

**PROPOSED AMENDMENTS
TO CHAPTERS 52, 53, 58, 85, 96, 98 and 99
of the
COMMUNITY DEVELOPMENT CODE**

DISCUSSION DRAFT

July 12, 2012

Notes:	
Plain text =	existing regulation
Strike through =	proposed deletion to existing regulations
<u>Underline</u> =	proposed addition to existing regulations
<i>Italic</i> =	staff comment

The following contains several unrelated proposed amendments to the Community Development Code (CDC). The topics being addressed are as follows:

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Public Notice Requirements

*(**Overview:** The City requires notification of property owners within 100 feet of proposed small scale projects (e.g., modification of landscaping, additions to commercial building of up to 5%, the addition or reduction in parking stalls, flood management permit, renovations and additions to historic homes, and minor (Class I) variances for small reductions in building setbacks and lot dimensions (see CDC Section 75 .020)). This notification is less than other Metro jurisdictions, which typically provide 200-foot to 300-foot notice for similar projects (see Attachment 1.) The following proposed amendment would require notice of these relatively small projects to be provided to property owners within 300 feet of the subject site.)*

99.080 NOTICE

B. Class B Notice. Notice of a proposed action on a development application pursuant to CDC 99.060 shall be given by the Director in the following manner:

- 1. At least 14 days prior to the decision date, a notice shall be sent by mail to:
 - a. The applicant or his agent;
 - b. The affected recognized neighborhood association or citizens advisory committee; and
 - c. All property owners of record within ~~100~~ 300 feet of the site perimeter.
- ~~2.~~ The City shall make reasonable efforts to post notice of the application on the City’s website at least 10 days prior to the hearing, meeting, or decision date. Failure to comply with this section is not a procedural defect entitling any party to a delay in the hearing process.

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Sidewalk Use

(Overview: CDC Section 53.030 limits the placement of tables and displays to the portion of the sidewalk next to buildings. However some wide sidewalks, particularly at sidewalk extensions, have room for tables and displays along the street without interfering with pedestrian passage. The proposed code amendment below would allow tables and displays to be placed along the street edge as well as next to buildings provided it would not interfere with pedestrians.)

53.030 STANDARDS

A. **Displays and tables may be placed, and customer service may be conducted, on sidewalks subject to the following:**

- 1. **A pedestrian accessway a minimum of four feet in width shall be maintained free of obstructions on all sidewalks. Such pedestrian access shall be adjacent to the curb (i.e., the display or tables shall be adjacent to the associated business structure), except when there is sufficient width between the building and the curb to allow more than one row of displays or tables on the sidewalk while maintaining at least the minimum unobstructed pedestrian accessway. In that case, tables and displays can be located along the building face or curb, or both, provided the minimum four-foot wide unobstructed accessway is maintained.**

A minimum pedestrian accessway of four feet shall be maintained adjacent to the curb (i.e., display or service shall take place adjacent to the business structure.)

- 2. ~~C.~~ The ~~d~~Displays, **tables, and** ~~or~~ **customer** service shall not extend beyond the store frontage **of the business** associated with the products or service, **with the exception of extended sidewalks at intersections.**

Also see CDC Section 52.310 regarding temporary signs and Chapter 42 regarding clear vision triangle requirements.

- B. ~~Clear vision requirements of Chapter 42 CDC shall not be violated.~~
- D. ~~Any temporary commercial signs shall be subject to Planning Director approval.~~

Number of Dwellings Along Cul-De-Sacs

(Overview: Subsection CDC 85.200 A(11) limits the number of dwellings accessed by a cul-de-sac to 12 and sets a maximum cul-de-sac length of 400 feet. The primary purposes of limiting the number of dwellings along cul-de-sacs are to provide for connected streets where possible and to avoid access problems for emergency response vehicles. However, in some instances, the limit of 12 dwellings accessed by a cul-de-sac may be an impediment to appropriate development. For example, some dead end streets have no potential for connection (i.e., due to barriers such as I-205, topography or existing development) but they access land capable of accommodating infill development that would not pose traffic or public safety problems. Metro's Regional Transportation Functional Plan (RTFP), Section 3.08.110 (E)(7), requires that in proposed residential development on 5 or more acres that new cul-de-sac/dead-end streets be limited to 200 feet in length and provide access for no more than 25 dwellings. Metro does not limit the number of dwellings on existing cul-de-sacs. (See Attachment 3.) West Linn is required to be consistent with the RTFP.

The proposed amendment below would increase the number of lots along cul-de-sacs under certain circumstances.)

85.200 APPROVAL CRITERIA

No tentative subdivision or partition plan shall be approved unless adequate public facilities will be available to provide service to the partition or subdivision area prior to final plat approval and the Planning Commission or Planning Director, as applicable, finds that the following standards have been satisfied, or can be satisfied by condition of approval.

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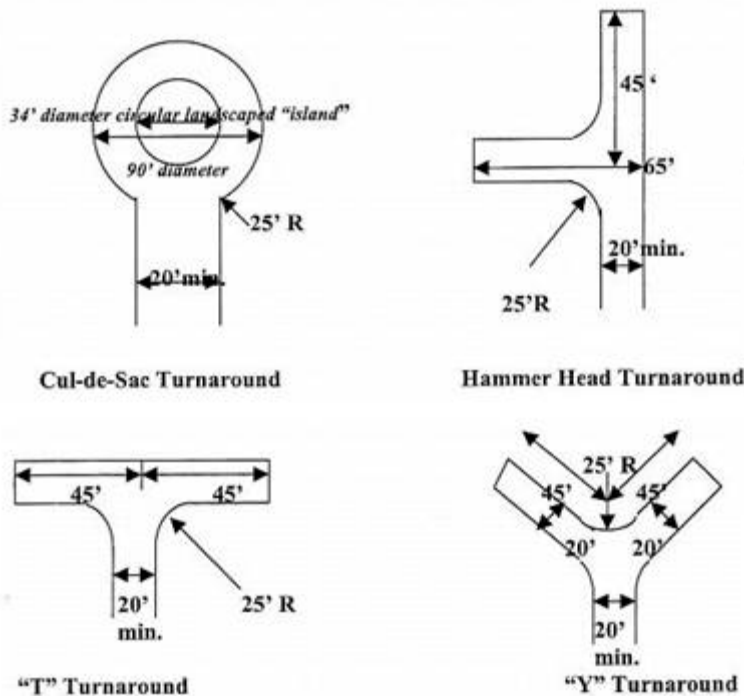
11. Cul-de-sacs.
 - a. **Cul-de-sacs and other closed-end streets are not allowed except where construction of a connected street is precluded by physical constraints such as the freeway or other existing development, steep topography, a fish bearing stream, or wetland, except as provided for in Subsection (b) below.**

~~Cul-de-sacs are not allowed except as required by topography, slope, site limitations, and lot shapes.~~
 - b. **New cul-de-sacs/closed-end streets proposed to serve residential or mixed-use development on sites of five or more acres shall have a maximum lengths of ~~200~~ 400 feet and serve no more than ~~12~~ 25 dwelling units, unless by variancee per Chapter 75 CDC the applicant demonstrates that there is no feasible alternative, due to physical constraints or prohibitive cost, and that the design complies with all applicable standards of the emergency service provider(s), including accessibility and response time, and adequately provides for anticipated traffic, consistent with applicable requirements.**
 - c. **Applicants for a proposed subdivision, partition or multifamily development accessed by an existing cul-de-sac/closed-end street shall demonstrate that the proposal is consistent with all applicable standards of**

the emergency service provider(s) for the site, including accessibility and response time, and applicable traffic standards.

- d. All cul-de-sacs shall include direct pedestrian and bicycle accessways to adjacent streets or pedestrian and bicycle accessways unless such connections are precluded by physical constraints or necessary easements cannot be obtained at a reasonable cost.
- e. All cul-de-sacs/closed -end streets shall terminate with a turnaround built to one of the following specifications (measurements are for the traveled way and do not include planter strips or sidewalks).

(Staff comment: The illustrations below are currently in the code).



Fee in Lieu of Required Improvement

(Overview: For some small infill lots, full public street improvements may be inconsistent with the surrounding built environment. The CDC allows fee-in-lieu of sidewalks, but lacks a method for determining the fee.)

96.010 CONSTRUCTION REQUIRED

- A. New construction.
 - 1. Building permits shall not be issued for the construction of any new building or structure, or for the remodeling of any existing building or structure, which results in an increase in size or includes a change in use, including building permits for single-family dwellings but excepting building permits for alteration or addition to an existing single-family dwelling, unless the applicant for said

building permit agrees to construct street improvements as required by the land use decision authorizing the construction activity. The placement of new curbs and the drainage facilities required shall be determined by the City Manager or the Manager's designee.

2. If the building permit did not require a prior land use decision, the applicant shall construct street improvements which shall include curbs, sidewalks, drainage facilities, and pavement widening to meet new curbs, along all City streets which abut the property described in the building permits.
3. An applicant for a building permit may apply for a waiver of street improvements and the option to make a payment in lieu of construction. The option is available if the City Manager or the Manager's designee determines the transportation system plan does not include the street improvement for which the waiver is requested.
4. When an applicant applies for and is granted a waiver of street improvements under subsection (A)(3) of this section, the applicant shall pay an in-lieu fee **equal to the estimated cost, accepted by the City Engineer, of the otherwise required street improvements.** ~~for improvements to be applied to the nearest street identified by the Manager or the Manager's designee, as necessary and appropriate. The amount of the in-lieu fee shall be roughly proportional to the impact of the development on the street system.~~
5. ~~The City's determination of the appropriate in-lieu fee shall constitute an interpretation of the code, as authorized by CDC 99.060(A)(3), and may be appealed subject to the provisions of Chapter 99 CDC.~~

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85.200 APPROVAL CRITERIA

No tentative subdivision or partition plan shall be approved unless adequate public facilities will be available to provide service to the partition or subdivision area prior to final plat approval and the Planning Commission or Planning Director, as applicable, finds that the following standards have been satisfied, or can be satisfied by condition of approval.

A. Streets.

1. General.

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Internal streets are the responsibility of the developer. All streets bordering the development site are to be developed by the developer with, typically, half-street improvements or to City standards prescribed by the City Engineer. Additional travel lanes may be required to be consistent with adjacent road widths or to be consistent with the adopted Transportation System Plan and any adopted updated plans.

An applicant may submit a written request for a waiver of abutting street improvements if the Transportation System Plan prohibits the street improvement for which the waiver is requested. Those areas with numerous (particularly contiguous) under-developed or undeveloped tracts will be required to install street improvements. When an applicant requests a waiver of street improvements and the waiver is granted, the applicant shall **pay an in-lieu fee equal to the estimated cost, accepted by the City Engineer, of the otherwise required street improvements.** ~~propose a fee amount that will be reviewed by the City Manager or the Manager's designee. The City Manager or the Manager's~~

designee will revise the proposed fee as necessary and establish the amount to be paid on a case-by-case basis. The applicant shall pay an in-lieu fee for improvements to the nearest street identified by the City Manager or Manager's designee as necessary and appropriate. The amount of the in-lieu fee shall be roughly proportional to the impact of the development on the street system as determined in subsection (A)(22) of this section.

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Projecting Signs and Sports Field Signage

(Overview: The proposed amendments to the sign code, Chapter 52, pertain to the following:

- *Permitting signage on sports fields;*
- *Allowing projecting signs in the Willamette Falls Drive Commercial District (WFDCD);*
- *Relocating the signage related language for the Willamette Falls Drive Commercial District to Chapter 52, Signs; and*
- *Specifically allowing projecting signs in Commercial Zones and in Business Centers.*

Sports Field Signage

Currently, sports fields owned by the City and the West Linn-Wilsonville School District display signage for various businesses and organizations. Unlike most signage, the display of signage at athletic facilities is directed towards event attendees and not adjacent properties and roadways. In addition, the signage is a source of revenue for the associated teams and organizations. Several cities in the region regulate this type of signage and a number of others regulate signage that is not visible or intended to be visible from the public right-of-way (see Attachment 5).

The signage on City owned property can be considered a "City Sign" and considered exempt from regulation. A City Sign is as follows:

"City sign. Signs which are erected and maintained by the City. This shall include temporary signs which are specifically approved by the City for placement in the public right-of-way in accordance with a resolution adopted pursuant to CDC 52.109(D)."

The remaining signage does not fall under an existing exemption in the CDC, nor is it signage that the City permits. The proposed amendments would exempt the sports field related signage at community recreation facilities provided that it is oriented toward and only intended to be legible for users of the site. The CDC defines "Community recreation" as "Recreational, social, or multi-purpose uses typically associated with parks, play fields, or golf courses."

Chapter 52, Signs

52.109 EXEMPTIONS

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- B.** ~~Signs in the Willamette Falls Drive Commercial Overlay Zone, as defined in Chapter 58 CDC, shall be reviewed and approved subject to the criteria found in CDC 58.090(C)(25). However the dimensional standards for signs in the Willamette Falls Drive Commercial Overlay Zone shall be based on the table in CDC 52.300.~~

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F. Signs oriented toward spectators at play fields or the interior of community recreation facilities and legible primarily to such spectators and others on site.

(Staff comment: Business owners and others in the WFDCD have expressed a desire to amend the code to allow, or make it easier, for businesses to have projecting signs (also known as “blade” signs) in the WFDCD (see Attachment 4). Projecting signs can increase visibility for businesses, particularly for pedestrians walking along the sidewalk. Often, the existing wall signs are not visible from this vantage point; therefore, permitting projecting signs has the potential to increase business’ visibility. Currently, there are a few examples of projecting signs in the WFDCD. These were typically permitted based on historic examples of similar signage.

The proposed amendments would allow for projecting signs with limitations on their location and size. The limited use of projecting signs would not detract from the area’s historic character. The draft amendments would allow one projecting sign per business frontage with a customer entrance. This signage would be in addition to the signage that is currently permitted.

Projecting signs are not specifically addressed in other commercial areas. Staff has permitted them, typically in Central Village, as part of the business’s wall signage. Staff is proposing to allow them in all commercial districts in the same manner in the WFDCD. Currently, businesses are allowed a total of three wall signs, potentially distributed on multiple façades, with a total area of up to 10% of the area of the largest façade. In addition to the wall signage that is permitted, staff recommends allowing an additional projecting sign (maximum 12 square feet) per business frontage with a customer entrance. As with the signs in the Willamette District, projecting signs in these areas would generally be visible for pedestrians or others traveling near the structure where a wall sign typically is not visible.

Alternative to consider: West Linn’s wall signage limits are generally similar to those in other communities, and the allowance of additional square footage for signage through a projecting sign would not be inconsistent with what is permitted in area communities. However, this change could be seen as permitting excessive amounts of signage. An alternative would be to specify that projecting signs are included in the total signage allowed for wall signage. Typically, the sign types are separated. A few communities limit the total square footage for signage. (See Attachment 5.))

52.300 PERMANENT SIGN DESIGN STANDARDS

	FREESTANDING SIGNS						ON-WALL SIGNS			PROJECTING SIGNS ⁵	
	City Appvl. Reqd.	Illumination	No. Allowed	Max. Sq. Ft.	Max Ht. (ft.)	ROW Setback (ft.)	No. Allowed	Max Sq. Ft.	Max Ht. (ft.)	No. Allowed	Max. Sq. Ft.
Residential Uses Including Home Occupations	No	No	1	2	4	5	or 1 [^]	2	12	n/a	n/a
Multi-family Complex	Yes	Yes	2	24 total*	8	5	or 2 [^]	24 total*	12	n/a	n/a
Subdivision Monument	Yes	Yes	5 per subdiv.	32 total*	8	5	n/a	n/a	n/a	n/a	n/a
Industrial Zone Uses	Yes	Yes	10	32	8	5	3	10%	25	n/a	n/a
Commercial Uses in Residential Zone	Yes	Yes	1	16	8	10	2	5%*	12	n/a	n/a
Commercial Zone	Yes	Yes	1 ¹	32 ²	8	5	3	10%*	25	<u>1 sign per each business frontage with a customer entrance⁴</u>	<u>12</u>
Business Center	Yes	Yes	1	150 ³	20	15	3	10%*	25	<u>1 sign per each business frontage with a customer entrance⁴</u>	<u>12</u>
Business Center Entryway	Yes	Yes	1 per entry	4	3	5	n/a	n/a	n/a	n/a	n/a
Public Uses	Yes	Yes	1 ⁴⁵	24	20	5	No limit	18 total	25	n/a	n/a

Notes for Permanent Sign Design Standards

* To calculate maximum area, numbers followed with the word "total" are the maximum total area of all signs combined. Standards expressed as a percentage represent the allowed percentage of area on a single building face that may be used as a wall sign. For example, a wall 10 feet tall by 30 feet wide has 300 square feet. If the standard is 10 percent, signs totaling 30 square feet are permitted. The maximum percentage is for the building – a building with multiple occupants is restricted to the stated percentage per building, not per occupant.

[^] For number of signs allowed, "or 1" and "or 2" designate that the total number of freestanding and wall signs cannot exceed the number stated. If the standard is "or 1," the applicant may have one freestanding sign or one wall sign, but not both.

¹Gas stations may have two freestanding signs.

²Restaurants with drive-through or take-out windows may have an additional 32 square feet.

³Up to 35 percent of the total sign area may be used as a changeable copy sign. Where business centers are located within 200 feet of I-205 right-of-way, the freestanding sign may be freeway-oriented. Freeway-oriented signs shall have a maximum total sign area of 210 square feet and a maximum height of 20 feet above the grade of the nearest lane or I-205 or 60 feet, whichever is less. Freeway-oriented signs shall be

oriented to view from I-205. Freeway-oriented signs shall not be smaller than 80 square feet. The approval authority may allow a 10 percent increase in the total square footage in order to accommodate unique design problems.

4 No projecting sign shall extend above the roofline at the wall or the top of a parapet wall, whichever is higher. No projecting sign shall be located within 20 feet of another projecting sign in the same horizontal plane. No sign shall project within two feet of the curb or roadway. All projecting signs shall have at least 8 feet of clearance above the sidewalk, consistent with Section 52.210 D. Any illumination shall be external.

⁵⁴Parks may have two signs per frontage. Signs in parks directed at pedestrians or cyclists within the parks are not limited in number or size. Schools may have two signs.

N/a means not applicable.

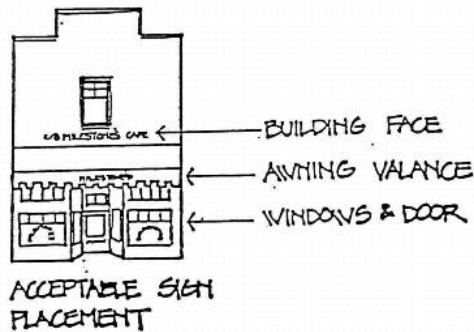
(Staff comment: The following proposed amendment would relocate the signage requirements for the WFDCD from Section 58.090 C(25), to Chapter 52, Signs, to consolidate the signage regulations to a single chapter. This also require amendments to Section 52.109. While this section is applicable to this district, staff reviews signage when a sign permit is submitted rather than during design review. Consolidating the information to a single chapter will simplify the review process. Generally, as applicable situations arise, staff is recommending relocating and consolidating related code sections.)

52.210 APPROVAL STANDARDS

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K. Signs in the Willamette Falls Drive Commercial District.

- 1. Signs shall not exceed 10 percent of the square footage of the front elevation. The calculation of allowable signage is explained in CDC 52.300. The sign(s) shall be proportionate to buildings and signs on adjacent buildings. The "10 percent" shall be broken up into multiple signs. The sign(s) shall be mounted or painted on the second floor, on the valance of the awning, on the windows at pedestrian level, or on four-by-four awning posts. Signs shall not be of the internally lit can type or channel light type. No backlit awnings are allowed. Illumination by spotlight is permitted. Neon signs are permitted only inside the windows. No flashing signs are allowed. By temporary sign permit only, neon colored lettering or designs painted on windows or on paper or banners in the windows are allowed, but discouraged. Small signs or plaques which describe the building in a historical sense are exempt from the allowable square footage restrictions. Signs cannot project out from building face. (This deletion provides for projecting signs).**



2. **Sign type face. Antique lettering as shown in the illustration is required. Variations are permitted where the lettering would not clash with the predominant font or style. "Gay Nineties" or "P.T. Barnum" type styles and other exaggerated styles are discouraged. Lettering may be horizontal, vertical, or slanting up from lower left to upper right. Semi-circle designs on windows are permitted. Window lettering should be either white, black, or gold with black shading.**

BROKER SHADED

Caslon Antique

Antique Bold

BETON OPEN

Century Shaded

ENGRAVERS

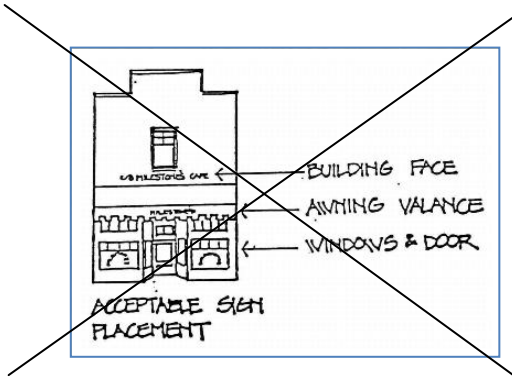
3. **Temporary signs. Temporary sandwich board signs are permitted and shall be designed to be consistent with the aforementioned sign and type face provision.**

Chapter 58, Section 58.090 Standards

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25. Signs:

a. Signs shall not exceed 10 percent of the square footage of the front elevation. The calculation of allowable signage is explained in CDC [52.300](#). The sign(s) shall be proportionate to buildings and signs on adjacent buildings. The "10 percent" shall be broken up into multiple signs. The sign(s) shall be mounted or painted on the second floor, on the valance of the awning, on the windows at pedestrian level, or on four-by-four awning posts. Signs shall not be of the internally lit can type or channel light type. No backlit awnings are allowed. Illumination by spotlight is permitted. Neon signs are permitted only inside the windows. No flashing signs are allowed. By temporary sign permit only, neon colored lettering or designs painted on windows or on paper or banners in the windows are allowed, but discouraged. Small signs or plaques which describe the building in a historical sense are exempt from the allowable square footage restrictions. Signs cannot project out from building face.



~~b. Sign type face. Antique lettering as shown in the illustration is required. Variations are permitted where the lettering would not clash with the predominant font or style. "Gay Nineties" or "P.T. Barnum" type styles and other exaggerated styles are discouraged. Lettering may be horizontal, vertical, or slanting up from lower left to upper right. Semi-circle designs on windows are permitted. Window lettering should be either white, black, or gold with black shading.~~

~~**BROKER SHADED**
 Caslon Antique
Antique Bold
BETON OPEN
 Century Shaded
ENGRAVERS~~

~~c. Temporary signs. Temporary sandwich board signs are permitted and shall be designed to be consistent with the aforementioned sign and type face provision.~~

52.109 EXEMPTIONS

- A. Signs placed inside windows are exempt from the provisions of this chapter.
- ~~B. Signs in the Willamette Falls Drive Commercial Overlay Zone, as defined in Chapter 58 CDC, shall be reviewed and approved subject to the criteria found in CDC 58.090(C)(25). However the dimensional standards for signs in the Willamette Falls Drive Commercial Overlay Zone shall be based on the table in CDC 52.300.~~
- ~~B.C. Parking lot signs. Signs up to three square feet in area with a maximum height no greater than five feet above grade and directed to the interior of a parking lot and not to a right-of-way shall not require a sign permit.~~
- ~~C.D. City signs are exempt from the provisions of this chapter.~~
- ~~D.E. Sunday signs are allowed within City right-of-way in any residential district on Sundays between the hours of 8:00 a.m. and 6:00 p.m., subject to the following standards:~~

...

DOCKETING

(Overview: CDC Section 98.030 A, allows CDC and comprehensive plan amendments to be initiated by the City Council, Planning Commission, Planning Director and neighborhood associations. In addition, community members may petition the Planning Commission or Council to consider such amendments.

CDC Section 98.030 B requires that the proposed amendment be heard by the Planning Commission within 60 days, unless, under Section 98.030 C, the City Council authorizes more time for the

Planning Commission to hold a hearing. This effectively gives the latest proposal the highest priority, consequently real priorities could be neglected. Also, this approach is inefficient, because each new proposed amendment could require separate legal notice and public hearings before the Planning Commission and City Council. (Staff's practice is to group several small scale proposed amendments together).

The proposed amendment would eliminate the authority of the Planning Director, Planning Commission and others to initiate projects independently and replace it with a docketing procedure. The 60-day deadline for conducting a hearing for proposed amendments would also be eliminated.

The proposed docketing process provides a procedure for City boards and commissions, staff, community members, and other interested people to suggest comprehensive plan and code amendments, and planning, historic and sustainability related projects that involve significant staff or financial resources, to the City Council. As proposed, each requested amendment/project and its status would be posted on the internet and at City Hall so people could become aware of the proposals under consideration.

The City Council would review all of the proposed projects, along with the recommendations of affected boards and commissions, add projects of interest, and decide which of the proposed projects to include in the annual Planning Department work program. This process would allow the Council to review all of the projects competing for City resources together and decide which ones are of greatest importance and community benefit. When proposed projects exceed available resources, the Council would decide what had priority and what projects would be deferred or dropped. The docket would be tied to the biannual budget to give the Council the ability to fund additional projects if desired. Upon Council approval, the docket would form the long-range work program for the Planning Department.

This process gives the Council the ability to align planning efforts to further Council goals rather than the boards, commissions and staff potentially proceeding in different directions or working on projects that the Council will not ultimately support.

The Council would retain the ability to proceed immediately with amendments to address urgent matters outside of the docketing process.

Issues. *Several issues have been raised regarding the proposed docketing process as follows:*

Small scale projects would have to compete with large projects. This might result in small projects being put off for a long time. Option 2 below addresses this issue.

Responsiveness to issues raised by the public. The docketing process would mean it would take longer for the City to look at requested code amendments, for example dealing with a neighborhood or business district issue. Some people believe that the City should act on the suggestions from the public right away to maintain the proper level of citizen involvement. They are concerned that people might feel disenfranchised if it was more difficult for them to bring their ideas to the Planning Commission. A citizen who could only complete a form and drop it in a box would feel like it dropped into a black hole. That would tend to discourage citizen involvement. Options 1 and 2 below address this issue.

Independence of the Planning Commission. Some Planning Commission members are concerned that the proposed docketing approach would eliminate their ability to independently initiate projects. Their view is that Planning Commission should be an independent body with independent authority to initiate projects. Option 3 below would reserve a portion of the staff's capacity for projects of interest to the Planning Commission.)

98.030 PROPOSING AND APPROVING PROPOSALS TO AMEND THE COMPREHENSIVE PLAN, CDC AND ZONING MAP

A. Docket. Comprehensive Plan, CDC and zoning map amendments to be prepared and processed in a given year shall be listed on a docket established through the following process, except as provided for in Subsection A(6) below. (Other planning, historic and sustainability projects proposed by a City board or commission that would require more than the board or commission's allotted staff or financial resources will also be considered through the docketing process.)

1. Proposing amendments and projects. Anyone may request a Comprehensive Plan, CDC or zoning map amendment (or other planning, historic and sustainability project) on a form submitted to the Planning Department. The requests may be submitted at any time, but the Planning Department will establish an annual deadline for proposed projects to be considered for the next docket.

(Staff comment: Staff would produce a form that would enable community members and others to suggest code and plan amendments and other planning, historic, and sustainability related projects and explain the rationale. The form would be posted on the City website and made available at City Hall.)

2. Notice. The Planning Department shall provide public notice of the annual submission deadline for proposing Comprehensive Plan, CDC and zoning map amendments (and other planning, historic and sustainability projects) at least 30 days in advance of the deadline. At a minimum, this shall include notice on the City website and to neighborhood associations. (Staff comment: This will also be addressed in CDC chapter 99)

3. Proposed amendment/project list. Staff shall compile and maintain a list of proposed Comprehensive Plan, CDC, and zoning map amendments (and other planning, historic and sustainability projects). The list shall be available for public review on the City's website and at City Hall.

(Staff comment: The proposed amendments would be posted on the Planning Department website along with an explanation of the docketing process. In addition to the proposed amendments submitted by the public, this list could include, for example, projects to address issues brought to light through administration of the code, projects to address issues or opportunities raised by the Planning Commission, Historic Review Board, or Sustainability Advisory Board over the course of the year, and projects to respond to changes in State and Metro

regulations or case law.)

4. **City commission and board review. Each year, staff shall present the proposed project list to the Planning Commission, Historic Review Board, the Sustainability Advisory Board to give them the opportunity to review the proposed projects, add projects of interest, and to prioritize the proposed projects within their purview.**

5. **City Council review and action. In each odd numbered year, the City Council shall set the docket in coordination with the adoption of the City budget. The process shall generally occur as follows:**
 - a. **Staff shall present the preliminary project list, along with the priorities of the Planning Commission, Historic Review Board and Sustainability Advisory Board, to the City Council for their consideration. The Council may add to, delete, or amend the proposals as desired. Then the Council will decide which projects to include on the two-year docket and the order of priority of projects included on the docket.**

 - b. **In even numbered years, the Council will reconsider the docket in light of new proposed project ideas, emerging issues and current priorities and, if warranted, make changes to the docket as desired.**

Option 1 (suggested by a Planning Commission member):

- c. **Amendments proposed by citizens not affiliated with the Planning Commission, Historic Review Board, or the Sustainability Advisory Board shall be considered at approximately 6-month intervals.**

(Rationale: Review and act on citizens' proposed amendments at shorter intervals so people do not have to wait one or two years to have a code problem addressed.)

Staff Comment: One of the benefits of docketing is that staff have greater certainty of the workload so staff can commit to deadlines and have the capacity to meet them. Authorizing new projects at intervals more frequent than annually undermines this benefit. The shorter interval also somewhat reduces staff capacity to process amendments as they would have to go through the time consuming docketing process more often. Also, it is unlikely that priorities would change enough over a short period to allow a new proposal to be addressed ahead of others already approved for the docket, unless it dealt with an urgent matter.)

Option 2 (suggested by a Planning Commission member): Allocate a specific amount of staff capacity (e.g., .25 FTE) to work on small scale projects (e.g., code fixes) to ensure that small scale projects of merit are authorized to proceed in each docket.

d. A portion of staff's capacity shall be allocated to small projects in each docket.

6. Exception. The City Council may initiate Comprehensive Plan, CDC and zoning map amendments at any time. The Council shall indicate the order of priority of new projects on the docket initiated other than as provided for in Section 5.

Option 3 (suggested by a Planning Commission member):

b. In addition, the Planning Commission may initiate projects outside of the docketing process, provided they do not exceed 20% of staff's available capacity for long-range planning for the year and the project was not specifically rejected by the City Council.

(Rationale: This approach would reserve staff capacity (e.g., 20%) to enable the Planning Commission, Historic Review Board, and Sustainability Advisory Board to initiate projects and address emerging issues as they like, provided that the project was not specifically rejected by the City Council. This approach would allow City Council and staff to manage the bulk of the Planning Department's workload but retain the flexibility to respond to emerging issues and preserve some autonomy for the Planning Commission. It would also allow small amendments to be considered more frequently and not make them compete with bigger projects.)

APPLICATION PROCESS: WHO MAY APPLY, TIME PERIOD, REQUIREMENTS

A. ~~Who may apply.~~

1. ~~A proposed legislative change may be initiated by:~~

a. ~~Motion by the City Council;~~

b. ~~Motion by the Planning Commission;~~

c. ~~The Planning Director;~~

d. ~~Recognized neighborhood association. The association must transmit its requested change to the Planning Director, accompanied by documentation as to the vote of the association and the minutes of its discussion;~~

e. ~~Any other party wishing to propose a legislative change may petition the Planning Commission or City Council to consider such change. The Planning Commission or City Council, after considering the petition, may choose to initiate a legislative change or deny the petition.~~

B. ~~Time period. A proposed legislative change will be heard by the Planning Commission, which acts in an advisory capacity to the Council, within 60 days of initiation of proposal. The proposed legislative change will then be heard by the City Council at the next available meeting, but in any circumstance, no later than 60 days after the Planning Commission recommendation. The date of initiation is the date the motion for change is adopted by the City Council or Planning Commission, or the date the Planning Director has received a proposal from a recognized neighborhood association.~~

C. ~~The City Council may, by same or separate motion, adopt a longer time period for Planning Commission hearings of proposed legislative changes.~~

ATTACHMENT 1

Metro area jurisdictions' smallest public notice mailing radiuses, for decisions that have notice mailing radiuses from subject properties:

Beaverton- 300 feet (50.40.2.C*)

Gresham- 300 feet (11.502.E.2.d*)

Hillsboro- 200 feet (per Hillsboro staff)

Lake Oswego- 300 feet (50.010.1.a*)

Milwaukie- 300 feet (19.1005.3.B.1.c and 19.1006.3.D.1.c*)

Portland- 150 feet (33.730*)

Tigard- 500 feet (18.390.040C.1.a and 18.390.050.C.1.a*)

Tualatin- 1000 feet, plus all of any subdivision that is partly within 1,000 feet (31.064.1.c*)

Vancouver- 500 feet (20.210.050.F.2*)

Wilsonville- 250 feet (4.012.02.A*)

**Code section where smallest radius was found*

ATTACHMENT 2

West Linn Table of Notices

The following notice summary identifies the appropriate type of notice for the various land use applications of CDC 99.060.

Land Use Action	Type of Notice
Amendment or Modification of Application or Permit	Same as original application
Appeal or Review of Decision	A
Boundary Change	Special
Code Interpretation	Notice to parties requesting the interpretation
Comprehensive Plan:	
Map Amendment	A
Plan/Code Text Amendment (Legislative Action)	A***
Conditional Use	A
Design Review:	
Class I	B
Class II	A
Determination of Unlisted Use	No Notice
Enlarge or Alter Non-conforming Use/Structure:	
Commercial or Industrial	A
Single-Family Residential	B
Erosion and Sediment Control Permit	No Notice
Expedited Land Division	per State statute requirements
Extensions of Approvals	Same notice as original application
Flood Management Area	B**
Final Plat and Partition Plat	No Notice
Historic District:	
Amendments	A
Demolition	A
New Home Construction	B
Major Renovations or Additions	B
Minor Renovations or Additions	B
Construction of Non-Exempt Accessory Structures/Garages	B
Home Occupation	No Notice
Lot Line Adjustment	No Notice
Minor Partition	A

Planned Unit Development	A
Revocation of Approval	A
Sidewalk Use Permit	No Notice
Sign Permit	No Notice
Subdivision	A
Temporary Use Permit:	
60 days or less; 60-day extension	No Notice
Over 60 days, up to 1 year	A
Tualatin River Setback:	
Uses permitted outright and not subject to design review	No Notice
Uses permitted outright and subject to design review	B
Uses requiring conditional use permit and design review	A
Street Vacations	(per State statute requirements)
Variances:	
Class I (involves a small change with minor or no effect)	B
Class II (involves a significant change from code requirements)	A
Water Resource Area Permit (NDW)	A**
Willamette River Greenway:	
Development Permit	A**
Uses requiring conditional use permit and design review	A**
Zone Change	A

ATTACHMENT 3
Metro Requirements Pertaining to Cul-de-sacs

E. If proposed residential or mixed-use development of five or more acres involves construction of a new street, the city and county regulations shall require the applicant to provide a site plan that:

1. Is consistent with the conceptual new streets map required by subsection D;
2. Provides full street connections with spacing of no more than 530 feet between connections, except if prevented by barriers such as topography, rail lines, freeways, pre-existing development, leases, easements or covenants that existed prior to May 1, 1995, or by requirements of Titles 3 and 13 of the UGMFP;
3. If streets must cross water features protected pursuant to Title 3 UGMFP, provides a crossing every 800 to 1,200 feet unless habitat quality or the length of the crossing prevents a full street connection;
4. If full street connection is prevented, provides bicycle and pedestrian accessways on public easements or rights-of-way spaced such that accessways are not more than 330 feet apart, unless not possible for the reasons set forth in paragraph 3;
5. Provides for bike and pedestrian accessways that cross water features protected pursuant to Title 3 of the UGMFP at an average of 530 feet between accessways unless habitat quality or the length of the crossing prevents a connection;
6. If full street connection over water features protected pursuant to Title 3 of the UGMFP cannot be constructed in centers as defined in Title 6 of the UGMFP or Main Streets shown on the 2040 Growth Concept Map, or if spacing of full street connections exceeds 1,200 feet, provides bike and pedestrian crossings at an average of 530 feet between accessways unless habitat quality or the length of the crossing prevents a connection;
- “7. Limits cul-de-sac designs or other closed-end street designs to circumstances in which barriers prevent full street extensions and limits the length of such streets to 200 feet and the number of dwellings along the street to no more than 25;”

F. For redevelopment of contiguous lots and parcels less than five acres in size that require construction of new streets, cities and counties shall establish their own standards for local street connectivity, consistent with subsection E.

ATTACHMENT 4

Existing Sports Field Signage:



Rosemont Middle School



West Linn High School





Fields Bridge Park

Existing Projecting Sign Examples:



Projecting Sign = 3.125 sq. ft.



Wall Sign = 33 sq. ft.



Projecting Sign = 30 sq. ft.



Projecting Sign = 6.25 sq. ft.

ATTACHMENT 5

Sports field Sign Regulations in Area Communities

Projecting/Blade Signage						
City	Code Section	Zoning District	Area (per face)	Location/Height/Clearance	Horizontal Projection	Number
Milwaukie	14.16.060	Downtown	Projecting signs shall not exceed 20% of the face of the building to which the sign is attached or maintained. However, if a projecting sign is located on the same building face as a wall sign, the total of all sign surfaces shall not exceed 20% of the building face.	No projecting sign shall be located within 20 feet of another projecting sign. No projecting sign shall extend above the roofline at the wall or the top of a parapet wall, whichever is higher. 8 foot clearance	No sign shall project within 2 feet of the curb	Only 1 projecting sign will be permitted on the same business frontage. No projecting sign shall be permitted on the same premises where there is a freestanding (monument) sign.
Portland	32.32.020 32.32.030	Neighborhood and General Commercial	No more than 30 square feet of a projecting sign face may extend into a right-of-way.	A projecting sign that extends into the right-of-way more than 3 feet may not be within 200 feet of another projecting or freestanding sign that extends more than 3 feet into the right-of-way if the new sign is within in horizontal lines drawn from the top and bottom of the prior sign. The edge of the projecting sign may not be more than 1 foot from the building wall. Projecting signs are not allowed on rooftops or on pitched roofs.	Signs may extend into the right-of-way 6 ½ feet or 2/3 of the distance to the roadway, whichever is less. However, in no case may signs extend within 2 feet of the roadway.	
Tualatin	38.110	Central Design District and in Major Commercial Centers and on Multi-story Buildings in the Central and General Commercial	24 ft.	8 ft clearance Shingle shall be no higher than 3 feet (under awning or canopy), blade shall be no higher than 10 ft.	Shall not extend more than 4 feet	In place of one wall sign one shingle sign or blade sign is permitted.
Hillsboro	11.32.190	General		Attached to a building face located within 5 feet of a property line abutting a street Spacing between projecting signs is a minimum of 20 feet. It does not project above the roof line or parapet wall, whichever is higher 8 clearance	Extends no more than 8 feet from the building and is set back a minimum of 2 feet from the face of the curb.	

Vancouver WA			15% of building elevation for all signs, or 250 sq. ft.	8 clearance	3 into ROW if 8+ clearance, 4 if 10+, 6 for 12+	
Beaverton	60.40.20.7, 60.40.35.2	Commercial buildings in the Multiple Use zoning districts	32 sq. ft.	8 clearance	8 feet, up to 2/3 the width of sidewalk, or min. 2 ft to curb, whichever is less	Commercial buildings which have the front building line within five feet of the public right-of-way are permitted one projecting sign on the front building face in lieu of a freestanding sign.
Wilsonville			Part of total size of all signs			
Sherwood	16.102.03 0.2.C	Commercial		No projecting sign shall be located within 20 feet of another projecting sign in the same horizontal plane. No projecting sign shall extend more than three feet above the roof line at the wall or the top of a parapet wall, whichever is higher.	No sign shall project to within two feet of the curb of a public street or beyond five feet from the building face, whichever is less.	Only one projecting sign will be permitted on the same business frontage with wall signs. No projecting sign shall be permitted on the same premises where there is a free-standing sign or roof sign.
Troutdale			4 sq. ft.	7.5 ft. clearance		One projecting sign for each building entrance used as a customer entrance.
Forest Grove			24 sq. ft.	Maximum vertical dimension of 6 feet. May extend no more than six feet from a building's façade. 8 ft. clearance	6 ft from building	Businesses with ground-floor entrances which have the front building line within five feet of the public ROW shall be permitted one projecting sign on the front building face, side, or corner in lieu of a wall sign.
Oregon City			16 sq. ft. per face, 32 sq. ft. all faces	The greatest vertical dimension of a projecting sign shall not exceed 4 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. 10 foot clearance over pedestrian or vehicular areas	Maximum projection from a building wall shall be 4 feet. No sign shall project within two feet of the curb line.	One sign permitted for each business frontage. No projecting sign shall be permitted for the same business frontage where there is a freestanding or roof sign. The visible supporting structure shall be minimized to the greatest extent possible consistent with safe structural support. The minimum distance from another projecting sign shall be 20 feet in the same horizontal plane.
Lake Oswego* can substitute an overhanging	47.10.410 .3	Commercial Zones except Office Commercial/Town	32 sq. ft.	Must be attached to the building. Cannot extend more than 14 feet above the sidewalk or ground surface.	Must be at least 2 feet from areas subject to	

sign for the 32 sq. ft. maximum sign		/Home Residential or Office Commercial/ Neighborhood Commercial		8.5 feet clearance	vehicular travel	
Tigard	18.610.05 5.A.6	Downtown	32 sq. ft. per face, 64 sq. ft. total	Can project up to four feet into the public ROW. 10 ft. clearance		

Wall Signage			
City	Number	Height	Area
Hillsboro			8% of the building elevation area on the primary frontage, with a maximum individual sign face area of 120 square feet if the building elevation area is 5,000 square feet or less or 199 square feet if the building elevation area exceeds 5,000 square feet. If a use has multiple street frontages, the signs on secondary frontages may not exceed 6 percent of the building elevation area, with a maximum individual sign face area of 60 square feet
Milwaukie	In the DR and DOS Zones 1 wall sign is permitted in addition to 1 freestanding sign.	No wall sign shall extend above the roofline at the wall or the top of a parapet wall	The maximum permitted area of a wall sign shall be 20% of the building face. In the DR and DOS Zones the maximum permitted area of a wall sign shall be 16 square feet.
Forest Grove			Shall have a gross area not greater than 15% of the face of the building to which the sign is attached or painted.
Lake Oswego	One 32 square foot sign shall be allowed on each street frontage. The maximum number of signs within the sign band on each street frontage shall equal the number of frontage businesses located on the ground floor.		The 32 square foot maximum allowed for freestanding signs may be transferred to allow signs attached to buildings as an alternative. Except in the OC/R-2.5, OC/NC and R-2.5/W zones, an additional sign or signs shall be allowed within a two foot high horizontal sign band. The sign band length signs may be 75 percent of the building or business frontage whichever is less
Oregon City			Display surface area is no larger than two square feet for each lineal foot of the wall on which the sign is erected

Sports Field/Exempt Signage		
City	Code Citation	Regulation
Lake Oswego	47.06.205.6	Regulates "Athletic Field Signs": Rigid signs located on the outfield fence of athletic fields may be installed. Each individual sign shall be no more than 32 square feet in area. There shall be no more than 32 square feet of area for any eight linear feet of fence. The maximum height shall not exceed eight feet above grade. The signs shall be placed so as to be visible from the interior of the field and/or viewing stands. One sign located at one end of the field visible to spectators shall have a maximum height of 15 feet above grade and a maximum of 64 square feet.
Wilsonville	1.156.04.B.7	Exempts from permits, but not Building or Electrical Codes, signs on scoreboards or ball fields located on public property
Hillsboro	11.32.080	Exempts signs located within a sports stadium, athletic field or other outdoor assembly area that are oriented towards the interior of the field and the viewing stands and intended for viewing by persons within the facility
Milwaukie	12.12.010.L	Exempts signs oriented toward or intended to be legible for users of a site, such as a recreational facility, and not oriented toward or intended to be legible from a right-of-way or other property
Portland	32.12.020, 32.32.030	Exempts signs that are not visible from a right-of-way or another property; regulates changing image signs on sports fields
Gladstone	17.52.050	Does not require a permit for, but must otherwise comply with standards signs that are not oriented toward or intended to be legible from a right-of-way, private road or other private property
Tigard	18.780.060	Exempts signs not oriented or intended to be legible from a right-of-way, other property or from the air; permits at least one sign, all others shall be spaced at least 50 feet apart in residential districts
Beaverton	40.60.10	Exempts signs that are not visible from public right-of-ways
Oregon City	15.28.010.B.1	Exempts signs not visible from either a public right-of-way or property of different ownership
Tualatin	38.0050.4	Exempts signs not legible from public rights-of-way or from outdoor areas open to the public, such as parking lots, outdoor hall-ways and pass-throughs.

