



SCAPPOOSE *Oregon*

SCAPPOOSE PLANNING COMMISSION

Council Chambers at City Hall
33568 East Columbia Avenue

Thursday, February 9th, 2017 at 7:00 p.m.

1.0 CALL TO ORDER

2.0 ROLL CALL

3.0 APPROVAL OF MINUTES

3.1 December 29th, 2016 meeting

4.0 CITIZEN INPUT

5.0 NEW BUSINESS

5.1 WORK SESSION

Work session to discuss amendments to the development code text.

5.2 TEAM AGREEMENT

Team Agreement review and adoption.

6.0 COMMUNICATIONS

6.1 Calendar Check

6.2 Commission Comments

6.3 Staff Comments

7.0 ADJOURNMENT

This is an open meeting and the public is welcome. The City of Scappoose does not discriminate on the basis of handicap status in its programs and activities. If special accommodations are required, please contact Susan M. Reeves, MMC, City Recorder, in advance, at 543-7146, ext 224. TTY 1-503-378-5938



SCAPPOOSE PLANNING COMMISSION

Council Chambers at City Hall
33568 East Columbia Avenue

Thursday, December 29th, 2016, at 7:00 p.m. (*REVISED & RESCHEDULED FROM 12-8-16)

1.0 CALL TO ORDER

Chair Kulp called the Scappoose Planning Commission to order at 7:00 p.m. and welcomed the large crowd, then stated that the agenda items would be switched; 5.2 Docket # CPTA2-16 – DCTA1-16 would be heard first. Stating the format is a legislative hearing for land use decision.

2.0 ROLL CALL

Planning Commission:

Carmen Kulp Chair
Scott Jensen Vice Chair
Bill Blank Commissioner
Jim Dahla Commissioner
Rita Bernhard Commissioner

Staff:

Laurie Oliver City Planner
Chris Negelspach City Engineer
Elizabeth Happala Office Administrator III
Shelby Rihala City's Legal Counsel

Excused; Commissioner Bruce Shoemaker & Commissioner Derrick Vargason

3.0 APPROVAL OF MINUTES

3.1 October 27th, meeting

Vice Chair Scott Jensen stated he sent in one correction previously.

Commissioner Blank stated that on page 16 had a misspelled name for Kannikar Petersen from AKAAN.

Chair Jensen moved and Commissioner Bernhard seconded the motion to approve the October 27, 2016 Planning Commission meeting minutes. Motioned passed (5-0).

AYES: Chair Kulp, Vice Chair Jensen, Commissioner Blank, Commissioner Dahla, and Commissioner Bernhard.

NAYS: None

4.0 CITIZEN INPUT

There were none.

5.0 NEW BUSINESS

5.2 Docket # CPTA2-16—DCTA1-16

The City of Scappoose proposes land use amendments consisting of the following proposed actions:

- Comprehensive Plan Text Amendment CPTA2-16 to update the findings and implementation text for the Airport Employment (AE) Plan Designation.
- Development Code Text Amendment DCTA1-16 to Chapter 17.74 *Airport Employment Overlay Zones* and Chapter 17.162 *Procedures for Decision Making--Quasi-Judicial* to apply the overlay zones to specific properties, to clarify conceptual master plan requirements, and to specify review procedures.

Format: Legislative Land Use Decision (verbal and written testimony permitted).

Chair Kulp read the docket and format, then asked if anyone wanted to declare any conflict of interest or challenge any conflict.

Vice Chair Jensen stated he works for the Port of St. Helens which has property that this decision could apply to but he does not believe it will impact his judgment on this agenda item.

Chair Kulp continued with the order of the hearing.

City Planner Oliver explained that the agenda items were switched as 5.2 was shorter; then read over her staff report. She stated that the City of Scappoose is the applicant so there will not be an applicant coming up to speak.

Chair Kulp asked if this was just a clean-up of the code.

City Planner Oliver agreed.

Chair Kulp stated that as we move forward with anything at the airport, we should follow these codes.

City Planner Oliver stated that the code was just for the west side of the airport improvements and a clean-up of the language in the code to make it easier to use.

Commissioner Blank asked on which page he could find the recommendation.

City Planner Oliver replied that the recommendation is in the beginning of the report on page 160.

Commissioner Jensen stated that it all looked good to him so he does not have any additional comments; and staff did a good job.

Chair Kulp asked what exactly is; “medium manufacturing”.

City Planner Oliver stated that they could not define that but she did contact our previous planner Brian Varricchione who put the project together. Stating that this project is funded by a grant from the Oregon’s Department of Land Conservation and Development which the city used to hire our previous planner to help put this together for the City. But even he could not define what that definition was since we only have Light Industrial.

Chair Kulp asked City Planner Oliver if the request was only for the two legislative changes; the comprehensive plan text amendment and the development code text amendments.

City Planner Oliver agreed.

Chair Kulp asked if the commissioners had any questions or input; there were none. She then asked if the commissioners wanted to deliberate; none stated. She then asked if there was anyone that had any public testimony; there were none.

The public testimony closed at 7:20pm

Commissioner Dahla made the motion to recommend to City Council the changes to CPTA2-16 and

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DCTA1-16; Commissioner Bernhard second the motion. Motioned passed (5-0).

AYES: Chair Kulp, Vice Chair Jensen, Commissioner Blank, Commissioner Dahla, and Commissioner Bernhard.

NAYS: None

5.1 Docket # ANX1-16/ ZC2-16

Airpark Development, LLC has requested approval for the proposed Annexation (ANX1-16), Zone Change (ZC2-16) and Conceptual Master Plan approval of approximately 358 acres described as Columbia County Assessor Map Numbers: 3106-00-00200, 3106-00-00504, 3106-B0-00100, 3106-B0-01300, 3106-B0-01400, 3106-B0-01600, 3106-B0-01800, 3106-B0-01900, 3106-B0-02000, 3107-00-00102, and 3107-00-00103. The site is located directly east of the Scappoose Industrial Airport. Based on the requirements of the Scappoose Development Code, if this property is annexed 343 acres would automatically receive the Public Use Airport (PUA) zoning designation (with an East Airport Employment Overlay) since the site has an “Airport Employment” Comprehensive Plan Map designation, and approximately 15 acres will be zoned Public Land- Recreation (PL-R) in conformance with the Comprehensive Plan Designation. **Format:** Quasi-Judicial Land Use Decision (verbal and written testimony permitted).

Chair Kulp called the hearing to order reading the docket and format then asked if anyone had an ex-parte conflict.

Vice Chair Jensen stated he needed to reclude himself as his employer is a co-applicant; then left the building.

Chair Kulp asked if anyone wanted to challenge any Planning Commissioner’s ex-parte conflict; there were none so she continued with the order of the hearing.

City Planner Oliver read over the staff report, the findings and the annexation approval standards (top of page 47) and asked the commissioners to go to that page. She read item A; *The decision to approve, approve with modifications or deny annexation shall be based on the following criteria; #1 All services and facilities are available to the area and have sufficient capacity to provide services for the proposed annexation area.* Stating that this is what delayed the annexation hearing from December 8th, as staff had to write findings on how we have sufficient capacity and our City Engineer identified some capacity issues; due to these findings there are six conditions of approval tied to the annexation approval which we are recommending; she then turned it over to the City Engineer.

City Engineer Negelspach went over his findings; (exhibit 17 in packet, pages 144-149).

City Planner Oliver asked the commissioners to turn back to page 48; and went over the 6 conditions of approval they are recommending. Adding that with those conditions in place, staff is recommending Planning Commission approval of the annexation application to City Council for final approval, then asked if any commissioners had any questions for her now; they did not, so the applicant OTAK came forward with a power point presentation.

Glen Bolen, OTAK, came forward and gave his company address then went over his PowerPoint presentation; (slides below). He point out that the slides noted with “CONCEPTUAL MASTER PLAN” is only a conceptual plan; they are not proposing these buildings as this is only an annexation application, but stated it’s helpful to see what it could look like as businesses come into the city with their Site Development Review applications.

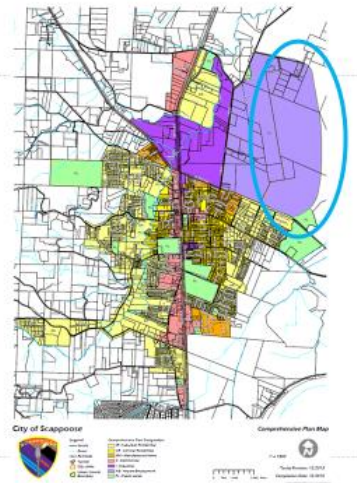
**East Airport
Annexation
Zoning
Conceptual Masterplan**

- ▶ 358 Acres
- ▶ 343: Public Use Airport
EAE Overlay
- ▶ 15: Public Lands - Recreation
- ▶ 11 Properties
- ▶ Inside Urban Growth Boundary



**Comprehensive
Plan**

- Airport
Employment**
- Public Lands
Recreation**



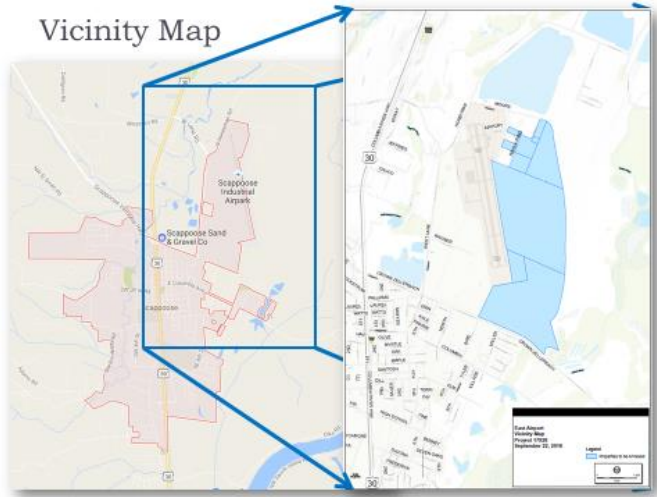
**Oregon
Manufacturing
Innovation
Center**



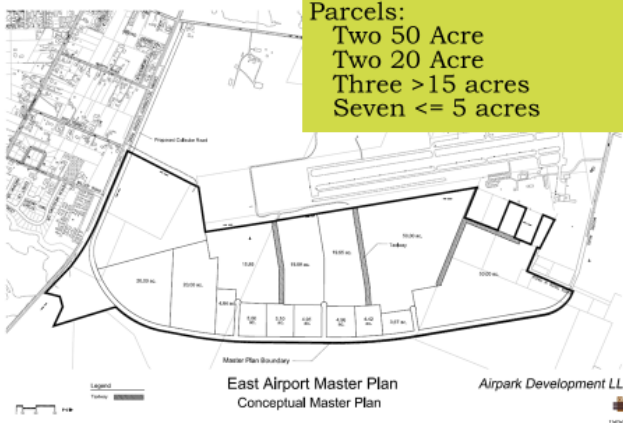
Oregon Manufacturing Innovation Center
Conceptual Master Plan
Scappoose, Oregon



Vicinity Map



Conceptual Master Plan



East Airport Master Plan
Conceptual Master Plan

Airpark Development LLC

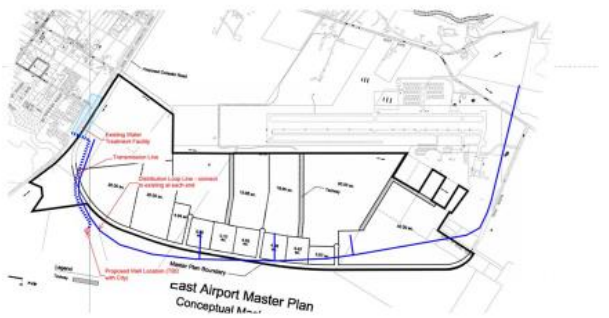
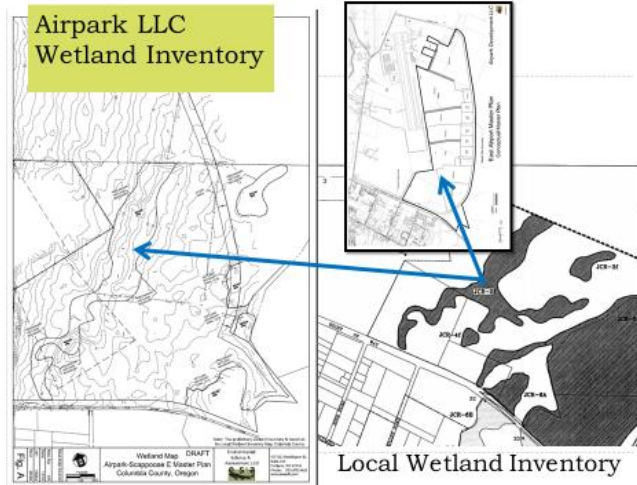
Conceptual Master Plan



Scappoose Airpark
Conceptual Master Plan
Scappoose, Oregon

P 1.2

Limited Floodplain at Southeast

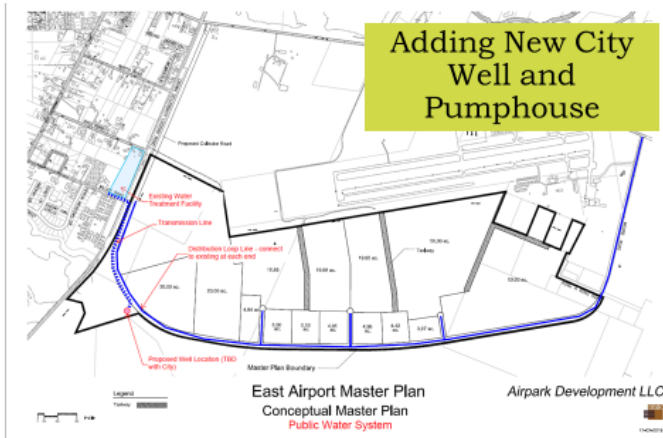


Utility lines shifted when posting online

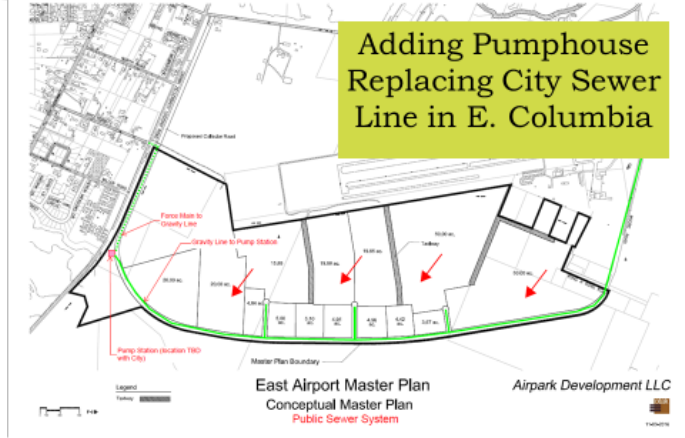


Utility lines shifted when posting online

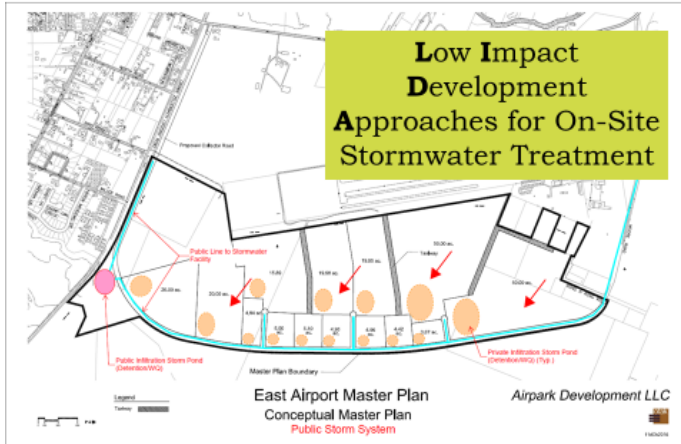
Water System



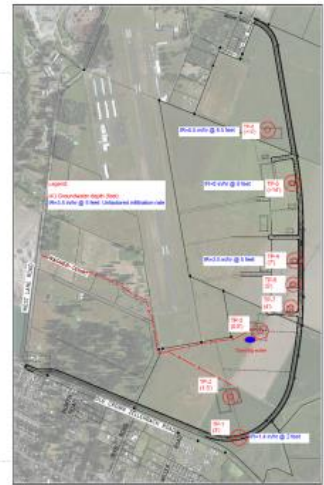
Sewer System



Storm Water System



Water Infiltration Testing Underway



OTAK representative, Glen Bolen also pointed out that they have a road alignment that goes north of the trail (last slide), that would leave the Crown Zellerbach Trail in the same location as it is now. And there is still design work that needs to be done at the intersection of Westlane Rd.

Commissioner Blank asked the OTAK engineer if he had read the letter submitted by local resident Patrick Russell; which he agreed he had and they would be reviewing his concerns.

OTAK representative, Glen Bolen stated that the Transportation System Plan (TSP) had a trip estimation of 2,583 PM peak not AM, they came in at 2,284 trips through their analysis to show they are within the capacity as the TSP planned.

OTAK representative, Glen Bolen also reiterated that this application is only an annexation & zone change request NOT a development request. Pending this approval they will come back with a subdivision of land application which will include the wetland mapping and infiltration. Adding that they had solicited services of an archeological resource company to perform screening of the site and to talk to the farmers along the site. And there will be another round of traffic analysis, the first one discussed tonight just shows they do have the capacity, the next one will show all the mitigation that would need to happen to ensure the current system operates to capacity. Prior to any development happening they will be required to do a Site Development Review for the city to review, similar to what Cascade Tissue had to do for their site. He then asked if the commissioners had any questions.

Chair Kulp asked staff if Cascades was bringing their water system down the same direction.

City Engineer Negelspach replied that there is an existing 18" line in Westlane Road, which was intentionally built over-sized for future airport development. Adding that it was done in advance of the UGB expansion and prior to the Wagner Court road construction but does not have the exact dates.

Chair Kulp asked staff if they would be required to build the same type of storm water ponds as Cascade Tissue.

City Engineer Negelspach replied that it could be similar but there are many design options for storm water retention.

Chair Kulp asked City Engineer Negelspach if the entire build-out was factored into his analysis numbers.

City Engineer Negelspach replied correct it does include full build-out of the annexation area.

Commissioner Blank asked OTAK if they had any issues with the Conditions of Approval as proposed by staff.

OTAK representative, Glen Bolen stated they have reviewed the conditions and do not have any issues.

Commissioner Blank asked City Engineer Negelspach if the issues in his analysis had to be addressed prior to full build-out being allowed since we are only in the conceptual stage.

City Engineer Negelspach replied that the conditions of approval states they would not have to build everything they are recommending prior to developing the parcels.

Commissioner Blank asked City Engineer Negelspach how they would resolve some deficiencies mentioned in his analysis.

City Engineer Negelspach replied that his memo addressed capacity issues we would have at full build-out of the 360 acres. Adding that at the early stages of the parcels being developed we would not have any issues so the conditions were written so the city and the applicant can come to an understanding of phasing these in over time as they add more developments.

Commissioner Blank asked if the 30" pipe is a very important part.

City Engineer Negelspach replied yes, we would want to see that upfront.

Chair Kulp asked City Engineer Negelspach if they could start building roads during some of that construction through there.

City Engineer Negelspach replied yes, they would need to build roads and onsite utilities.

Chair Kulp asked City Engineer Negelspach what would happen if the water supply does not meet the criteria.

City Engineer Negelspach replied that we have capacity now to support some development there but he had to look at the full build-out scenario. Adding that the recommendations like a well were for full build-out not for the early stages of development.

Chair Kulp asked if they are looking at a Light Industrial Zoning and if the community college training facility would have dorms or if it would only be used for daytime classrooms.

City Engineer Negelspach stated they really don't know at this time but his recommendations were based on typical engineering planning practices in terms of his calculations which do not consider specific applications. Adding that if they propose a high demand facility then it would be in their interest and the city's to ensure the current infrastructure met their needs.

OTAK representative Glen Bolen replied that there would not be any dormitory living as it would be a day-

use campus.

Chair Kulp asked the OTAK representative Glen Bolen about the park area on the map.

OTAK representative Glen Bolen replied that it is his understanding that it would be given or transferred to the city.

City Planner Oliver agreed but at this time we won't know what would be proposed there; adding that there are a lot of wetlands near that area so probably a very natural open area.

Chair Kulp asked if there has been any studies on the wildlife that is there and the impact.

City Planner Oliver stated she did not know.

Commissioner Blank asked City Engineer Negelspach if he sees any issues or problems with future development that will have to pay the expenses for these upgrades.

City Engineer Negelspach replied that they recommended in the conditions of approval that they form a Local Improvement District (LID) so that each parcel would participate; they would all collectively fund those improvements. Pointing out condition #5 which gives them some flexibility, that we would be open to alternative suggestions.

City Planner Oliver added that they could even pay for the improvements themselves and not form the LID, but we do have the condition of approval that they sign the non-remonstrance agreement to protect the city should the city decide to do those improvements; they cannot object to it later.

Commissioner Bernhard stated that transportation will be a huge factor; many folks in the community that she has talked to are glad to hear about the airport development but are very concerned about the traffic.

City Engineer Negelspach added that fortunately they have an updated Transportation System Plan (TSP) that helps guide them in the process.

Commissioner Bernhard replied that she knows ODOT will work with us but transportation will be a huge challenge.

Commissioner Blank stated it is helpful that the TSP is done. And he does see on page 21 that ODOT is in agreement and it's encouraging that they have looked at the plan.

Chair Kulp asked if there were any more questions; there were none, so she asked if there were any proponents as the speaker requests forms she has have not been marked as 'proponent' or 'opponent'.

Lancaster Engineering, Senior Transportation Engineer Michael Ard came forward as a proponent, he worked on the transportation analysis for the applicant (submitted as Exhibit 6 page 101); he just wanted to come forward to see if anyone had any questions on transportation.

Commissioner Blank stated his only question goes back to resident Patrick Russell's comments that were submitted related to the roadway that has other uses, as the public has a lot of concerns about accessibility.

Lancaster Engineering, Senior Transportation Engineer Michael Ard stated that those are goals of the project. Adding that the way they looked at it is similar to what City Engineer Negelspach spoke about in terms of water & sewer; the City has a Transportation System Plan (TSP) that looks out 20 years into the future and asks what our community needs and what the solutions are to the anticipated traffic problems; and having that plan allows them to go to ODOT to show them the City's plan accounts for this level of development. But it does not give the city a schedule of when those particular improvements are needed as there are minimum volume warrants that have to be met before certain improvements are required; for example a signal at Westlane & Crown Zellerbach. Therefore we have to wait a certain amount of time and a certain amount of development needs to occur before they can build a traffic signal at that location. Adding that there will become a point in time when it becomes absolutely necessary to have a traffic signal at that location. As they proceed with development and look at it in more detail, they will take the context of the improvements that are necessary city wide to support the developments and then decide when those improvement must be done; how much development can occur before it becomes necessary or appropriate to install the mitigation. And what can they do to work towards the City's vision of the planning horizon 20 years into the future and how the system will work then. They will be looking at incremental improvements that will over time identify specific intersections or specific roadways and make sure there is sufficient capacity to accommodate the proposal at each level of development as it proceeds; which the Conditions of Approval speak to. In regards to the specific suggestions that were made for that particular intersection and the pedestrian crossings; he can't say with specificity at this point what the precise solutions will be, or to the concerns that were raised, but it will need to be engineered in detail. Pedestrian crossings are always a high concern for a transportation engineer as they are a very vulnerable traffic mode; as people walk across the street they might have a conflict with a vehicle which every time they will lose. Typically if they put in a traffic signal they would also be putting in pedestrian signals so there are no conflicting turning movements at the same time to ensure it is safe for people to cross the roadway.

Chair Kulp asked if they would try to encourage less traffic and more pedestrian or bicycle traffic or other modes of transportation.

Lancaster Engineering, Senior Transportation Engineer Michael Ard was surprised to hear that type of question from an outlying rural community as opposed to a downtown Portland environment where that is very much in vogue. But they do routinely look into transportation demand strategies, trying to encourage active transportation modes like walking and bicycling that have lesser impacts environmentally and in terms of infrastructure footprint.

Chair Kulp stated that when she looked at the trip numbers they are extremely high, for this size of community they are exceptionally high; so to her it seems as if other modes of transportation is something they need to look at as well as for the environment.

Lancaster Engineering, Senior Transportation Engineer Michael Ard stated he appreciated her perspective and was glad to hear that.

Commissioner Bernhard stated that the difficulty she sees with the alternate modes of transportation is the distance they are looking at as it is a long walk from downtown to go out towards the airport.

Lancaster Engineering, Senior Transportation Engineer Michael Ard replied that connectivity is always a concern and building infrastructure for new development areas that have good connectivity helps to create a network that supports those different modes of transportation.

Chair Kulp stated that we do have a public transportation network that could grow with it.

Commissioner Dahla stated that the Crown Zellerbach trail entrance near Westlane Rd. allows for some parking at the trail head with houses on both sides; will it be a one way intersection as there doesn't seem to be much room there.

Lancaster Engineering, Senior Transportation Engineer Michael Ard replied that it isn't intended to be a one-way intersection; they did propose a couple different plans and how to treat those things but the one they will move towards, based on public input, has been the one where the Crown Zellerbach Trail stays in the same location as it is right now. But there will be some modification of the intersection that is necessary as they add that new east leg which is really more of a functionary driveway as well as a walking path right now. Adding that there will be some changes at that intersection and some paving that needs to happen, he has a diagram that shows that roadway coming into the intersection square and then immediately transitioning with an "S" curve to the north so that it's entirely on the subject property, with the intent to have as minimal of an impact there as possible while still providing a connection at the necessary point of connection. Adding that the NW corner has a gravel pit so they can't shift the intersection entirely to the north so they have to shift the roadway to the south where it intersects.

Chair Kulp stated that there was a letter from the Port of St. Helens addressing the runway and the FAA's concerns with traffic; what happens if they decide they don't want that road there.

Lancaster Engineering, Senior Transportation Engineer Michael Ard stated that it is not a high likelihood scenario; commonly when they deal with airports, they have to consider the street lighting that goes in on roadways as there are maximum heights based on the approximate distance to the runways. Stating that it is not until they get down to a less-than 19 foot height restriction that they would start to see concerns about vehicles.

Chair Kulp asked if it was more of a lighting height concern versus the height of semi-trucks.

Lancaster Engineering, Senior Transportation Engineer Michael Ard replied that there is a concern for those but based on the distance from the airport that it would be more in the range of tall illumination being a concern as opposed to the individual vehicles, but if that did become a problem in the future they would locate the roadway further away from the runway.

Chair Kulp asked City Planner Oliver if they were looking at an expansion.

City Planner Oliver replied that the Port's letter did say that future construction considerations needed to take into account a future runway expansion. Although she was unsure what the limit of expansion would be and the applicant would have to work with the Port on that.

Chair Kulp asked City Planner Oliver if it was possible that there would not be a building there.

City Planner Oliver replied that there would not be anything south of the runway anyway as that is a protection zone, which is why we took out that 50 acres since nothing can be built there anyway. Adding that the other consideration is the traffic numbers that were associated at full build out did not take into account the lands that could not be developed, so those traffic numbers are a bit inflated.

Lancaster Engineering, Senior Transportation Engineer Michael Ard replied that is a requirement that comes

out of state law, as they are required to look at the reasonable worst case scenario which generally doesn't take into consideration 50 acres of unbuildable lands for a runway expansion or 15 acres for a park.

Chair Kulp asked if there were any further questions from the commissioners, as there were none she thanked Lancaster Engineering, Senior Transportation Engineer Michael Ard. Then stated the speaker forms do not specify proponent or opponent; so she called them out individually. Local Realtor Betty stated she was an opponent, so Chair Kulp asked if Carolyn Collie wanted to speak first, which she declined.

Local John L. Scott Real Estate Realtor Betty Karsten is here tonight representing two neighboring properties that had approached the group to be a part of the annexation, her clients; Karen Harris and Karyl Larson, then gave her home address as 51637 SW Old Portland Rd., Scappoose. She stated that her clients had indicated to the Airpark Development LLC that they wanted to be a part of the annexation but did not realize the necessity to act now when they got their original letters as it did not specify a deadline. She referred to the plat (Exhibit 4, page 101); their properties are the 2 little pieces that are each 3.22 acres on the south end of Ring-A-Ring Road. Their tax account numbers are; 3106-00-1701 and 3106-00-1700; when looking on page 101 of the packet their properties are directly west of the lot labeled 1800. She is requesting on their behalf if they could be included on this process as her clients had intentions and did make an effort, but just didn't do it in a timely fashion.

City Planner Oliver stated that it ended up being too late so the applicant, Airpark, did contact her to let her know that it was requested but it would have required re-noticing and delay plus they would be restricted to these Conditions of Approval as well. And OTAK presenter, Glen Bolen mentioned to her tonight that he was trying to get a hold of the Harris's and Larson's but could not find their contact info.

Local John L. Scott Real Estate Realtor Betty Karsten added that she wanted to commend the planning staff for preparing the packet for tonight as she has gone through this process with other cities and said our staff has done an excellent job. Adding that her clients would just like to be included in this annexation if at all possible.

Commissioner Dahla asked if it was all three of the properties in white on page 101 off Ring-A-Ring Rd. including the lot between 1300 and 1600.

Local John L. Scott Real Estate Realtor Betty Karsten stated she has not spoken to those people and is not representing that property owner. Adding that she is friends with Karen Harris and they had decided it was to their advantage if one parcel sells the other would also sell; and their back fence abuts the airport.

Chair Kulp asked that the opponent speakers, the Janke's could come forward; Lawrence (Larry) Janke and his son Andrew.

Opponent Larry Janke and his son stated that he submitted his letter prior and appreciates the staff response then gave their address as; 34579 E. Columbia Ave., Scappoose. Stating his property is just to the east of the proposal, and said the staff response to his comments essentially says he is putting the 'cart ahead of the horse'; but unfortunately the horse is looking more like a camel that is going to stick his head into his tent. Adding if there are no development proposals in mind, then someone went through a heck of a lot work and expense to lay out all these tax lots with the proposed sizes. Adding that it would come as a great surprise to him if Joe Weston just wanted to be a goat farmer, so somebody is in the wings waiting to develop that property and any response from the staff that no development is on the roster is just ingenuous at best. Stating that Stan Wagner would be rolling over in his grave, they were neighbors for a long time and they

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spent a lot of time on that property; he loved it, he loved his cows, his corn and they would shoot ducks together. His principal issues, which he realizes all of these issues will need to be recognized on an individual basis as each of these non-development proposals come up. He claims they are just inviting a lot of litigation as there will be all kinds of people whose motives are not the same as his; that will 'jump feet first into the trough' which will tie up a bunch of property for a long time since people will fight over what happens. His 2 principal issues are;

~ the beloved ducks; his little piece of wetlands that he owns is a jewel as they have birds of every description which he put into the submitted comments. Adding there are not only birds but small animals, deer, and Canadian Geese. Adding that when there is fog at night, the Canadian Geese will try to land on the lights and many get killed. Stating he has been involved in a lot of annexations representing people and some of them get set aside when something isn't done right. Stating he sees a couple of issues with the increased traffic and increased diesel trucks; one of the principal causes of upper respiratory illnesses are diesel engine particulates. In the summer time the wind blows from the Northwest so those particulates will blow right over to his property and settle on the waters that will eventually kill a lot of vegetation and kill a lot of birds.

~ Water; reduced to being a lawyer he is also a physicist and understands the law of gravity. Adding that no one in this proposal can tell him how much water they are going to get. Adding that he has lived there for more than 20 years; every time something develops up town, his area gets more water; the water level behind his house is consistently higher than it has ever been and it's primarily due to the fact that we have turned a lot of dirt into asphalt and concrete. Stating that Stan Wagner's property was one of the nicest pieces of farm land in South County and probably the best piece of farm land in the county as it was not full of rock, very farmable and basically what they are proposing to do is turn a really fine piece of farm land into a bunch of concrete and asphalt. Adding that water is going to come down hill, and he is going to get flooded; maybe not this week or next year but it will happen, it's inevitable. The drainage district is incapable of dealing with that water at the present time; none of these non-proposals tell him what they are proposing to do with that water, sure they will put it in a pond but will that water just sit in those ponds forever until they evaporate in August and September? Or will the water leach into the substrata and raise the water levels at his house which is downhill. Asking if anyone had given that any thought. Then asked if this is just a proposal to extend the city boundary and none of the other stuff is going to happen, then asked why they are going through all this. Also asking what is the urgency of turning this prime piece of ground & wetlands into concrete and asphalt. Then asked if the commissioners had any questions for him which he would try to answer.

Chair Kulp pointed to a map and asked if all the property was Stan Wagner's and where his property was located.

Speaker Lawrence Janke asked permission to come up to Chair Kulp as he has a hard time hearing; then pointed to a map to show where his property is and discussed some of the history of his property and location of a train trestle; and the impact the development will have on his property and asked about turning it into a goat farm.

Chair Kulp replied that she did not know if they would have a goat farm there but she does know that they are looking at annexing in the property; and they do have their codes in place to do this.

Speaker Lawrence Janke asked what the ultimate plan is as the impact on surrounding properties will be negative.

Chair Kulp stated she could not attest to that and asked if he had done environmental studies that could support his statement.

Speaker Lawrence Janke replied no he can't afford to do that; he would let 1,000 Friends of Oregon do it and thanked them for their time.

Commissioner Blank stated that mentioning litigation is a two way street, we are obligated to follow the rules and the evidence that has been given to them.

Speaker Lawrence Janke does appreciate that they are trying to do their job.

Commissioner Bernhard stated that they only make a recommendation to city council for final approval.

Speaker Lawrence Janke understands that process; that the sooner he gets his foot in the door the better his chances of winning the fight are.

Chair Kulp asked for the next speaker on the request form; Len Waggoner.

Speaker Len Waggoner came forward and gave his address; 33951 Oak View Dr. in Scappoose. He has a handout for everyone; he stated as a citizen of the community there is one thing that really frustrates him with the annexation process and that is the transportation grid. He proposed the city follow up with a bi-pass around town (see last page of his handout); showing Crown Zellerbach connecting to Johnson's Landing Road to the highway. He's assuming the population growth at this airport will be similar to Portland, Hillsboro and Vancouver; since there will be specialty manufacturing and students will be coming from all over the community; it's a huge process. Showing his map, he stated that you can only move so many cars through that intersection during a one-hour period and then if we have a semi from Cascade Tissue making a left turn it will slow the whole process. He stated that the whole transportation plan around the airport needs another look and more in depth; if this entanglement starts when we have 700-800 trips along Crown Zellerbach or E. Columbia then traffic will start searching for other routes to get to the other HWY 30 intersections at SE Maple, SE High School Way or SE Havlik. Stating we need a better transportation plan with alternate routes; we also have trains running through town taking 9-10 minutes to clear the intersections throughout town. Stating that all of these issues really needs another look; he understands the standard traffic engineering logic but we need to look at that logic and ask if our community can survive if the following problems arise. Stating that the high build out with the 1,900 P.M. peak trips; begs the commissioners to take another look at it for our community. He asked the commissioners to look at the transportation problem and get someone to analyze it for our community, get a second opinion other than the applicant's opinion. Adding that he lives in SE Scappoose and noticed that SE 6th St. is already being used as a by-pass through town; we need a better plan for evacuating people from this site. Stating that it is not in the developer's best interest to hold their development for 20 years even though our TSP has a 20 year mentality; it's a today-business they will build what people want now. Stating we need to protect us and our community.

Commissioner Bernhard stated that some of them have been in this community for a long time and there have always been discussions about a by-pass of some sort. Stating realistically in the long term, his proposed by-pass might be an option as it has been discussed several times in the 40 years she's been here and it's still being discussed.

Speaker Len Waggoner stated that this application/development is the biggest deal Scappoose has ever seen as far as industrial development; the biggest financially, mechanically, employer, everything. Adding that there is no reason for us not to do a by-pass.

Commissioner Blank asked speaker Len Waggoner; that he is not necessarily totally against the application.

Speaker Len Waggoner replied that he is not against it, he thinks it's a great idea and a great project. The only thing that makes him feel bad is that at one point his family owned the airport rights.

Chair Kulp asked speaker Len Waggoner if he was just asking the Planning Commission and the City to take a very serious look at the transportation part of the project prior to annexation or in conjunction with.

Speaker Len Waggoner replied whichever way gives them more leverage; if they come to the conclusion that they have to have an alternate road system built then that is your leverage as it can't be retro.

Chair Kulp asked speaker Len Waggoner if he shared this with the applicant; which he replied he did not.

Commissioner Blank asked if he shared this with staff; City Planner Oliver replied it was just now shared. He stated that they have had lots of discussions about a by-pass but the questions are always how to do it, the cost, how to put it together.

City Planner Oliver stated that they could not address it in the city's TSP since it is outside the city's UGB; but the County did identify it in their Transportation Plan update. Adding that Columbia County can only look into a study for the location of the alternative route, noting that ODOT hates the word by-pass.

Chair Kulp stated she did not have any other speaker request forms, then asked the audience if there were any other speakers, either proponents or opponents.

Speaker Marie Gadotti came forward and gave her address as; 33717 Johnson's Landing Road, Scappoose. Stating she only came tonight to see how the process was going to work out, her main concern is the transportation. Adding that if the county is looking at an alternate/by-pass on Johnson's Landing Road & Dike Road; then that would impact every one of the property owners that live off those roads; that they are not able to develop since they are outside city limits but property within the city is able to develop in a way that would impact all the people off those roads that don't live in the city. Johnson's Landing Road to Dike Road to Crown Zellerbach Road is a long, narrow and windy road even if they widen it out; it would impact their farming practices when they use the roadway. Due to the current traffic they are unable to harvest their land between 3-6pm as they are unable to use the roadway and the highway; that if this development is going to impact other people by taking their land or their ability to use the roadways, that all of it needs to be taken into consideration.

Chair Kulp asked for any other speakers.

OTAK presenter, Glen Bolen asked if the commissioner or anyone had further questions for them, there were none.

Commissioner Dahla asked staff about the properties that wanted to be included into the annexation; if the stand alone 3rd property between lots 1300 & 1600 also wanted to be included into the annexation.

City Planner Oliver replied that there were a few considerations that she has discussed with the city's legal counsel on how they could move forward with being included; a new transportation planning rule analysis would need to be done to include those parcels as the site is currently meeting the trips that the TSP accounted for. Those lots combined would be 6 ½ acres which might not have a big impact but staff would

need more time to discuss the proper procedures.

Chair Kulp asked if technically they are still in the county, which staff agreed.

Commissioner Bernhard asked City Planner Oliver what their current use is.

City Planner Oliver stated that there are current residences; they would not be included in the east airport employment overlay but they would have a base zone of Public Use Airport. Adding that there is an issue with that since annexations of non-conforming uses require a statement to be made as to when that non-conforming use would be removed which could also be a consideration.

Commissioner Bernhard asked City Planner Oliver what their chances are to annex in the future, if they were not included in this annexation.

City Planner Oliver replied that it would be no problem for them.

Commissioner Blank asked City Planner Oliver if their annexation would slow down this process.

City Planner Oliver replied that if they were to get included into this annexation; it would slow down their process if they were to be included into this annexation.

Chair Kulp asked for clarification; if they were to be included in this annexation then it would slow down this process but if they annexed in later it would not.

City Planner Oliver agreed but they would need a new legal description for the annexation boundary by their surveyor, which they would need to negotiate who would pay for the new survey.

Chair Kulp stated that would be a decision between the applicant and the homeowners to discuss.

Commissioner Bernhard asked City Planner Oliver if the applicant has to approve it.

City Planner Oliver replied that the Port of St. Helens is also in this application; so they could have additional properties join but it would change what happens with this application moving forward.

Chair Kulp asked City Planner Oliver if the applicant decided to include them; then it would delay the application regardless of what the Planning Commission says tonight.

City Planner Oliver agreed since the applicant would have to change the legal description of the annexation boundary, reassess the traffic impact, reassess the capacity issues plus these homeowners would have to sign the non-remonstrance agreement and pay into that since we don't know what those costs are yet. Stating that the code for Annexation of Non-Conforming Use is in Chapter 17.136.080; *when a non-conforming use is annexed into the city, the applicant shall provide a schedule for the removal of non-conforming use for the Planning Commission and City Council; at the time of approval of the annexation the City Council may add conditions to ensure the removal of non-conforming use during a reasonable time period; the time period may vary from 1-10 years at the discretion of City Council.*

Speaker Betty Karsten, representing the homeowners, asked if she could comment on that (Chair Kulp agreed); she stated that the two parcels near the properties she is representing, are owned by the Port of St.

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Helens which were also residences when purchased by the Port; that one of the potential purchasers of these properties could be the Port or someone that wants to build a hanger with the house or industrial if they bought the two properties together.

Commissioner Bernhard stated that it does not sound like those properties could be a part of tonight's application.

Commissioner Dahla asked if this gets approved then those properties would not be affected; but if they annexed in the future then they would have to remove their residential structures.

City Planner Oliver replied that it is the act of annexing which requires that they comply with the base zoning which is Public Use Airport. Adding that if the properties are not included in tonight's annexation and it moves forward as is then there is no affect to them.

Commissioner Bernhard asked if they would still have the ability in the future to annex in; which City Planner Oliver agreed.

Commissioner Blank stated that he knows that the Port has approached some of those property owners in the past.

OTAK Applicant, Don Hansen, came forward to comment on the traffic; as he thinks about the process they continue to go through as they started it quite some time ago. When they proposed the UGB Expansion, they looked at traffic then, now they are going through the annexation process with the city and they are looking at the traffic again; and each time it filters it comes into focus. Adding their next step is their subdivision application; so they have collaborated with city staff the whole way and they know there are traffic issues but they have demonstrated that they are manageable and they have demonstrated that they are committed to moving ahead towards a solution to all those issues and it's been on their radar screen and it's been on their radar screen since 2010 and it will continue to be on their radar screen as they intend to go build a great employment district for the north end of Scappoose. Adding that they have evaluated the traffic and utilities so that they are up to standards to connect that employment district to the city. And he wanted to comment on the by-pass; stating that a lot of communities think about by-passes but before they can be considered he encourages the city to engage all their business owners along the highway and tell them it is a consideration because it would reduce the volume along their business frontage; he has been working in Seaside Oregon for the past 3 years and sees lots of similarities with population, one high school on the state highway, lots of congestion along the state highway that goes right down the middle. Adding that they went through their TSP recently as well, and they decided that they would spend their money on other alternative routes; like good parallel routes that ran along 101 through business districts and neighborhood routes; the parallel routes could be really good for bicycling and pedestrians moving from business to business without having to go on the highway.

Commissioner Bernhard stated that an alternative route has been a part of the city's discussion for many years so it is not a new concept; there were proposals to go on the dike or the hillside and the people that owned business along the highway wanted the traffic to continue on the highway; we've had a lot of discussions about alternative routes.

OTAK Applicant, Don Hansen, replied that he was a part of those early conversations when he was doing the housing neighborhood south of the high school when the new Fred Meyer was being considered. Adding that he is glad Mrs. Gadotti is here tonight as she served on the advisory committee when they first started

looking at Urban Growth Boundaries; and made interesting comments about constraints on the south end.

Commissioner Bernhard stated she was Mayor of Scappoose when Fred Meyer came in and is very familiar with all the discussions that transpired since the 1990's plus she was County Commissioner; so she has seen it from all sides and it is important that they get it right.

Commissioner Blank added that when they were proposing to slow down traffic along the highway; they had proposed to put islands with trees down the middle of highway 30 in the business section.

OTAK Applicant, Don Hansen, replied that it would be access control.

Commissioner Bernhard added that our population has almost doubled since she moved to Scappoose; and some people liked that idea and others didn't.

OTAK Applicant, Don Hansen, stated he is easy to understand, at the end of the day they want to build a beautiful business employment district around the airport; it is their number one priority, to do it right.

Speaker Mike Sheehan, resides at 33126 Callahan Rd., Scappoose; wanted to say that we have a problem with the traffic and it's going to get a lot worse; he suggests that the commission come up with solutions to the traffic but in terms of the solutions, what they do in terms of the annexation ought to be limited such that it does not create drastic impacts on the traffic flow through that area; as many try to use the back roads which don't have traffic signals; his suggestion would be that the commission does not approve the annexation until there is a plan such that the traffic problems don't get worst. Adding that as a result of the annexation there should be methods to moderate what the impact is and until those methods are known and used, then there should be a limit on what can go in the annexation area as it will only make things worse and many people are going to get rich at the expense of the community.

Commissioner Bernhard stated that all of this development will take a while, it won't be overnight; each one of these possible projects would be coming before them as they progress so it will be very incremental not overnight.

Speaker Mike Sheehan replied that he does not disagree but you need to set up a standard with respect to the traffic then if you get someone that wants to come in and build a factory or a college with 1,000 students every day; you need to look at the impact then require something to happen to keep the weight of the impact from our current standard for transportation.

Commissioner Bernhard stated that what complicates things is that we already have existing traffic problems.

Speaker Mike Sheehan replied that he agreed but if we recognize that we have a problem that we don't know how to deal with now; then why would you want to make the problem twice or ten times as bad by approving this annexation when there is no plan to mitigate what the impact would be on an already bad situation; let's have an answer before we approve something that is going to make everything worse.

Lancaster Engineering, Senior Transportation Engineer Michael Ard, responded that the City's Transportation System Plan is that document that he is talking about. That is the city's vision on how the transportation system is going to work in the future and that planning has been done and adopted by the city as well as recognized by the Oregon Department of Transportation. Stating that as far as determining what needs to be done to support individual development as they proceed is precisely the thing that is required and

what they intend to do going forward; so basically the things he is asking for is what the city's process already requires.

Chair Kulp closed the hearing at 9:30pm.

Commissioner Blank stated that they have looked at this issue for a long time and asked how they can do it the most effective way for the community at large but also for the businesses. The general consensus is that we don't have a lot of opportunities here and this would provide more opportunities. Adding that the other side of that coin is that we don't want a lot of big changes, we like to keep things as is but the fact is that things will move on; so they are just trying to figure out how they can deal with that, they have been given a list of things that they look at that was brought to them by staff; asking have they done the things that have to be done and are in compliance with saying yes or no based on that; they can look at ways of adding to things or moving things in a different direction. Stating that he is also concerned about the traffic, agreeing that the opportunities are still there and they will be coming in little by little in stages; the city does have a traffic plan but it might not be the perfect plan because alternative routes seem to be the only obvious solution to a lot of traffic, although stating it in the condition of approval isn't necessary since it's already in our TSP. Adding that they have received comments from the public; he does not see that delaying it or putting it off will do anything as this is only a recommendation to City Council who will have the final say and might come up with something different; but they as Commissioners have to look at the legal side of this. Commissioner Dahla agreed with Commissioner Blank; that traffic is the biggest issue with any project coming into the city and he is amazed at the amount of people that have come out tonight. Adding that if the criteria is met then it is their obligation to move the process forward, they can't hold it back based on emotion.

Commissioner Bernhard agreed that they have met all the criteria although she too is concerned about the traffic situation but they cannot solve the traffic issues overnight even if they did put it on hold; they cannot stop progress. Adding that it might not be a perfect situation but considering the fact that they have met the criteria; legally their obligation is to recommend it to City Council for final approval. Stating that there was a lot of work put into this and they met all the requirements; but she does agree with Mike Sheehan that it would be nice if they could figure out a situation to improve the traffic but they can't solve it that quickly. It is a City Council decision not theirs; as long as the applicant has met the criteria that was expected of them then they cannot hold it up.

Chair Kulp thanked everyone for coming out tonight; and especially for all those that spoke tonight as there were many important concerns brought up tonight. Adding that staff has done a great job, staff has done their best for the city and for all of us; they have pointed out many of these issues throughout our meetings in the past; transportation is a serious issue and it is something that they need to continue to look at but they cannot stop progress it will move forward; but as long as developers are willing to listen and work with them to develop ideas; it would be great if they could build bridges over the highway or drive flying cars (joking); they can't argue with what staff puts out there and had no opposition to the 6 recommendations they have listed although they would like to add an environmental review on the wetlands area and to look at the transportation as well as the water & sewer capacity issues. Adding that it still falls on City Council for final approval; we can move forward with serious considerations to these issues and continue to have public input at our next town hall meeting on Feb. 11th where it would be critical to bring up our transportation issues, locations of an alternate route and our Crown Zellerbach Trail. Stating that there is a lot to consider here but at the same time we need to move forward.

Commissioner Blank added that trying to create jobs for the community also means trying to keep people in
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the community especially if a number of people don't have to drive into Portland for their job. Adding that the other part of planning this community is to have more affordable housing to allow more people to live here, to work here, to spend money here, to eat here, to enjoy it here and take advantage of it here.

Chair Kulp added that we do have our housing needs study going on as available lands is always an issue; and the packet does have an irrevocable agreement waiver for the applicant which City Council could consider as an option as well versus not moving forward with the annexation.

City Planner Oliver added that she had a suggestion as they move towards a decision; if you do move to approve the annexation that the motion should include a motion to approve with the staff responses to the public comments as additional findings and add the written comments we have received to the staff report as exhibits.

Chair Kulp asked City Planner Oliver if they add the transportation and environmental portion.

City Planner Oliver replied that it was Chair Kulp's call; if you amend the conditions of approval then she will need to know so she can re-write the findings but from what you said it should be a strong consideration for City Council.

City Planner Oliver asked Legal Counsel Rihala to advise; which she stated it would be a shared comment.

Commissioner Bernhard asked if there was way to stress its importance; as these projects move forward that special attention be made to the traffic.

City Planner Oliver replied that our code already requires that they do the traffic impact study and that they address any mitigation that is identified. Adding that for environmental review our code has more to do with the floodplain and the wetlands; whenever we have development applications for projects that impact those they do have to delineate the wetlands and mitigate it which is run by the Department of State Lands; so she is unsure what more they want to add.

Commissioner Dahla stated that there was mention of Native American ancient artifacts; so in the event that one was found during the development what would happen.

City Planner Oliver replied that the property owner is under obligation to notify the state and to report what was found; when the application comes in she will share these regulations with them which they need to respond to if there are any know artifacts on site. Adding that the applicant has already hired someone to start that review on site; which does not mean they will find anything now but it could be when they start digging they will find something and they must stop immediately then a state archeologist would come to the site to do a report.

Chair Kulp stated that she would just like to emphasize our awareness to City Council; that we need to work on transportation, environmental issues, capacity issues and to let the public know that we are trying to be responsible and welcome their input.

City Planner Oliver stated that she could include their concerns about the approval in her City Council staff report; stating that the Planning Commissioners are recommending approval of this staff report and the findings within it however they have additional concerns to express outside of the staff report related to the overall transportation impacts and environmental impacts.

Commissioner Blank asked about the Native American artifacts; read page 24, the finding said that the subject site is not designated as an open space, scenic or historical area by the City of Scappoose; would the historical area cover the Native American artifacts.

City Planner Oliver stated that it is not identified in our Comprehensive Plan as we have to inventory those things and since it's not identified currently; it's unknown since we don't have it documented anywhere.

Chair Kulp asked if there was anything else; and asked City Planner Oliver how she should verbalize the approval.

City Planner Oliver replied that the motion for approval would also include a motion to approve the staff responses to the public comments as additional findings to be included as additional exhibits. Plus staff provided responses to Cascade Tissue and the Janke's; so that packet will be entered as exhibits, except for Mr. Russell since we did not provide a response but we did address it in the hearing. Adding that it might be best, from Legal Counsel's recommendation, that the Planning Commissioners address their issues with traffic and environmental concerns in a memo format to City Council saying that they recommend approval based on its merits and findings but they are concerned about the larger issues in the community moving forward.

Commissioner Bernhard asked if that would be better than to put it in the actual final approval.

Legal Counsel, Shelby Rihala, replied yes as the applicant has met the criteria so the staff report is supposed to respond directly to the applicable criteria. Adding that since their criteria has been satisfied then it would be better in a memo format than be a stand-alone document, separate from the application; encouraging council to remain mindful of the issues as the projects and other projects move forward in the city.

City Planner Oliver stated the annexation would be going to City Council next Tuesday night; she will draft the memo for the Planning Commissioners to approve via email so it would be ready for City Council.

Chair Kulp stated she was available tomorrow and commissioners would just need to respond to an email; then asked for any other questions or issues then asked for a motion to approve.

Commissioner Blank stated that it sounded good; since they have met the compliances, but they still have their own personal opinions that they would like expressed.

Chair Kulp asked if anyone had additional questions or comments; then asked for a motion to recommend approval of Docket # ANX1-16/ ZC2-16; with the 6 conditions of approval recommendations from staff, to include a motion to recommend approval of the staff responses to the public comments as additional findings and included as additional exhibits in the staff report.

Commissioner Dahla motioned for the approval.

Commissioner Blank 2nd the motion.

AYES: Chair Kulp, Commissioner Blank, Commissioner Dahla and Commissioner Bernhard.

NAYS: None

6.0 COMMUNICATIONS

6.1 Calendar Check

City Planner Oliver stated it is late but went over the January calendar. Adding that she will advise the Commissioners on the future Planning Commission Meeting we will have as soon as possible.

Commissioner Bernhard asked what was happening on Feb. 11th.

City Planner Oliver replied that it is the Annual Town Meeting; the topics this year will be park development and housing.

Commissioner Blank stated that maybe one day we could look at park and rides to keep the traffic off the roads.

6.2 Commission Comments

Chair Kulp asked City Planner Oliver if she got the email from the City of Fairview; which she did. Adding that she also looked at the State's website and is looking forward to getting together to discuss updates to our codes. She also liked the layout of the City of Prineville's codes and she also liked the City of St. Helens related to residential and multi-family housing.

City Planner Oliver stated that our code is very difficult to read with just the font and the layout alone, let alone the language. Adding that there will be policy changes as part of the housing needs analysis adoption process.

Chair Kulp couldn't make the last economic development meeting but will be working to get some citizens together to start looking into those codes.

Commissioner Blank stated that they need to look into creating more walking paths or bike lanes.

City Planner Oliver appreciates the commissioners for sending that information her way.

Chair Kulp went over the plan to update the city's code with Commissioner Dahla. Adding that the City of Portland has created a parking management tool.

Commissioner Bernhard added that parking has been an issue here especially at the last apartment built at E. Columbia and Westlane.

Chair Kulp asked Commissioner Dahla if there was anything he wanted to tackle on the code update list; to let them know.

Commissioner Blank added that he would like to see roll away sidewalks.

6.3 Staff Comments

(None)

7.0 ADJOURNMENT

Chair Kulp adjourned the meeting at 10:00pm

Chair Carmen Kulp

Attest:

Elizabeth Happala, Office Administrator III

DRAFT

Chapter 17.114

SIGNS

Sections:

- 17.114.010 Purpose.
- 17.114.020 Definitions.
- 17.114.030 General sign regulations.
- 17.114.040 Signs in residential zones.
- 17.114.050 Commercial and industrial zones.
- 17.114.060 Nonconforming signs.

17.114.010 Purpose. The purpose of this chapter is to provide a safe, consistent, equitable and legal system of signing. The regulations of such factors as size, location, construction, etc., will encourage the communication of information and orientation for both visitors and citizens; provide for the effective identification and advertisement of business establishments; eliminate visual blight; and provide standards to safeguard life, health, property and public welfare. (Ord. 680 §1(part), 1998; Ord. 634 §1(part), 1995)

17.114.020 Definitions. As used in this chapter, the following words and terms shall have the meanings ascribed to them in this section:

"Building frontage" means the linear frontage of a building measured along the side of the building where primary access to the structure is obtained.

"Canopy" means a structure made of cloth, metal or other material with frames affixed to the building.

~~"Construction sign" means any information sign which identifies the architect, engineers, contractors and other individuals or firms involved with the construction of a building, or announcing the character of the building or enterprise, which is erected during the building construction period.~~

"Directional sign" or "incidental sign" means small signs, less than four square feet in surface area, of a noncommercial nature, intended primarily for the convenience of the public. Included are signs designating restrooms, address numbers, hours of operation, entrances to buildings, arrows indicating directions, help wanted, public telephone, entrances, exits, etc.

"Electronic changing sign" means an electronic sign upon which the entire copy or message may appear or change from time to time upon a lamp bank, such as time and temperature displays, which by its nature and intensity is not a flashing sign.

"Flashing sign" means any sign which contains or is illuminated by a light source which produces a brilliant flash and darkness on an alternating basis, which results in a pulsating effect designed primarily to attract attention.

"Freestanding sign" means any sign set apart with no structural attachments to a building structure and is meant to include ground-mounted signs and pole signs for the purpose of these regulations.

"Grade" means the relative finished ground level within twenty feet of the sign.

"Height" or "height of sign" means the vertical distance from the average grade within twenty feet of the structure to the highest point of a sign or any vertical projection thereof, including its supporting columns.

Lighting, Indirect or Internal. "Indirect or internal lighting" means any illuminated sign constructed so that the immediate source of illumination is not visible when the sign is lighted and which does not exceed ten candle power per square foot measured at ten feet from the sign.

"Monument sign" or "ground sign" means a sign which extends no more than eight feet in height and is mounted on the ground and supported by one or more uprights, poles or braces in or upon the ground other than a pole sign as defined.

"Moving sign" means any sign which produces apparent motion or the visual image, including but not limited to illusion or moving objects, moving patterns or bands of light, expanding or contracting shapes, rotation or any similar effect of animation which is designed or operated in a manner primarily to attract attention.

"Pole sign" means a single- or multiple-faced sign extending eight or more feet above grade, supported by one or more uprights in the ground and detached from any building or structure.

~~"Political sign" means a sign advertising a candidate or candidates for public elective office, or a political party, or a sign urging a particular vote on a public issue decided by ballot.~~

"Portable sign" means any sign not meeting the anchorage requirements of the Uniform Sign Code.

"Projecting sign" means a single- or multiple-faced sign which is designed and constructed to be mounted to the wall of a building and which will extend more than twelve inches from the wall.

"Property line" means the line denoting the limits of legal ownership of property.

"Public sign" means a sign erected and maintained by the city within the public right-of-way.

"Readerboard" means a sign or part of a sign on which the letters are readily replaceable such that the copy can be changed from time to time at will.

"Roof sign" means any sign erected upon, against or directly above a roof or on top of or above the parapet of a building, including a sign affixed to any equipment attached to the building.

"Sandwich ("A") board" means a double-faced sign hinged or connected at the top which is spread for stabilization and set upon the ground.

"Sign" means any medium, including its structure and component parts, other than paint on a building, which is used or intended to be used to attract attention to the subject matter for communication purposes.

"Sign area" means the surface contained within a single continuous perimeter which encloses the entire sign cabinet but excluding any support of framing structure that does not convey a message. Where signs are of a three-dimensional, round or other solid shape, the largest cross-section viewed as a flat projection shall be used for the purpose of determining the sign area. Signs visible from more than one direction or without clearly defined sign faces shall be considered as having two faces.

"Street frontage" means street(s), or public right(s)of-way parallel to the property line used to compute the area of sign(s) intended to be located in such a manner as to have primary exposure on that street or right-of-way.

"Temporary sign" means any sign, banner, pendant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light material displayed for a period of less than ten days in any calendar year.

Commented [P1]: 10 days is quite short. Other codes use 60, 90, or 180 days.

"Wall sign" means a single-face sign which does not extend more than twelve inches from the wall and the copy of which runs parallel to the wall to which it is attached or painted on.

"Window sign" means a sign which is applied to, attached to or located within the interior of a window. (Ord. 820 §3, 2012; Ord. 680 §1(part), 1998; Ord. 634 §1(part), 1995)

17.114.030 General sign regulations. A. 1. No sign governed by the provisions of this chapter shall be erected, structurally altered, or relocated without first receiving a sign permit from the city.

2. Street trees are protected by Scappoose Municipal Code Chapter 17.104, Street Trees, and Chapter 17.140, Public Land Tree Removal and the Scappoose Comprehensive Plan. Signs located more than eight feet above grade may be visually limited by street trees.

B. All signs shall comply with the following requirements and those specified by zoning district:

1. Construction shall satisfy the requirements of the current version of the Uniform Sign Code.

2. Electrical requirements ~~not~~ for signs shall be governed by the current version of the National Electrical Code and Oregon Electrical Specialty Code Amendments.

3. Except for exempt signs, all signs shall be securely attached to a building or the ground so as not to create a safety hazard.

4. All signs, including exempt signs, shall conform to all visual clearance area requirements of Scappoose Municipal Code Chapter 12.10.

5. All signs, including exempt signs, together with their supports, braces and guys shall be maintained in a safe and secure manner.

6. All illuminated signs shall be internally or indirectly illuminated.

C. The following signs shall be exempt from the application, permit and fee requirements of this title:

~~1. Impermanent construction and subdivision signs not exceeding thirty two square feet in area;~~

2. Public signs, directional signs, warning signs or information signs or structures required or authorized by law, or by federal, state, county or city authority;

3. Historical site plaques;

4. Official and legal notices issued by any court, public body, person or officer in performance of a public duty or in giving any legal notice;

5. Flags less than 15 sq ft; ~~Official flags of the United States of America, counties, municipalities, official flags of foreign nations, flags of internationally and nationally recognized organizations;~~

6. ~~On premises~~ Signs not readable from the public right-of-way, i.e., menu boards, etc.;

7. ~~Political signs, provided such signs shall not exceed four square feet in area or be posted more than forty five days before the election to which they relate and are removed within fifteen days following the election;~~

8. ~~Real estate signs not exceeding four square feet in area in residential districts or thirty two square feet in commercial or industrial districts;~~

9. ~~Residential identification signs not exceeding two square feet;~~

Commented [P2]: I would split apart this section into several new ones. Exempt signs should be its own section, as should Prohibited signs. The removal of noncompliant signs should also be a new section.

Commented [P3]: We should discuss the pros and cons to this. I tend to suggest requiring building and electrical code compliance, but otherwise leaving up to City standards.

Commented [P4]: This is probably content based. I would suggest clarifying the square footage.

Commented [P5]: Either all flags are exempt or none are. The City can't say a person is exempt if they want a US flag, but has to get a permit to have a pirate flag.

I took the size from the subsection below, but this might be a little small.

Commented [P6]: This is hard to describe—a menu board is readable from the public ROW if the person is standing next to the sign, but not from a car driving past.

10. Structures intended for a separate use such as phone booths, Goodwill containers, etc.;

11. Temporary signs not exceeding four square feet;

12. Window signs;

13. Signs carved into a building or which are a part of materials which are an integral part of the building;

14. Murals and decorative painted wall decorations without advertising or recognizable logos;

15. ~~Decorative flags not to exceed three feet by five feet limited to one per business frontage.~~

D. The following signs are prohibited:

1. Flashing and moving signs;

~~2. Portable signs;~~

3. Sandwich ("A") boards exceeding four square feet in area per sign face;

4. Any signs attached to utility poles, streetlight poles, or traffic-control standard poles, street trees or otherwise located in the public right-of-way or city-maintained areas adjacent to the public right-of-way without written approval of the city manager;

5. Signs in a dilapidated or hazardous condition;

6. Signs on doors, windows or fire escapes that restrict free ingress or egress;

7. Signs which purport to be, are an imitation of, or resemble an official traffic sign or signal, could cause confusion with any official sign, or which obstruct the visibility of any traffic sign or signal;

8. Signs placed on or painted on a motor vehicle or trailer and parked with the primary purpose of providing signs not otherwise allowed by this title;

9. Balloon signs;

10. Any sign not specifically permitted by this chapter is prohibited unless specifically approved by the planning commission.

E. All freestanding signs shall comply with the following provisions:

1. One freestanding sign shall be permitted per street frontage of a lot or parcel, or each three hundred feet of street frontage of a lot or parcel, not to exceed two freestanding signs per lot or parcel.

2. Freestanding sign supports shall be placed behind the property line and no closer than ten feet to any adjacent private property line.

3. Freestanding signs may project over the public property line provided they conform to the standards established for projecting signs.

F. All projecting signs shall comply with the following provisions:

1. No projecting sign shall extend above the highest structural component of the building to which it is attached or more than twenty-four feet above grade.

2. Signs over the public right-of-way, including freestanding signs and swinging signs, shall conform to the following standards:

Commented [P7]: What about residential or non-business uses?

Commented [P8]: I've removed this and added the size limitation to the general Flag section above.

Commented [P9]: What about an electronic sign which changes images?

Commented [P10]: The City's current definition of portable sign covers all temporary signs, so this seems too broad.

Commented [P11]: What is the criteria to allow? I need city manager approval to advertise my garage sale?

<u>Clearance</u>	<u>Maximum Projection</u>
Less than 8'	Not permitted 1 foot
8' and above	2 feet for every foot above 8 feet in height, but no more than 9 feet.

No sign shall project within two feet of the curb line.

G. All roof signs shall comply with the following provisions:

1. All roof signs shall be installed or erected in such a manner that no support structure as visible from grade level or any abutting public right-of-way.
2. Roof signs may be erected so as to appear from all sides as a wall sign applied to an existing penthouse which appears to be a part of the building itself.
3. Roof signs shall not exceed the highest point of the building or structure. On flat roofs, the roof sign shall not exceed eight feet above the highest point of the building. In no case shall a roof sign extend more than twenty-four feet above grade.

H. All wall signs shall conform to the following provisions:

1. Wall signs may be attached flat to, or pinned away from the wall, but shall not project more than twelve inches from the wall.
2. Wall signs shall not extend above the height of the wall to which it is attached or more than twenty-four feet above grade, whichever is less.

I. Any sign which is not in compliance is an unlawful sign and declared to be a public nuisance.

1. The city manager may order the removal of any sign erected or maintained in violation of this title. He or she shall give ten calendar days' notice in writing to the owner of such sign, or of the building structure, or premises on which the sign is located, to remove the sign or bring it into compliance. Any sign located on a utility pole, street light pole or traffic-control standard poles, street trees or otherwise located in the public right-of-way or city-maintained areas adjacent to the public right-of-way without written approval of the city manager shall be removed immediately and with no notice;

2. The city manager may order the removal of a sign immediately and without notice if, in his/her opinion, the condition of the sign is such as to present an immediate threat to the safety of the public, and is authorized to take such steps as may be necessary to remove such sign. Neither the city nor any of its agents shall be liable for the sign or any damage to the sign.

~~3. Violation of this title shall include failure to comply with any of the provisions of this chapter or the erection, use or display or the allowing of, the permitting of, or one suffering erection, use or display of any sign not in compliance with all the provisions of this title.~~

4. The remedies provided in this section for violations of or failure to comply with provisions of this title shall be cumulative and shall be in addition to any other remedy provided by law. (Ord. 820 §3, 2012; Ord. 680 §1(part), 1998; Ord. 634 §1(part), 1995)

Commented [P12]: Right now, a sign could extend well above the roof, so long as it was less than 24ft above grade

17.114.040 Signs in residential zones. A. R-1 and R-4 Zones.

1. One ~~name plate or identification~~ sign with a maximum of two faces not exceeding two square feet per face per dwelling unit is permitted. Uses allowed conditionally may be allowed to erect one sign per street frontage not to exceed thirty-two square feet.

2. Signs permitted outright in the R-1 and R-4 zones may be located anywhere on the premises; however, no freestanding sign may exceed eight feet in height or project beyond any property line. Building-mounted signs shall be wall-mounted and shall not be erected on any building roof.

B. MH and A-1 Zones.

1. Signs permitted in the R-1 and R-4 zones are permitted in the MH and A-1 zones. For multiple-family dwellings, permitted manufactured home parks and conditional uses in the MH and A-1 zones, one ~~identification~~ sign totaling thirty-two square feet in area shall be permitted for each street frontage.

2. Signs permitted in these residential districts may be located anywhere on the premises; however, no freestanding sign shall exceed eight feet in height or extend beyond a property line. Building-mounted signs shall be wall-mounted and shall not be erected on any building roof. (Ord. 680 §1(part), 1998; Ord. 634 §1(part), 1995)

Commented [P13]: Any max square footage? This is pretty tall for a residential zone.

17.114.050 Commercial and industrial zones. A. The total allowable area of all permitted signs shall be as follows:

1. A total sign area of one and one-half square feet for each lineal foot of building frontage or one square foot for each lineal foot of lot frontage, whichever results in the larger sign area. Within multiple tenant facilities, it shall be the responsibility of the property owner to determine how the total allowable sign area for the property shall be apportioned and the sign permit application shall require the signature of the property owner.

2. Freestanding or projecting signs shall be limited to one hundred fifty square feet per face. Such signs shall not exceed twenty-four feet in height from grade to the highest element.

B. Residential uses in the commercial and industrial zones shall be subject to the limits and requirements of the A-1 zone. (Ord. 680 §1(part), 1998; Ord. 634 §1(part), 1995)

17.114.060 Nonconforming signs. A. If, at the time of passage of this title or subsequent amendments, a sign does not conform to the provisions of this title, such sign may be continued and maintained in reasonable repair. This grandfather status, however, shall not prevent the city from taking action under Section 17.114.030 where a clear and immediate threat to the public safety and welfare exists.

B. Nonconforming signs which are structurally altered, relocated or replaced shall comply immediately with all provisions of this title.

C. If greater than fifty percent of the structure of a nonconforming sign is destroyed, by any cause, ~~to the extent or more than fifty percent of its value, then and without further action by the planning commission,~~ the sign shall be subject to all applicable regulations of this title. ~~For the purpose of this title, the value of any sign shall be the estimated cost to replace the sign in kind, as determined by the building inspector.~~ (Ord. 680 §1(part), 1998; Ord. 634 §1(part), 1995)

CHAPTER 10 - SIGNS

- 10.005 Title. This chapter shall be known as “The Troutdale Sign Code”.
- 10.010 Purpose. This chapter is being adopted to protect the health, safety, property, and welfare of the public; provide a neat, clean, orderly, and attractive appearance of the community; improve the effectiveness of signs; provide for safe construction, location, erection, and maintenance of signs; prevent proliferation of signs and sign clutter; and minimize adverse visual safety factors to travelers on public highways and private areas open to public travel. To achieve this purpose it is necessary to regulate the design, quality of materials, construction, location, electrification, illumination, and maintenance of signs that are visible from public property, public right-of-ways, and private areas open to public travel. This chapter shall be construed to carry out this purpose.
- 10.015 Definitions. For purposes of this chapter, certain terms, phrases, and words shall be construed as follows: Words used in the present tense include the future; the singular tense includes the plural and vice-versa; the word “shall” is always mandatory and the word “may” is discretionary; and the masculine gender includes the feminine and vice-versa. The following terms shall mean:
- .01 A-Frame Sign. A double-faced portable sign constructed with an A-shaped frame, composed of two sign boards attached at the top and separate at the bottom. A frame signs shall not be permanently attached to the ground, but secured to the ground or sufficiently weighted to prevent the sign from being blown from its location or easily moved.
 - .02 Awning. A shelter projecting from, and supported by, the exterior wall of a building on a supporting framework. The awning may be constructed of rigid or non-rigid materials.
 - .03 Banner Sign. A sign made of fabric or other non-rigid material with no enclosing framework and not qualifying as a flag.
 - .04 Bench Sign. A sign on an outdoor bench.
 - .05 Boundaries of the Site. The area inside the legal lot lines of a site and does not include any property in a public right-of-way.
 - .06 Direct Illumination. Exposed lighting or neon tubes on the sign face.
 - .07 Directional Sign. A sign located within the boundaries of a site and near areas where pedestrians, cyclists, or vehicles travel, and that is intended to inform people of what direction to travel.
 - .08 Electronic Display Signs. Signs, displays, devices, or portions thereof with lighted messages that change at intermittent intervals by electronic process or remote control.

- .09 External Illumination. The light source is separate from the sign and is directed so as to shine on the sign.
- .010 Flags. Any fabric containing colors, patterns, words or symbols, typically oblong or square, attachable by one edge to a pole or anchored at only two corners. If any dimension is more than three times as long as any other dimension, it is classified and regulated as a banner regardless of how it is anchored or supported.
- .011 Freestanding Sign. A sign on a frame, pole, or other support structure that is not attached to any building.
- .012 Freeway Sign. A freestanding sign that is located within 800 feet south and 1,000 feet north of the center median of Interstate 84, and that is more than 24 feet in height, with a sign face of more than 150 square feet.
- .013 Gross Wall Area. The entire area encompassed by the plane of a wall, including windows and doors.
- .014 Height. The vertical distance measured from grade to the highest point of the sign or sign structure.
- .015 Historical Marker. A plaque or sign erected and maintained on property, a building, or structure by an organization that is recognized for routinely identifying sites, buildings, or structures of historical value.
- .016 Internal Illumination Lighting. The light source is concealed within the sign.
- .017 Lawn Sign. A temporary pole or wall mounted sign with a sign face area less than three square feet and a maximum height less than three feet from the ground. Lawn signs may not encroach into the right of way or obstruct the visibility for the travelling public and may not be illuminated.
- .018 Lighting. Direct, external, or internal illumination.
- .019 Maintenance. Normal care needed to keep a sign functional such as cleaning, oiling, and changing light bulbs.
- .020 Permanent Banner Sign. Any banner sign that is not allowed as a temporary sign or that does not qualify as an exempt sign under section 10.025 of this chapter.
- .021 Permanent Sign. A sign attached to a building, structure, or the ground in a manner requiring a permit, and made of materials intended for more than short term use including, but not limited to, freestanding signs, freeway signs, wall signs, and awning signs.

- .022 Portable Sign. A sign that is freestanding in design, easily movable, made of durable material as opposed to non-durable material such as cardboard, paper, fabric or pliable plastic, and is not affixed to the ground or to any part of a building.
- .023 Projecting Sign. A sign, other than a wall sign, that projects from, and is supported by, a roof or wall of a building or structure and is generally at right angles to the building.
- .024 Repair. Mending or replacing broken or worn parts with comparable materials. Repairs may be made with the sign in position or with the sign removed.
- .025 Roofline. The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, chimneys, or other minor projections.
- .026 Roof Sign. Any sign erected upon or over the roof of any building or structure.
- .027 Searchlights. An apparatus on a swivel that projects a strong, far-reaching beam of light.
- .028 Sign. Any materials placed or constructed so they can be viewed from a right-of-way or another property and that conveys a message or image, and includes the sign structure, display surface, and all component parts of a sign.
- .029 Sign Copy. The message or image conveyed by a sign.
- .030 Sign Face Area. The total display surface area of the sign. When the dimensions of a sign are specified, the term includes the frames or cabinets surrounding a sign; the electronic message center; any base material or supporting structure, unless none of the base material or supporting structure is related to the message or image being portrayed in the sign; and all individual pieces or panels that, when placed together, convey a message or image.
- .031 Sign Owner. The owner of the sign structure as determined by looking at the sign or other means as necessary.
- .032 Site. The area, tract, parcel, or lot of land owned by, or under the lawful control of, one distinct ownership. Abutting platted lots under the same ownership shall be considered one site.
- .033 Street Frontage. The portion of a site that abuts a public street.
- .034 Structurally Altered. Any work, except maintenance work, that alters or changes the size, shape, or height of a sign. Also includes replacement of

sign structure materials with other than comparable materials, for example, metal parts replacing wood parts.

- .035 Supporting Structure. A structure specifically intended for supporting or containing a sign.
- .036 Temporary Sign. A sign that is not permanently attached to a building, structure, or the ground, and that is not intended or designed to be placed permanently.
- .037 Wall Sign. A sign that is attached to, and extended no more than within 18 inches from a wall, or painted on a wall, of a building.
- .038 Window Sign. A sign located in the inside display area of a business window.

10.020 General Provisions. All signs in the City of Troutdale, including those exempt from obtaining a sign permit, shall comply with the height limits of the underlying zone, general provisions of this section and, where applicable, with the provisions of sections 10.025 through 10.055 inclusive. Signs shall not be restricted by content.

- A. Permits Required. Except as provided in section 10.025, Sign Permit Exemptions, of this chapter, a permit is required to erect, replace, construct, or alter the location or structure of a sign. A permit shall be issued by the Director if the applicant files an application, filing fee, and plans which demonstrate full compliance with all provisions of this chapter and other applicable city regulations. Application for a sign permit is processed as a Type I procedure.
- B. Sign Maintenance. All signs shall be maintained in a safe condition. Maintenance and repair of a sign, including change of sign copy, shall not require a sign permit. All signs that are damaged and pose a danger to the public shall be repaired or removed.
- C. Location.
 - 1. Except as otherwise provided in this chapter, all signs shall comply with the building setback requirements of the underlying zoning district. The setback requirement for a freestanding sign shall be measured from the signboard.
 - 2. All signs shall be located entirely within the boundaries of a site unless specifically authorized by this chapter.
 - 3. All signs must be installed in compliance with section 5.040, Clear Vision Areas, of this code, as well as the regulations of this chapter.

- D. Construction. All signs shall comply with the applicable provisions of the Oregon State Structural Specialty Code, except as otherwise provided in this chapter.
- E. Lighting. Except as otherwise provided in this chapter, signs may be externally, internally, or directly illuminated, subject to the following:
1. Lighted signs shall be placed, shielded, or deflected so as not to shine into residential dwelling units or structures, or impair the vision of the driver of any vehicle.
 2. No sign shall be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.
 3. Strobe lights or similar devices as well as traveling light patterns (“chaser effect”) are prohibited.
 4. Externally illuminated signs shall comply with the requirements of Troutdale Municipal Code, Chapter 8.26, Outdoor Lighting. All externally illuminated signs that measure seven feet or more from the ground level to the top edge of the sign face shall be illuminated from above.
 5. Searchlights may be used only in commercial or industrial zones, provided that:
 - a. An owner or lessee may use a searchlight for up to a maximum of seven days in a calendar year.
 - b. The beam of the searchlight may not flash against any building or sweep on arc greater than 45° from vertical.
 6. Electronic display signs are permitted only as provided in Section 10.040.
 7. When neon tubing is employed on the exterior or interior of a sign, the capacity of such tubing shall not exceed 300-milliamperere rating for white tubing or 100-milliamperere rating for any colored tubing.
 8. No exposed reflective type bulb, PAR (parabolic aluminized reflector) spot or incandescent lamp, which incandescent lamp exceeds 250 lumens, shall be exposed to direct view from a public street or highway, but may be used for indirect light illumination of the display surface of a sign.
 9. When fluorescent tubes are used for interior illumination of a sign such illumination shall not exceed 800-milliamperere rating tubing behind a sign face spaced at least nine inches, center to center.

- F. Sign Face Area. The sign face area shall be determined as follows:
1. The sign face area of signs enclosed in frames or cabinets is determined based on the outer dimensions of the frame or cabinet surrounding the sign face. The sign face area does not include foundations, supports, or other essential structures that are not related to the message and images being posted in the sign.
 2. When a sign is on a base material and attached without a frame, the dimensions of the base material are to be used unless it is clear that the base is not related to the message or image being posted in the sign.
 3. When signs are constructed in individual pieces attached to a building wall, sign face area is determined by a perimeter drawn around all the pieces.
 4. For sign structures containing multiple panels oriented in the same direction, the panels together are counted as one sign face.
 5. The maximum surface area visible at one time, of a round or three-dimensional sign, is counted to determine the sign face area.
 6. When signs are incorporated into awnings, the entire panel containing the sign is counted as the sign face area unless it is clear that part of the panel is not related to the message or image being posted in the sign.

10.025 Sign Permit Exemptions. The following signs are allowed in all zoning districts without a sign permit:

- A. Public signs constructed or placed in a public right-of-way by, or with the approval of, a governmental agency having legal control or ownership of the right-of-way; signs owned or constructed by the City; signs required by law including, but not limited to, hearing notices; and signs placed in or near a right-of-way by a public utility in response to a hazard or danger to the public..
- B. Directional signs, provided that freestanding directional signs shall not exceed 5 feet in height and 15 square feet in area on one sign face.
- C. A single sign or historical marker not to exceed 4 square feet cut into the surface or the facade of a building, or permanently attached and not projecting more than two inches.
- D. Signs located in the interior of any building, or within an enclosed lobby or court of any building or group of buildings, that are designed and located to be viewed exclusively by patrons of such use or uses.

- E. Painted areas on a wall that are designed and intended as a decorative or ornamental feature, or to highlight a building's architectural or structural features.
- F. Window signs as a part of the inside display area of a business, provided the window sign does not involve use of flashing or blinking lights.
- G. Signs not exceeding one square foot in size and affixed to or displayed from a residential dwelling unit.
- H. Holiday lights and decorations.
- I. Any inflated sign or inflated device, including multiple inflated signs or devices bundled together, that floats in the air and individually or collectively is five square feet or less in sign face area.
- J. Flags less than 24 square feet in size measured border to border.
- K. Lawn signs, provided only two are allowed per lot for not more than 90 consecutive days.

10.030 Prohibited Signs. The following signs are prohibited and shall be considered nuisances:

- A. Any sign constructed, erected, replaced, altered, repaired, or maintained in a manner not in compliance with this chapter.
- B. Bench signs.
- C. Permanent banner signs.
- D. Roof signs.
- E. Signs in public right-of-ways other than public signs installed or authorized by a governmental agency or public utility.
- F. Signs placed or painted on a motor vehicle or trailer that is parked with the primary purpose of providing a sign not otherwise allowed by this chapter.
- G. Any inflated sign or inflated device, including multiple inflated signs or devices bundled together, that floats in the air and individually or collectively exceeds five cubic feet in area.
- H. Any sign that is not exempt, not a lawful nonconforming sign, or that was not erected, constructed, or placed in accordance with a permit.

10.035 Signage within Residential Zones. In addition to exempt signs regulated by section 10.035, this section specifies the allowed signs on all land within the R-20, R-10, R-7, R-5, R-4, and A-2, zoning districts, and on any site within the Town Center

Overlay District, MO/H, NC, CC, and GC zoning districts where the use of the land is characterized as residential. This section does not authorize non-exempt signs on residential sites with fewer than six dwelling units.

A. Freestanding Signs

- 1. Maximum sign area, on one sign face, shall not exceed 32 square feet.
- 2. Height shall not exceed six feet.
- 3. Freestanding signs may not be illuminated.
- 4. One freestanding sign is allowed per street frontage.

B. Temporary Signs

- 1. Maximum sign area for a temporary portable sign or temporary freestanding sign, on one face, shall not exceed 12 square feet. Maximum sign area for a temporary banner shall not exceed 96 square feet.
- 2. One temporary sign is allowed per street frontage.
- 3. Temporary signs shall be removed within fourteen (14) days after the election, sale, rental, lease, or conclusion of event.
- 4. Temporary signs may not be illuminated.

10.040 Signage within Commercial and Industrial Zones. In addition to exempt signs regulated by section 10.025, the provisions of this section regulate other allowed signs on all land zoned MO/H, NC, CC, GC, IP, LI, or GI, and any site zoned R-20, R-10, R-7, R-5, R-4, or A-2, where the use of that land is characterized as commercial, industrial, or institutional.

A. Freestanding Signs

- 1. A freestanding sign may not exceed one square foot of sign area per linear foot of site frontage, provided the maximum sign face area is not more than 150 square feet. For calculation purposes, corner signs that face more than one street shall be assigned a site frontage by the applicant. For calculation of leased premises, the frontage shall be the tenant's frontage.
- 2. Height shall not exceed 24 feet.
- 3. Illumination may be internal, external, or direct.
- 4. One freestanding sign is allowed per street frontage.

B. Wall Signs

1. Maximum sign face area shall not exceed ten percent (10%) of the gross wall area of each wall to which the sign is attached or painted. In calculating maximum allowable area for a wall sign, each face of a building shall include all window, door, and wall area.
2. Where two or more uses are located in the same building, the maximum permitted area for all signs may be divided among the uses. A separate wall sign or a joint-use wall sign may be erected, provided that the maximum allowable sign area shall not be exceeded.
3. The maximum sign area for an individual wall may be distributed among any number of wall signs.
4. The wall sign shall be attached to the wall of the building, shall leave no part of the sign extending above the roofline of the building, and shall be designed as an integral component of the building design.
5. No wall sign shall project more than 18 inches from the wall to which it is attached.
6. Illumination may be internal, external, or direct.

C. Awning Signs

1. Maximum sign area shall not exceed twenty percent (20%) of the awning area.
2. The sign shall be integrated into the design and material of the awning on which it is located.
3. Illumination may be external only.

D. Temporary Signs

1. Maximum sign area for a temporary portable sign, wall sign, or freestanding sign, on one face, shall not exceed 32 square feet. Maximum sign area for a temporary banner shall not exceed 96 square feet.
2. One temporary sign is allowed per street frontage.
3. Temporary signs shall be removed within fourteen (14) days after the election, sale, rental, lease, or conclusion of event.

4. Temporary signs may not be illuminated.

E. Freeway Signs

1. Maximum sign face area, on one sign face, shall not exceed 672 square feet.
2. Height shall not exceed 60 feet above the freeway elevation as measured from mean sea level for that portion of the freeway perpendicular to the footing of the freeway sign.
3. Illumination may be external only.

F. Projecting Signs

1. The maximum sign face area, for an individual projecting sign, shall not exceed four square feet.
2. The lowest portion of a projecting sign shall be no less than 7 ½ feet above the ground beneath the sign.
3. Projecting signs may not be illuminated.
4. One projecting sign allowed per site.

G. Portable Signs

1. The sign shall be displayed only during the business hours of the business for which it is permitted.
2. The maximum sign face area on one sign face, or the cumulative area of multiple sign faces when there is more than one sign face, shall not exceed ten square feet.
3. The top of the sign shall not exceed six feet above the ground, except that A-frame signs shall not exceed four feet in height.
4. The sign shall be located within the boundaries of the site where the business occupant is located.
5. Portable signs may not be illuminated.
6. One portable sign is allowed per business.

10.045

Signage within the Central Business District (CBD). In addition to exempt signs regulated by section 10.025, the provisions of this section regulate other signs on all land within the Central Business District zoning district.

H. Wall Signs

1. Maximum sign face area, for an individual wall sign, shall not exceed 36 square feet.
2. The cumulative allowable area of all signs on one wall shall not exceed ten percent of the gross wall area to which the signs are attached or painted.
3. Where two or more uses are located in the same building, the maximum permitted area for all signs may be divided among the uses. A separate wall sign or a joint-use wall sign may be erected, provided that the maximum allowable sign area shall not be exceeded.
4. Illumination may be external only.

I. Projecting Signs

1. The maximum sign face area, for an individual projecting sign, shall not exceed four square feet.
2. The lowest portion of a projecting sign shall be no less than 7 ½ feet above the ground beneath the sign.
3. Projecting signs may not be illuminated.
4. One projecting sign is allowed per site.

J. Portable Signs

7. The sign shall be displayed only during the business hours of the business for which it is permitted.
8. The maximum sign face area on one sign face, or the cumulative area of multiple sign faces when there is more than one sign face, shall not exceed ten square feet.
9. The top of the sign shall not exceed six feet above the ground, except that A-frame signs shall not exceed four feet in height.
10. The sign shall be located within the boundaries of the site where the business occupant is located.
11. Portable signs may not be illuminated.
12. One portable sign is allowed per business.

K. Temporary Signs

1. Maximum sign area for a temporary portable sign, wall sign, or

freestanding sign, on one face, shall not exceed 16 square feet. Maximum sign area for a temporary banner shall not exceed 96 square feet.

2. One temporary sign is allowed per street frontage.
3. Temporary signs shall be removed within fourteen (14) days after the election, sale, rental, lease, or conclusion of event.
4. Temporary signs may not be illuminated.

10.050

Electronic Display Signs.

- A. Electronic display signs shall be allowed only in commercial and industrial zones, subject to the provisions of this chapter. Electronic display signs may be allowed at a Community Service Use in a residential zone subject to a conditional use permit, issued pursuant to Chapter 6.100 of this code.
- B. One electronic display sign shall be allowed per premises.
- C. The message on an electronic display sign shall change no more than once every ten seconds for signs with an electronic sign face of four square feet or less, and no more than once every two minutes for signs with an electronic sign face greater than four square feet. The change in message or copy may occur instantaneously or may fade or dissolve with a transition time of no more than two seconds between each separate message or display.
- D. Electronic display signs may not be substituted for a nonconforming sign or mounted upon a nonconforming sign or sign structure, unless the sign and sign structure are brought into compliance with all of the provisions of this title.
- E. Lumination.
 1. An electronic display sign may not have a nighttime (dusk to dawn) lumination intensity of more than 1000 (nits) and shall not have a daytime (dawn to dusk) lumination intensity of more than 8000 (nits) over ambient light conditions.
 2. The sign shall have a mechanism that automatically adjusts the lumination level to comply with the standards in this section.
- F. Electronic display signs shall be equipped with a means to immediately turn off the display when it malfunctions. The party owning or controlling an electronic display sign shall turn off the sign or lighting within four hours of being notified by the Director or designee that it is not in compliance with the standards of this section.

10.055

Nonconforming and Abandoned Signs. All signs erected after the effective date of this title, which are in violation of any provisions of this chapter, shall be removed or brought into conformance upon written notice by the Director.

- G. Signs that have been lawfully erected prior to the date this code is adopted that do not conform to the regulations of this chapter are nonconforming signs and may continue to exist, subject to the following provisions:
3. No additions or enlargements may be made to a nonconforming sign except those additions or enlargements that are required by law.
 4. Signs that are moved, replaced, or structurally altered shall be brought into conformance with this chapter.
 5. A nonconforming sign that is damaged shall not be repaired if the estimated expense of repairing the sign exceeds 50% of the replacement cost of the sign as of the day before the sign was damaged. A damaged nonconforming sign that cannot be repaired shall be removed within 90 days of the date the sign was damaged.
 6. Whenever a nonconforming sign is damaged and the estimated cost to repair the sign is 50% or less of its replacement value as of the day before the sign was damaged, it may be repaired and restored to the condition it was in before it was damaged and may continue to be used as a nonconforming sign, if such repairs and restoration are started within 90 days of the date the sign was damaged and are diligently pursued thereafter.
- H. A sign shall be deemed abandoned when:
1. The site where the sign is located has been vacated for a period of 60 days or more;
 2. The sign does not have a message or image on the sign face area for a period of 60 days or more; or
 3. The sign has been damaged and there has not been diligent progress in making repairs for a period of 60 days or more.
- I. If a sign is abandoned, the Director shall send notice to the property owner and sign owner, if the Director is able to determine the sign owner is by looking at the sign. Notice shall be sent via regular and certified mail, return receipt requested, stating that the sign has been abandoned and must be removed.

1. The notice shall direct that the sign be removed by a specified date and shall inform the property owner and sign owner, if known, of the basis for concluding that the sign has been abandoned. The notice shall also inform the property owner and the sign owner of their appeal rights.
 2. A property owner or sign owner who disagrees with the Director's determination that a sign has been abandoned may appeal the Director's notice by filing a written appeal with the Director within ten days of the date on the notice.
 3. The appeal shall identify the notice that is being appealed and explain why the Director's determination is wrong.
 4. Upon timely receipt of an appeal, the Director shall process the appeal in accordance with Chapter 2 of this code.
- J. If the abandoned sign is not removed by the specified date in the Director's notice and the owner has not requested an appeal, or if the sign is not removed within the time specified in the decision rendered following the appeal, the Director shall cause the sign to be removed. The cost of removal shall be entered by the City Recorder on the docket of City liens against the property owner, and shall be collectible in the same manner as liens for public improvements. The Director may also file charges against the property owner or sign owner in Troutdale Municipal Court.

10.060 Enforcement of Permanent Signs. Signs that violate the provisions of this Chapter are deemed a public nuisance. The Director may take any one or more of the following actions to enforce this Chapter: seek a fine pursuant to Chapter 17.110, declare the sign a nuisance and proceed pursuant to Municipal Code Chapter 8, seek declaratory and injunctive relief, revoke the sign permit or any other action authorized by law.

10.065 Enforcement of Temporary Signs. Enforcement of temporary signs not conforming to regulations of this chapter shall be subject to the following provisions:

- A. In addition to bringing an action for a violation pursuant to Chapter 17.110 A., for signs located on public utility poles, traffic sign poles, or public property, the Director may order the immediate removal of any temporary sign in violation of the provisions of this chapter.
 1. If the sign identifies the owner and provides contact information, the Director shall within three business days notify the sign owner of the basis for concluding that the sign is not permitted, that the sign may be retrieved within 10 days by paying a \$20 retrieval fee per sign, and that if not retrieved the sign will be deemed abandoned and will be destroyed. Unless the owner declines to

provide an address, the notice shall be in writing and delivered or sent by US Mail.

2. If the does not contain sufficient information identifying the owner, or contact information, the Director shall hold the sign for 30 days. The owner may retrieve it by paying a \$20 per sign retrieval fee. If not retrieved within 30 days, the sign shall be deemed abandoned and may be destroyed.

- B. For temporary signs located on privately-owned property in violation of this chapter, in addition to the enforcement actions in this section, the Director may bring an action for abatement in accordance with Chapter 8 of the Troutdale Municipal Code.

OFF-STREET PARKING CODES PER CITY-RESIDENTIAL ONLY								
NUMBER OF PARKING SPOTS								
					MULTIFAMILY (per unit)			
CITY	CODE NO.	POPULATION	SINGLE FAMILY (per dwelling)	DUPLEX (per unit)	STUDIO	1-BEDROOM	2-BEDROOM UNITS	3-BEDROOMS
Scappoose	17.106.030	6,700	2	2	1	1.5	1.5	2
Stayton	17.20.060	7,725	2	2	1.5*	1.5*	1.5*	1.5*
Lincoln City	17.56.050	8,485	2	2	2	2	2	2
Fairview	19.164.030	8,940	1	1.5	1	1.25	1.5	1.75
Cottage Grove	3.3.300	9,875	2	2	1	1	1.5	2
St. Helens	17.80.030	13,095	2	2	1	1.5	2	2
Albany	9.02	51,670	2	4	1*	1*	1.5*	2*
<i>* Plus 1 visitor space every 4 units</i>								
NUMBER OF PARKING SPOTS-Medical/Dental								
City	CODE NO.	POPULATION	SPACES PER 1,000 SQ. FT.					
Scappoose	17.106.030	6700	4					
Stayton	17.20.060	7,725	3.5					
Lincoln City	17.56.050	8,485	5 (plus 1 space per employee)					
Fairview	19.164.030	8,940	3.9					
Cottage Grove	3.3.300	9,875	2					
St. Helens	17.80.030	13,095	5					
Albany	9.02	51,670	4					



PLANNING COMMISSION TEAM AGREEMENT 2017

Agreements for Conducting Planning Commission Meetings and Business

1. Attendance at Planning Commission meetings is first priority; if unable to attend, please contact Liz Happala.
2. Be on time to meetings and read the packet prior to the meeting - be prepared to work.
3. Chair will take the lead in keeping the meeting and discussion focused.
4. Distribute information in advance of Planning Commission discussion.
5. Chair will recognize commissioners when indicating they wish to speak.
6. Put a time limit on audience testimony and ask them not to repeat previous speakers.
7. Use formal procedure (point of order, call for question, etc.) to focus the meeting. Formal procedure may be used when necessary for effective discussion in lieu of Planning Commission's usual, more informal, process. Individuals should use procedure appropriately and courteously.
8. Planning Commission meetings are televised live; this requires Planning Commission to act professionally by:
 - Speaking in turn and on the issue;
 - Not interrupting;
 - [No engaging in side conversations]; and
 - Treating the public and each other with courtesy.
9. Refrain from personal attacks, including to presenters, staff and Planning Commission.
10. Agree to be diplomatic about disagreement and do not try to polarize other commissioners.
11. Call the City Planner or designee with questions and requests prior to the meeting.
12. Information available to one Planning Commissioner will be available to all, in a timely manner.
13. Every effort will be made to adjourn meetings by 9:00 p.m.
14. Speak with one voice

Individual Planning Commission Member Conduct Agreements

Planning Commission Members agree to:

- Be straightforward about goals and issues.
- Cultivate exchange of views with other commissioners.
- Avoid saying or doing anything that would discredit or harm the City.


Commitments as a Planning Commission

Planning Commission strives to:

- Continue to improve citizen involvement, awareness and participation.
- Improve follow-up and resolution of citizen concerns or complaints.
- Act as an advocate for the City.

CITY OF SCAPPOOSE

February 2017

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6 Council Work Session 6pm City Council 7pm	7	8	9 Planning Commission 7pm	10 Chapman Landing Ad hoc meeting 11am	11 Annual Town Meeting 8:30 am to Noon
12	13	14	15	16 EDC ~ noon Park & Rec 6pm	17	18
19	20 City offices closed PRESIDENTS' DAY 	21 City Council 7pm	22	23	24	25
26	27	28				

CITY OF SCAPPOOSE

March 2017						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6 City Council 7pm	7	8	9	10 Chapman Landing Ad hoc meeting 11am	11
12	13	14	15	16 EDC ~ noon Park & Rec 6pm	17	18
19	20 City Council 7pm	21	22	23	24	25
26	27	28	29	30	31	