

ARTICLE 3 - COMMUNITY DESIGN STANDARDS

PAGE 3-#

Chapter 3.0 - Design Standards Administration	4
3.0.010 Design Standards - Purpose	4
3.0.020 Design Standards - Applicability	4
Chapter 3.1 - Access and Circulation	6
3.1.010 Purpose	6
3.1.020 Vehicular Access and Circulation	6
3.1.030 Pedestrian Access and Circulation	13
Chapter 3.2 - Landscaping, Street Trees, Fences and Walls	16
3.2.010 Purpose	16
3.2.020 Landscape Conservation	17
3.2.030 Landscaping	19
3.2.040 Street Trees	24
3.2.050 Fences and Walls	26
Chapter 3.3 - Parking and Loading	27
3.3.010 Purpose	27
3.3.020 Applicability	27
3.3.030 Automobile Parking Standards.	28
3.3.040 Bicycle Parking Standards	36
3.3.050 Loading Areas	38
Chapter 3.4 - Public Facilities	39
3.4.010 Purpose and Applicability	39
3.4.010 Transportation Standards	40
3.4.020 Public Use Areas	52
3.4.030 Sanitary Sewer and Water Service Improvements.	53
3.4.040 Storm Drainage Improvements	54
3.4.050 Utilities	55
3.4.060 Easements	56
3.4.070 Construction Plan Approval	57
3.4.080 Installation	58
3.4.090 Performance Guarantee and Warranty Bond	59
Chapter 3.5 - Wireless Communication Facilities (WCF)	60
3.5.010 Purpose	60
3.5.020 Review Procedure	60
3.5.030 Visual Impact Area	60
3.5.040 Application Requirements	60
3.5.050 Location Restrictions	61
3.5.060 Development Standards	61
3.5.070 Operational Certificate Required	62
Chapter 3.6 - Signs	
3.6.010 Purpose	63
3.6.020 Scope	63
3.6.030 Definitions	64
3.6.040 Exempted Signs	68
3.6.050 Prohibited Signs	69
3.6.060 Temporary Signs	70

3.6.065	Garage Sale Signs	71
3.6.070	Permanent Signs	71
3.6.075	Murals	74
3.6.080	Sign Permits	74
3.6.090	Abandoned Signs	75
3.6.100	Construction and Maintenance Standards	75
3.6.110	Nonconforming Signs	75
3.6.120	Exceptions	75
3.6.130	Enforcement	76
3.6.140	Sign Type Illustrations	77

Article 3 - Community Design Standards

Chapters:

3.0 Design Standards Administration

3.1 Access and Circulation

3.2 Landscaping, Street Trees, Fences and Walls

3.3 Parking and Loading

3.4 Public Facilities

3.5 Wireless Communication Facilities (WCF)

3.6 Signs

[3.7 Surface Water Management]

[3.8 Outdoor Lighting]

**brackets indicate chapter is reserved for future amendment*

Chapter 3.0 - Design Standards Administration

Sections:

3.0.010 Design Standards - Purpose

3.0.020 Design Standards - Applicability

3.0.010 Design Standards - Purpose

The following describes how the Community Design Standards (Article 3) are applied, and the relationship between Article 3 and the supplemental design standards for specific land uses and building types contained in Article 2.

3.0.020 Design Standards - Applicability

The standards in Article 3 are applied based on whether a project is classified as a *Major Project* or a *Minor Project*. In addition, each chapter of Article 3 contains “applicability directions.” Applicants must demonstrate compliance with the applicable provisions of this Development Code:

A. Major Project. Projects requiring Site Design Review (Chapter 4.2), Land Division (Chapter 4.3), Master Planned Development (Chapter 4.5), amendment to the Comprehensive Plan or Zoning Map (Chapter 4.7), or other major land use approval must comply with the Development Code, including but not limited to the following:

- Access and Circulation (Chapter 3.1)
- Landscaping, Street Trees, Fences and Walls (Chapter 3.2)
- Parking and Loading (Chapter 3.3)
- Public Facilities (Chapter 3.4)
- *[Signs (Chapter 3.6) - Reserved]*
- *[Surface Water Management (Chapter 3.7) - Reserved]*
- *[Outdoor Lighting (Chapter 3.7) - Reserved]*

B. Minor Project. Minor projects are small developments and land use actions that require only Land Use Review or Conditional Use approval where no Site Design Review is required. Applicants must comply with the Development Code, including but not limited to the following as applicable:

- Access and Circulation (Chapter 3.1)
- Landscaping, Street Trees, Fences and Walls (Chapter 3.2)
- Parking and Loading (Chapter 3.3)
- *[Signs (Chapter 3.6) - Reserved]*
- *[Surface Water Management (Chapter 3.7) - Reserved]*
- *[Outdoor Lighting (Chapter 3.7) - Reserved]*

- C. **Non-Conforming Situations.** Where an existing, lawfully established structure or development does not comply with the standards of this Code, the structure/development is allowed to continue as a legal non-conforming use, subject to the provisions of Chapter 5.2 Non-Conforming Uses and Developments.

Chapter 3.1 - Access and Circulation

Sections:

3.1.010 Purpose

3.1.020 Vehicular Access and Circulation

3.1.030 Pedestrian Access and Circulation

3.1.010 Purpose

The purpose of this Chapter is to ensure that developments provide safe and efficient access and circulation for pedestrians and vehicles. Section 3.1.020 provides standards for vehicular access and circulation. Section 3.1.030 provides standards for pedestrian access and circulation. Standards for streets and other transportation system improvements are provided in Section 3.4.010.

3.1.020 Vehicular Access and Circulation

- A. **Intent and Purpose.** The intent of this Section is to manage access to land uses and on-site circulation, and to preserve the transportation system in terms of safety, capacity, and function. This Section applies to all public streets within the City of Dallas, and to all properties that abut these roadways. This Section implements the transportation policies of the City of Dallas Transportation System Plan.
- B. **Applicability.** This Chapter applies to all public streets within the City and to all properties that abut these streets. The standards apply when lots are created, consolidated, or modified through a land division, partition, lot line adjustment, lot consolidation, or street vacation; and when properties are subject to Land Use Review or Site Design Review.
- C. **Access Permit Required.** Access to a public street (e.g., a new curb cut or driveway approach) requires an Access Permit. An access permit may be in the form of a letter to the applicant, or it may be attached to a land use decision notice as a condition of approval. In either case, approval of an access permit shall follow the procedures and requirements of the applicable roadway authority, as determined through the review procedures in Article 4.
- D. **Traffic Study Requirements.** The City may require a traffic study prepared by a qualified professional to determine access, circulation, and other transportation requirements in conformance with Section 4.1.090, Traffic Impact Study.
- E. **Conditions of Approval.** The City or other roadway authority, as applicable, may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an

access permit, to ensure the safe and efficient operation of the street and highway system.

F. **Access Spacing.** Driveway accesses shall be separated from other driveways and street intersections in accordance with the following standards:

1. **State Highways.** The following access spacing standards apply with regard to redevelopment or change in land use, roadway improvements, or new access points along Kings Valley Highway and Dallas Rickreall Highway within Dallas. Access to Kings Valley Highway and Dallas Rickreall Highway shall be subject to the applicable standards and policies contained in the Oregon Highway Plan and OAR 734-051 (Division 51).

Table 3.1.020F(1) Access Spacing Standards for State Highways within Dallas

Speed	Urban Non-Expressway (feet)	Urban Business Area (UBA), Urban (feet)	Special Transportation Area (STA), Urban (feet)
55+ MPH	700		
40 & 45 MPH	500		
35 MPH or less	400	350	175*

* Urban STA Spacing is 175 feet or mid-block if the current block spacing is less than 350 feet. Note: From OAR 734-051, Table 4, Access Management Spacing Standards for Private and Public Approaches on District Highways.

2. **Arterial, Collector and Local Streets.** The following access spacing standards apply with regard to redevelopment or change in land use, roadway improvements, or new access points along arterial, collector and local streets within Dallas. Access spacing on collector and arterial streets (other than state highways) and at controlled intersections (four-way stop sign or traffic signal) shall be determined based on the policies and standards contained in the Dallas Transportation System Plan. A minimum of 50 feet separation (as measured from centerlines of the driveway/street) is required on local streets (i.e. streets not designated as collectors or arterials), except that driveways can adjoin each other for single family dwellings and meet this standard. See also, subsection 3.1.020(F)(3) below.

Table 3.1.020F(2) Access Spacing Standards for City Roadways within Dallas

Functional Classification	Minimum Posted Speed (MPH)	Minimum Access Spacing (feet)
Arterial	35	200
Collector	25	50
Local	25	50

3. **Special Provisions for All Streets.** Direct street access may be restricted for some land

uses, in conformance with the provisions of Article II. Zoning Districts and Use Categories. For example, access consolidation, shared access, and/or access separation greater than that specified by subsections a-c may be required by the City, Polk County, or ODOT for the purpose of protecting the function, safety and operation of the street for all users (see section 18 below). Where no other alternatives exist, the permitting agency may allow construction of an access connection along the property line farthest from an intersection. In such cases, directional connections (i.e., right in/out, right in only, or right out only) may be required.

4. Corner Clearance. The distance from a street intersection to a driveway or other street access shall meet or exceed the minimum spacing requirements for the street classification in the Dallas Transportation System Plan.

G. Number of Access Points. For single-family (detached and attached), two-family, and three-family housing types, one street access point is permitted per lot, when alley access cannot otherwise be provided; except that two access points may be permitted for two-family and three-family housing on corner lots subject to the access spacing standards in subsection 3.1.020F above. The number of street access points for multiple family, commercial, industrial, and park & open space developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be required in order to maintain the required access spacing and minimize the number of access points.

H. Shared Driveways. The number of driveway and private street intersections with public streets shall be minimized by the use of shared driveways with adjoining lots where feasible. As applicable, the City shall require shared driveways as a condition of land divisions or site design review for traffic safety and access management purposes in accordance with the following standards:

1. Shared Driveways and Frontage Streets. These treatments may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable parcels to indicate future extension. “Stub” means that a driveway or street temporarily ends at the property line, but may be extended in the future as the adjacent parcel develops. “Developable” means that a parcel is either vacant or it is likely to receive additional development (due to infill or redevelopment potential).
2. Access Easements. Access easements for the benefit of affected properties shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.

I. Joint and Cross Access – Requirement. When necessary for traffic safety and access management purposes, or to access flag lots, the City may require joint access and/or shared driveways in the following situations as follows:

1. For shared parking areas;

2. For adjacent developments, where access onto an arterial is limited;
3. For multi-tenant developments, and developments on multiple lots or parcels. Such joint accesses and shared driveways shall incorporate all of the following:
 - a. A continuous service drive or cross-access corridor that provides for driveway separation consistent with the applicable transportation authority's access management classification system and standards;
 - b. A design speed of 10 miles per hour and a maximum width of 22 feet, in addition to any parking alongside the driveway; additional driveway width or fire lanes may be approved when necessary to accommodate specific types of service vehicles, loading vehicles, or emergency service provider vehicles;
 - c. Driveway stubs to property lines (for future extension) and other design features to make it easy to see that the abutting properties may be required with future development to connect to the cross-access driveway;

J. Joint and Cross Access – Easement and Use and Maintenance Agreement. Pursuant to this Section, property owners shall:

1. Record an easement with the deed allowing cross-access to and from other properties served by the joint-use driveways and cross-access or service drive;
2. Record an agreement with the deed that remaining access rights along the roadway for the subject property shall be dedicated to the City and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;
3. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.

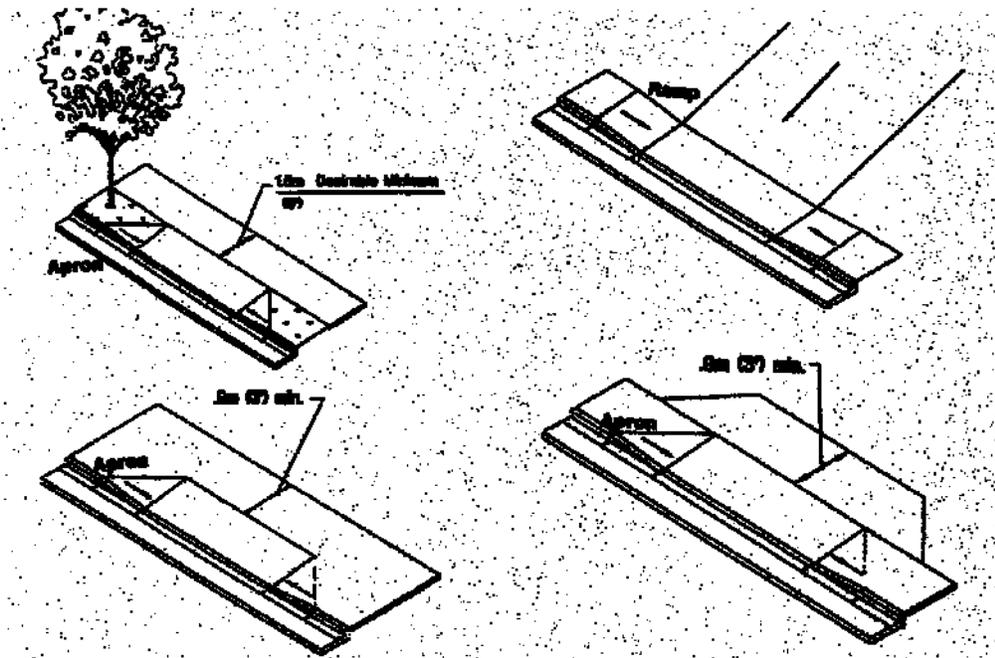
K. Access Connections and Driveway Design. All driveway connections to a public right-of-way (access) and driveways shall conform to all of the following design standards:

1. Driveway Width. Driveways shall meet the following standards:
 - a. One-way driveways (one way in or out) shall have a minimum driveway width of 10 feet (single lane) and a maximum width of 12 feet per lane, and shall have appropriate signage designating the driveway as a one-way connection.
 - b. For two-way access, each lane shall have a minimum width of 9 feet and a maximum width of 11 feet.
2. Driveway Approaches. Driveway approaches shall be designed and located to provide exiting vehicles with an unobstructed view of other vehicles and pedestrians, and to prevent vehicles from backing into the flow of traffic on the public street or causing conflicts with on-site circulation. Construction of driveway accesses along acceleration

or deceleration lanes or tapers should be avoided due to the potential for vehicular conflicts. Driveways should be located to allow for safe maneuvering in and around loading areas. See also, Chapter 3.3, Parking and Loading.

3. Driveway Construction. Driveway aprons (when required) shall be constructed of concrete and shall be installed between the street right-of-way and the private drive, as shown in Figure 3.1.020K. Driveway aprons shall conform to Americans with Disability Act requirements for sidewalks and walkways, which generally require a continuous unobstructed route of travel that is not less than 3 feet in width, with a cross slope not exceeding 2 percent, and providing for landing areas and ramps at intersections.

Figure 3.1.020K Examples of Acceptable Driveway Openings Next to Sidewalks/Walkways



Note: Configurations on the left are preferable. Use configurations on the right only where space or topographic limitations apply.

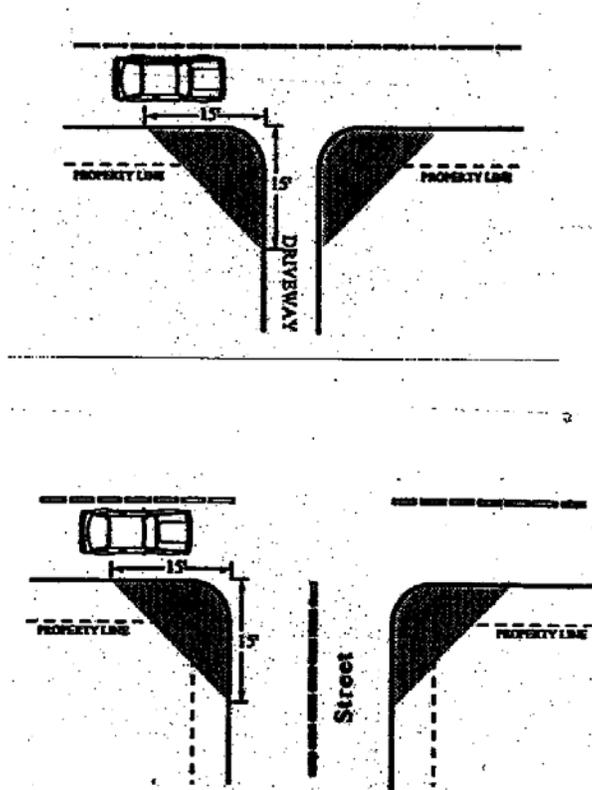
3.1.020 – Vehicle Access and Circulation

- L. **Fire Access and Turnarounds.** When required by applicable Fire Codes, fire access lanes with turnarounds shall be provided. Except as waived in writing by the Fire Marshal, a fire equipment access drive shall be provided within 150 of all exterior walls of the first story of a building that is located more than 150 feet from an existing public street. The drive shall contain unobstructed adequate aisle width (14-20 feet) and turn-around area for emergency vehicles. The Fire Marshal may require that fire lanes be marked as “No Stopping/No Parking.” For requirements related to cul-de-sacs or dead-end streets, please refer to Section 3.4.010N.

- M. **Vertical Clearances.** Driveways, private streets, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13’ 6” for their entire length and width.

- N. **Vision Clearance.** No visual obstruction (*e.g.*, sign, structure, solid fence, or shrub vegetation) between three (3) feet and eight (8) feet in height shall be placed in “vision clearance areas” on streets, driveways, alleys, or mid-block lanes where no traffic control stop sign or signal is provided, as shown in Figure 3.1.020N. The minimum vision clearance area may be modified by the City Engineer upon finding that more or less sight distance is required (*i.e.*, due to traffic speeds, roadway alignment, etc.). The City Engineer may allow light standards, utility poles, tree trunks and similar objects within a required clear vision area. See also, Chapter 6.2 Methods of Measurement.

Figure 3.1.020N Vision Clearance Areas



O. Conditions and Exceptions.

1. The City may impose turning restrictions (i.e., right in/out, right in only, or right out only) for safety and to maintain adequate traffic operations where a driveway opens onto a collector or arterial street.
2. Access to and from off-street parking areas shall not permit backing onto a public street, except for single-family dwellings.
3. The City may reduce required separation distance of access points where they prove impractical due to lot dimensions, existing development, other physical features, or conflicting code requirements, provided all of the following requirements are met:
 - a. Joint-use driveways and cross-access easements are provided;
 - b. The site plan incorporates a unified access and circulation system in accordance with this Section; and
 - c. The property owner(s) enter in a written agreement with the City, recorded with the deed, that pre-existing connections on the site will be closed and eliminated after construction of each side of the joint-use driveway.

P. Site Circulation. New developments shall be required to provide a circulation system that accommodates expected traffic on the site. Pedestrian connections on the site, including connections through large sites, and connections between sites (as applicable) and adjacent sidewalks, must conform to the provisions in Section 3.1.030.

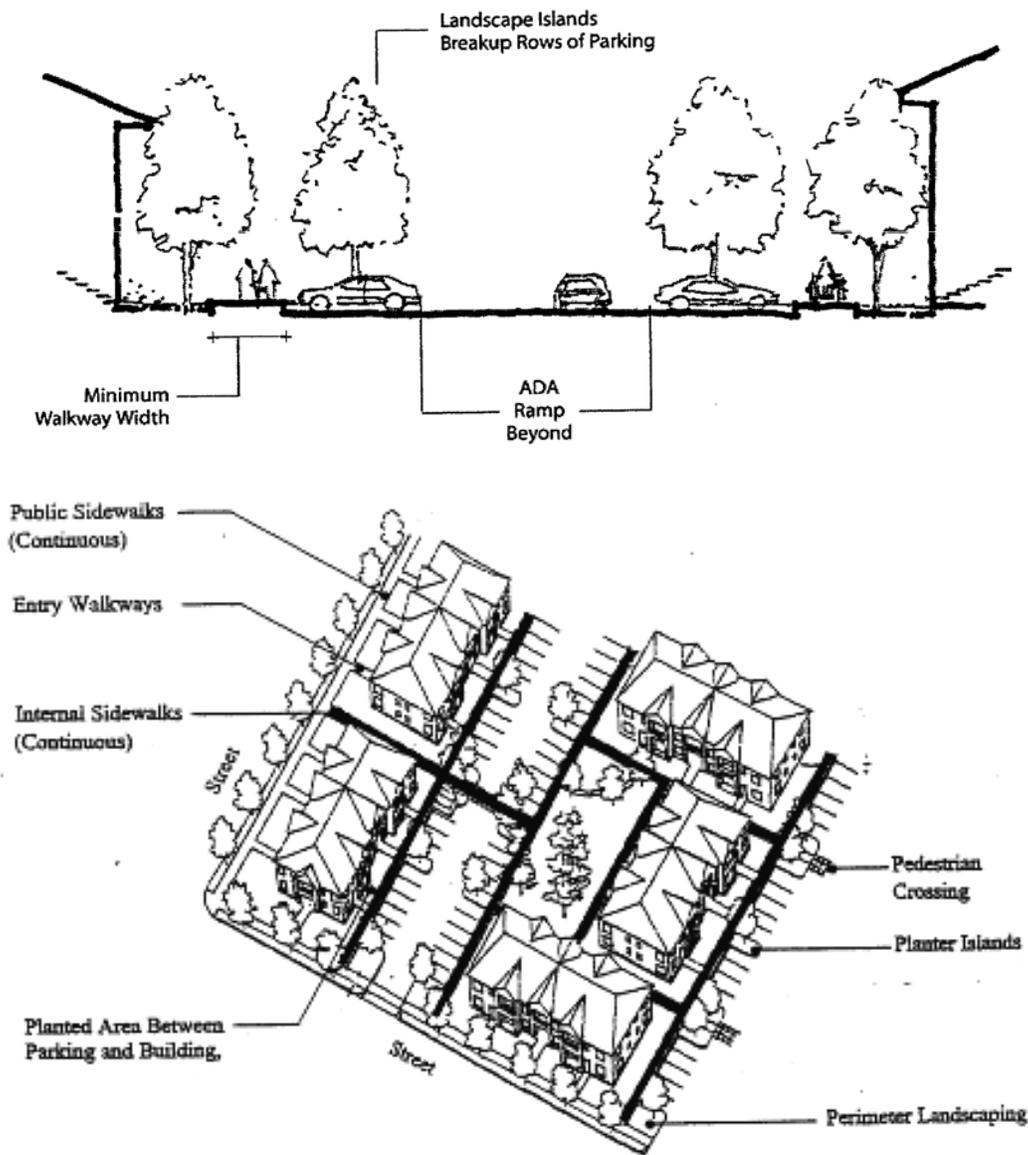
Q. Construction. The following development and maintenance standards shall apply to all driveways and private streets, except that the standards do not apply to driveways serving one single-family detached dwelling:

1. Surface Options. Driveways, parking areas, aisles, and turnarounds may be paved with asphalt, concrete, or comparable surfacing, including interlocking pavers or other durable paving material. When approved by the City Engineer, porous paving systems may be used to manage surface water runoff. All paving materials shall be subject to review and approval by the City Engineer.
2. Surface Water Management. All driveways, parking areas, aisles, and turnarounds shall have on-site collection of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facilities shall be constructed in conformance with Chapter 3.7 and applicable engineering standards.
3. Driveway Aprons. When driveway approaches or “aprons” are required to connect driveways to the public right-of-way, they shall be paved with concrete surfacing and conform to the City’s engineering design criteria and standard specifications. (See general illustrations in Section 3.1.020K, above.)

3.1.030 Pedestrian Access and Circulation

- A. Site Layout and Design.** To provide safe, direct, and convenient pedestrian circulation, all developments, except single-family and duplex dwellings shall provide a continuous pedestrian system within the development site that connects to the public right-of-way, regardless of whether a public sidewalk currently exists. The pedestrian system shall be based on the standards in subsections 1-4, below:
1. Continuous Walkway System. The pedestrian walkway system shall extend throughout the development site and connect to all future phases of development, if any, and to existing or planned off-site adjacent trails, public parks, and open space areas to the greatest extent practicable. The developer may also be required to connect or stub walkway(s) to adjacent streets and to private property with a previously reserved public access easement for this purpose, in accordance with the provisions of Section 3.1.020, Vehicular Access and Circulation, and Section 3.4.010, Transportation Standards.
 2. Safe, Direct, and Convenient. Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:
 - a. Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.
 - b. Safe and convenient. Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.
 - c. "Primary entrance" is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance, as applicable.
 3. Connections Within Development. Connections within developments shall be provided as required in subsections a-c, below:
 - a. Walkways shall connect all building entrances to one another to the extent practicable, as generally shown in Figure 3.1.030A(1);
 - b. Walkways shall connect all on-site parking areas, storage areas, recreational facilities and common areas, and shall connect off-site adjacent uses to the site to the extent practicable. Topographic or existing development constraints may be cause for not making certain walkway connections, as generally shown in Figure 3.1.030A(1); and

Figure 3.1.030A(1) Pedestrian Pathway System (Typical)



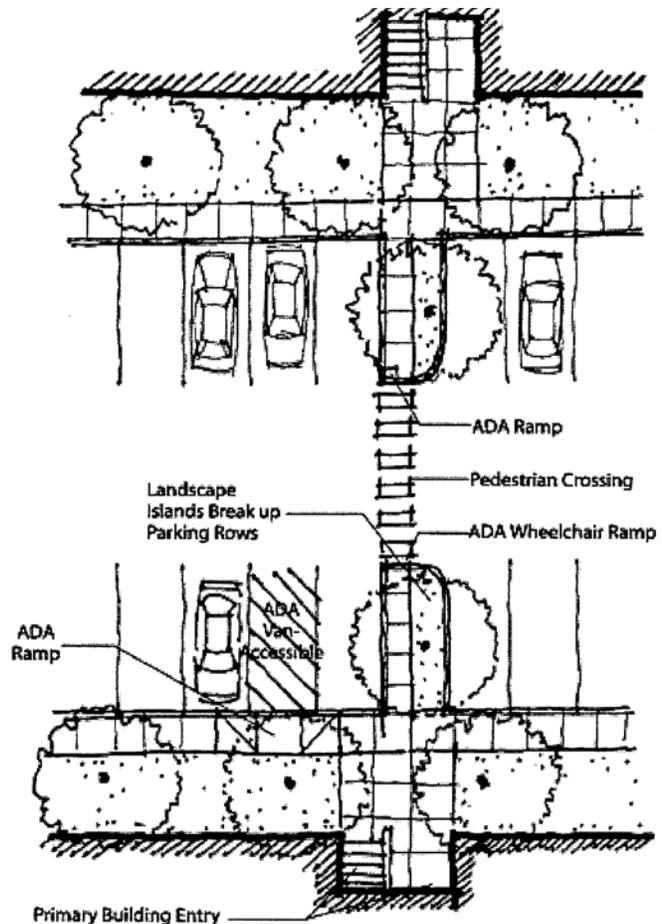
- c. Parking areas containing twenty four (24) or more parking spaces shall be broken up so that parking bays do not exceed twelve (12) contiguous parking spaces without a break. Parking areas may be broken up with landscape areas (per subsection 3.2.030.E), handicap-accessible walkways, plazas, streets, or driveways with street-like features. Street-like features, for the purpose of this section, means a raised sidewalk that is at least four (4) feet wide for residential projects and at least six (6) feet wide in all other projects, with 6-inch raised curbs, accessible curb ramps, street trees in planter strips or tree wells, and pedestrian-oriented lighting. See also, “shopping street” provisions in Section 2.2.060.D.

B. **Walkway Design and Construction.** Walkways, including those provided with access ways through a block, shall conform to all of the standards in subsections 1-4, below, as generally illustrated in Figure 3.1.030B:

1. Vehicle/Walkway Separation. Except for crosswalks (subsection 2), where a walkway abuts a driveway or street, it shall be raised 6 inches and curbed along the edge of the driveway/street. Alternatively, the decision body may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is protected from all vehicle maneuvering areas. An example of such protection is a row of decorative metal or masonry bollards designed to withstand a vehicle’s impact, with adequate minimum spacing between them to protect pedestrians.
2. Crosswalks. Where a walkway crosses a parking area, driveway, or street (“crosswalk”), it shall be clearly marked with contrasting paving materials (*e.g.*, light-color concrete or pavers inlayed between asphalt), which may be part of a raised/hump crossing area. The reviewing body may approve painted or thermo-plastic striping and similar types of non-permanent applications may be approved for crosswalks not exceeding 24 feet in length.

3. Walkway Width and Surface. Walkway and accessway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, as approved by the City Engineer, at least four (4) feet wide in residential projects and at least six (6) feet wide in all other projects. Multi-use paths (*i.e.*, for bicycles and pedestrians) shall be concrete or asphalt, at least 10 feet wide, or as required by the roadway authority or park district, as applicable.

4. Accessible routes. Walkways shall comply with applicable Americans with Disabilities Act (ADA) requirements. The ends of all raised walkways, where the walkway intersects a driveway or street shall provide ramps that are ADA accessible, and walkways shall provide direct routes to primary building entrances.



Chapter 3.2 - Landscaping, Street Trees, Fences and Walls

Sections:

- 3.2.010 Purpose**
- 3.2.020 Landscape Conservation**
- 3.2.030 Landscaping**
- 3.2.040 Street Trees**
- 3.2.050 Fences and Walls**

3.2.010 Purpose

The purpose of Chapter 3.2 is to promote community health, safety, and welfare by protecting natural vegetation and setting development standards for the design, installation, and maintenance of landscaping, street trees, fences, and walls; and for alterations to the same. Together, these elements of the natural and built environment contribute to the visual quality, environmental health, and character of the community. Trees provide climate control through shading during summer months and wind screening during winter. Trees and other plants can also buffer pedestrians from traffic. Walls, fences, trees, and other landscape materials also provide vital screening and buffering between land uses. Landscaped areas help to control surface water drainage and can improve water quality, as compared to paved or built surfaces. Likewise, proper maintenance of landscape features is necessary to protect the public health and safety. The Chapter is organized into the following sections:

- A. **Section 3.2.020 Landscape Conservation** prevents the indiscriminate removal of significant trees and other vegetation, including vegetation associated with streams, wetlands, and other protected natural resource areas. Landscape conservation helps prevent soil erosion and landslide hazards, while protecting natural resource values (*e.g.*, stream flow and water quality) and community aesthetics. Conservation of native, non-invasive plant and tree species is a high priority in areas subject to natural hazards, such as hillsides and riparian areas. Regulation of tree removal in other areas of the city is intended to balance residential privacy with the desire for views from, and solar access to, individual residences.
- B. **Section 3.2.030 - Landscaping** sets standards for and requires landscaping of all development sites that require Site Design Review. This section also requires buffering for parking and vehicle maneuvering areas, and in some instances between different land uses. Section 3.2.030 is to be applied in conjunction with Article 2, Land Use Districts.
- C. **Section 3.2.040 Street Trees** sets standards for and requires planting of trees where landscape park strips are designated. Street trees add to property values and community livability by providing summer shade along walks, comfort and safety to pedestrians, improved air quality along major streets, and improved community aesthetics.
- D. **Section 3.2.050 Fences and Walls** sets standards for new fences and walls, including allowable height and materials, to promote security, personal safety, privacy, and aesthetics.

3.2.020 Landscape Conservation

- A. **Applicability.** All development sites containing Significant Vegetation, as defined by subsection B, below, shall comply with the standards of this Section. The purpose of this Section is to incorporate significant native vegetation into the landscapes of development to the greatest extent practicable. The retention of mature, native vegetation within developments is a preferred alternative to removal of vegetation and re-planting, particularly on steep slopes and areas prone to landslide or susceptible to soil erosion. Mature landscaping provides summer shade and wind breaks, controls erosion, and allows for water conservation due to larger plants having established root systems.
- B. **Significant Vegetation.** “Significant vegetation” means individual trees and shrubs within an Open Space District, any existing or proposed open space area within a development, geological hazard areas, flood plains, and jurisdictional wetlands, as determined by a natural resource agency with jurisdiction, except that protection shall not be required for plants listed as non-native, invasive plants by the Oregon State University (OSU) Extension Service, Polk County, or other government agency, where removal of vegetation is necessary to protect the public health, safety or welfare as determined by the City approval body.
- C. **Mapping and Protection Required.** Significant vegetation shall be mapped as required by Chapter 4.2, Site Design Review. Significant trees shall be mapped individually and identified by species and diameter or caliper at 4 feet above grade, except where a site contains more than five acres the Community Development Director may require a canopy-level inventory of trees for a preliminary land division application. A “protection” area shall be defined around the edge of all branches (drip-line) of each tree. Drip lines may overlap between trees. The City also may require an inventory, survey, or assessment prepared by a qualified professional when necessary to determine construction boundaries, building setbacks, and other protection or mitigation requirements.
- D. **Protection Standards.** Significant trees and shrubs identified as meeting the criteria in Section B, above, shall be retained to the extent practicable to minimize the risk of erosion, landslide, and stormwater runoff. Where protection is impracticable because it would prevent reasonable development of public streets, utilities, or land uses permitted by the applicable land use district, the City may allow removal of significant vegetation to provide for a reasonable building envelope (area exclusive of required yard setbacks), and areas for access and utilities. Where other areas must be disturbed to provide for construction staging areas, the applicant shall be required to restore such areas after construction with landscaping to prevent erosion and to protect the public health, safety, and welfare. With the owner’s consent, the City may accept a land dedication or become a party to a conservation easement on private property for conservation purposes.
- E. **Construction; Erosion and Sediment Control.** An erosion and sediment control plan is required for all new construction. All significant vegetation on a site that is not otherwise designated and approved by the City for removal shall be protected prior to, during, and after construction in accordance with a limit-of-clearing and grading plan approved by the City. The City may limit grading activities and operation of vehicles and heavy equipment in and

around significant vegetation areas, streams and other water bodies to prevent erosion, pollution, or landslide hazards. See also, Chapter 2.8 Wetland and Riparian Overlay.

F. **Exemptions.** The protection standards in “D” and “E” shall not apply to:

1. Dead or Diseased Vegetation. Dead or diseased vegetation may be removed from an area containing significant vegetation, as defined by subsection B, provided the burden is on the property owner to demonstrate to the Community Development Director that said vegetation is in fact diseased or dead before it is removed.
2. Hazardous Vegetation and Other Emergencies. Significant vegetation may be removed without land use approval pursuant to Article 4 when the vegetation poses an immediate threat to life or safety, or the vegetation must be removed for other reasons of emergency (e.g., fallen over road or power line, blocked drainage way, or similar circumstance), as determined by the City Community Development Director or emergency service provider.

3.2.030 Landscaping

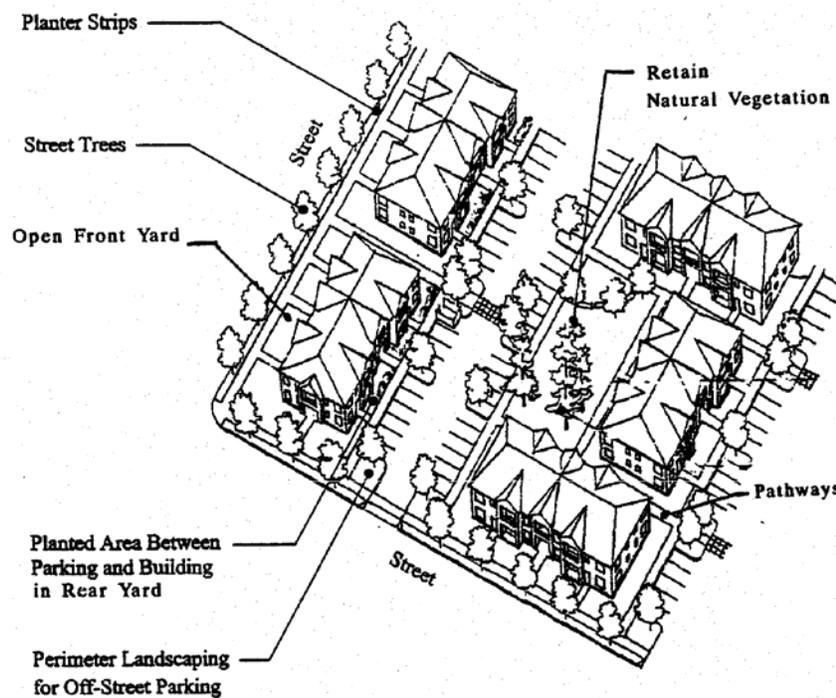
- A. **Applicability.** This Section shall apply to all new developments requiring Site Design Review. The landscape standards may be modified in accordance with the Adjustment procedure in Section 4.2.060.B. The Community Development Director may approve an adjustment to any standard in this section by up to 20%; the Planning Commission reviews larger adjustments.
- B. **Landscaping Plan Required.** A landscape plan is required. All landscape plans shall conform to the requirements in Chapter 4.2.050B.5 (Landscape Plans).
- C. **Landscape Area Standards.** The minimum percentage of required landscaping equals:
1. Residential Districts. 15 percent of the site, except not required for single family and duplex lots.
 2. Central Business District (CBD). Comply with Section 2.3.090 Commercial Districts, Civic Space and Pedestrian Amenities, and Section 3.2.040 Street Trees. Where a Streetscape Plan has been adopted for an abutting right-of-way, landscape improvements shall conform to that plan.
 3. Commercial General District (CG). 10 percent of the site.
 4. Commercial Neighborhood District (CN). 15 percent of the site
 5. Mixed Use Node (MP). Subject to review under Chapter 2.6 and Chapter 4.5
 6. Industrial General District. 10 percent of the site, except as approved with a CUP.
 7. Parks and Open Space District. 50 percent of the site, except as approved with CUP.
 8. Wetland and Riparian Overlay. Subject to review under Chapter 2.8
- D. **Landscape Materials.** Permitted landscape materials include trees, shrubs, ground cover plants, non-plant ground covers, and outdoor hardscape features, as described below. “Coverage” is based on the projected canopy cover of all plants upon maturity, i.e., typically three (3) or more years after planting.
1. Existing Vegetation. Existing non-invasive vegetation may be used in meeting landscape requirements. When existing mature trees with a trunk diameter greater than ten (10) inches are protected on a development site (e.g., within or adjacent to parking areas) the decision making body may reduce the number of new trees required by a ratio of one (1) inch caliper of new tree(s) for every one (1) inch caliper of existing tree(s) protected. This provision does not waive the requirement for landscape areas or “breaks” between parking bays under Chapter 3.1.030 and 3.2.030E; it only reduces the number of new trees that may be required where existing mature trees are preserved.

2. Plant Selection. A combination of deciduous and evergreen trees, shrubs, and ground covers shall be used for all planted areas, the selection of which shall be based on local climate, exposure, water availability, and drainage conditions. When new vegetation is planted, soils shall be amended, as necessary, to allow for healthy plant growth.
3. “Non-native, invasive” plants, as per Section 3.2.020.B, shall be removed during site development, to the extent practicable, to prevent their spreading; and the planting of new invasive species is prohibited.
4. Hardscape features, In meeting the landscape area requirements of this Chapter, and where soil and drainage conditions allow, areas covered by unenclosed patios, decks, plazas, and similar hardscape features may count toward up to fifty percent (50%) of the required landscape area, provided that such surfaces allow for stormwater infiltration to the aquifer. Swimming pools, sports courts, and similar active recreation facilities may not be counted toward fulfilling the landscape requirement.
5. Ground Cover Standard. All landscaped area, whether or not required, that is not planted with trees and shrubs, shall have ground cover plants that are sized and spaced as follows: a minimum of one (1) plant per twelve (12) inches on center in triangular spacing, or other planting pattern that is designed to achieve at least fifty percent (50%) coverage of all landscape surface areas.
6. Tree Size. Trees shall have a minimum diameter or caliper 4 feet above grade of two 2 inches or greater at time of planting.
7. Shrub Size. Shrubs shall be planted from 5 gallon containers or larger.
8. Non-plant Ground Covers. Bark dust, chips, or similar mulch shall be used to cover all landscape surfaces not otherwise planted or covered with hardscape surfaces. Stone, aggregate and similar materials may be used as ground cover, but shall cover no more than fifty percent (50%) of the area to be landscaped and shall be limited to footpaths, landscape bed borders, or structures providing erosion control or stormwater management. Non-plant ground covers cannot be a substitute for ground cover plants.
9. Significant Vegetation. Significant vegetation protected in accordance with Section 3.2.020 may be credited toward meeting the minimum landscape area standards. Credit shall be granted on a per square foot basis. The Street Tree standards of Section 3.2.040 may be waived by the City when existing mature trees protected within the front yard provide the same or better shading, visual quality, and compatibility with adjacent structures and utilities as would otherwise be provided by standard street trees.
10. Storm Water Facilities. Surface storm water treatment facilities (e.g., detention/retention ponds and swales designed for water quality treatment), when required under Section 3.4.040, shall be landscaped with water tolerant, native plants.

E. **Landscape Design Standards.** All yards, parking lots, and required street tree planter strips shall be landscaped to achieve the following criteria:

1. Yard Setback Landscaping. Landscaping in yards shall:
 - a. Provide visual screening and privacy within side and rear yards; while leaving front yards and building entrances mostly visible for security purposes and maintaining opportunities for solar access and territorial views;
 - b. Use shrubs and trees as wind breaks;
 - c. Consider the root and canopy growth characteristics of trees and avoid conflicts with utilities;
 - d. Retain natural vegetation where it does not conflict with clear vision requirements and utilities;
 - e. Define pedestrian pathways and open space areas with landscape materials;
 - f. Provide focal points within a development, for example, by preserving large or unique trees or groves, hedges, and flowering plants;
 - g. Use trees to provide summer shading within common open space areas and within front yards when street trees cannot be provided;
 - h. Use a combination of plants for year-long color and interest;
 - i. Use landscaping to screen outdoor storage and mechanical equipment areas, and to enhance graded areas such as berms, swales, and detention/retention ponds.

Figure 3.2.030E General Landscape Areas (Typical)



2. Parking areas. A minimum of ten percent (10%) of the total surface area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of “evenly distributed” shade trees with shrubs and/or ground cover plants that conform to the criteria in Section 3.2.030.E.1.a-h, above. “Evenly distributed” means that the trees and other plants are distributed around the parking lot perimeter and between parking bays to provide a partial canopy. At a minimum, one tree per twelve (12) parking spaces on average shall be planted to create a partial tree canopy over and around the parking area. All parking areas with more than twenty-four (24) spaces shall include landscape islands with trees to break up the parking area into rows of not more than twelve (12) contiguous parking spaces. All parking area landscapes shall have dimensions of not less than 24 square feet of area, or not less than 4 feet in width by 6 feet in length, to ensure adequate soil, water, and space for healthy plant growth. (See Figures in Section 3.1.030.)
3. Buffering and Screening Required. Buffering and screening are required as follows:
 - a. Parking/Maneuvering Area Adjacent to Streets and Drives. Where a parking or maneuvering area is adjacent and parallel to a street or driveway, an evergreen hedge; decorative wall (masonry or similar quality material) with openings; arcade, trellis, or similar partially opaque structure between 3-4 feet in height shall be established between street and driveway. The required screening shall have breaks, where

necessary, to allow pedestrian access to the site. The design of the wall or screening shall also provide breaks or openings for visual surveillance of the site and security. Evergreen hedges used to comply with this standard shall be a minimum of 36 inches in height at maturity, and shall be of such species, number, and spacing to provide the required screening within one (1) year after planting. Any areas between the wall/hedge and the street/driveway line shall be landscaped with plants or other vegetative ground cover.

- b. Parking/Maneuvering Area Adjacent to Building. Where a parking or maneuvering area, or driveway, is adjacent to a building, the area shall be separated from the building by a curb and a raised walkway, plaza, or landscaped buffer not less than five (5) feet in width. Raised curbs, bollards, wheel stops, or other design features shall be used to protect pedestrians, landscaping, and buildings from being damaged by vehicles. Where parking areas are located adjacent to a ground-floor residence, a four (4) foot wide landscape buffer with a curbed edge may fulfill this requirement.
- c. Screening of Mechanical Equipment, Outdoor Storage, Service and Delivery Areas, and Other Screening When Required. All mechanical equipment, outdoor storage and manufacturing, and service and delivery areas, shall be screened from view from all public streets and adjacent Residential districts. When these or other areas are required to be screened, such screening shall be provided by:
 1. a decorative wall (i.e., masonry or similar quality material),
 2. evergreen hedge,
 3. opaque fence complying with Section 3.2.050, or
 4. a similar feature that provides an opaque barrier.

Walls, fences, and hedges shall comply with the vision clearance requirements and provide for pedestrian circulation, in accordance with Chapter 3.1, Access and Circulation. (See Section 3.2.050 for standards specific to fences and walls.)

- d. Flag Lot Screen. In approving a flag lot, as regulated under Chapter 4.3 Land Divisions, the City may require a landscape screen and/or fence be installed along property line(s) of the flag lot, for privacy of adjoining residents, in accordance with the provisions of Section 4.3.115. A flag lot screen shall not be required if the abutting property owner(s) indicate in writing that they do not want a screen or fence, however, the owner may install one at his or her discretion.
- F. **Maintenance and Irrigation.** All yards and landscape areas, regardless of whether such areas are required by this Code, shall be maintained in good health, with sufficient irrigation and care. Irrigation shall be required through Site Design Review for new landscaping; temporary irrigation for a period of two years may be permitted where proposed species are drought tolerant. If the plantings fail to survive, the property owner shall replace them with an equivalent specimen (i.e., evergreen shrub replaces evergreen shrub, deciduous tree replaces deciduous tree, etc.). All plants and non-plant materials, including man-made features, on a site shall be maintained in good condition, or otherwise be replaced by the owner upon being notified by the City of such code violation.

3.2.040 Street Trees

Street trees shall be planted for all developments that are subject to Land Division or Site Design Review where landscape park strips exist or are required with the development. Requirements for street tree planting strips are provided in Section 3.4.010, Transportation Standards. Planting of street trees shall generally follow construction of curbs and sidewalks, however, the City may defer tree planting until final inspection of completed dwellings to avoid damage to trees during construction. The planting and maintenance of street trees shall conform to the following standards and guidelines, Dallas City Code 3.800 to 3.820, and any applicable road authority requirements:

- A. **Growth Characteristics.** Trees shall be selected based on climate zone, growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance, and in consideration of any list of desirable street trees that may be established from time to time by the City Park Board pursuant to Dallas City Code 3.804. The following should guide tree selection by developers and approval by the City:
1. Provide a broad canopy where shade is desired, except where limited by overhead utilities or other space limitations.
 2. Use low-growing trees for spaces under low utility wires.
 3. Select trees which can be “limbed-up” to comply with vision clearance requirements.
 4. Use narrow or “columnar” trees where awnings or other building features limit growth, where view protection is desired, or where greater visibility is desired between buildings and the street.
 5. Use species with similar growth characteristics on the same block for design continuity.
 6. Avoid using trees that are susceptible to insect or pest damage and trees that produce excessive shoots (suckers), seeds or fruit.
 7. Select trees that are well-adapted to the environment, including soil, wind, sun exposure, temperature tolerance, and exhaust. Drought-resistant trees should be chosen where they suit the specific soil type.
 8. Select trees for their seasonal color if desired.
 9. Use deciduous trees for summer shade and winter sun, unless unsuited to the location due to soil, wind, sun exposure, annual precipitation, exhaust, or other considerations.
 10. The diameter of the tree trunk at maturity shall not exceed the width and size of the planter strip or tree well.

- B. **Tree Size at Planting.** The minimum tree size at planting is two (2) inch caliper measured four (4) feet above ground for deciduous trees, and six (6) foot height for evergreen trees.
- C. **Spacing and Location.** Street trees shall be planted within existing or proposed planting strips or in sidewalk tree wells on streets without planting strips, except where root system conflicts with utilities are unavoidable, in which case the City may approve trees planted in front yards of lots. Street tree spacing shall be based upon the type of tree(s) selected and the canopy size at maturity and, at a minimum, the planting area shall contain at least sixteen (16) square feet, or typically, four (4) feet by four (4) feet; trees shall be centered in the planter strip between sidewalk and curb. In general, trees should be spaced between thirty (30) feet and sixty (60) feet apart, except where planting a tree would conflict with existing trees, retaining walls, utilities and similar physical barriers. Actual spacing should be based on the trees' growth characteristics and provide for a mostly continuous tree canopy cover over adjacent sidewalks when the trees mature.
- D. **Soil Preparation, Planting and Care.** The developer of subdivision or new site development with street frontage improvements shall be responsible for planting street trees, including soil preparation, ground cover material, staking, and temporary irrigation for two (2) years after planting. The developer shall also be responsible for tree care (pruning, watering, fertilization, and replacement as necessary) during the first two years after planting, after which the adjacent property owners shall maintain the trees.
- E. **Assurances.** The City shall require developers of subdivisions (4 or more lots), including those within Master Planned Developments, to provide a performance and maintenance bond in an amount determined by the City Engineer, to ensure the maintenance, care and, if necessary, the replacement of required street trees during the first two (2) years after planting. See also, Section 3.4.090.
- F. **Tree Maintenance.** Maintenance of street trees, whether located in a public right-of-way or private property, is the ongoing responsibility of the adjoining property owner, subject to Dallas City Code 3.814.

3.2.050 Fences and Walls

A. General Requirements. All fences and walls shall comply with the height limitations of the respective land use district (Article 2) and the standards of this Section. The City may require installation of walls and/or fences as a condition of development approval, in accordance with land division approval (e.g., flag lots), approval of a conditional use permit, or site design review approval. When required through one of these types of approvals, no further land use review is required. If not part of a prior land use approval, new fences and walls require Land Use Review (Type I) approval; if greater than six (6) feet in height, a building permit is also required. (See also, Section 3.2.030 for screening requirements.)

B. Dimensions.

1. Except as provided under subsections 2 and 3, below, the height of fences and walls within a front yard setback shall not exceed four (4) feet as measured from the grade closest to the street right-of-way.
2. A retaining wall exceeding four (4) feet in height within a front yard setback, which is necessary for site grading and development, may be approved through a land division or site development review.
3. One arbor, gate, or similar garden structures not exceeding eight (8) feet in height and six (6) feet in width is allowed within a front yard, outside required clear vision areas.
4. Walls and fences to be built for required buffers shall comply with Section 3.2.030.
5. Fences and walls shall comply with the vision clearance standards of Section 3.1.020.

C. Maintenance. For safety and for compliance with the purpose of this Chapter, walls and fences required as a condition of development approval shall be maintained in good condition, or otherwise replaced by the property owner.

D. Materials.

1. Permitted fence and wall materials: weather-treated wood; untreated cedar and redwood; metal (e.g., chain link, wrought iron, and similar fences); bricks, stone, masonry block, formed-in-place concrete, or similar masonry; vinyl and composite (e.g., recycled) materials designed for use as fencing; and non-invasive evergreen plants kept to a height of no more than eight (8) feet, except single-trunk trees may exceed eight (8) feet.
2. Prohibited fence and wall materials: straw bales, tarps, barbed or razor wire; scrap lumber, untreated wood, metal (except chain link), scrap materials, and tarps; and dead, diseased, or dying plants.
3. Fences or walls constructed of brick or masonry exceeding four (4) feet in height shall be subject to review and approval by the City Building Official.

Chapter 3.3 - Parking and Loading

Sections:

3.3.010 Purpose

3.3.020 Applicability

3.3.030 Automobile Parking Standards

3.3.040 Bicycle Parking Standards

3.3.050 Loading

3.3.010 Purpose

The purpose of this Chapter is to provide basic and flexible standards for development of vehicle and bicycle parking. The design of parking areas is critically important to the economic viability of some commercial areas, pedestrian and driver safety, the efficient and safe operation of adjoining streets, and community image and livability. Historically, some communities have required more parking than is necessary for some land uses, paving extensive areas of land that could be put to better use. Because vehicle parking facilities occupy large amounts of land, they must be planned and designed carefully to use the land efficiently, minimize stormwater runoff, and maintain the visual character of the community. This Chapter recognizes that each development has unique parking needs and provides a flexible approach for determining parking space requirements (i.e., “minimum” and “performance-based” standards). This Chapter also provides standards for bicycle parking because many people use bicycles for recreation, commuting, and general transportation. Children as well as adults need safe and adequate spaces to park their bicycles throughout the community.

3.3.020 Applicability

All developments subject to site design review (Chapter 4.2), including development of parking facilities, shall comply with the provisions of this Chapter.

3.3.030 Automobile Parking Standards.

A. Vehicle Parking - Minimum Standards by Use. The number of required off-street vehicle parking spaces shall be determined in accordance with the standards in Table 3.3.030A, or alternatively, through a separate parking demand analysis prepared by the applicant and subject to a Type II Land Use Review (or Type III review if the request is part of an application that is already subject to Type III review). Where a use is not specifically listed in this table, parking requirements are determined by finding that a use is similar to one of those listed in terms of parking needs, or by estimating parking needs individually using the demand analysis option described above. Parking that counts toward the minimum requirement is parking in garages, carports, parking lots, bays along driveways, City-approved shared parking, and designated on-street parking when approved by the City.

There is no minimum number of off-street parking required in the CBD district; however, new development and changes in use in the CBD shall be subject to a Downtown Parking District fee upon City adoption of a Downtown Parking District (or similar) ordinance. Where such Parking District applies, parking fees shall be calculated using the minimum parking ratios in Table 3.3.030A, below, or as established by City Ordinance.

Table 3.3.030A – Minimum Required Parking by Use

Use Categories <i>(Examples of uses are in Chapter 1.3; definitions are in Chapter 6.1.)</i>	
Residential Categories	
<i>Household Living</i>	
Accessory Dwelling	None
Single Family Dwelling, including attached and detached dwellings and manufactured homes	2 spaces, except attached dwellings shall conform to the parking requirements for multifamily uses
Duplex	4 spaces per duplex building (2 spaces per dwelling)
Multifamily	1 space per studio or 1-bedroom unit 1.5 spaces/unit per 2-bedroom unit 2 spaces/unit per 3-bedroom or larger unit

Use Categories (Examples of uses are in Chapter 1.3; definitions are in Chapter 6.1.)	
Group Living, such as nursing or convalescent homes, rest homes, assisted living, congregate care, and similar special needs housing	0.5 space per 4 bedrooms
Commercial Categories	
Drive-Up/Drive-In/Drive-Through (drive-up windows, kiosks, ATM's, similar uses/facilities), per Section 2.3.190	No requirement. See Section 3.190 for queuing area requirements
Bed and Breakfast Inn	2 spaces per use; additional parking may be required by the City through the Conditional Use Permit review (Chapter 4.4)
Educational Services, not a school (e.g., tutoring or similar services)	2 space per 1,000 sq. ft. floor area
Entertainment, Major Event	per CU review (Chapter 4.4)
Offices	2 spaces per 1,000 sq. ft. floor area
Outdoor Recreation, Commercial	per CU review (Chapter 4.4)
Surface Parking Lot (when not accessory to a permitted use)	per CU review (Chapter 4.4)
Quick Vehicle Servicing or Vehicle Repair. (See also Drive-Up/Drive-In/Drive-Through Uses, per Section 2.3.190)	2 spaces plus queuing space, or per CU review (Chapter 4.4)
Retail Sales and Service (See also Drive-Up Uses)	<u>Retail</u> : 2.5 spaces per 1,000 sq. ft., minimum and 4 spaces per 1,000 sq. ft. maximum; except 50% less for bulk retail (e.g., auto, boat, trailers, nurseries, lumber and construction materials, furniture, appliances, and similar sales)
	<u>Restaurants and Bars</u> : 5 spaces per 1,000 sq. ft. floor area
	<u>Health Clubs, Gyms, Continuous Entertainment (e.g., bowling alleys)</u> : 3 spaces per 1,000 sq. ft.
	<u>Lodging (hotels, motels, inns)</u> , (see also Bed and Breakfast Inns): 0.75 per rentable room; for associated uses, such as restaurants, entertainment uses, and bars, see above
	<u>Theaters and Cinemas</u> : 1 per 6 seats

3.3.030 – Automobile Parking Standards

Use Categories <i>(Examples of uses are in Chapter 1.3; definitions are in Chapter 6.1.)</i>	
Self-Service Storage	No standard; subject to CU review where CU applies.
Industrial Categories	
Industrial Service (See also Drive-Up Uses)	1 space per 1,000 sq. ft. of floor area
Manufacturing and Production	1 space per 1,000 sq. ft. of floor area; or as required by CU (Chapter 4.4)
Warehouse and Freight Movement	0.5 space per 1,000 sq. ft. of floor area; or as required by CU (Chapter 4.4)
Waste-Related	per CU review (Chapter 4.4)
Wholesale Sales - fully enclosed - not enclosed	1 space per 1,000 sq. ft. per CU review (Chapter 4.4)
Institutional Categories	
Basic Utilities	Parking based on applicant's projected parking demand, subject to City approval
Community Service	Parking based on applicant's projected parking demand, subject to City approval
Daycare, adult or child day care; does not include Family Daycare (16 or fewer children) under ORS 657A.250	1 space per 500 sq. ft. of floor area; or as required by CU (Chapter 4.4)
Parks and Open Space	Parking based on applicant's projected parking demand, subject to City approval
Religious Institutions and Houses of Worship	1 space per 75 sq. ft. of main assembly area; or as required by CU (Chapter 4.4)

Use Categories (Examples of uses are in Chapter 1.3; definitions are in Chapter 6.1.)	
Schools	Parking based on applicant's projected parking demand, subject to City approval
Other Categories	
Accessory Uses (with a permitted use)	Parking based on applicant's projected parking demand, subject to City approval
Agriculture – Animals	Parking based on applicant's projected parking demand, subject to City approval
Agriculture – Nurseries and similar horticulture	See Retail Sales and Wholesale, as applicable
Radio Frequency Transmission Facilities	None
Rail Lines and Utility Corridors	Parking based on applicant's projected parking demand, subject to City approval
Temporary Uses (limited to "P" and "CU" uses), per Section 4.9.010.	As determined per Section 4.9.010, subject to City approval
Transportation Facilities (operation, maintenance, preservation, and construction)	None, except for park-and-ride facilities; and where temporary parking is required for construction staging areas

B. Vehicle Parking - Minimum Accessible Parking

1. Accessible (ADA) parking shall be provided for all uses in accordance the standards in Table 3.3.030B; parking spaces used to meet the standards in Table 3.3.030B shall be counted toward meeting applicable off-street parking requirements;
2. Such parking shall be located in close proximity to building entrances and shall be designed to permit occupants of vehicles to reach the entrance on an unobstructed path or walkway;
3. Accessible spaces shall be grouped in pairs where possible;
4. Where covered parking is provided, covered accessible spaces shall be provided in the same ratio as covered non-accessible spaces;

Required accessible parking spaces shall be identified with signs and pavement markings identifying them as reserved for persons with disabilities; signs shall be posted directly in

front of the parking space at a height of no less than 42 inches and no more than 72 inches above pavement level. Van spaces shall be specifically identified as such.

Table 3.3.030B - Minimum Number of Accessible Parking Spaces			
Source: ADA Standards for Accessible Design 4.1.2(5)			
Total Number of Parking Spaces Provided (per lot)	Total Minimum Number of Accessible Parking Spaces (with 60" access aisle, or 96" aisle for vans*)	Van Accessible Parking Spaces with min. 96" wide access aisle	Accessible Parking Spaces with min. 60" wide access aisle
	<i>Column A</i>		
1 to 25	1	1	0
26 to 50	2	1	1
51 to 75	3	1	2
76 to 100	4	1	3
101 to 150	5	1	4
151 to 200	6	1	5
201 to 300	7	1	6
301 to 400	8	1	7
401 to 500	9	2	7
>500	2% of total parking provided in each lot	1/8 of Column A**	7/8 of Column A***
*vans and cars may share access aisles			
one out of every 8 accessible spaces		*7 out of every 8 accessible parking spaces	

C. On-Street Parking. On-street parking shall conform to the following standards:

1. Dimensions. The following constitutes one on-street parking space:
 - a. Parallel parking, each twenty-two (22) feet of uninterrupted curb;
 - b. Diagonal parking, each with twelve (12) feet of curb;
 - c. 90 degree (perpendicular) parking, each with twelve (12) feet of curb.

2. Location. Parking may be counted toward the minimum standards in Table 3.3.030A when it is on the block face abutting the subject land use. An on-street parking space must not obstruct a required clear vision area and its must not violate any law or street standard.

3. Public Use Required for Credit. On-street parking spaces counted toward meeting the parking requirements of a specific use may not be used exclusively by that use, but shall be available for general public use at all times. Signs or other actions that limit general public use of on-street spaces are prohibited.

D. Shared parking. Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature; weekday uses versus weekend uses), and

provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use. The City may approve owner requests for shared parking through Land Use Review.

- E. **Off-site parking.** Except for single-family dwellings, the vehicle parking spaces required by this Chapter may be located on another parcel of land, provided the parcel is within 300 feet of the use it serves and the City has approved the off-site parking through Land Use Review. The distance from the parking area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use the off-site parking must be evidenced by a recorded deed, lease, easement, or similar written instrument.

F. **General Parking Standards.**

1. **Location.** Parking is allowed only on streets, within garages, carports, and other structures, or on driveways or parking lots that have been developed in conformance with this code. Article 2, Land Use Districts, prescribes parking location for some land uses (e.g., the requirement that parking for some multiple family and commercial developments be located to side or rear of buildings), and Chapter 3.1, Access and Circulation, provides design standards for driveways. Street parking spaces shall not include space in a vehicle travel lane (including emergency or fire access lanes), public right-of-way, pedestrian accessway, landscape, or other undesignated area.
2. **Mixed uses.** If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (i.e., the uses operate on different days or at different times of the day). The City may reduce the total parking required accordingly through Land Use Review.
4. **Availability of facilities.** Owners of off-street parking facilities may post a sign indicating that all parking on the site is available only for residents, customers, and/or employees.
5. **Lighting.** Parking areas shall have lighting to provide at least 2 foot-candles of illumination over parking spaces and walkways. Light standards shall be directed downward only and shielded to prevent lighting spillover into any adjacent residential district or use.
6. **Screening of Parking Areas.** Parking spaces shall be located or screened so that headlights do not shine onto adjacent residential uses, per Section 3.2.030E.
7. **Maintenance.** All parking lots shall be maintained in good condition and repair.

- G. **Parking Stall Design and Minimum Dimensions.** All off-street parking spaces shall be improved to conform to City standards for surfacing, stormwater management, and striping. Standard parking spaces shall conform to the following standards and the dimensions in Figures 3.3.030F(1) through (3), and Table 3.3.030F:

1. Parking area dimensions and layout shall conform to the dimensions in Figure 3.3.030F(1) and (2), and Table 3.3.030F, below;
2. Additional parking dimensions shall be provided in accordance to Americans With Disabilities Act (ADA) standards for required ADA parking spaces (van accessible parking spaces). Parking structure vertical clearance, van accessible parking spaces, should refer to Federal ADA guidelines. See Figure 3.3.030F.2; and

Figure 3.3.030F(1) - Parking Area Layout

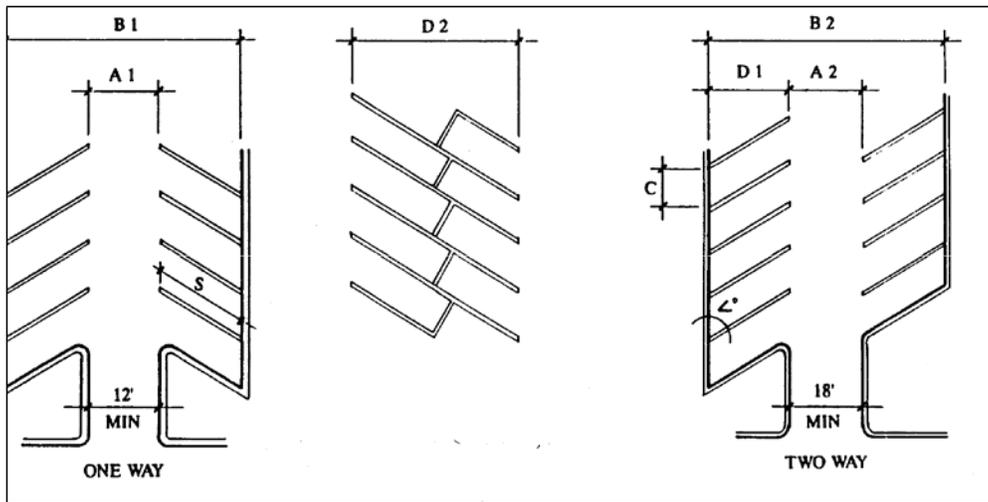


Figure 3.3.030.F(2) Disabled Person Parking Requirements

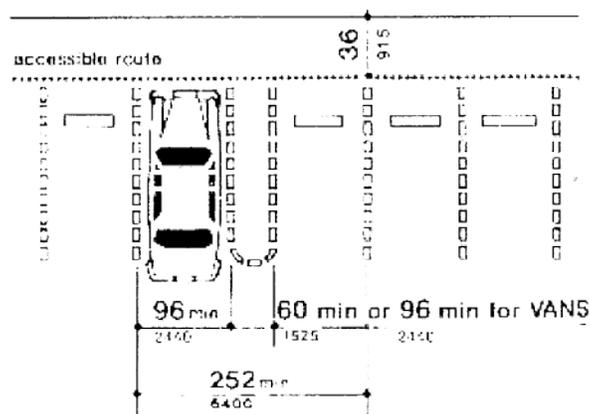


Table 3.3.030F - Parking Area Layout									
Standard Space (See Figure 3.3.030F(3) for ADA space requirements)	PARKING ANGLE < °	CURB LENGT H	STALL DEPTH		AISLE WIDTH		BAY WIDTH		STRIPE LENGTH
			SINGLE D1	DOUBLE D2	ONE WAY A1	TWO WAY A2	ONE WAY B1	TWO WAY B2	
	90°	8'-6"	18'	36'	23'	23'	59'	59'	18'
	60°	10'	20'	40'	17'	18'	57'	58'	23'
	45°	12'	18'-6"	37'	13'	18'	50'	55'	26'-6"
	30°	17'	16'-6"	33'	12'	18'	45'	51'	32'-8"
0°	22'	8'-6"	17'	12'	18'	29'	35'	8'-6"	

Important cross-references:

See also, Article 2, Land Use District standards, for parking location requirements for some multifamily and commercial land uses; Chapter 3.1, Access and Circulation, for driveway standards; Chapter 3.2, Landscaping.

3.3.040 Bicycle Parking Standards

All uses that are subject to Site Design Review shall provide bicycle parking, in conformance with the standards in Table 3.3.040, and subsections A-G, below.

- A. **Minimum Required Bicycle Parking Spaces.** Uses shall provide bicycle parking spaces, as designated in Table 3.3.040.

Table 3.3.040 Minimum Required Bicycle Parking Spaces		
Use	Specific Uses	Required # of Spaces
Residential Categories		
Household Living	Multifamily	2, or 1 per 20 units, whichever is more
Commercial Categories		
Retail Sales And Service		2 per primary use or 1 per 10 vehicle spaces, whichever is greater
Office		2 per building or 1 per 10 vehicle spaces, whichever is greater
Industrial Uses		1 per 10 vehicle spaces, or per CU review
Institutional Categories		
Community Service		2, or as required by City
Parks (active recreation areas only)		8, or as required by City
Schools	Grades 2-5	2 per classroom, or per CU review
	Grades 6-12	2 per 10 vehicle spaces, or per CU review
Religious Institutions and Places of Worship		1 per 10 vehicle spaces, or per CU review

- B. **Exemptions.** This Section does not apply to single-family and two-family housing (attached, detached, or manufactured housing), home occupations, agriculture and livestock uses.
- C. **Location and Design.** At least 20 percent of the required bicycle parking spaces shall be no farther from a primary building entrance than the distance from that entrance to the closest vehicle space, or 100 feet, whichever is less. Covered bicycle parking shall be incorporated wherever practical into building design (e.g., under eaves or stairwells). When allowed within a public right-of-way, bicycle parking should be coordinated with the design of street furniture, as applicable.
- D. **Visibility and Security.** Bicycle parking for customers and visitors of a use shall be visible from street sidewalks or building entrances, so that it provides sufficient security from theft

and damage;

- E. **Lighting.** For security, bicycle parking shall be at least as well lit as vehicle parking.
- F. **Reserved Areas.** Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.
- G. **Hazards.** Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards (Chapter 3.1, Access and Circulation).

3.3.050 Loading Areas

- A. **Purpose.** The purpose of this section of the Code is to provide standards (1) for a minimum number of off-street loading spaces that will ensure adequate loading areas for large uses and developments, and (2) to ensure that the appearance of loading areas is consistent with that of parking areas.
- B. **Applicability.** Section 3.3.040 applies to residential projects with 50 or more dwelling units, and non-residential and mixed-use buildings with 20,000 square feet or more total floor area.
- C. **Number of Loading Spaces.**
1. Residential buildings. Buildings where all of the floor area is in residential use shall meet the following standards:
 - a. Fewer than 50 dwelling units on a site that abuts a local street: No loading spaces are required.
 - b. All other buildings: One space.
 2. Non-residential and mixed-use buildings. Buildings where any floor area is in non-residential uses shall meet the following standards:
 - a. Less than 20,000 square feet total floor area: No loading spaces required.
 - b. 20,000 to 50,000 square feet of total floor area: One loading space.
 - c. More than 50,000 square feet of total floor area: Two loading spaces.
- D. **Size of Spaces.** Required loading spaces shall be at least 35 feet long and 10 feet wide, and shall have a height clearance of at least 13 feet.
- E. **Placement, setbacks, and landscaping.** Loading areas shall conform to the setback and perimeter landscaping standards in Article 2 and 3. Where parking areas are prohibited between a building and the street, loading areas are also prohibited. The decision body may approve a loading area adjacent to or within the street right-of-way through Site Design Review or Conditional Use Permit review, as applicable, where it finds that loading and unloading operations are short in duration (*i.e.*, less than one hour), do not obstruct traffic during peak traffic hours, and do not interfere with emergency response services.

Chapter 3.4 - Public Facilities

Sections:

- 3.4.010 Purpose and Applicability
- 3.4.010 Transportation Standards
- 3.4.020 Public Use Areas
- 3.4.030 Sanitary Sewer and Water Service Improvements
- 3.4.040 Storm Drainage Improvements
- 3.4.050 Utilities
- 3.4.060 Easements
- 3.4.070 Construction Plan Approval
- 3.4.080 Installation
- 3.4.090 Performance Guarantee and Warranty Bond

3.4.010 Purpose and Applicability

- A. **Purpose.** The purpose of this Chapter is to provide planning and general design standards for public and private transportation facilities and utilities. Streets serve both transportation and infrastructure needs and are the most common public spaces, touching virtually every parcel of land. Therefore, one of the primary purposes of this Chapter is to provide standards for functional, attractive and safe streets that can accommodate underground utilities and traffic from planned growth and provide a range of transportation options, including options for driving, walking, and bicycling. This Chapter implements the policies of the City of Dallas Comprehensive Plan and Transportation System Plan.
- B. **When Standards Apply.** Unless otherwise provided, the standards of this Chapter apply when a land use application is filed for a Major Project under Section 3.0.020. All public improvements within the City shall occur in accordance with the standards and procedures of this Chapter.
- C. **Engineering Design Criteria, Standard Specifications and Details.** All public improvements are subject to compliance with engineering criteria and requirements, as determined by the City Engineer. The design criteria, standard construction specifications and details maintained by the City Engineer, or any other road authority with jurisdiction, are a part of this Code. The City's specifications, standards, and details are hereby incorporated into this Code by reference.
- D. **Conditions of Development Approval.** No development may occur unless required public improvements are in place or guaranteed, in conformance with the provisions of this Code. Improvements required as a condition of development approval, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of the development on public facilities. Findings in the development approval shall indicate how the required improvements are directly related and roughly proportional to the impact.

3.4.010 Transportation Standards

A. **Development Standards and Criteria.** The following standards are reprinted from the City of Dallas Transportation System Plan as of October 2009. Projects shall be required to meet the current standards in effect at the time an application is filed.

1. **Adequate Public Facilities.** No development shall be approved unless adequate transportation facilities are available or improvements will be constructed and operational, as required by this Code, the Dallas Transportation System Plan and the Dallas Comprehensive Plan. If existing improvements leading to or serving the site are inadequate to handle anticipated loads, improvements are to be constructed and operational prior to the issuance of building permits or in conjunction with construction of the approved lots or parcels pursuant to financial assurance for the improvements or a written agreement with the City prior to final plat approval. All street links or intersections serving the proposed development shall meet the traffic operations standards over a 10-year horizon, as follows:

Table 3.4.010A Traffic Operations Performance Standards within Dallas

Facility Type	Speed Limit	Maximum Volume/Capacity Ratio
OR 223; within STA or CBD zone		0.95*
OR 223; outside STA	Less than 45 MPH	0.85*
OR 223; outside STA	45 MPH or greater	0.80*
City Streets	Less than 45 MPH	0.85
City Streets	45 MPH or greater	0.80

* Note: Maximum Volume/Capacity Ratios for OR 223 per the current Oregon Highway Plan, Table 6.

2. **Amendments Significantly Affecting Transportation Facilities.** Amendments to the Comprehensive Plan, the Development Code or a Land Use District (zoning) that significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity and performance standards of the facility identified in the Transportation System Plan. This shall be accomplished through one of the following measures, subject to review and approval under Chapter 4.7 Amendments:
 - a. Adopting measures demonstrating allowed land uses are consistent with the planned function, capacity and performance standards of the transportation facility; or
 - b. Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land use uses consistent with the requirements of the Transportation Planning Rule. (Oregon Administrative Rule 60-12) Such amendments shall include a funding plan or mechanism consistent with the Transportation Planning Rule or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period; or

- c. Altering land use designations, densities or design requirements to reduce demand of automobile travel and meet travel needs through other modes of transportation; or
- d. Amending the Transportation System Plan to modify the planned function, capacity or performance standards of the transportation facility; or
- e. Providing other measures as a condition of development or through a development agreement or similar funding method, including transportation system management measures, demand management or minor transportation improvements. Timing of such measures shall be provided.
- f. Exceptions. An amendment that would significantly affect an existing transportation facility may be approved without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:
 - (i) The facility is already performing below the minimum acceptable performance standard identified in the Transportation System Plan on the date the amendment application is submitted.
 - (ii) In the absence of the amendment, planned transportation facilities, improvements and services would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted Dallas Transportation System Plan.
 - (iii) Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures.
 - (iv) The amendment does not involve property located in an interchange area as defined by the Transportation Planning Rule
 - (v) For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. If ODOT is given written notice and reasonable opportunity to submit a written statement but does not, the City may proceed with subsections (i) through (iv).

3. **Street Improvements.** Streets within and adjacent to a development shall be improved in accordance with the City of Dallas Transportation System Plan and the provisions of this Chapter. Development of new streets, including sidewalks, curbs, gutters, bicycle lanes, vehicle travel lanes, traffic control devices, and park strips, and additional right-of-way or street width or improvements planned as a portion of an existing street, shall be improved in accordance with this Chapter; and all public streets shall be dedicated to the applicable road authority upon the City Engineer’s acceptance of said improvements;

4. **Access Improvements.** All new streets, and driveways connecting to streets, shall be paved; driveways and driveway aprons shall be improved as required under Section 3.4.030 and subject to approval by the City Engineer.

B. **Guarantee.** The City may accept a future improvement guarantee (*e.g.*, owner agrees not to object to the formation of a local improvement district in the future) in lieu of street improvements if one or more of the following conditions exist:

1. A partial improvement may create a potential safety hazard to motorists or pedestrians;
2. Due to the developed condition of adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide increased street safety or capacity, or improved pedestrian circulation;
3. The improvement would be in conflict with an adopted capital improvement plan; or
4. The improvement is associated with an approved land partition and the proposed land partition does not create any new streets.

C. **Creation of Rights-of-Way for Streets and Related Purposes.** Streets shall be created through the approval and recording of a final subdivision or partition plat; except the City may approve the creation of a street by acceptance of a deed, provided that the street is deemed in the public interest by the City Council for the purpose of implementing the Dallas Transportation System Plan, and the deeded right-of-way and improvements conform to the standards of this Code.

D. **Creation of Access Easements.** The City may approve an access easement connecting to a public street only when the easement is necessary to provide for access and circulation in conformance with Chapter 3.1, Access and Circulation. Access easements shall be created and maintained in accordance with the Uniform Fire Code Section 10.207.

E. **Street Location, Width, and Grade.** Except as noted below, the location, width and grade of all streets shall conform to the Transportation System Plan, or an approved street plan or subdivision plat. Street location, width, and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets. Where the location of a street is not shown on an adopted City street plan, the location of streets in a development shall provide for the reasonable continuation and connection of existing streets to adjacent developable properties, conforming to the street standards of this Chapter.

F. **Minimum Rights-of-Way and Street Sections.** Street rights-of-way and improvements shall be the widths in Table 3.4.010. Variances to street design standards are subject to review and approval by the City Engineer. Where a range of width is indicated, the width shall be the narrower in the range unless unique and specific conditions exists as determined by the City Engineer based upon the following factors:

1. Transportation policies of the Transportation System Plan;
2. Anticipated traffic generation;
3. On-street parking needs;
4. Sidewalk and bikeway requirements, including the extension of and connection to existing sidewalks;
5. Requirements for placement of utilities;

6. Street lighting;
7. Minimize drainage, slope, and sensitive lands impacts;
8. Street tree location, as provided in Chapter 3.2;
9. Protection of significant vegetation, as provided in Chapter 3.2;
10. Safety, comfort, and convenience of motorists, bicyclists, and pedestrians;
11. Placement of street furnishings (e.g., benches, lighting, bus shelters, etc.), as applicable;
12. Access needs for emergency vehicles and for emergency evacuation; and
13. Transition between different street widths (i.e., existing streets and new streets).

Table 3.4.010F Minimum Street, Sidewalk and Bikeway Standards.

Table 3.4.010F specifies typical street, sidewalk and bikeway right-of-way, paving and design standards as identified in Table 7-1 of the Dallas Transportation System Plan. These standards are based on the functional classification of each street as shown on Figure 7-1 of the Dallas Transportation System Plan. The street right-of-way and improvement standards minimize the amount of pavement and ROW required for each street classification consistent with the operational needs for each facility, including requirements for pedestrians, bicyclists and public utilities.

Table 3.4.010F: Minimum Typical Street, Sidewalk and Bikeway Standards

Facility	ROW	Travel Lanes	Median Types	Bike Lanes	Sidewalks	On-Street Parking	Planting Strip	Speed	Utility Area
Major Arterial									
Criteria	90'-100'	Min. of 2 @ 12'	14' TWLTL	6' both sides	6' both sides	Allowed in CBD	Min. of 4' both sides	30-45 MPH	0'-15' both sides
Preferred	100'	4 @ 12'	14' TWLTL	6' both sides	6' both sides	Allowed in CBD	6' both sides	30-45 MPH	1' both sides
Minor Arterial									
Criteria	80'-90'	2 @ 12'	14' TWLTL (optional)	6' both sides	6' both sides	Allowed in CBD	Min. of 4' both sides	25-45 MPH	3' to 17' both sides
Preferred	80'	2 @ 12'	14' TWLTL	6' both sides	6' both sides	Allowed in CBD	6' both sides	25-45 MPH	3' both sides
Major Collector									
Criteria	70'-80'	2 @ 12'	12' to 14' TWLTL (optional but not with parking)	6' both sides(1)	6' both sides	8' both sides (optional but not with TWLTL)	5' both sides	25-40 MPH	0'-5'

3.4.010 – Transportation Standards

Facility	ROW	Travel Lanes	Median Types	Bike Lanes	Sidewalks	On-Street Parking	Planting Strip	Speed	Utility Area
Preferred	74'	2 @ 12'	14' TWLTL	6' both sides	6' both sides	None	5' both sides	25-40 MPH	1' both sides
Minor Collector									
Criteria	60'-70'	2 @ 12'	None	5' both sides(1)	5' both sides	8' both sides	Min. of 4' both sides	20-35 MPH	0'-6' both sides
Preferred	70'	2 @ 12'	None	5' both sides	5' both sides	8' both sides	4' both sides	20-35 MPH	1' both sides
Local									
Criteria	50'	30' travel-way	None	None	5' both sides	Allowed	4' both sides in Mixed Use Nodes	20-35 MPH	2'-6' both sides
Alternative	40'	20' travel way	None	None	5' one side	None Alley access	4' both sides in Mixed Use Nodes	20-35 MPH	2'-6' both sides
Optional ⁽²⁾	60'	32'-36' travel way	None	None	5' both sides	Allowed	None	20-35 MPH	4'-7' both sides
Cul-de-Sac									
Street	50'	30' travel way	None	None	5' both sides	Allowed	None	20 MPH	5' both sides
Bulb	50' radius	40' radius paved	None	None	5' around	Allowed	None	20 MPH	10' around
Alley									
Residential	16'	1 @ 16'	None	None	None except in Mixed Use Nodes	None	None	20 MPH	None
Commercial	20'	1 @ 20'	None	None	None except in Mixed Use Nodes	None	None	20 MPH	None
Ped/Bike Connection	6' to 12' paved multi-use path with landscaping. Includes 20' of ROW.								

(1) Include bike lanes, except as noted in the Transportation System Plan, page 7-15 and Figure 7-9.

(2) The city may require this street if it is located in a high density residential, industrial, or commercially zoned area, or where the street will carry more than 1500 vehicle trips per day

G. Subdivision Street Connectivity. All subdivisions including those within Master Planned Developments, shall conform to all the following access and circulation design standards:

1. Connectivity to Abutting Lands. The street system of proposed subdivisions shall be designed to connect with existing, proposed, and planned streets outside of the subdivision as provided in this Section. Wherever a proposed development abuts unplatted land or a future development phase of the same development, street stubs shall be provided to allow access to future abutting subdivisions and to logically extend the street system into the surrounding area. All street stubs shall be provided with a temporary turn-around unless specifically exempted by the Fire Marshall, and the restoration and extension of the street shall be the responsibility of any future developer of the abutting land.
2. When Abutting an Arterial Street. Property access to abutting arterials shall be minimized. Where such access is necessary, shared driveways may be required in conformance with Section 3.1.2. If vehicle access off a secondary street is possible, then the road authority may prohibit access to the arterial.
5. Continuation of Streets. Planned streets shall connect with surrounding streets to permit the convenient movement of traffic between residential neighborhoods and to facilitate emergency access and evacuation. Connections shall be designed to meet or exceed the standards in subsection 4, below, and to avoid or minimize through traffic on local streets. Appropriate design and traffic control and traffic calming measures, as provided in subsection H, below, are the preferred means of discouraging through traffic.
4. Street Connectivity and Formation of Blocks. In order to promote efficient vehicular and pedestrian circulation throughout the city, all subdivisions and site developments of more than two (2) acres requiring the extension of public streets shall be served by a connecting network of public streets and/or accessways, in accordance with the following standards (minimum and maximum distances between two streets or a street and its nearest accessway):
 - a. Residential Districts, except as otherwise required by an applicable overlay zone or Master Plan (Article 2): Minimum of 100-foot block length and maximum of 600-foot length; maximum 1,400 feet block perimeter measured from the right-of-way edge;
 - b. Central Business District (CBD) Conform to existing platted blocks;
 - c. Commercial General (CG) and Commercial Neighborhood (CN) Districts: Minimum of 100-foot length and maximum of 600 foot length; maximum 1,400 foot perimeter;
 - d. Not applicable to the Parks and Open Space (POS) District or Wetland Riparian (/WR) Overlay.
 - e. Not applicable within Industrial Districts except where required by a Master Plan.

5. Accessway Standards. Where a street connection in conformance with the maximum block length standards in subsection 4 is impracticable, an accessway shall be provided at or near the middle of a block in lieu of the street connection, as generally shown in Figure 3.4.010G. The City may also require developers to provide an accessway where the creation of a cul-de-sac or dead-end street is unavoidable and the accessway would connect the ends of the street to another street or public access way. Such access ways shall conform to all of the following standards, which may be modified by the decision body without a variance when the modification affords greater convenience or comfort for, and does not compromise the safety of, pedestrians or bicyclists:
- a. Accessways shall be no less than ten (10) feet wide and contain a minimum six (6) foot wide paved walkway surface within a right-of-way or easement allowing public access; where emergency vehicle access is required, the access way shall be no less than twenty (20) feet wide and contain an all-weather driving surface with the required weight-bearing capacity;
 - b. If the streets within the subdivision or neighborhood are illuminated, all access ways in the subdivision shall be lighted. Accessway lighting shall provide at least 2-foot candle of illumination of the walkway surface;
 - c. A right-of-way or public access easement provided in accordance with subsection b that is less than ten (10) feet wide may be allowed on steep slopes where the decision body finds that stairs, ramps, or switch-back paths are required;
 - d. All public walkways shall conform to applicable ADA requirements (exception allowed for hillsides); and
 - e. The City may require landscaping as part of the required accessway improvement to buffer pedestrians from adjacent vehicles, or to screen the accessway for the privacy of adjoining residents.

H. Traffic Signals and Traffic Calming Features.

1. Traffic signals shall be required with development when traffic signal warrants are met, in conformance with the Federal Highway Administration approved guidelines, including but not limited to: Highway Capacity Manual and Manual of Uniform Traffic Control Devices. The location of traffic signals shall be noted on approved street plans. Where a proposed street intersection will result in an immediate need for a traffic signal, a signal meeting approved specifications shall be installed in conformance with the road authority's requirements. The developer's cost and the timing of improvements shall be included as a condition of development approval.
2. When an intersection meets or is projected to meet traffic signal warrants, the City may accept alternative mitigation, such as a traffic roundabout, in lieu of a traffic signal, if approved by the City Engineer and applicable road authority.
3. The City may require the installation of traffic calming features such as traffic circles, curb

extensions, reduced street width (parking on one side), medians with pedestrian crossing refuges, and/or special paving surfaces to slow traffic in neighborhoods or commercial areas with high pedestrian traffic.

I. Extension of Streets, Sidewalks, and Bikeways.

1. Where a subdivision is proposed adjacent to other developable land, a future street plan shall be filed by the applicant in conjunction with an application for a subdivision in order to facilitate orderly development of the street system. The plan shall show the pattern of existing and proposed future streets from the boundaries of the proposed land division and shall include other divisible parcels within 600 feet surrounding and adjacent to the proposed subdivision. The street plan is not binding; rather it is intended to show potential future street extensions with future development and ensure that the proposed development does not preclude future street connections to adjacent development land.
2. Streets shall be extended to the boundary lines of the parcel or tract to be developed when the City determines that the extension is necessary to give street access to, or permit a satisfactory future division of, adjoining land. The point where the streets temporarily end shall conform to a-i, below:
 - a. These extended streets or street stubs to adjoining properties are not considered to be cul-de-sacs since they are intended to continue as through streets when the adjoining property is developed.
 - b. A barricade (e.g., fence, bollards, boulders or similar vehicle barrier) shall be constructed at the end of the street by the subdivider and shall not be removed until authorized by the City or other applicable agency with jurisdiction over the street. The cost of the barricade shall be included in the street construction cost.
 - c. Temporary street ends shall provide turnarounds constructed to Uniform Fire Code standards for streets over 150 feet in length. See also, Section 3.1.020.
 - d. Wheelchair ramps and other facilities shall be provided as required by the Americans with Disabilities Act (ADA). The lower lip of the wheelchair ramp shall be flush with the roadway surface.
 - e. Mailboxes and utility cabinets shall not infringe on public sidewalks or access ways.
 - f. Bikeways shall be designed and constructed consistent with the design standards in the "Oregon Bicycle and Pedestrian Plan: Design Standards and Guidelines," and AASHTO's "Guide for the Development of Bicycle Facilities," as applicable.
 - h. Temporary dead-end streets (not cul-de-sacs) that may be extended in the future shall have a right-of-way and pavement width that will conform to City standards when extended, and shall be posted as streets to be extended in the future.

- i. Where topographical requirements necessitate either cuts or fills for the proper grading of the streets, additional easements or rights of way shall be required to allow all cut and fill slopes to be within the easements or right-of-way. The Director of Public Works shall determine the required extra width.

J. Street Alignment, Radii, and Connections.

1. The creation of new streets making "T" intersections at collectors and arterials shall provide for intersection spacing of not less than 300 feet, as measured from the centerlines of the offset streets.
2. Spacing between local street intersections shall have a minimum separation of 125 feet, except where the City Engineer approves closer spacing due to topographic constraints or as necessary to provide a traffic calming feature, such as an open space, roundabout, or similar amenity. This standard applies to four-way and three-way (off-set) intersections.
3. All local and collector streets that stub into a development site shall be extended within the site to provide through circulation unless prevented by environmental or topographical constraints, existing development patterns, or compliance with other standards in this code. This exception applies when it is not possible to redesign or reconfigure the street pattern to provide required extensions. Land is considered topographically constrained if it falls within the Geological Hazards Overlay or it contains a stream or other natural drainageway. In the case of environmental or topographical constraints, the mere presence of a constraint is not sufficient to show that a street connection is not possible. The applicant must show why the environmental or topographic constraint precludes some reasonable street connection.
4. Proposed streets or street extensions shall be located to allow continuity in street alignments and to facilitate future development of vacant or redevelopable lands.
5. In order to promote efficient vehicular and pedestrian circulation throughout the city, the design of subdivisions and alignment of new streets shall conform to block length standards in Section 3.1.020.

K. Sidewalks, Planter Strips, Bicycle Lanes. As provided under Section 3.4.010D, the City may require the improvement and/or extension of sidewalks, planter strips, and bicycle lanes with new Major Projects, in conformance with the standards in Table 3.4.010, pursuant to the City of Dallas Transportation System Plan and/or the requirements of any other applicable roadway authority. Maintenance of sidewalks and planter strips in the right-of-way is the continuing obligation of the adjacent property owner.

L. Intersection Angles. Streets shall be laid out so as to intersect at an angle as near to a right angle as practicable, except where the City Engineer approves closer spacing due to topographic constraints or as necessary to provide a traffic calming feature, such as an open space, roundabout, or similar amenity.

- M. Existing Rights-of-Way.** Whenever existing rights-of-way adjacent to a proposed development are less than standard width, additional rights-of-way shall be provided at the time of subdivision or development, subject to the provision of Section 3.4.010.
- N. Cul-de-sacs.** Streets shall be planned to continue to and through abutting properties, consistent with the connectivity standards in Section 3.4100G. A cul-de-sac street shall only be used when environmental or topographical constraints, existing development patterns, or compliance with other standards in this code preclude street extension and through circulation. For example, the City Engineer may approve a cul-de-sac where a street extension would otherwise exceed allowable street grades or negatively impact a natural drainageway or jurisdictional wetland . When cul-de-sacs are allowed, all of the following shall be met:
1. The cul-de-sac shall not exceed a length of 600 feet; the length of the cul-de-sac shall be measured along the centerline of the roadway from the near side of the intersecting street to the farthest point of the cul-de-sac;
 2. The cul-de-sac shall terminate with a circular or hammer-head turnaround meeting the Uniform Fire Code. Circular turnarounds shall have a radius of no less than 40 feet, and not more than a radius of 45 feet (i.e., from center to edge of pavement); except that turnarounds shall be larger when they contain a landscaped island or parking bay at their center. When an island or parking bay is provided, there shall be a fire apparatus lane of 20 feet in width; and
 3. The cul-de-sac shall provide, or not preclude the opportunity to later install, a pedestrian and bicycle accessway connection between it an adjacent streets access ways, parks, or other right-of-way. Such accessways shall conform to Section 3.1.040.
- O. Grades and Curves.** Except as approved by the City Engineer, grades shall not exceed 10 percent on arterials, 12% on collector streets, or 12% on any other street. The City Engineer may approve steeper grades for short street segments, provided the street grade does not exceed 15% for a distance greater than 250 feet), and:
1. Centerline curve radii shall not be less than 700 feet on arterials, 500 feet on major collectors, 350 feet on minor collectors, or 100 feet on other streets; and
 2. Streets intersecting with a minor collector or greater functional classification street, or streets intended to be posted with a stop sign or signalization, shall provide a landing averaging five percent or less. Landings are that portion of the street within 20 feet of the edge of the intersecting street at full improvement.
- P. Curbs, Curb Cuts, Ramps, and Driveway Approaches.** Concrete curbs, curb cuts, wheelchair ramps, bicycle ramps, and driveway approaches shall be constructed in accordance with standards specified in Chapter 3.1, Access and Circulation.
- Q. Streets Adjacent to Railroad Right-of-Way.** When a transportation improvement is proposed within 300 feet of a public railroad crossing, or a modification is proposed to an existing public crossing, the Oregon Department of Transportation and the rail service provider shall be notified

and given an opportunity to comment, in conformance with the provisions of Article 4. Private crossing improvements are subject to review and licensing by the rail service provider.

- R. Development Adjoining Arterial Streets.** Where a development adjoins or is crossed by an existing or proposed arterial street, the development design shall separate residential access from through traffic and minimize traffic conflicts. (See also, the access requirements under Section 3.1.020.) The development design shall include one or more of the following, as required by the City based on multimodal safety, compatibility between the roadway and adjacent residential uses, maintenance and aesthetic considerations:
1. A parallel access street (frontage road) along the arterial with a landscape median with raised curbs of not less than ten (10) feet in width separating the two streets;
 2. Deep lots (120 feet or greater) abutting the arterial or major collector to provide adequate arterial buffering with access taken from the subordinate street;
 3. Screen planting within a non-access reservation (e.g., public easement or tract) of not less than five (5) feet in width at the rear or side property line along the arterial; or
 4. Other treatment approved by the City Engineer that is consistent with the purpose of this Chapter;
- S. Alleys, Public or Private.** Alleys shall conform to the standards in Table 3.4.010. Alley intersections and sharp changes in alignment shall be avoided. The corners of necessary alley intersections shall have a radius of not less than 12 feet and allow access to utilities, as applicable.
- T. Private Streets and Gated Streets.** Private streets, including gated drives serving more than two (2) dwellings (i.e., where a gate limits access to a development from a public street), are not permitted.
- U. Street Names.** No new street name shall be used which will duplicate or be confused with the names of existing streets in Dallas or vicinity. Street names, signs, and numbers shall conform to the provisions of Dallas City Code 8.000 to 8.045.
- V. Survey Monuments.** Upon completion of a street improvement and prior to acceptance by the City, it shall be the responsibility of the developer's registered professional land surveyor to provide certification to the City that all boundary and interior monuments have been reestablished and protected.
- W. Street Signs.** The city, county, or state with jurisdiction shall install all signs for traffic control and street names. The cost of signs required for new development shall be the responsibility of the developer. Street name signs shall be installed at all street intersections. Stop signs and other signs may be required.
- X. Mail Boxes.** Mail box locations shall be as approved by the United States Postal Service.

- Y. **Street Light Standards.** Street lights shall be installed in accordance with City standards. At a minimum street lights shall be installed at street intersections; additional street lights or lighting of pedestrian access ways may be required by the City to provide for public safety and welfare.

- Z. **Street Cross-Sections.** The final lift of asphalt or concrete pavement shall be placed on all new constructed public roadways prior to final City acceptance of the roadway unless otherwise approved by the City Engineer. The final lift shall also be placed no later than one (1) year from the commencement of initial construction of the development.

3.4.020 Public Use Areas

A. Dedication of Public Use Areas.

1. Where a proposed open space, park, playground, or other public use shown in a plan adopted by the City is located in whole or in part in a subdivision, the City may require the public dedication or reservation of this area on the final plat for the subdivision, provided that the impact of the development on the City park system is roughly proportionate to the dedication or reservation being made.
2. The City may purchase or accept voluntary dedication or reservation of areas within the subdivision that are suitable for the development of parks and other public uses; however, the City is under no obligation to accept such areas offered for dedication or sale.
3. Alternatively, the City may impose conditions of approval providing for reservation and ongoing ownership, improvement and maintenance of open space areas (e.g., through Master Plan Development approvals under Chapter 4.5), including payment of property taxes for said property, by a private entity such as a homeowners association.

B. System Development Charge Credit. Dedication of land to the City for public use areas, voluntary or otherwise, may be eligible as a credit toward required system development charges for parks pursuant to Dallas City Code Sections 4.620 through 4.655.

3.4.030 Sanitary Sewer and Water Service Improvements.

- A. **Sewers and Water Mains Required.** Sanitary sewers and water mains shall be installed to serve each new development and to connect developments to existing mains in accordance with the City’s Sanitary Sewer Master Plan, Water System Master Plan, and the applicable engineering requirements. When streets are required to be stubbed to the edge of the subdivision, sewer and water system improvements shall also be stubbed with the streets, except as may be waived by the City Engineer when alternate alignment(s) are provided.
- B. **Sewer and Water Plan Approval.** Development permits for sewer and water improvements shall not be issued until the City Engineer has approved all sanitary sewer and water plans in conformance with City standards.
- C. **Over-Sizing.** The City may require as a condition of development approval that sewer, water, and/or storm drainage systems serving new development be sized to accommodate future development within the area as projected by the applicable Water, Sewer, and/or Storm Drainage Master Plan, provided that the City may grant the developer credit toward any required system development charge for the same, or the City may authorize other cost-recovery or cost-sharing methods, in conformance with Section 3.4.010D.
- D. **Inadequate Facilities.** Development permits may be restricted or rationed by the City where a deficiency exists in the existing water or sewer system that cannot be rectified by the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems.

3.4.040 Storm Drainage Improvements

- A. **General Provisions.** A development permit may be granted only when adequate provisions for storm water and flood water runoff have been assured (*i.e.*, through plans and assurances approved by the City). See also, Section 3.4.090.
- B. **Accommodation of Upstream Drainage.** Culverts and other drainage facilities shall be large enough to accommodate existing and potential future runoff from the entire upstream drainage area, whether inside or outside the development. Such facilities shall be subject to review and approval by the City Engineer.
- C. **Effect on Downstream Drainage.** The rate of stormwater runoff leaving a development site during and after development (post-development) shall not exceed the rate of stormwater runoff leaving the site before development (pre-development).
- D. **Storm Drainage Analysis and Mitigation Required.** The City Engineer may require an applicant for development to provide a storm drainage analysis prepared by a qualified professional engineer registered in the State of Oregon to examine pre- and post-development stormwater runoff conditions and any required mitigation consistent with the City of Dallas Stormwater Master Plan. Such analysis, at a minimum, shall quantify pre- and post-development runoff volumes and rates and propose mitigation based on stormwater management best practices, as specified by the City Engineer. Such mitigation shall ensure that post-development runoff rates do not exceed pre-development rates and necessary facilities are provided to protect public health, safety, and welfare. If upon reviewing the applicant's storm drainage analysis, the City Engineer determines that the stormwater runoff resulting from the development will overload any existing and/or proposed drainage facility, the City shall withhold approval of the development until provisions have been made for improvement of the potential adverse impacts.
- D. **Over-Sizing.** The City may require as a condition of development approval that any public storm drainage system serving new development be sized to accommodate future development upstream, provided that the City may grant the developer credit toward any required system development charge for the same, or the City may authorize other cost-recovery or cost-sharing methods, in conformance with Section 3.4.010D.
- E. **Existing Watercourse.** Where a proposed development is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for conveyance and maintenance to protect the public health and safety. See also, Chapter 2.6 Flood Hazard Overlay Zone.

3.4.050 Utilities

A. Underground Utilities.

1. Generally. All new utility lines including, but not limited to, those required for electric, communication, lighting, and cable television services and related facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, and high capacity electric lines operating at 50,000 volts or above. The City may require screening and buffering of above ground facilities to protect the public health, safety or welfare through Site Development Review.
2. Subdivisions and Master Planned Developments. The following additional standards apply to all new subdivisions, including those within Master Planned Developments, in order to facilitate underground placement of utilities:
 - a. The developer shall make all necessary arrangements with the serving utility to provide the underground services. Care shall be taken to ensure that all above ground equipment does not obstruct vision clearance areas for vehicular traffic (Chapter 3.1);
 - b. The City reserves the right to approve the location of all surface-mounted facilities;
 - c. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and
 - d. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.

- B. Exception to Undergrounding Requirement.** An exception to the undergrounding requirement may be granted where existing physical constraints, such as steep topography, natural resource constraints (e.g. geologic conditions, rivers and streams), or existing development conditions make underground placement impractical.

3.4.060 Easements

- A. **Provision.** The developer or applicant shall make arrangements with the City, the applicable district, and each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development. The City's standard width for public main line utility easements shall be determined by the City Engineer.

- B. **Recordation.** As determined by the City Engineer, all easements for sewers, storm drainage and water quality facilities, water mains, electric lines, or other public utilities shall be recorded with the final plat. See Chapter 4.2, Site Design Review, and Chapter 4.3, Land Divisions.

3.4.070 Construction Plan Approval

- A. **Plan Approval and Permit.** No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting, parks, or other requirements shall be undertaken except after the plans have been approved by the City, permit fee paid, and permit issued. The permit fee is required to defray the cost and expenses incurred by the City for construction and other services in connection with the improvement. The permit fee shall be set by City Council.

- B. **Performance Guarantee.** The City may require the developer or subdivider to provide bonding or other performance guarantees, to the City's satisfaction, to ensure completion of required public improvements pursuant to Section 3.4.090.

3.4.080 Installation

- A. **Conformance Required.** Improvements installed by the developer either as a requirement of these regulations or at his/her own option, shall conform to the requirements of this Chapter, approved construction plans, and to improvement standards and specifications adopted by the City.
- B. **Adopted Installation Standards.** The City of Dallas may adopt design standards, criteria and specifications for public improvements as well as private utility installation within the public right-of-way; until such standards are adopted, project designs shall conform to the recommendations of the City Engineer.
- C. **Commencement.** Work in a public right-of-way shall not begin until all applicable agency permits have been approved and issued.
- D. **Resumption.** If work is discontinued for more than one month, it shall not be resumed until the City is notified in writing.
- E. **City Inspection.** Improvements shall be constructed under the inspection and to the satisfaction of the City. The City may require minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest. Modifications to the approved design requested by the developer may be subject to review under Chapter 4.6, Modifications to Approved Plans and Conditions of Approval. Any monuments that are disturbed before all improvements are completed by the subdivider shall be replaced prior to final acceptance of the improvements.
- F. **Engineer's Certification and As-Built Plans.** A registered civil engineer shall provide written certification in a form required by the City that all improvements, workmanship, and materials are in accord with current and standard engineering and construction practices, conform to approved plans and conditions of approval, and are of high grade, prior to City acceptance of the public improvements, or any portion thereof, for operation and maintenance. The developer's engineer shall also provide 2 set(s) of "as-built" plans, in conformance with the City Engineer's specifications, for permanent filing with the City. The City Engineer may require the developer or subdivider to provide a warranty bond or other assurance pursuant to Section 3.4.090

3.4.090 Performance Guarantee and Warranty Bond

- A. **Performance Guarantee Required.** The City at its discretion may approve a final plat or building permit when it determines that at least 75 percent of the public improvements required for the land division are complete and the applicant has an acceptable assurance for the balance of said improvements. The applicant shall provide a bond issued by a surety authorized to do business in the State of Oregon, irrevocable letter of credit from a surety or financial institution acceptable to the City, cash, or other form of security acceptable to the City.
- B. **Determination of Sum.** The assurance of performance shall be for a sum determined by the City as required to cover the cost of the improvements and repairs, including related engineering and incidental expenses, plus reasonable inflationary costs (110% of estimated improvement costs, as prepared by a qualified civil engineer).
- C. **Itemized Improvement Estimate.** The developer shall furnish to the City an itemized improvement estimate, certified by a registered civil engineer, to assist the City in calculating the amount of the performance assurance.
- D. **Agreement.** A written agreement between the City and developer shall be recorded with the final plat. The agreement shall not be valid until it is signed and dated by both the applicant and City Planning Official. The agreement shall contain, at a minimum, all of the following:
1. The period within which all required improvements and repairs shall be completed;
 2. A provision that if work is not completed within the period specified, the City may complete the work and recover the full cost and expenses from the applicant;
 3. The improvement fees and deposits that are required;
 4. (Optional) A provision for the construction of the improvements in stages and for the extension of time under specific conditions therein stated in the contract.
- E. **When Subdivider Fails to Perform.** In the event the developer fails to carry out all provisions of the agreement and the City has un-reimbursed costs or expenses resulting from such failure, the City shall call on the bond, cash deposit or letter of credit for reimbursement.
- F. **Termination of Performance Guarantee.** The developer shall not cause termination of nor allow expiration of the guarantee without first securing written authorization from the City.
- G. **Warranty Bond.** A warranty bond good for two (2) years is required on all public improvements and landscaping when installed in the public right-of-way. The warranty bond shall equal fifteen percent (15%) of the total cost of improvements and begin upon acceptance of said improvements by the City.

Chapter 3.5 - Wireless Communication Facilities (WCF)

Sections:

- 3.5.010 Purpose**
- 3.5.020 Review Procedure**
- 3.5.030 Visual Impact Area**
- 3.5.040 Application Requirements**
- 3.5.050 Location Restrictions**
- 3.5.060 Development Standards**
- 3.5.070 Operational Certificate Required**

3.5.010 Purpose

The purpose of this section is to ensure that wireless communication facilities (WCF) are appropriately sited so as to minimize visual impacts to the community.

3.5.020 Review Procedure

WCF applications shall be reviewed by the Planning Commission through a conditional use process; and shall be subject to site design review.

3.5.030 Visual Impact Area

The visual impact shall be minimized to attempt to limit the visibility to a quarter mile radius from the proposed facility. The applicant shall demonstrate the efforts involved in limiting the visual impact.

3.5.040 Application Requirements

In addition to requirements for conditional use and development review applications, an application for a WCF shall include the following:

- A. Engineered and scaled drawings of all components of the WCF, including, but not limited to, the support structure, antenna, enclosures and related equipment.
- B. Documentation from a registered engineer establishing the structural integrity of the freestanding support structure, or in the case of a building-mounted WCF, of the capacity of the building to safely bear the WCF and of the structural integrity of any support structures.

- B. A visual study depicting where any portion of the WCF can be seen.
- C. Documentation that co-location of the facility of an existing or approved WCF, or an existing support structure – inside or outside the City Limits – is not feasible.
- D. Documentation that the WCF has been designed to accommodate additional WCFs.
- E. A signed agreement to negotiate in good faith to accept additional WCFs when technically feasible.

3.5.050 Location Restrictions

No WCF shall be sited on public school grounds, in a public park, in a dedicated common open space, in the CBD, within any Residential district, or within 300 feet of any Residential district.

3.5.060 Development Standards

A WCF shall be designed, constructed and maintained in accordance with the following standards:

- A. The location and design of the WCF shall minimize the visual impacts to properties located within ¼ mile of the WCF, considering setbacks, lighting, height, bulk, color and landscaping.
- B. All support structures, antennas and associated equipment, including any enclosures and all exterior mechanical equipment, shall be colored and/or surfaced, so as to blend with the surrounding area.
- C. All surfaces shall be non-reflective.
- D. Exterior lighting shall not project onto adjacent properties.
- E. Free standing support structures shall:
 - 1. Screen all mechanical and electrical equipment and the bottom six feet of the support structure with a six foot sight-obscuring fence, wall or hedge;
 - 2. Provide a minimum ten foot landscaped perimeter area around the fence, wall or hedge;
 - 3. Be located and designed to preserve the ability for co-location of at least two additional users.
- F. The height of the WCF shall be the minimum necessary to reasonably serve the operational requirements of the WCF.

3.5.070 Operational Certificate Required

Within 45 days after construction and/or installation of the WCF, the applicant shall submit an operational certificate from a registered engineer indicating compliance with the requirements of this section and all structural standards for antennas developed by the Electronic Industries Association.

Chapter 3.6 SIGNS

Sections:

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

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

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

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

3.6.020 Scope. All signs visible from the public right-of-way or private areas open to public travel within the City limits shall be within the scope of this chapter. The content of signs is not regulated by this chapter. No sign shall be permitted in the City of Dallas unless it is in accordance with the

3.6 - Signs

provisions of this chapter or unless it is determined to be legally nonconforming to the requirements of this chapter, with the exception that where a planned development overlay exists, any sign regulations adopted with that planned development overlay shall take precedence.

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

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

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

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

Area (of a sign) –

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

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

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

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

3.6 - Signs

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Hazardous Sign - A sign that is detrimental to the public health, welfare or safety, including but not limited to: any sign that has a design, color, or lighting which may be mistaken for a traffic

3.6 - Signs

light, signal, or directional sign; any sign that is located in such a manner as to obstruct free and clear vision to motorists or pedestrians at intersections and driveways; any sign which, because of its location, would prevent free ingress to or egress from any door, window, or fire escape; any sign that is attached to a standpipe or fire escape; any sign that has lighting which temporarily blinds or impairs one's vision; and any sign that is in a leaning, sagging, fallen, decayed, deteriorated, or other unsafe condition.

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

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

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

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

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

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

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

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

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

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

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

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

3.6 - Signs

Permanent Sign – A sign structurally affixed to the ground or to a building and intended for permanent display.

Pole Sign - See “Pylon sign.”

Portable Sign – A sign not permanently affixed to a sign structure, a building, or the ground, (such as an A-frame sign) that can be easily moved.

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

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

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

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

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

Temporary Sign –

- (1) A sign constructed of fabric, vinyl, paper, cardboard, plywood, or other light material, with or without a frame, that may or may not be attached to a building;
- (2) A sign intended to be displayed for a specific and limited period of time; or
- (3) A sign that will be rendered obsolete after the occurrence of an event or series of events.
- (4) Temporary signs typically include, but are not limited to: portable signs, special event signs, “for sale” and “for lease” signs, “feather signs”, and political campaign signs.

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

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

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

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

3.6 - Signs

- S. Signs located within a sports stadium or athletic field, or other outdoor assembly area, which are intended and oriented for viewing by persons within the facility;
- T. Covered flier boxes under one (1) square foot in area when attached to or associated with a temporary or permanent sign;
- U. Temporary signs, subject to Section 3.6.060
- V. Signs giving notice that a structure on a premises is protected by alarm or security service, provided such signs are not larger than one (1) sq.ft. and are located within 5 feet of the structure.
- W. School Activity Signs. A sign denoting the participation of an occupant of the residence on the lot in a public or private school sport or activity, provided such sign is no larger than six (6) sq.ft.
- X. Signs promoting non-commercial community-wide events provided such sign is no larger than six (6) sq.ft. and is removed after the event occurs.
- Y. One flashing open/closed sign not exceeding two sq. ft.

3.6.050 Prohibited Signs. The following signs are prohibited:

- A. Hazardous signs.
- B. Signs within or which overhang streets, except as allowed in this chapter.
- C. Portable signs in the following categories:
 - 1. Signs on a vehicle parked on private property, public property or right-of-way, unless the vehicle is used for transport in the normal day-to-day operations of a business, except as provided in section 3.6.040 P.
 - 2. Signs propped up by or leaning against a motor vehicle when such vehicle is parked in the public right-of-way.
- D. Moving signs.
- E. Balloon signs twenty-four (24) inches in diameter or greater.
- F. Electronic Digital (Video) signs.
- G. Flashing signs, except as provided in 3.6.040Y.
- H. Roof signs.
- I. Signs that appear similar in shape, color, size or copy to traffic control devices.
- J. Off-site signs, except as lawfully exist prior to adoption of this Chapter.
- K. Portable or temporary signs in the right-of-way, unless approved by the City Manager.

3.6.060 Temporary signs.

A. Temporary signs may be erected and maintained only in compliance with this section.

1. Temporary signs that exceed the applicable area limitations set forth in 3.6.060.B shall not be permitted.
2. Temporary signs that overhang a public right-of-way and that are authorized by a governmental agency are not subject to the provisions of 3.6.060.B, below.
3. With the exception of subsection (2) above, and signs installed or authorized by a governmental agency, no temporary signs are permitted in or over public right-of-way.
4. Temporary and portable signs over four feet tall shall be set back a minimum of five feet from the street side of a property line. This does not apply to a sign placed within a recessed entryway, provided that no portion of the sign extends over a public sidewalk, or to signs which hang from the face or wall of a building, provided that the sign does not extend more than two inches from the face or wall.
5. Temporary signs affixed to a building may be placed no higher than the building's eave, top of wall, or parapet.
6. With the exception of subsection (2) above, temporary signs shall not be attached to trees, shrubbery, utility poles or traffic control signs or devices.
7. Temporary signs are not counted against the total area of permanent sign allowance.

B. Temporary signage shall be allowed as follows:

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

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

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

- a. Temporary signs shall be limited to a total of 48 square feet per business. Except as provided in subsection A(2), above, attachment of a temporary sign to permanent signs or structures, awnings, trees, or utility poles is prohibited. Temporary signs on a site or building may be placed for a period not exceeding 90 days without a permit, but must be legibly dated in permanent marker on the initial date of display in the lower right hand corner of the sign.
- b. In addition to the temporary signs otherwise permitted in this code, a business may have temporary signs in excess of the number and size allowed above, during events as listed below:

3.6 - Signs

Grand opening event: A grand opening is an event of up to 30 days duration within 30 days of issuance of a certificate of occupancy for a new or remodeled structure, or within 30 days of change of business or ownership. No business may have more than one grand opening event per calendar year. The applicant shall notify the city in writing of the beginning and ending dates prior to the grand opening event.

Sale or other events: Two other events per calendar year. The events may not be more than ten consecutive days' duration, and not less than 30 days apart.

3. All Zones:

- a. Signs not exceeding six (6) square feet each in area, advocating for or against a candidate or measure on a national, state or local election ballot. These signs may be erected 60 days prior to an election and must be removed 7 days after an election.
- b. One temporary sign per frontage, not exceeding six (6) square feet in area in Residential zones and thirty two (32) square feet in Commercial and Industrial zones, during the time of sale, lease or rental of the lot or structure on the lot, provided that the sign is removed within thirty (30) days after the sale, lease or rental of the lot or structure.
- c. Up to three (3) temporary sign per frontage, not exceeding six (6) square feet in area, during the time of construction, landscaping, or remodeling of the property, provided that the sign is removed within thirty (30) days after the completion of such construction, landscaping, or remodeling.

3.6.065 Garage Sale Signs.

- A. Only one sign shall be posted upon the premises on which the garage sale, as defined and regulated by DCC 7.500 et. seq., is to be held.
- B. One off premise sign for the purpose of directing people to the garage sale shall also be permitted but only a sign issued by the city shall be allowed. The city shall have available a reasonable supply of garage sale signs for use by individuals. The city may secure a deposit to cover the cost of replacing the sign in the event it is damaged or lost.
- C. Signs shall not be placed in the public right-of-way and shall be placed upon private property only with the consent of the property owner. Signs shall not be placed earlier than one hour before the garage sale starts and shall be removed by no later than one hour after the conclusion of the garage sale.

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

A. Residential Zones.

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

2. Each public school is permitted one (1) permanent sign per public street frontage. Each sign may take any of the following forms (although only one freestanding sign taller than six (6) feet in height is permitted per school): a freestanding sign no taller than fifteen (15) feet in height and no larger than thirty six (36) square feet in area; an indirectly illuminated or non-illuminated monument sign no taller than six (6) feet in height and no larger than forty-eight (48) square feet in

3.6 - Signs

area; and a wall sign placed no higher than thirty-five (35) feet above grade or the eave, top of wall, or parapet (whichever is less) and no larger than forty-eight (48) square feet in area. Each sign may include changeable copy (manual or electronic) subject to 3.6.070E (1 – 4, 6 and 7). Each sign shall meet the setbacks applicable to the residential zone in which it is located.

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

B. Central Business District (CBD) and Neighborhood Commercial (CN) Zones. Signs in the CBD and CN zones may be directly or indirectly lit. Each building or multi-tenant complex may have any combination of wall sign, monument sign, canopy sign, hanging sign, projecting sign, or freestanding sign not to exceed, in total, two (2) square feet for each foot of lot frontage on a street. In the case of two frontages, the larger frontage will be used to compute total sign size. Each site of multi-tenant complex is allowed one (1) permanent pylon sign not to exceed 75 square feet in area for a single-faced sign, 150 square feet in area for a double-faced sign, and twenty –four feet in height. Window signs are permitted, provided they shall not exceed 50 percent of the total window area per window and shall not be counted toward the allowable total sign area.

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

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

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

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

D. Supplemental permanent sign provisions. (All zones)

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

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

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

3.6 - Signs

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3.6.075 Murals.

- A. A permit must be obtained for a mural as required in 3.6.080(B), except that the application must include a detailed rendering of the proposed mural including content, colors, and type of paint/material, and a plan for maintenance after completion.
- B. A mural must be compatible with the architectural and aesthetic components of the building, not detract from the character of the district in which it is located, and not be detrimental to the public health, safety, and welfare.

3.6.080 Sign Permits.

A. General Provisions.

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

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

B. Sign Permit.

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

- a. Size, height, location, description, and material of the sign;
- b. Name of the manufacturer, contractor, owner, and business advertised;
- c. Scaled drawing(s) and description of copy, structure, and lighting;
- d. Photo(s) or drawing(s) of the proposed sign location(s); and
- e. Signature(s) of property the owner(s) or authorized designee(s).
- f. Other information required to demonstrate compliance with this Chapter.

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

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

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

3.6.090 Abandoned Signs.

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

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

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

3.6.110 Nonconforming Signs.

- A. The following will require that a nonconforming sign be brought into compliance with this chapter: physical modification of a nonconforming sign or any action on a nonconforming sign that requires a building permit. This does not include replacement of a sign face without modification of the frame or general sign maintenance and repair.
- B. All temporary or portable signs not in compliance with the provisions of this Chapter on the effective date of this Chapter shall be removed or made compliant within 45 days of the effective date.
- C. Amortization. Any freestanding or roof sign that was lawfully established before the effective date of this Chapter, but which does not conform with the provisions of this ordinance, shall be removed or brought into conformance with this ordinance within five (5) years from the date of its adoption, or sooner, at the time of occurrence of any of the actions set forth in subsection A, above.

3.6.120 Exceptions. The Planning Official may authorize exceptions from the requirements of this chapter where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, strict application of this chapter would cause an undue or unnecessary hardship; provided that no exception shall be granted for signs prohibited by Section 3.6.050 of this chapter, except for off-site directional signs, for which an exception may be granted. In granting an exception the Planning Official may attach conditions which he/she finds necessary to protect the best interests of the surrounding property or neighborhood or otherwise achieve the purposes of this chapter.

- A. No exception shall be granted unless it can be established that:
 - 1. The request is necessary to prevent a hardship due to factors such as topography, location, surrounding development, lot shape or lot size;
 - 2. The granting of the exception will not result in material damage or prejudice to other property in the vicinity; and

3.6 - Signs

3. The request will not be detrimental to community standards and the appearance of the city.

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

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

A. General Provisions.

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

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

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

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

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

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

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

C. Any violation of this Chapter or other applicable provisions of this code are considered a civil infraction and subject to the provisions of Dallas Municipal Code Chapter 1.052.

6.140 Sign Type Illustrations



Wall



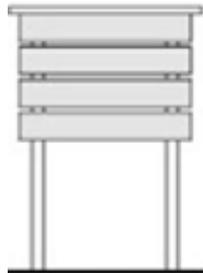
Hanging



Roof



Projecting



Pole/Pylon



Monument



Canopy

[3.7 Surface Water Management]

[3.8 Outdoor Lighting]

[Reserved]