

ORDINANCE NO. 652

AN ORDINANCE OF THE DAYTON CITY COUNCIL AMENDING THE DAYTON DEVELOPMENT CODE, CHAPTER 7 OF THE DAYTON MUNICIPAL CODE, SECTION 7.2.111.07 CENTRAL BUSINESS AREA OVERLAY ZONE SIGNS AND ADDING SECTION 7.4 SIGNS TO ADD SIGN REGULATIONS FOR ALL PROPERTIES WITHIN THE CITY OF DAYTON

WHEREAS, the City Council desires to adopt the text amendments to Chapter 7, Section 7.2.111.07, and add Section 7.4, Dayton Land Use and Development Code (DLUDC) that are detailed in Exhibit 1; and

WHEREAS, the purpose of these amendments is to add sign regulations that apply to all properties within the City; and.

WHEREAS, a public hearing was held before the Planning Commission on July 8, 2021, where the Commission considered the proposed text amendments to Section 7.2.111.07 and 7.4; and

WHEREAS, notice of the Planning Commission hearing was provided consistent with ORS 227.186; and,

WHEREAS, the Planning Commission recommended the proposed text amendments be adopted by the City Council with a vote of 4 in favor, 0 opposed and 1 absent; and

WHEREAS, a public hearing was held before the City Council on August 2, 2021, to consider the proposed text amendments; and

WHEREAS, notice of the City Council hearing was provided consistent with section 7.3.204.03 of the DLUDC.

The City of Dayton ordains as follows:

Section 1. The City Council hereby adopts the findings in the Staff Report dated July 22, 2021, attached as Exhibit 1.

Section 2. The City Council adopts the amendments to Chapter 7 of the DLUDC detailed in Exhibit 1 and set forth in their final form in Exhibit 2.

Section 3. This Ordinance shall become effective 30 days after adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Dayton on this 7th day of September 2021.

Mode of Enactment:

Date of first reading: August 2, 2021 by title only.

Date of second reading: September 7, 2021 by title only.

XX No Council member present at the meeting requested that the ordinance be read in full.

XX A copy of the ordinance was provided to each Council member; three copies were provided for public inspection in the office of the City Recorder no later than one week before the first reading of the Ordinance.


Final Vote:

In Favor: Holbrook, Mackin, Marquez, Sandoval-Perez, Wytoski

Opposed: None

Absent: Frank, Price

Abstained: None



Elizabeth Wytoski, Mayor

9/8/21

Date of Signing

ATTESTED BY:



Patty Ringnald, City Recorder

09/07/21

Date of Enactment

Exhibit A

Exhibit A- Final Amendments

7.2.111.07- Signs: Sign standards within the Central Business Overlay Zone may be found in Section 7.4.105

7.4.101 General Provisions

1. Applicability. All properties within Dayton City Limits shall be subject to the provisions of this section. Unless specifically listed as a permitted use or type in this section, other sign types and uses are prohibited.
2. Purpose
 - A. While signs communicate all types of helpful information, unregulated signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this section is to regulate the size, illumination, movement, materials, location, height, and condition of all signs placed on private property for exterior observation, thus ensuring the protection of property values; the character of the various neighborhoods; the creation of a convenient, attractive, and harmonious community; protection against destruction of or encroachment on historic properties, convenience to citizens and encouraging economic development. This section allows adequate communication through signage while encouraging aesthetic quality in the design, location, size, and purpose of all signs. If any provision of this section is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this section which can be given effect without the invalid provision.
 - B. A sign placed on land or on a building for the purpose of identification, protection, or directing persons to a use conducted therein must be deemed to be an integral, but accessory and subordinate, part of the principal use of land or building. Therefore, the intent of this section is to establish limitations on signs to ensure they are appropriate to the land, building, or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in subsection (A) of this section.
 - C. These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.
 - D. These regulations do not regulate every form and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the City. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.
 - E. These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.

3. Definitions:

Abandoned Sign: A sign that is no longer used by the person who constructed/installed the sign on the property where the sign is located or cessation of use of the property where the sign is located.

A-Board Sign: Includes signs that are ordinarily in the shape of an "A", or some variation thereof, on the ground, easily movable and which is usually two sided.

Area Sign: The area contained within lines drawn between or around the outermost points of a sign, including cutouts, but does not include essential sign structure, foundations or supports. The area of a sign having two display surfaces facing in opposite traffic directions shall be computed by measuring the largest face. For signs having two or more display surfaces, the area is the maximum area of the surfaces that can be seen from any one point.

Banner Sign: A sign made of fabric or other non-rigid material with no enclosing framework or not affixed to the primary structure and shall include every type of decoration or banner displayed over or upon the city streets of the City of Dayton on a temporary or seasonal basis, whether attached to utility poles or any other structure.

Billboard: A sign height over ten feet from the ground surface, on which same is located, to the top of such billboard, and sign area greater than sixty-four (64) square feet, on which the copy is designed to be periodically changed and which is not located on the premises to which such advertising copy pertains.

Direct Illumination: A source of illumination directed towards such signs so that the beam of light falls upon the exterior surface of the sign.

Facade: The architectural front of a building; usually the front but sometimes the rear or side, used to meet architectural treatment details and setting the tone for the rest of the building.

Freestanding Sign: A sign, including monument signs, supported by one or more uprights, poles or braces placed in or upon the ground, or a sign supported by any structure primarily for the display and support of the sign.

Government Sign: A sign erected, constructed, or placed within the public right-of-way or on public property by or with the approval of the government agency having authority over, control of, or ownership of the right-of-way or public property.

Highway Oriented Signs: Signs fronting Highway 18.

Illuminated Sign: A sign illuminated by an interior or exterior light source, which exterior light source is primarily designed to illuminate such sign.

Integrated Business Center: A group of two or more businesses that are planned or designed as a center, or Center: share a common off-street parking area or access, whether or not the businesses, buildings, or land are under common ownership.

Light-Emitting Diode or LED: A form of illumination using a semiconductor light source that converts applied voltage to light and is used in digital displays.

Mural: A hand-painted, hand-tiled or digitally printed image on the exterior wall of a building.

Neon Light: A form of illumination using inert gases in glass tubes and includes black light and other neon lights.

Nonconforming Sign: A sign that was lawful when it was constructed but does not meet the requirements of this Section.

Portable Sign: A sign that is not attached to any building or facade that is easily portable. It may stand alone or be illuminated, have wheels attached, or be located on a trailer.

Projecting Sign or Blade Sign: A two-sided sign other than a wall sign which projects beyond the building surface to which it is attached.

Reader Board: Any sign not permanently attached to the ground or building and capable of being moved from place to place, including signs attached to vehicles and trailers.

Sign: A display, illustration, structure or device that has a visual display visible from a right-of-way, private roadway or lot under other ownership.

Temporary Sign: A sign not permanently attached to a building, structure or ground that is intended to be displayed for a limited period of time. Such signs may include banners, pennants, streamers, spinners, or other similar devices.

Vehicle Sign: A sign placed in or attached to the motor vehicle, trailer, railroad car, or light rail car that is used for either personal purpose or is regularly used for purposes other than the display of signs.

Wall Sign: A sign that is painted or attached on a wall of a building, and extending no more than twelve inches from the wall. Window signs that are permanently attached to the outside of a window are wall signs.

Window Sign: Includes text or graphics that are painted on or attached to a window. Window signs do not include business hours of operation or non-illuminated open/closed signs.

4. Prohibited Signs. Signs not conforming to Section 7.4 of the Dayton Municipal Code are unlawful and shall constitute a Class C violation according to the City of Dayton Fee Schedule.
 - A. Installation or posting of any notice or signage on utility poles, street lights, stop signs, other street signs, trees in the public right-of-way, public places or premises shall be prohibited without approval from the Utility or the City of Dayton.
 - B. Access. Signs that block ingress or egress so as to interfere with the flow of pedestrian or vehicle traffic, doors, windows, fire escapes or parking areas shall be prohibited.
 - C. Billboards.
 - D. Any sign on vacant property unless allowed as a temporary sign.
 - E. Condition. Signs which are faded, torn, damaged or otherwise unsightly or in a state of disrepair shall be immediately repaired or removed.
 - F. Reader board or portable signs.
 - G. Obscene Signs- A sign that creates a public nuisance displaying an obscenity as defined under ORS Chapter 167.
 - H. Flashing signs, signs that produce glare, or animated signs that change image more than six times per minute.
5. Exempt Signs. The following signs and devices shall not be subject to the provisions of this Chapter and shall not require approval from the City.
 - A. Identification Signs. Memorial and Historic Identification Signs and Donation Plates. Memorial tablets, cornerstones, donation plates or similar plaques, such as National Register listing, not exceeding six square feet.
 - B. Occupant or Owner Sign. A sign identifying the name of the occupant or owner, provided the sign is not larger than one (1) square foot, is not illuminated and is either attached to the structure or located within the front yard setback.
 - C. Window signs shall not be calculated in total sign area calculations but are limited to a maximum of twenty-four (24) square feet or twenty five percent (25%) of the total window area, whichever is less.
 - D. State Highway Requirements. Applicants are advised to contact the State Highway Division of the Oregon Department of Transportation regarding other possible sign regulations adjacent to Ferry Street and Third Street.
 - E. Vehicle Signs. Signs painted on or otherwise attached to vehicles.
6. Non-conforming signs: Non-conforming signs are subject to the following provisions:
 - a. Legally established nonconforming permanent signs may continue to exist in accordance with this section. Nonconforming Signs that were not legally established have no legal right to continue and must be removed or reconstructed in conformance with this code.

- b. Maintenance. A non-conforming sign may undergo normal maintenance, which includes normal care or servicing needed to keep a sign functional, such as cleaning, replacing or repairing a part made unusable by ordinary wear, and changing light bulbs. "Normal maintenance" excludes major structural repairs designed to extend the useful life of the non-conforming sign.
- c. Sign face. The sign face or sign copy may be changed without affecting the nonconforming status of the sign.
- d. Ownership. Should a property change ownership or a building have a new tenant, all non-conforming signs must be removed within six months of the change.
- e. Changes to nonconforming signs.
 - i. A non-conforming sign shall not be enlarged or altered in a way that would increase its nonconformity.
 - ii. Signs and sign structures that are moved or replaced shall be brought into conformance with the sign regulations.
 - iii. Signs that are structurally altered by more than fifty (50) percent of the replacement value, shall be brought into conformance with the sign regulations.
 - iv. Signs that are structurally altered by fifty (50) percent or less than the replacement value may continue to be used as a nonconforming sign provided the alterations do not increase the nonconformity of the sign.
- f. Damaged nonconforming signs:
 - i. When a nonconforming sign is damaged by wind, fire, neglect or by any other cause, and such damage exceeds fifty (50) percent of its replacement value, non-conforming sign shall be removed or brought into conformance with the sign regulations within six months of the date the damage occurred.
 - ii. When a nonconforming sign is damaged by wind, fire, or by any other cause and the estimated cost to repair the sign is fifty (50) percent or less of its replacement value, it may be repaired and restored to the condition it was in before it was damaged and may continue to be used as a nonconforming sign, provided that such repairs and restoration are started within six months of the date the sign was damaged and are diligently pursued thereafter.
 - 1. Whenever repairs and restoration of a damaged nonconforming sign are not started within one year of the date the sign was damaged or are diligently pursued once started, the sign shall be deemed abandoned.
 - 2. Abandoned signs shall not be permitted as nonconforming signs. Abandoned signs shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure upon which such sign may be found.

7. Adjustments and Variances.

Sign adjustments/variances shall be reviewed in accordance with a Type II action, as specified in Section 7.3.2 using the following criteria.

Criteria for Sign Variance/Adjustments.

- A. Compliance with the applicable standard would create an unnecessary hardship due to physical conditions of the property (topography, lot size or shape, or other circumstances over which the applicant has no control), which are not present on other properties in the same zone, and the adjustment is necessary to permit signage comparable with other properties in the same zone.
- B. The hardship does not result from actions of the applicant, owner(s) or previous owner(s), or from personal circumstances of the applicant, owner(s) or previous owner(s), such as physical condition, age or financial situation; and
- C. Approval of the adjustment will not adversely affect the function or appearance of the development and use of the subject property and surrounding properties; and will not impose limitations on other properties and signage in the area including signage that would be allowed on adjacent properties.

7.4.102- Review Procedures

- 1. All signs not specifically exempt from permitting requirements by Section 7.4.101.5 shall be subject to the permitting procedures of this section. No signs in conflict with any provisions of this ordinance shall be permitted.
- 2. Permit Fees: Permit fees shall be established by City Council resolution and updated as needed.
- 3. Application Requirements: An application for a sign permit shall be submitted on a form provided by the City Planner or designee. The application shall include the following items, at minimum:
 - A. A sketch drawn to scale indicating the proposed sign and identifying existing signs on the premises.
 - B. The sign's location, graphic design, structural and mechanical design and engineering data which ensures its structural stability.
 - C. The names and address of the sign company, person authorizing erection of the sign and the owner of the subject property.
- 4. Revocation of permits: Sign permits mistakenly issued in violation of these regulations or other provisions of the Dayton Land Use and Development Code are void. The City Planner or designee may revoke a sign permit if they find that there was a material and misleading false statement of fact in the application for the permit.
- 5. Design, Construction, and Maintenance. All signs shall be designed, constructed, and maintained according to the following standards:
 - A. Compliance with Building Codes. All signs shall comply with the applicable provisions of the Building Code in effect at the time of the sign permit application and all other applicable structural, electrical and other regulations. The issuance

of a sign permit under these regulations does not relieve the applicant of complying with all other permit requirements.

- B. Materials. Except for banners, flags, portable signs, temporary signs, and window signs conforming in all respects with the requirements of these regulations, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or other structure by direct attachment to a rigid wall, frame, or structure.
- C. Maintenance. All signs shall be maintained in a good structural condition and readable at all times.
- D. Owner Responsibility. The owner shall be responsible for its erection and maintenance and its compliance with the provisions of these regulations or other laws or Ordinances regulating signs.
- E. Aesthetics. All signs shall be professional in appearance, constructed in a workmanship like manner to professional standards.

DESIGN STANDARDS

7.4.103 Residential

- 1. Purpose and applicability: To provide a set of regulations for the placement of signs within Residential (R-1, R-2, R-3) zones. The provisions within this section shall also apply to residential uses within the Commercial Residential zone.
- 2. Permitted Signs- All permitted signs are subject to the standards of 7.4.103
 - A. Wall, canopy, and window signs.
 - B. Free-standing signs
 - C. Temporary signs. Temporary signs within Residential zones shall be limited to 21 days per calendar year.
- 3. Maximum sign area
 - A. Single Family and Duplex uses: 6 square feet.
 - B. Multi-family (greater than two units): For subdivisions, multiple-family developments (including planned developments), uses, or identified neighborhood areas, one single or double-faced, indirectly lit sign not to exceed 24 square feet for one face or 48 square feet in surface area for two or more faces is permitted. The applicant for the sign permit must own or represent a majority of the lots or dwelling units within the subdivision, multiple-family development, identified neighborhood area, or the applicable homeowner's association. If the sign pertains to any development request, then the location and design shall be subject to the appropriate review.
 - C. Temporary Signs: 12 square feet.
- 4. Maximum sign height: 6 feet
- 5. Location:
 - A. Wall, canopy or window sign shall be set back from the property lines of the lot on which it is located, the same distance as the building containing the permitted

use; provided that wall signs may project into the required setback space up to 1.5 feet.

B. Free-standing signs are permitted where fences are allowed for residential uses.

6. Illumination

A. Single family and duplex uses: Not permitted.

B. Multi-family: May only be indirectly illuminated by a concealed light source and shall not be illuminated between 10:00 PM and 6:00 AM. No lighting shall blink, flash, fluctuate, or produce glare.

7.4.104 Commercial Zone

1. Purpose and applicability: To provide a set of regulations for the placement of signs within the Commercial (C) zoning district. Signs located on properties within the CBO (Central Business Overlay) shall be subject to the provisions of Section 7.4.105.

2. Permitted Signs

a. Wall signs

b. Free-standing signs

c. Temporary signs: Temporary signs shall be permitted within the Commercial zoning district in accordance with the following provisions.

i. Permitted Temporary signs are allowed provided they are erected not longer than twenty-one (21) days prior to an event and fifteen (15) days after an event. Temporary fabric or paper signs may be placed upon the window opening of a non-residential building when such signs do not obscure more than twenty (20) percent of the window area, and no more than ten (10) percent of the total primary facade area.

ii. All other temporary signs shall be installed for not longer than 30 days in a calendar year.

3. Maximum sign area

A. Non-Integrated business center

i. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 120 square feet.

ii. Free-standing signs: 50 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.

iii. Temporary signs: 12 square feet

B. Integrated business center

i. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 120 square feet.

1. Wall signs may be placed over all shared main public entries to the business center. Shared public entries must be shared by at least two tenants. Such signs are limited to 130 square feet in size.

2. When an individual business does not have frontage on a street or parking lot, the business is allowed a maximum aggregate wall sign area of 16 square feet.

- ii. Free-standing signs: 50 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
 - 1. Shared free-standing signs: Where two or more businesses choose to combine their permitted free-standing signs into one sign, the following standards shall apply:
 - a. One freestanding, shared sign per street frontage that has a customer entrance is allowed. The sign must comply with the provisions of this section. A maximum of 150 square feet of sign area is permitted.
 - iii. Temporary signs: 12 square feet
- C. Highway-Oriented Signs
 - i. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 250 square feet.
 - ii. Free-standing signs: 160 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
 - iii. Temporary signs: 12 square feet.
4. Maximum sign height:
 - A. Wall signs: None, but no sign shall project over a parapet or roof eave.
 - B. Free-standing signs:
 - i. 20 feet, except 30 feet for highway-oriented signs.
5. Location:
 - A. Wall or projecting signs may project up to two feet from a building.
 - B. Free-standing signs within an integrated business center must be located a minimum of 100 feet from one another.
 - C. No limitations, except that signs shall not be located within a right of way and shall comply with requirements for vision clearance areas and special street setbacks.
6. Illumination:
 - A. No lighting shall blink, flash, fluctuate, or produce glare. The applicant must submit a photometric plan showing that there will be no light trespass on neighboring properties.

7.4.105 Central Business Overlay

1. Purpose and applicability: Sign regulations are intended to protect the character while enhancing and contributing to the economic vitality of the commercial core. The City acknowledges the need to effectively communicate and attract the eye to the business for which they are intended to advertise. Signs should be compatible or integrated with the architecture and should not obscure or dominate the building or business. In the review of sign applications within the City, the following criteria and standards shall apply. All properties within the Central Business Overlay (CBO) and all commercial uses within the Commercial Residential (CR) Zone shall be subject to the provisions of this section. Unless specifically listed as a permitted use or type in this section, other sign types and uses are prohibited. The Dayton Sign Code shall not be construed to permit the erection

or maintenance of any sign at any place or in any manner unlawful under any other city code provision or other applicable law. In any case where a part of the Dayton Sign Code conflicts with a provision of any zoning, development, building, fire, safety or health ordinance or code, the provision which establishes a stricter standard for the protection of the public health and safety shall prevail.

2. Permitted Signs- All permitted signs are subject to the standards of 7.4.105
 - A. Wall signs
 - B. Freestanding signs
 - C. Projecting signs
 - D. A-Board signs (one per tenant space)
 - E. Temporary Signs
 - i. Temporary signs are allowed provided they are erected not longer than sixty (60) days prior to an event and fifteen (15) days after an event. Temporary fabric or paper signs may be placed upon the window opening of a non-residential building when such signs do not obscure more than twenty (20) percent of the window area, and no more than ten (10) percent of the total primary facade area.
 - ii. All other temporary signs shall be installed for not longer than 30 days in a calendar year.
 - F. Awning signs
 - i. Sign lettering and imagery may only be located on the awning skirt.
 - G. Flags (maximum of two per property)
3. Maximum sign area:
 - A. Wall signs: one (1) square foot of sign area for each one linear foot of building façade not exceeding 100 square feet. This maximum area shall apply to all signs attached to the building such that the total area of all signs combined on the property does not exceed 100 square feet.
 - B. Freestanding Signs: 24 square feet
 - C. Projecting signs: Blade, projecting or hanging signs shall be limited to one (1) per tenant space. Projecting signs shall have a maximum area of eight (8) square feet.
 - D. One (1) A-Board sign is permitted per business or property and shall measure no more than three (3) feet wide and not more than four (4) feet high. A-Board signs shall not be calculated in total sign area calculations.
 - E. Temporary signs: 12 square feet
 - F. Awning: 6 square feet. Must comply with the provisions of 7.4.105.2.F.i
 - G. Flags: 15 square feet per flag.
4. Maximum sign height:
 - A. Wall signs: 6 feet. May not project higher than the height of the roof.
 - B. Freestanding signs: 6 feet
5. Location:
 - A. Wall signs shall be placed in traditional locations in order to fit within architectural features, such as: above transoms, on cornice fascia boards, or below cornices.

- B. The edge of a projecting sign furthest from the wall shall not extend more than 42 inches from a wall, the bottom of the sign shall be no lower than eight (8) feet above a right-of-way or private sidewalk area and the top of the sign shall not extend over the roof line of the building.
 - C. A-board signs
 - i. A-Board signs may be placed upon private property or within an adjacent public right-of-way along the frontage of the business displaying the sign when a minimum of forty-two (42) inches of clear pedestrian walkway is available immediately adjacent to the sign.
 - ii. Removal. A-Board signs shall be movable at all times and displayed only during the hours the business is open.
 - D. Freestanding
 - i. Freestanding signs shall only be permitted when the property has a building setback greater than 15 feet.
 - E. Temporary signs must be located on the subject property and may not infringe upon the frontage of another business.
 - F. Awnings: Text on awnings shall be limited to that placed upon the awning skirt only and shall be included in the calculation of the maximum allowable sign area.
6. Illumination
- A. Hanging signs may be externally illuminated although ambient light is usually sufficient to light these small signs. Planning staff must review and approve alternative lighting designs.
 - B. Direct or in-direct illumination shall be permitted, provided all illumination is directed away from adjacent property. The applicant must submit a photometric plan showing that there will be no light trespass on neighboring properties.
 - i. Internally lit signs, including Neon or LED signage shall be permitted subject to the following restrictions:
 - 1. Signs shall be limited to one (1) sign per business, not exceeding three (3) square feet in area, and shall be limited to three (3) colors. Strobe, blinking or flashing lights are prohibited.
 - C. Awning signs may not be illuminated.

7. Design Standards: All signs within the CBO shall be subject to the following additional design standards.

- A. The placement of signage shall not visually obscure architecturally significant features of the building.
- B. Where signage is proposed on (or behind) window surfaces, such signage should not substantially obscure visibility through the window and should be incidental to the scale of the window. Larger window signs will be considered in the overall sign allowances for individual tenants.
- C. Generally, the placement of signage shall occur below the sill of the second story windows. Alternative placement may be considered under the following circumstances:

- i. Freestanding signs must have a base of either a flower bed or shrubbery to integrate the sign into the streetscape.
- ii. The placement of signs must not disrupt or obstruct the vision of drivers or pedestrians so as to create a hazardous situation. No signs shall be so located as to significantly obstruct pedestrian circulation.

7.4.106 Industrial

1. Purpose and applicability: Purpose and applicability: To provide a set of regulations for the placement of signs within the Industrial (I) zone.
2. Permitted Signs
 - A. Wall signs
 - B. Freestanding signs
 - C. Awning signs
 - D. Temporary Signs
 - i. Temporary signs are allowed provided they are erected not longer than sixty (60) days prior to an event and fifteen (15) days after an event. Temporary fabric or paper signs may be placed upon the window opening of a non-residential building when such signs do not obscure more than twenty (20) percent of the window area, and no more than ten (10) percent of the total primary facade area.
 - ii. All other temporary signs shall be installed for not longer than 30 days in a calendar year.
2. Maximum sign area
 - A. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 120 square feet.
 - i. A tenant occupying a minimum of 40,000 square feet will be allowed a maximum of 200 square feet.
 - B. Free-standing signs: 50 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
 - C. Temporary signs: 12 square feet
 - D. Highway-Oriented Signs
 - i. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 250 square feet.
 - ii. Free-standing signs: 160 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
 - iii. Temporary signs: 12 square feet.
3. Maximum sign height:
 - A. Wall signs: No maximum, but no sign shall not project onto or over a parapet or roof eave.
 - B. Free-standing signs: 30 feet
4. Location:
 - A. Wall or projecting signs may project up to two feet from a building.

- B. Signs shall be placed on the central 50 percent of the street frontage or 50 feet from any adjacent freestanding sign. Signs on corner properties may be placed near the corner if vision clearance provisions are met.
5. Illumination:
- A. No lighting shall blink, flash, fluctuate, or produce glare. The applicant must submit a photometric plan showing that there will be no light trespass on neighboring properties or an adjacent public right of way.

7.4.107- Public

1. Purpose and applicability: To provide a set of regulations for the placement of signs within the Public zoning district.
2. Permitted Signs- All permitted signs are subject to the standards of 7.4.107
 - A. Wall, canopy, and window signs.
 - B. Free-standing signs
 - C. Temporary signs. Temporary signs within the Public Zone shall be limited to 21 days per calendar year, with a maximum of 5 signs per calendar year.
3. Maximum sign area
 - A. 32 square feet
4. Maximum sign height:
 - A. Freestanding Signs: 20 feet
 - B. Wall Signs: 6 feet, but no sign shall project over a parapet or roof eave.
5. Location
 - A. Wall or projecting signs may project up to two feet from a building.
 - B. Signs shall be placed on the central 50 percent of the street frontage or 50 feet from any adjacent freestanding sign. Signs on corner properties may be placed near the corner if vision clearance provisions are met.
6. Illumination
 - A. May only be indirectly illuminated by a concealed light source and shall not be illuminated between 10:00 PM and 6:00 AM. No lighting shall blink, flash, fluctuate, or produce glare. Animated signs are permitted so long as they do not change image more than 6 times per minute.

Exhibit B

Draft Amendments V4

The entirety of Section 7.2.111.07 shall be deleted and replaced with the following:

7.2.111.07- Signs: Sign standards within the Central Business Overlay Zone may be found in Section 7.4.105

NEW SECTIONS

7.4.101 General Provisions

1. Applicability. All properties within ~~the Central Business Overlay (CBO)~~ Dayton City Limits shall be subject to the provisions of this section. Unless specifically listed as a permitted use or type in this section, other sign types and uses are prohibited.
2. Purpose (~~Existing Section 7.2.111.07.B- Purpose deleted, included in section 7.4.105~~)

~~Purpose. Sign regulations are intended to protect the character while enhancing and contributing to the economic vitality of the commercial core. The City acknowledges the need to effectively communicate and attract the eye to the business for which they are intended to advertise. Signs should be compatible or integrated with the architecture and should not obscure or dominate the building or business. In the review of sign applications within the City, the following criteria and standards shall apply. The Dayton Sign Code shall not be construed to permit the erection or maintenance of any sign at any place or in any manner unlawful under any other city code provision or other applicable law. In any case where a part of the Dayton Sign Code conflicts with a provision of any zoning, development, building, fire, safety or health ordinance or code, the provision which establishes a stricter standard for the protection of the public health and safety shall prevail.~~

- A. While signs communicate all types of helpful information, unregulated signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this section is to regulate the size, illumination, movement, materials, location, height, and condition of all signs placed on private property for exterior observation, thus ensuring the protection of property values; the character of the various neighborhoods; the creation of a convenient, attractive, and harmonious community; protection against destruction of or encroachment on historic properties, convenience to citizens and encouraging economic development. This section allows adequate communication through signage while encouraging aesthetic quality in the design, location, size, and purpose of all signs. ~~This section shall be interpreted in a manner consistent with the United States Constitution's First Amendment guarantee of free speech.~~ If any provision of this section is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this section which can be given effect without the invalid provision.

- B. A sign placed on land or on a building for the purpose of identification, protection, or directing persons to a use conducted therein must be deemed to be an integral, but accessory and subordinate, part of the principal use of land or building. Therefore, the intent of this section is to establish limitations on signs to ensure they are appropriate to the land, building, or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in subsection (A) of this section.
- C. These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible ~~and appropriate to the activity to which they pertain~~, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.
- D. These regulations do not regulate every form and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the City. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.
- E. These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.

3. Definitions:

Abandoned Sign: A sign that is no longer used by the person who constructed/installed the sign on the property where the sign is located or cessation of use of the property where the sign is located.

A-Board Sign: Includes signs that are ordinarily in the shape of an "A", or some variation thereof, on the ground, easily movable and which is usually two sided.

Area Sign: The area contained within lines drawn between or around the outermost points of a sign, including cutouts, but does not include essential sign structure, foundations or supports. The area of a sign having two display surfaces facing in opposite traffic directions shall be computed by measuring the largest face. For signs having two or more display surfaces, the area is the maximum area of the surfaces that can be seen from any one point.

Banner Sign: A sign made of fabric or other non-rigid material with no enclosing framework or not affixed to the primary structure and shall include every type of decoration or banner displayed over or upon the city streets of the City of Dayton on a temporary or seasonal basis, whether attached to utility poles or any other structure.

Billboard: A sign height over ten feet from the ground surface, on which same is located, to the top of such billboard, and sign area greater than sixty-four (64) square feet, on

which the copy is designed to be periodically changed and which is not located on the premises to which such advertising copy pertains.

Direct Illumination: A source of illumination directed towards such signs so that the beam of light falls upon the exterior surface of the sign.

Facade: The architectural front of a building; usually the front but sometimes the rear or side, used to meet architectural treatment details and setting the tone for the rest of the building.

Freestanding Sign: A sign, including monument signs, supported by one or more uprights, poles or braces placed in or upon the ground, or a sign supported by any structure primarily for the display and support of the sign.

Government Sign: A sign erected, constructed, or placed within the public right-of-way or on public property by or with the approval of the government agency having authority over, control of, or ownership of the right-of-way or public property.

Highway Oriented Signs: Signs fronting Highway 18.

Illuminated Sign: A sign illuminated by an interior or exterior light source, which exterior light source is primarily designed to illuminate such sign.

Integrated Business Center: A group of two or more businesses that are planned or designed as a center, or Center: share a common off-street parking area or access, whether or not the businesses, buildings, or land are under common ownership.

Light-Emitting Diode or LED: A form of illumination using a semiconductor light source that converts applied voltage to light and is used in digital displays.

Mural: A hand-painted, hand-tiled or digitally printed image on the exterior wall of a building.

Neon Light: A form of illumination using inert gases in glass tubes and includes black light and other neon lights.

Nonconforming Sign: A sign that was lawful when it was constructed but does not meet the requirements of this Section.

Off-Premise Sign: A sign that identifies, advertises or attracts attention to a business, product, service, event or activity sold, existing or offered at a different location than the property on which the sign is located.

Portable Sign: A sign that is not attached to any building or facade that is easily portable. It may stand alone or be illuminated, have wheels attached, or be located on a trailer.

Projecting Sign or Blade Sign: A two-sided sign other than a wall sign which projects beyond the building surface to which it is attached.

Reader Board: Any sign not permanently attached to the ground or building and capable of being moved from place to place, including signs attached to vehicles and trailers.

Sign: A display, illustration, structure or device that has a visual display ~~The physical components of materials placed or constructed primarily to convey a message or other display and which can be viewed~~ visible from a right-of-way, private roadway or lot under other ownership.

Temporary Sign: A sign not permanently attached to a building, structure or ground that is intended to be displayed for a limited period of time. Such signs may include banners, pennants, streamers, spinners, or other similar devices.

Vehicle Sign: A sign placed in or attached to the motor vehicle, trailer, railroad car, or light rail car that is used for either personal purpose or is regularly used for purposes other than the display of signs.

Wall Sign: A sign that is painted or attached on a wall of a building, and extending no more than twelve inches from the wall. Window signs that are permanently attached to the outside of a window are wall signs.

Window Sign: Includes text or graphics that are painted on or attached to a window. Window signs do not include business hours of operation or non-illuminated open/closed signs.

Existing LUDC 7.2.111.07.D- Permitted Sign Types Deleted

4. Prohibited Signs. Signs not conforming to Section ~~7.4 7.2.111~~ of the Dayton Municipal Code are unlawful and shall constitute a Class C violation according to the City of Dayton Fee Schedule.
 - A. Installation or posting of any notice or signage on utility poles, street lights, stop signs, other street signs, trees in the public right-of-way, public places or premises shall be prohibited without approval from the Utility or the City of Dayton.
 - B. Access. Signs that block ingress or egress so as to interfere with the flow of pedestrian or vehicle traffic, doors, windows, fire escapes or parking areas shall be prohibited.
 - C. Billboards.
 - D. Any sign on vacant property unless allowed as a temporary sign.

- E. Condition. Signs which are faded, torn, damaged or otherwise unsightly or in a state of disrepair shall be immediately repaired or removed.
 - F. Reader board or portable signs.
 - ~~G. Obscene Signs- A sign that creates a public nuisance displaying an obscenity as defined under ORS Chapter 167 Any sign upon which displays any obscenity or obscene material as defined in ORS Chapter 167.~~
 - H. Flashing signs, signs that produce glare, or animated signs that change image more than six times per minute.
5. Exempt Signs. The following signs and devices shall not be subject to the provisions of this Chapter and shall no require approval from the City.
- A. Identification Signs. Memorial and Historic Identification Signs and Donation Plates. Memorial tablets, cornerstones, donation plates or similar plaques, such as National Register listing, not exceeding six square feet.
 - B. Occupant or Owner Sign. A sign identifying the name of the occupant or owner, provided the sign is not larger than one (1) square foot, is not illuminated and is either attached to the structure or located within the front yard setback.
 - C. Window signs shall not be calculated in total sign area calculations but are limited to a maximum of twenty-four (24) square feet or twenty five percent (25%) of the total window area, whichever is less.
 - D. State Highway Requirements. Applicants are advised to contact the State Highway Division of the Oregon Department of Transportation regarding other possible sign regulations adjacent to Ferry Street and Third Street.
 - E. Vehicle Signs. Signs painted on or otherwise attached to vehicles.
6. Non-conforming signs: Non-conforming signs are subject to the following provisions:
(Added new section)
- a. Legally established nonconforming permanent signs may continue to exist in accordance with this section. Nonconforming Signs that were not legally established have no legal right to continue and must be removed or reconstructed in conformance with this code.
 - b. Maintenance. A non-conforming sign may undergo normal maintenance, which includes normal care or servicing needed to keep a sign functional, such as cleaning, replacing or repairing a part made unusable by ordinary wear, and changing light bulbs. "Normal maintenance" excludes major structural repairs designed to extend the useful life of the non-conforming sign.
 - c. Sign face. The sign face or sign copy may be changed without affecting the nonconforming status of the sign.
 - d. Ownership. Should a property change ownership or a building have a new tenant, all non-conforming signs must be removed within six months of the change.
 - e. Changes to nonconforming signs.
 - i. A non-conforming sign shall not be enlarged or altered in a way that would increase its nonconformity.
 - ii. Signs and sign structures that are moved or replaced shall be brought into conformance with the sign regulations.

- iii. Signs that are structurally altered **by** more than fifty (50) percent of the replacement value, shall be brought into conformance with the sign regulations.
 - iv. Signs that are structurally altered by fifty (50) percent or less than the replacement value may continue to be used as a nonconforming sign provided the alterations do not increase the nonconformity of the sign.
- f. Damaged nonconforming signs:
- i. When a nonconforming sign is damaged by wind, fire, neglect or by any other cause, and such damage exceeds fifty (50) percent of its replacement value, non-conforming sign shall be removed or brought into conformance with the sign regulations **within 6 months of the date the damage occurred.**
 - ii. When a nonconforming sign is damaged by wind, fire, or by any other cause and the estimated cost to repair the sign is fifty (50) percent or less of its replacement value, it may be repaired and restored to the condition it was in before it was damaged and may continue to be used as a nonconforming sign, provided that such repairs and restoration are started within **six months** ~~one year~~ of the date the sign was damaged and are diligently pursued thereafter.
 - 1. Whenever repairs and restoration of a damaged nonconforming sign are not started within one year of the date the sign was damaged or are diligently pursued once started, the sign shall be deemed abandoned.
 - 2. Abandoned signs shall not be permitted as nonconforming signs. Abandoned signs shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure upon which such sign may be found.
7. Off-Premise Signs: Any application for an off-premise sign shall be processed as a conditional use permit in accordance with the provisions of 7.3.107 ~~and shall be subject to the standards of the applicable zone.~~ Approval from the property owner **of the property on which the off-premise sign will be placed** shall be required as part of the sign permit application process. ~~All~~ **A conditional use permit for an off-premise sign shall be subject to the following criteria instead of those listed in Section 7.3.107.04.**
- A. Sign area may not exceed four square feet in residential zones and 32 square feet in non-residential zones.
 - B. The proposed sign will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district.**
 - C. The proposed sign shall comply with all standards of the applicable zone.**
8. Adjustments and Variances.

Sign adjustments/variances shall be reviewed in accordance with a Type I action, as specified in Section 7.3.2 using the following criteria.

Criteria for Sign Variance/Adjustments.

- A. Compliance with the applicable standard would create an unnecessary hardship due to physical conditions of the property (topography, lot size or shape, or other circumstances over which the applicant has no control), which are not present on other properties in the same zone, and the adjustment is necessary to permit signage comparable with other properties in the same zone.
- B. The hardship does not result from actions of the applicant, owner(s) or previous owner(s), or from personal circumstances of the applicant, owner(s) or previous owner(s), such as physical condition, age or financial situation; and
- C. Approval of the adjustment will not adversely affect the function or appearance of the development and use of the subject property and surrounding properties; and will not impose limitations on other properties and signage in the area including signage that would be allowed on adjacent properties.

7.4.102- Review Procedures (Added Section)

1. All signs not specifically exempt from permitting requirements by Section 7.4.101.5 shall be subject to the permitting procedures of this section. No signs in conflict with any provisions of this ordinance shall be permitted.
2. Permit Fees: Permit fees shall be established by City Council resolution and updated as needed.
3. Application Requirements: An application for a sign permit shall be submitted on a form provided by the City Planner or designee. The application shall include the following items, at minimum:
 - A. A sketch drawn to scale indicating the proposed sign and identifying existing signs on the premises.
 - B. The sign's location, graphic design, structural and mechanical design and engineering data which ensures its structural stability.
 - C. The names and address of the sign company, person authorizing erection of the sign and the owner of the subject property.
4. Revocation of permits: Sign permits mistakenly issued in violation of these regulations or other provisions of the Dayton Land Use and Development Code are void. The City Planner or designee may revoke a sign permit if they find that there was a material and misleading false statement of fact in the application for the permit.
5. Design, Construction, and Maintenance. All signs shall be designed, constructed, and maintained according to the following standards:
 - a. Compliance with Building Codes. All signs shall comply with the applicable provisions of the Building Code in effect at the time of the sign permit application and all other applicable structural, electrical and other

regulations. The issuance of a sign permit under these regulations does not relieve the applicant of complying with all other permit requirements.

- b. Materials. Except for banners, flags, portable signs, temporary signs, and window signs conforming in all respects with the requirements of these regulations, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or other structure by direct attachment to a rigid wall, frame, or structure.
- c. Maintenance. All signs shall be maintained in a good structural condition and readable at all times.
- d. Owner Responsibility. The owner shall be responsible for its erection and maintenance and its compliance with the provisions of these regulations or other laws or Ordinances regulating signs.
- e. Aesthetics. All signs shall be professional in appearance, constructed in a workmanship like manner to professional standards.

DESIGN STANDARDS

7.4.103 Residential ~~and Public zones~~

1. Purpose and applicability: To provide a set of regulations for the placement of signs within Residential (R-1, R-2, R-3) zones ~~and Public zoning districts~~. The provisions within this section shall also apply to residential uses within the Commercial Residential zone.
2. Permitted Signs- All permitted signs are subject to the standards of 7.4.103.3
 - A. Wall, canopy, and window signs.
 - B. Free-standing signs
 - C. Temporary signs. Temporary signs within Residential zones shall be limited to 21 days per calendar year.
3. Maximum sign area
 - A. Single Family and Duplex uses: 6 square feet.
 - B. Multi-family (greater than two units): For subdivisions, multiple-family developments (including planned developments), uses, or identified neighborhood areas, one single- or double-faced, indirectly lit sign not to exceed 24 square feet for one face or 48 square feet in surface area for two or more faces is permitted. The applicant for the sign permit must own or represent a majority of the lots or dwelling units within the subdivision, multiple-family development, identified neighborhood area, or the applicable homeowner's association. If the sign pertains to any development request, then the location and design shall be subject to the appropriate review.
 - C. Temporary Signs: 12 square feet.
4. Maximum sign height: 6 feet
5. Location:
 - A. Wall, canopy or window sign shall be set back from the property lines of the lot on which it is located, the same distance as the building containing the permitted

use; provided that wall signs may project into the required setback space up to 1.5 feet.

B. Free-standing signs are permitted where fences are allowed for residential uses.

6. Illumination

A. Single family and duplex uses: Not permitted.

B. Multi-family: May only be indirectly illuminated by a concealed light source and shall not be illuminated between 10:00 PM and 6:00 AM. No lighting shall blink, flash, fluctuate, or produce glare.

~~C. Public/Institutional: May only be indirectly illuminated by a concealed light source and shall not be illuminated between 10:00 PM and 6:00 AM. No lighting shall blink, flash, fluctuate, or produce glare.~~

7.4.104 Commercial Zone

1. Purpose and applicability: To provide a set of regulations for the placement of signs within the Commercial (C) zoning district. Signs located on properties within the CBO (Central Business Overlay) shall be subject to the provisions of Section 7.4.105.

2. Permitted Signs

A. Wall signs

B. Free-standing signs

C. Temporary signs: **Temporary signs shall be permitted in the Commercial zoning district in the accordance of the following provisions.**

i. ~~Grand opening and special event signs:~~ Permitted Temporary signs are allowed provided they are erected not longer than twenty-one (21) days prior to an event and fifteen (15) days after an event. Temporary fabric or paper signs may be placed upon the window opening of a non-residential building when such signs do not obscure more than twenty (20) percent of the window area, and no more than ten (10) percent of the total primary facade area.

ii. **All other temporary signs shall be installed for not longer than 30 days in a calendar year.**

3. Maximum sign area

A. Non-Integrated business center

i. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 120 square feet.

ii. Free-standing signs: 50 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.

iii. Temporary signs: 12 square feet

B. Integrated business center

i. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 120 square feet.

1. ~~Business center identity~~ Wall signs may be placed over all shared main public entries to the business center. Shared

public entries must be shared by at least two tenants. Such signs are limited to 130 square feet in size.

2. When an individual business does not have frontage on a street or parking lot, the business is allowed a maximum aggregate wall sign area of 16 square feet.
 - ii. Free-standing signs: 50 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
 1. Shared free-standing signs: Where two or more businesses choose to combine their permitted free-standing signs into one sign, the following standards shall apply:
 - a. One freestanding, shared sign per street frontage that has a customer entrance is allowed. The sign must comply with the provisions of this section. A maximum of 150 square feet of sign area is permitted.
 - iii. Temporary signs: 12 square feet
- C. Highway-Oriented Signs**
- i. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 250 square feet.
 - ii. Free-standing signs: 160 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
 - iii. Temporary signs: 12 square feet.
4. Maximum sign height:
 - A. Wall signs: None, but no sign shall project over a parapet or roof eave.
 - B. Free-standing signs: 20 feet, except 30 feet for highway-oriented signs.
 5. Location:
 - A. Wall or projecting signs may project up to two feet from a building.
 - B. Free-standing signs within an integrated business center must be located a minimum of 100 feet from one another.
 - C. No limitations, except that signs shall not be located within a right of way and shall comply with requirements for vision clearance areas and special street setbacks.
 6. Illumination:
 - A. No lighting shall blink, flash, fluctuate, or produce glare. The applicant must submit a photometric plan showing that there will be no light trespass on neighboring properties.

7.4.105 Central Business Overlay

1. Purpose and applicability: Sign regulations are intended to protect the character while enhancing and contributing to the economic vitality of the commercial core. The City acknowledges the need to effectively communicate and attract the eye to the business for which they are intended to advertise. Signs should be compatible or integrated with the architecture and should not obscure or dominate the building or business. In the review of sign applications within the City, the following criteria and standards shall apply.

All properties within the Central Business Overlay (CBO) **and all commercial uses within the Commercial Residential (CR) Zone** shall be subject to the provisions of this section. Unless specifically listed as a permitted use or type in this section, other sign types and uses are prohibited. The Dayton Sign Code shall not be construed to permit the erection or maintenance of any sign at any place or in any manner unlawful under any other city code provision or other applicable law. In any case where a part of the Dayton Sign Code conflicts with a provision of any zoning, development, building, fire, safety or health ordinance or code, the provision which establishes a stricter standard for the protection of the public health and safety shall prevail.

2. Permitted Signs- All permitted signs are subject to the standards of 7.4.105
 - A. Wall signs
 - B. Freestanding signs**
 - C. Projecting signs
 - D. A-Board signs (one per tenant space)
 - E. Temporary Signs
 - i. Temporary signs are allowed provided they are erected not longer than sixty (60) days prior to an event and fifteen (15) days after an event. Temporary fabric or paper signs may be placed upon the window opening of a non-residential building when such signs do not obscure more than twenty (20) percent of the window area, and no more than ten (10) percent of the total primary facade area.
 - ii. All other temporary signs shall be installed for not longer than 30 days in a calendar year.**
 - F. Awning signs
 - i. Sign lettering and imagery may only be located on the awning skirt.**
 - G. Flags (maximum of two per property)
3. Maximum sign area:
 - A. Wall signs: one (1) square foot of sign area for each one linear foot of building façade not exceeding 100 square feet. This maximum area shall apply to all signs attached to the building such that the total area of all signs combined on the property does not exceed 100 square feet.
 - B. Freestanding Signs: 24 ~~32~~ square feet**
 - C. Projecting signs: Blade, projecting or hanging signs shall be limited to one (1) per tenant space. Projecting signs shall have a maximum area of eight (8) square feet.
 - D. One (1) A-Board sign is permitted per business or property and shall measure no more than three (3) feet wide and not more than four (4) feet high. A-Board signs shall not be calculated in total sign area calculations.
 - E. Temporary signs: 12 square feet
 - F. Awning: **6 square feet. Must comply with the provisions of 7.4.105.2.F.i**
 - G. Flags: 15 square feet per flag.
 - H. Highway-Oriented Signs**
 - i. Wall signs: 1 square foot per linear foot of building frontage with a maximum of 250 square feet.**

- ii. Free-standing signs: 160 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
 - iii. Temporary signs: 12 square feet.
- 4. Maximum sign height:
 - A. Wall signs: 6 feet. May not project higher than the height of the roof.
 - B. Freestanding signs: 6 ~~15~~ feet
- 5. Location:
 - A. Wall signs shall be placed in traditional locations in order to fit within architectural features, such as: above transoms, on cornice fascia boards, or below cornices.
 - B. The edge of a projecting sign furthest from the wall shall not extend more than 42 inches from a wall, the bottom of the sign shall be no lower than eight (8) feet above a right-of-way or private sidewalk area and the top of the sign shall not extend over the roof line of the building.
 - C. A-board signs
 - i. A-Board signs may be placed upon private property or within an adjacent public right-of-way along the frontage of the business displaying the sign when a minimum of forty-two (42) inches of clear pedestrian walkway is available immediately adjacent to the sign.
 - ii. Removal. A-Board signs shall be movable at all times and displayed only during the hours the business is open.
 - D. Freestanding
 - i. Freestanding signs shall only be permitted when the property has a building setback of 15 feet or greater.
 - E. Temporary signs must be located on the subject property and may not infringe upon the frontage of another business.
 - F. Awnings: Text on awnings shall be limited to that placed upon the awning skirt only and shall be included in the calculation of the maximum allowable sign area.
- 6. Illumination
 - A. Hanging signs may be externally illuminated although ambient light is usually sufficient to light these small signs. Planning staff must review and approve alternative lighting designs.
 - B. Direct or in-direct illumination shall be permitted, provided all illumination is directed away from adjacent property. **The applicant must submit a photometric plan showing that there will be no light trespass on neighboring properties.**
 - i. Internally lit signs, including Neon or LED signage shall be permitted subject to the following restrictions:
 - 1. Signs shall be limited to one (1) sign per business, not exceeding three (3) square feet in area, and shall be limited to three (3) colors. Strobe, blinking or flashing lights are prohibited.
 - ii. Internally lit signs, including Neon or LED signage shall be permitted as a conditional use in accordance with the provisions of Section 7.3.107. and are limited to one (1) sign per business, not exceeding three (3) square feet in area, and shall be limited to three (3) colors. Strobe, blinking or flashing

lights are prohibited. Criteria for a conditional use permit for an internally lit sign are as follows:

1. The sign shall not have a detrimental impact on neighboring properties.
2. The sign must comply with the requirements of Section 7.4.105.6.B.i.1.
3. The proposed sign will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district.
4. The proposed sign shall comply with all standards of the applicable zone.

iii. Internally lit signs are prohibited.

C. Awning signs shall not be illuminated.

7. Design Standards guidelines: All signs within the CBO shall be subject to the following additional design standards. ~~While not design standards, staff shall consider the guidelines during review:~~

A. Additional design standards

- i. Signage on all buildings, historic and contemporary, shall be carefully considered, taking into account the scale, character and design of the subject building and its surrounding context.
- ii. Signs shall not dominate building facades or obscure their architectural features (arches, transom panels, sills, moldings, cornices, windows, etc.)
- iii. Design, selection of materials, and workmanship shall be of high quality in appearance and character, complementary to the materials and character of the building, and convey a sense of permanence and durability.
- iv. In a downtown setting, the design of signage shall be oriented and sized to reflect the nature of movement around the building, with an emphasis primarily on the pedestrian and slow-moving traffic.
- v. The design of signage shall be respectful of the building on which it is located, carefully designed to fit a given façade, and complementing the building's architectural features.
- vi. Where multiple signs occur on a single building, there shall be a common pattern and character between such signs. Signs need not all be identical, but there should be a common pattern or placement, general scale and design, and type of illumination.

B. The placement of signage shall take into account the traditional location of signage on buildings and the specific architectural features of the given façade. Features to consider include existing sign boards, lower cornices, lintels and piers.

C. The placement of signage shall not visually obscure architecturally significant features of the building.

~~D. The use of a continuous sign band extending over adjacent shops within the same building is encouraged, as a unifying element.~~

- E. Where signage is proposed on (or behind) window surfaces, such signage should not substantially obscure visibility through the window and should be incidental to the scale of the window. Larger window signs will be considered in the overall sign allowances for individual tenants.
- F. **Generally**, The placement of signage **shall** occur below the sill of the second story windows. Placement elsewhere on a building may be considered under the following circumstances:
 - i. Where the design of the base portion of the building establishes some higher point as an appropriate location;
 - ii. where unusual site characteristics exist; or
 - iii. where the proposed signage exhibits exceptional design merit and is integrated into the design vocabulary of the subject building.
 - iv. Where signage is proposed on (or behind) window surfaces, such signage should not substantially obscure visibility through the window and should be incidental to the scale of the window. Larger window signs will be considered in the overall sign allowances for individual tenants.
 - v. **Freestanding signs must have a base of either a flower bed or shrubbery to integrate the sign into the streetscape.**
 - ~~vi. For historic structures, upper floor signage (including rooftop signs) is generally not allowed, except for permanent window signs or where unique circumstances warrant an exception (e.g. where a historically or architecturally significant rooftop sign is to be recreated).~~
 - ~~vii. Freestanding signs are generally not allowed. However, if the distance of the building or tenant's frontage from the street makes a building sign infeasible or ineffective, a freestanding sign may be considered. Integration of such signs into site features, such as planter walls, is encouraged.~~
 - ~~viii. In addition to placement criteria above, the minimum clearance of projecting signs, awnings, canopies and marquees from the sidewalk must conform to current building codes (generally 8' clearance).~~
 - ix. The placement of signs must not disrupt or obstruct the vision of drivers or pedestrians so as to create a hazardous situation. No signs **shall** be so located as to significantly obstruct pedestrian circulation.

7.4.106 Industrial

1. Purpose and applicability: Purpose and applicability: To provide a set of regulations for the placement of signs within the Industrial (I) zone.
2. Permitted Signs
 - A. Wall signs
 - B. Freestanding signs
 - C. Awning signs
 - D. Temporary Signs**

- i. Temporary signs are allowed provided they are erected not longer than sixty (60) days prior to an event and fifteen (15) days after an event. Temporary fabric or paper signs may be placed upon the window opening of a non-residential building when such signs do not obscure more than twenty (20) percent of the window area, and no more than ten (10) percent of the total primary facade area.
 - ii. All other temporary signs shall be installed for not longer than 30 days in a calendar year.
- 2. Maximum sign area
 - A. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 120 square feet.
 - i. A tenant occupying a minimum of 40,000 square feet will be allowed a maximum of 200 square feet.
 - B. Free-standing signs: 50 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
 - C. Temporary signs: 12 square feet
 - D. Highway-Oriented Signs
 - i. Wall signs: 1 square foot per lineal foot of building frontage with a maximum of 250 square feet.
 - ii. Free-standing signs: 160 square feet per sign face. Total area of $\frac{3}{4}$ square feet per lineal foot of street frontage.
 - iii. Temporary signs: 12 square feet.
- 3. Maximum sign height:
 - A. Wall signs: No maximum, but no sign shall not project onto or over a parapet or roof eave.
 - B. Free-standing signs: 30 feet
- 4. Location:
 - A. Wall or projecting signs may project up to two feet from a building.
 - B. Signs shall be placed on the central 50 percent of the street frontage or 50 feet from any adjacent freestanding sign. Signs on corner properties may be placed near the corner if vision clearance provisions are met.
 - ~~C. No limitations, except that signs shall not be located within a right of way and shall comply with requirements for vision clearance areas and special street setbacks.~~
- 5. Illumination:
 - A. No lighting shall blink, flash, fluctuate, or produce glare. The applicant must submit a photometric plan showing that there will be no light trespass on neighboring properties or an adjacent public right of way.

7.4.107- Public

- 1. Purpose and applicability: To provide a set of regulations for the placement of signs within the Public zoning district.
- 2. Permitted Signs- All permitted signs are subject to the standards of 7.4.107
 - A. Wall, canopy, and window signs.

- B. Free-standing signs
 - C. Temporary signs. Temporary signs within the Public Zone shall be limited to 21 days per calendar year, with a maximum of 5 signs per calendar year.
- 3. Maximum sign area
 - A. 32 square feet
- 4. Maximum sign height:
 - A. Freestanding Signs: 20 feet
 - B. Wall Signs: 6 feet, but no sign shall project over a parapet or roof eave.
- 5. Location
 - A. Wall or projecting signs may project up to two feet from a building.
 - B. Signs shall be placed on the central 50 percent of the street frontage or 50 feet from any adjacent freestanding sign. Signs on corner properties may be placed near the corner if vision clearance provisions are met.
- 6. Illumination
 - A. May only be indirectly illuminated by a concealed light source and shall not be illuminated between 10:00 PM and 6:00 AM. No lighting shall blink, flash, fluctuate, or produce glare. Animated signs are permitted so long as they do not change image more than 6 times per minute.