

CITY OF MILWAUKIE
PLANNING COMMISSION MINUTES
TUESDAY, JULY 25, 2006

COMMISSIONERS PRESENT

Jeff Klein, Chair
Lisa Batey
Teresa Bresaw
Catherine Brinkman
Scott Churchill

STAFF PRESENT

Katie Mangle,
Planning Director
Ryan Marquardt,
Assistant Planner
Shirley Richardson
Hearings Reporter

COMMISSIONERS ABSENT

Dick Newman, Vice Chair

1.0 CALL TO ORDER

The meeting was called to order at 6:32 p.m.

2.0 PROCEDURAL QUESTIONS -- None.

3.0 CONSENT AGENDA

3.1 Planning Commission Minutes -- None

4.0 INFORMATION ITEMS -- City Council Minutes

City Council minutes can be found on the City web site at
www.cityofmilwaukie.org

5.0 PUBLIC COMMENT -- None.

6.0 Public Hearings -- None

7.0 WORKSESSION ITEMS

7.1 Sign Ordinance

Ms. Mangle reported that for tonight's worksession she had a slide presentation on signs. She presented the newest draft revision of the sign code. Most of the

revisions have to do with getting content-based language out of the code; time, place and manner can be regulated. A lot of the sign requests are Type I (administrative level) decisions.

Wall signs are any sign painted on, attached to, or erected against the wall of a building or structure, and project less than 12 inches from the wall. Painted wall decorations are acceptable.

- Murals are wall signs
- Banner signs are lightweight fabric or similar material that can be mounted both on a permanent structure
- Cabinet signs display - face is mounted on or attached to the front of a self contained "box like" structure, usually houses a light source and affixes to a building or other structure
- Canopy signs are over doorways and windows and are limited to 3-ft. deep. This sign is painted onto or attached to the face of a canopy, entire exposed face of the canopy shall be designated the sign area, canopy signs shall be considered wall signs for purposes of determining size allowances
- Awning signs are in a pedestrian and auto pathway and more than 3-ft deep. Awning signs are painted onto or attached to the face of an awning.

A freestanding sign is wholly supported by a sign structure in the ground. Free standing signs include pole signs and monumental signs.

- Pole sign is a freestanding sign in which the display face of the sign is supported on a base which may be tubular, columnar or rectangular in shape. Any portion of the base or support structure has a width that is less than the width of the display surface of the sign.
- Monument signs have a closed base. Any sign fixed to a base that which has a projection equal to or greater than a regular sign.
- Billboard signs will be deleted from the code. Billboards will be considered to be a free standing sign. The definition for billboard is different from freestanding signs because it is on private property.

Projecting signs are attached to a building and extend more than twelve inches beyond the line or surface of the building. Various types of projecting signs are:

- Hanging signs are suspended below a canopy, awning, or other portions of a building and typically oriented perpendicular to pedestrian or vehicular travel
- Roof signs are a sign erected upon or above a roof or parapet of a building

Signs in Windows are a sign, pictures, symbols, neon tubing or a combination thereof, placed within a window, directed towards the outside of the window. This includes window signs and window displays.

Miscellaneous signs include fence and bench signs.

Manner of Signs

- Illuminated
- Illuminated externally
- Illuminated internally
- Changing signs
- Portable signs -- daily display, stick in the ground signs
- Temporary -- garage sale signs, real estate for sale signs, painted holiday signs

Exempted Signs are those that do not need a permit. This includes banner signs less than 40-s.f. for special events; for sale signs, flags, bench signs, small signs, window signs less than 20% of the window in the downtown area and 50% outside the downtown area. The exempted sign is limited to less than 4-s.f. and less than 3-ft. tall.

Prohibited Signs include Pole signs in downtown, signs with lighting that is hazardous to auto or pedestrian traffic, reflective signs, flashing signs, advertising with strings or balloons, pennants, window signs in the downtown area covering more than 50% of window, search lights, signs in the Right Of Way, large permanent fence signs and signs on utility poles.

Slides were shown of allowable signs in Residential Zones, Commercial Zones, Industrial Zones and Downtown Zones.

Commissioner Churchill asked for the differences between the Lake Oswego code and the Milwaukie code. **Ms. Mangle** stated that Lake Oswego's sign code is much easier to read and simple to understand. Milwaukie has taken some of Lake Oswego's code language and definitions to incorporate in the Milwaukie code revisions. The use of more drafts and charts was taken from the Portland sign code.

Ms. Mangle asked the Commission for guidance on how to address signs for Community Service Uses and Conditional Uses. Page 9, Section 1408.090; allows the Planning Commission a lot of discretion and the City Attorney is concerned with regulating speech. The attorney suggests the Commission come up with more criteria, more realistic standards for all Community Services Uses and Conditional Uses, i.e., dentist offices, offices in residential zones, churches, schools, offices, etc. The revised criteria are 16 sq.ft., wall height limit of 6-ft. above grade, one wall sign and one display sign. Option A is to create a limited one-step approach.

Option B would allow a little more than the one-step approach; setting similar standards that are slightly higher; instead of 16 sq.ft. it allows 40 sq.ft. in size which allows for a slightly higher and amount of signage. Additional language includes, "The Planning Director may refer approval of any proposed signage to

the Planning Commission if it is determined that there are potential adverse impacts to the adjacent properties or neighborhood.”

Concerns were raised regarding the 40 sq.ft. sign. Examples were shown of a 40 sq.ft. signs in comparison to 10 sq.ft. signs.

Commissioner Brinkman suggested creating a variance where an applicant would need to present reasons for having a sign larger than 16 sq.ft.

Chair Klein suggested limiting CSO signs to 10 feet in length and 6 feet in height.

Ms. Mangle stated that she will propose to the City Attorney doing a Type I up to 16 sq.ft. with the current dimensional requirements. The Planning staff will refer approval to the Planning Commission for not only the potential adverse impacts but also if the applicant wants to increase the size up to 40 sq.ft.

Commissioner Churchill suggested that for monument or free-standing signs have a maximum length of 10 feet and maximum height of 6 feet on Community Service Uses. Wall signs should be measured by height and length rather than 10%.

Ms. Mangle stated that there are three issues still undecided; 10% wall signs, mural signs, and eliminating cabinet signs. Other discussion included:

- Murals having the same limitations as wall signs. Portland treats murals the same as wall signs. The murals have to receive approval through the Regional Arts Council
- Illuminated cabinet signs are discouraged in downtown zones (page 23). The attorney stated that the language is needed to add criteria for approval. In Lake Oswego illuminated cabinet signs are prohibited in downtown, residential and old town area
- Limiting the sunset clause to five years

Ms. Mangle asked the Commission if they preferred to replace text with a table or adding tables to support existing text.

Most of the proposed changes are not on the standards; the focus is on the key issues discussed tonight. Staff will prepare more information addressing the issues discussed tonight and prepare revisions for review and comments at the next worksession.

Commissioner Batey suggested limiting banners to less than a year; why not allowing only for 3 months in a year. **Ms. Mangle** stated that current codes indicate that a banner is allowed for 30 days or less at any one time.

Chair Klein suggested making all banners permit based; take it out of exempt category and put it into all of the sign districts of permitted signs with size restrictions.

Staff will review the suggestions and bring new language back to the Commission for review and comments.

Chair Klein voiced concern about the use for the former Cash Spot. Milwaukie purchased the property and owns it outright. It was purchased as an investment. He feels this location would be ideal for boat parking and addressing the parking on the waterfront.

7.2 Overall Review of Transition of New Staff

The Commission concurred that the transition of the new staff has been smooth and seamless. They like the way that Johnson Creek is heading. The staff reports are thorough and complete.

Commissioner Churchill stated that he would like to see story poles, streetscapes, and city perspectives included in the staff reports.

8.0 DISCUSSION ITEMS -- None.

9.0 OLD BUSINESS -- None.


10.0 OTHER BUSINESS / UPDATES

10.1 Matters from the Planning Director

11.0 NEXT MEETING -- August 8, 2006

Commissioner Bresaw moved to adjourn the meeting of July 25, 2006. **Commissioner Batey** seconded the motion. MOTION PASSED UNANIMOUSLY.

The meeting adjourned at 8:36 p.m.


Jeff Klein, Chair


Shirley Richardson, Hearings Reporter

MILWAUKIE PLANNING COMMISSION

MILWAUKIE CITY HALL
10722 SE MAIN STREET

AGENDA TUESDAY, JULY 25, 2006 6:30 PM

		ACTION REQUIRED
1.0	Call to Order	
2.0	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. Thank You.	
3.0	Planning Commission Minutes Approved PC Minutes can be found on the City web site at: www.cityofmilwaukie.org	Motion Needed
4.0	Information Items – City Council Minutes City Council Minutes can be found on the City web site at: www.cityofmilwaukie.org	Information Only
5.0	Public Comment This is an opportunity for the public to comment on any item not on the agenda	
	Public Hearings - None	Discussion & Motion Needed For These Items
7.0	Worksession Items	
7.1	Sign Code (Title 14) Revision – Refer to staff report for June 27 th discussion (materials previously provided)	Review & Discussion
8.0	Discussion Items This is an opportunity for comment or discussion by the Planning Commission for items not on the agenda.	Review and Decision
9.0	Old Business	
10.0	Other Business/Updates	
10.1	Matters from the Planning Director – Mid-Year Check-in	Information Only Review and Comment
11.0	Next Meeting: August 8, 2006 Hearing – Walker Subdivision @ near SE 63 rd Avenue and SE Furnberg Street The above items are tentatively scheduled, but may be rescheduled prior to the meeting date. Please contact staff with any questions you may have.	

Forecast for Future Meetings:

Worksession
9/12 – Hearing ~ Spring Park Community Service Use and Comprehensive Plan 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

Public Hearing Procedure

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.** The staff report is followed by any verbal or written correspondence that has been received since the Commission was presented with its packets.
3. **APPLICANT'S PRESENTATION.** We will then have the applicant make a presentation, followed by:
4. **PUBLIC TESTIMONY IN SUPPORT.** Testimony from those in favor of the application.
5. **COMMENTS OR QUESTIONS.** Comments or questions from interested persons who are neither in favor of nor opposed to the application.
6. **PUBLIC TESTIMONY IN OPPOSITION.** We will then take testimony from those in opposition to the application.
7. **QUESTIONS FROM COMMISSIONERS.** When you testify, we will ask you to come to the front podium and give your name and address for the recorded minutes. Please remain at the podium until the Chairperson has asked if there are any questions for you from the Commissioners.
8. **REBUTTAL TESTIMONY FROM APPLICANT.** After all testimony, we will take rebuttal testimony from the applicant.
9. **CLOSING OF PUBLIC HEARING.** The Chairperson will close the public portion of the hearing. We will then enter into deliberation among the Planning Commissioners. From this point in the hearing we will not receive any additional testimony from the audience, but we may ask questions of anyone who has testified.
10. **COMMISSION DISCUSSION/ACTION.** It is our intention to make a decision this evening on each issue before us. Decisions of the Planning Commission may be appealed to the City Council. If you desire to appeal a decision, please contact the Planning Department during normal office hours for information on the procedures and fees involved.
11. **MEETING CONTINUANCE.** The Planning Commission may, if requested by any party, allow a continuance or leave the record open for the presentation of additional evidence, testimony or argument. Any such continuance or extension requested by the applicant shall result in an extension of the 120-day time period for making a decision.
12. **TIME LIMIT POLICY.** All meetings will end at 10:00pm. The Planning Commission will pause hearings/agenda items at 9:45pm to discuss options of either continuing the agenda item to a future date or finishing the agenda item.

The Planning Commission's decision on these matters may be subject to further review or may be appealed to the City Council. For further information, contact the Milwaukie Planning Department office at 786-7600.

Milwaukie Planning Commission:

Jeff Klein, Chair
Dick Newman, Vice Chair
Lisa Batey
Teresa Bresaw
Catherine Brinkman
Scott Churchill

Planning Department Staff:

Katie Mangle, Planning Director
Susan Shanks, Associate Planner
Brett Kelter, Assistant Planner
Ryan Marquardt, Assistant Planner
Jeanne Garst, Office Supervisor
Karin Gardner, Administrative Assistant
Marcia Hamley, Administrative Assistant
Shirley Richardson, Hearings Reporter