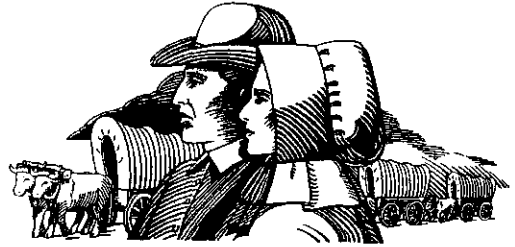


# **CITY OF OREGON CITY**

## **PLANNING COMMISSION**

320 WARNER MILNE ROAD  
TEL 657-0891

OREGON CITY, OREGON 97045  
FAX 657-7892



## **AGENDA**

**City Commission Chambers - City Hall  
August 14, 2000 at 7:00 P.M.**

### **PLANNING COMMISSION MEETING**

- 7:00 p.m. 1. **CALL TO ORDER**
- 7:05 p.m. 2. **PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA**
- 7:10 p.m. 3. **APPROVAL OF MINUTES:** July 24, 2000
- 7:15 p.m. 4. **PUBLIC HEARINGS - NONE**
- 7:20 p.m. 5. **WORKSESSIONS**
  - A. **Design Guidelines** (Material Attached)
  - B. **Sign Ordinance** (Material to be handed out at meeting)
- 9:00 p.m. 6. **OLD BUSINESS**
- 9:05 p.m. 7. **NEW BUSINESS**
  - A. **Staff Communications to the Commission**
  - B. **Comments by Commissioners**
- 9:15 p.m. 8. **ADJOURN**

NOTE: HEARING TIMES AS NOTED ABOVE ARE TENTATIVE. FOR SPECIAL ASSISTANCE DUE TO DISABILITY, PLEASE CALL CITY HALL, 657-0891, 48 HOURS PRIOR TO MEETING DATE.

**DRAFT**

**CITY OF OREGON CITY  
PLANNING COMMISSION MINUTES  
July 24, 2000**

**COMMISSIONERS PRESENT**

Commissioner Orzen  
Commissioner Surratt  
Commissioner Vergun

**STAFF PRESENT**

Maggie Collins, Planning Manager  
Barbara Shields, Senior Planner  
Tom Bouillion, Associate Planner  
Carrie Foley, Recording Secretary

**1. CALL TO ORDER**

**Commissioner Vergun** called the meeting to order and stated that the Commissioners present form a quorum.

**2. PUBLIC COMMENT ON ITEMS NOT LISTED ON AGENDA**

None.

**3. APPROVAL OF MINUTES: July 10, 2000**

**Commissioner Orzen** moved to accept the minutes of the July 10, 2000 Planning Commission meeting no changes, **Commissioner Surratt** seconded.

Ayes: Orzen, Surratt, Vergun; Nays: None.

**4. PUBLIC HEARING (Quasi-judicial)**

**Serving as chairperson, Commissioner Vergun** reviewed the public hearing process and stated the time limitations for speakers in the public hearing. He asked if there was any conflict of interest and if any Commissioner had visited the site. All Commissioners answered in the negative.

**A. CU 00-02 (Quasi-judicial);** Raymond Yancey/13933 South Gain Street. Clackamas County Map #2S-2E-29AA, Tax Lot 2900 & 2901; Request for an addition to an existing church.

## **OPEN OF PUBLIC HEARING**

**Commissioner Vergun** opened the public hearing.

## **STAFF REPORT**

**Tom Bouillion** reviewed the staff report and stated that staff recommended approval of the application for conditional use. He stated that the Commissioners should refer to the oversized plans handed out at the beginning of the meeting.

## **TESTIMONY IN FAVOR**

Raymond Yancey, 835 NE Stephens Street, Portland, OR 97214

**Raymond Yancey** stated that he represented the applicant and had worked to develop the church master plan that includes the proposed addition. He stated that the addition would provide more room for classrooms and allow for flexibility and better use of the existing facilities. He stated that there are plans for interior American Disability Act (ADA) upgrades and also plans for modifications to the parking lot.

**Commissioner Surratt** asked if he had read the conditions of approval. **Raymond Yancey** responded that he had read the conditions of approval and found them to be acceptable.

## **TESTIMONY IN OPPOSITION**

None.

## **CLOSE OF PUBLIC HEARING**

## **DELIBERATION AMONG COMMISSIONERS**

**Commissioner Orzen** stated that the application was straightforward and thorough. **Commissioner Surratt** stated that the application looked good and she had no disagreements. **Commissioner Vergun** stated that he agreed that the application was acceptable and there was nothing present that would adversely impact the surrounding

properties. **Commissioner Orzen** moved to approve the application for conditional use based on the findings of the staff report. **Commissioner Surratt** seconded.

Ayes: Orzen, Surratt, Vergun; Nays: None

## **5. OLD BUSINESS**

### **WORK SESSION**

#### **A. Sign Ordinance Review Project**

**Tom Bouillion** reviewed a handout covering commercial and industrial wall sign ordinances from Ashland, West Linn, Clackamas County, and the City of Portland. He stated that he would bring the remainder of commercial and industrial sign ordinance potential changes to the next work session. His recommendations included:

- Oregon City currently has no maximum size for wall mounted signs, 100 square feet should be the maximum size.
- The current wall sign size standard of 2 square feet per linear foot of wall is too generous and should be modified to 1.5 square feet.

#### **B. Design Review Project**

**Barbara Shields** reviewed the handout of design guidelines and explained the rationale behind every design standard. Issues of development at human scale, balanced design promoting harmony with surrounding neighborhood, and flexibility were particularly stressed. She stated that she would bring a revised draft of the design standards to the next work session and would present a slideshow.

- Commercial buildings larger than 10 thousand square feet should be subject to stricter guidelines based on the greater impact to the built environment of larger sized buildings.
- Different sets of guidelines should be developed for various zones to allow flexibility for the diversity of neighborhoods within the City.
- Standards for facades, exterior walls, and entryways should be included in the main set of commercial and industrial design guidelines.

- Requirements for creation of community space for larger retail buildings should explicitly state that the spaces to be created are restricted to exterior areas only.
- Cumulative statements such as “including but not limited to” should be added where applicable.

## **6. NEW BUSINESS**

### **A. Staff Communications to the Commission**

**Maggie Collins** stated that there would be a joint work session for the Planning Commission and City Commission to be held on August 2, 2000 from 5pm to 7pm in City Chambers.

### **B. Comments by Commissioners**

**Commissioner Orzen** stated that there would be a Regional Conference for Neighborhoods to promote community involvement on September 16, 2000 from 9:30am to 4:30pm at the Hudson’s Bay High School in Vancouver, WA.

## **7. ADJOURN**

All Commissioners agreed to adjourn.

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**Gary Hewitt, Planning Commission  
Chairperson**

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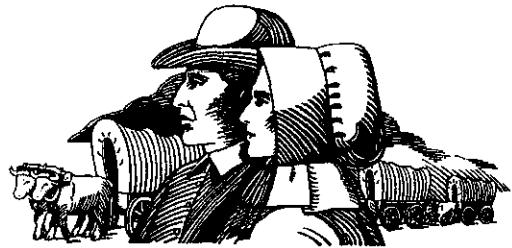
**Maggie Collins, Planning Manager**

# CITY OF OREGON CITY

## PLANNING DIVISION

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### MEMO

**TO:** Maggie Collins

**FROM:** Barbara Shields

**RE:** Amendments to Chapter 17.62 Site Plan and Design Review  
Timetable for Planning Commission Meetings in August

**DATE:** July 28, 2000

**August 14** Summary of revisions discussed by the Planning Commission on  
July 24, 2000 (report attached).

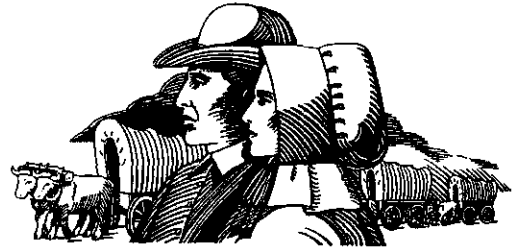
**August 16** Design standards for residential development  
(I will have a packet/agenda done by August 10, before the August  
16 PC meeting).

# CITY OF OREGON CITY

## PLANNING COMMISSION

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### MEMO

**TO:** Planning Commission

**FROM:** Barbara Shields

**RE:** Planning Commission Worksession  
Amendment to Chapter 17.62 Site Plan and Design Review  
Building Orientation and Wall/Façade Treatments

**DATE:** July 28, 2000

Enclosed please find the following revisions to proposed amendments to Chapter 17.62 Site Plan and Design Review we discussed at the July 24, 2000, Planning Commission meeting:

- A. Revisions to new Section 17.62.055 Institutional and Commercial Building Standards (Exhibit 1)
- 17.62.055(A). One sentence was added to emphasize site specific development and its cohesiveness and compatibility with surrounding areas.
  - 17.62.055(B). This section was added to explain the applicability of Section 17.62.055 to commercial and institutional buildings and its relation to general design standards contained in Section 17.62.050.
  - 17.62.055(D)(3) was amended to allow parking below buildings.
  - 17.62.055(E) was amended by incorporating additional standards for façade and wall articulation (this section was originally included in 17.62.056, which pertains to large retail buildings).
  - Section 17.62.055(F) was added to 17.62.055. It includes standards for entryways (this section was originally included in 17.62.056, which pertains to larger retail buildings).

B. Revisions to new Section 17.62.056 Additional Standards for Large Retail Establishments (Exhibit 2).

- 17.62.056(C). This section was added to explain the applicability of Section 17.62.056 to large retail establishments and its relation to general design standards contained in Section 17.62.050 and design standards for institutional and commercial buildings contained in Section 17.62.055.
- 17.62.056(D)(1) was deleted from Section 17.62.056 and added to Section 17.52.055 to provide more options for façade and exterior walls for all institutional and commercial buildings.
- 17.62.056(D)(2) was modified to clarify a number of choices for roof design.
- 17.62.056(D)(3) was deleted from Section 17.62.056 and added to Section 17.52.055 to provide options for entryway design for all institutional and commercial buildings.

A copy of the current Chapter 17.62 Site Plan and Design Review language is attached for your reference (Exhibit 3).



## 17.62.055. Institutional and commercial building standards

### A. Purpose.

This section is intended to promote the design of an urban environment that is built to human scale and to encourage street fronts that create pedestrian-conductive environment, while also accommodating vehicular movement. **The primary objective of the regulations contained in this section is to provide a range of design choices that would promote creative, functional, and cohesive development compatible with the surrounding areas.**

### **B. Applicability**

**In addition to Section 17.62.050 requirements, institutional and commercial buildings shall comply with design standards contained in this section.**

### C. Relationship between Zoning District Design Standards and Requirements of this Section.

1. Building design shall contribute to the uniqueness of a zone district by applying appropriate materials, elements, features, color range and activity areas tailored specifically to the site and its context.
2. A standardized prototype design shall be modified if necessary to meet the provisions of this section.
3. In the case of a multiple building development, each individual building shall include predominant characteristics shared by all buildings in the development so that the development forms a cohesive place within the zone district or community.
4. With the exception of standards for building orientation and building front setbacks, in the event of a conflict between a design standard in this section and a standard or requirement contained in within the zone district, the standard in the zone district shall prevail.

### D. Relationship of Buildings to Streets and Parking.

1. Buildings shall be placed no farther than 5 feet from the front property line. A larger front yard setbacks may be approved through Site Plan and Design Review if the setback area incorporates enhanced pedestrian spaces and amenities such as plazas, arcades, outdoor café, benches, street furniture, public art or kiosks.

**EXHIBIT**

1

2. At least one main entrance of any building shall be oriented toward the street and shall be accessed from a public sidewalk. Primary building entrances shall be clearly defined and recessed or framed by a sheltering element such as an awning, arcade or portico in order to provide shelter from the summer sun and winter weather.
3. Parking areas shall be located behind buildings, **below buildings**, or on one or both sides of buildings.

E. Variation in Massing.

1. A single, large, dominant building mass shall be avoided in new buildings and, to the extent reasonably feasible, in development projects involving changes to the mass of existing buildings.
2. Horizontal masses shall not exceed a height: width ratio of 1:3 without substantial variation in massing that includes a change in height and projecting or recessed elements.
3. Changes in mass shall be related to entrances, the integral structure and/or the organization of interior spaces and activities and not merely for cosmetic effect. False fronts or parapets create an insubstantial appearance and are prohibited.

E. Facade Treatment.

1. Minimum Wall Articulation.

- a. In order to add architectural interest and variety and avoid the effect of a single, long or massive wall with no relation to human size, no wall that faces a street or connecting walkway shall have a blank, uninterrupted length exceeding thirty (30) feet without including, **but not be limited to**, at least two of the following:
  - 1) change in plane,
  - 2) change in texture or masonry pattern,
  - 3) windows, treillage with vines, or
  - 4) an equivalent element that subdivides the wall into human scale proportions.

**b. Facades greater than one hundred (100) feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three (3) percent of the length of the facade and extending at least twenty (20) percent of the length of the facade. No uninterrupted length of any facade shall exceed one hundred (100) horizontal feet.**

**c. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than sixty (60) percent of their horizontal length.**

**d. Building facades must include a repeating pattern that includes no less than three of the following elements:**

- 1) color change;**
- 2) texture change;**

- 3) material module change.**
- e. An expression of architectural or structural bays through a change in plane no less than twelve (12) inches in width, such as an offset, reveal or projecting rib.**
- f. At least one of elements (b), (c) or (d) shall repeat horizontally. All elements shall repeat at intervals of no more than thirty (30) feet, either horizontally or vertically.**
2. Façade Transparency. The main front elevation shall provide at least 60 percent windows or transparency at the pedestrian level. The side elevation shall provide at least 30 percent transparency. The transparency is measured in lineal fashion [For example, a 100-foot long building elevation shall have at least 60 feet (60% of 100) in length].
  3. Side or rear walls that face walkways may include false windows and door openings defined by frames, sills and lintels, or similarly proportioned modulations of the wall, only when actual doors and windows are not feasible because of the nature of the use of the building.
  4. All sides of the building shall include materials and design characteristics consistent with those on the front. Use of inferior or lesser quality materials for side or rear facades shall be prohibited.
  5. Trellises, canopies and fabric awnings may project up to five (5) feet into front setbacks and public rights-of-way, provided that they are not less than eight (8) feet above the sidewalk. Awnings shall be no longer than a single storefront.

F. Roof Treatments.

All facades shall have a recognizable “top” consisting of, but not limited to:

1. Cornice treatments, other than just colored “stripes” or “bands,” with integrally textured materials such as stone or other masonry or differently colored materials;
2. Sloping roof with overhangs and brackets;
3. Stepped parapets.
4. Special architectural features, such as bay windows, decorative roofs and entry features may project up to three (3) feet into street rights-of-way, provided that they are not less than nine (9) feet above the sidewalk.

## **E. Entryways**

**Each large retail establishment on a site Institutional and commercial buildings shall have clearly defined, highly visible customer entrances featuring, but not be limited to, no less than three (3) of the following elements, listed below.**

1. **canopies or porticos;**
2. **overhangs;**
3. **recesses/projections;**
4. **arcades;**
5. **raised corniced parapets over the door;**
6. **peaked roof forms;**
7. **arches;**
8. **outdoor patios;**
9. **display windows;**
10. **architectural details such as tile work and moldings which are integrated into the building structure and design;**
11. **integral planters or wing walls that incorporate landscaped areas and/or places for sitting.**

**Where additional stores will be located in the large retail establishment, each such store shall have at least one (1) exterior customer entrance, which shall conform to the same requirements.**

## Section 17.62.056 Additional standards for large retail establishments

- A. This section is intended to ensure that large retail building development is compatible with its surrounding area.
- B. Large retail establishment shall mean a retail establishment occupying more than ten thousand (10,000) gross square feet of floor area.
- C. **In addition to Section 17.62.050 and 17.62.055 requirements, large retail buildings shall comply with design standards contained in this section.**

### **C.D. Development Standards.**

#### ~~1. Facades and Exterior Walls:~~

- ~~a. Facades greater than one hundred (100) feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three (3) percent of the length of the facade and extending at least twenty (20) percent of the length of the facade. No uninterrupted length of any facade shall exceed one hundred (100) horizontal feet.~~
- ~~b. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than sixty (60) percent of their horizontal length.~~
- ~~c. Building facades must include a repeating pattern that includes no less than three of the following elements:
  - ~~(1) color change;~~
  - ~~(2) texture change;~~
  - ~~(3) material module change.~~~~
- ~~d. An expression of architectural or structural bays through a change in plane no less than twelve (12) inches in width, such as an offset, reveal or projecting rib.~~
- ~~e. At least one of elements (a), (b) or (c) shall repeat horizontally. All elements shall repeat at intervals of no more than thirty (30) feet, either horizontally or vertically.~~

#### **2 1. Roofs.**

Roofs shall **include, but not be limited to,** ~~have no less than~~ two of the following features:

- a. Parapets concealing flat roofs and rooftop equipment from public view. The average height of such parapets shall not exceed fifteen (15) percent of the height of the supporting wall and such parapets shall not at any point exceed one-third (1/3) of the height of the supporting wall. Such parapets shall feature three-dimensional cornice treatment;
- b. Overhanging eaves, extending no less than three (3) feet past the supporting walls;

**EXHIBIT**

**2**

- c. Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one (1) foot of vertical rise for every three (3) feet of horizontal run and less than or equal to one (1) foot of vertical rise for every one (1) foot of horizontal run;
- d. Three (3) or more roof slope planes.

### ~~3. Entryways~~

~~Each large retail establishment on a site shall have clearly defined, highly visible customer entrances featuring no less than three (3) of the following elements, listed below. Where additional stores will be located in the large retail establishment, each such store shall have at least one (1) exterior customer entrance, which shall conform to the same requirements.~~

- ~~a. canopies or porticos;~~
- ~~b. overhangs;~~
- ~~c. recesses/projections;~~
- ~~d. arcades;~~
- ~~e. raised corniced parapets over the door;~~
- ~~f. peaked roof forms;~~
- ~~g. arches;~~
- ~~h. outdoor patios;~~
- ~~i. display windows;~~
- ~~j. architectural details such as tile work and moldings which are integrated into the building structure and design;~~
- ~~k. integral planters or wing walls that incorporate landscaped areas and/or places for sitting.~~

### ~~4. 2. Materials and colors~~

- a. Predominant exterior building materials shall include, but not be limited to, brick, sandstone, other native stone and tinted/textured concrete masonry units.
- b. Facade colors shall be low reflectance, subtle, neutral or earth tone colors. The use of high-intensity colors, metallic colors, black or fluorescent colors shall be prohibited.
- c. Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent areas.
- d. Exterior building materials shall not include smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels.

### ~~53. Site Design and Relationship to Surrounding Community.~~

~~Retail establishment occupying more than 25,000 gross square feet of floor area shall contribute to the establishment or enhancement of community and public spaces by providing at least two of the following:~~

- a. patio/seating area,
- b. pedestrian plaza with benches,
- c. transportation center,
- d. window shopping walkway;
- e. outdoor playground area,
- f. kiosk area, water feature,
- g. clock tower,
- h. or other such deliberately shaped area and/or a focal feature or amenity that, in the judgment of the appropriate decision maker, adequately enhances such community and public spaces.

Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.

## **OCMC 17.62. SITE PLAN AND DESIGN REVIEW**

### **Chapter 17.62 SITE PLAN AND DESIGN REVIEW**

17.62.010 Purpose.

17.62.020 Preapplication review.

17.62.030 When required.

17.62.040 Plans required.

17.62.050 Standards.

17.62.060 Building structures.

17.62.070 On-site pedestrian access.

17.62.080 Special development standards along transit streets.

17.62.090 Enforcement.

17.62.100 Fees.

**EXHIBIT 3**



## **OCMC 17.62. SITE PLAN AND DESIGN REVIEW**

### **17.62.010 Purpose.**

The purposes of site plan and design review are to: encourage site planning in advance of construction; protect lives and property from potential adverse impacts of development; consider natural or man-made hazards which may impose limitations on development; conserve the city's natural beauty and visual character and minimize adverse impacts of development on the natural environment as much as is reasonably practicable; assure that development is supported with necessary public facilities and services; ensure that structures and other improvements are properly related to their sites and to surrounding sites and structure; and implement the city's comprehensive plan and land use regulations with respect to development standards and policies. (Ord. 94-1002 §1 (part), 1994)

### **17.62.020 Pre-application review.**

Prior to filing for site plan and design review approval, the applicant shall confer with the principal planner pursuant to Section 17.50.030. The principal planner shall identify and explain the relevant review procedures and standards. (Ord. 94-1002 §1(part), 1994)

### **17.62.030 When required.**

Site plan and design review shall be required for all development of real property in all zones except the R-10, R-8, R-6, R-6/MH, RC-4, and RD-4 zoning districts, unless otherwise provided for by this title or as a condition of approval of a permit. Site plan and design review shall also apply to all conditional uses and non-residential uses in all zones, to planned developments, manufactured dwelling parks, and partitions and residential development within overlay districts. No building permit or other permit authorization for development shall be issued prior to site plan and design review approval. Parking lots and parking areas accessory to uses regulated by this chapter also shall require site plan and design review approval. Site plan and design review shall not alter the type and category of uses permitted in zoning districts. (Ord. 94-1002 §1(part), 1994)

### **17.62.040 Plans required.**

A complete application for site plan and design review shall be submitted. Except as otherwise in subsection I of this section, the application shall include the following plans and information:

A. A site plan or plans, to scale, containing the following:

1. Vicinity information showing streets and access points, pedestrian and bicycle pathways, transit stops and utility locations;

## **OCMC 17.62. SITE PLAN AND DESIGN REVIEW**

2. The site size, dimensions, and zoning, including dimensions and gross area of each lot or parcel and tax lot and assessor map designations for the proposed site and immediately adjoining properties;
3. Contour lines at two foot contour intervals for grades zero to ten percent, and five-foot intervals for grades over ten percent;
4. The location of natural hazard areas on and within one hundred feet of the boundaries of the site, including: a. Areas indicated on floodplain maps as being within the one hundred-year floodplain, b. Unstable slopes, as defined in Section 17.44.020, c. Areas identified on the seismic conditions map in the comprehensive plan as subject to earthquake and seismic conditions;
5. The location of natural resource areas on and within one hundred feet of the boundaries of the site, including fish and wildlife habitat, natural areas, wooded areas, areas of significant trees or vegetation, and areas designated as being within the water resources overlay district;
6. The location of inventoried historic or cultural resources on and within one hundred feet of the boundaries of the site;
7. The location, dimensions, and setback distances of all existing permanent structures, improvements and utilities on or within twenty-five feet of the site, and the current or proposed uses of the structures;
8. The location, dimensions, square footage, building orientation and setback distances of proposed structure, improvements and utilities, and the proposed uses of the structures by square footage;
9. The location, dimension and names, as appropriate, of all existing and platted streets, other public ways, sidewalks, bike routes and bikeways, pedestrian/bicycle accessways and other pedestrian and bicycle ways, transit street and facilities, neighborhood activity centers, and easements on and within two hundred fifty feet of the boundaries of the site;
10. The location, dimension and names, as appropriate, of all proposed streets, other public ways, sidewalks, bike routes and bikeways, pedestrian/bicycle accessways and other pedestrian and bicycle ways, transit streets and facilities, neighborhood activity centers, and easements on and within two hundred fifty feet of the boundaries of the site;
11. All parking, circulation, loading and servicing areas, including the locations of all carpool, vanpool and bicycle parking spaces as required in Chapter 52 of this title;
12. Site access points for automobiles, pedestrians, bicycles and transit;

## **OCMC 17.62. SITE PLAN AND DESIGN REVIEW**

13. On-site pedestrian and bicycle circulation;

14. Outdoor common areas proposed as open space.

B. A landscaping plan, drawn to scale, showing the location and types of existing trees (six inches or greater in caliper measured four feet above ground level) and vegetation proposed to be removed and to be retained on the site, the location and design of landscaped areas, the varieties, sizes and spacings of trees and plant materials to be planted on the site, other pertinent landscape features, and irrigation systems required to maintain plant materials.

C. Architectural drawings or sketches, drawn to scale and showing floor plans, elevations accurately reflected to grade, and exterior materials of all proposed structures and other improvements as they will appear on completion of construction.

D. A materials board, no longer in size than eight and one-half inches by fourteen inches clearly depicting all building materials with specifications as to type, color and texture of exterior materials of proposed structures.

E. An erosion/sedimentation control plan and a drainage plan developed in accordance with city drainage master plan requirements and Clackamas County's Erosion/Sedimentation Control Plans Technical Guidance Handbook (1991 or as subsequently amended). The drainage plan shall identify the location of drainage patterns and drainage courses on and within one hundred feet of the boundaries of the site. Where development is proposed within an identified hazard area, these plans shall reflect concerns identified in the hydrological/geological/geotechnical development impact statement.

F. The legal description of the site.

G. An exterior lighting plan, drawn to scale, showing type, height, and area of illumination.

H. Such special studies or reports as the principal planner may require to obtain information to ensure that the proposed development does not adversely affect the surrounding community or identified natural resource areas or create hazardous conditions for persons or improvements on the site. The principal planner shall require an applicant to submit one or more development impact statements, as described in Section 16.12.050, upon determination that (1) there is a reasonable likelihood that traffic safety or capacity improvements may be required; (2) the proposal could have significant adverse impacts on identified natural resource areas, including areas designated as being within the water resources overlay district; or (3) the proposal would be located on or could have significant adverse impacts on natural hazard areas, including unstable slopes and areas within the flood plain overlay district. The principal planner shall determine which types of development impact statements are necessary and provide written reasons

## **OCMC 17.62. SITE PLAN AND DESIGN REVIEW**

for requiring the statement(s). The development impact statements shall include the information described in Sections 16.12.070, 16.12.080, and 16.12.120.

I. The principal planner may waive the submission of information for specific requirements of this section or may require information in addition to that required by a specific provision of this section, as follows:

1. The principal planner may waive the submission of information for a specific requirement upon determination either that specific information is not necessary to evaluate the application properly, or that a specific approval standard is not applicable to the application. If submission of information is waived, the principal planner shall, in the decision, identify the waived requirements, explain the reasons for the waiver, and state that the waiver may be challenged on appeal and may be denied by a subsequent review authority. If the matter is forwarded to the planning commission for initial review, the information required by this paragraph shall be included in the staff report;

2. The principal planner may require information in addition to that required by a specific provision of this section upon determination that the information is needed to evaluate the application properly and that the need can be justified on the basis of a special or unforeseen circumstance. If additional information is required, the principal planner shall, in the decision, explain the reasons for requiring the additional information.

J. If the applicant has not already done so as some other part of the land use review process, the applicant shall submit an erosion control plan that complies with the applicable requirements of Chapter 17.74 of this code. (Ord. 96-1005 §2, 1996; Ord. 95-1004 §1, 1995; Ord. 94-1002 §1(part), 1994)

### 17.62.050 Standards.

A. All development shall comply with the following standards:

1. A minimum of fifteen percent of the lot area being developed shall be landscaped. Natural landscaping shall be retained where possible to meet the landscaping requirement. Landscape design and landscaping areas shall serve their intended functions and not adversely impact surrounding areas. The landscaping shall include a mix of vertical (trees) and horizontal elements (grass, ground cover, etc.). The principal planner shall maintain a list of trees, shrubs and vegetation acceptable for landscaping. For properties within the central business district, and for major remodeling in all zones subject to this chapter, landscaping shall be required to the extent practicable up to the fifteen percent requirement. Landscaping also shall be visible from public thoroughfares to the extent practicable;

2. The size, shape, height, and spatial and visual arrangement of uses, structures, fences, and walls, including color and material selection, shall be compatible with

## **OCMC 17.62. SITE PLAN AND DESIGN REVIEW**

existing surroundings and future allowed uses. Consideration may be given to common driveways, shared parking, increased setbacks, building heights, and the like;

3. Unnecessary grade changes shall be avoided. Retaining walls shall be provided where needed and shall consist of such structural design and materials sufficient to serve their intended purpose. Grading and contouring shall take place with particular attention to minimizing the possible adverse effects of grading and contouring on the natural vegetation and physical appearance of the site;

4. Development subject to the requirements of the unstable slopes overlay district shall comply with the requirements of that district. The review authority may impose such conditions as are necessary to minimize the risk of erosion and slumping and assure that landslides and property damage will not occur;

5. Drainage shall be provided in accordance with the city's drainage master plan and drainage design standards and Clackamas County's Erosion/Sedimentation Control Plans Technical Guidance Handbook (1991 or as subsequently amended). The review authority may impose conditions to ensure that waters are drained from the development in such a manner so as to limit degradation of water quality consistent with Clackamas County's Surface Water Quality Facilities Technical Guidance Handbook or other standards subsequently adopted by the city commission. Drainage design shall be approved by the city engineer before construction is begun;

6. Parking, including carpool, vanpool and bicycle parking, shall comply with city parking standards. Off-street parking and loading-unloading facilities shall be provided in a safe, well designed and efficient manner and shall be buffered from the street and from adjacent residential zones by means of landscaping or by a low fence or wall not greater than three feet six inches in height, but not to the extent of restricting visibility necessary for safety and security. Off-street parking design shall consider the layout of parking, storage of all types of vehicles and trailers, shared parking lots and common driveways, garbage collection and storage points, and the surfacing, lighting, screening, landscaping, concealing and other treatment of the same. The review authority, at its discretion, may reduce the required number of off-street parking spaces for the purpose of preserving an existing specimen tree. Carpool, vanpool and bicycle parking shall be provided in accordance with Sections 17.52.040 through 17.52.070;

7. Sidewalks and curbs shall be provided in accordance with the city's transportation master plan and street design standards. Upon application, the planning commission may waive this requirement in whole or in part in those locations where there is no probable need, or comparable alternative location provisions for pedestrians are made;

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8. Circulation boundaries within the boundary of the site shall facilitate direct and convenient pedestrian and bicycle access. Consideration shall include the layout of the site with respect to the location, number, design and dimensions of all vehicular and pedestrian accesses, exits, drives, walkways, bikeways, pedestrian/bicycle accessways, buildings, emergency equipment ways, and other related facilities. Ingress and egress locations on public thoroughfares shall be located in the interest of public safety and determined by the review authority. Reasonable access for emergency services (fire and police) shall be provided;

9. There shall be provided adequate means to ensure continued maintenance and necessary normal replacement of private common facilities and areas, drainage ditches, streets and other ways, structures, recreational facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage storage areas and other facilities not subject to periodic maintenance by the city or other public agency;

10. Outdoor lighting shall be provided in a manner that enhances security, is appropriate for the use, and avoids adverse impacts on surrounding properties. Glare shall not cause illumination on other properties in excess of a measurement of 0.5 footcandles of light;

11. Site planning, including the siting of structures, roadways and utility easements, shall provide for the protection of tree resources. Trees of six-inch caliper or greater measured four feet from ground level shall, wherever practicable, be preserved outside buildable area. Where the principal planner determines that it is impractical or unsafe to preserve such trees, the trees shall be replaced in accordance with an approved landscape plan that includes new plantings of similar character at least two inches to two and one-half inches in caliper. Specimen trees shall be preserved where practicable. Where these requirements would cause an undue hardship, the review authority may modify the requirements in a manner which, in its judgment, reasonably satisfies the purposes and intent of this paragraph. The review authority may impose conditions to avoid disturbance to tree roots by grading activities and to protect trees and other significant vegetation identified for retention from harm. Such conditions may include, if deemed necessary by the review authority, the advisory expertise of a qualified consulting arborist or horticulturalist both during and after site preparation, and a special maintenance and management program to provide protection to the resource as recommended by the arborist or horticulturalist;

12. Development shall be planned, designed, constructed and maintained to protect water resources in accordance with the requirements of the city's water resources overlay district, Chapter 17.49, as applicable;

13. Development shall comply with applicable city regulations protecting natural resources. For inventoried natural resources, the siting and design of buildings and other improvements shall be appropriate to protect these resources as provided by

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the comprehensive plan and this title. Elsewhere, development shall be planned, designed and constructed to avoid or minimize adverse impacts on natural resources to the extent practicable;

14. All development shall maintain continuous compliance with applicable federal, state, and city standards pertaining to air and water quality, odor, heat, glare, noise and vibrations, outdoor storage, radioactive materials, toxic or noxious matter, and electromagnetic interference. Prior to issuance of a building permit, the principal planner or building official may require submission of evidence demonstrating compliance with such standards and receipt of necessary permits. The review authority may regulate the hours of construction or operation to minimize adverse impacts on adjoining residences, businesses or neighborhoods. The emission of odorous gases or other matter in such quantity as to be readily detectable at any point beyond the property line of the use creating the odors or matter is prohibited;

15. Adequate public water and sanitary sewer facilities sufficient to serve the proposed or permitted level of development shall be provided. The applicant shall demonstrate that adequate facilities and services are presently available or can be made available concurrent with development. Service providers shall be presumed correct in the evidence which they submit. All facilities shall be designated to city standards as set out in the city's facility master plans and public works design standards. A development may be required to modify or replace existing off-site systems if necessary to provide adequate public facilities. The city may require oversizing of facilities where necessary to meet standards in the city's facility master plan or to allow for the orderly and efficient provision of public facilities and services. Where oversizing is required, the developer may request reimbursement from the city for oversizing based on the city's reimbursement policy and fund availability, or provide for recovery of costs from intervening properties as they develop;

16. Adequate right-of-way and improvements to streets, pedestrian ways, bike routes and bikeways, and transit facilities shall be provided, consistent with the city's transportation master plan and design standards and this title. Consideration shall be given to the need for street widening and other improvements in the area of the proposed development impacted by traffic generated by the proposed development. This shall include, but not be limited to, improvements to the right-of-way, such as installation of lighting, signalization, turn lanes, median and parking strips, traffic islands, paving, curbs and gutters, sidewalks, bikeways, street drainage facilities and other facilities needed because of anticipated vehicular and pedestrian traffic generation;

17. Major industrial, institutional, retail and office developments shall provide direct, safe and convenient bicycle and pedestrian travel as appropriate both within the development and between the development and other residential or neighborhood activity centers such as shopping, schools, parks and transit centers. Where practicable, new office parks and commercial developments shall enhance

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internal pedestrian circulation through clustering of buildings, construction of pedestrian ways, or similar techniques. Bicycle parking facilities shall be required as part of new multi-family residential developments of four units or more, new retail, office and institutional developments, and all transit transfer stations and park-and-ride lots;

18. If Tri-Met, upon review of an application for an industrial, institutional, retail or office development, recommends that a bus stop, bus turnout lane, bus shelter, bus landing pad or transit stop connection be constructed at the time of development, the review authority shall require such improvement, using designs supportive of transit use, if the development is of a type which generates transit ridership and the review authority determines that the recommended condition is reasonably related to the scale and intensity of the development. Where transit service is or reasonably can be made available to serve the site, the development shall include sidewalks or pedestrian easements as necessary to provide safe and direct access to transit stops.

19. All utility lines shall be placed underground;

20. Access and facilities for physically handicapped people shall be incorporated into the site and building design consistent with applicable federal and state requirements, with particular attention to providing continuous, uninterrupted access routes;

21. Pedestrian/bicycle accessways shall be provided as appropriate in accordance with the requirements and standards in Chapter 12.24 and such other design standards as the city may adopt;

22. In office parks and commercial centers, clustering of buildings shall be provided to the extent reasonably practicable to facilitate off-site pedestrian access. If located along transit streets, clustering of buildings near the transit street shall be provided to the extent reasonably practicable to facilitate access by transit.

B. All multiple family development also shall comply with the following additional standards:

1. Outdoor play space suitable for children playing shall be included. Outdoor play space shall be a minimum of ten percent of the lot area being developed, and shall be in addition to the required landscaping. Parking lots are not such acceptable space. This requirement shall not be applicable in housing maintained exclusively as adult housing;

2. Private or semi-private outdoor space for each unit shall be included, such as balconies or fenced yards. The primary purpose of these requirements is for security and safety as outlined in Sections 402 and 402.0 of the Model Security Code for Residential Areas (New York: Institute for Community Design Analysis, 1974).



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The review authority may waive this requirement in those locations where there is no probable need;

3. The site plan shall be designed to minimize outdoor noise.

C. The review authority may impose such conditions as it deems necessary to ensure compliance with these standards and other applicable review criteria, including standards set out in city overlay districts, the city's master plans, and city public works design standards. Such conditions shall apply as described in Sections 17.50.310, 17.50.320 and 17.50.330. The review authority may require a property owner to sign a waiver of remonstrance against the formation of and participation in a local improvement district where it deems such a waiver necessary to provide needed improvements reasonably related to the impacts created by the proposed development. To ensure compliance with this chapter, the review authority may require an applicant to sign or accept a legal and enforceable covenant, contract, dedication, easement, performance guarantee, or other document, which shall be approved in form by the city attorney. (Ord. 95-1004 §§2, 3, 1995; Ord. 94-1002 §1(part), 1994)

### **17.62.060 Building structures.**

A. Building structures shall be complimentary to the surrounding area as provided by the design guidelines adopted by the city commission. All exterior surfaces shall present a finished appearance. In historic areas and where development could have a significant visual impact, the review authority may request the advisory opinions of appropriate experts designated by the city manager from the design fields of architecture, landscaping and urban planning. The applicant shall pay the costs associated with obtaining such independent professional advice; provided, however, that the review authority shall seek to minimize those costs to the extent practicable. (Ord. 94-1002 §1(part), 1994)

### **17.62.070 On-site pedestrian access.**

All commercial, industrial, institutional and multi-family residential developments shall provide an on-site pedestrian circulation system that provides convenient, accessible and direct route design.

A. The on-site pedestrian circulation system shall provide direct and barrier-free connections between buildings and existing public rights-of-way, pedestrian/bicycle accessways and other on-site pedestrian facilities while minimizing out-of-direction travel. The pedestrian circulation system and pedestrian walkways and facilities shall be designed and constructed, as appropriate, to connect:

1. The main building entrance(s) of the primary structure(s) on the site with the nearest sidewalk or other walkway leading to a sidewalk;
2. New building entrances on a development site with other new and existing building entrances except those used for loading and unloading;

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3. Other pedestrian-use areas on-site, such as parking areas, transit stops, recreation or play areas, common outdoor areas, and any pedestrian amenities such as plazas, resting areas and viewpoints;
4. To adjacent developments where feasible. Development patterns shall not preclude eventual site-to-site pedestrian connections where feasible, even if infeasible at the time of development. Public and private schools, and parks over one acre in size, shall provide direct pedestrian access from adjacent neighborhoods, using multiple-access points in all directions as reasonably practicable to minimize neighborhood walking distance to a site. Walkway linkages to adjacent developments shall not be required within industrial developments or to industrial developments or to vacant industrially zoned land.

B. On-site pedestrian walkways shall be hard surfaced, well-drained and at least five feet wide. Surface material shall contrast visually to adjoining surfaces. When bordering parking spaces other than spaces for parallel parking, pedestrian walkways shall be increased to seven feet in width unless curb stops are provided. When the pedestrian circulation system is parallel and adjacent to an auto travel lane, the safety of the pedestrian must be assured by raising the walkway or separating it from the auto travel lane by a raised curb, bollards, landscaping or other physical barrier. If a raised walkway is used, the ends of the raised portions shall be equipped with curb ramps for each direction of travel.

C. The on-site pedestrian circulation system shall be lighted to a minimum level of three foot-candles to enhance pedestrian safety and allow employees, residents, customers or the public to use the walkways at night. Pedestrian walkway lighting through parking lots shall be designed to light the walkway and enhance pedestrian safety.

D. On-site vehicular and pedestrian circulation patterns shall be designed to minimize vehicular/pedestrian conflicts through measures such as minimizing driveway crossings, creating separate pedestrian walkways through the site and parking areas, and designating areas for pedestrians by marking crossings with changes in textural material. Such textural material shall be consistent with Chapter 31 of the Uniform Building Code. Pedestrian walkways in parking areas shall comply with the requirements of Section 17.52.080. (Ord. 95-1004 §4(part), 1995)

### 17.62.080 Special development standards along transit streets.

A. Purpose. This section is intended to provide direct and convenient pedestrian access to retail, office and institutional buildings from public sidewalks and transit facilities and to promote pedestrian and transit travel to commercial and institutional facilities.

B. Applicability. Except as otherwise provide in this section, the requirements of this section shall apply to the construction of new retail, office and institutional buildings which front on a transit street.

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### **C. Development Standards.**

1. All buildings shall have at least one main building entrance oriented towards the transit street or a street intersecting the transit street. A main building entrance is oriented toward a transit street or a street intersecting a transit street if it is directly located on the transit street or the intersecting street, or if it is linked to the transit street or the intersecting street by an on-site pedestrian walkway that does not cross off-street parking areas.
  - a. If the site has frontage on more than one transit street, or on a transit street and a street intersecting a transit street, the building shall provide one main building entrance oriented to the transit street or the intersecting street or to the corner where the two streets intersect.
  - b. For building facades over three hundred feet in length on a transit street or a street intersecting a transit street, two or more main building entrances shall be provided as appropriate and oriented towards the transit street or the intersecting street.
2. Main building entrances shall be well lighted and visible from the transit street. The minimum lighting level for building entries shall be four foot-candles. Lighting shall be a pedestrian scale with the source light shielded to reduce glare.
3. All retail and office buildings shall provide ground floor windows along street facades. Required windows shall be either windows that allow views into working areas or lobbies, pedestrian entrances or display windows. Required windows shall have a sill no more than four feet above grade. Where interior floor levels prohibit such placement, the sill may be raised to allow it to be no more than two feet above the finished floor level, up to a maximum height of six feet above grade.
  - a. Darkly tinted, mirrored or reflective glass windows are prohibited as ground floor windows along street facades.
  - b. Any wall facing a transit street or a street intersecting a transit street which is within thirty feet of a street shall contain at least twenty percent of the ground floor wall area facing the street in display areas, windows or doorways. Solid walls are prohibited.
4. Buildings shall include changes in relief on fifteen percent of their street facades such as cornices, bases, windows, fluted masonry or other treatments for pedestrian interest and scale.
5. If the front yard faces a transit street or a street intersecting a transit street, the building or portion thereof shall have a maximum front yard setback of twenty

## **OCMC 17.62. SITE PLAN AND DESIGN REVIEW**

feet. The review authority may waive this requirement where existing development or topography makes compliance with this standard impracticable; provided, that the applicant proposes alternative means to comply with the purpose of this section to the extent practicable. Buildings with nonconforming front yard setbacks may have additional height added within the dimensional standards of the underlying district as an expansion without being brought into conformance with this maximum setback. There is no minimum setback required for buildings adjacent to a transit street.

6. The twenty-foot maximum front yard setback from transit streets and streets intersecting transit streets shall contain no off-street parking. However, vehicular circulation lanes are permitted if there is no practicable alternative and if crossing walkways are designed to ensure safety for pedestrians. Auto parking lots and maneuvering areas on corner lots shall not be located adjacent to intersections.
    - a. Surface parking lots exceeding minimum parking requirements shall be designed to allow for more intensive future site development.
    - b. The review authority may reduce the minimum required off-street parking up to thirty percent upon demonstration by an applicant, through a parking study prepared by a suitably qualified traffic engineer, that use of transit and/or special characteristics of the customer, client, employee or resident population will reduce expected vehicle use and parking space demand for this development as compared to standard Institute of Transportation Engineers vehicle trip generation rates and minimum city parking requirements.
    - c. Off-street parking spaces shall not exceed a maximum of one hundred fifty percent of the minimum spaces required, except upon approval by the review authority.
  7. In the event a requirement of this section conflicts with other requirements in Title 17, the requirements of this section shall control.
- D. Exemptions. The following permitted uses are exempted from meeting the requirements of subsections C(6) and (7) of this section:
1. Heavy equipment sales;
  2. Motor vehicle service stations, including convenience stores associated therewith;
  3. Solid waste transfer stations;
  4. Truck stops, including convenience stores, eating or drinking establishments, overnight accommodations or other similar services associated therewith. (Ord. 95-1004 §4(part), 1995)

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### **17.62.090 Enforcement.**

A. Applications for site plan and design review shall be reviewed in the manner provided in Chapter 17.50. The city building official may issue a certificate of occupancy only after the improvements required by site plan and design review approval have been completed, or a schedule for completion and a bond or other financial guarantee have been accepted by the city. If construction has not begun within one year from the date of site and design review approval, such approval shall expire unless an extension is requested and granted.

B. In performing site plan and design review, the review authority shall consider the effect of additional financial burdens imposed by such review on the cost and availability of needed housing types. Consideration of such factors shall not prevent the imposition of conditions of approval found necessary to meet the requirements of this section. The cost of such conditions of approval shall not unduly increase the cost of housing beyond the minimum necessary to achieve the provisions of this title, nor shall such cost prevent the construction of needed housing types. The use of the site plan and design review provisions of this section shall have no effect on dwelling unit densities. (Ord. 95-1004 §4(part), 1995: Ord. 94-1002 §1(part), 1994)

### **17.62.100 Fees.**

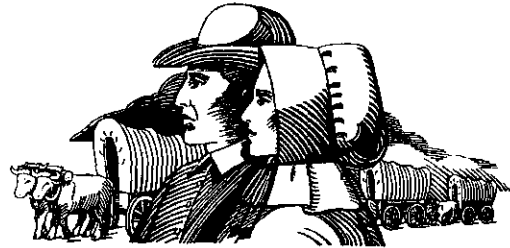
Pursuant to Section 17.50.480, a nonrefundable application fee shall accompany the application for site plan and review. (Ord. 95-1004 §4(part), 1995: Ord. 94-1002 §1(part), 1994)

# CITY OF OREGON CITY

## COMMUNITY DEVELOPMENT DEPARTMENT

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### MEMORANDUM

TO: Planning Commissioners

FROM: Tom Bouillion, Associate Planner

DATE: August 14, 2000

RE: Proposed Commercial and Remainder of Sign Code Language

Staff is providing specific proposed code language related to signs in commercial districts, as a continuation of the sign code discussion from July 24, 2000. Specifically, staff has provided proposed commercial sign language, including a rationale for any changes and deletions. In addition, staff recommends that the remainder of the sign code; including 15.28.090 Nonconforming signs; 15.28.100 Conflict and severability and 15.28.110 Violation—Penalty should be kept without any changes.

### Rationale

**Wall signs-** The proposed reduction in the allowance for wall signs would bring Oregon City into agreement with other municipalities including Clackamas County and the City of Portland. Although the proposed code is less generous in terms of the entire allowance, it guarantees a minimum of 32 square feet per tenant.

**Free standing signs-** Staff believes that the existing code section for free standing signs is adequate. However, the PC may want to consider two possible changes. First, should developments (such as shopping malls) with a large amount of street frontage (300 feet +) be allowed more than one free standing sign? Staff believes applicants should be encouraged to consolidate their advertising message on to one free standing sign per street frontage. However, some codes, such as the City of Portland, allows for more than one free standing sign on large site. Second, does the PC want to limit freestanding signs to being only monument signs, as was proposed for residential districts of the City? As mentioned earlier, monument signs often look better than pole signs. However, monument signs may not provide the same visibility for some highway-oriented uses.

**Incidental signs-** Staff believes that the current code is too restrictive in limiting businesses to

only one incidental sign per premise. Often times businesses need to provide multiple directional signs, menu signs or signs listing tenants. Staff believes that a 32 square foot maximum limit for all incidental signs per premise should accommodate all of these needs.

15.28.080 Signs in office, commercial and industrial zones.

A. Signs Allowed. In the LOC, LO, NC, HC, LC, C, CBD, M-1 and M-2 zoning districts, the following signs are allowed:

1. All signs allowed without permit as provided by this chapter, so long as the requirements of this subsection are met;
2. Wall signs, so long as a permit is first obtained as required by this chapter ~~and the display surface area is no larger than two square feet for each lineal foot of the wall on which the sign is erected;~~ and the following standards are met:
  - a. Number. The maximum sign area may be distributed among any number of signs.
  - b. Area. If there is not a freestanding sign on the same site frontage, then 1.5 square feet of sign area is allowed per linear foot of the occupant's primary building wall. If there is a freestanding sign on the same site frontage, then 1 square foot of sign area is allowed per linear foot of the occupant's primary building wall. Each tenant shall be allowed a minimum of 32 square feet of building sign area. In no case shall a building sign exceed 200 square feet.
3. Free-standing signs, so long as a permit is first obtained as required by this chapter and the following standards are met:
  - a. Number. One free-standing sign shall be permitted for each street frontage of a premises, provided minimum subdivision lot frontage of thirty feet is met. No free-standing sign shall be permitted on the same frontage where there is a projecting or roof sign. Free-standing signs on the same premises but on different frontages shall be separated by a minimum of fifty feet distance.
  - b. Area. Where the street frontage is less than fifty feet, the maximum display surface area shall not exceed fifty square feet, with twenty-five square feet maximum area per sign face. Where the street frontage is greater than fifty feet but less than two hundred feet, surface display area shall not exceed one hundred square feet, with fifty square feet maximum area per sign face. Where the street frontage is two hundred feet or greater, the surface display area shall not exceed three hundred square feet, with a maximum area of one hundred fifty square feet per sign face. In no case shall any sign have a surface display area in excess of three hundred square feet.
  - c. Projection. Free-standing signs shall not project over a public right-of-way.
  - d. Clearance. A minimum clearance of ten feet from grade shall be

maintained over pedestrian or vehicular areas, fourteen feet over areas of truck access.

e. Horizontal Dimension. The greatest horizontal dimension shall not exceed twenty feet for any free-standing sign.

f. Height. The height of any free-standing sign shall not exceed twenty-five feet above grade, plus five feet for each two hundred feet, or portion thereof, frontage in excess of two hundred feet frontage. In no event shall any sign exceed thirty feet in height.

The following table summarizes free-standing sign area and height limits:

Street Frontage (in feet)	Maximum Display Surface Area (square feet)	Maximum Area of Any One Sign Face (square feet)	Maximum Height (in feet)
Up to 50	50	25	25
50 – 200	100	50	25
201+	101-300	51-150	30

4. Roof Signs. Roof signs are allowed so long as a permit is first obtained as required by this chapter and the following standards are met:

a. Number. Maximum one roof sign is permitted for each premises, and shall be permitted instead of a projecting sign or free-standing sign.

b. Area, projection, clearance, horizontal dimension and height shall be within the limits set for free-standing signs. Stamped approval of a licensed civil or structural engineer may be required due to stresses put on the building. No roof sign shall be erected without approval of the fire marshal after a finding that the size, type and location of the sign will not substantially interfere with fire fighting;

5. Projecting Signs. Projecting signs are allowed so long as a permit is first obtained as required by this chapter and the following standards are met:

a. Number. One projecting sign may be permitted for each business frontage. No projecting sign shall be permitted for the same business frontage where there is a free-standing or roof sign.

b. Area. Sign area shall not exceed sixteen square feet per sign face, with total area of all faces not to exceed thirty-two square feet.

c. Projection. Maximum projection from a building wall shall be four feet. No sign shall project within two feet of the curb line.

d. Vertical dimension. The greatest vertical dimension of a projecting sign shall not exceed four feet; provided, however, for any reduction in



projection, the sign may be increased in height a like distance. The maximum projection above the wall on which the sign is erected shall be one foot, and the visible supporting structure shall be minimized to the greatest extent possible consistent with safe structural support.

e. Clearance. A minimum clearance of ten feet from grade shall be maintained over pedestrian or vehicular areas, fourteen feet over areas of truck access.

f. Separation. The minimum distance from another projecting sign shall be twenty feet in the same horizontal plane.

g. Projecting signs on other project structures: awnings, marquees, canopies, false fronts and wall extensions, safely constructed and approved by the building code official, may extend beyond the limits for projecting signs. Projecting signs on such structure, shall not exceed the limits as to number, area, projection, vertical dimension, clearance and separation as provided for any projecting sign. The only exception shall be for those instances in which a projecting structure would prohibit a projecting sign within sight of pedestrians; in these instances, the clearance under the marquee or other permanent structure may be reduced to eight feet;

6. Incidental Signs. ~~One additional sign~~ Multiple signs is are allowed per on each premises, so long as a permit is first obtained and the maximum square footage is not exceeded as required by this chapter, ~~is allowed~~.

An incidental sign may be a free-standing or wall sign, but in either case, shall meet all provisions for such signs, excepting area. The surface display area of ~~an all~~ incidental signs shall not exceed thirty-two square feet, and no sign face shall exceed sixteen square feet. (Ord. 94-1027 §1(part), 1994)

#### 15.28.090 Nonconforming signs and their removal.

A. Signs lawfully erected and maintained as of the date of the adoption of this chapter, but which do not meet the requirements of this chapter, shall be regarded as nonconforming signs which shall be lawful if a permit for the same is obtained under Section 15.28.030 and may be continued for a period not to exceed ten years from the date of adoption of this chapter for the purpose of amortization of investment. Relief from this provision may be sought from the planning commission by following the procedures of Section 15.28.040 for a longer amortization period, upon a showing that the applicant requires a longer period in which to amortize its investment in the sign in question. In the case of an application for a longer amortization period for an alleged nonconforming billboard, the applicant must prove, at a minimum, that the sign structure cannot reasonably be used for a sign with an area smaller than three hundred square feet.

B. Signs located on premises annexed into the city after the effective

date of the ordinance codified in this section and which signs do not comply with the provisions of the ordinance codified in this section, shall be brought into compliance with the ordinance codified in this section within a period of time not to exceed six months after the effective date of annexation; provided, however, that a landowner may, within thirty days of annexation, request a variance as provided in subsection A of this section.

C. Any sign which is structurally altered, relocated or replaced shall immediately be brought into compliance with all applicable provisions of this chapter; provided, however, that a landowner may, within thirty days of annexation, request a variance as provided in Section 15.28.040.

D. All existing signs or portions thereof prohibited in Section 15.28.050, except subsection A, shall be removed or altered to comply within six months from the date of adoption of this chapter.

E. Within one year from the date of adoption of this chapter, the sign official or an authorized representative may inspect any sign regulated hereunder. The sign official shall have right of reasonable entry onto private premises to enforce the provisions of this chapter. After inspection, a notice shall be issued to the owner of the sign or property that lists the signs and identifies those signs which, in the opinion of the sign official, need repair or modification to bring them into compliance with this chapter and those which are in violation of the provisions of this chapter and must be removed, including the expiration of the grace period for the particular sign. The sign official may repeat such on-site inspections, with reasonable notice, from time to time as deemed necessary to enforce the provisions of this chapter.

F. Any sign regulated under this chapter found to be in violation of this chapter shall be deemed a nuisance. Violation of the provisions of this chapter shall constitute a civil infraction, subject to the code enforcement procedures of Chapters 1.16 and 1.20. (Ord. 94-1027 §1(part), 1994)

#### 15.28.100 Conflict and severability.

In the event any provision herein is found to be in conflict with any zoning, building, fire safety, health or other code provisions of the city, the provision which establishes the higher standard for the promotion and protection of the health, safety and welfare of the people shall prevail.

A finding by a court of competent jurisdiction that any portion of this chapter is invalid shall not invalidate the remaining portions. A permit issued pursuant to this chapter does not grant any authority to violate any other law or regulation that may apply. (Ord. 94-1027 §1(part), 1994)

#### 15.28.110 Violation--Penalty.

In addition to any other provisions hereof, it is unlawful for any person to maintain a sign or advertising structure in violation of the provisions of this chapter. Violation of any provision of this chapter is subject to the code enforcement procedures of Chapters 1.16, 1.20, 1.24. (Ord. 99-1004 §27, 1999; Ord. 94-1027 §1(part), 1994)