



AGENDA

MILWAUKIE PLANNING COMMISSION Tuesday February 8, 2011, 6:30 PM

MILWAUKIE CITY HALL
10722 SE MAIN STREET

- 1.0 **Call to Order - Procedural Matters**
- 2.0 **Planning Commission Minutes** – Motion Needed
- 3.0 **Information Items**
- 4.0 **Audience Participation** – This is an opportunity for the public to comment on any item not on the agenda
- 5.0 **Public Hearings** – Public hearings will follow the procedure listed on reverse
 - 5.1 Summary: Land Use and Development Review Tune-Up Code Amendments
continued from 1/25/11
Applicant: City of Milwaukie
File: ZA-10-02, CPA-10-03
Staff Person: Susan Shanks
- 6.0 **Worksession Items**
 - 6.1 Summary: Sign Code Amendments discussion (Review of amendments drafted by Jim Crawford)
Staff Person: Ryan Marquardt
 - 6.2 Summary: Discussion of work plan for FY 2010-11; revisions to Bylaws
Staff Person: Katie Mangle
- 7.0 **Planning Department Other Business/Updates**
- 8.0 **Planning Commission Discussion Items** – This is an opportunity for comment or discussion for items not on the agenda.
- 9.0 **Forecast for Future Meetings:**
 - February 22, 2011 1. Worksession: North Clackamas Park North Side Master Plan
 - March 8, 2011 1. Public Hearing: Natural Resource & Water Quality Code Amendment

Milwaukie Planning Commission Statement

The Planning Commission serves as an advisory body to, and a resource for, the City Council in land use matters. In this capacity, the mission of the Planning Commission is to articulate the Community's values and commitment to socially and environmentally responsible uses of its resources as reflected in the Comprehensive Plan

1. **PROCEDURAL MATTERS.** If you wish to speak at this meeting, please fill out a yellow card and give to planning staff. Please turn off all personal communication devices during meeting. For background information on agenda items, call the Planning Department at 503-786-7600 or email planning@ci.milwaukie.or.us. Thank You.
2. **PLANNING COMMISSION MINUTES.** Approved PC Minutes can be found on the City website at www.cityofmilwaukie.org
3. **CITY COUNCIL MINUTES** City Council Minutes can be found on the City website at www.cityofmilwaukie.org
4. **FORECAST FOR FUTURE MEETING.** These items are tentatively scheduled, but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.
5. **TME LIMIT POLICY.** The Commission intends to end each meeting by 10:00pm. The Planning Commission will pause discussion of agenda items at 9:45pm to discuss whether to continue the agenda item to a future date or finish the agenda item.

Public Hearing Procedure

Those who wish to testify should come to the front podium, state his or her name and address for the record, and remain at the podium until the Chairperson has asked if there are any questions from the Commissioners.

1. **STAFF REPORT.** Each hearing starts with a brief review of the staff report by staff. The report lists the criteria for the land use action being considered, as well as a recommended decision with reasons for that recommendation.
2. **CORRESPONDENCE.** Staff will report any verbal or written correspondence that has been received since the Commission was presented with its meeting packet.
3. **APPLICANT'S PRESENTATION.**
4. **PUBLIC TESTIMONY IN SUPPORT.** Testimony from those in favor of the application.
5. **NEUTRAL PUBLIC TESTIMONY.** Comments or questions from interested persons who are neither in favor of nor opposed to the application.
6. **PUBLIC TESTIMONY IN OPPOSITION.** Testimony from those in opposition to the application.
7. **QUESTIONS FROM COMMISSIONERS.** The commission will have the opportunity to ask for clarification from staff, the applicant, or those who have already testified.
8. **REBUTTAL TESTIMONY FROM APPLICANT.** After all public testimony, the commission will take rebuttal testimony from the applicant.
9. **CLOSING OF PUBLIC HEARING.** The Chairperson will close the public portion of the hearing. The Commission will then enter into deliberation. From this point in the hearing the Commission will not receive any additional testimony from the audience, but may ask questions of anyone who has testified.
10. **COMMISSION DISCUSSION AND ACTION.** It is the Commission's intention to make a decision this evening on each issue on the agenda. Planning Commission decisions may be appealed to the City Council. If you wish to appeal a decision, please contact the Planning Department for information on the procedures and fees involved.
11. **MEETING CONTINUANCE.** Prior to the close of the first public hearing, *any person* may request an opportunity to present additional information at another time. If there is such a request, the Planning Commission will either continue the public hearing to a date certain, or leave the record open for at least seven days for additional written evidence, argument, or testimony. The Planning Commission may ask the applicant to consider granting an extension of the 120-day time period for making a decision if a delay in making a decision could impact the ability of the City to take final action on the application, including resolution of all local appeals.

The City of Milwaukie will make reasonable accommodation for people with disabilities. Please notify us no less than five (5) business days prior to the meeting.

Milwaukie Planning Commission:

Jeff Klein, Chair
Nick Harris, Vice Chair
Lisa Batey
Scott Churchill
Chris Wilson
Mark Gamba

Planning Department Staff:

Katie Mangle, Planning Director
Susan Shanks, Senior Planner
Brett Kelter, Associate Planner
Ryan Marquardt, Associate Planner
Li Alligood, Assistant Planner
Alicia Stoutenburg, Administrative Specialist II
Paula Pinyerd, Hearings Reporter



MILWAUKIE

Dogwood City of the West

To: Planning Commission

Through: Katie Mangle, Planning Director

From: Susan P. Shanks, Senior Planner
Ryan Marquardt, Associate Planner
Marcia Hamley, Administrative Specialist II

Date: February 1, 2011, for February 8, 2011, Public Hearing

Subject: File: ZA-10-02 & CPA-10-03
File Type: Zoning Ordinance Amendment and Comprehensive Plan Amendment
Applicant: Katie Mangle, Planning Director, City of Milwaukie

ACTION REQUESTED

Recommend that City Council adopt the proposed amendments to Milwaukie Comprehensive Plan Chapters 1 and 2; Milwaukie Municipal Code Title 19 Zoning Ordinance, Title 17 Land Division Ordinance, Title 14 Sign Ordinance; and related amendments to Titles 2, 3, 12, 13, and 18 with the recommended findings in support of approval.

BACKGROUND INFORMATION

This staff report is for a continuation of the January 25, 2011 hearing on the proposed amendments described above. Please refer to the January 25 staff report for additional background information.

A. History of Prior Actions and Discussions

- **January 2011:** Planning Commission held the first public hearing on the proposed code amendments.
- **December 2010:** Staff distributed the full package of proposed code amendments.
- **November 2010:** Briefing #6 provided an overview of all proposed procedural improvements and policy changes, with a focus on amortization of nonconforming uses and expiration of land use approvals.
- **November 2010:** 2-hour discussion with Planning Commission Subcommittee.
- **October 2010:** Briefing #5 focused on conditional uses, amendments to maps and ordinances, and development review.

- **October 2010:** 1-1/2 hour discussion with Planning Commission Subcommittee.
- **September 2010:** Briefing #4 focused on variances and nonconforming situations.
- **August 2010:** Briefing #3 focused on variances and nonconforming situations.
- **July 2010:** Briefing #2 focused on time limits and extensions of land use approvals.
- **July 2010:** 1-hour discussion with Planning Commission Subcommittee.
- **May 2010:** Briefing #1 focused on project goals and the City's code history and current review procedures.
- **March 2010:** The Commission reviewed the intergovernmental agreement between the City and the State of Oregon.
- **October 2009:** Staff presented the 2009 Smart Growth Code Assessment Final Report to Council. Council concurred with the code amendment priorities identified in the report and requested that staff move forward with the next phase of the project.
- **August 2009:** Planning Commission reviewed and provided concurrence on the Action Plan presented in the 2009 Smart Growth Code Assessment Final Report.

COMMENTS ON THE PROPOSAL

After many months of work developing the proposed amendments with staff, the Planning Commission held the first public hearing on the proposal on January 25, 2011. Nine people contacted staff in advance of this hearing with questions about the proposal and/or the hearing. Three people testified at the hearing, one of whom submitted written testimony. During the hearing, two commissioners and one testifier proposed changes to the proposal. The Commission continued the hearing to allow staff time to incorporate these changes into the proposal and respond to questions raised.

As of the writing of this report, staff revised the proposal to address the written testimony received, left a phone message with one testifier, and met with another, Ms. Baker, to discuss the proposed amendments in more detail. As a result of questions raised at the January 25 hearing by Ms. Baker, staff also created a one-page table that compares the current and proposed codes with respect to public involvement so that it is easier to understand the kinds of changes being proposed (see Attachment 1).

Staff also briefed the NDA leadership on the status of the proposal at their January 26 meeting.

As of the writing of this report, no additional written comments have been received. Any comments received prior to 3pm on the day of the February 8 hearing will be provided to the Commission before the hearing. Comments received after 3pm will be presented at the hearing.

See Attachment 2 for a summary of the public involvement and information tasks completed during the course of this project.

RECOMMENDATION

Staff's recommendation to the Planning Commission is as follows:

Approve a motion to recommend that City Council adopt the draft ordinance and related exhibits as proposed, with the modifications described in the January 25 staff report and discussed at

the January 25 hearing. In addition to the modifications shown in Attachment 3 involving story poles and sign postings, staff will bring copies of all other modifications previously discussed by the Planning Commission to the February 8 hearing.

CODE AUTHORITY AND DECISION-MAKING PROCESS

The proposed amendments are subject to the following provisions of the Milwaukie Zoning Ordinance, which is Title 19 of the Milwaukie Municipal Code (MMC), and the Milwaukie Comprehensive Plan (MCP).

- Chapter MMC 19.900 Amendments
- Subsection MMC 19.1011.5 Legislative Review
- MCP Chapter 2 Objective 1 Amending the Plan

The proposed amendments are subject to legislative review, which requires both the Planning Commission and City Council to consider whether the proposal complies with the code sections shown above. For legislative actions, the Planning Commission assesses the application against the review criteria, evaluates testimony and evidence received at a public hearing, and makes a recommendation to City Council. City Council will hold another public hearing to consider the Commission's recommendation, evaluate any additional testimony and evidence, and make the final decision on the proposal.

The Planning Commission has the following decision-making options:

1. Forward a recommendation to City Council to approve the proposed amendments and ordinance.
2. Forward a recommendation to City Council to approve the proposed amendments and ordinance with modifications.
3. Continue the hearing to further evaluate the proposed amendments and ordinance.
4. Deny the proposed amendments and ordinance. This would have the effect of deciding to continue to implement the code in its current state.

Because this proposal is a legislative action, there is no deadline by which the City must make a final decision.

ATTACHMENTS

Attachments are provided only to the Planning Commission unless noted as being attached. All material is available for viewing upon request.

1. Comparison of current and proposed policies for public involvement in the land use review process (attached)
2. Summary of public involvement and information tasks for this project (attached)
3. Proposed amendments related to story poles and sign postings (attached)

The proposed amendments and other project documents are available online at:

<http://www.ci.milwaukie.or.us/planning/land-use-and-development-review-code-tune-project>

Code Requirements for Public Involvement in the Land Use Process

Comparison between current policies and those proposed by the
Land Use and Development Review Code Tune-up Project

REVIEW TYPE	CURRENT REQUIREMENT	PROPOSED REQUIREMENT
Type I (PD) Referral Mailed Notice Newspaper Notice Sign Notice Appeal	<ul style="list-style-type: none"> • None. • None. • None. • None. • Unclear. 	<ul style="list-style-type: none"> • None. • None. • None. • None. • Appeal to PC.
Type II (PD) Referral Mailed Notice Newspaper Notice Sign Notice Appeal	<ul style="list-style-type: none"> • None. • 300-foot notice 14 days prior to decision finalized. • None. • None. • Elevation to PC w/ appeal to CC. 	<ul style="list-style-type: none"> • 7 days after application complete. • 300-foot notice 7 days after application complete with minimum 14-day comment period. • None. • 7 days after application complete and until decision issued. • Appeal to PC.
Type III (PC) Referral Mailed Notice Newspaper Notice Sign Notice Appeal	<ul style="list-style-type: none"> • None. • 300-foot notice 20 days before hearing. • 2X before hearing: 14 & 5 days • 10 days before hearing. • Appeal to CC. 	<ul style="list-style-type: none"> • 7 days after application complete. • 300-foot notice 20 days prior to hearing. (400-foot notice 20 days prior to hearing for zoning map amendments.) • None. • 14 days before hearing. • Appeal to CC “on the record.”
Type IV (PC & CC) Referral Mailed Notice* Newspaper Notice Sign Notice Appeal	<ul style="list-style-type: none"> • None. • 400-foot notice 10 days before each hearing. (ZC) 400-foot notice 30 days before each hearing for Comp Plan map amendments. (CP) • 2X before each hearing: 14 & 5 days • 10 days before each hearing. • Appeal to LUBA. 	<ul style="list-style-type: none"> • 7 days after application complete. • 400-foot notice 20 days before each hearing. Additional notice for zoning map amendments per ORS. (ZC) • None. • 14 days before each hearing. • Appeal to LUBA.
Type V (PC & CC) Referral Public Notice Public Meeting(s) Newspaper Notice* Sign Notice Appeal	<ul style="list-style-type: none"> • At PD’s discretion. • None. • At PD’s discretion • 2X before each hearing: 14 & 5 days (ZC) 30 & 10 days (CP) • None. • Appeal to LUBA. 	<ul style="list-style-type: none"> • At PD’s discretion. • 30 days before each hearing. Additional notice at PD’s discretion and per ORS. • At PD’s discretion. • At PD’s discretion. • At PD’s discretion. • Appeal to LUBA.

* Current inconsistency between Zoning Code and Comprehensive Plan.

PD = Planning Director
 PC = Planning Commission
 CC = City Council
 ZC = Zoning Code
 CP = Comprehensive Plan

Summary of Public Involvement and Information Tasks

Land Use and Development Review Tune-up Project

Public Meetings

- May – December 2010: 7 Planning Commission work sessions and 3 subcommittee meetings.
- November – January 2010: 3 City Council work sessions.

Public Hearings

- January – February 2011: 2 Planning Commission hearings.
- March 2011: 1 or more City Council hearings.

Neighborhood District Associations

- November 4, 2010: Project introduction at NDA Land Use Training meeting.
- November 10, 2010: Project e-mail summary with link to project website.
- December 29, 2010: Project e-mail notice with code amendment adoption timeline.
- January 26, 2011: Project update at NDA Leadership meeting. (Staff requested to be on the agenda in September 2010 but briefing delayed due to other discussion items.)

Interested Persons

- January 3, 2011: Project e-mail summary with link to project website.
- January 18, 2011: Project e-mail summary with link to project website.

Property Owners

- January 5, 2011: 3-page notice mailed to all property owners in the City that described the proposed code amendments and provided information about the January 25 hearing.

Website

- November 2010: Project website created.
- November 2010: Preliminary draft chapters posted to website.
- December 10, 2010: First full draft proposal posted to website.
- January 14, 2011: Revised full draft proposal posted to website.

Milwaukie Pilot

- January 2011: Project article with January 25, 2011 hearing date, staff contact, and project website information.

Community Connection

- Ongoing: Project information posted in JCB Bulletin on a weekly basis, including Planning Commission and City Council work sessions and hearings and other project milestones.

CHAPTER 19.1000

REVIEW PROCEDURES

The following underlined text shows the proposed substantive changes to the draft version of Chapter 19.1000 that the Planning Commission reviewed at its January 25, 2011 hearing on the Land Use and Development Review Code Tune-up Project. The underlined text reflects the Commission's desire to include more detailed information about story poles and sign postings in this package of code amendments.

APPLICATION SUBMITTAL & HEARING REQUIREMENTS

19.1001.6 Applications

C. Notice Requirements

1. Notice of Type II, III, and IV applications and some Type V applications shall be posted on the subject property by the applicant per Sections 19.1005 – 8 respectively. If the affidavit of posting is not submitted on time or if the required number and type of notice signs are not posted for the required period of time, the City may require an extension of the 120-day decision requirement, delay the decision, and/or postpone or continue the public hearing on the application as necessary. The applicant will be required to repost the notice signs as necessary to meet the requirements of Sections 19.1005 – 8 respectively.
2. Where a review type in this chapter specifies that mailed notice of an application or hearing is required, the notice is deemed to have been provided upon the date the notice is deposited in the mail. Failure of the addressee to receive such notice shall not invalidate the proceedings if it can be demonstrated by affidavit that notice to the required parties was deposited in the mail. Notice to surrounding property owners shall be provided using the most recent property ownership information from the county assessor that is available to the city.

D. Additional Requirements

For applications where the subjective aspects of the height and mass of the proposed development will be evaluated at a public hearing, temporary on-site "story pole" installations that simulate the proposed development, and photographic representations thereof, may be required prior to the public hearing.

19.1003.2 Application Submittal Requirements

All application information must be sufficiently detailed and specific to the development being proposed to allow for adequate public review. The application submittal must include all of the items listed below in order for the City to accept the application and initiate completeness review. If the application requires a public hearing, additional items may be required per Subsections 19.1001.6.C and D prior to the public hearing.

- Application form, including signature(s) of the property owner or public agency initiating the application.
- Deed, title report, or other proof of ownership.

Proposed Code Amendment

- C. Detailed and comprehensive description of all existing and proposed uses and structures, including a summary of all information contained in any site plans. The description may need to include both a written and graphic component such as elevation drawings, 3 dimensional models, and photo simulations, etc. For applications where the subjective aspects of the height and mass of the proposed development will be evaluated at a public hearing, temporary on-site “story pole” installations that simulate the proposed development, and photographic representations thereof, may be required at the time of application submittal.

SIGN POSTINGS

19.1005.3 Type II Public Notice

- C. Notice Sign

No more than 7 days after the application has been deemed complete, notice of the application shall be posted on the subject property by the applicant and shall remain continuously posted until the decision is issued. Signs shall be posted on the property in a location which is clearly visible to vehicles traveling on a public street and legible to pedestrians walking by the property. The number and size of signs shall be appropriate given the size of the property, number of street frontages, and the functional classification of surrounding streets. The City shall provide the applicant at least one sign and the instructions for posting. An affidavit of posting shall be submitted by the applicant prior to the issuance of the decision and made part of the case file.

The Planning Director shall adopt administrative rules for sign postings. The rules shall ensure that sign postings are consistent in appearance, legible to the public, and appropriate for the type and location of development being proposed. They will also ensure that the applicant’s affidavit contains all necessary information, including but not limited to photographic documentation, to confirm that the requirements of this subsection have been met.

19.1006.3 Type III Public Notice & 19.1007.3 Type IV Public Notice

- E. Notice Sign

At least 14 days prior to the hearing, notice of the application shall be posted on the subject property by the applicant and shall remain continuously posted until the hearing. Signs shall be posted on the property in a location which is clearly visible to vehicles traveling on a public street and legible to pedestrians walking by the property. The number and size of signs shall be appropriate given the size of the property, number of street frontages, and the functional classification of surrounding streets. The City shall provide the applicant at least one sign and the instructions for posting. An affidavit of posting shall be submitted by the applicant prior to the hearing and made part of the case file.

The Planning Director shall adopt administrative rules for sign postings. The rules shall ensure that sign postings are consistent in appearance, legible to the public, and appropriate for the type and location of development being proposed. They will also ensure that the applicant’s affidavit contains all necessary information, including but not limited to photographic documentation, to confirm that the requirements of this subsection have been met.



To: Planning Commission
Through: Katie Mangle, Planning Director
From: Ryan Marquardt, Associate Planner
Date: February 1, 2011, for February 8, 2011, Worksession
Subject: Sign Code Amendments for Electronic Readerboards

ACTION REQUESTED

None. This is a briefing for discussion only regarding potential amendments to the sign code to address the allowance of electronic readerboards downtown. The appellant from File #AP-10-01 needs the Planning Commission's feedback on the attachments to this staff report to proceed with creating an application to amend the sign code.

BACKGROUND INFORMATION

The background of this item begins with a 2009 permit to reface existing signage at 10966 SE McLoughlin Blvd. The work done to the sign installed changeable electronic text that displays gasoline prices with light emitting diodes (LEDs). Planning Department staff had not authorized such signage to be installed, and presented gas station owner, Mr. Nabil Kanso, with options for remedying the violation. Mr. Kanso ultimately appealed the Planning Director's interpretation that Milwaukie Municipal Code (MMC) Title 14 Sign Ordinance does not allow electronic readerboard signs in the downtown zones. The Planning Commission upheld the Planning Director's interpretation, meaning that the LED electronic readerboard signage was in violation of the code.

Though the Planning Commission upheld the interpretation, it also expressed dissatisfaction with the current regulations regarding readerboard signage. During its deliberation, the Planning Commission requested that the appellant return to discuss amendments to allow limited readerboard signage in a manner that would not negatively affect the aesthetics of downtown. Pursuant to that request, the applicant is returning at this worksession to discuss such code amendments.

A. History of Prior Actions and Discussions

- **October 2010:** Planning Commission hears appeal (AP-10-01) on whether MMC Title 14 Sign Ordinance allows electronic readerboard signs downtown.

B. Proposed Amendments

Mr. Jim Crawford represents Mr. Kansa and has been working on drafting amendments to the sign code. His work is included in Attachment 1 to this staff report. The proposed text amendments are included in the first two pages of Attachment 1, and are summarized as follows:

- Electronic message boards would be allowed with approval by the Planning Commission as part of a freestanding sign for properties along McLoughlin Blvd.
- The maximum area of an electronic message board would be the smaller of 25% of the sign's total display area OR 20 sq ft per display surface.
- The electronic message board could change copy once every 24 hours and would not be allowed to flash or having moving copy.
- Electronic message boards could use normal bulbs or LEDs to display copy.
- Addition of an electronic message board would be allowed as a change in copy for non-conforming signs.

Mr. Crawford's report includes several examples of freestanding signs that include electronic message boards, along with the percentage of the total sign face utilized by the message board.

C. Questions for Consideration

In staff's opinion, the materials in Attachment 1 present a good starting point for the Planning Commission's consideration of this matter. It would be helpful to have guidance from the Planning Commission on the following aspects of the amendments:

1. Is it appropriate to limit the allowance for electronic readerboard signs to freestanding signs on properties fronting McLoughlin Blvd? Should the allowance include other types of signs? Other areas of downtown?
2. Are the proposed limitations on the amount of a sign face that can be an electronic message board appropriate?
3. Would the Planning Commission add, modify, or delete any of the standards that would apply to electronic message boards (MMC 14.16.060.I.2-6)?
4. Is the Planning Commission comfortable with allowing the addition of an electronic readerboard sign into signs that are nonconforming?
5. Does the Planning Commission believe that these amendments are consistent with the applicable Downtown Design Guidelines (see Attachment 2)?
6. What should the criteria for approval be? Though this draft identifies the Planning Commission as the decision-maker, there aren't any discretionary approval criteria listed.

Staff has these additional items of note related to these amendments:

- The amendments affect only downtown Milwaukie. The sign ordinance already allows for readerboard signs in commercial areas outside of downtown.

- It is helpful to have an explicit allowance, as included in the draft, for LED illumination for interior illumination of signs, regardless of if they are used inside or outside of downtown.
- The draft amendments propose an exception to the one copy change per 24 hour limitation for signs displaying the time or temperature. This is a content-based regulation that is not legal; the City removed a similar provision for this reason in 2007.
- Staff agrees that some type of limitation on the illumination level of electronic message boards is needed. The draft amendments have a very subjective measure allowing the Planning Director to determine what is “too bright”. It is difficult to develop, interpret, and enforce illumination standards, and staff expects that more effort may need to be devoted to this topic.

D. Next Steps

Based on the discussion at this worksession, staff expects that Mr. Crawford will refine the draft amendments. Once the Planning Commission is comfortable with the draft amendments, staff expects to initiate the code amendment process as a City-initiated amendment. The amendments would come before the Planning Commission at a public hearing, at which the Commission would make a recommendation to the City Council regarding adopting the amendments.

ATTACHMENTS

Attachments are provided only to the Planning Commission unless noted as being attached. All material is available for viewing upon request.

1. Applicant’s Proposed Amendments to Title 14 Signs (attached)
2. Downtown Design Guidelines – Signs and Sign Lighting (attached)

Proposed Sign Code Language:

Electronic Message Signs

MMC 14.04.030 Definitions

Sign, electronic message. “Electronic message sign” means a sign that contains numbers, letters, words or symbols capable of being changed. The display on the sign face is changed by electric or electronic means.

Static Message. “Static Message” means a sign that does not move, change, scroll, vary in color or light intensity excepting on a daily basis.

MMC 14.16.060.A Freestanding signs

- 1 Area
- c. In all of the Downtown Zones, properties with frontage on SW McLoughlin Blvd. may incorporate a one single- or double-sided electronic message sign as part of the a monument or freestanding sign subject to design review by the Planning Commission. Such sign shall be located along the McLoughlin Blvd. frontage. An electronic message sign shall only be allowed as a portion of the total allowable sign area as described above and is not to be an additional sign.

The sign area of the electronic message portion of the overall sign is to be limited to the more restrictive of:

1. The maximum area shall not exceed twenty (20) square feet per display surface and;
2. The maximum percentage of the overall sign shall not exceed twenty-five (25) percent of the display surface each side.

MMC 14.16.060.H Illumination

6. LED (light emitting diodes) illumination may be used for internal cabinet illumination.
7. Electronic Message Signs may use exposed bulb or LED illumination.

MMC 14.16.060. I Electronic Message Sign Standards

Electronic message signs may be incorporated into monument or freestanding signs located adjacent to the McLoughlin Blvd. frontage in all of the Downtown Districts subject to MMC 14.16.060.A. the following:

1. All electronic message signs require Planning Commission approval.

2. An electronic message sign shall have a static message and shall not have a change in message more than one time per 24 hours.
Exception: signs that only display the time and temperature.
3. An electronic message sign may have characters lit individually with exposed bulbs or LED illumination. Characters are to be monochromatic on a black background. The color of the display is subject to Planning Commission review and approval.
4. An electronic message sign may be incorporated into a new or existing freestanding sign provided the electronic message sign assembly is an integral part of the sign with no dimensional variation in width or thickness.
5. No electronic message sign bulb or diode may be illuminated to a degree of brightness that is greater than necessary for adequate visibility for daytime and nighttime use. Signs found to be too bright shall be adjusted or removed as directed by the planning director.
6. Electronic message signs with flashing, moving, scrolling or changing electronic message or images or that vary color or light intensity are prohibited in the Downtown District. Sign copy shall not appear to flash, undulate, or pulse, or portray explosions, fireworks, flashes of lights, or blinking of chasing lights. Copy shall not appear to move toward or away from the viewer, expand or contract, bounce, rotate, spin, twist, or otherwise portray graphics or animation as it moves onto, is displayed on, or leaves the sign face.

MCC 14.24.020 Sign Lighting

F. The prohibition in the Code of bare bulb illumination or visible sign sources in the Downtown Districts is not intended to prohibit the use of LED (light emitting diode) as a source of internal cabinet illumination or bulbs or LED for electronic message sign display.

MCC 14.28.020 Nonconforming signs

- A. Time Limit
 3. Any sign which is structurally altered, relocated, or replaced shall immediately be brought into conformance with all of the provisions of this chapter. A nonconforming sign in all zones may be maintained or undergo a change of copy or image without complying with the requirements of this chapter.
Exception: With Planning Commission approval, a nonconforming sign may be altered to include an electronic message sign as part of a change of copy or image subject to MMC 14.16.060.A.1.c and MMC 14.16.060.I.

Examples of Electronic Message Signs

Types of businesses and organizations that commonly use electronic message signs:

Churches

Electronic message portion of total sign
Is approximately 60%

This sign is approximately 32 sq. ft.
excluding the brick monument)



Electronic message portion of total sign
Is approximately 70%



Schools

Electronic message portion of total sign
Is approximately 42%

This sign is approximately 36 sq. ft.
The message portion is approximately
15 sq. ft.



Civic – coming events

Electronic message portion of total sign
Is approximately 35%

This sign is approximately 72 sq. ft. The
message portion is approximately 24 sq. ft.



Theaters – plays and music events

Electronic message portion of total sign
Is approximately 40%

(The sign is not incorporated into the
overall signage but is a separate sign)



Clubs and Athletic Facilities

Electronic message portion of total sign
Is approximately 60%

(The sign is not incorporated into the
overall signage but is a separate sign,
dimensionally larger than the monument
base or balance of the sign.)

The overall sign area is approximately 44
sq. ft. The electronic message sign is
approximately 26 sq. ft.



Gas Stations – Pricing information

Electronic message portion of total sign
Is approximately 20%

This is the applicant’s sign. The overall
sign area is approximately 63.5 sq. ft.
The electronic display area is approximately
12.5 sq. ft.



Electronic message portion of total sign
Is approximately 17%



Electronic message portion of total sign
Is approximately 14%

(Note that as the total sign area
increases, the percentage of electronic
display area decreases).

This sign also post the price of diesel fuel.



Large Shopping Center Monuments

Electronic message portion of total sign
Is approximately 22%

(The sign is not incorporated into the overall signage but is a separate sign, dimensionally larger (width and thickness) than the monument base or balance of the sign.)



Retail Strip Malls

Electronic message portion of total sign
Is approximately 31%



Stand Alone Retailers

Electronic message portion of total sign
Is approximately 32%



Combination Sign

Motels and Hotels

Electronic message portion of total sign
Is approximately 45%



Retail Centers

Electronic message portion of total sign
Is approximately 26%



Small Retail Strip Centers

Electronic message portion of total sign
Is approximately 64%

(The sign is not well incorporated into the overall signage but is a separate sign, dimensionally larger than the other signs below.)



Stand Alone Businesses

Electronic message portion of total sign
Is approximately 32%

(Note background is bright white and sign is wider than the signs below).



Stand Alone Retailers

Electronic message portion of total sign
Is approximately 26%

(Note white background color).



Building Material / Construction

Electronic message portion of total sign
Is approximately 40%



Retailers – Promotional Sales

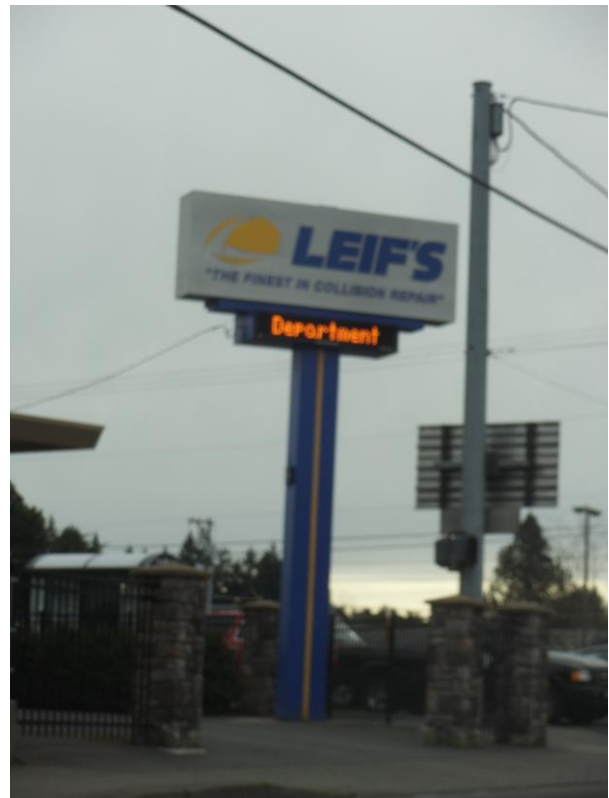
Electronic message portion of total sign
Is approximately 25% excluding temporary
sign below and characters mounted to posts.



Body Shops – scrolling message.

Electronic message portion of total sign
Is approximately 16%

(Note: Smallness of electronic message
requires a scrolling message).



Bars, Taverns and Restaurants

Electronic message portion of total sign
Is approximately 25%, excluding lottery
sign area.



Banks and Credit Unions

Electronic message portion of total sign
Is approximately 12%

Often limited to time and temperature but
can include changes messages about
Interest rates, etc.



Lighting Guidelines

Milwaukie Downtown Design Guidelines

Sign Lighting

Guideline

Sign lighting should be designed as an integral component of the building and sign composition.

Description

Sign lighting may provide interest not only during nighttime but also daytime. Sign lighting should be oriented toward pedestrians along adjacent streets and open spaces.

Recommended

- “Gooseneck” lighting that illuminates wall-applied signs.
- Sign silhouette backlighting.
- Incandescent or fluorescent bulb or low-voltage lighting.

Not Recommended

- Backlight vinyl awning sign lighting.
- Interior plastic sign lighting.
- Metal halide, neon or fluorescent tube sign lighting.
- Signs lit by lights containing exposed electrical conduit, junction boxes or other electrical infrastructure.



Recommended: Gooseneck lighting that illuminates a wall sign (SW 5th and Alder, Portland)



Not Recommended: Exposed utilitarian lighting (SW Salmon and 9th, Portland)



Sign Guidelines

Sign guidelines are organized by sign type. Sign guidelines include specific descriptive requirements of recommended and not recommended signs. Sign types include:

- Wall Signs
- Hanging or Projecting Signs
- Window Signs
- Awning Signs
- Information and Guide Signs
- Kiosks and Monument Signs
- Temporary Signs

Visual examples are included as models for design and review purposes. They are intended to provide designers and the Design and Landmarks Commission a means to recognize recommended and not recommended sign types.

Sign Guidelines

Milwaukie Downtown Design Guidelines

Intent

Each development or building represents only a small portion of the downtown as a whole, but contributes significantly to the overall visual image of downtown. The uniform application of sign guidelines addressing type, location, size and quality will ensure a visually pleasing downtown environment.

Signs may provide an address, identify a place of business, locate tenants, or generally provide directions and information. Appropriately designed, signs can also reinforce the downtown's character and provide visual interest. Regardless of function, signs should be architecturally compatible and contribute to the character of the area. Signs should be good neighbors - they should not compete with each other or dominate the setting due to inconsistent height, size, shape, number, color, lighting or movement.

Code Requirement:

The following guidelines do not supersede sign codes. They are instead intended to supplement the City's sign code. All required permits can be obtained through the Milwaukie Planning Department. Please refer to the City of Milwaukie's Sign Ordinance for complete requirements and approval procedures.



Recommended: Signs that are highly graphic and oriented toward the pedestrian. (Vancouver, BC)

Sign Guidelines

Milwaukie Downtown Design Guidelines

Wall Signs

Guideline

Signs should be sized and placed so that they are compatible with the building's architectural design.

Description

Signs should not overwhelm the building or its special architectural features. Signs should not render the building a mere backdrop for advertising or building identification.

Recommended

- Wall signs should be located along the top, middle or at the pedestrian level of buildings.
- Signs should be incorporated into the building architecture as embossing, low relief casting, or application to wall surfaces.
- Signs may be painted or made with applied metal lettering and graphics.
- Signs should be durable and long lasting.
- Signs may incorporate lighting as part of their design.
- Signs should be located as panels above storefronts, on columns, or on walls flanking doorways.

Not Recommended

- The material, size and shape of signs that overwhelm, contrast greatly or adversely impact the architectural quality of the building.



Recommended: Signs incorporated into architectural design (NW 23rd and Everett, Portland)



Not Recommended: Oversized sign (NW 10th and Burnside, Portland)



Not Recommended: Building facades designed primarily to serve as a sign (NW 20th and Burnside, Portland)

Sign Guidelines

Milwaukie Downtown Design Guidelines

Hanging or Projecting Signs

Guideline

Hanging signs should be oriented to the pedestrian, and highly visible from the sidewalk.

Description

Signs should not overwhelm the streetscape, and should be compatible with and complementary to the building architecture and any awnings, canopies, lighting, and street furniture.

Recommended

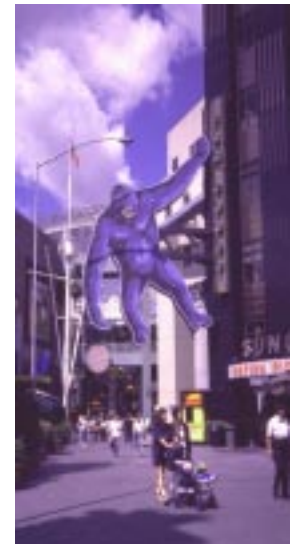
- Any required sign lighting should be integrated into the facade of the building. (See lighting guidelines.)
- Signs should be very graphic and constructed of high quality materials and finishes.
- Signs should be attached to the building with durability in mind.

Not Recommended

- Signs interfering with sight lines that may create a safety hazard, obstruct or block views.



Recommended: Hanging signs (Oak Street, Hood River, Colorado Blvd., Pasadena, CA, False Creek Waterfront, Vancouver, BC, NW 23rd and Glisan, Portland)



Not Recommended: Overscaled Hanging signs that block, obstruct or dominate views (City Walk, Los Angeles, CA)

Sign Guidelines

Milwaukie Downtown Design Guidelines

Window Signs

Guideline

Window signs should not obstruct views through windows.

Description

Window signs should be oriented to pedestrians rather than motorists. They should be an integral component of the storefront design.

Recommended

- Neon or other illumination is only appropriate if installed as interior signs.
- Interior applied lettering or graphics.

Not Recommended

- Painted window signs.



Recommended: Interior neon sign indicates retail use only (NW 23rd and Irving, Portland)



Not Recommended: Window advertising sign (SW Broadway and Washington, Portland)

Sign Guidelines

Milwaukie Downtown Design Guidelines

Awning Signs

Guideline

Awning signs should be used as alternatives to building or wall signs. They should be designed as a means to attract attention to a shop, office or residential entrance.

Description

Awning signs should not dominate or overwhelm the building; rather, the awning should serve as mere backdrop for building or tenant identification.

Recommended

- Awning signs generally should occur at only one location on a single building.
- Signs painted on fabric awning valances.
- Signs applied to, embossed on or attached to canopy edges.

Not Recommended

- Signs located on second or upper story awnings.
- Lighting of awning signs either externally or internally.



Recommended: Sign compatible with and integrated into architecture of building (SW 10th and Alder, Portland)



Not Recommended: Vinyl awning sign (N Lombard and N Denver, Portland)

Sign Guidelines

Milwaukie Downtown Design Guidelines

Information and Guide Signs

Guideline

Directional signs should be small scale and of consistent dimensions, and located in a visually logical order. These signs also should provide on-site directional information.

Description

Directional signs - those intended to identify and direct vehicular and pedestrian traffic to various on-site destinations - may be provided along roadways and within all multi-parcel developments, consistent with the City's Sign Code.

Directional signs should be designed consistently throughout a project. All signs shall be fabricated from the same materials, with a consistent color palette and common graphic theme. The use of materials compatible with adjacent architectural design is encouraged.

Recommended

- Location at entries to parking lots or service areas.
- Signs in internal courtyards, along walkways, or at plazas.



Recommended: Pedestrian scaled directional signs (Portland Art Museum, Saturday Market, Portland)



Recommended: Low scaled auto-oriented directional sign (N Interstate and N Denver, Portland)

Sign Guidelines

Milwaukee Downtown Design Guidelines

Kiosks and Monument Signs

Guideline

Directory monument information signs should illustrate the layout of a development, and list and locate uses or tenants within.

Description

These signs should be highly graphic, constructed of durable materials and consistent with architectural and landscape themes. They should be scaled to and easily approached by pedestrians rather than passing motorists.

Recommended

- Kiosks that provide directional information and additional space for public announcements or flyers.
- Vandal-resistant painted or cast metal sign monuments.
- Compatibility with adjacent architecture and established downtown streetscape elements.

Not Recommended

- Freestanding monuments at primary building entries, forecourts or plazas.
- Wood construction, glass, plastic or other non-durable materials.
- Internal illumination.
- Wildly contrasting colors or graphics that are highly distracting.



Recommended: Information kiosk oriented to pedestrians (Pearl Street Mall, Boulder, CO)



Not Recommended: "Suburban-styled" monument signs at building entries (Second and Morrison, Portland)

Sign Guidelines

Milwaukie Downtown Design Guidelines

Temporary Signs

Guideline

Signs identifying short-term uses or activities should be allowed on a temporary basis if consistent with the design character of the surrounding area.

Description

Temporary signs should not obstruct pedestrian access or disrupt the visual quality of downtown. Sandwich board signs should be located within close proximity of the use identified. Temporary signs should be used only during hours in which businesses are open.

Recommended

- Easels and chalkboards.
- High quality professionally-painted and -designed sandwich boards.

Not Recommended

- Signs which impede or obstruct pedestrian access.
- Poor quality “homemade”-looking sign construction, painting, graphics or lettering.
- Attachments of balloons, banners or flags.
- Advertisements for products or services.



Recommended: Temporary signs constructed of durable materials (Broadway and Morrison, Portland)



Recommended: Small chalkboard as temporary sign (NW 21st and Johnson, Portland)



Not Recommended: Poorly executed and maintained temporary signs (NW 6th and Everett, and SW 3rd and Ankeny, Portland)



MILWAUKIE

Dogwood City of the West

To: Planning Commission

From: Katie Mangle, Planning Director

Date: January 27, 2011, for February 8, 2011, Worksession

Subject: Draft Work Plan for Discussion with Council

ACTION REQUESTED

Review and comment on the draft Planning Commission work program for the fiscal year of 2010-11. The Commission is scheduled to meet with City Council to discuss this program on March 1, 2011; the staff report for this discussion is due February 16.

BACKGROUND INFORMATION

The Milwaukie Municipal Code requires that the City Council meet annually with the Planning Commission to discuss its work program.

The Planning Commission serves the City by reviewing and advising on matters of planning and zoning, according to the provisions of the Comprehensive Plan and Zoning, Sign, and Land Division ordinances. It does this by deciding land use and development applications, developing long-range plans, and proposing updates and amendments to the Milwaukie Municipal Code and Comprehensive Plan. Planning Staff works closely with the Commission to make progress in all of these areas.

A. Accomplishments in 2009-10

During the past year, the Planning Commission has had many accomplishments, including the following:

- Held 11 public hearings on land division, land use, and legislative applications.
- Prepared one major code amendment package for Council adoption – 19.500 Off-Street Parking Code, which Council adopted in April 2009.
- Developed the code amendments related to the Land Use and Development Review Process Tune-up project, to be presented to Council for adoption this spring. This project represents significant progress on work identified by the Commission in its work plans since 2004.
- Developed the code and map amendments needed for the City to comply with Metro Functional Plan Title 13, the Natural Resource Overlay project. This project is also on track to present to Council for adoption this spring.
- Completed the first significant update to the Commission Bylaws since 1998.
- Held one training on the land use process and holding effective public hearings.

- Advised staff on upcoming policy changes, select administrative review decisions, and long range planning projects.

In addition, the Commission discussed a wide variety of topics in work session, including:

- The Portland to Milwaukie light rail project
- The Johnson Creek Watershed Council's work
- Comprehensive Plan update
- The South Downtown Concept
- Restructuring of the development review fee schedule

As evidenced by previous work programs, there is a long list of potential projects for the commission and staff. The proposed work program for the coming fiscal year is a plan for fulfilling the Commission's responsibilities for long-term and current planning, recognizing available staff and budget resources.

Draft Planning Commission Priorities for 2010-11

Based on Commission work plans and "wish lists" developed over the past four years, the priorities in the Smart Growth Code Assessment, and recent Commission discussions, staff has drafted the following draft list of the Planning Commission priorities for its work in FY 2010-11.

A. Projects and tasks already identified or in process

1. **Conduct public hearings** and make decisions on matters that may include, but are not limited to, community service uses, variances, zone changes, conditional uses, subdivisions, and partitions. With this task, the Commission reacts to applications made to the City by other parties.
2. **Residential Development Standards Project** – Lead the community to develop a coherent vision and new code for all residential development. This long-range planning and code amendment project has been on the Commission's work plan for many years, so will be a top priority to complete over the next year. During its recent goal setting session, members of Council requested that this project be a focus of the discussion during the March 1 meeting.
3. **Maintain compliance with the Metro Regional Functional Plan** – This work is required for the City to comply with regional planning policies. The City will be required to comply with the following as a result of regional policy changes adopted by the Metro Council in December 2010.
 - Begin update of the Transportation System Plan
 - Industrial zone amendments to comply with Title 4 (Industrial lands).
 - Develop approaches to complying with Title 6 (Centers, Main Streets and Corridors) and 1 (Housing)

B. Projects and issues to be discussed and developed

1. **Begin the Commercial Areas planning and regulatory improvements** - The 2009 Smart Growth Code Assessment identified as 3rd and 4th priorities improvements to Commercial area zoning and a revisiting/ updating of the Downtown zoning policies. In 2009, the City received a grant for this project from Metro. However, funding has been delayed by a lawsuit regarding Metro's Construction Excise Tax, the grant funding

source. Pending Council approval of local funding and staff availability, this project will be developed over the coming year to include:

- Vision and revised code for neighborhood-oriented commercial areas (particularly 32nd and 42nd Avenues)
- Planning for development on and rezoning of Murphy and McFarland sites
- Downtown Plan and code refresh
- Consideration of forming an urban renewal district to implement the community's plans

2. Work with Council to develop a strategy for updating the Milwaukie

Comprehensive Plan – The state-mandated Periodic Review of Milwaukie's 1989 Comprehensive Plan has been delayed indefinitely. The City needs to develop a strategy for updating the Plan to address local needs, and create a plan and strategy for a strong and healthy Milwaukie over the next twenty years.

3. Other issues and topics for education and discussion

- Light rail station area planning – Participation in the design of the light rail project, which will complete final design and permitting over the next year. How can the City make the most of the increased transit service to be provided by the Tacoma and Lake Road stations?
- Review and update Chapter 14 - Sign Code to address electronic signs and improve aesthetic standards throughout the City of Milwaukie
- Sustainability and Milwaukie's response to forthcoming requirements to reduce greenhouse gas emissions.
- Other?

4. Trainings for Commissioners

Commissioner trainings may include:

- Oregon's land use system
- Holding public hearings

What other types of training would you like to see over the next year?