



March 10, 2022

Land Use File(s): CSU-2021-005

NOTICE OF DECISION

This is official notice of action taken by the Milwaukie Planning Commission on March 8, 2022.

Traducciones de este documento e información sobre este proyecto están disponibles en español. Para solicitar información o preguntar en español, favor de email espanol@milwaukieoregon.gov.

Applicant(s):	North Clackamas School District
Location(s):	2301 SE Willard St
Tax Lot(s):	1S1E36BC05600
Application Type(s):	Community Service Use sign
Decision:	Approved with Conditions
Review Criteria:	Milwaukie Zoning Ordinance: <ul style="list-style-type: none">• Milwaukie Municipal Code (MMC) Section 14.08.090 Conditional and Community Service Use Signs• MMC Section 14.16.010 Signage for Residential Zones• MMC Section 14.24.020 Sign Lighting• MMC Section 19.1006 Type III Review
Neighborhood(s):	Historic Milwaukie

Appeal period closes: 5:00 p.m., March 25, 2022

This notice is issued in accordance with Milwaukie Municipal Code (MMC) Section 19.1006 Type III Review. The complete case file for this application is available for review by appointment between 8:00 a.m. and 5:00 p.m. on regular business days at the Planning Department, Johnson Creek Facility, 6101 SE Johnson Creek Blvd. Please contact Brett Kelter, Senior Planner, at 503-786-7657 or kelterb@milwaukieoregon.gov, if you wish to view this case file.

This decision may be appealed by 5:00 p.m. on March 25, 2022, which is 15 days from the date of this decision.¹ (Note: Please arrive by 4:45 p.m. for appeal payment processing.) Only

¹ As per MMC Section 19.1010, if the 15th day falls on a weekend or legal holiday, the end of the appeal period shall be extended to the end of the next business day.

persons who submitted comments or made an appearance of record at the public hearing have standing to appeal the decision by filing a written appeal. An appeal of this decision would be heard by the Milwaukie City Council following the procedures of MMC Section 19.1010 Appeals. This decision will become final on the date above if no appeal is filed during the appeal period. Milwaukie Planning staff can provide information regarding forms, fees, and the appeal process at 503-786-7630 or planning@milwaukieoregon.gov.

Per MMC Subsection 19.1001.7.E, this land use approval expires unless the applicant has: (1) obtained and paid for all necessary development permits and started construction within two years of land use approval, and (2) passed final inspection and/or obtained a certificate of occupancy within four years of land use approval. Extensions can be granted per MMC Section 19.908.

Findings in Support of Approval

The Findings for this application are included as Exhibit 1.

Conditions of Approval

1. As per Finding 4, only the electronic reader board display portion of the new sign may be illuminated as per the standards of Milwaukie Municipal Code (MMC) Subsection 14.24.020.G. The static display and the overall monument structure are approved with no illumination.
2. As per Finding 4, the electronic reader board display portion of the new sign must be turned off every night no later than 10:00 p.m., except when in use for emergency situations.

Other requirements

The following items are not conditions of approval necessary to meet applicable land use review criteria. They relate to other development standards and permitting requirements contained in the MMC and Public Works Standards that are required at various points in the development and permitting process.

1. Submittal of a standard sign permit application is required for the new sign approved by this land use decision (file #CSU-2021-005). The submitted plans must be revised sufficiently to indicate that Condition 1 is met and to accurately represent what will be installed (in particular with respect to sign illumination).
2. The electronic display sign illumination intensity is limited to no more than 0.3 footcandles over ambient light, as per the measurement methodology established in MMC Subsection 14.24.020.G.1.
3. As per MMC Subsection 14.24.020.G.3, the message or copy on the electronic display sign is allowed to change no more frequently than every ten (10) seconds. The change in message or copy may occur instantaneously or may fade or dissolve with a transition time of no more than two (2) seconds between each separate message or display.

Exhibits

1. Findings in Support of Approval

cc: Ron Stewart, North Clackamas School District (NCSD), applicant (via email)
Cindy Detchon, NCSD, applicant's representative (via email)
Mercedes Serra, 3J Consulting, applicant's representative (via email)
Planning Commission (via email)
Joseph Briglio, Community Development Director (via email)
Steve Adams, City Engineer (via email)
Engineering Development Review (via email)
Samantha Vandagriff, Building Official (via email)
Stephanie Marcinkiewicz, Inspector/Plans Examiner (via email)
Harmony Drake, Permit Technician (via email)
Alex McGladrey, CFD#1 (via email)
NDA(s): Historic Milwaukie (via email)
Interested Persons
Land Use File(s): CSU-2021-005

EXHIBIT 1
Findings in Support of Approval
File #CSU-2021-005
Electronic Reader Board Sign at Milwaukie High School

Sections of the Milwaukie Municipal Code (MMC) not addressed in these findings are found to be inapplicable to the decision on this application.

1. The applicant, North Clackamas School District, has applied for approval to replace an existing monument sign at the Milwaukie High School campus at 2301 SE Willard St. The subject property is primarily zoned Residential R-2, though a small portion of the Performing Arts Center (southwest portion of campus) is zoned Downtown Mixed Use (DMU) and some of the parking and maneuvering areas at the northwest corner of the campus is zoned Residential-Business Office (R-1-B). The school is an approved community service use (CSU). The land use application file number is CSU-2021-005.
2. The applicant proposes to replace the existing monument sign near the driveway entrance of the off-street parking area at the southwestern corner of the campus with a new monument sign that includes both a static display (approximately 22.5 sq ft) and an electronic display (approximately 17 sq ft). The new sign is approximately 13.5 ft long and ranges in height from approximately 4 ft to 6 ft above grade due to the sloping topography.
3. Signage in residential zones is limited, though the sign code allows signs associated with conditional and community service uses subject to Type I or Type III review depending on the size. The proposal is subject to the following provisions of the Milwaukie Municipal Code (MMC):
 - MMC Section 14.08.090 Conditional and Community Service Use Signs
 - MMC Section 14.16.010 Signage for Residential Zones
 - MMC Section 14.24.020 Sign Lighting
 - MMC Section 19.1006 Type III Review

The application has been processed and public notice provided in accordance with MMC Section 19.1006 Type III Review. A public hearing was held by the Planning Commission on March 8, 2022, as required by law.

4. MMC Section 14.08.090 Conditional and Community Service Use Signs
MMC 14.08.090 establishes that signs for conditional uses and community service uses (CSUs) are limited in general to those allowed in the underlying zone but may be increased as per MMC Table 14.08.090.B (with Type I review) or MMC Table 14.08.090.C (with Type III review). With Type III review, a freestanding CSU sign may be approved with a maximum area of 40 sq ft per display surface, up to 12 ft in overall height, and with a maximum length of 20 ft.

Sign illumination for conditional use and CSU signs is limited to what is allowed in the underlying zone. As per MMC Section 14.16.010, for residential zones, only external illumination is allowed and then only for signs at multifamily developments or at entrances to subdivisions or manufactured home parks. For CSUs that are public high schools, MMC Subsection 14.08.090.E allows one electronic display sign (monument or freestanding) as part of a larger sign, with a display area limit of 20 sq ft for the electronic display portion. The illumination is subject to the standards established for electronic display signs in MMC Subsection 14.24.020.G, including a maximum illumination intensity of 0.3 footcandles over ambient light and a message change rate of no more than once every 10 seconds for electronic sign faces of 20 sq ft or less.

In reviewing an application for a sign to meet the standards of MMC Table 14.08.090.C, the Planning Commission will consider the proximity of the sign to residences, the functional classification of adjacent streets, and the scale of surrounding development.

The subject property is a public high school that was established in 1925 and is a de facto CSU. Several major modifications to the school have been approved in conjunction with various improvements over the years. Most recently, in 2017 a major modification was approved for a significant renovation of the campus, including demolition and replacement of the historic main classroom building (file #CSU-2017-007).

The proposed sign would replace an existing static-display monument sign with a new monument sign that includes both a static display (approximately 22.5 sq ft) and an electronic display (approximately 17 sq ft) on one side of the sign structure. The overall sign structure is approximately 13.5 ft long and ranges in height from approximately 4 ft to 6 ft above grade due to the sloping topography. The electronic reader board display is the only part of the sign that would be illuminated, as allowed by MMC 14.08.090.E and MMC 14.24.020.G. The applicant's original submittal materials included plans that showed illumination for the overall monument sign, but a condition has been established to ensure that the plans are revised to confirm that only the electronic display will be illuminated.

The proposed sign location is near the entrance to the southwestern parking lot on campus, which provides the most direct access to the primary entrance of the main school building and is accessible from a driveway onto Willard Street. The proposed sign would be across Willard Street from the complex of three-story buildings owned and operated by Northwest Housing Alternatives (NHA), including the NHA office. The sign would be most directly visible from the NHA office building, with a more restricted line of sight to the lone NHA multifamily building that fronts on Willard Street.

Willard Street is classified as a local street, providing access to the NHA parking area as well as to the three school parking lots on the southern part of the campus. The school's Willard Street frontage also serves as a loading area for buses at the beginning and end of the school day. Overall, the street is not unusually busy over the course of the day, but the proposed sign would be highly visible to anyone entering the campus near the main entrance, which is the reason the applicant would like to provide the electronic display. The local street classification of Willard Street means

there is a lower volume of traffic to be impacted by the proposed sign than if it was intended to be visible from Lake Road, which is classified as an arterial (higher volume) street.

Finally, the scale and mass of surrounding development is such that the proposed sign will not dominate or overwhelm the visual environment. The new school building is three stories tall, as are the buildings on the NHA campus across the street. The sign is well under the maximum height allowed for Type III CSU signs and is an appropriately scaled feature for the open space landscaped area where it is proposed. To minimize the visual impact of the sign during hours of low use, a condition has been established requiring the electronic reader board display portion to be turned off every night no later than 10:00 p.m., except when in use for emergency situations.

As conditioned, the Planning Commission finds that the proposed signage is consistent with that allowed for conditional use and CSU signs through Type III review, as per MMC Subsection 14.08.090.C.

5. The application was referred to the following departments and agencies on January 31, 2022:
- Milwaukie Engineering Department
 - Milwaukie Building Department
 - Historic Milwaukie Neighborhood District Association (NDA) Chairperson and Land Use Committee (LUC)
 - Clackamas Fire District #1 (CFD)
 - Clackamas County Department of Transportation & Development
 - Metro
 - TriMet

The responses received are summarized as follows:

- **Alex McGladrey, Deputy Fire Marshal, CFD:** No comments.
- **Mary Ellen Boles, neighborhood resident:** Opposition to the proposed electronic reader board sign, due to concerns about added light impacts in an area that already has a lot of outdoor lighting. Questions about potential impacts to birds and wildlife as well as about the usefulness of the proposed sign.