



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

9/28/2009

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Gresham Plan Amendment
DLCD File Number 007-09

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, October 09, 2009

This amendment was submitted to DLCD for review prior to adoption. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Ken Onyima, City of Gresham
Gloria Gardiner, DLCD Urban Planning Specialist

<paa> N

Notice of Adoption

**THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18**

In person elect

DATE
STAMP

DEPT C

SEP 21

LAND CONSERVATION
AND DEVELOPMENT
For DLCD Use Only

DLCD PL

Jurisdiction: **Cit of Gresham**

Local file number: **CPA 09-115**

Date of Adoption: **9/15/2009**

Date Mailed: **9/18/2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: **5/29/2009**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Provides a sign code for institutional campuses, corrects an omission regarding timelines for permit expiration and signage in the Downtown.

Does the Adoption differ from proposal? **Yes**, Please explain below:

Minor clarification language; added clarification for signage Downtown omitted from recent amendments to the Downtown Plan District.

Plan Map Changed from: **NA**

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

File No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:
Metro

Local Contact: **Ken Onyima, Development Planner** Phone: (503) 618-2521 Extension:
Address: **1333 NW Eastman Parkway** Fax Number: - -
City: **Gresham** Zip: **97030-** E-mail Address:
ken.onyima@greshamoregon.gov

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO Complete Copies (documents and maps) of the Adopted Amendment to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. **Electronic Submittals:** At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

BEFORE THE CITY COUNCIL OF THE
CITY OF GRESHAM

IN THE MATTER OF AMENDMENT TO VOLUME 3,) Order No. 619
DEVELOPMENT CODE, OF THE GRESHAM)
COMMUNITY DEVELOPMENT PLAN, REGARDING) CPA 09-115
CAMPUS SIGNAGE AND MINOR TEXT)
AMENDMENTS)

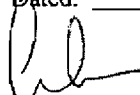
On August 18, 2009, the City Council held a public hearing to take testimony on amendments to Volume 3, Development Code, of the Gresham Community Development Plan, regarding campus signage and minor text amendments.

The hearing was conducted under Type IV procedures. Mayor Shane T. Bemis presided at the hearing.


The Council closed the public hearing and approved the proposed amendments at the August 18, 2009 meeting, and a decision was made at the September 15, 2009 meeting.

A permanent record of this proceeding is to be kept on file in the Gresham City Hall, along with the original of the Order.

The Council orders that these amendments are approved, and adopts the findings, conclusions, and recommendations as stated in the attached Planning Commission Recommendation Order and staff reports.

Dated: 9/15/09


City Manager



Mayor

**BEFORE THE PLANNING COMMISSION OF THE
CITY OF GRESHAM**

TYPE IV RECOMMENDATION ORDER

CPA 09-115

A public hearing was held on July 13, 2009, upon an application to consider proposed amendments to Volume 3, Development Code, of the Gresham Community Development Plan relating to institutional campus signs, miscellaneous signage, and clarification of development permit expiration.

The Commission closed the public hearing at the July 13, 2009 meeting, and a final recommendation to Council was made at the July 13, 2009 meeting.

Richard Anderson, Chairperson, presided at the hearing.

A permanent record of this proceeding is to be kept on file in the Gresham City Hall, along with the original of this Type IV Recommendation Order.

The Planning Commission recommends **ADOPTION** of the proposed Gresham Community Development Code amendments to the City Council, and adopts the findings, conclusions and recommendations contained in the attached July 2, 2009 Staff Report and July 13, 2009 Addendum Staff Report, with the following changes:

Change proposed definition of Institutional Campus to read: "A community service use consisting of one or more contiguous lots or site at least 20 acres in size owned or managed by a single entity and providing public/semi-public and private community services such as higher educational facilities and hospital campuses with affiliated health care services."


Chairperson

July 13, 2009
Date



MEMORANDUM

URBAN DESIGN & PLANNING
Development Planning

STAFF REPORT
INSTITUTIONAL CAMPUS SIGNAGE
PLAN TEXT AMENDMENT

TYPE IV HEARING

To: Gresham Planning Commission

From: Mike Abbate, Urban Design & Planning Director
Ken C. Onyima, AICP, Senior City Planner

Report Date: July 2, 2009

Hearing Date: July 13, 2009

File Number: CPA 09-115

Proposal: To adopt comprehensive plan amendments to Volume 3 of the Community Development Plan regarding three areas:

- 1) Campus Signage: Text amendments adding sign code provisions for institutional campuses;
- 2) Downtown Plan Signage: Text amendments to clarify the applicability of the Appendix 6.000 Sign Regulations to signage in the Downtown Plan District; and
- 3) Permit Expirations: Text amendments clarifying and placing in one code section regulations regarding expiration of different development permits

Exhibits: 'A' – Proposed Text Amendments Draft Council Bill

Recommendation: Staff recommends adoption of the proposed comprehensive plan amendments.

SECTION I BACKGROUND

1. Institutional Campus Sign

The purpose of the institutional campus sign ordinance is to promote effective, attractive signage for institutional campuses in a controlled manner. It will also help to support institutional uses that are vital to the success of the community. It will allow large, single entity institutional uses to implement master signage plans to help guide visitors to and through their campuses.

Signs serve the primary purpose of identifying a site or activity without having a distracting effect to motorist or demanding undue attention. The current city sign code reflects these attributes through its limitations on height, area, number and location of signs. However, under the current code, signage for a large, multiple acre community service use is regulated in the same manner as a single acre community service use. The sign regulations limit the use to a maximum of two signs of 48 square feet, one wall sign and limitations on readerboards. This standard does not provide adequate opportunity for a sizable institution such as Mt. Hood Community College or Mt. Hood Medical Center with multiple buildings and facilities, and many visitors to provide a logical way-finding system. The issue is particularly relevant to institutional campuses of at least 20 acres in size with higher educational facilities and hospital campuses with affiliated health care services. The code amendments will meet the following goals:

- Create provisions for establishing a campus sign master plan approval process
- Define institutional campus uses
- Define and establish standards for differing types of signage such as:
 - Monument Signage
 - Institutional Campus Directional Signage
 - Readerboard Signage

In an attempt to address this issue, the City Council on April 21, 2009 directed that staff come up with a code amendment which would allow institutional campuses to implement master signage plans to help guide visitors to and through their campuses.

2. Downtown Plan Signage

The Downtown Plan District inadvertently omitted any reference to Appendix 6.000 Sign Regulations in the adopted document. The amendments proposed here which will add new Section 4.1138 will clarify the applicability of Appendix 6.000 Sign Regulations to signage in the Downtown Plan District.

3. Development Permit Expirations

The recently adopted Development Code Improvement Project (DCIP) amendments included consolidating into one section code language regarding the expiration of development permits. This was done to avoid confusion and lack of clarity that sometimes results when similar provisions are in different locations. In the DCIP amendment process some existing provisions were inadvertently omitted. The proposed amendments are intended to correct these omissions and to clarify what and when an action needs to occur for different types of development permits (such as land divisions and design reviews) to not expire.

Proposed Comprehensive Plan Amendment Overview

The specific amendments that are proposed to Volume 3 of the Comprehensive Plan are the following:

Volume 3 of Development Code – Definitions

- Revise 3.0010, General Terms and Definitions by defining the following:
 - Institutional Campus
 - Institutional Campus Directional Signs
 - Directional Sign
 - Directional Signs, Institutional Campus
 - Monument Sign

- Revise Section A6.050 Sign Requirement Exemptions to include Internal institutional campus signs.
- Revise Section A6.110 Community Service Development by:
 - Identifying that institutional campus signs are limited to the standards of A6.110H
 - Adding to subsection D that readerboard signs can be electronic signs that do not have change in message more than one time per 24 hours.
 - Adding to subsection E that colleges that do not meet the definition of institutional campus can still benefit from this section.
 - Adding new subsection H detailing the standards for Institutional Campus Signs.

- Revise Section 11.0105 Expiration of Development Permit by adding to subsection A.1-3 and new A.4 and 5 clarifying when a development permit shall expire. These amendments are necessary due to inadvertent omission during the recent DCIP Code amendment.

- Add new Section 4.1138 Signage to clarify the applicability of Appendix 6.000 Sign regulations to signage in the Downtown Plan District. This text was inadvertently omitted from the Downtown Plan District Design Manual

Staff Report Organization

- Sections II and III identify those current Community Development Code procedures and policies that apply to the proposal.
- Section IV identifies the applicable Metro Urban Growth Management Functional Plan (UGMFP) title that applies to the proposal.
- Section V contains specific findings of fact that detail how the proposal is consistent with Sections II and III.
 - Subsection A is findings of fact for the Community Development Plan procedures.
 - Subsection B is findings of fact for the Community Development Plan policies.
 - Subsection C is findings of fact for the UGMFP
- Sections V and VI summarize staff conclusions and recommendations.
- Exhibit 'A', draft Council Bill, consists of the text amendments to the Sign Regulations of Volume 3 of the Community Development Plan and other minor text amendments regarding the expiration of development permits.

SECTION II APPLICABLE COMMUNITY DEVELOPMENT CODE PROCEDURES

- A. Section 11.0600 Type IV Procedure – Legislative

SECTION III APPLICABLE COMMUNITY DEVELOPMENT PLAN POLICIES

- A. Section 10.014 Land Use Planning
B. Section 10.220(A) Visual Resources
C. Section 10.413 Community Design – Signs

SECTION IV APPLICABLE METRO URBAN GROWTH FUNCTIONAL PLAN TITLES

- Title 8 Compliance Procedures

SECTION V FINDINGS OF FACT

The proposed Community Development Plan text amendments attached as Exhibit 'A' are consistent with all applicable procedures, policies and criteria of the Community Development Plan; and applicable titles of the Metro Urban Growth Management Functional Plan as indicated in the following findings. Attachment "A" provides "commentary" which supplements the findings.

A. Community Development Code Procedures

1. **Section 11.0601 – General Description.** This section requires a public hearing before a recommendation authority for Type IV applications (in this case the Planning Commission) which forwards a recommendation to the council. The Council shall hold another public hearing and make a final decision. Interested persons may present evidence and testimony relevant to the proposal. The Planning Commission and Council will make findings for each of the applicable criteria. Both the Planning Commission and the City Council, at public hearings in conformance with provisions of this section, will consider this proposal. Findings are made for the applicable criteria in this report or as revised in the record.

2. **Section 11.0602 - Application Initiation.** This section requires that the City Council may initiate a Type IV legislative application to amend the text of the Gresham Community Development Plan or Code by motion. This section applies to this proposal, as it is an amendment to the Community Development Code. Council initiated the campus sign amendments on April 21, 2009.

3. **Section 11.0602 – Type IV Public Notice.** For a Type IV Comprehensive Plan Amendment this section requires that the proposal be submitted to the Manager of the Department of Land Conservation and Development (DLCD) at least 45 days prior to the evidentiary hearing on adoption, a notice published in a newspaper of general circulation in the City and a copy of the decision be mailed to those required to receive such notice. Required notice of public hearing for these proposed text amendments has been sent to DLCD and published in the *Gresham Outlook*, as required by this section.

4. **Section 11.0602 – Type IV Decision Authority.** The Planning Commission will make a recommendation and the Council will make a decision that will be based on findings of fact contained in this report and in the hearings record and a decision will be sent to those who participated in the hearings. A decision shall be made accompanied by findings and an order.

B. Community Development Plan Goals and Policies (Volume II)

Institutional Sign Code

This section identifies the Community Development Plan goals and policies applicable to the proposed comprehensive plan amendments. The text (*italicized*) of the policy is followed by corresponding findings and conclusions. The applicable policies are grouped by general categories.

1. General Goals and Policies

Section 10.014 Land Use Policies and Regulations

Goal: Maintain an up-to-date Comprehensive Plan and implementing regulations as the legislative foundation of Gresham's land use program.

Policy 21: Council may, upon finding it is in the overall public interest, initiate legislative processes to change the Comprehensive Plan text and Community Plan Map(s) and Development Code.

Findings

The land use goal and cited policy establish the City's intent to maintain an up-to-date Comprehensive Plan as the basis for its planning processes and to, among other aims, coordinate with campus-style institutional uses such as colleges and hospitals in revising the Comprehensive Plan Text and related findings as needed to maintain economic, social and functional viability of these institutions.

This project was initiated by the City Council on April 21, 2009. The purpose of this project is to come up with a code amendment which would allow institutional campuses to implement master signage plans to help guide visitors to and through their campuses.

During the course of this project, staff has coordinated with Mt. Hood Community College, who has shown great interest in this amendment, to ensure that the amendment takes into account their views and future needs for signage.

2. Citizen Involvement Policies

Section 10.100 - Citizen Involvement

Goal: The City shall provide opportunities for citizens to participate in all phases of the planning process by coordinating citizen involvement functions; effectively communicating information; and facilitating opportunities for input.

Findings

The public involvement goals and policies establish the City's intent that its citizens have meaningful opportunities throughout a planning project to be informed and to affect proposals.

The following measures were taken to inform the community about this project:

- The stakeholders, especially Mt. Hood Community College, has been a partner in developing this ordinance. It was by their urging that the City Council initiated the amendment in the first place. Their input was sought as the ordinance was being drafted.
- Notice about the amendment was published in the local newspaper and staff contact information provided.
- The proposal was also posted on the City Web site. Project information, including staff contact information, was available. The public could comment and ask questions through the City's Ask Gresham web tool.

Conclusion

The Citizen Involvement Goal (10.100) and related policies are met by the combination of the stake holders' involvement, newspaper publications and providing information on the City Web site. The proposal is consistent with the applicable citizen involvement goal and policies listed in this section.

3. Visual resources Policies

Section 10.220(A) – Visual Resources

Policy: "It is the policy of the City to assist in protecting the quality and quantity of the following resources: Visual resources (scenic views and sites)."

Findings: The proposed text amendment does not amend the visual resources policy. The amendment will still aim at maintaining all scenic views and sites by restricting the height, area and location of monument signs, directional signs and readerboard signs.

4. Community Design Policies

Section 10.413 – Community Design – Signs

Policy: "It is the City's policy to protect the public interest by promoting signs which:

- 1. Protect the public health and safety.*
- 2. Assist in preserving natural resources*
- 3. Maintain a balance between the need to identify sites and activities, and the negative impact on community image created by visual clutter."*

Implementation Strategy 5: "Free-standing signs will be constructed with limitations placed on number, size and height, so that their cumulative effect projects an orderly, positive community image."

Findings: This proposal will place limits on number, size and height of the monument signs. As with all signs, these monument signs will be inspected for structural stability and location so as not to compromise public health and safety. Furthermore, by relying

less on print media and more on the readerboard, the institutions will use less paper, ink and staff resources. This eventually translates to preservation of natural resources that go into making these printing materials and allows for more efficient use of staff resources. Finally, the amendment will maintain that balance between the need to identify sites and activities on institutional sites.

Conclusion: The proposed amendment is consistent with all the relevant land use goals and policies of the Community Development Plan. The amendments carry out this Council initiated project that is intended to recognize the unique signage needs of institutional campuses. It will make it possible for institutional campus activities to be broadcast to the community without compromising public interest.

Downtown Plan Signage

LAND USE POLICIES AND REGULATIONS GOAL, POLICIES AND ACTION MEASURES

GOAL

Maintain an up-to-date Comprehensive Plan and implementing regulations as the legislative foundation of Gresham's land use program.

Findings:

The recently adopted Downtown Plan/Design Manual code amendments were developed in a comprehensive effort to update the City's Downtown Plan and included plan map amendments, new code regulations and the creation of a two-tiered design process. Included in these amendments were sign regulations that are specific to the Downtown. The Downtown Plan regulations that were replaced by these amendments had included a reference to the sign code (Appendix A.5) identifying the applicable provisions of the sign code that would apply to Downtown signs. A similar reference was inadvertently left out. The proposed amendments will correct that omission. This will ensure that there are adequate sign provisions for future Downtown development

Conclusion:

These amendments help maintain implementing regulations by correcting an omission error regarding Downtown signs and are consistent with the Land Use Goal.

Permit Expirations

LAND USE POLICIES AND REGULATIONS GOAL, POLICIES AND ACTION MEASURES

GOAL

Maintain an up-to-date Comprehensive Plan and implementing regulations as the legislative foundation of Gresham's land use program.

Findings:

The recently adopted Development Code Improvement Project (DCIP) amendments improved the development code by updating definitions, clarifying processes and procedures and reducing redundancies. These amendments included consolidating into one section code language regarding the expiration of development permits. This was done to avoid confusion and lack of clarity the sometimes results when similar provisions are in different locations. In this process existing provisions that addressed specific applications types were inadvertently omitted. The proposed amendments are intended to correct these omissions and to clarify what and when an action needs to occur for different types of development permits (such as land divisions and design reviews) to not expire.

Conclusion:

These amendments help maintain implementing regulations by correcting an omission error regarding expiration of permits and further clarify actions and timing needed to keep different types of applications from expiring and is consistent with the Land Use Goal.

C. *Metro Urban Growth Management Functional Plan***Title 8: Compliance Procedures**Findings

Section 3.07.820 of this title requires that at least 45 days prior to the first evidentiary hearing on an amendment to a Comprehensive Plan or land use regulation that the City submits the proposed amendments to Metro. Metro may review the amendments and can request that the City provide an analysis of the compliance of the amendment with the Functional Plan.

The City submitted the proposed amendments to Metro on May 29, 2009 which was at least 45 day prior to the first evidentiary hearing of July 13, 2009. No comments or request for an analysis have been received.

Conclusion

The City has submitted the proposed amendments to Metro at least 45 days prior to the first evidentiary hearing as required by Title 8. This proposal is consistent with this Functional Plan title.

**SECTION VI
CONCLUSION**

The proposed Plan text amendments attached as Exhibit A are consistent with applicable criteria and policies of the Community Development Plan, as indicated by findings contained or referenced in Section IV of this report.

**SECTION VII
RECOMMENDATION**

Staff recommends adoption of the proposed text amendments attached as Exhibit A.

End of Staff Report



MEMORANDUM

URBAN DESIGN & PLANNING Development Planning

ADDENDUM STAFF REPORT INSTITUTIONAL CAMPUS SIGNAGE PLAN TEXT AMENDMENT

TYPE IV HEARING

To: Gresham Planning Commission

From: Mike Abbate, Urban Design & Planning Director
Ken C. Onyima, AICP, Senior City Planner

Report Date: July 13, 2009

Hearing Date: July 13, 2009

File Number: CPA 09-115

The following changes are being proposed for inclusion in the draft ordinance that you already have:

1. On page 1, under "Signs" below second bullet "**Monument Sign**" add new bulleted item: "**Internal Institutional Campus Sign.**"
2. On page 2, after **Directional Signs, Institutional Campus**, add new bulleted item: "**Internal Signs, Institutional Campus.** A sign located within the boundaries of the campus."
3. On page 3, item 3, change "international" to "internal".
4. On page 4, item 3, renumber **d** to **c** and add new item "**d. Location.** Directional signs are to be located at campus entrances from the public right-of-way."

Recommendation: Staff recommends that the above changes be made part of the findings, conclusions and recommendations of the staff report dated July 2, 2009.



MEMORANDUM

URBAN DESIGN & PLANNING

Development Planning

ADDENDUM STAFF REPORT TYPE IV HEARING—COMPREHENSIVE PLAN AMENDMENTS Institutional Campus Sign Amendments Project

To: Mayor Bemis and Members of the Council

From: Mike Abbaté, Urban Design & Planning Director
Ann M. Pytynia, AICP, Development Planning Manager
Ken Onyima, AICP, Sr. City Planner

Hearing Date: August 18, 2009

Report Date: July 30, 2009

File: CPA 09-115

On July 13, 2009 the Planning Commission held a public hearing on the proposed Comprehensive Plan amendments relating to the Institutional Campus Sign Amendment project. At that hearing, the Planning Commission unanimously recommended that the City Council approve the proposed Code text amendments. Since the time of the Planning Commission hearing, City staff has noted that language regarding Campus Master Sign Plans did not clarify that these plans, although reviewed under the Type I process, do not expire like other Type I permits. Secondly, language regarding permit expirations as contained within the amendment documents failed to address developments containing more than one structure. The purpose of this addendum is to explain new language that corrects these omissions.

Issue 1: Campus Master Sign Plans will be required with the new amendments pursuant to A6.010 and A6.110.H.1. However, the code language did not clarify that these Plans do not expire like other Type I permits.

Findings: There would be no reason to expire a Campus Master Sign Plan as such a plan could be in effect for a number of years. If there were a proposed change to this Plan, it would, of course, require another review under the Type I process. Section 11.0105 of the Development Code notes that Development Permits expire within one year unless a different expiration date is specifically provided in the Development Code. Staff is recommending that the proposed language in A6.010 be modified to clarify that Campus Master Sign Plans do not expire as noted below:

A6.010 Permit Required: *An applicant for a sign shall obtain a development permit pursuant to Article 11 of the Community Development Code. The application shall be reviewed by the Manager under a Type I process. A campus sign master plan is also reviewed under a Type I process. All sign proposals shall conform to the approved master plan or as amended under the Type I procedure. Campus sign master plans do not expire and are not subject to the expiration provisions of Section 11.0105. A sign proposal need not comply with Appendix A5.000, Public Facilities Standards, of the Community Development Code.*

Issue 2: As found in the existing staff report, the proposed language contained in Section 11.0105.A.1 of the Development Code reads:

11.0105 Expiration of Development Permit

A. *Unless a different expiration date is specifically provided in the Development Code, a Development Permit shall expire automatically one (1) year from the effective date unless one of the following occurs first:*

1. For design review permits except for phased design reviews as provided in Section 7.0004 of the Development Code, a structural or grading permit has been submitted to the city and is active or in review.

This proposed language does not clearly describe the expirations for projects with multiple buildings. For example, if a three structure multiple family development was proposed and approved and the applicant then chose to build two buildings and wait ten years to develop the third, this proposed language could potentially be read to allow for this delay since a building permit had already been issued for the first two buildings. Obviously, allowing such delays could cause older developments to be held to Code standards that had long been amended and superseded.

Findings: It is not advisable for the City to allow developments to be vested for long periods of time under regulations that have been amended because those regulations have been found not to be in Gresham's best interest. Applicants, however, do have the ability to phase developments and request extensions where there are extenuating circumstances that delay construction. These provisions already allow applicants flexibility in the development of their projects. City staff recommends that the aforementioned code language be further defined to clarify expirations for design review projects with multiple buildings. This proposed language is as follows:

11.015 Expiration of Development Permit

A. *Unless a different expiration date is specifically provided in the Development Code, a Development Permit shall expire automatically one (1) year from the effective date unless one of the following occurs first:*

1. For design review permits except for phased design reviews as provided in Section 7.0004 of the Development Code, a structural or grading permit for each proposed structure has been submitted to the City and is active or in review.

Recommendation: City staff recommends that the City Council adopt the amendments to Sections A6.010 and 11.0105.A.1 of the Development Code as described in this Addendum Staff Report dated July 30, 2009.

Proposed new text is double-underscored.
Proposed deleted text is ~~stricken through~~.

CB 14-09

ORDINANCE NO. 1680

AMENDMENTS TO VOLUME 3, DEVELOPMENT CODE, OF THE GRESHAM COMMUNITY
DEVELOPMENT PLAN, REGARDING CAMPUS SIGNAGE AND MINOR TEXT
AMENDMENTS

THE CITY OF GRESHAM DOES ORDAIN AS FOLLOWS:

Section 1. Volume 3, Development Code, Article 3 is amended as follows:

3.0002 List of Terms

General Terms

Institutional Campus

Directional Signs, Institutional Campus – See Signs

Internal Signs, Institutional Campus – See Signs

Monument Sign – See Signs

Signs

- Directional Signs, Institutional Campus

- Internal Signs, Institutional Campus

- Monument Sign

3.0010 General Terms and Definitions

Institutional Campus. A community service use consisting of one or more contiguous lots or site at least 20 acres in size owned or managed by a single entity and providing public/semi-public and private community services such as higher educational facilities and hospital campuses with affiliated health care services.

Directional Signs, Institutional Campus. See Signs.

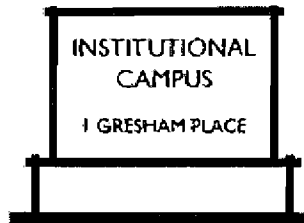
Internal Signs, Institutional Campus. See Signs.

Signs. Materials placed or constructed primarily to convey a message or other display to identify sites and activities and which can be viewed from a right-of-way, private roadway or another property.

- **Directional Sign.** A permanent sign which is designed and installed solely for the purpose of ~~traffic~~ pedestrian, bicycle and vehicular traffic direction and placed on the property to which the public is directed.

- **Directional Signs, Institutional Campus.** A directional sign located in an institutional campus.
- **Internal Signs, Institutional Campus.** A sign located within the boundaries of the campus.

- **Monument Sign.** A freestanding sign sitting directly on the ground or mounted on a base.



Section 2. Volume 3, Development Code, Appendix A6.000, Section A6.050, is amended as follows:

A6.050 Sign Requirement Exemptions

The following signs shall not require a Development Permit but shall conform to all other applicable provisions of the Gresham Development Code.

P. Internal institutional campus signs (located within the boundaries of the campus) provided:

- 1. The sign area shall be no more than 20 square feet;**
- 2. The sign is placed at least 100 feet from the public right-of-way or the campus site boundary.**
- 3. Height of an internal institutional campus sign shall be limited to a maximum of 6 feet above grade.**
- 4. Number. No limit.**

Section 3. Volume 3, Development Code, Appendix A6.000, Section A6.110, is amended as follows:

Community Service Development Signs

A6.010 Permit Requirement

An applicant for a sign shall obtain a development permit pursuant to **Article 11** of the Community Development Code. The application shall be reviewed by the Manager under a Type I procedure. A campus sign master plan is also reviewed under a Type I procedure. All sign proposals shall conform to the approved master or as amended under the Type I procedure. Campus sign master plans do not expire and are not subject to the expiration provisions of Section 11.0105. A sign proposal need not comply with **Appendix A5.000**, Public Facilities Standards, of the Community Development Code.

A6.110 Community Service Development

Community Service Developments are permitted in all land use districts. All Community Service Development signs shall conform to the sign standards identified in the specific land use district of the property except for development in LDR-5, LDR-7, TLDR, TR, MDR-12, MDR-24, CMF and OFR Districts and LDR-PV, MDR-PV, HDR-PV, VLDR-SW, LDR-SW and THR-SW sub-districts. Signs located in these districts shall comply with the following standards; except that institutional campus signs are limited to the standards of A6.110H:

D. Readerboard Sign. Except as provided in **Section A6.110(E)**, a permanent readerboard may be incorporated into either, but not both, a wall or free-standing sign provided the readerboard assembly is an integral part of the sign and the readerboard portion of the sign does not exceed 40 inches in height. The readerboard may not be more than 60% of the face of the sign. Readerboard signs can also be electronic signs that do not have a change in message more than one time per 24 hours, except in the case of emergency notification.

E. Readerboard Sign - Schools. In addition to a free-standing sign allowed in **Section A6.110(A)**, a free-standing readerboard sign is also allowed for elementary schools, high schools or colleges that do not meet the definition of institutional campus. A permanent readerboard sign for these schools in any land use district may be free standing or incorporated into either a wall sign or free-standing sign.

H. Institutional Campus Signs. Signs located in institutional campuses shall comply with the following standards:

1. Campus Sign Master Plan.

A campus sign master plan shall be submitted in conjunction with a sign permit. The plan shall include:

- a. Type of signs
- b. Location of signs
- c. Number of signs

2. Monument Signs

- a. Area. A monument sign shall be a maximum of 48 square feet in area.
- b. Height. A monument sign shall be a maximum of 8 feet above grade.

- c. Number. Up to a maximum of four monument signs are permitted on an institutional campus.
- d. Location: Monument signs are permitted where the campus site abuts an arterial or collector street. They are to be located at least 500 feet apart.

3. Institutional Campus Directional Signs

- a. Area. A directional sign shall be to a maximum of 32 square feet in area.
- b. Height. A directional sign shall not exceed a height of 6 feet above grade.
- c. Number. One sign is permitted for each campus entrance.
- d. Location. Directional signs are to be located at campus entrances from the public right-of-way.

4. Wall Signs. See Section A6.110B.

5. Readerboard Signs

- a. Design. A permanent readerboard may be incorporated into either a monument or institutional campus directional sign provided the readerboard assembly is an integral part of the sign and the readerboard portion of the sign does not exceed 40 inches in height. The readerboard may not be more than 60% of the face of the sign.
- b. Number. No more than two readerboards shall be permitted per institutional campus.

6. Illumination. See Section A6.110.C.

Section 4. Volume 3, Development Code, Section 11.0105, is amended as follows:

11.0105 Expiration of Development Permit

- A.** Unless a different expiration date is specifically provided in the Development Code, a Development Permit shall expire automatically one (1) year from the effective date unless one of the following occurs first:
 - 1. For design review permits except for phased design reviews as provided in Section 7.0004 of the Development Code, a structural or grading permit for each proposed structure has been submitted to the City and is active or in review.
 - 2. For tentative land division plans, except for phased plans as provided in Section 6.0221 of the Development Code, a final plat or map application has been submitted to the City.
 - 3. For final land division plats or final survey maps, a final plat or final survey map is signed by the Manager pursuant to Section 6.0403(C) of the Development Code within one year of the submittal of the final land division plat or final survey map.
 - 4. For final land division plats or final survey maps signed by the Manager, final land division plats or final survey maps must be recorded within one year of signature.
 - 5. For all development permits, an application for an extension is filed pursuant to Section 11.0106.
- B.** Upon final approval by the city of a Development Permit, if the permit is appealed beyond the local level, the one-year permit period shall be tolled until a decision by a review authority with final jurisdiction is made that is not appealed.

Section 5. Volume 3, Development Code, Downtown Plan District 4.100 is amended by adding the following new Section 4.1138 as follows:

4.1138 Signage

- A. Applicability. The regulations of Appendix 6.000 Sign Regulations shall apply as follows in the Downtown Plan District.
1. New Non-Residential. All non-residential buildings and developments including additions that are required to follow the Design Review Types D and E process are subject to the provisions of Section 4.1151.B.4 Sign Design for wall signs, projecting signs, window signs, internal illumination and durability as noted in Sections 4.1151.B.4.c and 4.1151.B.4.d. For all other new non-residential sign types, the provisions of Appendix 6.000 apply.
 2. Existing Non-Residential. Signs for existing non-residential buildings and developments including additions that are subject to Design Review Types A, B, or C are required to conform to the provisions of Appendix 6.000 Sign Regulations.
 3. New Residential and Community Service. The provisions of Appendix 6.000 Sign Regulations apply.
 4. Existing Residential and Community Service. The provisions of Appendix 6.000 Sign Regulations apply.
- B. Except as provided in Section 4.1138.A above, the regulations of Section A6.100 Commercial, Mixed Use & Industrial Districts shall be applicable in the DCC, DMU, DTM, DEM, and DCL sub-districts.
- C. Except as provided in Section 4.1138.A above, in all Downtown sub-districts, signage for multi-business complexes shall be regulated as provided in Section A6.101.
- D. For subdivisions in DRL-1 and DRL-2 sub-districts, the regulations of Section 6.091 Subdivision Signs apply. Except as provided in Section 4.1138.A above, for non-residential uses in the DRL-1 and DRL-2 sub-districts, the regulations of Section A6.094 Signs for Permitted Commercial Uses in the OFR District shall apply.
- E. The regulations of Section A6.092 Multi-Family Dwelling Signs shall be applicable to residential buildings and developments in the DCC, DMU, DTM, DEM, DRL-2 and DCL sub-districts.

Section 6. Volume 3, Development Code, A6.001 General Provisions of the Appendix 6.000 Sign Regulations is amended as follows:

A6.001 General Provisions

The installation of all signs within the City of Gresham shall be subject to the issuance of a development permit, establishing compliance with the Community Development Code. See Section 4.1138 Signage in the Downtown Plan District and Section 4.1246 Signage in the Civic Neighborhood Plan District for additional signage standards.

First reading: August 18, 2009

Second reading and passed: September 15, 2009

Yes: Bemis, Strathern, Fuhrer, Craddick, Warr-King, Nielsen-Hood

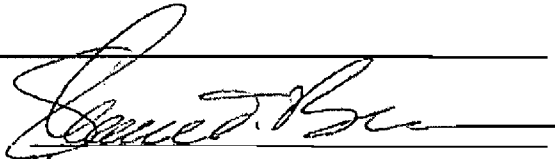
No: None

Absent: Widmark

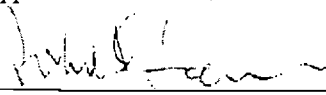
Abstain: None



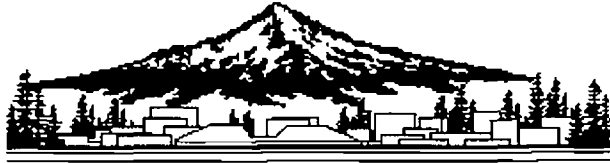
City Manager



Mayor

Approved as to Form:


Senior Assistant City Attorney



*Urban Design & Planning Services
City of Gresham*

CERTIFICATION OF MAILING

FILE NO.: CPA 09-115

PROJECT: City of Gresham-Campus Signs

I, TAMMY J. RICHARDSON, CERTIFY THAT I HAVE MAILED THE ATTACHED NOTICE OF ADOPTION TO THE FOLLOWING PARTIES:

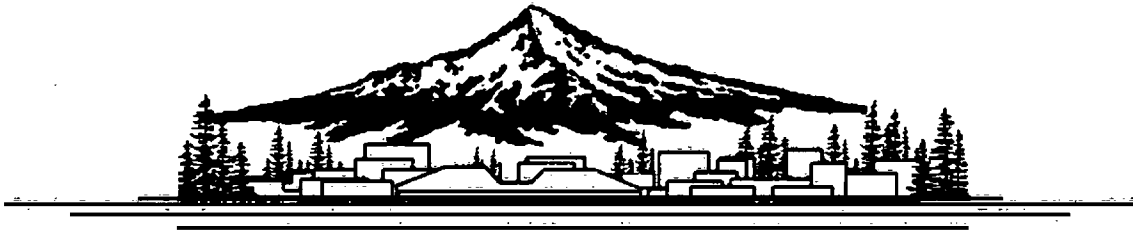
DLCD
Plan Amendment Specialist
635 Capitol Street, NE #150
Salem, OR 97301-2540

Metro
Growth Management
600 NE Grand
Portland OR 97232-2736

Richard Byers
Mt. Hood Community College
26000 Stark Street
Gresham, OR 97030

SIGNATURE: *Tammy J. Richardson*

DATE OF MAILING: September 18, 2009



CITY OF GRESHAM
Urban Design & Planning Office
1333 NW Eastman Parkway
Gresham, Oregon 97030

NOTICE OF FINAL DECISION

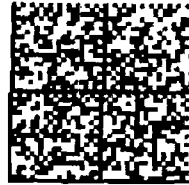
September 18, 2009

On September 15, 2009, the Gresham City Council Approved the application of **City of Gresham (Council Order No. 619 and Ordinance No. 1680)** regarding amendments to the Gresham Community Development Plan relating to **Annexation Criteria**.

The record for this project is maintained at Gresham City Hall, City of Gresham **File No. CPA 09-115**, and may be reviewed at the City's Urban Design & Planning office Monday through Friday, 8:00 AM to 5:00 PM.

An appeal of this decision may be filed with the Land Use Board of Appeals (LUBA) within 21 days of this Notice of Decision. LUBA has the jurisdiction to review all governmental land use decisions. An appeal of a land use decision must conform to the procedures and requirements of LUBA. They may be contacted in Salem at:

LUBA
550 Capitol Street, NE – Suite #235
Salem, Oregon 97301-2552
(503) 373-1265



049J82046171

\$0.1730

09/18/2009

Mailed From 97030

US POSTAGE

neopost



CITY OF GRESHAM

Urban Design & Planning
1333 NW Eastman Parkway
Gresham, Oregon 97030-3813
www.greshamoregon.gov

DLCD

Attn: Plan Amendment Specialist
635 Capitol Street, NE #150
Salem, OR 97301-2540

