

**GLADSTONE PLANNING COMMISSION AGENDA
GLADSTONE CITY HALL, 525 PORTLAND AVENUE**

Tuesday, June 16, 2015

**6:30 P.M. CALL TO ORDER
ROLL CALL
FLAG SALUTE**

CONSENT AGENDA

All items listed below are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a commission member or person in the audience requests specific items to be removed from the Consent Agenda for discussion prior to the time the commission votes on the motion to adopt the Consent Agenda.

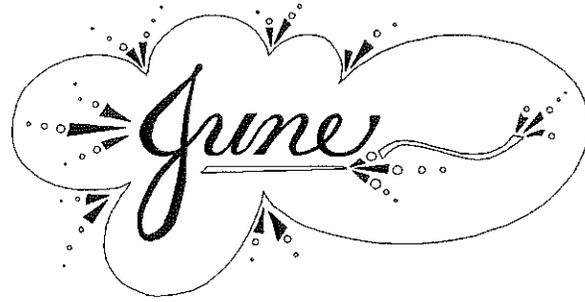
1. Approval of May 19, 2015 Minutes.

REGULAR AGENDA

2. Public Hearing: Z0179-D; Design Review, Renovations to Existing Mazda of Gladstone, 19405 McLoughlin Blvd, LRS Architects.
3. Public Hearing: Z0185-15-D; Conditional Use/Design Review, Tri-Plex. Subject Property is Zoned R-7.2, Single-Family Residential and located at 19105 Oatfield Road, between Heather Way and Kenmore Street, Dale Crittenden.
4. Work Session: Gladstone Code Review – City of Salem’s Ordinance - Wireless Communications Facilities.

BUSINESS FROM THE PLANNING COMMISSION

ADJOURN



CONSENT AGENDA

GLADSTONE PLANNING COMMISSION MEETING MINUTES of May 19, 2015

Meeting was called to order at 6:31 PM.

ROLL CALL:

The following City officials answered roll call: Commissioner Kirk Stempel, Commissioner Michele Kremers, Commissioner Malachi de AElfweald, Commissioner Kevin Johnson, Chairperson Tammy Stempel.

ABSENT:

Commissioner Les Poole

STAFF:

Jolene Morishita, Assistant City Administrator; David Doughman, City Attorney; Clay Glasgow, City Planner

Commissioner Johnson asked if they get minutes from work sessions. Jolene Morishita explained that yes they do, but they've been backed up. They have found a new transcriptionist and will be caught up soon.

SWEARING IN OF NEW COMMISSIONER:

Commissioner Linda Nease was sworn in by Jolene Morishita.

REGULAR AGENDA:

Work Session:

Clay Glasgow had a question regarding a building permit application for a duplex on Oatfield Road. He said the property doesn't have any Oatfield Road frontage. Will it have an Oatfield Road address? Commissioner de AElfweald asked if the easement area would be a paved driveway. Yes it will. Chairperson Tammy Stempel felt that the cul-de-sac should have a different street name. Commissioner de AElfweald asked if the City has the right to reassign that easement for something else. No – that would be an agreement between property owners. There was a discussion regarding fire department access and traffic issues. It was agreed that we need to consult with City Attorney David Doughman.

Clay Glasgow said the CBDG grant application to work on master planning for Portland Avenue will be sent out on Thursday.

CODE AND ORDINANCE REVIEW: Chairperson Tammy Stempel passed out information regarding a transportation growth management code assistance grant. They would do an audit of our codes while getting guidance from us, then make recommendations based on their audit and our vision. There was discussion regarding the end product. City Council has given their approval. There will be a joint work session with City Council to go over this. There was a discussion regarding the three grants that we are pursuing. All three grants are for planning only.

Chairperson Tammy Stempel asked if there was a grant that would cover the comprehensive plan. Clay Glasgow said he would look into it.

Chairperson Tammy Stempel wants to make sure that what is important to us supports the vision and mission statement. There was discussion regarding zones, neighborhoods, etc. There was discussion regarding Portland Avenue plans, including public transportation, bike lanes, sidewalks, sustainability, etc. It was agreed that 82nd and McLoughlin areas should be designated as their own unique zones. There was a discussion regarding the Main Street plan idea – other cities have implemented it and are happy with it. It was agreed that the Main Street plan should be discussed at the joint work session.

Mixed use – it was agreed that this would be included in the unique commercial zone discussions.

Residential – there was a discussion regarding the small number of available properties, if there are any possible annexations, non-permeable surfaces, etc.

Multi-family zones – there was discussion regarding apartments, size restrictions, etc.

We need to go over the telecommunication tower issue at the next meeting and make a recommendation to City Council.

Joint work session – we need to schedule a meeting that works for everyone.

Clay Glasgow – has two things coming up for the next meeting. A car lot on McLoughlin wants to do some façade improvements and a pre-application process for the old Danielson's property. Clay Glasgow asked David Doughman about the Oatfield Road duplex question – he said it's an interpretative call. There was further discussion regarding parking, fire department accessibility, etc. A vote was taken on whether or not to allow the duplex: Commissioner Kirk Stempel – No, Commissioner Kremers – No, Commissioner de AElfweald – Yes. Chairperson Tammy Stempel – No. Commissioner Johnson – Y, Commissioner Nease – Abstained.

ADJOURN:

Commissioner Kremers made a motion to adjourn the meeting. Commissioner Nease seconded the motion. Meeting adjourned at 8:20 PM.

Minutes approved by the Planning Commission this _____ day of _____, 2015.

Tamara Stempel, Chair



REGULAR AGENDA

STAFF REPORT/RECOMMENDATION TO THE
GLADSTONE PLANNING COMMISSION

File: Z0176-15-D
Applicant: LRS Architects
Hearing Date: June 16, 2015
Planning Staff: Clay Glasgow
Report Date: June 2, 2015

I. GENERAL INFORMATION

- A. Proposal: renovation of existing Mazda of Gladstone. Installation of metal panels over existing painted concrete structure; replacement of showroom glazing system with a new energy efficient storefront system, replacement of canopy on the north façade of the building.
- B. Legal Description: T2S, R2E, Section 19DA, Tax Lot 3900
- C. Location: 19405 McLoughlin Boulevard; west side of McLoughlin Boulevard, north of Gloucester Street.
- D. Zone: C-3; General Commercial
- E. Comprehensive Plan Designation: Commercial
- F. Site Information: The subject property is approximately 2.33 acres in size, part of the McLoughlin commercial corridor. An auto dealership is in place, comprised of two buildings and a parking field. The site appears to be nonconforming with respect to landscaping. Sanitary sewer, storm sewer and water are in place and serve the property.

City Hall
525 Portland Avenue
Gladstone, OR 97027
(503) 656-5223
FAX: (503) 650-8938
E-Mail: (last name)@
ci.gladstone.or.us
Website:
www.ci.gladstone.or.us

Municipal Court
525 Portland Avenue
Gladstone, OR 97027
(503) 656-5224 ext. 1
E-Mail: municourt@
ci.gladstone.or.us

Police Department
535 Portland Avenue
Gladstone, OR 97027
(503) 655-8211
Website:
www.ci.gladstone.or.us

Fire Department
555 Portland Avenue
Gladstone, OR 97027
(503) 557-2776
Website:
www.ci.gladstone.or.us

Public Library
135 E. Dartmouth
Gladstone, OR 97027
(503) 656-2411
FAX: (503) 655-2438
E-Mail: qiref@lincc.lib.or.us

Senior Center
1050 Portland Avenue
Gladstone, OR 97027
(503) 655-7701
FAX: (503) 650-4840

City Shop
18595 Portland Avenue
Gladstone, OR 97027
(503) 656-7957
FAX: (503) 722-9078

There are no known significant natural features on site.

- G. Vicinity Description: This stretch of Mcloughlin is “auto row”, comprised mostly of a series of auto sales/service businesses on both sides of the street. The subject property is on the west side of Mcloughlin Boulevard and extends west to River Road. Across River Road, to the west is a manufactured home park.
- H. Background: Car sales/service business has been in place here in one form or another for many years. There have been no recent land use applications.

II. FINDINGS

This request is subject to Chapter 17.20, C-3, General Commercial District; Chapter 17.80, Design Review, and the Development Standards of Title 17 of the Gladstone Municipal Code (GMC).

III. CONCLUSIONS

Planning staff has reviewed this request in reference to the applicable provisions of the GMC. Based upon this review, staff makes the following conclusions:

1. *Chapter 17.80* of the GMC establishes the requirements for design review. Pursuant to *Subsection 17.80.021(1)*, site development in the C-3 zoning district is subject to design review.

Section 17.80.061 lists submittal requirements for Design Review. The application as submitted satisfies these requirements.

Section 17.80.100(1) provides for approved design plans to remain valid for one year. If construction has not begun by that time, design plan approval may be renewed once by the Planning Commission for not more than one year.

2. *Chapter 17.20* of the GMC establishes basic requirements for the General Commercial District. *Section 17.20.020* identifies uses permitted outright in the General Commercial District, and includes automobile sales and service such as is in place. This criterion is met.

Section 17.20.050 establishes dimensional standards for the C-3 district. The proposed buildings as shown/modified comply with setbacks and the 35-foot maximum building height standard.

Section 17.20.050(4) requires off-street parking areas to be a minimum of five feet from all property lines. No change in parking proposed at this time.

3. *Chapter 17.44 of the GMC* identifies standards for building siting and design.

These standards apply to all development that is subject to Design Review. *Section 17.44.020(1)* deals with siting specifically, and requires that, where there are no conflicts with other design standards or requirements in Title 17, to site buildings to maximize solar access where practical, using such techniques as maximizing east-west street length; orienting buildings within twenty degrees of true south as well as maximizing their south-facing dimension; placing higher buildings on the north portion of the site while protecting solar access for adjacent sites, and placing major yard spaces on south side of buildings.

The subject property is roughly square in shape. Vehicle access is from the southeast and southwest portions of the site. There is a building located along the westerly property line, used to service vehicles, with the main showroom/sales office building being located in the southeasterly portion of the site. No change in building footprint or new buildings are proposed. This project deals only with façade changes and interior work on the main building. Exterior improvements will be limited to installation of metal panels over the existing painted concrete structure, the replacement of the showroom glazing system with a new energy efficient storefront system, and the replacement of a canopy on the north facade of the building. Minor modifications to onbuilding signage will also occur.

Section 17.44.020(2) requires buildings to have energy efficient designs. The proposed remodel includes replacing the showroom glazing system with a new energy efficient storefront system to enhance natural lighting. The building will be required to meet the energy codes of the Oregon Structural Specialty Code, which will be evaluated through the building permit process. This is consistent with this subsection of the GMC.

Section 17.44.020(3) of the GMC addresses compatibility in building design. This subsection encourages the arrangement of structures and use areas to be compatible with adjacent developments and surrounding land uses. No new buildings or use areas are proposed at this time.

Section 17.44.020(4) of the GMC deals with building materials. That Section requires buildings be constructed using high-image exterior materials and finishes such as masonry, architecturally treated tilt-up concrete, glass, wood or stucco. Screening of roof-mounted equipment is also discussed in this section.

This application proposes, in part, installation of metal panels over the existing painted concrete exterior. Along with the new energy efficient

storefront glazing, the intent of this subsection is met. This criterion is satisfied.

Section 17.44.020(5) of the GMC establishes lighting standards. No changes are proposed to existing onsite lighting.

Section 17.44.020(6) of the GMC establishes illumination level standards. It requires that all on-site lighting shall be designed, located, shielded or deflected so as not to shine into off-site structures or impair the vision of the driver of any vehicle. Again, no changes to onsite lighting are proposed through this application.

Section 17.44.020(7) regarding equipment and facilities establishes that all utility lines shall be placed underground. All roof-mounted fixtures and utility cabinets or similar equipment, which must be installed above ground, shall be visually screened from public view. A condition of approval shall require compliance with this subsection for new utility lines, roof-mounted fixtures, utility cabinets or similar equipment installed aboveground.

Section 17.44.020(8) regarding trash disposal and recycling collection requires new construction to incorporate functional and adequate space for on-site storage and efficient collection of mixed solid waste and source separated recyclables prior to pick-up and removal by haulers. The proposed plan shows no changes to the existing trash/recycling facilities. Existing facility meets this criterion.

Section 17.44.024 establishes design standards for nonresidential construction. These provisions require that new, non-residential buildings, with the exception of buildings housing institutional, warehouse or manufacturing uses shall be subject to the following design standards:

(1) Ground floor windows. Ground floor windows shall be required on walls fronting a public street and shall comply with the following standards:

(a) The windows shall cover at least 50% of the length and 25% of the ground level wall area. Ground level wall areas include all exterior wall area up to nine feet above the finished grade. The bottom of required window shall be no more than 4 feet above the adjacent exterior finished grade.

(b) Required windows shall be windows that allow views into work areas or lobbies, pedestrian entrances or display windows set into the wall. Display cases attached to the outside wall shall not qualify.

The applicant has submitted evidence that new glazing will bring the development closer to meeting requirements of this subsection. This criterion is met.

3. *Chapter 17.46 of the GMC* identifies landscaping standards and states that these standards are applicable to all developments subject to design review.

Subsection 17.46.020(1) requires a minimum of fifteen percent of the lot area be landscaped. The development currently is non-conforming with respect to this standard. At 17.46.020(10) the GMC discusses sites that are non-conforming with respect to landscaping. Additional landscape is required in the case of certain structural additions, as well as major remodel. Applicant note there are no structural additions planned and the proposal does not rise to the level of major remodel - therefore additional landscape is not required. Generally speaking, staff concurs. The Planning Commission should discuss this issue, relative to both this particular proposal as well as possible future proposals for remodel here and elsewhere.

At this time, staff does not suggest requiring any additional landscape for the site.

4. *Chapter 17.48 of the GMC* regulates off-street parking and loading. The site has 20-minute peak hour transit service and is therefore considered Zone A. As an auto sales business, the bulk of the property is a parking lot. Applicant points out that no building addition or major remodeling will occur as a result of this application. Many employees of the business currently park along the River Road frontage. No additional parking is proposed or required at this time.

Section 17.48.040(1)(a) requires parking and loading areas to be paved with asphalt and/or concrete meeting city standards, maintained adequately for all-weather use and so drained as to avoid flow of water across public sidewalks. The existing development meets this requirement.

Section 17.48.040(1)(c) requires areas for standing and maneuvering vehicles, other than for the off-street parking and storage of truck tractors and /or semi trailers, to be paved. The existing development is paved.

Section 17.48.040(2)(a) states that required parking spaces must be located within two hundred feet of the building or use they are required to serve. The required parking spaces meet this provision.

Section 17.48.040(2)(b) states that required parking shall be provided in the same zoning district or a different zoning district of a more intensive use. Existing/required parking is located in the C-3 zoning district.

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Section 17.48.040(2)(c) prohibits parking for a commercial or industrial use from being located in a residential district except in the case of a conditional use. As noted above, all parking is located in the C-3 district. Staff points out some employee vehicles are parked along River Road.

Section 17.48.040(2)(d) requires groups of more than four parking spaces to be permanently marked and so located and served by driveways that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley. Existing development complies with this subsection.

Section 17.48.040(2)(f),(g) and (i) establish the minimum width of access aisles and the minimum dimensions of parking spaces. No change to parking is anticipated or required through this application.

Section 17.48.040(2)(h) requires parking areas to be designed to the maximum extent practicable, to avoid large, uninterrupted rows of parking spaces. Again, no changes proposed.

Section 17.48.040(3)(b),(c) and (d) establish requirements for loading areas. Met as shown.

Section 17.48.050 establishes requirements for bicycle parking. See discussion provided by applicant. No change proposed or required through this application.

5. *Chapter 17.50 of the GMC* establishes the requirements for vehicular and pedestrian circulation. Subsection 17.50.020(1) requires that provisions be made for the least amount of impervious surface necessary to adequately service the type and intensity of proposed land uses within developments as well as providing adequate access for service vehicles. No site changes are proposed through this application. No additional impervious surface will result. This standard is met.

Subsection 17.50.020(2) requires provisions to be made, when feasible, for a separation of motor vehicular, bicycle and pedestrian traffic. Again, no site changes are proposed. Separation will remain as is. This standard is met.

Subsection 17.50.020(3) requires curbs, associated drainage and sidewalks within the right-of-way or easement for public roads and streets. Sidewalks currently exist along both frontages.

Subsection 17.50.020(4) requires provisions to be made to accommodate any increased volume of traffic resulting from the

development. Applicant does not expect additional traffic as a result of this project. Staff concurs.

Subsection 17.50.020(5) requires provisions to be made for the special needs of the handicapped. This Subsection is met.

Subsection 17.50.020(6) pertains to pedestrian access. No changes proposed at this time.

Subsection 17.50.020(7) deals with new development requiring full site design review that, when completed, generate an average daily traffic count of 1000 trips or greater. In such case, a transit stop shall be provided. This is a remodel of an existing building/use. There is no evidence this proposal will result in an ADT of 1000 trips or greater.

Section 17.50.040, Streets and Roads Generally, Full improvements exist on both the River Road frontage and along Mcloughlin.

6. *Chapter 17.52 of the GMC* establishes sign requirements. Applicant provides discussion. The signs proposed meet this Chapter's standards.
7. *Chapter 17.54 of the GMC* establishes clear vision requirements. These standards will be continue to be met and maintained.
8. *Chapter 17.56 of the GMC* establishes drainage requirements. No changes proposed. The existing storm drainage system is consistent with the standards of this Chapter.
9. *Chapter 17.60 of the GMC* establishes requirements for utilities. All utilities shall be installed consistent with the standards of this Chapter.

REQUEST FOR COMMENTS:

City of Gladstone Public Works, Gladstone Fire, Water Environment Services (WES), ODOT, Building Department

RESPONSES RECEIVED:

ODOT submitted comments, in the form of suggested conditions: stopping and/or parking vehicles upon State highway right of way for the maintenance of adjoining property or in furtherance of any business transaction or commercial establishment is strictly prohibited. Loading and unloading of vehicles within the state highway right of way is not permitted. The applicant must provide adequate on-site circulation for the parking and maneuvering of all vehicles anticipated to be displayed or parked on the lot; Off-premise signs require a permit through the

ODOT Outdoor Advertising Sign program; private signs are not permitted in the State highway right of way.

IV. RECOMMENDATION

The Planning Commission is authorized to approve design review applications pursuant to *Subsection 17.94.060(2)(c) of the GMC*. Planning staff recommends the Planning Commission approve the design review application, based on the submitted application materials, subject to the following conditions:

1. This approval shall remain valid for one year following the date of approval. If construction has not begun by that date, this approval shall expire unless the Planning Commission pursuant to Section 17.80.100 of the GMC grants an extension.
2. Necessary building permits to be obtained prior to construction.
3. On-site lighting shall comply with Subsections 17.44.020(4) and (5) of the GMC.
4. Final Certificate of Occupancy shall not be granted until all conditions of the design review approval have been met.
5. Any changes in the approved design review plans shall be submitted and approved prior to execution. Any departure from the approved design review may cause revocation of building permits or denial of the final certificate of occupancy.
6. Stopping and/or parking vehicles upon State highway right of way for the maintenance of adjoining property or in furtherance of any business transaction or commercial establishment is strictly prohibited. Loading and unloading of vehicles within the state highway right of way is not permitted. The applicant must provide adequate on-site circulation for the parking and maneuvering of all vehicles anticipated to be displayed or parked on the lot.
7. Off-premise signs require a permit through the ODOT Outdoor Advertising Sign program; private signs are not permitted in the State highway right of way.

**NOTICE OF PUBLIC HEARING
GLADSTONE PLANNING COMMISSION**

DATE & TIME: **June 16, 2015.** This item will not begin earlier than 6:30 p.m. However, it may begin later depending on the length of preceding items.

PLACE: Council Chambers of Gladstone City Hall, 525 Portland Ave., Gladstone, OR 97027

FILE NO: Z0179-15-D, Mazda of Gladstone

PURPOSE/PROPOSAL: renovations to existing auto dealership

SUBJECT PROPERTY: T2S, R2E, Section 19DA, TL 3900; AKA 19405 SE McLoughlin Boulevard

CURRENT ZONING: C-3, General Commercial

APPLICANT: LRS Architects, Daniel Drake

PROPERTY OWNER: IMAS LLC

REVIEW STANDARDS: 17.20, 17.80, 17.94 and the Development Standards of Title 17 of the Gladstone Municipal Code

You may attend, offer testimony or seek information at the hearing. Any correspondence received in advance of the meeting will be forwarded to the Planning Commission.

The staff report relating to this application will be available for inspection seven (7) days prior to the hearing at the Clackamas County Planning Division, 150 Beaver Creek Road, Oregon City, OR 97045. Copies will be available for a reasonable cost. For further information, contact Clay Glasgow at 503-742-4520.

Those eligible to appeal this matter to the City Council are the owner, applicant, a representative of petitioners and persons who submitted oral or written testimony. Appeals must be filed within 15 days of the decision filing date on forms available from the Clackamas County Planning Division. Failure to raise an issue in person or by letter at the hearing with sufficient specificity to afford the decision-maker an opportunity to respond will preclude the ability to appeal. Furthermore, failure at the time of the hearing to specify, in person or by letter, to what land use standard(s) your comments or objections are directed, will preclude the ability to raise those issues on appeal.

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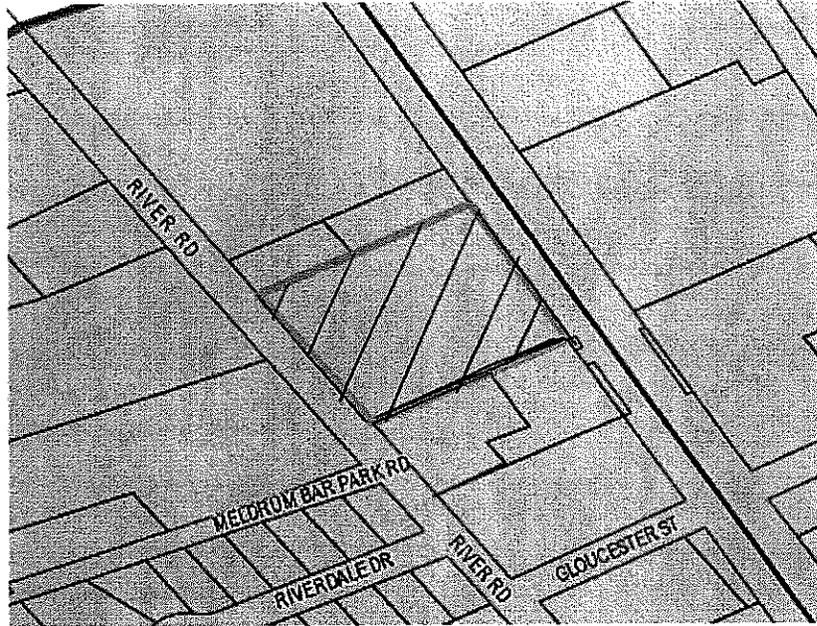


Geographic Information Systems
 168 Warner-Milne Rd
 Oregon City, OR 97045

Property Report

IMAS LLC
19495 MCLOUGHLIN BLVD
GLADSTONE, OR 97027

Location Map:



Site Address: **19405 MCLOUGHLIN**
 Taxlot Number: **22E19DA03900**
 Land Value: **1001662**
 Building Value: **1181690**
 Total Value: **2183352**

Acreage: **1.57**
 Year Built:
 Sale Date: **03/30/2009**
 Sale Amount: **5750000**
 Sale Type: **M**

Land Class:

201

Building Class:

Neighborhood:

Area 04 commercial

Taxcode Districts: **115040**

Site Characteristics:

UGB: **METRO**
 Flood Zone: **Not Available**

Zoning Designation(s):

Zone	Overlays:	Acreage:
C3	N/A	1.57
LI	N/A	0.76

Fire	Gladstone
Park	N/A
School	Gladstone
Sewer	TRI-CITIES
Water	N/A
Cable	City
CPO	City
Garb/Recyc	Gladstone Disposal
City/County	Gladstone

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

5-10

NE.1/4 SE.1/4 SEC.19 T.2S. R.2E. W.M. D.L.C.
 CLACKAMAS COUNTY PETER M. RINEARSON D.L.C. NO.41

2 2E 19DA
 GLADSTONE

2 2E 19DA
 GLADSTONE

This map was prepared for
 assessment purpose only.

1"=100'

19300

6200

CANCELLED
 T.L. 4300
 4400A1
 3800
 3900
 4000A1
 4000A2
 4100
 4200
 300A2
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 3400
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 601
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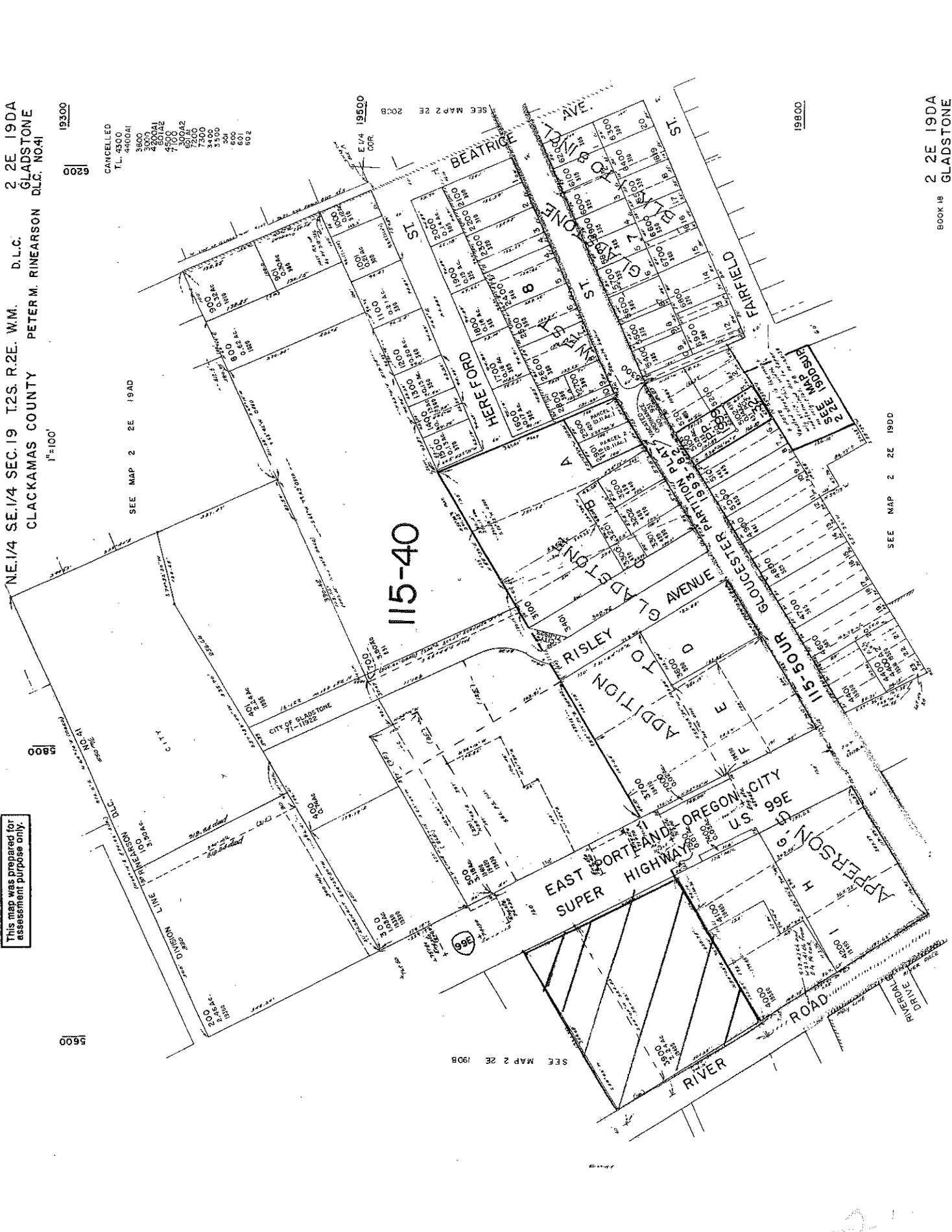
SEE MAP 2 2E 19AD

SEE MAP 2E 20CB

SEE MAP 2E 190B

SEE MAP 2 2E 190D

19800



GENERAL NOTES

- A. SEE EXISTENCE PLANS FOR ADDITIONAL INFORMATION.
- B. CONTRACTOR TO VERIFY EXISTING CONDITIONS PRIOR TO DISBURSEMENT.

LRS ARCHITECTS
 120 NW 2nd St. 503.251.1100
 Suite 300 503.251.2077
 Portland, OR 97208 www.lrsarch.com

KEY NOTES

- 1 REMOVE EXISTING PANEL AS INDICATED. COORDINATE WITH NEW WORK.
- 2 REMOVE WINDOW. COORDINATE WITH NEW WORK.
- 3 REMOVE EXISTING COORDINATE WITH NEW WORK.
- 4 SAWCUT AND REMOVE CONCRETE PANEL. USE NEW LOOK COORDINATE WITH NEW WORK.
- 5 REMOVE OVERHEAD DOOR.
- 6 REMOVE BRASS. COORDINATE WITH NEW WORK.

LEGEND

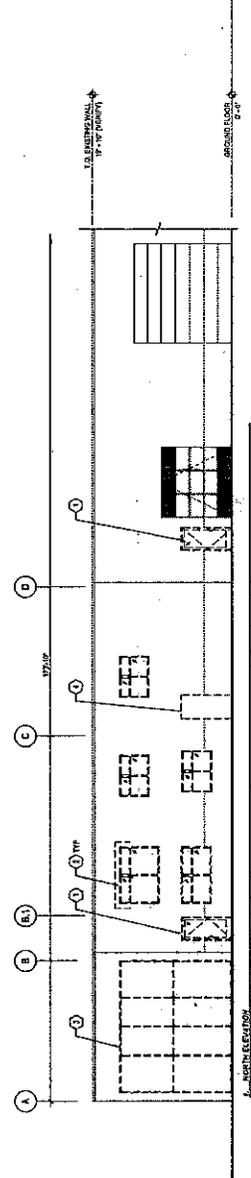
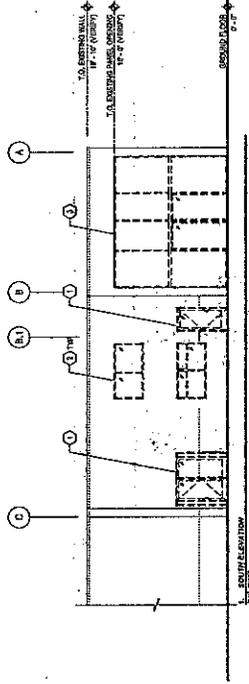
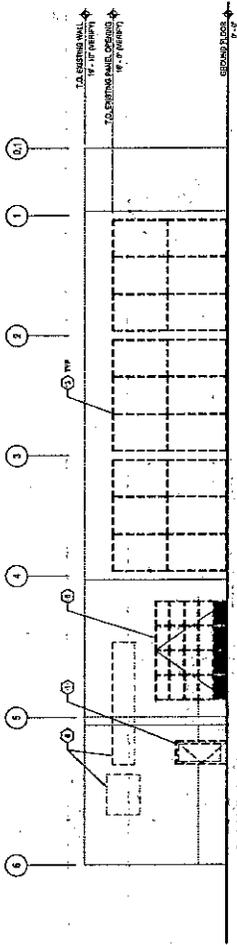
- ITEM TO BE DISMANTLED.
- EXISTING TO REMAIN

PROJECT NUMBER: 211127
Mazda of Gladstone Remodel
 19405 SE McLoughlin Blvd.
 Gladstone, Oregon 97027

SHEET TITLE:
EXISTING/DEMO ELEVATIONS

DRAWN BY: JCR
 DATE ISSUED: 04/29/15

SHEET: **A501D**
SCALE: 1/8" = 1'-0"



212

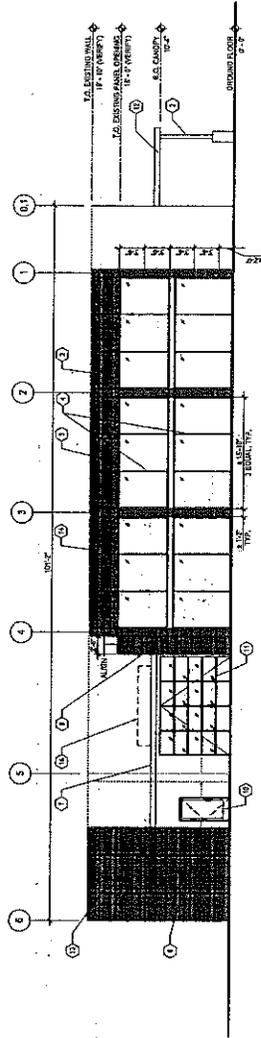
GENERAL NOTES

- A. SEE ARCHITECT'S GENERAL NOTES AND SUPPLEMENTAL SPECIFICATIONS FOR MATERIALS AND FINISHES.
- B. SEE ARCHITECT'S EXISTING LEGAL ELEVATION INFORMATION.
- C. SEE FLOOR PLANS FOR ADDITIONAL INFORMATION.
- D. PROVIDE DRAWING FOR GENERAL LOCATION. SEE ARCHITECT'S GENERAL NOTES FOR MATERIALS AND FINISHES. PROVIDE DRAWING FOR GENERAL LOCATION. SEE ARCHITECT'S GENERAL NOTES FOR MATERIALS AND FINISHES. PROVIDE DRAWING FOR GENERAL LOCATION. SEE ARCHITECT'S GENERAL NOTES FOR MATERIALS AND FINISHES.
- E. PROVIDE TRANSPARENT QUALITY GLASS GLAZING AND FRAME. PROVIDE TRANSPARENT QUALITY GLASS GLAZING AND FRAME. PROVIDE TRANSPARENT QUALITY GLASS GLAZING AND FRAME.
- F. MAKE SURE ALL WORK IS DONE IN ACCORDANCE WITH ALL APPLICABLE CODES AND REGULATIONS.
- G. SEE ARCHITECT'S GENERAL NOTES FOR ADDITIONAL FINISH INFORMATION.

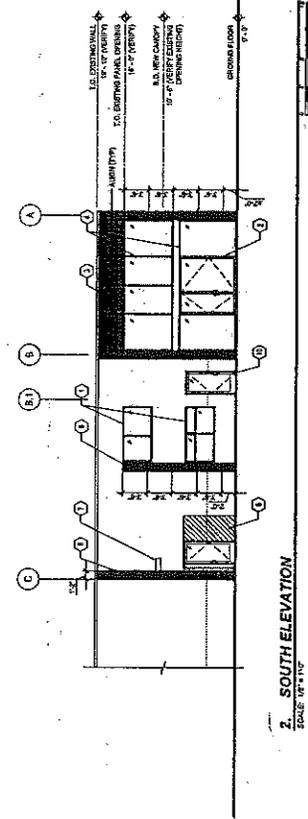
KEY NOTES

1. REPLACE ALL WINDOWS & DOORS WITH NEW BLACK FRAMES. TYPE AT SHOWROOM AND OFFICE. (A, B, C)
2. NEW SIGN - "MAZDA" LETTERING.
3. NEW SIGN PANEL (SILVER).
4. PROVIDE NEW BLACK FONT/MOUNT. (A, B, C)
5. EXISTING STEEL STRUCTURE TO REMAIN. PAINT BLACK.
6. METAL CEILING UNCHANGED.
7. NEW SERVICE CANOPY - BLACK.
8. NEW SIGN PANEL FRAME WALL (BLACK).
9. NEW SIGN ACCEPT WALL PANEL (GREEN).
10. PROVIDE NEW DOOR WITH BLACK FRAME.
11. REPLACE WITH SPEED OVERHEAD DOOR.
12. NEW GLASS CANOPY - BLACK.
13. EXISTING LOAD SIGN TO BE RELOCATED.
14. EXISTING SIGN - "MAZDA" LETTERING TO BE RELOCATED.
15. NEW SIGN - SERVICE LETTERING.
16. NEW SIGN - SERVICE LETTERING.
17. NEW SIGN - SERVICE LETTERING.

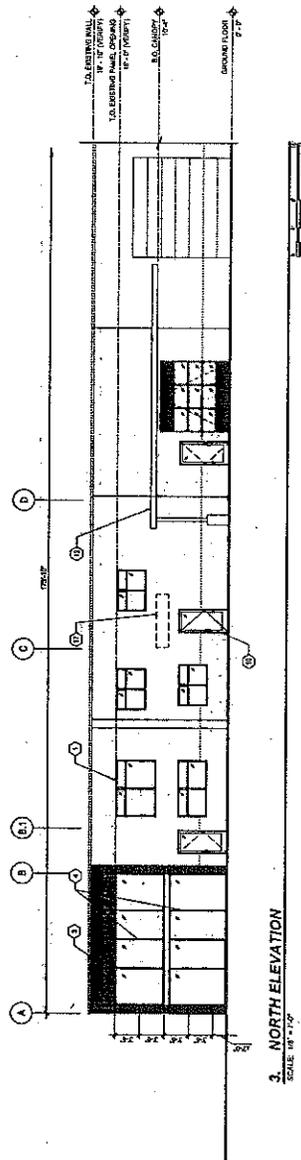
LEGEND



1. EAST ELEVATION - OPTION 2
 SCALE: 1/8" = 1'-0"



2. SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"



3. NORTH ELEVATION
 SCALE: 1/8" = 1'-0"

213

720 NW Davis 503.221.1121
Suite 300 503.221.2077
Portland OR 97209 www.lrsarchitects.com

TRANSMITTAL

To: Clay Glasgow
150 Beaver Creek Road
Oregon City, OR 97045

Date: Tuesday, April 28, 2015
Project Number: Mazda of Gladstone Exterior
Project Name: 214142
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503.742.4520
503.742.4550

Transmit Via: Fax Mail Messenger Overnight Other Hand Delivery

Item	Date	Description
1	04.28.15	Land Use Application for Design Review
1	04.29.15	Intake Fee
12	04.28.15	Burden of Proof
12	04.28.15	Aerial Site Photograph
12	04.28.15	CMAP – Property Information
12	04.28.15	Tax Map – Lot 3900
12	04.28.15	City of Gladstone Zoning Map
12	04.28.15	Existing elevations from street photo
12	04.28.15	A501 Exterior Elevations – Option 1 Existing Mazda logo & Mazda signs relocated Added parapet for new dealer nameplate sign New Service sign, new Parts sign on North face Skin, glazing, and canopy replacement
12	04.28.15	A501 Exterior Elevations – Option 2 Mazda signs relocated New dealer nameplate sign New Service sign, new Parts sign on North face Skin, glazing, and canopy replacement
12	04.28.15	A501 Exterior Elevations – Option 3 New Mazda and dealer nameplate signs New Service sign, new Parts sign on North face Skin, glazing, and canopy replacement
12	04.28.15	Example Prototype (MATERIALS ONLY)
12	04.28.15	Sign Area Table w/ Site & Bldg Options (see Elevations)
12	04.29.15	AGI – Mazda Corp. Maint. Program (Reference Only)
1	04.29.15	Thumb Drive of PDF Information

RE: Mazda Gladstone Land Use Application (Design Review) for Exterior Maintenance Upgrades
19405 McLoughlin Blvd
Gladstone, Oregon 97027

Zone: C-3 – General Commercial (Automotive Sales & Services – Allowed Use)

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GMC Development Standards – Burden of Proof

Chapter 17.80 DESIGN REVIEW

17.80.021 Applicability

- (1) This chapter shall apply to new structures; additions to existing structures; site development, such as grading, parking lot construction or commercial/industrial use of an undeveloped property; change of use, and major remodeling, with exceptions:
- (a) Sign review by the City Administrator or designee pursuant to GMC Chapter 17.52 (signs).

RESPONSE: *Since signs are being modified and there are additions, this it could be reviewed separately. It is being added to this application to review area options and placement only.*

(k) Normal maintenance of structures and premises provide there are no significant use or structural alterations. Normal maintenance may include painting, roofing, siding, interior remodeling, electrical work, plumbing work, re-paving of access roads and parking/loading areas, replacement of landscaping element or other similar tasks. Normal maintenance does not include increasing the number of dwelling units, construction new structures or constructing additions to existing structures except to the extent that an addition is necessary to render a structure accessible to the disabled. Normal maintenance performed shall be consistent with the previous design review approvals for the site.

RESPONSE: *No addition, replacing of building skin, curtainwall for energy efficiency, additional signs (replacements), and addition of one door to the north face (not facing street). These are being completed for maintenance purposes; therefore no design review is required, though the elevations and materials are being provided per the request of the City's designee for the Design Review Board to review.*

17.80.061 Submittal Requirements

(1) An application for design review shall include a minimum of twelve (12) copies of the following plans drawn to scale. A project summary shall accompany the application when necessary to describe special circumstances such as a request for a minor exception pursuant to GMC Section 17.80.090 (minor exceptions).

- (a) Vicinity Map

RESPONSE: *Provided as exhibit.*

- (b) Site Plan &

- (c) Grading Plan

RESPONSE: *N/A – Items not provided since no site work being updated due to face improvement is based on Normal maintenance pursuant to 17.80.021(1)(k).*

- (a) Architectural Drawings;

- (A) Building Elevations and Sections
(B) Building materials, including color and type;
(C) – (K)

RESPONSE: *N/A as DR applicable to exterior maintenance.*

- (a) Signs;

RESPONSE: *Sign modification and addition occurring. The applicant is providing responses to as burden of proof along with exhibits.*

- (A) Freestanding signs

RESPONSE: *N/A – Retaining existing sign.*

- (B) On-building Signs;

- (i) Building elevation with location of sign (indicated size, color, material and means of illumination);
(ii) Site Plan showing location of on-building sign in relation to adjoining property.

RESPONSE: *See attached aerial site photo and AGI's Mazda Corporate Maintenance Program for*

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Signs, as well as the responses to 17.52.

- (2) A transportation impact analysis shall be submitted if deemed necessary by the City Administrator or designee to assess the impacts of the proposed development.

RESPONSE: No increase or change to the building, therefore there is no impact to transportation.

- (3) The City Administrator or designee may waive any submittal requirements of this chapter if they are deemed not necessary or not applicable due to the scale of nature of the development proposal.

RESPONSE: The applicant request that the vicinity map, aerial photo of site, building elevations, sign table, sign package, burden of proof, along with a narrative describing the maintenance upgrade to the building.

DIVISION II. ZONING DISTRICTS

Chapter 17.20 C-3—GENERAL COMMERCIAL DISTRICT

17.20.010 Purpose.

The purpose of a C-3 district is to implement the comprehensive plan and to provide for general types of business and service establishments which would not likely be compatible with the uses permitted in C-1 and C-2, local and community commercial districts, and which would likely be detrimental to the adjoining residential areas unless effectively controlled.

17.20.020 Uses allowed outright.

In a C-3 zoning district, the following uses and their accessory uses are allowed outright. Outside or open storage shall be an allowed accessory use.

(1) Automobile service station, car wash or repair garage, body and fender paint shop, sales of new and used

DIVISION IV. DEVELOPMENT STANDARDS

Chapter 17.42 GENERAL PROVISIONS

17.42.30 Improvements.

RESPONSE: N/A – No addition, replacing of building skin, curtainwall for energy efficiency, additional signs (replacements), and addition of one door to the north face (not facing street). These are also being completed for maintenance.

Chapter 17.44 BUILDING SITING AND DESIGN

RESPONSE: N/A – No addition, replacing of building skin, curtainwall for energy efficiency, additional signs (replacements), and addition of one door to the north face (not facing street).

Chapter 17.46 LANDSCAPING

17.46.010 Applicability.

Landscaping standards shall apply to all development that is subject to design review.

17.46.20 Standards.

Landscaping requirements shall be as follows:

(10) Nonconforming Uses and Nonconforming Development. Additions or alterations to nonconforming uses and nonconforming development on a commercial or industrial site which does not comply with the landscaping requirements of this title must provide landscaping in a scale with the modification, as follows:

(a) Major remodeling, or structural additions of less than 1,000 square feet, require at least an additional three percent (3%) landscaping, up to the minimum landscaping requirements for new development in the district.

RESPONSE: N/A – No addition, replacing of building skin, curtainwall for energy efficiency, additional signs (replacements), and addition of one door to the north face (not facing street).

Chapter 17.48 OFF-STREET PARKING AND LOADING

17.48.010 Applicability.

Off-street parking and loading standards shall apply to all development permits.

RESPONSE: N/A – No addition, replacing of building skin, curtainwall for energy efficiency, additional signs (replacements), and addition of one door to the north face (not facing street).

17.48.040 Design requirements for permanent off-street parking and loading.

RESPONSE: N/A – No addition, replacing of building skin, curtainwall for energy efficiency, additional signs (replacements), and addition of one door to the north face (not facing street).

17.48.050 Bicycle parking standard

RESPONSE: N/A – No addition, replacing of building skin, curtainwall for energy efficiency, additional signs (replacements), and addition of one door to the north face (not facing street).

17.48.060 Car pool and van pool parking.

RESPONSE: N/A – No addition, replacing of building skin, curtainwall for energy efficiency, additional signs (replacements), and addition of one door to the north face (not facing street).

Chapter 17.50 VEHICULAR AND PEDESTRIAN CIRCULATION

17.50.010 Applicability.

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RESPONSE: N/A – No addition, replacing of building skin, curtainwall for energy efficiency, additional signs (replacements), and addition of one door to the north face (not facing street).

17.50.020 **Vehicular and pedestrian circulation generally.**

RESPONSE: N/A – No addition, replacing of building skin, curtainwall for energy efficiency, additional signs (replacements), and addition of one door to the north face (not facing street).

17.50.030 **Streets and roads generally.**

RESPONSE: N/A – No addition, replacing of building skin, curtainwall for energy efficiency, additional signs (replacements), and addition of one door to the north face (not facing street).

17.50.040 **Street and road standards.**

RESPONSE: N/A – No addition, replacing of building skin, curtainwall for energy efficiency, additional signs (replacements), and addition of one door to the north face (not facing street).

Chapter 17.52 SIGNS

17.52.010 Purpose.

(1) This chapter's provisions are intended to maintain a safe and pleasing environment for Gladstone by regulating the size, height, number, location, type, structure, design, lighting, and maintenance of signs. More specifically, this chapter intends to achieve the following objectives:

- (a) To insure that the design, construction, installation and maintenance of signs does not compromise public safety;
- (b) To promote positive conditions for meeting sign user's needs while ensuring that nuisances are avoided to nearby properties;
- (c) To support the desired character and development patterns of the City; and
- (d) To allow for a reasonable amount of signs while preventing signs from dominating the visual appearance of any area of the City.

17.52.020 Applicability.

(1) While the provisions of this chapter regulate the size, height, number, location, type, structure, design, lighting, and maintenance of signs, they are not intended to restrict, limit or control a sign's content, to the extent prohibited by law.

(2) Unless otherwise stated or limited herein, this chapter regulates all related elements of a sign, including a sign's face or display area, structure, supports, braces, guys and anchors.

(3) The provisions of this chapter are in addition to any other relevant provisions under state or federal law.

(4) For the Office Park (OP) zoning district, where the standards of this chapter conflict with the sign standards in the OP district, the standards of the OP district will apply.

17.52.030 Conformance.

No sign may be placed, constructed, erected, displayed or modified unless it conforms to this chapter's regulations. This chapter is structured to grant permission to erect specified types of signs under specific standards, and does not allow for the erection of a sign not specifically permitted herein.

17.52.040 General provisions.

(1) Permit required. Unless exempted under this chapter, a permit is required to place, construct, erect, display or modify a sign.

RESPONSE: Sign Permit Review required since new, or modified, signs will be added to the building, including one additional 3SF directional sign due to previous 1/2 street improvements. The following documents have been provided for this review:

1. Existing street front image illustrating the existing site pylon and directional signs, along with the building's Logo, Manufacturer, Location, and Dealer nameplate signs. Building Elevations illustrate existing as well as the three options for consideration. A Sign Table along with the manufacturer's approved sizes has been provided for reference.

(2) Review process. The city administrator or his designee will review applications for sign permits for compliance with this chapter unless otherwise stated in this chapter. The city administrator's decision will be rendered in accordance with GMC 17.94 and may be appealed in accordance with GMC 17.92.

(3) Structural code compliance. A sign must comply with the applicable provisions of the State of Oregon Structural Specialty Code and any related or similar provisions adopted by the City, unless such compliance is modified by this chapter.

RESPONSE: Trade permits shall be by separate permit and submitted by the sign manufacturer's local installer.

(4) Sign clearance. A minimum clearance of eight (8) feet above sidewalks and fifteen (15) feet above driveways must be provided under a freestanding sign.

RESPONSE: Existing pylon sign to remain. New 3SF directional sign will not conflict with clearances.

(5) Vision and sight consideration. A sign must be situated in a manner so as not to adversely affect public safety. Compliance with the City's regulations regarding clear vision is required.

RESPONSE: Existing pylon sign to remain. New 3SF directional sign will not conflict with clearances.

(6) Blanketing. A sign must not be situated in a manner that results in the blanketing or obfuscation of an existing sign on an adjacent property.

RESPONSE: New signs will add the "dealer" nameplate, "service" sign, "parts" sign, and possibly add the new "Mazda" logo in smaller size

(7) Illuminated signs and electric elements.

(a) A sign illuminated in any manner must shield, deflect or otherwise prevent the light illuminating the sign from shining into or onto a neighboring property or impair the vision of any vehicle operator;

(b) No sign or illuminating device associated with a sign may have blinking, flashing or fluttering lights, except as otherwise allowed under this chapter;

(c) No sign or illuminating device associated with a sign may be used in a manner that may be confused with or construed to be traffic signals, traffic control devices, or lights on emergency vehicles;

(d) Except as otherwise provided in this chapter, an illuminated sign cannot be located closer than twenty-five (25) feet to a lot in a residential zoning district;

(e) The light intensity of an illuminated sign or illuminating device associated with a sign must conform to the accepted standards of the sign industry, as provided by the Oregon Electric Sign Association.

(f) A sign containing any electrical components or elements, or illuminated by electrical lighting must be approved under the National Electric Code, as modified by Oregon's regulations, and any related or similar provisions adopted by the City.

(g) An illuminated sign or illuminating device associated with a sign requiring an electric power source must use an Oregon-approved power outlet.

(h) As used in this chapter:

(A) A "directly" illuminated sign means a sign with exposed lighting or neon tubes on the sign's face, and includes a sign where the message or image is created by light projected onto a surface.

(B) An "indirectly" illuminated sign means a sign with light source that that is separate from the sign face and is directed to shine onto the sign.

(C) An "internally" illuminated sign means a sign where the light source is not exposed and is concealed within the sign.

RESPONSE: Static signs shall be internally illuminated by LED and trade permits shall be separate permit and submitted by the sign manufacturer's local installer.

(8) Moving signs. Except as otherwise allowed under this chapter, a sign must remain in a static state, and cannot be designed to rotate, flutter or appear to move.

RESPONSE: N/A

(9) Maintenance and hazards.

(a) A sign must be in good repair and maintained in a neat, attractive and safe condition, and no sign may be used or situated in a manner that creates a hazard to the public.

(b) Failure to use a sign's copy area for a period of more than twelve (12) consecutive months will constitute a discontinuance of the sign's use and may be declared a nuisance by the City.

RESPONSE: Signs are leased in agreement by the manufacturer and require a maintenance agreement in order to retain the franchise. The signs are removed once the lease is terminated.

(10) Nonconforming signs. A sign that lawfully exists at the time this chapter or any amendment thereto becomes effective, but does not conform to this chapter's standards, may only be altered if:

(a) The alteration does not increase a sign's nonconformity with this chapter's standards; and

(b) The alteration is reviewed under this chapter.

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(c) Nonconforming government owned or maintained signs may be altered to the extent of their existing nonconformity notwithstanding this chapter's standards.

RESPONSE: N/A

(11) Setbacks.

(a) Unless otherwise stated herein, the minimum setback for a sign with a sign face of twenty-four (24) square feet or less in area is one-half of the minimum setback required in the zoning district in which the sign is located. If no setback exists, the sign must be located in an area that ensures it does not compromise public safety, as determined by the city administrator or designee.

(b) Unless otherwise stated herein, the minimum setback for a sign with a sign face greater than twenty-four (25) square feet in area is the same as the minimum setback required in the zoning district in which the sign is located. If no setback exists, the sign must be located in an area that ensures it does not compromise public safety, as determined by the city administrator or designee.

RESPONSE: N/A

(12) Area Calculation.

(a) Unless otherwise stated herein, the sign face area limitations established by this chapter will apply on a per-side basis. Every sign is limited to a maximum of two (2) sides.

(b) Sides may be of no greater area than that necessary to provide a frame or support structure to the sign face.

(c) For signs that are allowed a maximum area of twenty-four (24) square feet or more:

(A) Sides cannot exceed the maximum area standard by more than one (1) foot in width, unless the applicant demonstrates to the city administrator's satisfaction that a greater width is necessary to provide adequate support for the sign faces; and

(B) Two (2) support poles may be excluded from the area calculation provided that the caliper of any pole does not exceed one (1) foot, unless the applicant demonstrates to the city administrator's satisfaction that a greater caliper is necessary to provide adequate support for the sign.

(d) For signs required to have a maximum area of less than twenty-four (24) square feet:

(A) Sides cannot exceed the maximum area standard by more than six (6) inches in width, unless the applicant demonstrates to the city administrator's satisfaction that a greater width is necessary to provide adequate support for the sign faces; and

(B) One (1) support pole may be excluded from the area calculation provided that the caliper of any pole does not exceed six (6) inches, unless the applicant demonstrates to the city administrator's satisfaction that a greater caliper is necessary to provide adequate support for the sign.

(e) Support structures excluded from the area calculation may only contain copy or graphics to the extent that such markings are placed on the support structures by the structures' manufacturer.

(f) Requests to allow sides to exceed the maximum widths or to allow support poles to exceed the maximum calipers established herein will be reviewed pursuant to the GMC's design review standards. In no event may a side exceed a maximum width by more than two (2) feet, or may a caliper be larger than two (2) feet.

(13) Definitions.

(a) "Electronic message center sign" is a sign whose informational content can be changed or altered by electronic means and whose message is typically delivered through the use of LED lights.

(b) "Freestanding sign" is a ground or pole mounted sign not attached to a building, but does not include a portable A-frame sign.

(c) "On-building sign" is a sign attached to any part of a building.

(d) "Portable A-frame sign" or "A-frame" is a sign with two (2) sides, the frame or support structure of which is hinged or connected at the top of the sign in such a manner that the sign is easily moved and erected.

(e) "Temporary sign" is a sign that historically advertised events of a limited duration, such as political

campaigns, real estate sales, special sales, etc. As opposed to other signs permitted under this chapter, temporary signs cannot be displayed permanently. For this chapter's purposes, a temporary sign may be a freestanding or on-building sign, but cannot be an A-frame sign.

RESPONSE: Existing pylon sign to remain.

17.52.050 Exemptions.

(1) The following signs do not require a sign permit, but must otherwise conform to this chapter's standards:

- (a) A sign with a sign face area of two (2) square feet or less;
- (b) Government owned or maintained signs in the public right-of-way;
- (c) A sign in an open space district;
- (d) Temporary signs;
- (e) A-frame signs in residential districts.

(2) This chapter does not regulate the following signs:

- (a) Dispensers, such as beverage, newspaper and recycling machines;
- (b) A sign required by local, state or federal law or regulation, such as but not limited to building and address numbers, street signs, and public notices;
- (c) A sign not oriented towards or intended to be legible from a right-of-way, private road or other private property, unless otherwise regulated herein;

RESPONSE: Directional signs are 3 sq each, so they will be counted towards sign area.

17.52.060 Prohibited signs.

(4) This section is provided for the benefit of sign applicants and for the administration of this chapter. However, this section must be read consistently with GMC 17.52.030. As such, because a specific type of sign is not listed as prohibited does not mean that it is allowed. The following is a non-exclusive list of signs that are prohibited in the City:

- (a) A sign that obstructs the vision clearance of a right-of-way or driveway intersection;
- (b) A sign affixed to or placed on a roof, or an on-building sign extending above the roofline of the building on which it is located;
- (c) A sign that obstructs ingress or egress through a door, window, fire escape, standpipe or any similar facility required or designated for safety or emergency use;
- (d) A sign in the public right of way, other than government owned or managed signs, unless otherwise specifically allowed herein.
- (e) Strobe lights.
- (f) A sign affixed to or placed upon a tree.
- (g) A sign affixed to a utility pole.

RESPONSE: There shall be no prohibited signs.

17.52.070 Signs in commercial and industrial districts.

(2) Freestanding signs. Freestanding signs are allowed in commercial and industrial zones.

(a) Number. One (1) freestanding sign is allowed for a development or complex, even when more than one tax lot or ownership is included in the development. A second freestanding sign is permitted in the following cases:

(A) If the development has a public vehicular access point on each of two (2) or more streets, and two (2) freestanding signs are desired, each must be located at access points on different streets; or

(B) The development has more than three hundred (300) feet of continuous frontage on a major arterial. In this instance, the combined sign face area of the two freestanding signs cannot exceed the area allowed under GMC 17.52.070(1)(c)(B). 2.23

(C) Regardless of whether a development qualifies under 1(a)(A) and 1(a)(B) above, no more than two (2) freestanding signs will be permitted.

(b) Height.

(A) Pole signs: The maximum height of a freestanding pole sign is twenty (20) feet from the ground.

(B) Monument signs: The maximum height of a monument sign is five (5) feet from the ground.

(c) Area. The maximum sign face area for a freestanding sign is forty (40) square feet. The maximum sign face area for a freestanding sign may be exceeded only in the following instances:

(A) The applicant demonstrates that an increased sign face area is warranted due to one or more of the following factors. Under this subsection, the maximum sign face area cannot exceed sixty (60) square feet.

(i) The development upon which the sign will be placed is significantly larger than other developments in the City;

(ii) The sign will be constructed of wood, brick or stone, or a combination of the same, and illuminated indirectly;

(iii) An electronic message sign or other changeable text copy sign will be included, as permitted by this chapter.

(B) The property has frontage on a major arterial, in which case the sign face area may be one-half (1/2) of a square foot per lineal foot of major arterial frontage. Regardless of total frontage, the maximum sign face area under this subsection cannot exceed two hundred (200) square feet.

(d) Illumination. A freestanding sign may be internally or indirectly illuminated consistent with this chapter's standards regarding the illumination of signs.

RESPONSE: Existing pylon sign to remain. Site frontage exceeds 200LF.

(3) On-building signs. On building signs are allowed in commercial and industrial zones.

(a) Number. The maximum on-building sign face area may be distributed among any number of signs.

(b) Area. The maximum on-building sign area is calculated as follows:

(A) If no freestanding sign exists for a development, the maximum on-building sign face area for each tenant of that development is one and one-half (1½) square feet per lineal foot of the tenant's primary building wall.

(B) If a freestanding sign exists for a development, the maximum on-building sign face area for each tenant of that development is one (1) square foot per lineal foot of the tenant's primary building wall.

(C) Each tenant is allowed a minimum of thirty-two (32) square feet of on-building sign face area.

(D) No individual on-building sign may exceed two hundred (200) square feet in sign face area.

(c) Wall graphics. The use of external walls for graphics, artwork or other displays shall be subject to this chapter's limitations for on-building signs.

(d) Illumination. An on-building sign may be internally or indirectly illuminated consistent with this chapter's standards regarding the illumination of signs.

(e) Alternative to on-building sign. A monument sign within a development is permitted as an alternative to an on-building sign provided the monument sign:

(A) Is located in front of the building with which it is associated;

(B) Does not exceed twelve (12) square feet in total area;

(C) Does not exceed five (5) feet in height; and

(D) Uses materials and colors that are the same, or substantially the same, as those used on the building associated with the sign.

(E) A monument sign meeting the standards of this subsection is permitted in addition to any freestanding sign otherwise permitted by this chapter.

(4) Changeable Copy Signs. Electronic message center signs or manually changeable copy signs (a.k.a. "readerboards"), may be incorporated into a freestanding or on-building sign subject to

the following provisions.

(a) Number. Only one (1) such sign is allowed in a development.

(b) Area. Such a sign will be included in the maximum area allowed for a freestanding or on-building sign.

(A) An electronic message center sign cannot comprise more than thirty percent (30%) of the sign's area of which it is a part.

(B) A manually changeable copy sign cannot comprise more than eighty percent (80%) of the sign's area of which it is a part.

(c) Design. A changeable copy sign must be integrated into the design of the freestanding or on-building sign of which it is a part.

(d) Duration. If an electronic message center sign displays a segmented message, the entire message must be completed within ten (10) seconds.

(e) Integration required. A changeable copy sign will only be permitted if it is part of a freestanding or on-building sign. This subsection does not allow for such signs to be displayed independent of a freestanding or on-building sign.

(5) Portable A-frame signs. Portable A-frame signs are allowed in commercial and industrial zones.

(a) Number. One (1) A-frame sign is allowed per business. If no business exists on a parcel of property, then one

(1) A-frame sign is allowed for that property. If a business or property, as relevant, uses an A-frame sign, then a temporary sign under 17.52.100 cannot be erected.

(b) Location. An A-frame sign must be located within a property's setback, or within another commercially or industrially zoned business's setback, except as provided below.

(A) If the sign is located on another commercially or industrially zoned property, the sign owner must obtain written consent from the business's owner, or from the property's owner if no business exists on the property. As only one (1) A-frame sign is allowed per business or property, as relevant, this consent must also explicitly waive the owner's right to an additional A-frame sign.

(B) For properties without setbacks, or for properties that directly abut a sidewalk, the sign cannot impede pedestrian access along the business's frontage. A sign placed on or near a sidewalk must allow for at least five (5) feet of unobstructed sidewalk width.

(C) An A-frame sign cannot be placed within a roadway, or in medians, traffic islands or any other area within a roadway. Any sign so placed constitutes a safety hazard any may be removed by the City.

(c) Height. The maximum height of an A-frame sign is four (4) feet.

(d) Area. The maximum sign face area for an A-frame sign is six (6) square feet per side.

(e) Duration. A-frame signs may be displayed permanently, and may be displayed when a business is closed

(f) Business license. After initial issuance of a permit for an A-frame sign, the permit will be renewed contemporaneously with business license renewal on an annual basis.

(A) The city administrator or designee will provide a permit form to be completed by and issued to the sign's owner prior to the owner's use of an A-frame sign. The form will include an acknowledgement by the sign's owner of the City's rules regarding A-frame signs, describe the precise location of the sign, and include other information necessary to ensure compliance with the City's sign code.

(B) If an A-frame sign owner's business license expires or is otherwise rendered invalid, the owner's use of its A-frame sign is prohibited until a new business license is issued.

(C) A business cannot obtain more than one (1) business license in order to have more than one (1) A-frame sign.

RESPONSE: There are three (3) option for sign modification and addition. Please see Sign Area Table and Exterior Elevation for proposed areas.

Other signs in commercial and industrial districts. Signs under this subsection are allowed within commercial and industrial zones. Signs allowed under this subsection are in addition to other signs permitted under this chapter.

(a) Internal Sign.

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(A) Location. An internal sign must be directed at visitors who have entered a given development, and not be directed to traffic passing by the development. To that end, the minimum setback for an internal sign is two (2) times the minimum setback required in the zoning district in which the internal sign is located, or at another location that ensures the sign is only directed at visitors of a development, as determined by the city administrator or designee. An internal sign traditionally identifies tenants or destinations within a development and directs traffic to such tenants or destinations.

(B) Area. The maximum area allowed for an internal sign is forty (40) square feet.

(C) Number. A development may have no more than four (4) internal signs, and the total aggregate area for all such signs cannot exceed forty (40) square feet.

(D) Height. An internal sign cannot exceed five (5) feet in height.

(E) Sight distance. An internal sign cannot obscure sight distance for on-site traffic.

RESPONSE: Two (2) exterior directional signs comply with the "External Sign" requirements.

(b) External Sign.

(A) Location. As opposed to an internal sign, an external sign may only be directed at traffic passing by or leaving a development. To that end, the setback for an external sign is one-half (1/2) of the minimum setback required in the zoning district in which the external sign is located, or at another location that ensures the sign is only directed at traffic passing by or leaving a development, as determined by the city administrator or designee. An external sign traditionally directs traffic to or from a given development.

(B) Area. The maximum area allowed for an external sign is three (3) square feet.

(C) Number. A development may have two (2) external signs per frontage.

(D) Height. An external sign cannot exceed four (4) feet in height.

(E) Clear vision. An external sign must comply with all corner vision and clear vision requirements.

RESPONSE: No off-site signs are being proposed.

17.52.080 Signs in open space districts.

(1) Signs in open space districts are limited to government owned or maintained signs.

(2) Number. One (1) sign is allowed for each parcel or lot zoned open space.

(3) Height. The maximum height of a sign in an open space district is six (6) feet.

(4) Area. The maximum area of a sign in an open space district is forty (40) square feet.

(5) Illumination. A sign in an open space district may be internally or indirectly illuminated consistent with this chapter's standards regarding the illumination of signs.

17.52.090 Signs in residential zoning districts.

RESPONSE: N/A

17.52.100 Temporary signs.

RESPONSE: N/A

19405 SE MCLOUGHLIN BLVD - GLADSTONE

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[Environmental](#) | [Transportation](#)

[Summary](#) | [Benchmarks](#) | [Businesses](#) | [Elevation](#) | [Fire](#) | [Hazard](#) | **Photo** | [Property](#) | [Tax Map](#) | [UGB](#) | [USB](#) | [Walkability](#)
[Zoning](#) | [Zip Code](#) | [Public Art](#)

Aerial Photo

2013 / '12 / '11 / '10 / '09 / '08 / '07 / '06 / '05 / '04 / '03 / '02 / '01 6" / 2' / 4' / 10' / 20' Streets: [On](#) Lots: [On](#) Dot: [On](#)



0 |-----| 100 FT

City of Portland, Corporate GIS

4/28/2015

THE GIS APPLICATIONS ACCESSED THROUGH THIS WEB SITE PROVIDE A VISUAL DISPLAY OF DATA FOR YOUR CONVENIENCE. EVERY REASONABLE EFFORT HAS BEEN MADE TO ASSURE THE ACCURACY OF THE MAPS AND ASSOCIATED DATA. THE CITY OF PORTLAND MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, SEQUENCE, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE DATA PROVIDED HEREIN. THE USER OF THESE APPLICATIONS SHOULD NOT RELY ON THE DATA PROVIDED HEREIN FOR ANY REASON. THE CITY OF PORTLAND EXPLICITLY DISCLAIMS ANY REPRESENTATIONS AND WARRANTIES, INCLUDING, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THE CITY OF PORTLAND SHALL ASSUME NO LIABILITY FOR ANY ERRORS, OMISSIONS, OR INACCURACIES IN THE INFORMATION PROVIDED REGARDLESS OF HOW CAUSED. THE CITY OF PORTLAND SHALL ASSUME NO LIABILITY FOR ANY DECISIONS MADE OR ACTIONS TAKEN OR NOT TAKEN BY THE USER OF THE APPLICATIONS IN RELIANCE UPON ANY INFORMATION OR DATA FURNISHED HEREUNDER. FOR UPDATED INFORMATION ABOUT THE MAP DATA ON PORTLANDMAPS PLEASE REFER TO [CITY'S METADATA](#). FOR QUESTIONS ABOUT ASSESSMENT INFORMATION PLEASE CONTACT THE COUNTY ASSESSORS OFFICE IN YOUR COUNTY.

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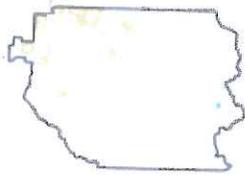
2-27



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Map Tools

 Photo View **Off**



Scale = 1 : 1200

Property Information

-  Address Information
-  Building Characteristics
-  Jurisdiction Information
-  Schooling Information
-  Voting Information
-  Service Information
-  Hazard Information

Address Information

For owner information please contact
[Assessment & Taxation](#)

19405 MCLOUGHLIN
BLVD, GLADSTONE OR.
97027

[Street View](#)

Building Characteristics

[return to map](#) | [new search](#)

Sq Ft	Information not available.
Bedrooms	Information not available.
Baths	Information not available.
Year Built	Information not available.
Last Sale	03/30/2009 \$5,750,000.00

Tax Information

[return to map](#) | [new search](#)

Map Number (TLNO)	22E19DA03900
Parcel Number	00527889

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View Tax Map	view tax map
Est. Market Building Value	1,181,690.00
Est. Market Land Value	1,001,662.00
Est. Market Total Value	2,183,352.00
Est. Current Year Assessed Value	1,942,605.00
Tax Code	115-040
Est. Acres	2.33

 **Jurisdiction Information**

[return to map](#) | [new search](#)

City	Gladstone
Urban Growth Boundary	METRO UGB
Zoning	C3, LI

 **Schooling Information**

[return to map](#) | [new search](#)

Elementary School Attendance	John Wetten Elementary
Middle School Attendance	Kraxberger Middle
Senior High School Attendance	Gladstone High

 **Voting Information**

[return to map](#) | [new search](#)

State House District	40
State Senate District	20
Voting Precinct	31
Congressional District	5

 **Service Information**

[return to map](#) | [new search](#)

Cable Company	City
Community Planning Organization	City
Fire District	Gladstone
Garbage Hauler	Gladstone Disposal
Park District	Not in district
School District	Gladstone
Sewer District	TRI-CITIES

Water District Not in district



Hazard Information

[return to map](#) | [new search](#)

Flood Likely not in a flood zone

Relative Earthquake
Hazard You may be at a higher risk.

Relative Wild Fire
Hazard You may be at moderate risk.

Soils Information 91A - WOODBURN SILT LOAM, 0 TO 3 PERCENT SLOPES, 84
- WAPATO SILTY CLAY LOAM, 76B - SALEM SILT LOAM, 0
TO 7 PERCENT SLOPES

Approximate Elevation 57.70



Survey & Plat Information

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[Clackamas County's Surveyor Information System](#)

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MAZDA OF GLADSTONE - EXTERIOR MATERIALS

MATERIALS:



BLACK ACM -

SILVER ACM -



GREEN ACM -



BLACK ANODIZED
STOREFRONT -



EXAMPLE: PROTOTYPE DEALERSHIP RENDERING

MAZDA OF GLADSTONE
PROJECT NO: 214142

19405 SE McLoughlin Blvd.
Gladstone, Oregon 97027

LRS
ARCHITECTS

2-36



MAZDA CORPORATE MAINTENANCE PROGRAM



mazda[®]

Architectural Graphics, Inc.
412 N. Cedar Bluff Road, Suite 306
Knoxville, TN 37923
Phone: 1-865-692-1242
Fax: 866-509-6009
E-mail: Mazda@agisign.com

Pylon or Monument

(Includes Retail Revolution Facilities)

Pylon

MAZDA FREESTANDING PYLON SIGNS

The freestanding Mazda pylon sign identifies your presence and location to the public. Mazda requires that a freestanding Mazda brand sign be installed at a prominent location. If only one sign is permitted by local ordinance, it should be the largest freestanding Mazda brand sign allowed.

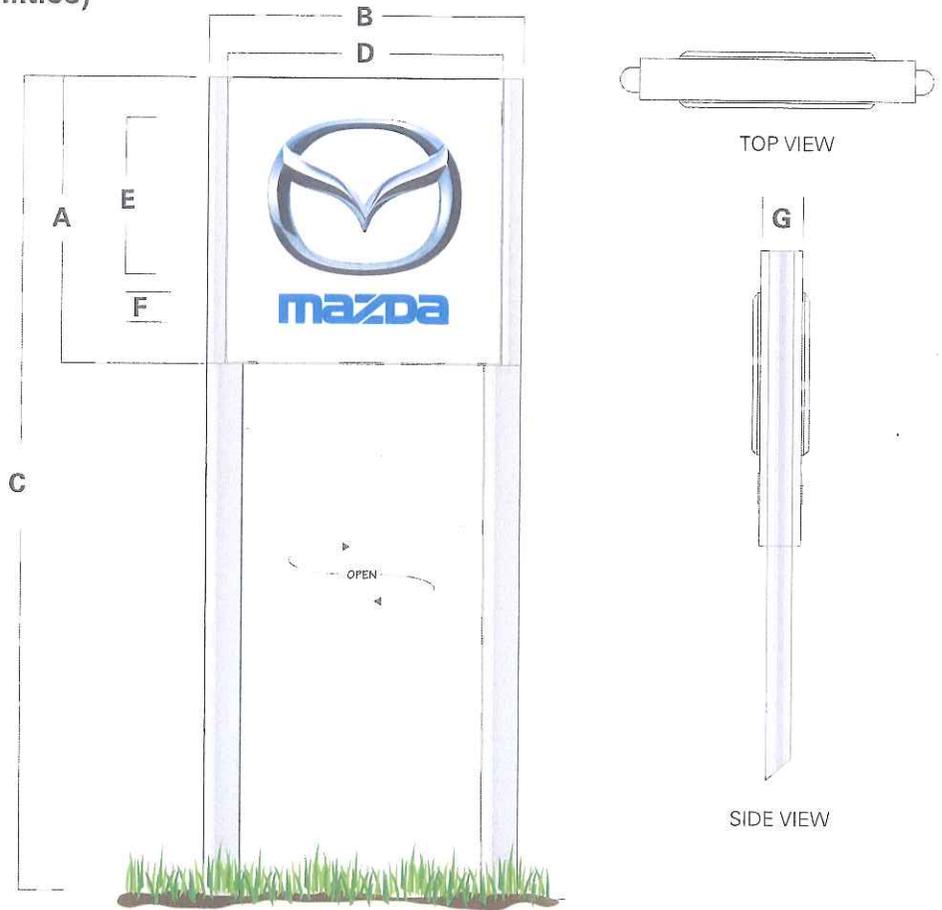
Standard Heights for the Freestanding Pylon:

- P-135 @ 31' OAH
- P-135 @ 36' OAH
- P-135 @ 41' OAH

- P-100 @ 25' OAH
- P-100 @ 30' OAH
- P-100 @ 35' OAH

- ~~P-70 @ 23' OAH~~ 2014
- P-70 @ 28' OAH

- P-30 @ 15' OAH



PYLON SIGN (P-135, P-100, P-70) Custom heights available for optimum visibility. Standard heights noted on left of page.

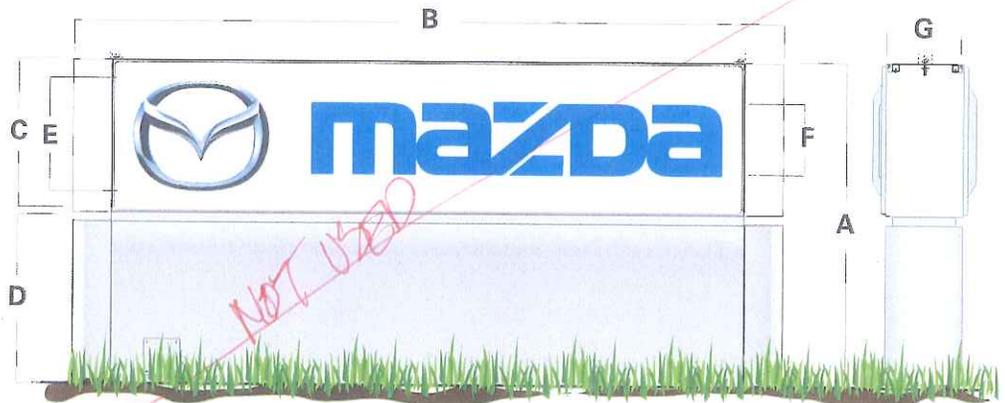
SIGNS	A	B	C	D	E	F	G
P-135	11'-10 1/4"	12'-9 1/4"	VARIES	11'-4 3/16"	6'-7"	1'-2"	1'-5"
P-100	10'-1 1/2"	11'-2 1/2"	VARIES	9'-10 1/16"	5'-6 11/16"	1'-0 9/16"	1'-5 1/2"
P-70	8'-6 1/16"	9'-4 1/4"	VARIES	8'-1 5/8"	4'-6"	10 3/16"	1'-5 1/2"
P-30	5'-6 3/4"	6'-6"	VARIES	5'-5"	3'-0"	6 13/16"	1'-5 1/2"

EXISTING TO REMAIN

Monument

MAZDA MONUMENT SIGNS

Certain local ordinances prohibit the use of freestanding pylon signs. For those special applications, a Mazda monument sign may be used. Like the freestanding pylon sign, Mazda requires that a monument brand sign be installed at a prominent location. If only one monument sign is permitted, it should be the largest sign allowed.



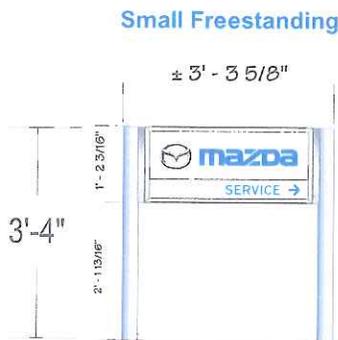
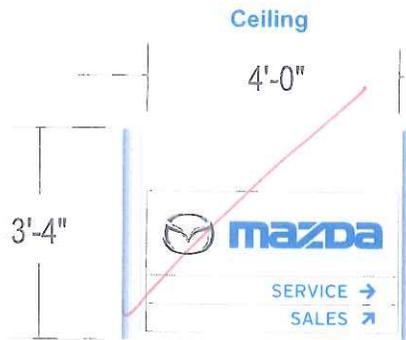
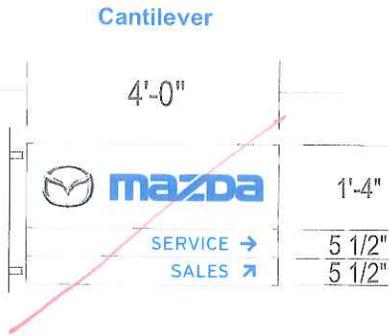
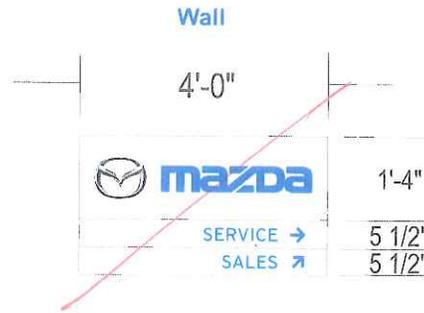
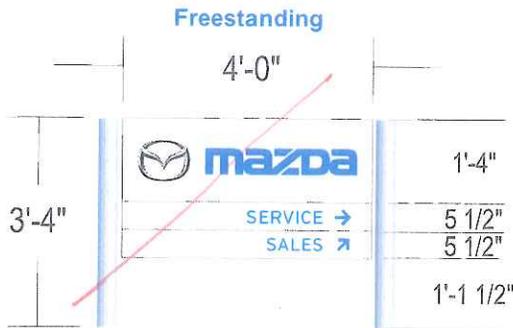
MONUMENT SIGN (M)

SIGNS	A	B	C	D	E	F	G
M-53	6'-11"	17'-1"	3'-7"	3'-2"	3'-0"	1'-8"	1'-5"
M-32	4'-9"	13'-1"	2'-9"	1'-10"	2'-0"	1'-4"	1'-5"

Directionals

(Includes Retail Revolution Facilities)

Mazda dealership directional signs identify and direct customers to various areas of the dealership. Locations for installing directional signs should be in the area of greatest traffic flow for maximum visibility and customer convenience. Double faced directionals have 1-3 panels for copy and arrows. Directional signs may also be wall mounted (single faced), cantilever mounted (double faced) or ceiling mounted (double faced).



3 SF Directional

(2) SKINS
 A. 'SERVICE'
 B. 'SALES'

Available copy
 (with any arrow combination):

- Entrance
- Showroom
- Sales
- Customer Parking
- Service
- Parts
- Service Entrance
- Pre-Owned

Custom copy available

Mazda Logo / Letterset & Dealer Name

SEE OPTIONS - SIGN AREA TABLE



SIGNS	A	B	C	D	E	F	G
MS54,ML36,DN36	4'-6"	5'-8"	3'-0"	17'-3"	24'-6"	3'-0"	Varies according to individual Dealer Name.
MS45,ML30,DN30	3'-9"	4'-9"	2'-6"	14'-5"	20'-5"	2'-6"	
MS36,ML24,DN24	3'-0"	3'-9"	2'-0"	11'-6"	16'-4"	2'-0"	
MS24/ML16/DN16	2'-0"	2'-5 7/8"	1'-4"	7'-8 1/4"	10'-10"	1'-4"	
MS18/ML12/DN12	1'-6"	1'-10 1/2"	1'-0"	5'-9 5/8"	8'-1 1/2"	1'-0"	

MAZDA DEALER NAME LETTERS

The dealership name sign may not incorporate the Mazda logo as part of the name. These letters are manufactured from a special material that is Black in the daylight but appears White at night when illuminated. The dealership name sign should appear to the right of the Mazda symbol and Mazda letter logo. Additionally, the dealership name sign should not be taller than the Mazda letters.

PREFERRED SIZE COMBINATIONS:

- 4'-6" Symbol + 3'-0" Mazda Logo with 3'-0" Dealership Name
- 3'-9" Symbol + 2'-6" Mazda Logo with 2'-6" Dealership Name
- 3'-0" Symbol + 2'-0" Mazda Logo with 2'-0" Dealership Name

Other Options:

White Dealer Name letters available for dark background fascia areas.

MAZDA SYMBOL & MAZDA LETTER LOGO SIGNS - PLACEMENT

The Mazda brand mark is comprised of the Mazda symbol and the Mazda letter logo. These elements are fixed, and their proportions should never be altered in any way, nor each element used individually.

The Mazda symbol and Mazda letter logo should be placed in the most prominent position on the dealership. If only one sign is permitted by code or building configuration, that sign must be the Mazda symbol and Mazda letter logo. The preferred location is the front or most visible side of the showroom. Sign placement on the fascia, in order of preference, is:

- 1. LEFT-HAND SIDE** - If used with dealership name letters, or if used alone and center application is unavailable.
- 2. CENTER** - If used alone without dealership name letters.
- 3. RIGHT-HAND SIDE** - If used alone and center or left-hand application is unavailable.



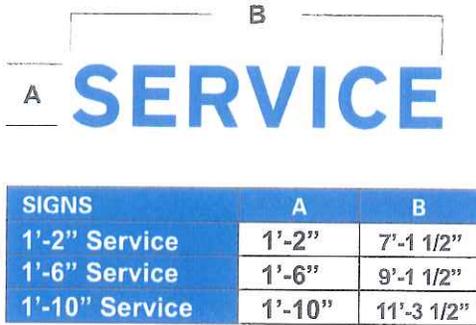
All the elements in the exterior sign package, including the building signage, pylons and directional signs, have been developed as part of the Mazda Dealer Identification Program. As part of the program, the size and placement of these signs will be determined. Contact your region for enrollment with the approved sign vendor.

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Service Signs

Mazda dealership Service signs identify and direct customers to the Service area of the dealership. Service signs should be installed as close to the service department as possible and the largest size used when possible. Individual Service letters are for use at Mazda exclusive dealerships and are wall mounted. The service cabinet sign is designed for Mazda SSR and dual dealerships. They can be wall mounted (single faced), cantilever mounted (double faced) or ceiling mounted (double faced).

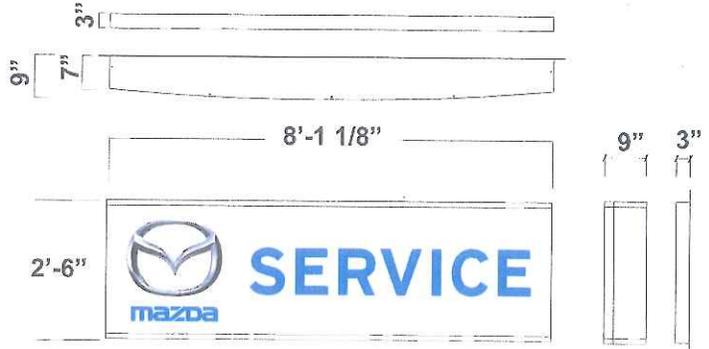
Mazda Exclusive Dealers



Other Options:

White service letters available for dark background fascia areas

Mazda SSR or Dual Dealers



Other Options:

Cantilever, double faced mount
Ceiling, double faced mount

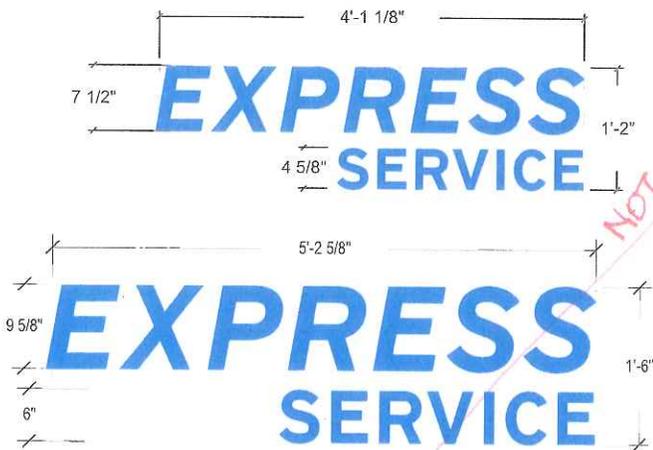
Illuminated: 9" depth

Non-Illuminated: 3" depth

Express Service Signs

Express Service signage options are provided for Mazda Express Service dealers. Please contact your District Service Manager for additional information regarding the Express Service program.

Mazda Express Service Letters



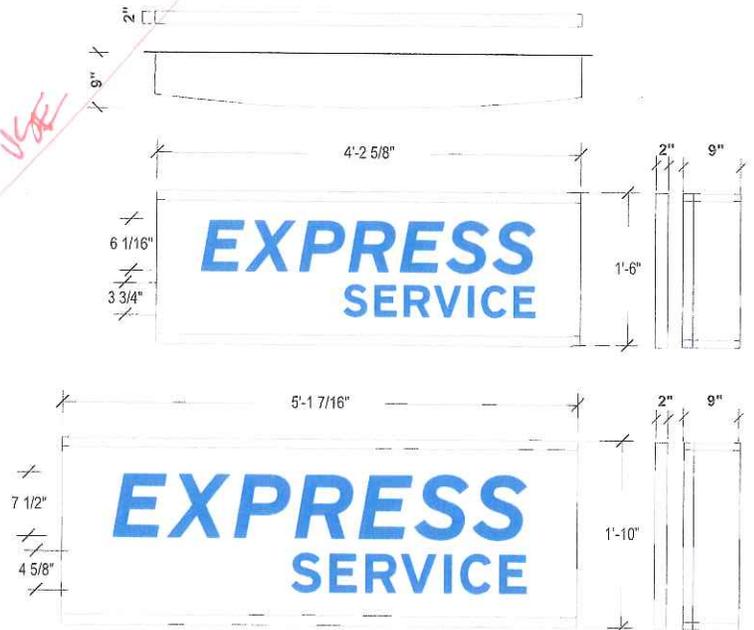
Options:

Illuminated

Non-Illuminated

White Express Service letters available for dark background fascia areas.

Mazda Express Service Cabinets



Options:

Illuminated - 9" depth

Non-Illuminated - 2" depth

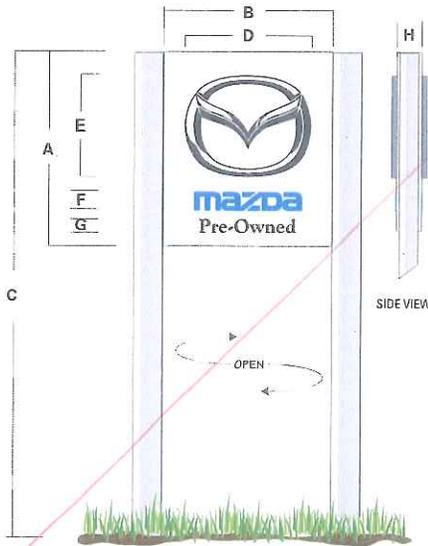
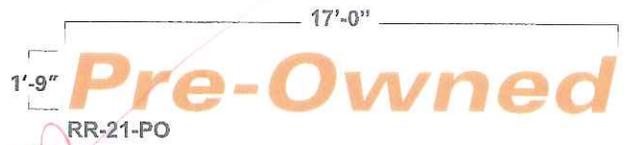
2-41

Pre-Owned

(All Facilities)



(Retail Revolution Facilities)



PRE-OWNED PYLON SIGN (PR-99, PR-55) Custom heights available for optimum visibility

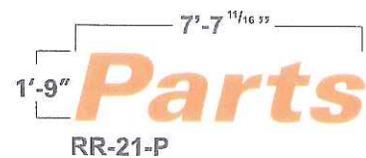
SIGNS	A	B	C	D	E	F	G	H
PR-99	10'-6"	9'-4"	29'-10"	7'-0"	5'-6"	1'-1"	9"	1'-5"
PR-59	8'-6"	7'-4"	23'-0"	5'-8"	4'-6"	10"	7"	1'-5"

Parts

(All Facilities)



(Retail Revolution Facilities)

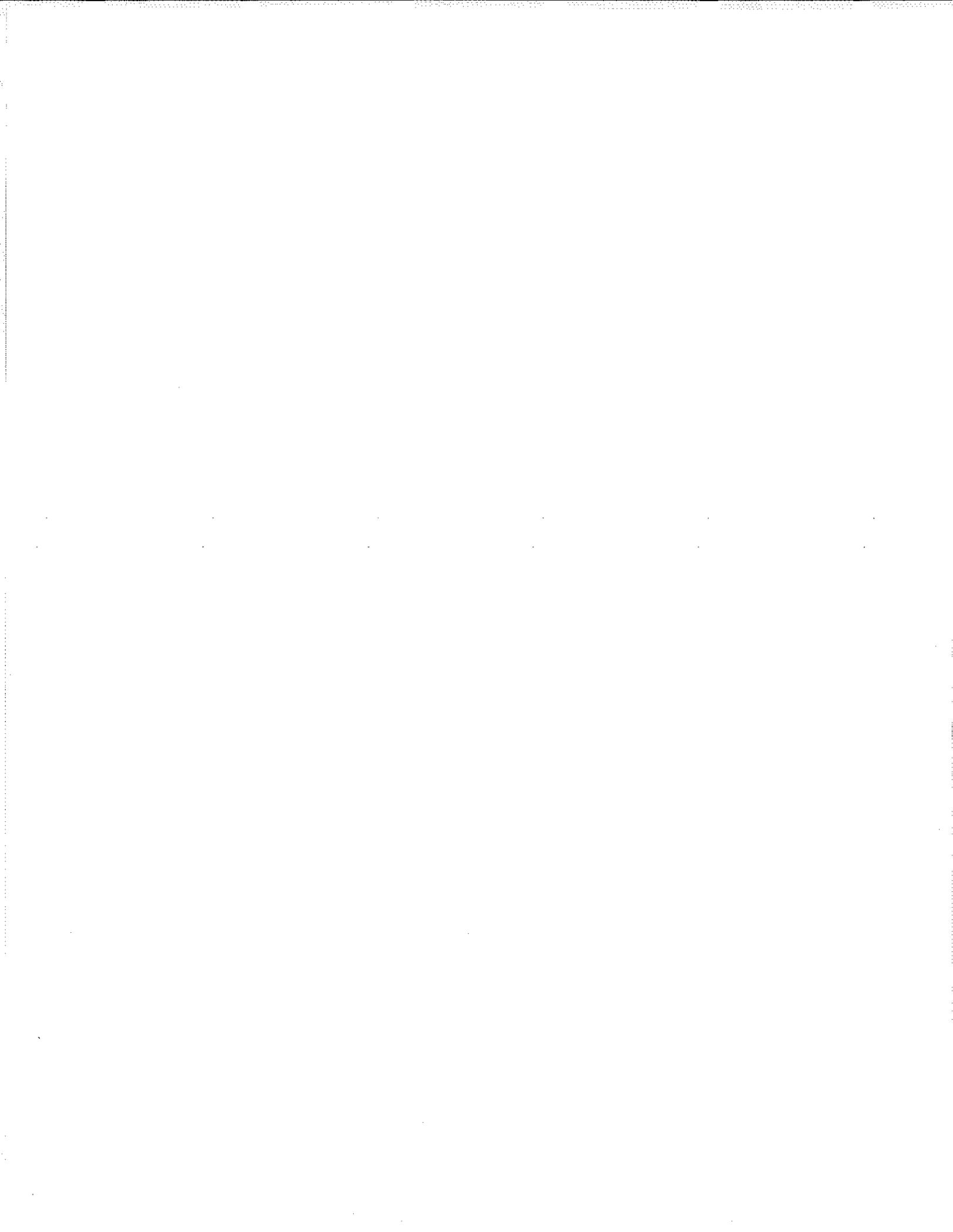


For additional information regarding the Mazda Corporate Identification Program please contact the **AGI Project Management Team**
Email: mazda@agisign.com



Architectural Graphics, Inc.
412 N. Cedar Bluff Road, Suite 306
Knoxville, TN 37923
Phone: 1-865-692-1242
Fax: 866-509-6009
E-mail: Mazda@agisign.com

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City of GLADSTONE

STAFF REPORT/RECOMMENDATION TO PLANNING COMMISSION

File: Z0185-15-D
Applicant: Dale Crittenden
Hearing Date: June 16, 2015
Planning Staff: Clay Glasgow

City Hall
525 Portland Avenue
Gladstone, OR 97027
(503) 656-5223
FAX: (503) 650-8938
E-Mail: (last name)@
ci.gladstone.or.us

Municipal Court
525 Portland Avenue
Gladstone, OR 97027
(503) 656-5224 ext. 1
E-Mail: municourt@
ci.gladstone.or.us

Police Department
535 Portland Avenue
Gladstone, OR 97027
(503) 656-4253
E-Mail: (last name)@
ci.gladstone.or.us

Fire Department
555 Portland Avenue
Gladstone, OR 97027
(503) 557-2776
E-Mail: (last name)@
ci.gladstone.or.us

Public Library
135 E. Dartmouth
Gladstone, OR 97027
(503) 656-2411
FAX: (503) 655-2438
E-Mail: qiref@lincc.lib.or.us

Senior Center
1050 Portland Avenue
Gladstone, OR 97027
(503) 655-7701
FAX: (503) 650-4840

City Shop
18595 Portland Avenue
Gladstone, OR 97027
(503) 656-7957
FAX: (503) 722-9078

I. GENERAL INFORMATION

- A. Proposal: This is a request for conditional use approval to build a tri-plex.
- B. Legal Description: T2S, R2E, Section 20AB, Tax Lots 802
- C. Location: 19105 Oatfield Road
- D. Zoning District: R-7.2, Single-Family Residential District
- E. Comprehensive Plan Designation: Low Density Residential
- F. Site Information: The subject property is approximately .25 acres in size. A single family residence is in place. Public water, sanitary and storm sewer serve the property.
- G. Vicinity Description: Single-family residential uses abut the site to the north, west and south. Across Oatfield Road is the SDA campus. Oatfield Road is designated as a minor arterial and bikeway in the Comprehensive Plan. Curbs and sidewalks exist along the site frontage.
- H. Background: This property was the subject of previous approval for a tri-plex, through Planning File Z0304-07-C. The tri-plex proposed at that time was not built and the approval has expired. Applicant is back now with essentially the same proposal.

II. FINDINGS

This request is subject to Chapter 17.10, R-7.2, Single-Family Residential District; Chapter 17.70, Conditional Uses; Chapter 17.80, Design Review and

the Division IV Development Standards of Title 17 of the Gladstone Municipal Code (GMC).

III. CONCLUSIONS

Planning staff has reviewed this request in reference to the applicable provisions of the GMC. Based upon this review, staff makes the following conclusions:

- A. 1. The Planning Commission may authorize a conditional use when the applicant demonstrates that the approval criteria identified in Subsection 17.70.010(1) of the GMC are met. Subsection 17.70.010(1) requires that the applicant demonstrate that the proposed use:
 - a. *Is listed as a conditional use in the underlying district;* The subject property is in the R-7.2 zoning district. The applicant proposes to construct a tri-plex. Subsection 17.10.040(1) of the GMC lists "Multi-family dwellings, three to eight unit complexes on a collector or minor arterial." Therefore a tri-plex is a permitted conditional use in the R-7.2 district. **This criterion is met.**
 - b. *Is suitable for the proposed site considering size, shape, location, topography, existence of improvements and natural features.* The subject property is 10,800 square feet in size. Section 17.10.050(1)b states that the lot area for a two-family or multi-family dwelling requires the minimum lot area to be 3,600 square feet per dwelling unit. The site is relatively flat, is of a shape conducive to the proposal and is located on a minor arterial. There are no known significant natural features. The proposed site is suitable for the use in consideration of size, shape, location, topography, existence of improvements and natural features. **This criterion is satisfied.**
 - c. *Is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use;* Public storm and sanitary sewage disposal systems serve the property, along with public water. The Public Works Supervisor states that the sewer line may be of inadequate size and if so needs to be replaced.

The Fire Prevention Officer had previously identified minor concerns (earlier approval, Z0304-07.) The Fire Department needs a 20 foot wide access driveway and the sidewalk angles must also be considered to ensure the fire engine does not scrape the underside when entering and exiting the site. He suggests that the developer install residential sprinklers.

Oatfield Road is a fully developed street that is designated as a minor arterial. It currently has curbs and sidewalks along the subject street frontage. **This criterion is met.**

- d. *Will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district; The impact on the surrounding area will be limited to a modest increase in traffic, which will not substantially limit, impair or preclude the use of surrounding properties for the primary uses listed in the underlying district. **This criterion is met.***
- e. *Satisfies the policies of the comprehensive plan which apply to the proposed use. The comprehensive plan policy concerning housing requires that the City provide a choice of housing type, density and price range. In the low density zoning districts two-family and multi-family units are encouraged. **This criterion is met.***

- 2. 17.70.010(2) Additional conditions of Approval. In permitting a new conditional use or the alteration of an existing conditional use, the city council may impose, in addition to those standards and requirements expressly specified by this title and by the comprehensive plan, additional conditions which the planning commission considers are necessary to protect the best interests of the surrounding area or the city as a whole. This Subsection goes on to identify examples of the types of additional conditions that may be imposed. Staff has identified no such additional conditions of approval necessary for the proposed use.
- 3. 17.70.040 Time Limit on permit. *This Section limits conditional use approval to a period of one year unless substantial construction has taken place. It also provides for the Planning Commission to extend authorization upon request for an additional period not to exceed one year.*

A condition of approval should require compliance with this Section.

- B.
 - 1. *Chapter 17.80 of the GMC establishes the requirements for design review. Pursuant to Subsection 17.80.021(1), site development is subject to design review.*

Subsection 17.80.100(2) stipulates that final certificate of occupancy shall not be granted until all conditions of design review approval have been met.

Subsection 17.80.100(1) provides for approved design plans to remain valid for one year. If construction has not begun by that time, design plan approval may be renewed once by the Planning Commission for not more than one year.

- 2. Chapter 17.10.040 of the GMC establishes basic requirements for conditional

3-2

uses in the R-7.2 District. Section 17.10.040(1) identifies "Multi-family dwelling, three to eight unit complexes on a collector or minor arterial."

The proposed use of the subject property falls within the above permitted use description.

3. Chapter 17.44 of the GMC identifies standards for building siting and design. The structures are proposed to be located near the center of the lot. Solar impacts from the structure will not affect adjacent uses, therefore, the proposed structure satisfies this subsection of the GMC.

Section 17.44.022(1) requires that new multi-family buildings shall be subject to the following design standards:

- (1) Facades. Building facades and exterior walls visible from a public street or pedestrian path or from adjacent property in a R-5 or R-7.2 zoning district shall not consist of a monotonous blank wall and shall include a minimum of two of the following: (a) Windows; (b) Entries; (c) Balconies; (d) Bays; or (e) the use of two or more distinct materials to break up stretches longer than fifty lineal feet of unbroken area.

The proposed building plan shows windows and entries along the street facing wall. Staff finds that this proposal is consistent with this subsection of the GMC.

- (2) Windows.

- a. Window trim shall not be flush with the exterior wall treatment.
- b. Windows shall be provided with an architectural surround at the jamb, head and sill.
- c. All windows facing the front lot line shall be double hung or casement windows.

Staff finds that the proposal has window trim that is not flush with the exterior wall treatment. The proposal also shows a window trim that is not flush with the exterior wall treatment. The proposal does not show, however, double hung windows and it is not apparent that what is proposed are casement windows. Thus a condition of approval is warranted to ensure compliance with this section.

- (3) Roofs. Hipped, gambrel or gabled roofs shall be required. Flat roofs shall not be permitted except in areas where mechanical equipment is mounted.

Staff finds that the proposal meets this standard.

Section 17.44.020(3) of the GMC addresses compatibility in building design. This subsection encourages the arrangement of structures and use areas to be compatible with adjacent developments and surrounding land uses. The proposed building will not block a scenic view for any adjacent buildings

Section 17.44.020(4) of the GMC establishes lighting standards. Adequate exterior lighting shall be provided to protect public safety and shall be deflected so as not to shine on a lot in a residential district.

Section 17.44.020(6) regarding equipment and facilities establishes that all utility lines shall be placed underground. All roof-mounted fixtures and utility cabinets or similar equipment, which must be installed above ground, shall be visually screened from public view. A condition of approval shall require compliance with this subsection for new utility lines, roof-mounted fixtures, utility cabinets or similar equipment installed aboveground.

4. Chapter 17.46 of the GMC identifies landscaping standards and states that these standards are applicable to all developments subject to design review. Subsection 17.46.020(1) requires that a minimum of fifteen percent of the lot area be landscaped. The existing/proposed landscaped area meets this requirement.

Subsection 17.46.020(2)(c) requires landscaped strips separating a parking or loading area from a street to contain street trees, low shrubs, and vegetative ground cover and establishes spacing requirements for the trees and shrubs. No parking or loading area is proposed.

Subsection 17.46.020(3) requires that provisions for irrigating planting areas be made where needed. No new planting areas are proposed.

Subsection 17.46.020(4) requires landscaping to be continuously maintained. No formal landscaping requiring regular maintenance is proposed.

Subsection 17.46.020(5) pertains to the planting of trees under overhead utility lines or near sidewalks or curbs. No trees will be planted.

Subsection 17.46.020(6) indicates that sight-obscuring plantings, fencing or berming may be required to screen parking lots, outdoor storage or other unsightly features from the road or neighboring properties. This section is inapplicable.

Subsection 17.46.020(8) requires that land within the public right-of-way not developed as sidewalks or driveways be landscaped and maintained by the abutting property owner. The proposal does not change the existing conditions.

Subsection 17.46.020(9) provides for street trees to be required of any development and states that, if planted, street trees shall be of a species compatible with the width of the planting strip and nearby street tree species. The adjoining roads do not contain planting strips containing street trees.

6. Chapter 17.48 of the GMC establishes the requirements for off-street parking and loading. No parking or loading docks are proposed. Using the standards for Multi-Family dwellings, 1.5 spaces per dwelling unit is required. The proposal has 2 parking spaces per unit. Therefore, this Chapter has been met.
7. Chapter 17.50 of the GMC establishes the requirements for vehicular and pedestrian circulation. Subsection 17.50.020(1) requires that provisions be made for the least amount of impervious surface necessary to adequately service the type and intensity of proposed land uses within developments as well as providing adequate access for service vehicles.

Subsection 17.50.020(2) requires provisions to be made, when feasible, for a separation of motor vehicular, bicycle and pedestrian traffic. Curbs and sidewalks exist. This meets the requirements of this section.

Subsection 17.50.020(3) requires curbs, associated drainage and sidewalks within the right-of-way or easement for public roads and streets. These improvements have been constructed previously.

Subsection 17.50.020(4) requires provisions to be made to accommodate any increased volume of traffic resulting from the development. The increase in volume of traffic is deemed minimal.

Subsection 17.50.020(5) requires provisions to be made for the special needs of the handicapped. This Subsection is inapplicable because no additional parking areas are proposed.

Section 17.50.030 is inapplicable to this development because no new streets or improvements to existing streets will be required as a result of this proposal.

Section 17.50.040 requires that curbs, driveways and sidewalks shall be installed according to city standards. A condition of approval is warranted to that effect.

8. Chapter 17.54 of the GMC establishes clear vision requirements. This Chapter is inapplicable because no construction is proposed in clear vision areas.
9. Chapter 17.56 of the GMC establishes drainage requirements. Adequate provisions shall be made to ensure proper drainage. Drainage facilities shall be constructed to city standards.
10. Chapter 17.58 of the GMC establishes standards for grading and fill and requires enforcement of the Uniform Building Code (UBC). The city contracts with Clackamas County for administration of grading permits. The county enforces its own Excavation and Grading Ordinance in lieu of Chapter

70 of the UBC. A condition of approval should require that the applicant obtains a grading permit from Clackamas County if necessary and complies with all requirements of the permit.

11. Chapter 17.60 of the GMC establishes requirements for utilities. Utilities shall be constructed to city standards.

IV. RECOMMENDATION:

The Planning Commission is authorized to approve conditional uses pursuant to Subsection 17.94.060(1)(d) of the GMC. Planning Staff recommends the Planning Commission approve the conditional use and design review, based on the submitted application materials, subject to the following conditions:

1. The applicant shall comply with the requirements of the Gladstone Fire Department.
2. Conditional use approval shall remain valid for one year from the date of final approval. If substantial construction has not occurred by that time, conditional use approval shall become void unless an extension is granted pursuant to Section 17.70.040 of the GMC.
3. On-site lighting shall comply with Subsections 17.44.020(4) and (5) of the GMC, including compliance with IES standards.
4. New utility lines shall be placed underground unless prohibited by the utility service provider. New roof-mounted fixtures and utility cabinets or similar equipment shall be visually screened from public view as required by GMC Subsection 17.44.020(6).
5. The driveway shall be installed to city standards prior to occupancy.
6. Double hung or casement windows shall be installed in the units.
7. Water and sanitary sewer improvements shall be constructed to city standards. Approved and stamped plans shall be submitted to the city prior to construction.
8. All utilities shall be developed pursuant to Chapter 17.60 of the GMC.
9. Prior to occupancy, any required right-of-way improvements shall be installed and existing streets and other public facilities damaged during development shall be repaired or the applicant shall file a financial guarantee of performance in a form acceptable to the city attorney. The financial guarantee must be valid until the improvements are complete, as determined by the city.
10. Final certificate of occupancy shall not be granted until all conditions of the design review approval have been met.

**NOTICE OF PUBLIC HEARING
GLADSTONE PLANNING COMMISSION**

DATE & TIME: **June 16, 2015.** This item will not begin earlier than 6:30 p.m. However, it may begin later depending on the length of preceding items.

PLACE: Council Chambers of Gladstone City Hall, 525 Portland Ave., Gladstone, OR 97027

FILE NO: Z0185-15-D, tri-plex at 19105 SE Oatfield

PURPOSE/PROPOSAL: tri-plex (originally approved in 2007, expired)

SUBJECT PROPERTY: T2S, R2E, Section 20AB, TL 1802; AKA 19105 SE Oatfield Road

CURRENT ZONING: R7.2, Single Family Residential

APPLICANT: Dale Crittenden

PROPERTY OWNER: Dale and Barbara Crittenden

REVIEW STANDARDS: 17.10, 17.70, 17.80, 17.94 and the Development Standards of Title 17 of the Gladstone Municipal Code

You may attend, offer testimony or seek information at the hearing. Any correspondence received in advance of the meeting will be forwarded to the Planning Commission.

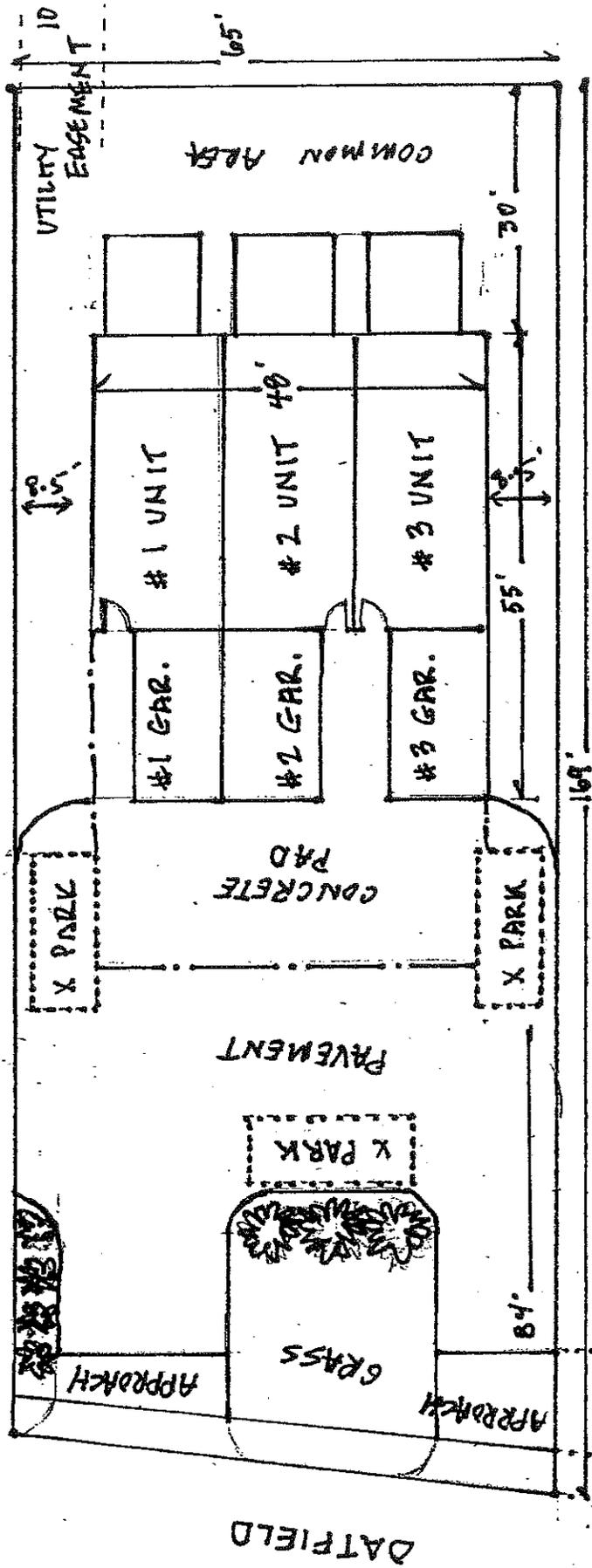
The staff report relating to this application will be available for inspection seven (7) days prior to the hearing at the Clackamas County Planning Division, 150 Beavercreek Road, Oregon City, OR 97045. Copies will be available for a reasonable cost. For further information, contact Clay Glasgow at 503-742-4520.

Those eligible to appeal this matter to the City Council are the owner, applicant, a representative of petitioners and persons who submitted oral or written testimony. Appeals must be filed within 15 days of the decision filing date on forms available from the Clackamas County Planning Division. Failure to raise an issue in person or by letter at the hearing with sufficient specificity to afford the decision-maker an opportunity to respond will preclude the ability to appeal. Furthermore, failure at the time of the hearing to specify, in person or by letter, to what land use standard(s) your comments or objections are directed, will preclude the ability to raise those issues on appeal.

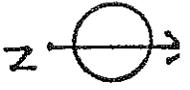
DALE & BARBARA CRITTENDEN
 SITE ADDRESS: 19105 OATFIELD, GLADSTONE

HEATHER WAY

SLOPE 2' IN 105'



OATFIELD



SCALE: 1/2" = 10'

FLAT TOPOGRAPHY

10/20/05



HOUSE PLAN #17859 - LARGE FRONT ELEVATION

[View Large Image: Front Elevation, Main Floor, Second Floor](#)

[Close](#)



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It is the customer's responsibility to ensure the accuracy, compliance with applicable statute(s) or regulation(s), and fitness of purpose of any plans or construction information received from Dream Home Source, Inc. prior to the use thereof. In the event that any liability is imposed on Dream Home Source, Inc., Dream Home Source Inc.'s liability to you or any third party shall not exceed the price paid for the Dream Home Source House Plans product.

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3-11

WORK SESSION

CHAPTER 703
WIRELESS COMMUNICATIONS FACILITIES

- 703.001. Purpose
- 703.005. Definitions
- 703.010. General Rule; Collocation and Siting Priority
- 703.020. Wireless Communications Facility Siting Permits
- 703.030. Siting Standards
- 703.040. Antenna Development Standards
- 703.050. Auxiliary Support Equipment Development Standards
- 703.060. Replacement Utility Structure Development Standards
- 703.070. Support Tower Development Standards
- 703.080. Conditions
- 703.090. Wireless Communications Facilities Adjustment
- 703.100. Special Provisions

703.001. Purpose. The purpose of this Chapter is to provide a means whereby wireless communications facilities are located, designed, installed, maintained, and removed in a manner that provides for the effective provision of wireless communications within the City, while protecting and promoting the health, safety, and welfare of the City and its residents by requiring:

- (a) The collocation, to the greatest extent possible, of new wireless communications facilities on existing facilities in order to minimize the number of support towers and related equipment;
- (b) The careful consideration of the topography, natural features, and historical significance in potential wireless communications facility sites;
- (c) The encouragement of the use of existing structures, including, but not limited to, freestanding structures such as light or utility poles and water towers, instead of constructing new support towers;
- (d) The encouragement of the location of new support towers and related equipment in non-residential zones;
- (e) The limiting of new structures and the regulation of enlargement or expansion of existing structures in rights-of-way for the purpose of providing wireless communications facilities;
- (f) The provision of wireless communication services through facilities with minimal visual impact. (Ord No. 24-13)

703.005. Definitions. Unless the context specifically requires, as used in this Chapter, the following mean:

- (a) **Amateur radio:** The licensed and private use of designated radio bands, for purposes of private recreation, non-commercial exchange of messages, experimentation, self-training, and emergency communication pursuant to an amateur operator license granted from the Federal Communications Commission. Amateur radio is also commonly referred to as "ham radio."
- (b) **Antenna:** Any pole, panel rod, reflection disc, or similar device used for the transmission or reception of radio frequency signals, including, but not limited to omni-directional antenna (whip), directional antenna (panel), micro cell, and parabolic antenna (dish). Antenna does not include support structures, utility structures, or support towers.
- (c) **Array:** A grouping of two or more antennas on a single support structure, support tower, or utility structure.
- (d) **Auxiliary support equipment:** All equipment necessary to provide wireless communications signals and data, including, but not limited to, electronic processing devices, air conditioning units, and emergency generators. Auxiliary support equipment also includes the shelter, cabinets,

and other structural facilities used to house and shelter necessary equipment. Auxiliary support equipment does not include antennas, support towers, utility structures, support structures, or external cables and wires.

(e) Base station: Radio transceivers, antennas, coaxial cable, a regular and backup power supply, and other associated electronics. A base station includes a structure that currently supports or houses an antenna, transceiver, or other associated equipment that constitutes part of a base station and encompasses such equipment in any technological configuration, including distributed antennas systems and small cells.

(f) Capacity: The ability of the wireless communications network to process existing wireless service demands.

(g) Collocation: The mounting or installation of an antenna on an existing support structure, utility structure, or support tower for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

(h) Existing facility: A wireless communication facility that was lawfully in place at the time a complete application is submitted.

(i) Guy pole: A pole that is used primarily to structurally support a utility pole, and has no energized conductors or telephone wires or wireless communications facilities attached.

(j) High voltage transmission lines: Either power lines with capacity for transmitting electricity of 57,000 volts or greater, or a skipped pole between high voltage transmission power lines.

(k) Lattice tower: A support tower which consists of a network of crossed metal braces, forming a tower which is usually triangular or square in cross-section.

(l) Monopole: A support tower which consists of a single pole sunk into the ground and/or attached to a foundation.

(m) Original structure: A lawfully placed utility structure located in the right-of-way as of the effective date of the right-of-way use agreement between the owner and the City.

(n) Owner: The person or entity that owns, operates, or manages an existing wireless communications facility or proposed wireless communications facility, or that person's or entity's agent.

(o) Replacement structure: A utility structure that replaces a lawfully existing utility structure or original structure to accommodate wireless communications facilities and does not result in an increase in the total number of utility, guy, or support poles in the rights-of-way or on private property.

(p) Residential building: A building used for household living or group living, regardless of zone. For the purposes of this definition:

(1) Residential building does not include a mixed use building;

(2) Household living means the residential occupancy of an owner-occupied or rented dwelling unit on a wholly or primarily non-transient long-term basis, typically more than twenty-eight days, by a family;

(3) Group living means the residential occupancy of a structure on a wholly or primarily non-transient long-term basis, typically more than twenty-eight days, by a group of people not meeting the characteristics of household living either because the structure does not provide self-contained dwelling units or because the dwelling is occupied by a group of people who do not meet the definition of family, or both. Group Living facilities generally include common facilities that are shared by residents, including, but not limited to, facilities for dining, social and recreational activities, and laundry.

(q) Right-of-way: The space upon, above, below, in, along, across, over, or under public streets, roads, highways, lanes, courts, ways, alleys, boulevards, bridges, trails, paths, sidewalks, bicycle lanes, and all other public ways or areas, including the subsurface under and air space over these areas, but does not include parks, parkland, or City property not generally open to the

public for travel. This definition applies only to the extent of the City's right, title, and interest in the property and its authority to grant a license, permit, or other permission to use and occupy the property.

(r) Screening: To obscure effectively the view of the base of a wireless communications facility and its auxiliary support equipment.

(s) Siting: The location, construction, collocation, modification, or installation of a wireless communications facility.

(t) Skipped pole:

(1) A utility structure that lies between and is shorter than the two immediately adjacent utility structures; or

(2) Where runs of taller poles (typically high voltage transmission) and shorter poles (typically low voltage distribution or communication) are located on the same side of the street, a shorter pole situated adjacent to and between two taller poles in the same run.

(u) Substantially change the physical dimensions:

(1) The mounting of a proposed antenna on a support tower would increase the existing height of the support tower by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this paragraph if necessary to avoid interference with existing antennas; or

(2) The mounting of a proposed antenna involving the installation of more than the standard number of new equipment cabinets for the technology involved, not to exceed four, or more than one new equipment shelter; or

(3) The mounting of a proposed antenna involving the addition of an appurtenance to the body of the support tower that would protrude from the edge of the support tower more than twenty feet, or more than the width of the support tower structure at the level of the appurtenance, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this paragraph if necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable; or

(4) The mounting of the proposed antenna involving excavation outside the current support tower site, defined as the current boundaries of the leased or owned property surrounding the support tower and any access or utility easements currently related to the site.

(v) Support structure: An existing building or structure, other than single family dwellings and duplexes and support towers, to which an antenna is or will be attached, including, but not limited to, buildings, steeples, water towers, and outdoor advertising signs.

(w) Support tower: A freestanding structure designed and constructed exclusively to support a wireless communications facility or an antenna or antenna array, including, but not limited to, monopoles, lattice towers, guyed towers, and self-supporting towers.

(x) Temporary wireless communications facility: Any wireless communications facility that is to be in use for not more than ninety days and is not deployed in a permanent manner.

(y) Utility structure: Any utility pole, guy or support pole, utility pole extension, light standard, light pole or other similar pole that is suitable for the installation of wireless communications facilities.

(z) Wireless communications: Any personal wireless services, as defined by the Federal Telecommunications Act of 1996 as amended, that currently exist or that may be developed in the future, including but not limited to cellular, personal communications services, specialized mobile radio, enhanced specialized mobile radio, paging, similar Federal Communications Commission-licensed commercial wireless telecommunications services, but excluding wireless telecommunications services used exclusively for public health or safety purposes and wireless communications services used exclusively by gas and electric utilities and cooperative utilities for internal communications of an operational nature.

(aa) **Wireless communications facility:** Any un-staffed facility for the transmission and/or reception of radio frequency signals for commercial wireless communications purposes, including, but not limited to, auxiliary support equipment; support towers or support structures, or utility structures used to achieve the necessary elevation for the antenna; transmission and reception cabling and devices; and all antennas or arrays; but excluding wireless telecommunications services used exclusively for public health or safety purposes and wireless communications services used exclusively by gas and electric utilities and cooperative utilities for internal communications of an operational nature. (Ord No. 24-13)

703.010. General Rule; Collocation and Siting Priority.

(a) Siting Permit Required.

(1) Except as provided in paragraph (2) of this subsection, no wireless communications facility may be sited in the City without a siting permit having first been obtained.

(2) **Exemptions.** A siting permit is not required for the following:

(A) Siting of dish antennas solely for the benefit of persons residing on a property.

(B) Ham radios and associated equipment.

(C) Ordinary maintenance or repair of a wireless communications facility.

(D) Modification of an existing support tower or base station for the collocation of or attachment of new transmission equipment or removal or replacement of existing transmission equipment, pursuant to 47 U.S.C. § 1455, and notwithstanding any provision of this Chapter to the contrary, provided that such modification does not substantially change the physical dimensions of such support tower or base station from the dimensions approved as part of the original decision or building permit for the support tower or base station, that the applicant requesting a modification or expansion of a support tower or base station establishes by substantial evidence that the requested separation between antennas is the minimum necessary to avoid interference, and, to the extent feasible, that the additional equipment or modified equipment shall maintain the appearance and design of the original facility, including, but not limited to, color, screening, landscaping, stealth or camouflage design, mounting configuration, and architectural treatment. However, any modification to a support tower or base station which substantially changes the physical dimensions of either the support tower or base station, and any other modification to a wireless communications facility that does not qualify as a support tower or base station, shall be subject to the siting permits and authorizations as required by this Chapter.

(E) Siting of temporary wireless communications facilities that are used by a public agency for emergency communications, emergency preparedness, or other public health or safety purposes.

(F) Replacement of an existing support tower with a tower that does not substantially change the physical dimensions of the existing support tower.

(b) Collocation Required. All wireless communications facilities located in right-of-way shall be collocated or attached to replacement utility structures. All wireless communications facilities located outside of right-of-way shall be collocated, unless the collocation would interfere with other wireless communications facilities located on the same structure or jeopardize the physical integrity of the structure upon which collocation will be made, consent cannot be obtained for the collocation on a structure, or the available structures do not provide sufficient height to obtain coverage or capacity objectives.

(c) Siting Priority. Wireless communications facilities shall be sited according to the following priority, by descending order of preference:

(1) First priority: collocation or attachment of an antenna or antenna array on a support tower, support structure, or utility structure;

- (2) Second priority: replacement of a utility structure for the purpose of attachment of an antenna or antenna array;
- (3) Third priority: substantial change in the physical dimensions of a support tower or replacement with a support tower that represents a substantial change in the physical dimensions of the original support tower;
- (4) Fourth priority: construction of a new support tower. (Ord No. 24-13)

703.020. Wireless Communications Facility Siting Permits.

- (a) **Applicability.** This section provides the exclusive means of review for applications to site wireless communications facilities.
- (b) **Classes.** There are three classes of wireless communications facilities siting permits.
 - (1) A Class 1 Permit is a permit for a first priority siting.
 - (2) A Class 2 Permit is a permit for a second priority siting.
 - (3) A Class 3 Permit is a permit for a third priority siting or fourth priority siting.
- (c) **Procedure Type.**
 - (1) **Class 1 Permit.** Review of an application for a Class 1 Permit is a Type I procedure under SRC Chapter 300.
 - (2) **Class 2 Permit.** Review of an application for a Class 2 Permit is a Type II procedure under SRC Chapter 300.
 - (3) **Class 3 Permit.** Review of an application for a Class 3 Permit is a Type III procedure under SRC Chapter 300.
- (d) **Submittal Requirements.**
 - (1) **All Applications.** In addition to the submittal requirements under SRC Chapter 300, an application for a Class 1, Class 2, or Class 3 Permit shall include:
 - (A) The location of the siting, according to the siting priorities set forth in 703.010(c), and, if the priority is other than the first priority, documentation establishing that placement at a higher-priority site is not feasible.
 - (B) A site plan that includes:
 - (i) Description of the proposed wireless communications facility's design and dimensions.
 - (ii) Elevations showing all components of the wireless communications facility, and its connections to utilities.
 - (C) Documentation demonstrating compliance with non-ionizing electromagnetic radiation emissions standards established by the Federal Communications Commission.
 - (D) Documentation showing that the auxiliary support equipment will not produce sound levels in excess of standards contained in SRC Chapter 93, or designs showing how the sound will be effectively muffled to meet those standards by means of baffling, barriers, or other suitable means.
 - (E) Documentation that the proposed facility has been submitted to the State Historic Preservation Office for review, if applicable, or a statement explaining why the site is not subject to review by the State Historic Preservation Office.
 - (2) **Class 1 Applications.** In addition to the submittal requirements under paragraph (1) of this subsection, application for a Class 1 Permit shall include:
 - (A) An engineer's certification that the support structure, utility structure, or support tower will safely handle the load created by the attachment or collocation and comply with American National Standards Institute (ANSI) and other industry safety, structural codes and standards.
 - (B) If the utility structure is on a local street, color radio frequency contour maps clearly showing the calculated coverage using the proposed antennas at the applicant's target signal level and the calculated coverage areas for all existing adjacent wireless

communications facility sites of the owner to support the site selected for the proposed facility considering the siting priority established by SRC 703.010(c). If collocation or attachment on other utility structures was ruled out for non-radio frequency coverage reasons, the owner shall provide a statement identifying and justifying those reasons.

(3) Class 2 Applications. In addition to the submittal requirements under paragraph (1) of this subsection, application for a Class 2 Permit shall include:

(A) An engineer's certification that the replacement utility structure will safely handle the load created by the proposed antennas and comply with ANSI and other industry safety, structural codes and standards.

(B) Documentation that the replacement utility structure is at least as wide as that required by any applicable safety standards adopted by the Oregon Public Utility Commission or the minimum necessary to accommodate attachment on the proposed replacement structure.

(C) If the replacement utility structure is on a local street, color radio frequency contour maps clearly showing the calculated coverage using the proposed antennas at the applicant's target signal level and the calculated coverage areas for all existing adjacent wireless communications facility sites of the owner to support the site selected for the proposed facility considering the siting priority established by SRC 703.010(c). If collocation or attachment on other utility structures was ruled out for non-radio frequency coverage reasons, the owner shall provide a statement identifying and justifying those reasons.

(D) Coverage maps or capacity documentation showing any gap in the provider's service and minimum height or configuration of the facility needed to fill the gap.

(E) Color simulations of the wireless communications facility after construction.

(4) Class 3 Applications. In addition to the submittal requirements under paragraph (1) of this subsection, application for a Class 3 Permit shall include:

(A) An engineer's certification that the support tower will safely handle the load created by the proposed antennas and any future attached or collocated communications facilities and will comply with ANSI and other industry safety, structural codes and standards.

(B) For new support towers, documentation from a radio frequency (RF) engineer or a licensed civil engineer that the necessary service cannot be provided by collocation on, or modification to, an existing support tower or support structure or utility structure, or by attachment on a replacement utility structure for one or more of the following reasons:

(i) No existing support towers or support structures or utility structures are located within the geographic area where service will be provided;

(ii) Existing support towers or support structures or utility structures or replacement utility structures would not be of sufficient height to provide the identified necessary service within the geographic area;

(iii) Existing support towers or support structures or utility structures do not have sufficient structural strength to support the proposed antenna or antennas and related equipment and such support towers or support structures or utility structures cannot reasonably be improved or replaced to support the proposed antenna or antennas and related equipment;

(iv) The proposed antenna or antennas would electromagnetically interfere with an antenna on an existing support tower or support structure or utility structure or a replacement utility structure and it is not feasible to effectively address such interference;

- (v) Other limiting engineering factors render existing support towers and support structures and utility structures and replacement utility structures not feasible.
 - (C) An alternatives analysis for new support towers demonstrating compliance with the support tower siting requirements of 703.030(c).
 - (D) The number and type of antennas that the support tower is designed to accommodate.
 - (E) A signed statement of compliance from the owner of the wireless communications facility that the owner will allow timely collocation by other users, provided all safety, structural, technological, and monetary requirements are met.
 - (F) A visual study containing, at a minimum, color simulations showing the appearance of the proposed support tower, antennas, and auxiliary equipment from at least five view points within a one-mile radius. The view points shall be chosen by the owner, but shall include representative views from residential buildings, historic resources, or historic districts located within two hundred and fifty feet of the proposed site. If the support tower must comply with the design standards in 703.070(e), the graphic simulation shall include the proposed design.
 - (G) Coverage maps or capacity documentation showing any gap in the provider's service and minimum height or configuration of the facility needed to fill the gap.
- (e) **Criteria.** A wireless communications facility siting permit shall be granted only if each of the following criteria is met:
- (1) **For Class 1 Applications:**
 - (A) The proposed collocation or attachment of an antenna or antenna array meets the standards in this Chapter.
 - (B) For collocation or attachment of an antenna or antenna array in right-of-way, the proposed wireless communications facility cannot be located outside right-of-way because there are no existing utility structures, support structures, or support towers located outside right-of-way available to meet the service requirements of the wireless provider.
 - (2) **For Class 2 Applications:**
 - (A) The proposed utility structure meets the standards in this Chapter.
 - (B) For replacement of a utility structure outside right-of-way, the proposed wireless communications facility cannot practicably be located on an existing or modified structure outside right-of-way.
 - (C) For replacement of a utility structure outside right-of-way, the approval will not cause an increase in the number of utility structures on the property or cause an enlargement or expansion of an existing utility structure on the property.
 - (D) For replacement of a utility structure in right-of-way, the proposed wireless communications facility cannot practicably be located on an existing structure inside or outside right-of-way or on a modified or replacement structure outside right-of-way.
 - (E) For replacement of a utility structure in right-of-way, the approval will not cause an increase in the number of utility structures in the right-of-way or cause an enlargement or expansion of an existing utility structure in the right-of-way.
 - (3) **For Class 3 Applications:**
 - (A) The support tower conforms to the standards in this Chapter, and the reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions relating to the location, size, design, and operating characteristics of the wireless communications facility.
 - (B) The support tower will not be located in the right-of-way.
 - (C) If the proposal is to construct a new support tower:
 - (i) Collocation on existing wireless communications facilities within the cell service

area of the proposed site is not feasible.

(ii) Proposed location for the tower is the least intrusive means of filling a significant wireless communications service gap in coverage and/or capacity, including in-building coverage; and

(iii) Prohibiting a new tower would prohibit or have the effect of prohibiting the provision of wireless communications services. (Ord No. 24-13)

703.030. Siting Standards.

(a) **Class 1.** The attachment or collocation on support towers, utility structures and support structures shall comply with the following siting standards:

(1) Outside Right-of-Way.

(A) The antenna will not be located in public right-of-way and will not require the erection or placement of a new support tower, utility structure, or support structure.

(2) Inside Right-of-Way.

(A) All wireless communications facilities located in right-of-way shall be collocated or attached to a replacement utility structure.

(B) Wireless communications facilities proposed to be sited in right-of-way shall be sited according to the following priorities, in descending order of preference. If the priority is not followed, the owner must demonstrate why a higher priority is not available for use. For purposes of this subparagraph, streets shall have the classification set forth in the Salem Transportation System Plan.

(i) First priority: parkway or freeway;

(ii) Second priority: major arterials;

(iii) Third priority: minor arterials;

(iv) Fourth priority: collectors;

(v) Fifth priority: local streets.

(b) **Class 2.** The replacement of a utility structure shall comply with the following siting standards:

(1) Inside Right-of-Way.

(A) All wireless communications facilities located in right-of-way shall be collocated or attached to a replacement utility structure.

(B) Wireless communications facilities proposed to be sited in right-of-way shall be sited according to the following priorities, in descending order of preference. If the priority is not followed, the owner must demonstrate why a higher priority is not available for use. For purposes of this subparagraph, streets shall have the classification set forth in the Salem Transportation System Plan.

(i) First priority: parkway or freeway;

(ii) Second priority: major arterials;

(iii) Third priority: minor arterials;

(iv) Fourth priority: collectors;

(v) Fifth priority: local streets.

(c) **Class 3.** The construction of a new support tower, replacement of an existing support tower, or substantial increase in the size of an existing support tower shall comply with the following siting standards:

(1) Residential, Mixed-Use, and Public Zones; and Overlay Zones. Support towers may not be sited in residential zones, public zones, mixed-use zones, or in an overlay zone unless the siting is the least intrusive means of filling a significant wireless communications service gap in coverage **and/or capacity** and prohibiting the siting would effectively prohibit the provision of wireless communications services. If the siting meets these criteria, the minimum height and/or configuration required to provide service to fill the significant

wireless communications service gap in coverage and/or capacity shall be the maximum height permitted for the new or substantially changed support tower and future attached or collocated facilities on the proposed tower.

(2) New support towers may not be sited within the CB zone; in a historic district, or on property that has been designated as a historic resource under federal, state, or local law; within three hundred feet of public right-of-way in the Portland/Fairgrounds Road Overlay Zone; or within three hundred feet of Commercial Street SE right-of-way in the South Gateway Overlay Zone.

(3) The location of the support tower minimizes visual impacts to residential zones to the maximum extent feasible, through the effective use of setbacks, height, bulk, and landscaping or other screening techniques.

(4) The support tower is sited in a way that minimizes the visual impact by taking advantage of existing buildings, topography, or other existing features.

(5) No new support tower shall be constructed, unless the owner submits the required statement and documentation from a radio frequency (RF) engineer or licensed civil engineer to demonstrate that the necessary service cannot be provided by collocation on, or modification to, an existing support tower or support structure or utility structure or by attachment on a replacement utility structure. (Ord No. 24-13)

703.040. Antenna Development Standards.

(a) **Antennas on Support Towers.** Antennas attached to a support tower shall comply with the following development standards:

(1) **Height.** Antennas attached to a support tower shall be no higher than fifteen feet above the top of the support tower.

(2) **Surface and Coloration.** Antennas attached to a support tower shall be made of non-reflective material and painted to match the support tower or existing antennas, whichever results in the new antennas being less visible.

(3) **Mounting.** Antennas attached to a support tower shall be flush-mounted or mounted using similar techniques that minimize visual impact to the greatest extent practicable.

(b) **Antennas on Existing Buildings.**

(1) Antennas, other than whip antennas, located on the roof of an existing building shall comply with the following development standards:

(A) **Height:**

(i) If the building is located in a residential zone or mixed-use zone, the antenna shall extend no higher than ten feet above the point of attachment to the building; or

(ii) If the antenna is located in any zone other than a residential zone or mixed-use zone, the antenna shall extend no higher than thirty feet above the point of attachment to the building.

(B) **Screening:** Antennas shall be screened from the right-of-way and adjacent properties by placement behind a parapet or other architectural feature, including, but not limited to, dormers, chimneys, clocks, or bell towers, or shall be made of non-reflective material and painted to match the building or existing antennas, whichever results in the new antennas being less visible.

(2) Whip antennas located on the roof of a building shall comply with the following development standards:

(A) **Height.** Whip antennas shall extend no higher than fifteen feet above the building.

(B) **Surface and Coloration.** Whip antennas shall be made of non-reflective material and designed to match any existing whip antennas on the building.

(3) Antennas attached to the side of a building or the edge of the roof of a building shall comply with the following development standards:

(A) **Height.** Antennas shall extend no higher than ten feet above the point of attachment to the building.

(B) **Screening, Surface, and Coloration.**

(i) If the building is located in a residential zone, the antenna shall be screened from right of way and adjacent properties by incorporating into the antenna design the type and color of the building materials of the wall or roof on which the antennas are proposed to be attached; or

(ii) If the building is located in any zone other than a residential zone, the antenna shall be either:

(aa) Flush-mounted and painted the same color as the exterior of the building; or

(bb) Painted the same color as the exterior of the building and screened from right-of-way and adjacent properties by incorporating into the antenna design the type and color of the building materials of the wall or roof edge on which the antennas are proposed to be attached.

(c) **Antennas on Support Structures Other than Existing Buildings.** Antennas, other than whip antennas, attached to support structures other than existing buildings shall comply with the following development standards:

(1) **Height.** Antennas attached to a support structure shall extend no higher than fifteen feet above the top of the support structure.

(2) **Surface and Coloration.** Antennas attached to a support structure shall be made of non-reflective material and painted to match the support structure or existing antennas, whichever results in the new antennas being less visible.

(3) **Mounting.** Antennas attached to a support structure shall be flush-mounted or mounted using similar techniques that minimize visual impact to the greatest extent practicable.

(d) **Antennas on Utility Structures.** Antennas attached to utility structures shall comply with the following development standards:

(1) **Physical integrity.** The antennas shall not jeopardize the utility structure's physical integrity.

(2) **Guy poles.** Antennas shall not be located on guy poles.

(3) **Height.**

(A) **Utility structures outside right-of-way.** Antennas attached to a utility structure outside right-of-way shall be no higher than fifteen feet above the top of the utility structure.

(B) **Utility structures in right-of-way.**

(i) The combined height of an antenna and antenna mounting device on an original utility structure that carries high voltage transmission lines shall not project more than:

(aa) Twenty-three feet above the top of a utility structure located on a parkway, freeway, or major arterial;

(bb) Eighteen feet above the top of a utility structure on a minor arterial; or

(cc) Fifteen feet above the top of a utility structure located on a collector street, or local street.

(ii) The combined height of an antenna and antenna mounting device on an original utility structure that does not carry high voltage transmission lines shall not project more than:

(aa) Fifteen feet above the top of a utility structure located on a parkway, freeway, or major arterial;

(bb) Ten feet above the top of a utility structure on a minor arterial; or

- (cc) Five feet above a utility structure located on a collector street or local street.
- (4) **Mounting.** Antennas and antenna mounting devices placed below the top of the utility structure shall be mounted in one of the following configurations:
 - (A) Flush with the utility structure; or
 - (B) On extension arms that are no greater than three feet in length.
- (5) **Surface and Coloration.** Antennas must be painted, coated, or given a surface application that is similar to the color and surface texture of the utility structure so as to minimize visual impact as much as reasonably possible.
- (6) **Lighting.** Unless required by the FAA or the Oregon Aeronautics Division, antennas shall not be lighted. (Ord No. 24-13)

703.050. Auxiliary Support Equipment Development Standards.

(a) Screening.

- (1) **Equipment Associated with Support Towers.** Above-ground auxiliary support equipment associated with a support tower shall be located inside the 6-foot-high sight-obscuring fence or wall that complies with 703.070(c).
- (2) **Equipment Associated with Antennas on Existing Buildings.** Auxiliary support equipment shall be located within or on top of the building or screened from the right-of-way and adjacent properties to the greatest extent practicable. Examples: within an underground vault, behind landscaping or a sight-obscuring fence, within an architectural element, or concealed to resemble a natural object such as a boulder.
- (3) **Equipment Associated with Antennas on Support Structures Other than Existing Buildings.** Any auxiliary support equipment on support structures other than existing buildings must be screened from the right-of-way and adjacent properties and located within the support structure's footprint to the greatest extent practicable. Examples: placing the equipment within the interior of an adjacent building or structure, within an underground vault, behind landscaping or a sight-obscuring fence, or within an architectural element, or concealed to resemble a natural object such as a boulder.
- (4) **Equipment Associated with Antennas on Utility Structures.**
 - (A) **Equipment installed in right-of-way.** Any auxiliary support equipment associated with one or more antennas on a utility structure and not installed on the utility structure shall be installed within an underground vault or in not more than one above-ground cabinet with a combined height plus width plus depth no greater than 120 lineal inches.
 - (B) **Equipment installed outside right-of-way.** Any auxiliary support equipment installed outside right of way shall be screened from the right-of-way and adjacent properties. Examples: placing the equipment within the interior of an adjacent building or structure, within an underground vault, behind landscaping or a sight-obscuring fence, or within an architectural element, or concealed to resemble a natural object such as a boulder.
 - (C) **Equipment attached to a utility structure.** Equipment, other than optical fibers, wires or cables, attached to a utility structure shall:
 - (i) Project no more than eighteen inches from the surface of the utility structure;
 - (ii) Be less than or equal to twenty-four inches in height;
 - (iii) Be mounted a minimum of fifteen feet above ground level on a utility structure located in right-of-way between the sidewalk and the street improvement or a minimum of ten feet above ground level on a utility structure located in right-of-way between the sidewalk and the property line abutting the right-of-way or a minimum of ten feet above ground level on a utility structure located outside right-of-way.

(b) **Setbacks.** Auxiliary support equipment installed above ground and outside right-of-way shall be set back from all property lines according to the applicable standards in the underlying zone.

(c) **Vision Clearance.** Auxiliary support equipment installed above ground shall meet the vision clearance area requirements of SRC 76.170.

(d) **External cables and wires.** All external cables and wires for auxiliary support equipment shall be placed in conduit or painted to match the tower, building, support structure, or utility structure, as applicable.

(e) **Coloration.**

(1) **Equipment Associated with Support Towers and Support Structures.** All auxiliary support equipment shall be non-reflective and shall be painted natural earth or leaf tones or otherwise colored or surfaced so as to blend with the surrounding environment.

(2) **Equipment Associated with Utility Structures.** Equipment installed on a utility structure shall be non-reflective and painted, coated or given a surface application that is identical to the color and surface texture of the utility structure. Other equipment shall be non-reflective and painted natural earth or leaf tones or otherwise colored or surfaced so as to blend with the surrounding environment.

(f) **Lighting.** Motion detecting security lighting is allowed for auxiliary support equipment, but shall be the minimum necessary to secure the auxiliary support equipment, shall not illuminate adjacent properties in excess of 0.4 foot candles measured directly beneath the security lighting, at ground level, and shall be shielded to prevent direct light from falling on adjacent properties.

(g) **Undergrounding Required.** Auxiliary support equipment installed in right-of-way in a historic district or in right-of-way adjacent to a historic district or historic resource or in right-of-way where all other utilities are required to be placed underground shall be placed underground. (Ord No. 24-13)

703.060. Replacement Utility Structure Development Standards.

(a) **Height.**

(1) **Outside Right-of-Way.**

(A) Outside right-of-way, an existing utility structure may be replaced with a replacement structure that is taller than the existing utility structure, provided that the combined height of a replacement structure, antenna mounting device, and antennae does not exceed the maximum height for a structure in the zone.

(B) **Skipped poles.** Outside right-of-way, a skipped pole may be replaced with a pole of the same height as the adjacent taller poles, provided that the combined height of a replacement structure, antenna mounting device, and antennae does not exceed the maximum height for a structure in the zone.

(2) **Inside Right-of-Way.**

(A) Inside right-of-way, an original utility structure may be replaced with a replacement utility structure that is taller than the original structure, provided that the combined height of a replacement structure, antenna mounting device, and antennae is no greater than:

(i) Seventy-eight feet for a replacement structure located on a parkway or freeway;

(ii) Seventy-three feet for a replacement structure on a major arterial;

(iii) Sixty-three feet for a replacement structure on a minor arterial; or

(iv) Fifty-three feet for a replacement structure located on a collector street or local street.

(B) **Skipped poles.** Inside right-of-way, a skipped pole may be replaced with a pole of the same height as the adjacent taller poles, provided that the combined height of the pole, antenna mounting device, and antennae does not exceed the height limitations

imposed pursuant to subparagraph (A) of this paragraph. Example: If a forty-five foot pole is situated adjacent and between two sixty-five foot poles on the same side of a major arterial street, the forty-five foot pole may be replaced with a pole sixty-five feet tall, provided that the combined height of the pole, antenna mounting device, and antennae is no greater than seventy-three feet. If the forty-five foot pole is on the opposite side of the street from the taller poles, it may not be replaced as if it were sixty-five feet tall and may be replaced only up to a height of fifty feet.

(b) Width.

(1) A replacement utility structure that is required to provide structural capacity to support an antenna or auxiliary support equipment shall be at least as wide as the engineering minimum required to provide the required support, and to meet safety standards promulgated by the Oregon Public Utility Commission.

(c) Surface and Coloration. A replacement structure shall be painted, coated, or given a surface application that is similar to the color and surface texture of the existing utility structure or original structure.

(d) External cables and wires. All external cables and wires shall be placed in conduit or painted or colored to match the replacement structure.

(e) Lighting. Unless the existing utility structure or original structure was lighted, a replacement structure shall not be lighted. (Ord No. 24-13)

703.070. Support Tower Development Standards. The construction of a new support tower, or the replacement or substantial increase in the size of an existing support tower, shall comply with the following development standards:

(a) Height.

(1) Except as provided in paragraph (2) of this subsection, support towers shall comply with the height limitations in Table 703-1.

TABLE 703-1

Maximum Support Tower Height by Zone	
Zone	Maximum Height
EFU	35 ft.
RA	50 ft.
RS	50 ft.
RD	50 ft.
RM1	70 ft.
RM2	70 ft.
RH	70 ft.
FMU	70 ft.
SWMU	70 ft.
NCMU	35 ft.
CN	35 ft.
CO	70 ft.
CR	100 ft.
CG	100 ft.
CB	Not applicable*
IC	120 ft.

IBC	120 ft.
IP	120 ft.
EC	120 ft.
IG	120 ft.
II	120 ft.
PA	70 ft.
PC	35 ft.
PE	70 ft.
PH	70 ft.
PS	70 ft.
PM	70 ft.

* New support towers are not allowed in the CB zone pursuant to 703.030(c)(2).

- (2) A support tower located three hundred feet or less from EFU, RA, RS, RD, RM1, or CO zones shall be no greater in height than the lowest maximum allowed height in any of those applicable zones.
- (b) **Setbacks.** The base of a support tower shall be set back as follows:
- (1) In all industrial zones and the IC, CN, CR, CG, or EC zones, the base of the support tower shall be set back a minimum of fifteen feet from all property lines and a minimum of one hundred feet from all property zoned EFU, RA, RS, RD, RH, RM1, RM2, or CO.
 - (2) In all zones other than the industrial zones, residential zones, and the IC, CN, CR, CG, or EC zones, the base of the support tower shall be set back a minimum of thirty feet from all property lines and a minimum of one hundred feet from all property zoned EFU, RA, RS, RD, RH, RM1, RM2, or CO.
 - (3) In all residential zones, the base of the support tower shall be set back a minimum of 100 feet from all property zoned EFU, RA, RS, RD, RH, RM1, RM2, or CO, and 30 feet from all other property.
 - (4) In all zones, the six foot high sight-obscuring perimeter fence required under 703.070(c) shall be set back a minimum of ten feet from all property lines.
- (c) **Screening.** Support towers shall be surrounded by a six foot high sight-obscuring fence or wall with a minimum ten foot wide landscaped area along the outside perimeter except as required to access the facility. The landscaped area shall be planted with one plant unit per twenty square feet of yard area. The landscaping shall conform to the following requirements of SRC 807:
- (1) SRC 807.020 (Landscape Plan);
 - (2) SRC 807.025 (Plant Material Standards);
 - (3) SRC 807.035 (Installation);
 - (4) SRC 807.045 (Maintenance);
 - (5) SRC 807.050 (Compliance/Performance Assurance);
 - (6) SRC 807.040 (Irrigation);
 - (7) SRC 807.015(c) (Preservation of Existing Trees and Vegetation);
 - (8) SRC 807.015(d) (Tree Replanting Requirements); and
 - (9) SRC 807.015(b) (Plant Materials and Corresponding Plant Unit Values).
- (d) **Surface and Coloration.** Support towers shall be non-reflective, and shall be painted natural earth or leaf tones or otherwise colored or surfaced so as to blend with the surrounding environment.

(e) Design Standards. The following additional design standards shall apply to support towers in all residential zones, mixed-use zones, CO zones, or PC zones; and to support towers located within three hundred feet of all residential zones, mixed-use zones, CO zones or PC zones:

(1) The support tower shall be designed to resemble an object that would commonly be found in the area and that would be permitted in the zone, including, but not limited to a tree that is a native conifer species, a flag or light pole, a clock or bell tower, or a silo.

(2) The object chosen shall be appropriate to the context of surrounding environment, both natural and man-made.

(3) The physical dimensions of the support tower shall have proportions that are similar in scale to the natural or manmade object.

(4) To the greatest extent possible, the antennas shall not be easily recognized.

(f) External cables and wires. All external cables and wires shall be placed in conduit or painted to match the support tower.

(g) Lighting. Unless required by the FAA or the Oregon Aeronautics Division, support towers shall not be lighted.

(h) Collocation.

(1) Support towers one hundred feet in height or higher shall be designed to provide for attachment or collocation of at least two future antenna systems, in a manner that will accommodate the additional antenna systems without a need to increase the height or base diameter of the support tower.

(2) Support towers between fifty feet and one hundred feet in height shall be designed to provide for attachment or collocation of at least one future antenna system, in a manner that will accommodate the additional antenna system without a need to increase the height or base diameter of the support tower.

(i) Access.

(1) Where a support tower is adjacent to a local street and a collector or arterial street, access to the support tower shall be from the local street, subject to all applicable access standards.

(2) Access to the support tower shall be oriented away from existing dwellings, and any property zoned residential or mixed use. (Ord No. 24-13; Ord No. 31-13)

703.080. Conditions. Every wireless communications facility siting permit shall be subject to the following conditions:

(a) An obsolete wireless communications facility shall be removed by the owner within six months of the date the facility ceases to be operational.

(b) All wireless communications facilities shall be operated and maintained in compliance with all radio frequency emission standards specified by the Federal Communications Commission.

(c) All wireless communications facilities shall be installed and maintained in accordance with applicable federal, state, and local laws.

(d) All wireless communications facilities shall allow for the attachment or collocation of additional facilities to the greatest extent possible, unless such attachment or collocation interferes with the owner's wireless communications facilities, jeopardizes the physical integrity of a structure with which a wireless communications facility is associated, or the owner refuses to consent to the attachment or collocation of additional wireless communications facilities.

(e) Vegetation that is either removed or destroyed as a result of construction shall be replanted with appropriate plant materials as prescribed in SRC 132.200.

(f) Prior to making any opening or cut in any right-of-way, an owner shall obtain approval from the City Engineer.

(g) After construction, maintenance or repair of any wireless communications facility, an owner shall leave any right-of-way disturbed by such activity in as good or better condition than it was

before the commencement of such work. The owner shall promptly complete restoration work and promptly repair any damage caused by such work at its sole cost and expense. When any opening or cut is made by the owner in the pavement of right-of-way, the owner must promptly refill the opening or cut, and restore the surface to a condition satisfactory to the City Engineer, in accordance with public works construction standards.

(h) Prior to performing any excavation in right-of-way to underground any auxiliary support equipment, all necessary city permits shall be obtained and all appropriate notice given to any franchisees, licensees and grantees, other city departments, and other governmental units that own or maintain facilities which may be affected by the excavation.

(i) All undergrounding and excavation work must comply with the Oregon Utility Notification Law, ORS 757.542-757.562 and 757.993, and all rules and regulations promulgated thereunder.

(j) All excavations made by an owner in right-of-way shall be properly safeguarded for the prevention of accidents and must be done in compliance with all applicable federal, state, and local laws and regulations.

(k) Except for short or temporary durations during testing or during operation in emergency situations, noise generating equipment associated with wireless communications facilities shall not produce sound levels in excess of standards established in SRC Chapter 93. (Ord No. 24-13)

703.090. Wireless Communications Facilities Adjustment.

(a) Applicability. Except as otherwise provided in this Chapter, no wireless communications facility shall be used or developed contrary to any applicable development standard unless an adjustment has been granted pursuant to this Chapter. These provisions apply exclusively to wireless communications facilities, and are in lieu of the generally applicable adjustment provisions under SRC 250.

(b) Procedure Type. A wireless communications facility adjustment is a Type II procedure under SRC Chapter 300.

(c) Submittal Requirements. In addition to the submittal requirements for a Type II application under SRC Chapter 300, an application for a wireless communications facility adjustment shall include:

- (1)** A written statement demonstrating how the adjustment would meet the criteria.
- (2)** A site plan that includes:
 - (A)** Description of the proposed siting's design and dimensions, as it would appear with and without the adjustment.
 - (B)** Elevations showing all components of the wireless communications facility, and its connection to utilities, as it would appear with and without the adjustment.
 - (C)** Color simulations of the wireless communications facility after construction demonstrating compatibility with the vicinity, as it would appear with and without the adjustment.

(d) Criteria. An application for a wireless communications facility adjustment shall be granted if the following criteria are met:

- (1)** The adjustment is consistent with the purpose of the development standard for which the adjustment is sought.
- (2)** Based on a visual analysis, the design minimizes the visual impacts to residential zones through mitigating measures, including, but not limited to, building heights, bulk, color, and landscaping.
- (3)** The owner demonstrates the existence of either of the following:
 - (A) Gap in Service.**
 - (i)** A gap in the coverage or capacity of the service network exists such that users are regularly unable to connect to the service network, or are regularly unable to

maintain a connection, or are unable to achieve reliable wireless coverage within a building;

(ii) The gap can only be filled through an adjustment in one or more of the standards in this Chapter; and

(iii) The adjustment is narrowly tailored to fill the service gap such that the wireless communications facility conforms to this Chapter's standards to the greatest extent possible.

(B) Minimization of Impacts. The adjustment would minimize or eliminate negative impacts to surrounding properties and their uses, through a utilization of existing site characteristics, including, but not limited to, the site's size, shape, location, topography, improvements, and natural features. Negative impacts are minimized or eliminated if there is:

(i) A decrease in negative visual impacts, including, but not limited to, visual clutter;

(ii) Better preservation of views or view corridors;

(iii) A decrease in negative impacts on property values; or

(iv) A decrease in any other identifiable negative impacts to the surrounding area's primary uses. (Ord No. 24-13)

703.100. Special Provisions

(a) Temporary facilities. In order to facilitate continuity of services during maintenance or repair of existing facilities or prior to completion of construction of a new facility, temporary wireless communications facilities are allowed through administrative review. Temporary facilities authorized under this subsection may not be used in excess of ninety days, may not have a permanent foundation and shall be removed within thirty days after the permanent facility is completed. A permit for a temporary facility under this subsection may not be renewed or extended, nor may a new permit be issued for the same facility within the succeeding six months after the expiration of the initial permit.

(b) Third-party review and associated fees.

(1) The City shall obtain the services of a third party consultant to review and evaluate evidence offered as part of an application submitted under this Chapter for the following applications:

(A) A new support tower in or within 300 feet of a residential zone,

(B) An adjustment to exceed the maximum height of a support tower in or within 300 feet of a residential zone, or

(C) An adjustment to reduce the minimum setback of a support tower from a property zoned residential.

(2) The City may, but is not required to, obtain the services of a third party consultant to review and evaluate evidence offered as part of an application submitted under this Chapter for an adjustment or for a new support tower in or within 300 feet of a public zone, mixed-use zone, or overlay zone.

(3) Notwithstanding any other provisions of the Salem Revised Code, the City Council may establish fees in amounts sufficient to recover all of the City's costs in retaining consultants to perform third-party review under this section.

(c) Issuance of Building Permit. No building permit shall be issued for the construction of a wireless communications facility until the application for the specific type of siting has been approved, including any local appeal.

(d) Nothing in this Chapter shall be deemed to prohibit a public utility from installing or constructing a new utility structure, or enlarging, expanding, or reconstructing an existing utility structure in public right-of-way, if the installation, construction, enlargement, expansion, or

reconstruction of the utility structure would otherwise be permitted under law and the utility can demonstrate that the need for the new utility structure is not related to or created by a wireless communications facility.

(e) Removal for discontinuance of service. Any wireless communications facility that has not provided service for six months is deemed a nuisance and is subject to abatement as provided in SRC Chapter 50. Any obsolete freestanding or attached wireless communications facility shall be removed by the facility owner within six months of the date it ceases to be operational or if it falls into disrepair.

(f) Relocation.

(1) The City has the right to require changes in the location of wireless communications facilities in rights-of-way when the public convenience requires such change, and the expense thereof shall be paid solely by the owner.

(2) Prior to requiring relocation, the City will provide the owner with notice substantially similar to that given to franchisees, licensees, or grantees.

(3) Should an owner fail to remove or relocate the wireless communications facility by the date stated in the notice, the City may cause removal or relocation of the wireless communications facility, and the expense thereof shall be paid by the owner, including all expenses incurred by the City due to the owner's failure to remove or relocate the wireless communications facility.

(4) If an owner must relocate its wireless communications facility in rights-of-way as the result of a request by the City, the City will make a reasonable effort to provide the owner with an alternate location for the relocated facility.

(g) Measurements. Unless otherwise specified in this Chapter, all references to the existing or allowed height of a structure in this Chapter are measured from the original grade at the base of the wireless communications facility to the highest point on the wireless communications facility, including all antennas and excluding any lightning rods. (Ord No. 24-13)