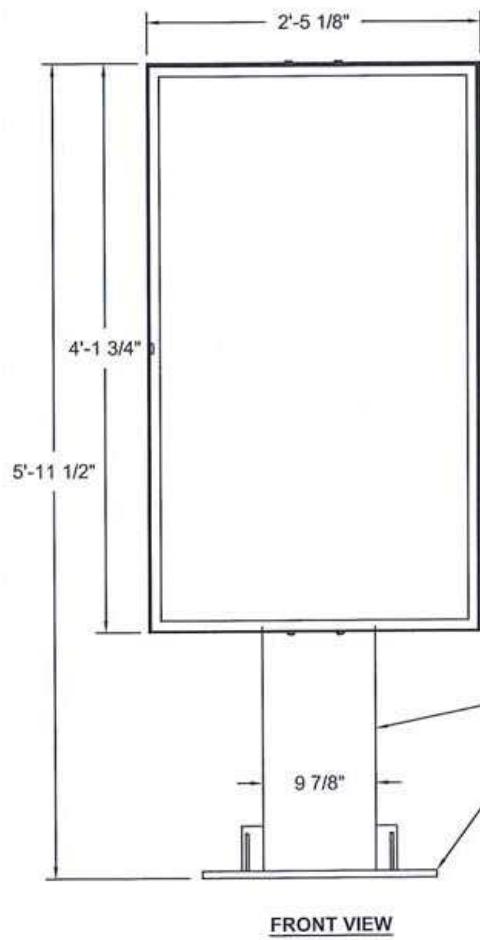


Scale: 1" = 30'

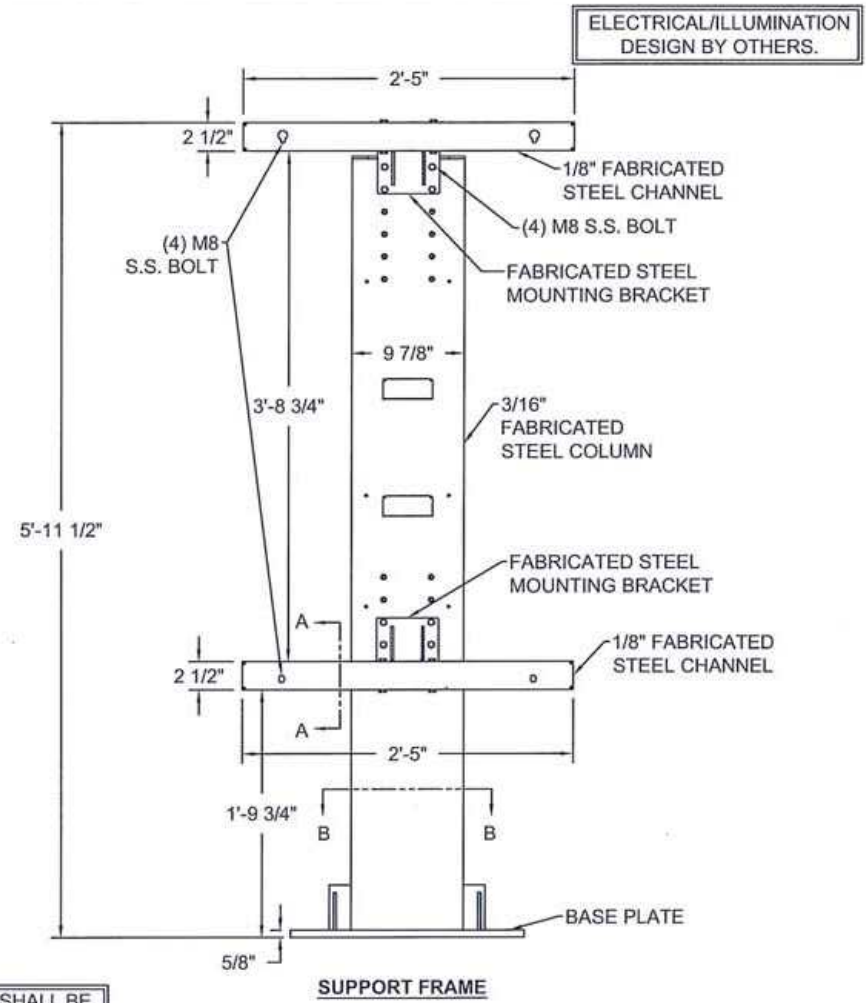
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NOTES:
 1. THIS STRUCTURE HAS BEEN DESIGNED TO MEET THE LOADING REQUIREMENTS OF A 180 MPH WIND SPEED PER THE FLORIDA BUILDING CODE 5TH ED. 2014/IBC 2012, EXPOSURE C.
 2. FABRICATED STEEL SUPPORT MEMBERS SHALL MEET ASTM A36 OR EQUIVALENT.
 3. STEEL WELDS SHALL BE MADE WITH E70XX ELECTRODES BY PERSON CURRENTLY QUALIFIED IN ACCORDANCE WITH AWS STANDARDS.
 4. THE DESIGN DEPICTED ON THIS DRAWING IS PROTOTYPICAL, AND SHOULD NOT BE USED AT A SPECIFIC SITE UNLESS DEEMED SUITABLE FOR THAT SITE BY A COMPETENT PROFESSIONAL ENGINEER.



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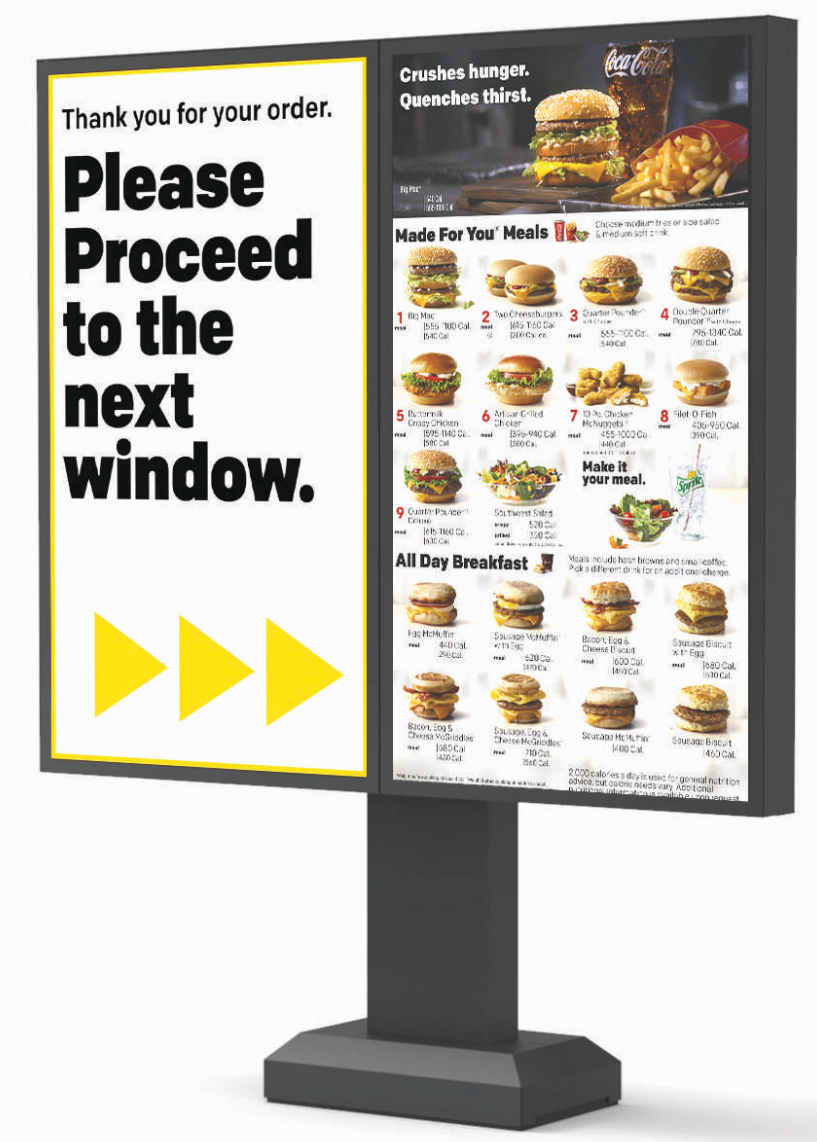
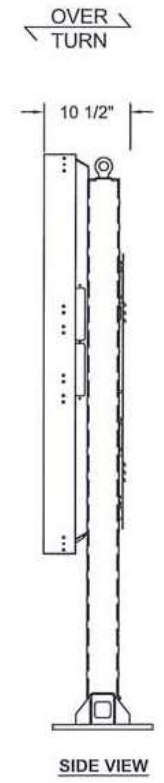
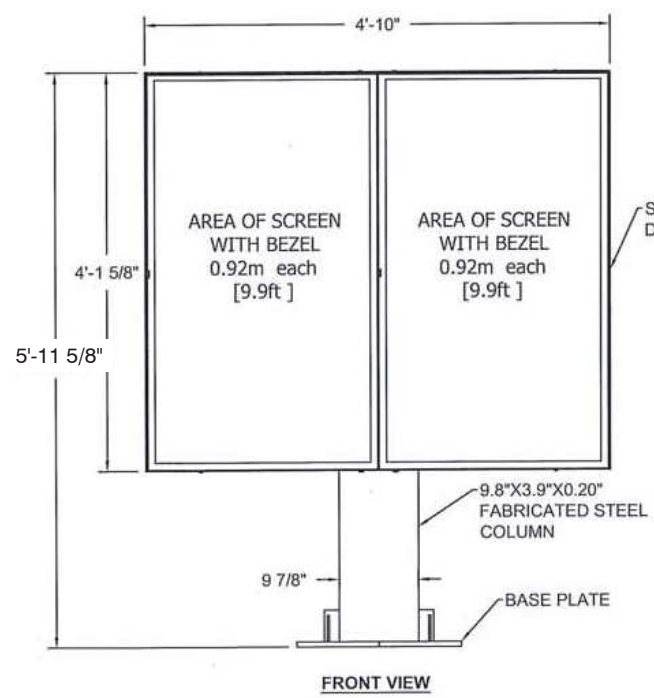
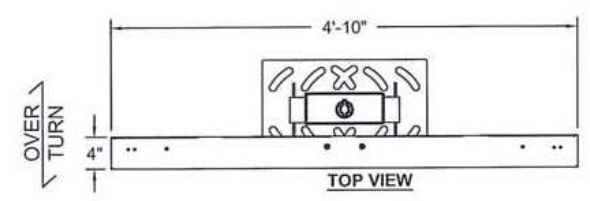
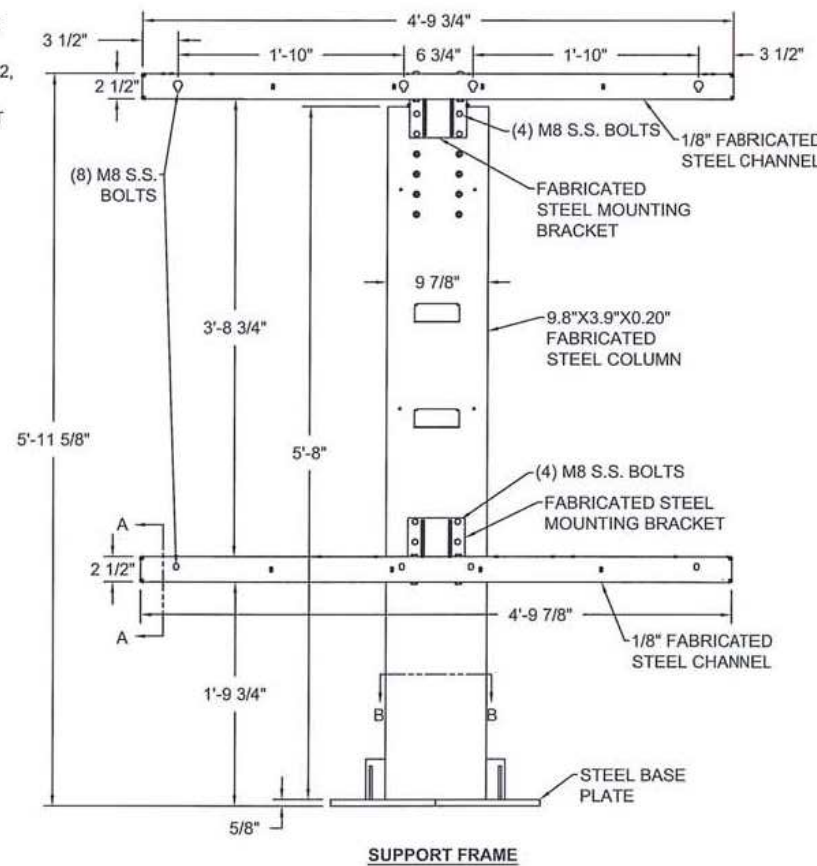


Proposed Signage Specifications

B1 B2



NOTES:

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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, CITY MANAGER
FROM: GLENN W. GROSS, DIRECTOR 
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.

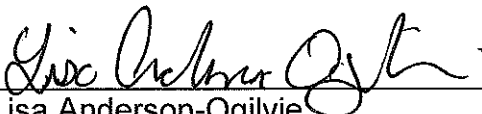
Proposed Code Amendments

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

The information contained in this e-mail and any accompanying documents is confidential, may be privileged, and is intended solely for the person and/or entity to whom it is addressed (i.e. those identified in the "To" and "cc" box). They are the property of McDonald's Corporation. Unauthorized review, use, disclosure, or copying of this communication, or any part thereof, is strictly prohibited and may be unlawful. If you have received this e-mail in error, please return the e-mail and attachments to the sender and delete the e-mail and attachments and any copy from your system. McDonald's thanks you for your cooperation.

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
Sawfield 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.

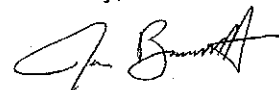
A size standard to allow for a maximum display surface of 48 feet would make all current signage in the City of Salem used by franchise restaurants legal. Some examples of franchise restaurants currently in operation within the city that are over the 32 square feet recommendation but under the 48 square 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.

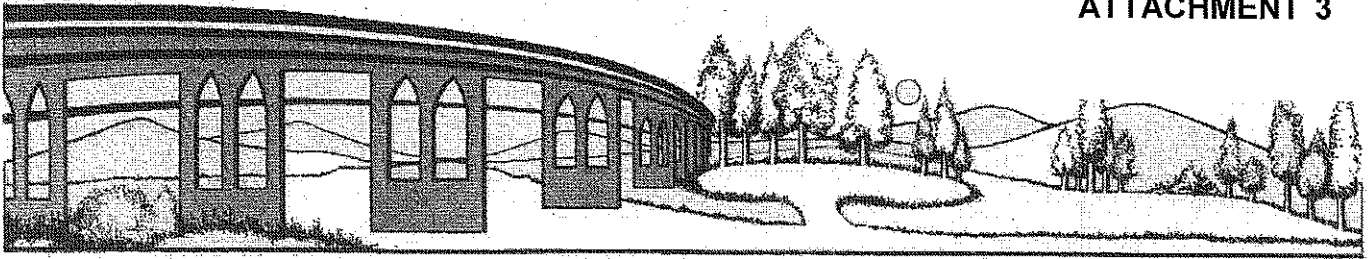
Franchise standards can be very strict as it relates to signage specifications and our hope is that the final decision made by City Council does not impede or over regulate the ability of local franchise owners to meet the obligations they must adhere to relating to sign standards.

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.

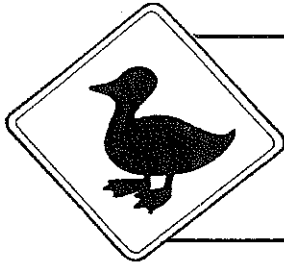
During the discussion it was determined that the specific matter regarding the increase from twenty-four square feet (24 sq. ft.) to thirty-two square feet (32 sq. ft.) in the display area of "menu board signs" was brought up before on or about March 4, 2013. Although at the time, the main focus was 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.

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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.

12
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.

27
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.
 6

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

19
 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.

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

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

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

**Table 900-20
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

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

(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,

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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.

/////
/////

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.

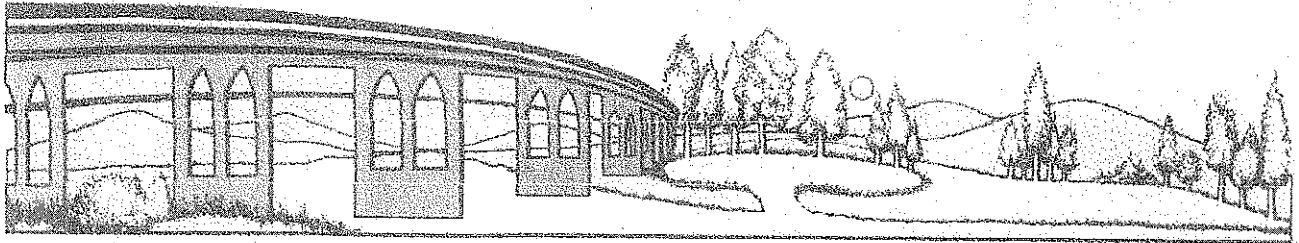
It was determined that on February 7, 2014, we submitted a letter indicating that the membership, present at that time, had "no issue" with the proposed increase in menu sign.

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.

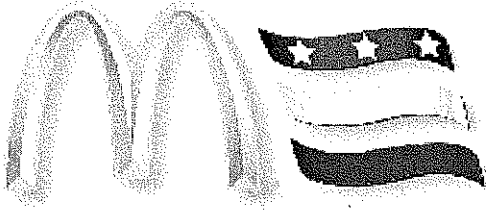
As stated there was discussion and deliberation on February 3, 2014 regarding your request for informal comments on the second effort to increase the menu boards by eight square feet (8 sq. ft.) for a total of thirty-two (32 sq. ft.) from twenty-four square feet (24 sq. ft.). The end result was: there 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