



STAFF REPORT AND RECOMMENDATION

April 28, 2015

FILE NO.: Legislative File: L 14-01
Amendments to the Oregon City Sign Code Chapter 15.28 (Ord. 14-1003)

APPLICANT: Oregon City Planning Division
221 Molalla Ave, Suite 200
Oregon City, Oregon 97045

REQUEST: Adopt amendments to Chapter 15.28 (Signs) of the Oregon City Municipal Code.

LOCATION: City-wide.

RECOMMENDATION: Staff recommends approval of this application based on the satisfaction of all required criteria for a Legislative action.

REVIEWERS: Laura Terway, AICP, Planner
Tony Konkol, Community Development Director

17.50.170 - Legislative hearing process.

A. Purpose. Legislative actions involve the adoption or amendment of the city's land use regulations, comprehensive plan, maps, inventories and other policy documents that affect the entire city or large portions of it. Legislative actions which affect land use must begin with a public hearing before the planning commission.

B. Planning Commission Review.

- 1. Hearing Required. The planning commission shall hold at least one public hearing before recommending action on a legislative proposal. Any interested person may appear and provide written or oral testimony on the proposal at or prior to the hearing. The community development director shall notify the Oregon Department of Land Conservation and Development (DLCD) as required by the post-acknowledgment procedures of ORS 197.610 to 197.625, as applicable.*
- 2. The community development director's Report. Once the planning commission hearing has been scheduled and noticed in accordance with Section 17.50.090(C) and any other applicable laws, the community development director shall prepare and make available a report on the legislative proposal at least seven days prior to the hearing.*
- 3. Planning Commission Recommendation. At the conclusion of the hearing, the planning commission shall adopt a recommendation on the proposal to the city commission. The planning commission shall make a report and recommendation to the city commission on all legislative proposals. If the planning commission recommends adoption of some form of the proposal, the planning commission shall prepare and forward to the city commission a report and recommendation to that effect.*

C. City Commission Review.

- 1. City Commission Action. Upon a recommendation from the planning commission on a legislative action, the city commission shall hold at least one public hearing on the proposal. Any interested person may provide written or oral testimony on the proposal at or prior to the hearing. At the conclusion of the*

hearing, the city commission may adopt, modify or reject the legislative proposal, or it may remand the matter to the planning commission for further consideration. If the decision is to adopt at least some form of the proposal, and thereby amend the city's land use regulations, comprehensive plan, official zoning maps or some component of any of these documents, the city commission decision shall be enacted as an ordinance.

2. Notice of Final Decision. Not later than five days following the city commission final decision, the community development director shall mail notice of the decision to DLCD in accordance with ORS 197.615(2).

IF YOU HAVE ANY QUESTIONS ABOUT THIS APPLICATION, PLEASE CONTACT THE PLANNING DIVISION OFFICE AT 503-722-3789.

A. BACKGROUND/PROPOSED PROJECT

Oregon City's sign code is located in Chapter 15.28 of the Oregon City Municipal Code (OCMC). The code regulates the location, number and size of signs in Oregon City (Exhibit 7). The sign code governs when a sign permit is required, specifies prohibited signs, and exempts various types of signs from review. A majority of Oregon City's current sign code was adopted in 1994 (Ord. 94-1027). A minor amendment in 2005 added OCMC 15.28.075 – *Signs for listed conditional uses in residential zones* (Ord. 05-1002).

Goal 3 of the 2013-2015 Goals and Priorities of the Oregon City, City Commission was to “Enhance the Livability of the Community” (Exhibit 1). Under this goal, the City Commission identified a need to initiate an aggressive public involvement campaign to update the Oregon City Sign Code. More specifically the goal included the following tasks:

- Complete RFP for public outreach facilitator
- Review, revise, and adopt associated code amendments

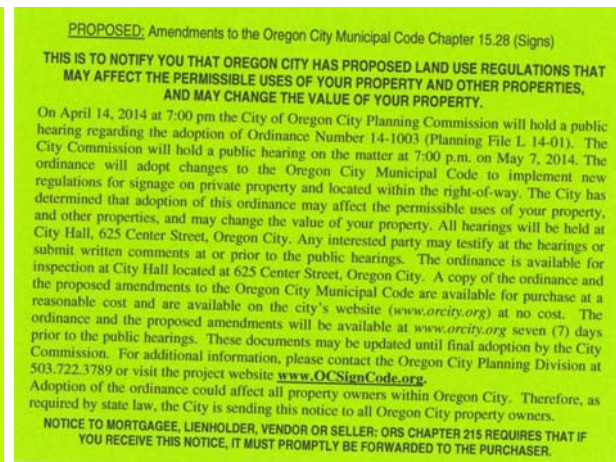
The City has proposed a comprehensive rewrite of the City's sign code to create new sign standards that are safe, clear, fair and reflect Oregon City values. A draft Ordinance (14-1003) may be found in Exhibit 2 and the draft code can be found in Exhibit 3.

B. LOCATION

City-wide. Legislative actions involve the adoption or amendment of the city's land use regulations that affect the entire city or large portions of it.

C. PUBLIC NOTICE

The Legislative application for the Sign Code Update was submitted on February 24, 2014 and determined to be complete on March 10, 2014. Notice of the application was sent to the Department of Land Conservation and Development (DLCD), neighborhood associations, the Citizen Involvement Council (CIC), and over 10,700 green post cards were mailed to property owners within Oregon City and the abutting Urban Growth Boundary. The application was also posted online at www.orcity.org as well as on a project website (www.OCSignCode.org).



D. DECISION-MAKING CRITERIA:

CHAPTER 17.68 ZONING CHANGES AND AMENDMENTS

17.68.010 *Initiation of the amendment.*

A text amendment to this title or the comprehensive plan, or an amendment to the zoning map or the comprehensive plan map, may be initiated by:

- A. A resolution request by the city commission;*
- B. An official proposal by the planning commission;*
- C. An application to the planning division presented on forms and accompanied by information prescribed by the planning commission.*
- D. A Legislative request by the Planning Division.*

All requests for amendment or change in this title shall be referred to the planning commission.

Finding: Complies. The Oregon City Planning Commission has proposed this Legislative application for amendments to Chapter 15.28 of the Oregon City Municipal Code in response to the 2013-2015 Goals and Priorities of the Oregon City, City Commission.

17.68.020 *Criteria.*

The criteria for a zone change are set forth as follows:

17.68.020.A. *The proposal shall be consistent with the goals and policies of the Oregon City Comprehensive Plan.*

Applicable Comprehensive Plan Goals and Policies

Section 1: Citizen Involvement

- **Goal 1.1 Citizen Involvement Program-** *Implement a Citizen Involvement Program that will provide an active and systematic process for citizen participation in all phases of the land-use decision making process to enable citizens to consider and act upon a broad range of issues affecting the livability, community sustainability, and quality of neighborhoods and the community as a whole.*
 - **Policy 1.1.1-** *Utilize neighborhood associations as the vehicle for neighborhood-based input to meet the requirements of the Land Conservation and Development Commission (LCDC) Statewide Planning Goal 1, Citizen Involvement. The Citizen Involvement Committee (CIC) shall serve as the officially recognized citizen committee needed to meet LCDC Statewide Planning Goal 1.*
- **Goal 1.2 Community and Comprehensive Planning -** *Ensure that citizens, neighborhood groups, and affected property owners are involved in all phases of the comprehensive planning program.*

- Policy 1.2.1- *Encourage citizens to participate in appropriate government functions and land-use planning.*
- Goal 1.3 Community Education- *Provide education for individuals, groups, and communities to ensure effective participation in decision-making processes that affect the livability of neighborhoods.*
- Goal 1.4 Community Involvement- *Provide complete information for individuals, groups, and communities to participate in public policy planning and implementation of policies.*
 - Policy 1.4.1 *Notify citizens about community involvement opportunities when they occur.*
- Goal 1.5 Government/Community Relations - *Provide a framework for facilitating open, two-way communication between City representatives and individuals, groups, and communities*

Finding: Complies. As described in the Community Advisory Team report, beginning in July 2012 the City conducted a variety of meetings and open houses to engage the public throughout the development of the sign code amendments. All comments submitted throughout the Sign Code Update process are provided in Exhibit 4.

In addition, City staff sent a request to speak with all neighborhood associations and met with nearly each neighborhood as well as with the Chamber of Commerce, Main Street Oregon City, Citizen Involvement Committee, Natural Resources Committee, Historic Review Board, and the Transportation Advisory Committee. Further, multiple Open Houses were held throughout the process and a Community Advisory Team (CAT) was appointed to advise staff. The CAT participants were appointed by the Mayor to represent a variety of interests and met four times in open meetings advertised to the public. All information, materials and documents created during the community outreach process was posted to the project website (www.OCSignCode.org) for public review and comment (Exhibit 5).

A comprehensive public process has resulted in many community discussions and recommendations to City staff for revisions to the signage standards. The Planning Commission has held work sessions to review the proposed code on February 24, 2014, March 24, 2014, April 28, 2014, June 23, 2014 and October 13, 2014 and hearings on April 14, 2014, May 12, 2014, June 23, 2014, July 28, 2014 and September 22, 2014.

Section 2: Land Use

- Goal 2.2 Downtown Oregon City - *Develop the Downtown area, which includes the Historic Downtown Area, the “north end” of the Downtown, Clackamette Cove, and the End of the Oregon Trail area, as a quality place for shopping, living, working, cultural and recreational activities, and social interaction. Provide walkways for pedestrian and bicycle traffic, preserve views of Willamette Falls and the Willamette River, and preserve the natural amenities of the area.*
 - Policy 2.2.5- *Encourage the development of a strong and healthy Historic Downtown retail, office, cultural, and residential center.*
 - Policy 2.3.1- *Ensure planning for transit corridors includes facilities and access management, aesthetics (including signage and building facade improvements), infill and redevelopment opportunities, high-density residential development, and business assistance to existing businesses.*
- Goal 2.4 Neighborhood Livability- *Provide a sense of place and identity for residents and visitors by protecting and maintaining neighborhoods as the basic unit of community life in Oregon City while implementing the goals and policies of the other sections of the Comprehensive Plan.*
- Goal 2.5 Retail and Neighborhood Commercial - *Encourage the provision of appropriately scaled services to neighborhoods.*
 - Policy 2.5.1- *Encourage the redevelopment of linear commercial corridors in ways that encourage expansion of existing businesses and infill development, and at the same time reduces*

conflicting traffic movements, improves the aesthetic character of these commercial areas, and encourages trips by transit, bicycling and walking.

- *Policy 2.5.3 - Review design standards and the sign code to ensure compatibility with existing neighborhoods.*

Finding: Complies. The proposed signage standards will provide a variety of signage opportunities while balancing neighborhood livability. The proposed code will support downtown Oregon City businesses and other entities because the community input suggested expanded sign types for businesses and other users in the downtown area. In addition, the sign code will be beneficial to a variety of users and tailored to recognize the different needs of various neighborhoods throughout the City. The standards were developed through a comprehensive public planning process including inclusion by a wide variety of the public such as neighborhood associations, the Citizen involvement Committee, Main Street Oregon City, signage businesses, the Chamber of Commerce, those within the signage industry, and etc.

Section 5: Open Spaces, Scenic and Historic Areas, and Natural Resources

- *Goal 5.2 Scenic Views and Scenic Sites - Protect the scenic qualities of Oregon City and scenic views of the surrounding landscape.*
 - *Policy 5.2.2 - Maximize the visual compatibility and minimize the visual distraction of new structures or development within important viewsheds by establishing standards for landscaping, placement, height, mass, color, and window reflectivity.*
- *Goal 5.3 Historic Resources - Encourage the preservation and rehabilitation of homes and other buildings of historic or architectural significance in Oregon City.*
 - *Policy 5.3.1- Encourage architectural design of new structures in local Historic Districts, and the central Downtown area to be compatible with the historic character of the surrounding area.*

Finding: Complies. One of the purposes of the proposed Sign Code is to “Maintain and enhance the scenic and other aesthetic qualities of the city,” and input from a variety of citizens and groups informed the implementation of the sign code criteria to achieve this goal. In addition, the amended regulations included provisions to ensure maintenance of the integrity of historic areas within the City.

Section 9: Economic Development

- *Goal 9.1 Improve Oregon City’s Economic Health - Provide a vital, diversified, innovative economy including an adequate supply of goods and services and employment opportunities to work toward an economically reasonable, ecologically sound and socially equitable economy.*
- *Goal 9.2 Cooperative Partnerships - Create and maintain cooperative partnerships with other public agencies and business groups interested in promoting economic development.*
 - *Policy 9.2.1 -Seek input from local businesses when making decisions that will have a significant economic impact on them.*
 - *Policy 9.2.2- Carefully consider the economic impacts of proposed programs and regulations in the process of implementing the City’s Comprehensive Plan*
- *Goal 9.3 Retention of Existing Employers- Retain existing employers, both public and private, and encourage them to expand their operations within the City.*

Finding: Complies. One of the purposes of the Sign Code is to “Support the economic development of Oregon City businesses.” The development of the sign code included input from a variety of business owners that resulted in provisions to allow a variety of signage types for businesses.

Goal 11.1 Provision of Public Facilities

Serve the health, safety, education, welfare, and recreational needs of all Oregon City residents through the planning and provision of adequate public facilities

Finding: Complies. The proposed Sign Code includes standards to allow signs to be placed in the right-of-way including limitations on the number, size and placement of signs. The proposed code allows the

adequate use of the right-of-way for automobiles, bicyclists and pedestrians in addition to limited signage.

Goal 11.6 Transportation Infrastructure

Optimize the City's investment in transportation infrastructure.

Finding: Complies. The proposed Sign Code includes standards to allow signs to be placed in the right-of-way including limitations on the number, size and placement of signs. The proposed code allows the adequate use of the right-of-way for automobiles, bicyclists and pedestrians in addition to limited signage. Allowing an additional use for the right-of-way will maximize the investment in such infrastructure.

Goal 12.3 Multi-Modal Travel Options

Develop and maintain a transportation system that provides and encourages a variety of multi-modal travel options to meet the mobility needs of all Oregon City residents.

Finding: Complies. The proposed Sign Code includes standards to allow signs to be placed in the right-of-way including limitations on the number, size and placement of signs. The proposed code does not limit mobility for automobiles, bicyclists or pedestrians.

Goal 12.6 Capacity

Develop and maintain a transportation system that has enough capacity to meet users' needs.

Finding: Complies. The proposed Sign Code includes standards to allow signs to be placed in the right-of-way including limitations on the number, size and placement of signs. The proposed code does not decrease the capacity of the right-of-way for automobiles, bicyclists or pedestrians.

17.68.020.B. *That public facilities and services (water, sewer, storm drainage, transportation, schools, police and fire protection) are presently capable of supporting the uses allowed by the zone, or can be made available prior to issuing a certificate of occupancy. Service shall be sufficient to support the range of uses and development allowed by the zone.*

Finding: Not Applicable. No changes to the public facilities or the zoning designations of property, which affect the demand on utilities, are proposed at this time.

17.68.020.C. *The land uses authorized by the proposal are consistent with the existing or planned function, capacity and level of service of the transportation system serving the proposed zoning district.*

Finding: Complies. The signage regulations proposed do not limit the capacity, function or level of service of the transportation system. The signage proposed within the right-of-way will maintain compliance with the Americans with Disabilities Act.

17.68.020.D. *Statewide planning goals shall be addressed if the comprehensive plan does not contain specific policies or provisions which control the amendment.*

Finding: Not Applicable. The Oregon City Comprehensive Plan addresses the Statewide Planning goals.

E. RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of proposed amendments to Chapter 15.28 of the Oregon City Municipal Code to the City Commission as included in Exhibit 3 for their consideration.

F. EXHIBITS

1. 2013-2015 Goals and Priorities of the City Commission
2. Ordinance 14-1003
3. A. Proposed Amendments to Chapter 15.28 of the Oregon City Municipal Code (dated May, 2015)
B. Existing Mural List
4. Public Comments Received
5. Report from the Community Advisory Team (CAT)
6. Applicant's Submittal
7. Existing Chapter 15.28 of the Oregon City Municipal Code