

Meeting Location:
Virtual Meeting (via Zoom)

Phone: 541-682-5481
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**Due to Governor Kate Brown's Stay Home, Save Lives Executive Order to combat the spread of Covid-19, this meeting will be held remotely using virtual meeting technology. Information about online or other options for access and participation is available on the reserve side of this agenda. **

TUESDAY, JULY 21, 2020 – REGULAR MEETING (5:30 p.m. to 7:30 p.m.)

A. PUBLIC COMMENT

The Planning Commission reserves 10 minutes at the beginning of this meeting for public comment. The public may comment on any matter, except for items scheduled for public hearing or public hearing items for which the record has already closed. Generally, the time limit for public comment is three minutes; however, the Planning Commission reserves the option to reduce the time allowed each speaker based on the number of people requesting to speak.

B. WORK SESSION: Digital Sign Code Amendment (CA 20-2)

Staff: Mike McKerrow, MMckerrow@eugene-or.gov, 541-682-5288
Jenessa Dragovich, JDragovich@eugene-or.gov, 541-682-8385

C. ITEMS FROM COMMISSION AND STAFF

- a. Other Items from Staff
- b. Other Items from Commission
- c. Learning: How are we doing?

Commissioners: John Barofsky; Ken Beeson; Tiffany Edwards(Chair); Lisa Fragala (Vice Chair); Dan Isaacson; Chris Ramey; Kristen Taylor

HOW TO ACCESS THE MEETING

- **To watch the meeting live (non-participant):** Visit <https://www.eugene-or.gov/2109/Planning-Commission-Webcasts> to view the live webcast or tune in to Local Comcast Chanel 21
- **To join/watch the meeting from your computer, tablet or smartphone** (allows participation in Public Comment):
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AGENDA ITEM SUMMARY
July 21, 2020

To: Eugene Planning Commission

From: Mike McKerrow, Associate Planner and Jenessa Dragovich, Senior Planner,
Building and Permit Services Division

Subject: Work Session: Digital Sign Code Amendments (City File #CA 20-2)

ACTION REQUESTED

This work session is an opportunity for the Planning Commission to receive an overview of and ask questions about a proposed land use code amendment to modify existing sign standards to allow various digital signs, in advance of the July 28, 2020 public hearing.

BACKGROUND

Eugene's Sign Code (which is part of the Eugene land use code, Chapter 9) was originally adopted in 1968. The last major change to the sign code occurred in the late 1980's and minor amendments were passed in 2001 and 2013. Electronic sign technology has changed significantly in that period and the sign code has not been changed to accommodate the new technology. Digital signs use an electronic display system, such as a light-emitting diode (LED) screen, to deliver multiple messages at a single location. Images are often static and held for a specified amount of time.

Eugene's current sign code prohibits flashing signs and most digital or electronic signs except for electronic message centers, which are limited in size and location. Most existing electronic message centers in Eugene are digital time and temperature displays (three square feet in area and five display characters) except for a few cases where variances were approved to allow larger digital signs.

Eugene has few examples of existing digital signs. They include signs for the Lane County Fairgrounds, the Hult Center, Matthew Knight Arena, and The Shedd which were allowed either as public signs or through sign variances as mentioned above.

Proponents assert several benefits from the technology, including reduced waste compared with traditional copy materials, lower energy consumption, the ability to serve the advertising needs of more businesses, making advertising less expensive for small businesses and non-profits, and allowing for usage by law enforcement agencies to provide public warnings such as Amber Alerts.

Billboard industry representatives contacted City Councilor Chris Pryor to request a

modification to the sign code standards to allow for electronic (digital) billboards. Councilor Pryor polled the council and in response, a work session to discuss the proposal was held on [September 18, 2019](#). The meeting agenda is provided as Attachment A. Please note that the original date of the work session was September 9, 2019; however, due to time constraints, the work session was bumped to the following week. After staff presented information about what would be needed to allow digital signs, the City Council initiated the current code amendment process with the following motion:

MOTION AND VOTE: *Move to initiate land use code amendments to allow digital billboards and digital readerboards within the city and to implement changes to the sign regulations identified by staff that are legally required or necessary to clarify the current regulations.* The motion passed 4:2, with Councilors Taylor and Semple voting in opposition.

DRAFT LAND USE CODE LANGUAGE

The proposed modifications to the existing sign code are primarily focused on allowing digital billboards as well as limited digital signage for drive-through signs, service stations and institutional uses. The other proposed changes in the draft are clarifications recommended by staff. The draft land use code language is provided in Attachment B and the following is a summary of the proposed changes:

- Provides new definitions for digital billboards, cutouts and digital signs and modifies existing definitions for electronic message centers and flashing signs.
- Provides ability to convert existing billboards into digital billboards when proposed standards are met:
 - Minimum spacing of 1,200 feet (4 blocks) between digital billboards
 - Minimum 10 seconds between messages
 - No video, animations, scrolling, or other similar effects.
 - Auto-dimming to prevent glare, especially at night
- Allows one digital sign (maximum 20 square feet) for each institutional use such as schools, religious institutions and community centers.
- Allows up to six small digital sign components (totaling not more than 20 square feet) for service stations.
- Allows up to two digital signs (maximum 7-foot high and not more than 40 square feet) for each drive-through use.

Eugene's sign code defines a billboard as any sign with a sign face of 200 square feet or greater in surface area. The sign code limits billboards to certain areas in Eugene (such as along portions of Beltline Road, Franklin Boulevard, Coburg Road, 7th and 11th Avenues, and I-105). City Councilors have expressed concern in the past about smaller "billboards" on commercial properties that have non-premise advertising messages (such as the one located at 18th Avenue and Willamette Street).

These are not true billboards (because of their size and location) and can only be approved at locations if they otherwise meet the sign standards. Since sign codes must be content neutral by law, signs standards cannot distinguish between on-premise and off-premise advertising. The proposed code amendments would only allow digital billboards and allow digital signs with a maximum size of 20 square feet for institutional uses. This approach is responsive to Council direction to allow some of the existing “traditional” billboards to be converted to digital billboards without causing a proliferation of digital signage throughout the City.

Today, there are approximately 120 billboards within Eugene’s jurisdiction. About 40 percent are on major or minor arterials that are also regulated by Oregon Department of Transportation (ODOT). Nearly 20 percent have legal nonconforming status for at least one billboard standard such as sign area, sign height or proximity to other billboards. Digital sign technology has been operating in Hillsboro, Milwaukee, Salem, Springfield and Medford for some time. Staff researched the digital sign standards for these jurisdictions prior to creating the proposed draft standards. Attachment C includes a summary of that research for reference – the column headings indicate common areas of concern related to digital signs.

PUBLIC OUTREACH

Consistent with Eugene Code requirements, notice of the public hearing was mailed to Springfield, Lane County, and all active Eugene neighborhood groups on June 26, 2020 and a legal ad ran in the Register Guard on July 6, 2020. In addition, staff also notified sign companies that regularly obtain sign permits in the City of Eugene on July 14, 2020. Staff have also met with billboard industry representatives regarding the proposed regulations. The City’s Land Use Code Amendments website is updated regularly with information about where we are in the process as well as available resources: <https://www.eugene-or.gov/764/Land-Use-Code-Amendments>. To date, no written testimony has been received. Any testimony received in advance of the public hearing will be forwarded to the Planning Commission for their consideration.

NEXT STEPS

A public hearing before the Planning Commission regarding the proposed Digital Sign Code Amendments is scheduled for July 28, 2020. Following the public hearing, the Planning Commission will deliberate on the proposed code amendments and provide a recommendation to the City Council. Deliberations are scheduled for August 11, 2020. Planning Commission will make a recommendation to City Council at that time, and then City Council will hold a public hearing on September 21, 2020, with City Council action scheduled for October 12, 2020.

ATTACHMENTS

- A. City Council Work Session Agenda Item Summary, September 9, 2019
- B. Draft Land Use Code Language
- C. Digital Sign Standards Research Summary

FOR MORE INFORMATION

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Staff Contact: Jenessa Dragovich, Senior Planner

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EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Work Session: Digital Signs

Meeting Date: September 9, 2019
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 3
Staff Contact: Jenessa Dragovich
Contact Telephone Number: 541-682-8385

ISSUE STATEMENT

At this work session, City Council will be provided with an overview of Eugene sign code regulations pertaining to digital signs. This work session is in response to Councilor Pryor's request and was initiated through a poll, provided as Attachment A. This is an informational item and no council action is requested.

BACKGROUND

Eugene's sign code (which is part of the Eugene land use code) was originally adopted in 1968. Minor amendments to the sign code were passed in 2001 and 2013, however, the last major change occurred in the late 1980s. Electronic sign technology has changed significantly in that period. Digital signs use an electronic display system, such as an LED screen, to deliver multiple signs at a single location. Images are often static and held for a specified amount of time; however, the technology is capable of slide presentation effects, including frame transitions, scrolling, animation and videos. With a push to convert traditional billboards to digital, many communities are being asked to allow electronic signage.

At this work session, council will be presented with an overview of:

- Eugene's existing sign code pertaining to digital signs
- Digital sign information
- Common concerns related to digital signs
- Examples of how other communities regulate digital signage

Eugene's current sign code prohibits flashing signs, except electronic message centers (which are considered digital signs). However, because electronic message centers are limited to three square feet in area and five display characters, they are effectively prohibited with the exception of small displays that show time and temperature. A 2007 Land Use Board of Appeals decision affirmed the City's interpretation that LED displays meet the City's definition of electronic message centers and are subject to the size, character and message interval limits prescribed by the sign code. To allow digital signage in Eugene, the sign code would need to be amended to remove prohibitive language and add specific regulations to address common concerns associated with digital signage. Excerpts from the sign code are provided as Attachment B.

There are only a few existing examples of digital signs in Eugene—the Lane County Fairgrounds, the Hult Center, Matthew Knight Arena, and The Shedd. The Eugene land use code generally does not allow digital signs. The examples listed were allowed because two are public signs that are exempt from sign standards and two, Matthew Knight Arena and The Shedd’s electronic message centers, received a variance to the sign code standards.

Proponents of digital signage assert several benefits from the technology, including reduced waste compared with traditional copy materials, lower energy consumption, the ability to serve the advertising needs of more businesses, and usage by law enforcement agencies to push public warnings such as Amber alerts.

Concerns over the use of digital signage are primarily focused on driver distraction and visual pollution. Several factors that contribute to these concerns include: flashing effects, moving images, or videos; frequency of image changes; size and location; and brightness/glare.

Digital sign technology has been operating in Portland, Salem, and Springfield for several years. At the work session, staff will provide some examples of how these cities and others regulate such signage.

Allowing digital signs in Eugene would require an amendment to Eugene’s land use code. Such changes would require the City Council to initiate the process. The formal adoption process for an amendment to the land use code includes notice to the state and interested parties, a public hearing before the Planning Commission who provides a recommendation to City Council, a public hearing before the City Council, and action by the City Council. In some cases, notice must also be sent to affected property owners. Prior to the formal adoption process, the Building Permit Services Division would engage stakeholders in a public process to identify key issues and possible solutions, and to review draft code language.

In addition to the work session request regarding digital signs, there have been two other questions asked by councilors related to sign standards. One question was about signs that advertise off-premise businesses and whether the City can require that signs be for on-premise, or “proximate” businesses, or limited to businesses located within the city. The City cannot require that signs only advertise proximate businesses or businesses located in the city. Such a requirement would violate the Oregon Constitution because it would prohibit certain speech based on the content of that speech. *See Outdoor Media Dimensions, Inc. v. Department of Transportation*, 340 Or 275 (2006).

The second question is related to mobile advertising signs (e.g., a sign on the flat bed of a truck that is driven around town). The current sign code already prohibits any sign placed on a motor vehicle with the primary purpose of providing a sign not otherwise allowed by the sign standards. See land use code section 9.6615(2) on page 1 of Attachment B.

PREVIOUS COUNCIL DIRECTION

This is the first work session on this topic.

COUNCIL OPTIONS

Informational item. No action requested.

CITY MANAGER'S RECOMMENDATION

No recommended action.

SUGGESTED MOTION

No recommended action.

ATTACHMENTS

- A. Work Session Request
- B. Eugene Sign Standards Excerpts

FOR MORE INFORMATION

Staff Contact: Jenessa Dragovich
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Digital Sign Amendments Ordinance
Proposed Land Use Code Changes
DRAFT – June 9, 2020

Language to be added is shown in ***bold italics***.
Language to be removed is shown by ~~strikeout~~.

Definitions:

Cutout. *A supplemental design element attached to or superimposed upon a billboard.*

Digital Billboard. *Any billboard that changes messages by any electronic process.*

Digital Sign. *Any sign with a sign face of 20 or fewer square feet in surface area that changes messages by any electronic process.*

Electronic Message Center. ~~A sign, or portion of a sign, that conveys information through a periodic automatic change of message on a lampbank, through the use of fiber optics, or through mechanical means. A sign on which any portion less than an entire sign rotates shall be considered an electronic message center.~~ ***A sign component that utilizes a computer or other electronic means to change the digital message displayed.***

Flashing Sign. A sign or sign structure ***that is not a digital billboard, digital sign, or electronic message center,*** where some part of the display is provided by light-emitting elements which abruptly change color or intensity of illumination, including intermittent periods of illumination and non-illumination, or where the effect of flashing is achieved through mechanical means, including rotation.

Sign Standards:

9.6610 Exemptions to Sign Standards.

- (2) Except as provided in subsection (3) of this section, the following signs are exempt from the requirements of EC 9.6600 through 9.6680, and are exempt from the requirement to obtain a sign permit if they are located on private property outside of vision clearance areas:

Building Directories. For buildings with multiple tenants, one wall-mounted sign up to 12 square feet in area for the purpose of communicating to persons already on the development site.

~~Message Boards~~**Drive-through Signs.** One sign per business for the purpose of communicating to persons on the development site, such as a drive through menu sign or building directory. Such a sign may be up to 6 feet in height and up to 40 square feet in area.

Two drive-through signs for each drive-through lane. Each drive-through sign may be up to 7 feet in height and up to 40 square feet in area. Drive-through signs may be digital signs if the sign display is static and the copy is not changed more than once per hour, except for a portion of the digital display not to exceed 2 square feet may change copy more frequently.

* * *

Residential Property Signs. Two signs for each development site used primarily for a single family dwelling or duplex. The signs are limited to the following types: freestanding sign or banner. A freestanding sign may not exceed 12 square feet in size per face, with a maximum of two faces; a banner may not exceed 15 square feet in size. The maximum height of a freestanding sign under this exemption is ~~6~~ **5** feet (from grade), and it must be separated by at least 8 feet from any other freestanding sign on the same development site.

* * *

9.6615 Prohibited Signs. Except where qualified as a nonconforming sign, the following signs are unlawful and are declared to be nuisances:

* * *

- (5) Decorative laser signs, search lights, and flashing signs, ~~except electronic message centers;~~

9.6620 Nonconforming Signs.

* * *

- (3) **Except as provided in EC 9.6675(7) or** ~~Except~~ where only a change in display copy is made, any nonconforming sign which is structurally altered or has illumination installed shall be brought into compliance with all applicable provisions of the sign standards within 90 days and shall thereafter be kept in compliance with the sign standards.

* * *

- (5) ~~The provisions of subsection (6) of this section and~~ subsection (2) of EC 9.6635 Approval of Permit Application do not apply to signs in existence pursuant to a validly issued sign permit as of July 1, 1990, along Goodpasture Island Road from a point 300 feet north of the intersection with Valley River Way to a point 1400 feet north of the intersection. The provisions of subsection (2) of this section shall apply except that restoration of a damaged

sign shall be allowed where a sign is damaged to the extent of 100 percent of its value. All other provisions of this section shall apply.

- (6) ~~All signs with a surface area of 200 square feet or greater shall be removed or brought into compliance with this land use code by April 1, 2003.~~

9.6630 Permit Application.

- (1) An application and related information shall be submitted by the applicant, in a manner prescribed by the city, together with a fee established by the city manager as provided by EC 2.020 City Manager - Authority to Set Fees and Charges. ~~When a person begins construction of a sign requiring a sign permit before the permit is issued, the permit fee shall be doubled. Payment of a double permit fee shall not otherwise exempt the person from liability for other penalties prescribed for a violation of the sign standards.~~

* * *

9.6635 Approval of Permit Application.

* * *

- (8) A decision granting or denying a sign permit may be appealed to a hearings official. Appeals are processed according to ~~other~~ Type II applications beginning at EC 9.7200 General Overview of Type II Application Procedures. The decision of the hearings official is final.

9.6640 General Provisions.

* * *

(4) Location Standards.

- (a) Setbacks. All signs shall comply with the setback requirements beginning at EC 9.2000 through EC 9.3980 and EC 9.6745 Setbacks - Intrusions Permitted. ~~Signs may be installed up to 5 feet into the required front yard setback except that freestanding signs up to 5 feet in height in the E-1 zone may be installed at least 5 feet from the front property line.~~

* * *

Projecting Over the Public **Right-of-Way**. Except as specified in EC 9.6670 Central Commercial Sign Standards, no privately owned sign may project over any public right-of-way.

* * *

(5) Construction Standards.

* * *

- (f) Wall Signs. Wall signs shall ~~may~~ project **up to** a maximum of 12 inches **from the wall, except that wall signs shall project no more than 4 inches from the wall when the sign is less than 8 feet above a sidewalk or public way.** ~~when the wall sign is more than 8 feet above~~

grade and a maximum of 4 inches when the wall sign is less than 8 feet above grade.

(6) **Illumination Standards.**

* * *

- (d) Illumination From Signs on Residentially Zoned Property. ~~No internally illuminated sign shall be allowed on property in a residential zone. Lighting from all light sources operated for the purposes of sign illumination on property in a residential zone shall be shielded from other property in the residential zone and shall not be more than 2 foot candles at *any point along* the *boundary of the development site* closest street or property line. ***Externally illuminated signs shall be shielded.***~~

* * *

- (9) **Electronic Message Centers.** Except electronic message centers operated as public signs by governmental agencies, ~~no~~ **electronic message centers are subject to the following limitations:**

- (a) ***Except as provided in subsection (b) of this section, that*** portion of ***any*** sign used as an electronic message center shall be larger ~~than~~ ***limited to*** 3 square feet in area, ***may*** display a message containing no more than 5 characters, ~~or~~ ***and must not*** change the displayed message at intervals of less than once every 3 seconds. No electronic message center, except for temporary construction use, shall exceed a maximum one-hour equivalent A-weighted sound pressure level of 50 dBa at the receiving property line when the receiving property is occupied by a dwelling, hospital, school, library or assisted care center.
- (b) ***Each service station may include up to 6 rectangular digital signs, constructed a minimum of 3 inches from each other, limited to 20 square feet in area cumulatively, and must not change the displayed message at intervals of less than once every 24 hours.***

- (10) **Digital Signs.** ***One digital sign up to 20 square feet in area is permitted per institutional use on a development site. Digital signs must be located a minimum of 50 feet from the property line of any residentially zoned property.***

All digital signs shall be subject to the following standards:

- (a) ***The change from one message to another message shall be no more frequent than once every 10 seconds.***
- (b) ***The change from one message to another message shall be instantaneous.***
- (c) ***Animation, scrolling or other perceived movement is not allowed.***
- (d) ***The digital sign shall operate at an internal illumination intensity level of not more than 0.3 foot-candles over ambient light levels as measured from a distance of 45 feet perpendicular to the sign face***
- (e) ***The digital sign shall be equipped with a light sensor that automatically adjusts the intensity of the digital display according to the amount of ambient light.***

9.6645 Applicability of Sign Standards.

- (1) No sign permit shall be issued for any sign unless specifically identified as an allowed sign use under the terms of the applicable sign standards or otherwise allowed a permit under EC 9.6620 Nonconforming Signs or ***exempted from the requirement for a permit under EC 9.6610 Exemptions to Sign Standards.***
- (2) Except as otherwise specified, signs located on property zoned S Special Zone shall be subject to the provisions of:

* * *

- (b) EC 9.6680 Employment and Industrial Sign Standards, if employment or industrial, or
- (c) EC 9.6660 General Commercial Sign Standards, or
- (d) ***EC 9.3970(11) if the property is zoned S-WS Walnut Station Special Area Zone.***

* * *

9.6650 Residential Sign Standards. The residential sign standards are hereby created and applied to all land zoned as set forth below. Signage is limited to preserve the character of the area by allowing signs only for residential purposes and for non-residential uses allowed in the applicable zone.

* * *

- (2) **Permitted Sign Types.** Signs allowed under residential sign standards are limited to the following types:
 - (a) Awning signs;
 - (b) ***Digital signs;***
 - (c) Freestanding signs;
 - (d) Readerboards; and
 - (e) Wall signs.

* * *

9.6655 General Office Sign Standards. The general office sign standards are hereby created and applied to all land as set forth below. Signs are regulated to accommodate the office buildings and other public uses that are commonly located within these zones and because of the proximity of residential areas.

* * *

- (2) **Permitted Sign Types.** Signs allowed under general office sign standards shall be limited to the following types:
 - (a) Awning signs;
 - (b) ***Digital signs;***
 - (c) Electronic message centers;
 - (d) Freestanding signs;
 - (e) Marquee signs;
 - (f) Readerboards;

- (fg) Under-marquee signs; and
- (gh) Wall signs.

* * *

9.6660 **General Commercial Sign Standards.** The general commercial sign standards are hereby created and applied to all land as set forth below. Sign limitations reflect the commercial nature of the area and the amount of vehicular traffic.

* * *

- (2) Permitted Sign Types.** Signs allowed under these standards shall be limited to the following types:
- (a) Awning signs;
 - (b) Digital signs;**
 - (bc) Electronic message centers;
 - (cd) Freestanding signs;
 - (de) Marquee signs;
 - (ef) Readerboards;
 - (fg) Roof signs;
 - (gh) Under-marquee signs; and
 - (hi) Wall signs.

* * *

9.6665 **Shopping Center Sign Standards.** The shopping center sign standards are hereby created and applied to all land as set forth below. Sign limitations in these standards accommodate the special commercial character of these areas and the residential areas which are close to most shopping centers.

* * *

- (2) Permitted Sign Types.** Signs allowed under the shopping center sign standards shall be limited to the following types:
- (a) Awning signs;
 - (b) Digital signs;**
 - (bc) Electronic message centers;
 - (cd) Freestanding signs;
 - (de) Marquee signs;
 - (ef) Readerboards;
 - (fg) Roof signs;
 - (gh) Under-marquee signs; and
 - (hi) Wall signs.

* * *

9.6670 **Central Commercial Sign Standards.** The central commercial sign standards are hereby created and applied to all property within the central commercial zones as set forth below. Signs are restricted in recognition of the high density usage of these areas, where pedestrian traffic is heavy and vehicular traffic is commonly limited.

* * *

- (2) **Permitted Sign Types.** Signs allowed under the central commercial sign standards shall be limited to the following types:
- (a) Awning signs;
 - (b) **Digital signs;**
 - (bc) Electronic message centers;
 - (ed) Freestanding signs;
 - (de) Marquee signs;
 - (ef) Projecting signs;
 - (fg) Readerboards;
 - (gh) Roof signs;
 - (hi) Under-marquee signs; and
 - (ij) Wall signs.
- (3) **Maximum Number of Signs.** The number of signs central commercial sign standards allow shall be limited to no more than 1 electronic message center, freestanding, ~~projecting sign~~, readerboard, or roof sign per development site street frontage **and 1 projecting sign per business occupant**. The number of allowed awning, marquee, under-marquee and wall signs is not limited.

* * *

9.6675 Highway Commercial Sign Standards. The highway commercial sign standards are hereby created and applied to all land as set forth below. Signs in this area are regulated to accommodate the mixed uses of the areas and the presence of major streets with high traffic volumes.

- (1) **Corresponding Zones.** The provisions of this section apply to that property within the S-RP Riverfront Park Special Zone located within 200 feet of the Franklin Boulevard center line and to property within the C-1, C-2, C-3, or any employment and industrial zone with frontage along the following named streets:
- (a) Beltline Road from 11th Avenue to Roosevelt Boulevard;
 - (b) Broadway from Mill Street to Franklin Boulevard;
 - (c) Coburg Road from 6th Avenue to 200 feet north of Frontier Drive;
 - (d) Franklin Boulevard east from Broadway, including the north-south segment;
 - (e) Garfield Street from 11th Avenue to 5th Avenue;
 - (f) Goodpasture Island Road from Valley River Drive to 1,700 feet north;
 - (g) Highway 99 North;
 - (h) I-5 **on the south side only** from Henderson Avenue to 300 feet north of Laurel Hill Drive;
 - (i) ~~I-5 on the north side only, from 720 feet east of Henderson Avenue to 1,330 feet east of Henderson Avenue;~~
 - (ji) I-105 from the Coburg interchange to Scout Access Road;
 - (kj) Mill Street from Broadway to Coburg Road;
 - (lk) Railroad Boulevard;
 - (ml) 6th Avenue east of conjunction with Highway 99 North;
 - (nm) 7th Avenue east of conjunction with Highway 99 North; and
 - (en) 11th Avenue from 200 feet east of the centerline of Chambers Street to Terry Street.

(2) **Permitted Sign Types.** Signs allowed under the highway commercial sign standards shall be limited to the following types:

- (a) Awning signs;
- (b) Billboards;
- (c) **Digital Billboards;**
- (d) **Digital Signs;**
- (ee) Electronic message centers;
- (df) Freestanding signs;
- (eg) Marquee signs;
- (fh) Projecting signs;
- (gi) Readerboards;
- (hj) Roof signs;
- (ik) Under-marquee signs; and
- (jl) Wall signs.

* * *

(6) **Billboards.** Billboards shall be subject to the following standards:

- (a) Billboards located along the streets named in subsection (1)(b) through (1)(g) and (1)(~~jk~~) through 1(~~ne~~) of this section shall not exceed 250 square feet in surface area.
- (b) Billboards located on developed property along streets named in subsection 1(a), and (1)(h) **and** through (1)(~~j~~) of this section shall not exceed 300 square feet in surface area.

* * *

(7) **Digital Billboards.** *In addition to the standards in EC 9.6675(6), Digital Billboards shall be subject to the following standards. Where standards conflict, the standards for Digital Billboards in this subsection (7) shall control:*

- (a) ***Minimum spacing between digital billboards shall be 1200 feet. The distance between digital billboards shall be measured along the centerline of the street designated to be a location for digital billboards.***
- (b) ***The change from one message to another message shall be no more frequent than once every 10 seconds.***
- (c) ***The change from one message to another message shall be instantaneous.***
- (d) ***Animation is not allowed.***
- (e) ***The digital billboard shall operate at an internal illumination intensity level of not more than 0.3 foot-candles over ambient light levels as measured from a distance of 150 feet perpendicular to the sign face.***
- (f) ***The digital billboard shall be equipped with a light sensor that automatically adjusts the intensity of the billboard according to the amount of ambient light.***
- (g) ***The digital billboard shall be designed to either freeze the display in one static position, display a full black screen or turn off in the event of a malfunction.***
- (h) ***Cutouts are not allowed.***

- (i) **Notwithstanding EC 9.1230, legal nonconforming billboards may be removed and replaced by digital billboards if the location, area and height of the sign do not change and if the building permit is issued within 365 days of the 1st day of demolition. However, no digital billboard shall be larger than 300 square feet and all other standards in this section must be met.**
- (j) **Digital billboards are allowed at the locations identified at EC 9.6675(1) except for (b), (e), (f), (j) and (k).**

9.6680 Employment and Industrial Sign Standards. The employment and industrial sign standards are hereby created and applied to all property zoned for employment and industrial use as set forth below. Signs are regulated to accommodate the minimal street frontage of most parcels and the general proximity to highways and arterial streets.

* * *

- (2) **Permitted Sign Types.** Signs allowed under the industrial sign standards shall be limited to the following types:
 - (a) Awning signs;
 - (b) Billboards;
 - (c) **Digital Billboards;**
 - (d) **Digital signs;**
 - (ee) Electronic message centers;
 - (ef) Freestanding signs;
 - (eg) Marquee signs;
 - (fh) Projecting signs;
 - (gi) Readerboards;
 - (hj) Roof signs;
 - (ik) Under-marquee signs; and
 - (jl) Wall signs.

* * *

- (5) **Maximum Height.** All billboards, freestanding signs and roof signs shall be no more than 30 feet in height except freestanding signs ~~up to 5 feet in height~~ are allowed in the E-1 zone at a minimum of 5 feet from the front property line.
- (6) **Billboards.** Billboards regulated by the employment and industrial sign standards shall be subject to the following:
 - (a) Billboards shall be permitted only along property which abuts the following named streets:
 1. Garfield Street north of 5th Avenue to the intersection of Roosevelt Boulevard.
 2. Seneca Street north of 11th Avenue to the intersection of Roosevelt Boulevard.
 3. Bertelsen Road north of 11th Avenue to the intersection of Roosevelt Boulevard.
 4. Obie Street north of 11th Avenue to the end of the street, but no further north than the intersection of Stewart Road.
 5. West 11th Avenue from 200 feet east of the centerline of Chambers Street to Terry Street.

- (b) No billboard shall exceed 250 square feet in area.
 - (c) Notwithstanding the required connection between perimeter wall size and billboard size established in (4)(b) of this section, a billboard not to exceed 200 square feet may be located on an otherwise vacant lot abutting any street designated in this section.
 - (d) The provisions of EC 9.6675(6)(d) to (i) shall apply to all billboards in areas regulated by the employment and industrial sign standards.
- (7) Digital Billboards. In addition to the standards in EC 9.6680(6), Digital Billboards shall be subject to the following standards. Where standards conflict, the standards for Digital Billboards in this subsection (7) shall control:**
- (a) Minimum spacing between digital billboards shall be 1200 feet. The distance between digital billboards shall be measured along the centerline of the street designated to be a location for digital billboards.**
 - (b) The change from one message to another message shall be no more frequent than once every 10 seconds.**
 - (c) The change from one message to another message shall be instantaneous.**
 - (d) Animation is not allowed.**
 - (e) The digital billboard shall operate at an internal illumination intensity level of not more than 0.3 foot-candles over ambient light levels as measured from a distance of 150 feet perpendicular to the sign face.**
 - (f) The digital billboard shall be equipped with a light sensor that automatically adjusts the intensity of the billboard according to the amount of ambient light.**
 - (g) The digital billboard shall be designed to either freeze the display in one static position, display a full black screen or turn off in the event of a malfunction.**
 - (h) Cutouts are not allowed.**
 - (i) Notwithstanding EC 9.1230, legal nonconforming billboards may be removed and replaced by digital billboards if the location, area and height of the sign do not change and if the building permit is issued within 365 days of the 1st day of demolition. However, no digital billboard shall be larger than 300 square feet and all other standards in this section must be met.**
 - (j) Digital billboards are only allowed at the location described in EC 9.6680(6)(a)5.**

Digital Sign Code Amendment Research																	
Sign Attribute	Animation	Auto Shut Off	Auto-dimming	Brightness	Conversions	Dwell Time	Height	Legal Nonconforming (LNC)	Locations	Max Size	Min Size	Mitigation	Spacing (between billboards)	Transitions	Fuel Prices	Readerboards /EMCs in R-1	Drive-Thru Boards
APA	Promotes static images	None found	Use photocell for auto dimming	Max .3 foot candles over ambient light (Use FC over nits.)	Strategy of trading in 2 static boards for one digital.	Typ. 6-8 seconds. Use longer so only one message seen	Varies	No draft code found	Usually major arterials	Varies	No examples found	strategy of "trading in" 2-3 static boards for one digital boards	Varies	Max. 2 seconds	no info found	no info found	no info found
Hillsboro	11.32.150 Boards 11.32.230 EMCs No animation except 4 sec. scroll	None	None	8000 nits or equiv. for daylight, 1000 nits or equiv. dusk to dawn	None	8 seconds min.	45' in industrial	Consolidations: 2 under 300 sq. ft. into one less than 700 sq. ft.	Board-Hwy 26 and Tualitin Valley Highway	300 sq. ft. EMCs- 25% or 50%	None	None	Min. 150' from Res. Zoned property	4 seconds max. - Horizontal or vertical scroll allowed	Allowed by Use	In Res. Use traditional readerboard	Com. 50% ground mounted can be EMC
Medford	10.1700ff Com. No text scrolling. Animated movement allowed	example of glitch - 1/2 screen showing	Required to match ambient light at all times	Glare standard	None	5 secs min. Billb. 10 secs EMCs	20' (50' for freeway)	Prohibits Legal Nonconforming conversion to digital sign	Com and Man.	150 sq. ft. Com and 20' height. 250 sq. ft. and 50' height Freeway	None	None	Min. 150' from Res. Zoned property	None	EMC standards	EMC - denied since facing freeway	Max 1, 32 sq. ft., max 6' high
Milwaukee	14.24.020g.2.b. Not Allowed	None	None	14.24.020 Digital signs	None	10	25'	Must comply with existing standards	Major Arterials	250 sq. ft.	None	None	Min. 150' from Res. Zoned property	Max. 2 seconds	Per Electronic Display Standards	In Res. Zones must obtain Sign Adjustment (tough standards)	
ODOT	No motion whatsoever - including scrolling etc. static only	Requirement ability to shut down if awry. Emergency shut off.	No distinction on day/night brightness - enforce if glare issue	foot candles standard to be emailed	None	5 sec. min.	Doesn't regulate. Local jurisdictions	All new must conform with new standards. No wood to steel.	ODOT commercial and industrial designated streets	672 sq. ft. (14x48)	None	relocation credits program - remove some static boards to get digital sign	100' if in city limits.	Max. 2 seconds	Meets standards if no video board with movement	Meets standards if no movement.	
Salem	900.090 Elec. displ 900.155 Out. Adver None, static only	None	Yes ***	Max. # of nits day with lesser max. at night.	No provisions	min. 8 seconds Time/Temp min 3 seconds	35'	Has to meet existing standards	Major Arterials where billboards are currently allowed	300 sq. ft.	None	None	500'	2 seconds max. (ODOT)			
Springfield	Section 8.260 None	None	None	ODOT	No provisions	5 sec. ODOT	I-5 and I-105=45' to bottom of sign	Has to meet existing standards	I-5 and I-105	672 (14' x 48' max)	200'	None	500'	2 seconds (ODOT)	Treat as static sign. No special standards. If issue will enforce	Treat as static sign. No special standards. If issue will enforce	2 exempt signs per drive-up, each 40 sq. ft., 8' High.
Eugene (Proposed)	None	No regulation recommended	Yes	Max .3 foot candles over ambient light (N1) (Use FC over nits.) ODOT Standard	No provisions	Min. 10 seconds	30' (existing limit) consider exception for existing LNC	Recommend some exceptions vs. a blanket allowance to replace LNC	Major Arterials where billboards are currently allowed	Same as for billboards except that LNC reduce to 300 sq. ft.	200 sq. ft.	Not Required	Keep existing (6(f)) limits and 1200' between any two digital billboards (Standard Arterial block is 400')	Instantaneous	ID by use and select average community standard	ID by use and select average community standard	Allow two per drive through lane