



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

06/17/2014

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Milwaukie Plan Amendment
DLCD File Number 002-14

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: Tuesday, July 01, 2014

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 Acknowledgment or 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 than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Ryan Marquardt, City of Milwaukie
Gordon Howard, DLCD Urban Planning Specialist
Jennifer Donnelly, DLCD Regional Representative

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NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE (20211)
File No.: [17898]
Received: 6 / 10 / 2014

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: Milwaukie

Local file no.: **ZA-14-01**

Date of adoption: June 3, 2014

Date sent: June 10, 2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): Feb. 4, 2014

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Vera Kalias, Associate Planner

Phone: 503-786-7653

E-mail: kaliasv@milwaukieoregon.gov

Street address: 6101 SE Johnson Creek Blvd.

City: Milwaukie

Zip: 97206

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- | | | | |
|-------------|----|--------|------------------------------------------------|
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

- MMC 14.04.030 Definitions
- MMC 14.08.090 Conditional and Community Service Use Signs
- MMC 14.12.010 Exempted Signs
- MMC 14.16.020 Residential-Office-Commercial Zone
- MMC 14.16.030 Neighborhood Commercial Zone
- MMC 14.16.040 Commercial Zone
- MMC 14.16.050 Manufacturing Zone

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts:

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

The purpose of this zoning change is to exempt art murals from the provisions of the sign ordinance.



CITY OF MILWAUKIE
"Dogwood City of the West"

Ordinance No. 2078

An ordinance of the City Council of the City of Milwaukie, Oregon, to amend Title 14 Signs to exempt art murals from the provisions of Title 14 (File #ZA-14-01).

WHEREAS, the City of Milwaukie finds that murals are a unique form of public art that add visual interest to buildings and spaces, build community identity, and celebrate the history, culture, and values of the city; and

WHEREAS, the City of Milwaukie desires to allow murals as a form of public art in order to realize the beneficial aspects of murals; and

WHEREAS, the City does not regulate signage on the basis of sign content, and currently regulates murals in the same manner as other signage; and

WHEREAS, the City of Milwaukie has worked with mural artists, art professionals, and community stakeholders in devising a program for public art murals; and

WHEREAS, the Planning Commission held a duly advertised public hearing on the amendments to Title 14, with notice provided per the requirements of the Milwaukie Municipal Code and Oregon Revised Statutes; and

WHEREAS, the City Council held a duly advertised public hearing on the amendments to Title 14, with notice provided per the requirements of the Milwaukie Municipal Code and Oregon Revised Statutes;

Now, Therefore, the City of Milwaukie does ordain as follows:

Section 1. Findings. Findings of fact in support of the proposed amendments to Title 14 are attached as Exhibit A.

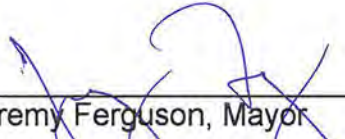
Section 2. Amendments. Title 14 Signs is amended as described in Exhibit B (strikeout/underline version) and Exhibit C (clean version).

Read the first time on 6/3/14, and moved to second reading by 5:0 vote of the City Council.

Read the second time and adopted by the City Council on 6/3/14.

(See Page 2 for Signatures)


Signed by the Mayor on 6/3/14.



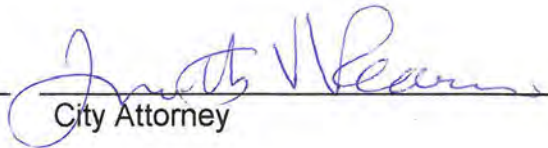
Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC



FOR Pat DuVal, City Recorder



City Attorney

Exhibit A

Recommended Findings in Support of Approval

1. The City of Milwaukie ("applicant") proposes to amend regulations that are contained in Title 14, Signs. The land use application for this amendment is ZA-14-01.
2. The purpose of the proposed code amendments is to clarify that Art Murals (Public Murals and Original Art Murals) are not subject to the regulations of Title 14. Public Murals and Original Art Murals would be allowed subject to the provisions of a new title in the Milwaukie Municipal Code (MMC) that is being considered by Milwaukie City Council concurrently with the amendments to Title 14.
3. The proposed amendments are subject to the following provisions of the MMC:
 - MMC Section 19.902 Amendments to Maps and Ordinances
 - MMC Chapter 19.1000 Review Procedures
4. Sections of the MMC or Milwaukie Comprehensive Plan not addressed in these findings are found to be not applicable to the decision on this land use application.
5. MMC Chapter 19.1000 establishes the initiation and review requirements for land use applications. The City Council finds that these requirements have been met as follows.
 - A. MMC Subsection 19.1001.6 requires that Type V applications be initiated by the Milwaukie City Council, Planning Commission, Planning Director, or any individual.

The amendments are proposed by the City of Milwaukie and were initiated by the Planning Director on January 25, 2014.
 - B. MMC Section 19.1008 establishes requirements for Type V review.
 - i) Subsection 19.1008.3.A.1 requires opportunity for public comment. Opportunity for public comment and review has been provided. Staff held public meetings with the Milwaukie Arts Committee to discuss mural permitting in 2011 and 2012. City staff solicited feedback on mural permitting and preferences through a public survey in February 2012. A study session and worksession were held with Milwaukie City Council in 2012 on establishing a mural program.
 - ii) Subsection 19.1008.3.A.2 requires notice of public hearing on a Type V Review to be posted on the City website and at City facilities that are open to the public at least 30 days prior to the hearing. A notice of the Planning Commission's March 11, 2014, hearing was posted as required on February 9, 2014, at City Hall, Ledding Library, Public Safety Building, and Johnson Creek Facility. A notice of the City Council's June 3, 2014, hearing was posted as required on May 4, 2014, at the same locations.
 - iii) Subsection 19.1008.3.A.2 requires notice be sent to individual property owners if the proposal affects a discrete geographic area. The proposed amendments apply throughout the city generally in the sign ordinance, and specific property owner notice is not required.
 - iv) Subsection 19.1008.3.B and C require notice of a Type V application be sent to Metro and the Department of Land Conservation and Development (DLCD) 45 days prior to the first evidentiary hearing. The first evidentiary hearing was held on April 8, 2014. Per Oregon Administrative Rule 660-018-0022(1), no goals, commission rules, or land use statutes apply to a particular proposed change, and DLCD notice was not

required. Metro responded on March 20, 2014 that they had no comments on the proposed code amendments.

- v) Subsection 19.1008.3.D requires notice to property owners if, in the Planning Director's opinion, the proposed amendments would affect the permissible uses of land for those property owners. In the opinion of the Planning Director, the proposed amendments would not affect the permissible uses of any property in the city, and that notice to property owners was not required.
 - vi) Subsection 19.1008.4 and 5 establish the review authority and process for review of a Type V application. The Planning Commission held a duly advertised public hearing on April 8, 2014, and passed a motion recommending that the City Council approve the proposed amendments. The City Council held a duly advertised public hearing on June 3, 2014, and approved the amendments.
6. MMC Chapter 19.902 establishes requirements for amendments to the text of the Milwaukie Comprehensive Plan and the Milwaukie Municipal Code. The City Council finds that these requirements have been met as follows.

- A. MMC Subsection 19.902.5.A requires that changes to the text of the Milwaukie Municipal Code shall be evaluated through a Type V review per Section 19.1008.

The Planning Commission held a duly advertised public hearing on April 8, 2014 and passed a motion recommending that the City Council approve the proposed amendments. The City Council held a duly advertised public hearing on June 3, 2014 and approved the amendments. Public notice was provided in accordance with MMC Subsection 19.1008.3.

- B. MMC Subsection 19.902.5.B contains approval criteria for text amendments to the Milwaukie Municipal Code.

- i) MMC Subsection 19.902.5.B.1 requires that the proposed amendment be consistent with other provisions of the Milwaukie Municipal Code.

The amendments to Title 14 are proposed to be consistent with the Milwaukie Municipal Code. They are intended to coordinate and clarify that Art Murals (Public Murals and Original Art Murals) allowed by the proposed Title 20 are reviewed separately from other signage.

- ii) MMC Subsection 19.902.5.B.2 requires that the proposed amendment be consistent with the goals and policies of the Comprehensive Plan. Goals and policies that do not apply to this code amendment are not listed here.

Allowing public art murals is consistent with the Comprehensive Plan as follows:

Chapter 4, Residential Land Use and Housing Element, Goal Statement: To provide for the maintenance of existing housing, the rehabilitation of older housing and the development of sound, adequate new housing to meet the housing needs of local residents and the larger metropolitan housing market, while preserving and enhancing local neighborhood quality and identity.

Murals are a unique form of art that can add character to an area and contribute to a community identity and sense of place. The City Council finds that murals build and enhance local neighborhood identity, which is consistent with this goal statement.

Chapter 4, Residential Land Use and Housing Element, Objective #4 – Neighborhood Conservation: To maximize the opportunities to preserve, enhance and reinforce the identity and pride of existing well-defined neighborhoods in order to encourage the long-term maintenance of the City's housing stock.

Many residential neighborhoods abut or are close to commercial areas. Murals add visual interest to buildings and spaces and can help to enhance the identity and pride in both the commercial and the surrounding area. Allowing murals is consistent with this objective.

Economic Development Element, Objective #12 – Town Center, Planning Concepts:

To emphasize downtown Milwaukie and the expanded city center as a Town Center with the major concentration of mixed use and high density housing, office, and service uses in the city.

The future role for the downtown as a Town Center will revitalize the area as a focus of community identity and pride.

Multiple community members have expressed interest in installing murals, particularly downtown. Results from an on-line survey that was posted for citizens to provide feedback on establishing a mural program indicated a high level of agreement that murals can highlight the uniqueness of a community, can offer a positive opportunity to feature niche businesses, and the murals can enhance public spaces. The role that murals play in a Town Center environment can be positive and can enhance its viability. Allowing murals is consistent with this objective.

- iii) MMC Subsection 19.902.5.B.3 requires that the proposed amendment be consistent with the Metro Urban Growth Management Functional Plan and relevant regional policies.

The proposed amendments were sent to Metro for comment. Metro did not object to the proposed amendments. No Urban Growth Management Functional Plan policies are relevant to the proposal.

- iv) MMC Subsection 19.902.5.B.4 requires that the proposed amendment be consistent with relevant State statutes and administrative rules, including the Statewide Planning Goals and Transportation Planning Rule.

There are no statutes or administrative rules that were found to be applicable to the proposed amendments.

- v) MMC Subsection 19.902.5.B.5 requires that the proposed amendment be consistent with relevant federal regulations.

There are no federal regulations that were found to be applicable to the proposed amendments.

Underline/Strikeout Amendments

TITLE 14 SIGNS

CHAPTER 14.04 GENERAL PROVISIONS

14.04.030 DEFINITIONS

The following words and phrases where used in this chapter shall, for the purposes of this chapter, have the meanings respectively ascribed to them in this section:

"Sign" means the physical components of materials placed or constructed primarily to convey a message or other display and which can be viewed from a right-of-way or lot under other ownership. Displays permitted through Title 20 Public Art are not signs for purposes of Title 14.

CHAPTER 14.08 ADMINISTRATION AND ENFORCEMENT

14.08.090 CONDITIONAL AND COMMUNITY SERVICE USE SIGNS

D. In addition to the sign size limitations of this chapter, if an original art mural permitted under Title 20 occupies a wall where a wall sign has been proposed, the size of the wall sign shall be limited such that the total area of the original art mural plus the area of the wall sign does not exceed the maximum allowed.

CHAPTER 14.12 SIGNS PROHIBITED OR EXEMPTED

14.12.010 EXEMPTED SIGNS

The following signs shall not require a sign permit but shall conform to all other applicable provisions of this chapter and shall be allowed outright in all zones, except as otherwise noted:

M. Art murals, and any identified subcategories, as permitted by Title 20. Such displays are not considered signs and are exempt from all provisions of Title 14.

CHAPTER 14.16 SIGN DISTRICTS

14.16.020 RESIDENTIAL-OFFICE-COMMERCIAL ZONE

No sign shall be installed or maintained in an R-O-C or R-1-B Zone, except as allowed under Section 14.12.010 Exempted Signs, or as otherwise noted in Table 14.16.020.

Table 14.16.020				
Standards for Signs in Residential-Office-Commercial Zones R-O-C or R-1-B				
Sign Type	Area	Height	Number	Illumination ¹

Proposed Code Amendment

Signs at entrances to subdivisions	Max. 2 SF per dwelling unit to max. 32 SF per sign; 16 SF per display surface; total sign area for all display surfaces may not exceed 64 SF.	Max. 6 ft. above grade.	1 per entrance.	External only
Freestanding signs on multifamily properties	Max. 2 SF per dwelling unit to max. 32 SF per sign; 16 SF per display surface.	Max. 6 ft. above grade.	1 per street frontage.	External only
Wall signs on multifamily properties	Limited to 2 SF per dwelling unit to a max. 32 SF.	Cannot extend above roofline at wall or top of parapet wall, whichever is higher.	1 per street frontage.	External only
Awning signs on multifamily properties	Max. display surface is 25% of awning area, up to a max. of 32 SF.		1 per street frontage.	External only
Freestanding signs on commercial property	Max. 32 SF per display surface; total sign area for all display surfaces may not exceed 64 SF.	Max. 12 ft.	1 permitted. ²	External only
Wall signs on commercial property ³	Max. 10% of building face related to commercial use.	Cannot extend above roofline at wall or top of parapet wall, whichever is higher.	1 permitted. ²⁴	External only
Awning signs related to a commercial use	Max. display surface is 25% of surface of awning not to exceed 10% of the building face related to commercial use.	May not extend higher than the point where the roofline intersects the exterior wall.	1 per frontage.	External only
Hanging sign suspended beneath awning	Max. 1 SF per 1 lineal ft. of awning length.	Min. clearance 8 ft. from ground level to lowest portion of awning or suspended sign.	1 per street frontage. ⁴⁵	External only
Daily display sign ⁶⁶	Max. 8 SF per display surface; total sign area may not exceed 16 SF.	Max. 6 ft. above ground level.	1 per property or occupancy.	External only

- ¹ Par spot or reflective-type bulbs may be used for indirect illumination of the display surface if properly shielded from direct glare onto streets. Sign illumination shall be directed away from, and not be reflected upon, adjacent premises. See Section 14.24.020.
- ² 1 freestanding sign is permitted in addition to 1 wall sign.
- ³ In addition to the sign size limitations of this chapter, if an original art mural permitted under Title 20 occupies a wall where a wall sign has been proposed, the size of the wall sign shall be limited such that the total area of the original art mural plus the area of the wall sign does not exceed the maximum allowed.
- ^{3d} 1 wall sign is permitted in addition to 1 freestanding sign or 2 wall signs permitted.
- ⁴⁵ For awnings related to residential use, either 1 sign on an awning or 1 sign hanging beneath an awning is allowed.
- ⁶⁶ Location. A daily display sign shall not be located within required landscaped areas, and is only allowed within the public right-of-way subject to the standards of Section 14.20.040.

14.16.030 NEIGHBORHOOD COMMERCIAL ZONE

No sign shall be installed or maintained in a C-N Zone, except as allowed under Section 14.12.010 Exempted Signs, or as otherwise noted in Table 14.16.030.

Table 14.16.030 Standards for Signs in Neighborhood Commercial Zones C-N				
Sign Type	Area	Height	Number	Illumination ¹
Freestanding signs	1.5 SF per lineal ft. of street frontage, not exceeding 40 SF per display surface and 80 SF overall.	May not project over the top of a building or max. 20 ft., whichever is less.	1 permitted. ²	External only
Wall signs ³	Max. 20% of building face. ⁴	Cannot extend above roofline or top of a parapet wall, whichever is higher.	Dictated by area requirements. ⁴⁵	External only
Awning signs	Max. 25% of surface of awning, not to exceed 20% of building face.	No higher than the point where the roofline intersects the exterior wall.	1 per frontage per occupancy.	External only
Hanging sign suspended beneath awning	Max. 1 SF per 1 lineal ft. of awning length.	Min. clearance 8 ft. from ground level to the lowest portion of awning or suspended sign.	1 hanging sign per awning.	External only
Daily display signs ⁶⁶	Max. 8 SF per display surface and 16 SF overall.	Max. 6 ft. above ground level.	1 per property or occupancy.	External only

- ¹ Par spot or reflective-type bulbs may be used for indirect illumination of the display surface if properly shielded from direct glare onto streets. Sign illumination shall be directed away from, and not be reflected upon, adjacent premises. See Section 14.24.020.
- ² In addition to 1 wall sign.
- ³ Location: limited to the building surface or surfaces facing the public right-of-way.
- ⁴ In addition to the sign size limitations of this chapter, if an original art mural permitted under Title 20 occupies a wall where a wall sign has been proposed, the size of the wall sign shall be limited such that the total area of the original art mural plus the area of the wall sign does not exceed the maximum allowed.
- ⁴⁵ Wall signs are permitted in addition to 1 freestanding sign.
- ⁶⁶ Shall not be located within required landscaped area, and is only allowed within the public right-of-way subject to the standards of Section 14.20.040.

14.16.040 COMMERCIAL ZONE

No sign shall be installed or maintained in the C-L, C-G, and C-CS Zones, except as allowed under Section 14.12.010 Exempted Signs, or as otherwise noted in Table 14.16.040.

Table 14.16.040 Standards for Signs in Commercial Zones C-L, C-G, and C-CS					
Sign Type	Area	Height	Location	Number	Illumination ¹
Wall signs	Max. 20% of building face. ⁵	Not above roofline or top of parapet wall, whichever is higher.	NA.	No limit.	Permitted

⁵ 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 face of the building. In addition to the sign size limitations of this chapter, if an original art mural permitted under Title 20 occupies a wall where a wall sign has been proposed, the size of the wall sign shall be limited such that the total area of the original art mural plus the area of the wall sign does not exceed the maximum allowed.

14.16.050 MANUFACTURING ZONE

No sign shall be installed or maintained in an M or BI Zone, except as allowed under Section 14.12.010 Exempted Signs, or as otherwise noted in Table 14.16.050.

Table 14.16.050 Standards for Signs in Manufacturing Zones M or BI					
Sign Type	Area	Height	Location	Number	Illumination ¹
Wall signs	Max. 10% of building face. ⁴	Not above roofline or top of parapet wall, whichever is higher.	NA.	No limit.	Permitted

⁴ Includes signs painted directly on the building surface. In addition to the sign size limitations of this chapter, if an original art mural permitted under Title 20 occupies a wall where a wall sign has been proposed, the size of the wall sign shall be limited such that the total area of the original art mural plus the area of the wall sign does not exceed the maximum allowed.

CHAPTER 14.16.060 DOWNTOWN ZONES

No sign shall be installed or maintained in the DC, DS, DO, DR and DOS Zones, except as allowed under Section 14.12.010 Exempted Signs, or as otherwise noted in this section.

B. Wall Sign

1. Area

The maximum permitted area of a wall sign shall be 20% of the building face.

- a. In the DR and DOS Zones the maximum permitted area of a wall sign shall be 16 square feet.
- b. In addition to the sign size limitations of this chapter, if an original art mural permitted under Title 20 occupies a wall where a wall sign has been proposed, the

size of the wall sign shall be limited such that the total area of the original art mural plus the area of the wall sign does not exceed the maximum allowed.

Clean Amendments

TITLE 14 SIGNS

CHAPTER 14.04 GENERAL PROVISIONS

14.04.030 DEFINITIONS

The following words and phrases where used in this chapter shall, for the purposes of this chapter, have the meanings respectively ascribed to them in this section:

"Sign" means the physical components of materials placed or constructed primarily to convey a message or other display and which can be viewed from a right-of-way or lot under other ownership. Displays permitted through Title 20 Public Art are not signs for purposes of Title 14.

CHAPTER 14.08 ADMINISTRATION AND ENFORCEMENT

14.08.090 CONDITIONAL AND COMMUNITY SERVICE USE SIGNS

- D. In addition to the sign size limitations of this chapter, if an original art mural permitted under Title 20 occupies a wall where a wall sign has been proposed, the size of the wall sign shall be limited such that the total area of the original art mural plus the area of the wall sign does not exceed the maximum allowed.
-

CHAPTER 14.12 SIGNS PROHIBITED OR EXEMPTED

14.12.010 EXEMPTED SIGNS

The following signs shall not require a sign permit but shall conform to all other applicable provisions of this chapter and shall be allowed outright in all zones, except as otherwise noted:

- M. Art murals, and any identified subcategories, as permitted by Title 20. Such displays are not considered signs and are exempt from all provisions of Title 14.
-

CHAPTER 14.16 SIGN DISTRICTS

14.16.020 RESIDENTIAL-OFFICE-COMMERCIAL ZONE

No sign shall be installed or maintained in an R-O-C or R-1-B Zone, except as allowed under Section 14.12.010 Exempted Signs, or as otherwise noted in Table 14.16.020.

Table 14.16.020 Standards for Signs in Residential-Office-Commercial Zones R-O-C or R-1-B				
Sign Type	Area	Height	Number	Illumination ¹
Signs at entrances to subdivisions	Max. 2 SF per dwelling unit to max. 32 SF per sign; 16 SF per display surface; total sign area for all display surfaces may not exceed 64 SF.	Max. 6 ft. above grade.	1 per entrance.	External only
Freestanding signs on multifamily properties	Max. 2 SF per dwelling unit to max. 32 SF per sign; 16 SF per display surface.	Max. 6 ft. above grade.	1 per street frontage.	External only
Wall signs on multifamily properties	Limited to 2 SF per dwelling unit to a max. 32 SF.	Cannot extend above roofline at wall or top of parapet wall, whichever is higher.	1 per street frontage.	External only
Awning signs on multifamily properties	Max. display surface is 25% of awning area, up to a max. of 32 SF.		1 per street frontage.	External only
Freestanding signs on commercial property	Max. 32 SF per display surface; total sign area for all display surfaces may not exceed 64 SF.	Max. 12 ft.	1 permitted. ²	External only
Wall signs on commercial property ³	Max. 10% of building face related to commercial use.	Cannot extend above roofline at wall or top of parapet wall, whichever is higher.	1 permitted. ⁴	External only
Awning signs related to a commercial use	Max. display surface is 25% of surface of awning not to exceed 10% of the building face related to commercial use.	May not extend higher than the point where the roofline intersects the exterior wall.	1 per frontage.	External only

Table 14.16.020 CONTINUED				
Standards for Signs in Residential-Office-Commercial Zones R-O-C or R-1-B				
Sign Type	Area	Height	Number	Illumination ¹
Hanging sign suspended beneath awning	Max. 1 SF per 1 lineal ft. of awning length.	Min. clearance 8 ft. from ground level to lowest portion of awning or suspended sign.	1 per street frontage. ⁵	External only
Daily display sign ⁶	Max. 8 SF per display surface; total sign area may not exceed 16 SF.	Max. 6 ft. above ground level.	1 per property or occupancy.	External only

¹ Par spot or reflective-type bulbs may be used for indirect illumination of the display surface if properly shielded from direct glare onto streets. Sign illumination shall be directed away from, and not be reflected upon, adjacent premises. See Section 14.24.020.

² 1 freestanding sign is permitted in addition to 1 wall sign.

³ In addition to the sign size limitations of this chapter, if an original art mural permitted under Title 20 occupies a wall where a wall sign has been proposed, the size of the wall sign shall be limited such that the total area of the original art mural plus the area of the wall sign does not exceed the maximum allowed.

⁴ 1 wall sign is permitted in addition to 1 freestanding sign or 2 wall signs permitted.

⁵ For awnings related to residential use, either 1 sign on an awning or 1 sign hanging beneath an awning is allowed.

⁶ Location. A daily display sign shall not be located within required landscaped areas, and is only allowed within the public right-of-way subject to the standards of Section 14.20.040.

14.16.030 NEIGHBORHOOD COMMERCIAL ZONE

No sign shall be installed or maintained in a C-N Zone, except as allowed under Section 14.12.010 Exempted Signs, or as otherwise noted in Table 14.16.030.

Table 14.16.030				
Standards for Signs in Neighborhood Commercial Zones C-N				
Sign Type	Area	Height	Number	Illumination ¹
Freestanding signs	1.5 SF per lineal ft. of street frontage, not exceeding 40 SF per display surface and 80 SF overall.	May not project over the top of a building or max. 20 ft., whichever is less.	1 permitted. ²	External only
Wall signs ³	Max. 20% of building face. ⁴	Cannot extend above roofline or top of a parapet wall, whichever is higher.	Dictated by area requirements. ⁵	External only
Awning signs	Max. 25% of surface of awning, not to exceed 20% of building face.	No higher than the point where the roofline intersects the exterior wall.	1 per frontage per occupancy.	External only

Proposed Code Amendment

Table 14.16.030 CONTINUED Standards for Signs in Neighborhood Commercial Zones C-N				
Sign Type	Area	Height	Number	Illumination ¹
Hanging sign suspended beneath awning	Max. 1 SF per 1 lineal ft. of awning length.	Min. clearance 8 ft. from ground level to the lowest portion of awning or suspended sign.	1 hanging sign per awning.	External only
Daily display signs ⁶	Max. 8 SF per display surface and 16 SF overall.	Max. 6 ft. above ground level.	1 per property or occupancy.	External only

¹ Par spot or reflective-type bulbs may be used for indirect illumination of the display surface if properly shielded from direct glare onto streets. Sign illumination shall be directed away from, and not be reflected upon, adjacent premises. See Section 14.24.020.

² In addition to 1 wall sign.

³ Location: limited to the building surface or surfaces facing the public right-of-way.

⁴ In addition to the sign size limitations of this chapter, if an original art mural permitted under Title 20 occupies a wall where a wall sign has been proposed, the size of the wall sign shall be limited such that the total area of the original art mural plus the area of the wall sign does not exceed the maximum allowed.

⁵ Wall signs are permitted in addition to 1 freestanding sign.

⁶ Shall not be located within required landscaped area, and is only allowed within the public right-of-way subject to the standards of Section 14.20.040.

14.16.040 COMMERCIAL ZONE

No sign shall be installed or maintained in the C-L, C-G, and C-CS Zones, except as allowed under Section 14.12.010 Exempted Signs, or as otherwise noted in Table 14.16.040.

Table 14.16.040 Standards for Signs in Commercial Zones C-L, C-G, and C-CS					
Sign Type	Area	Height	Location	Number	Illumination ¹
Wall signs	Max. 20% of building face. ⁵	Not above roofline or top of parapet wall, whichever is higher.	NA.	No limit.	Permitted

⁵ 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 face of the building. In addition to the sign size limitations of this chapter, if an original art mural permitted under Title 20 occupies a wall where a wall sign has been proposed, the size of the wall sign shall be limited such that the total area of the original art mural plus the area of the wall sign does not exceed the maximum allowed.

14.16.050 MANUFACTURING ZONE

No sign shall be installed or maintained in an M or BI Zone, except as allowed under Section 14.12.010 Exempted Signs, or as otherwise noted in Table 14.16.050.

Table 14.16.050
Standards for Signs in Manufacturing Zones M or BI

Sign Type	Area	Height	Location	Number	Illumination ¹
Wall signs	Max. 10% of building face. ⁴	Not above roofline or top of parapet wall, whichever is higher.	NA.	No limit.	Permitted

⁴ Includes signs painted directly on the building surface. In addition to the sign size limitations of this chapter, if an original art mural permitted under Title 20 occupies a wall where a wall sign has been proposed, the size of the wall sign shall be limited such that the total area of the original art mural plus the area of the wall sign does not exceed the maximum allowed.

CHAPTER 14.16.060 DOWNTOWN ZONES

No sign shall be installed or maintained in the DC, DS, DO, DR and DOS Zones, except as allowed under Section 14.12.010 Exempted Signs, or as otherwise noted in this section.

B. Wall Sign

1. Area

The maximum permitted area of a wall sign shall be 20% of the building face.

- a. In the DR and DOS Zones the maximum permitted area of a wall sign shall be 16 square feet.
- b. In addition to the sign size limitations of this chapter, if an original art mural permitted under Title 20 occupies a wall where a wall sign has been proposed, the size of the wall sign shall be limited such that the total area of the original art mural plus the area of the wall sign does not exceed the maximum allowed.



June 10, 2014

Land Use File(s): ZA-14-01

NOTICE OF DECISION

This is official notice of action taken by the Milwaukie City Council on June 3, 2014.

Applicant(s): City of Milwaukie
Application Type(s): Zoning Text Amendment
Decision: Approved
Review Criteria: Milwaukie Sign Ordinance:

- Subsection 19.902.5, Zoning Text Amendments

Neighborhood(s): All

This notice is issued in accordance with Milwaukie Municipal Code (MMC) Section 19.1008 Type V Review. The complete case file for this application is available for review between 8:00 a.m. and 5:00 p.m. on regular business days at the Planning Department, Johnson Creek Facility, 6101 SE Johnson Creek Blvd. Please contact Vera Koliass, Associate Planner, at 503-786-7653 or koliassv@milwaukieoregon.gov, if you wish to view this case file.

The amendments were adopted by Milwaukie City Council as Ordinance #2078 on **June 3, 2014**. The proposed Sign Ordinance amendments exempt Public Art Murals and Original Art Murals (Title 20) from the provisions of the Sign Ordinance and also include an overall size limitation in cases where signs and original art murals are applied to the same wall face. A copy of the final ordinance, which includes the amendments and findings in support of approval, is available at <http://www.milwaukieoregon.gov/ordinance/ordinance-2078-amending-title-14-signs-exempt-art-murals>.

Appeals of Type V decisions are handled by the Oregon Land Use Board of Appeals (LUBA) at: 550 Capitol Street NE, Suite 235, Salem, Oregon 97301-2552, 503-373-1265, <http://luba.state.or.us>. They can provide information regarding the timeline for filing an appeal and the proper forms and procedures. (continued on other side)



Dennis Egner, AICP
Planning Director

cc: Planning Commission (*via e-mail*)
Steve Butler, Community Development Director (*via e-mail*)
Jason Rice, Engineering Director (*via e-mail*)
Brad Albert, Civil Engineer (*via e-mail*)
John Stelzenmueller, Building Official (*via e-mail*)
Bonnie Lanz, Permit Specialist (*via e-mail*)
Mike Boumann and Shawn Olson, CCFD#1
NDA(s): All (*via e-mail*)
Interested Persons
Land Use File(s): ZA-14-01