



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**  
FROM CONCEPT TO CONSTRUCTION

Ted Wheeler, Mayor  
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**Date:** August 9, 2019  
**To:** Interested Person  
**From:** Andrew Gulizia, Land Use Services  
503-823-7010 / [Andrew.Gulizia@portlandoregon.gov](mailto:Andrew.Gulizia@portlandoregon.gov)

## **NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has approved a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

### **CASE FILE NUMBER: LU 19-186744 AD**

#### **GENERAL INFORMATION**

**Applicant:** Jeffrey Maas | Urban Patterns  
1035 SE 9<sup>th</sup> Ave., Ste. 202 | Portland, OR 97214

**Property Owner:** The Redd Foundry LLC  
721 NW 9<sup>th</sup> Ave., Ste. 200 | Portland, OR 97209

**Site Address:** 831 SE Salmon St.

**Legal Description:** BLOCK 175 LOT 3-8 TL 2800, HAWTHORNE PK  
**Tax Account No.:** R366701240  
**State ID No.:** 1S1E02BC 02800  
**Quarter Section:** 3131  
**Neighborhood:** Buckman, contact Richard Johnson at [buckmanlandusepdx@gmail.com](mailto:buckmanlandusepdx@gmail.com)

**Business District:** Central Eastside Industrial Council, contact [ceic@ceic.cc](mailto:ceic@ceic.cc)  
**District Coalition:** Southeast Uplift, contact Leah Fisher at 503-232-0010  
**Plan District:** Central City plan district - Central Eastside subdistrict  
**Zoning:** IG1 – General Industrial 1  
**Case Type:** AD – Sign Adjustment Review  
**Procedure:** Type II, an administrative decision with appeal to the Adjustment Committee

**Proposal:** The subject site is used as a support hub for local food businesses. For this property, the Sign Code allows up to 300 square feet of total building signage, with individual signs limited to 200 square feet (Sign Code Section 32.32.020, Table 2). The applicant has already obtained sign permits for three building signs on this property: one 12-square-foot fascia sign and two 6-square-foot fascia signs. The applicant is requesting Adjustment Review approval for two additional painted wall signs. The applicant is requesting the following Adjustments to Sign Code Section 32.32.020, Table 2 for the proposed wall signs:

- To increase the maximum size of a wall sign on the east building wall from 200 square feet to 223.5 square feet;
- To increase the maximum size of a wall sign on the west building wall from 200 square feet to 499 square feet; and
- To increase the maximum building sign area on the site from 300 square feet to 746.5 square feet (including the 24 square feet of building signage already approved).

**Relevant Approval Criteria:** To be approved, this proposal must comply with the approval criteria for Sign Adjustments in Title 32.38.030.C.

## ANALYSIS

**Site and Vicinity:** The 22,022-square-foot site is in the Central Eastside industrial area, on the eastern half of the block bounded by SE Salmon Street, SE Taylor Street, SE 8<sup>th</sup> Avenue, and SE 9<sup>th</sup> Avenue. The site is developed with an industrial building that was constructed in 1918 and recently renovated. The site is part of the two-block Redd Foundry campus which provides “back of house” support for local food businesses. Most neighboring properties are also developed with industrial buildings.

**Zoning:** The IG1 zone is one of the three zones that implement the Industrial Sanctuary map designation of the Comprehensive Plan. The zone provides areas where most industrial uses may locate, while other uses are restricted to prevent potential conflicts and to preserve land for industry. IG1 areas generally have smaller lots and a grid block pattern.

The site is also within the Central City plan district (Central Eastside subdistrict). The Central City plan district implements the Central City Plan and other plans applicable to the Central City area. The district implements portions of these plans by adding code provisions which address special circumstances existing in the Central City area.

**Land Use Review History:** There are no prior land use reviews in City records for this site.

**Agency Review:** A “Notice of Proposal” was sent July 15, 2019. The following Bureaus responded with no concerns about the proposed Adjustments:

- Fire Bureau (Exhibit E-1);
- Site Development Section of BDS (Exhibit E-2); and
- Life Safety Review Section of BDS (Exhibit E-3).

**Neighborhood Review:** No written responses to the mailed “Notice of Proposal” were received from either the Neighborhood Association or notified neighbors.

## SIGN CODE APPROVAL CRITERIA

### 32.38.030.C Adjustment Review

Sign adjustments will be approved if the review body finds that the applicant has shown that the criteria of Paragraph C.1. or 2, below are met.

- C.1 Area enhancement. The applicant must meet criteria C.1.a and b. and either C.1.c. or d.
- a. The adjustment for the proposed sign will not significantly increase or lead to street level sign clutter, to signs adversely dominating the visual image of the area, or to a sign that will be inconsistent with the objectives of a specific plan district or design district; and

**Findings:** The three aspects of this criterion are addressed below:

Street level sign clutter

Both new signs proposed in this Adjustment Review will be painted onto the existing building, and neither will be at street level. The east-facing sign will be approximately 26 feet above the street level of SE 9<sup>th</sup> Avenue (Exhibit C-2). The west-facing sign will be set back approximately 44 feet from the nearest street right-of-way (SE Taylor Street) and will be approximately 28 feet above the ground (Exhibit C-2). For these reasons, this proposal will not contribute to street level sign clutter.

Visual image of the area

While the signs will be larger than allowed outright by the Sign Code, their simple design (white lettering painted onto the building walls) and indirect lighting will lessen their visual impact. At 223.5 square feet, the east-facing sign (facing SE 9<sup>th</sup> Avenue) will be only 12% larger than the Sign Code's 200-square-foot allowance for individual signs. At 499 square feet, the west-facing sign will be more than twice as large. However, the west-facing sign will be oriented toward a paved area on the interior of the subject site and will be approximately 44 feet from the nearest street right-of-way (SE Taylor Street). The east-facing and west-facing signs will not be simultaneously visible from any point, so they will not create a cumulative visual impact. In addition, large, painted wall signs are characteristic of older industrial buildings in the Central Eastside (Exhibits A-1, A-3, and A-4). For these reasons, staff finds the proposed signs will not adversely dominate the visual image of the area.

Plan district or design district objectives

The site is not within a design district, and the purpose statement for the Central City plan district (Zoning Code Section 33.510.010) does not mention signage. Therefore, this aspect of the approval criterion is not applicable.

Summary

For the reasons discussed above, staff finds criterion C.1.a is met.

- b. The sign will not create a traffic or safety hazard; and

**Findings:** The new signs will be painted onto the existing building and will not project into any rights-of-way. The signs will be visible from the adjacent streets, but at 26 feet and 28 feet above the ground, and with only indirect lighting, the signs will not create any significant distraction. Therefore, staff finds the proposal will not create a traffic or safety hazard and that criterion C.1.b is met.

- c. The adjustment will allow a unique sign of exceptional design or style that will enhance the area or that will be a visible landmark; or
- d. The adjustment will allow a sign that is more consistent with the architecture and development of the site.

**Findings:** As stated above, the east-facing and west-facing signs will not be simultaneously visible from any point, so the two signs will not create a cumulative visual impact. While the signs will be larger than allowed outright by the Sign Code, the signs will be painted directly onto the building walls with only indirect lighting. Large, painted wall signs are characteristic of older industrial buildings in the Central Eastside (Exhibits A-1, A-3, and A-4). For these reasons, the proposed signs will be more consistent with the architecture and development on the site, and criterion C.1.d is met. (Since C.1.d is found to be met, C.1.c does not have to be addressed.)

## DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or sign permit must demonstrate that all development standards of

Title 32 and Title 33 can be met or have received an Adjustment or Modification via a land use review prior to the approval of a building or sign permit.

## CONCLUSIONS

The proposed painted wall signs will not cause street-level sign clutter, will not adversely dominate the visual image of the area, and will not cause traffic or safety impacts. Approval of the Adjustment Review will allow signage that is compatible with the architecture and development on the site. Since the applicant has demonstrated that the approval criteria are met, the Adjustment Review must be approved.

## ADMINISTRATIVE DECISION

Approval of the following Adjustments to Sign Code Section 32.32.020, Table 2 for 2 painted wall signs:

- To increase the maximum size of a wall sign on the east building wall from 200 square feet to 223.5 square feet;
- To increase the maximum size of a wall sign on the west building wall from 200 square feet to 499 square feet; and
- To increase the maximum building sign area on the site from 300 square feet to 746.5 square feet (including the 24 square feet of building signage already approved).

per the approved plans, Exhibits C-1 through C-3, signed and dated August 6, 2019, subject to the following condition:

- A. As part of the permit application submittal, each of the required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C-1 through C-3. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 19-186744 AD."

**Staff Planner: Andrew Gulizia**

**Decision rendered by:** \_\_\_\_\_ **on August 6, 2019.**

By authority of the Director of the Bureau of Development Services

**Decision mailed: August 9, 2019**

**About this Decision.** This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

**Procedural Information.** The application for this land use review was submitted on July 1, 2019 and was determined to be complete on July 11, 2019.

Zoning Code Section 33.700.080 states that land use review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal or complete within 180 days. Therefore, this application was reviewed against the Zoning Code in effect on July 1, 2019.

ORS 227.178 states the City must issue a final decision on land use review applications within 120 days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on November 8, 2019.**

**Some of the information contained in this report was provided by the applicant.** As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

**Conditions of Approval.** If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

**Appealing this decision.** This decision may be appealed to the Adjustment Committee, which will hold a public hearing. Appeals must be filed **by 4:30 PM on August 23, 2019** at 1900 SW Fourth Ave. Appeals can be filed at the 5<sup>th</sup> floor reception desk of 1900 SW 4<sup>th</sup> Avenue Monday through Friday between 8:00 am and 4:30 pm. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at [www.portlandonline.com](http://www.portlandonline.com).

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Adjustment Committee is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Adjustment Committee an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**Recording the final decision.** If this land use review is approved the final decision will be recorded with the Multnomah County Recorder. *Unless appealed*, the final decision will be recorded after **August 23, 2019** by the Bureau of Development Services. The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder. For further information on recording documents, please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

**Expiration of this approval.** An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit or sign permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

**Applying for your permits.** A building permit, occupancy permit, development permit, or sign permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

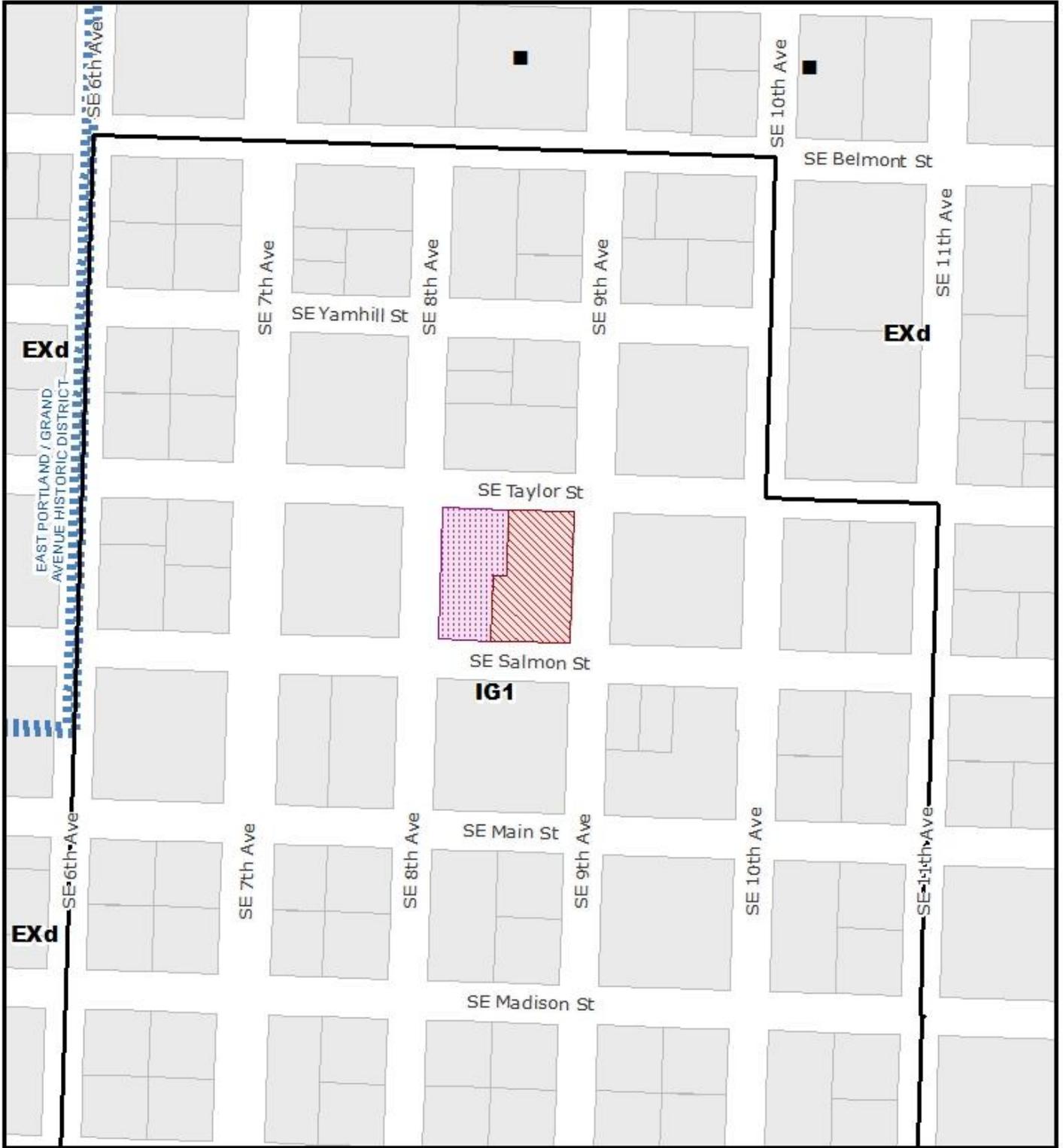
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement:
  - 1. Applicant's narrative
  - 2. Rendering
  - 3. Historic drawing
  - 4. Neighborhood photos
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site plan (attached)
  - 2. Sign plans (attached)
  - 3. Sign plan details
- D. Notification Information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Fire Bureau
  - 2. Site Development Review Section of BDS
  - 3. Life Safety Review Section of BDS
- F. Correspondence – none received
- G. Other:
  - 1. Land use application form and receipt

**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**



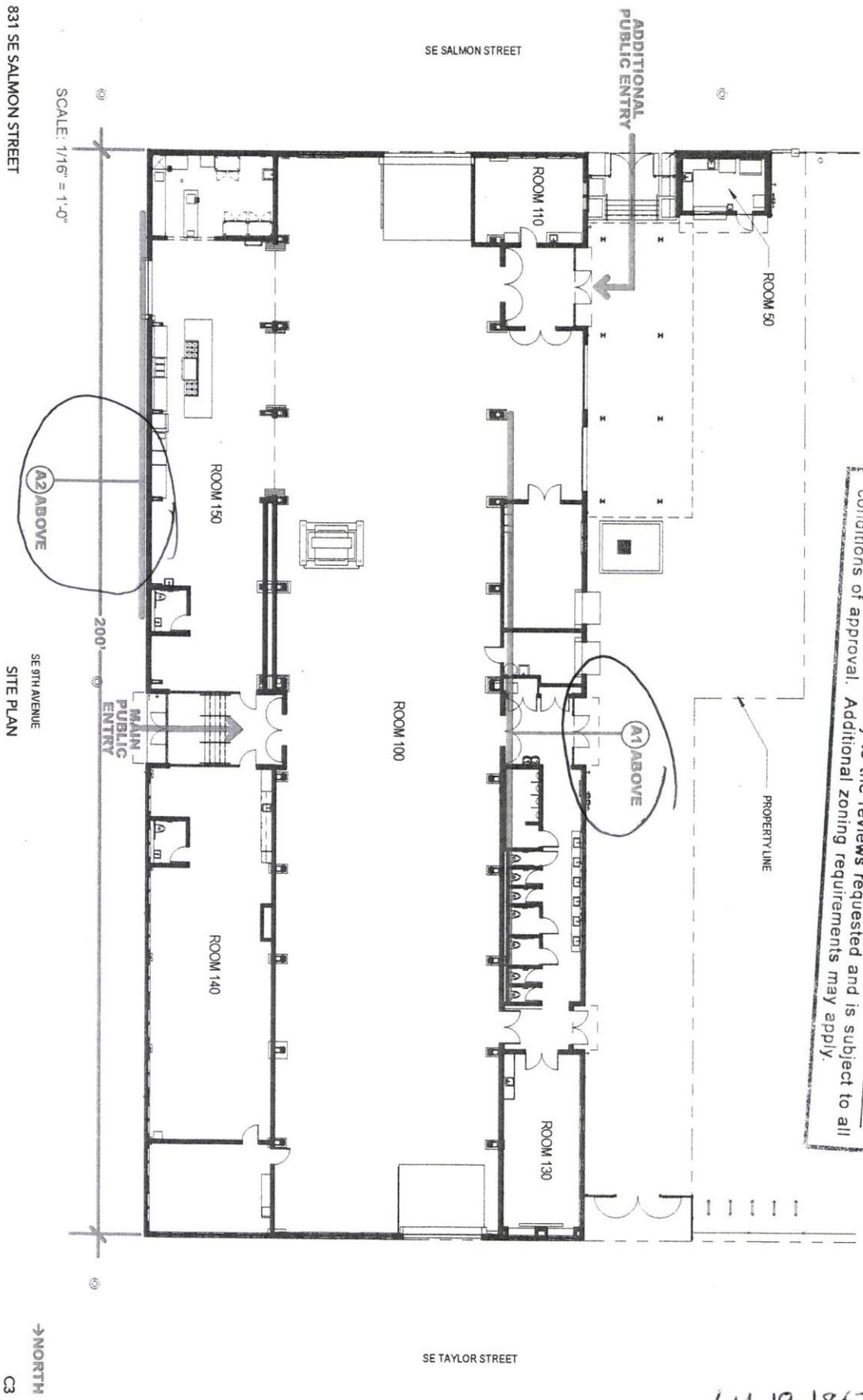
**ZONING**   
 NORTH

THIS SITE LIES WITHIN THE:  
 CENTRAL CITY PLAN DISTRICT  
 CENTRAL EASTSIDE SUBDISTRICT

-  Site
-  Also Owned Parcels
-  Historic Landmark

File No.	LU 19-186744 AD
1/4 Section	3131
Scale	1 inch = 200 feet
State ID	1S1E02BC 2800
Exhibit	B Jul 05, 2019

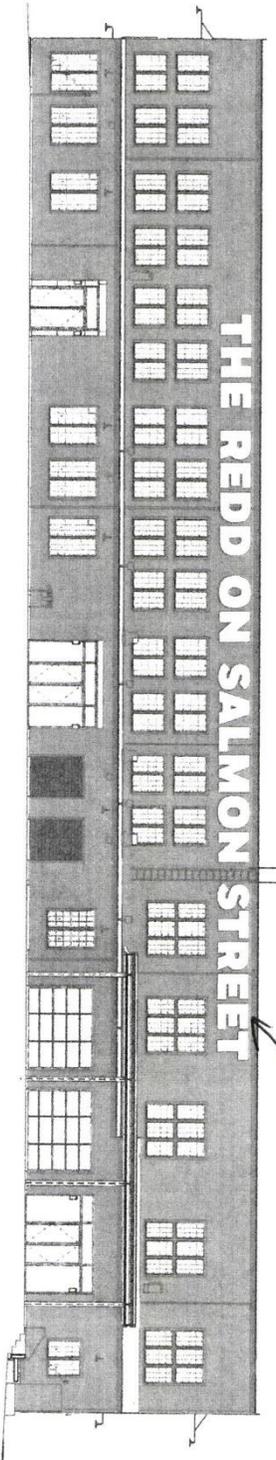
**\*Approved\***  
 City of Portland - Bureau of Development Services  
 Planner A Guh  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.  
 Date 8/6/19



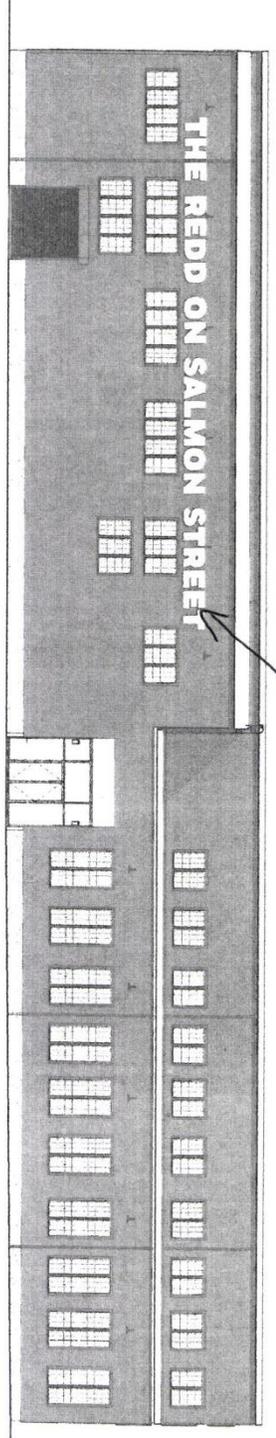
LU 19-186744 AD

LU 19-186744 AD  
 Exhibit C-1

\*Approved\*  
 City of Portland - Bureau of Development Services  
 Planner A. G. Williams Date 8/6/19  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



WEST ELEVATION - SIGN A1  
 SCALE: 1/16" = 1'-0"



EAST ELEVATION - SIGN A2  
 SCALE: 1/16" = 1'-0"

831 SE SALMON STREET

SIGNAGE ELEVATIONS

LU 19-186744 AD  
 Exhibit C-2

LU 19-186744 AD