

2035 Comprehensive Plan



Code Reconciliation Project



Adopted May 24, 2018
Ordinance # 188959



Volume 2:
Title 11, 18 and 32
Amendments



Bureau of Planning and Sustainability
Innovation. Collaboration. Practical Solutions.

City of Portland, Oregon
Ted Wheeler, Mayor • Susan Anderson, Director



SUBSTITUTE

Ordinance No. 188959

* Amend Tree, Noise and Sign regulations to effectively implement Portland City Code through the Code Reconciliation Project (Ordinance; amend Title 11, Title 18 and Title 32)

The City of Portland Ordains:

Section 1. The Council finds:

General Findings

1. The Code Reconciliation Project amends several City titles to align regulations and more effectively implement the Portland 2035 Comprehensive Plan, which was adopted in December 2016 (Ordinance #187832) and align it with the Inclusionary Housing Zoning Code Project (Ordinance # 188162), which was adopted on December 21, 2016.
2. On June 15, 2016 the Portland City Council adopted the 2035 Comprehensive Plan (Ordinance #187832) which sets the land use and development policy framework for the City of Portland.
3. On December 21, 2016, the Portland City Council adopted the 2035 Comprehensive Plan Early Implementation Zoning Code Amendments (Ordinance #188177) which implement the 2035 Comprehensive Plan and will become effective May 23, 2018.
4. Additional amendments to City Titles are necessary to align the regulations and the 2035 Comprehensive Plan.
5. Extensive community involvement was essential for the development and adoption of the *2035 Comprehensive Plan* and the related implementing measures. Additional community involvement was conducted for the Code Reconciliation Project.
6. On September 18, 2017 notice of the proposal and the public hearings before the Planning and Sustainability Commission, the Urban Forestry Commission, and the Noise Review Board was mailed to all neighborhood associations, neighborhood coalitions, and business associations in the city of Portland, as well as other interested persons, as required by PCC 33.740.
7. On October 24, 2017 the Planning and Sustainability Commission held a public hearing on the *Code Reconciliation Project - Proposed Draft*, and testimony was received. The Planning and Sustainability Commission held additional work sessions on November 14, 2017, December 12, 2017, and January 9, 2018 to address issues raised in testimony. The Commission voted to make several amendments to the proposal, and then voted to recommend approval of the amendments to Title 33, Title 32, and Title 11 of the *Code Reconciliation Project - Proposed Draft*, as amended by the Commission, to City Council for adoption.
8. On November 8, 2017 the Portland Noise Review Board held a public hearing on the proposed amendments to Title 18 contained in the *Code Reconciliation Project - Proposed Draft*. The Board took public comment and offered feedback to staff on the proposal.

9. On November 16, 2017 the Portland Urban Forestry Commission held a public hearing on the proposed amendments to Title 11 contained in the *Code Reconciliation Project - Proposed Draft*. The Commission voted to recommend approval of amendments to Title 11 contained in the *Code Reconciliation Project - Proposed Draft* to City Council for adoption.
10. On February 20, 2018 notice of the March 21, 2018 City Council hearing on the Code Reconciliation Project – Recommended Draft was mailed to those who presented testimony orally or in writing to the Planning and Sustainability Commission and provided a name and address, and those who asked for notice.
11. On March 21, 2018 Portland City Council held a public hearing and received testimony on the Code Reconciliation Project – Recommended Draft. The Council further amended the Recommended Draft in response to testimony and to further refine and reconcile the code for implementation.

NOW, THEREFORE, the Council directs:

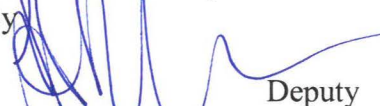
- a. Title 11, Title 18, and Title 32 of the City Code are hereby amended as described in Exhibit A *Code Reconciliation Project - Recommended Draft, As-Amended*, dated April 2018.
- b. The commentary and discussion in Exhibit A *Code Reconciliation Project - Recommended Draft, As-Amended*, dated April 2018, are adopted as further findings and legislative intent.

Section 2. If any section, subsection, sentence, clause, phrase, diagram, designation, or drawing contained in this Ordinance, or the plan, map or code it adopts or amends, is held to be deficient, invalid or unconstitutional, that shall not affect the validity of the remaining portions. The Council declares that it would have adopted the plan, map, or code and each section, subsection, sentence, clause, phrase, diagram, designation, and drawing thereof, regardless of the fact that any one or more sections, subsections, sentences, clauses, phrases, diagrams, designations, or drawings contained in this Ordinance, may be found to be deficient, invalid or unconstitutional.

Section 3. The Council declares that an emergency exists because the amendments to city code are critical for consistent implementation, and a delay in the effective date would interrupt the ability to effectively administer city code; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

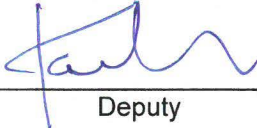
Passed by the Council: MAY 24 2018

Mayor Ted Wheeler
Prepared by: Barry Manning
Date Prepared: April 19, 2018

Mary Hull Caballero
Auditor of the City of Portland
By  Deputy

Title

* Amend Tree, Noise and Sign regulations to effectively implement Portland City Code through the Code Reconciliation Project (Ordinance; Amend Title 11, Title 18 and Title 32)

<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Ted Wheeler</p>	<p>CLERK USE: DATE FILED <u>APR 23 2018</u></p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By:  Deputy</p> <p>ACTION TAKEN: APR 25 2018 <i>Substitute accepted.</i> APR 25 2018 <i>Julia Thompson</i> CONTINUED TO MAY 24 2018 2 P.M.</p>
<p>Mayor—Finance and Administration - Wheeler <i>KC</i></p>	
<p>Position 1/Utilities - Fritz</p>	
<p>Position 2/Works - Fish</p>	
<p>Position 3/Affairs - Saltzman</p>	
<p>Position 4/Safety - Eudaly</p>	
<p style="text-align: center;">BUREAU APPROVAL</p>	
<p>Bureau: Planning and Sustainability Bureau Head: Susan Anderson <i>Julia Thompson</i></p>	
<p>Prepared by: Barry Manning Date Prepared: April 23, 2018</p>	
<p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input type="checkbox"/></p>	
<p>City Auditor Office Approval: required for Code Ordinances</p>	
<p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>LEP</i></p>	
<p>Council Meeting Date April 25, 2018</p>	

AGENDA
<p>TIME CERTAIN <input checked="" type="checkbox"/> Start time: <u>2:00 pm</u></p> <p>Total amount of time needed: (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish <i>→</i>	✓	
3. Saltzman	✓	
4. Eudaly	✓	
Wheeler	✓	

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Traducción o interpretación	Chuyển Ngữ hoặc Phiên Dịch	翻译或传译	Письменный или устный перевод
Traducere sau Interpretare	Письмовий або усний переклад	翻訳または通訳	Turjumida ama Fasiraadda
	الترجمة التحريرية أو الشفهية	ການແປພາສາ ຫຼື ການອະທິບາຍ	
503-823-7700 www.portlandoregon.gov/bps/71701			

For more information or if you have questions about the Code Reconciliation Project:

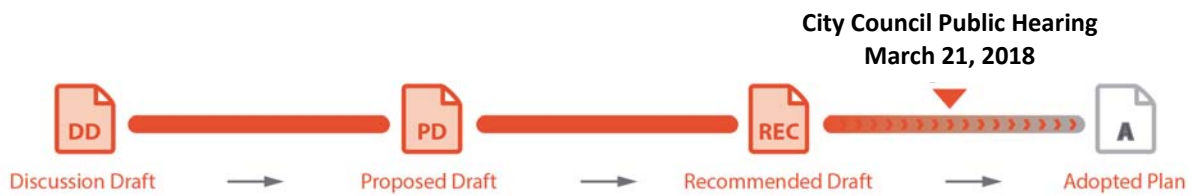
Visit the web:

<https://www.portlandoregon.gov/bps>

Contact staff:

503-823-7700

The *Code Reconciliation Project – Recommended Draft* was considered by Portland City Council at a public hearing on March 21, 2018 at 3:00 p.m. The Council heard and considered public testimony, held work sessions and amended the Recommended Draft. Portland City Council adopted the *Code Reconciliation Project – Recommended Draft As-Amended*, on May 24, 2018, Ordinance # 188958 and Ordinance # 188959.



Acknowledgments

Portland City Council

Ted Wheeler, *Mayor*

Nick Fish, *Commissioner*

Amanda Fritz, *Commissioner*

Chloe Eudaly, *Commissioner*

Dan Saltzman, *Commissioner*

Portland Planning and Sustainability Commission

Katherine Schultz (Chair); André Baugh (Vice Chair); Chris Smith (Vice Chair); Jeff Bachrach; Ben Bortolazzo, Mike Houck; Katie Larsell; Andrés Oswill; Michelle Rudd; Eli Spevak; Teresa St. Martin

Portland Urban Forestry Commission

Vivek Shandas (Chair); Barbara Hollenbeck (Vice Chair); Catherine Mushel (Secretary); Gregg Everhart; Brian French; Daniel Newberry; Meryl Redisch; Damon Schrosk; Thuy Tu

Bureau of Planning and Sustainability

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Eden Dabbs, Communications

Sara Wright, Community Involvement



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Katie Larsell

Chris Smith, Vice Chair

Andrés Oswill

Michelle Rudd

Eli Spevak

Teresa St Martin

February 8, 2018

Mayor Ted Wheeler and Members of Portland City Council
Portland City Hall
1221 SW Fourth Ave
Portland, OR 97204

Dear Mayor and Commissioners:

The Portland Planning and Sustainability Commission (PSC) is pleased to forward our recommendations on the 2035 Comprehensive Plan Code Reconciliation Project (CRP) for your consideration. The purpose of this project is to reconcile existing code with the new zoning designations adopted with the 2035 Comprehensive Plan. These include:

1. Amendments to Title 33, Zoning, to:
 - a. Reconcile technical changes and some development allowances.
 - b. Reconcile Inclusionary Housing provisions adopted by Council in December 2016.
 - c. Respond to testimony brought to the PSC including changes to use allowances for Self-Service Storage buildings in areas with a pedestrian emphases or higher level of transit service or investment.
2. Amendments to Title 32, Signs, to reconcile technical changes and certain allowances because the recently adopted zones are not direct replacements for existing zones.
3. Amendments to Title 11, Trees, to remove references to the CS and CM zones since they were among a list of zones listed in Title 11 that were exempt from Tree Preservation & Density Standards and Tree Density Standards.

On October 24, 2017, the PSC held a public hearing on the Code Reconciliation Project. On November 14, 2017, December 12, 2017 and January 9, 2018 the PSC held work sessions to discuss amendments to the staff proposal and vote on recommendations.

On January 9, 2018, the PSC voted unanimously (9-0) to recommend approval of the revised package of code amendments and forward them, with the following noted caveats:

Affordable Commercial Space Bonus

Prosper Portland is identified to administer the adopted Affordable Commercial bonus provisions in the new Commercial/Mixed Use Zones which offers additional floor area and height for projects that provide a portion of their commercial space with enhanced affordability. We applaud this innovative concept, however, there remains a lack of clarity about these provisions/rules, program goals and specifics. The PSC agreed to recommend the zoning code changes, provided that Prosper return to PSC in March 2018 with a complete package of program rules. After that meeting, the PSC will send a follow-up recommendation to Council on this specific topic.



City of Portland, Oregon | Bureau of Planning and Sustainability | www.portlandoregon.gov/bps
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Small-Scale Neighborhood Businesses

The new Commercial Residential (CR) zone presents an opportunity to fill gaps in access to goods and services throughout the city. The PSC recommends that Council direct staff to explore the need and opportunities for better, more walkable neighborhood services. The exploration could include:

1. Identifying areas within the city where neighborhood commercial opportunity is lacking as possible areas for future limited CR Comprehensive Plan and zoning map changes.
2. Considering a reduced fee, or other streamlining mechanism, to allow for Comprehensive Plan and Zoning Map changes from residential to CR, where there is a demonstrated need and strong support for change.
3. Exploring changes to the city's Home Occupation codes to allow more flexibility to accommodate home-based businesses and meet neighborhood needs.

Self-Service Storage

The PSC received a significant amount of testimony about the streetscape and development impacts of low-activity Self-Service Storage uses in both the Code Reconciliation and Map Refinement projects. Compelled by testimony, the PSC recommended changes to staff's initial proposal to foster greater levels of activity in specific areas of the city. We expect the Council will hear additional testimony on this topic.

Title 11, Tree Code

The PSC supports staff's proposal and the Urban Forestry Commission recommendations to remove and not replace the CS and CM zone exemptions in support of 2035 Comprehensive Plan and Climate Action goals and policies. However, we recommend that the tree preservation and density requirements of Title 11 and landscaping requirements of Title 33 be reviewed and aligned to reduce conflicts.

Safety and Level of Service as Evaluation Factors and Approval Criteria

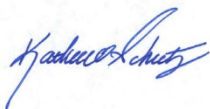
The 2035 Comprehensive Plan envisions a multi-modal transportation system that decreasingly relies on single-occupant vehicle trips and prioritizes other travel modes. As part of the CRP, chapters citing transportation evaluation and approval criteria were amended which prompted discussion about the terms "safety" and "level of service." The PSC recommends that Council direct the Portland Bureau of Transportation to expedite work that better defines "safety" as a transportation evaluation criterion and to explore alternatives to the vehicle capacity-oriented "level of service" measurement for evaluation of transportation issues in land use reviews.

Recommendations

The Portland Planning and Sustainability Commission recommends that City Council adopt the amendments to Title 33, Title 32 and Title 11 in the *Code Reconciliation Project — Recommended Draft*, dated February 2018.

Thank you for the opportunity to participate in the review of this project and for considering our recommendations.

Sincerely,



Katherine Schultz
Chair



City of Portland, Oregon | Bureau of Planning and Sustainability | www.portlandoregon.gov/bps
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CITY OF PORTLAND

URBAN FORESTRY COMMISSION

1120 SW FIFTH AVENUE, PORTLAND, OREGON 97204

PHONE 503-823-5396 FAX 503-823-5570



AMANDA FRITZ, COMMISSIONER

MIKE ABBATÉ, DIRECTOR

February 19, 2018

Mayor Ted Wheeler and Members of Portland City Council
Portland City Hall
1221 SW Fourth Ave
Portland, OR 97204

Dear Mayor and Commissioners:

The Portland Urban Forestry Commission (UFC) is pleased to forward our recommendations on the 2035 Comprehensive Plan Code Reconciliation Project for your consideration.

This project is a follow-up to the recently-adopted 2035 Comprehensive Plan, and includes UFC recommendations on amendments to Title 11, Trees. The amendments to Title 11 reconcile the existing code with new Title 33 zoning designations adopted with the 2035 Comprehensive Plan.

As part of the Code Reconciliation Project, Bureau of Planning and Sustainability (BPS) staff proposed to remove the references to the CS and CM zones in Title 11 and not replace them. The CS and CM were among a list of zones listed in Title 11 that were exempt from Tree Preservation Standards and Tree Density Standards in development situations. The CS and CM zones are being removed from the adopted array of zones in Title 33, but there are not direct replacement zones. Many of the parcels that had CS or CM zoning have been rezoned to the new CM2 designation.

On November 8, 2017, the UFC held a public hearing on the proposed amendments to Title 11. The UFC considered whether exemptions for certain new Commercial/Mixed Use zones should be included in Title 11 to replace the CS and CM zone exemptions. The UFC concluded that replacing the CS and CM zone exemptions does not generally support tree preservation, urban forestry or climate action goals, and voted to support the staff proposal to remove the CS and CM zone references and not replace the exemption. It is our understanding that the Planning and Sustainability Commission also considered this issue and is also recommending removal of the CS and CM zone references. This means that all Commercial/Mixed-Use zones, except CX which remains in the zoning code and is applied in the Central City and Gateway, would now be subject to Title 11.

Recommendations

The Portland Urban Forestry Commission recommends that City Council adopt the amendments to Title 11 in *Code Reconciliation Project - Recommended Draft*, dated February 2018.

Thank you for the opportunity to participate in the review of this project and for considering our recommendations.

Sincerely,

Vivek Shandas
Chair

Table of Contents – Volume 2

Note: The City Code amendments in this Volume 2 document are part of the Code Reconciliation Project – Recommended Draft. Information about the Introduction, Public Involvement Summary, and Summary of Recommended Changes (Sections 1, 2, and 3) are included in Volume 1, which also includes amendments to Title 33.

1.	Introduction	See Volume 1
2.	Public Involvement Summary	See Volume 1
3.	Summary of Recommended Changes.....	See Volume 1
4.	Amendments to City Code	1
	Title 33, Planning and Zoning	See Volume 1
	Title 11, Trees	3
	Title 18, Noise Control	7
	Title 32, Signs and Related Regulations	15

Section 4: Amendments to City Code

This section presents the Recommended code amendments to the following city titles:

- Title 33, Planning and Zoning (See Volume 1)
- Title 11, Trees (See Volume 2)
- Title 18, Noise Control (See Volume 2)
- Title 32, Signs and Related Regulations (See Volume 2)

The recommended amendments to Title 33 affect the Zoning Code as-adopted to implement the 2035 Comprehensive Plan. A preview copy of this complete 2018 Title 33 Zoning Code is available on the City of Portland web page here: <https://www.portlandoregon.gov/bps/73737>. Amendments to Title 11, Title 18 and Title 32 affect the adopted city codes, respectively.

How to Read the Amendments

The code amendments section is formatted to facilitate readability by showing draft code amendments on the right-hand (odd-numbered) pages and related commentary on the facing left-hand (even-numbered) pages.

Commentary Pages

Commentary pages are formatted in “Comic Sans” font on even-numbered pages, opposite the code amendments they reference on the odd-numbered pages. The commentary may include a description of the problem being addressed, the legislative intent of the recommended amendment, and an assessment of the impact of the change.

Code Amendment Pages

The code amendments appear on the odd-numbered pages. Text that is added is underlined, and text to be deleted is shown with ~~striethrough~~. To reduce the size of the document, provisions of code that are not recommended to change are indicated by “[No Change]”.

Commentary

11.50.040.B Tree Preservation Standards.

Amending the code to eliminate reference to exemptions for *CS* and *CM* zones, which will not exist in the zoning code or zoning map. There are not direct replacements for the *CS* and *CM* zones, only best matches. Development in certain listed situations or in other existing zones that allow extensive lot coverage (*CX*, *EX*, *IG1* and *IH*) will continue to be exempt.

TITLE 11 - TREES

11.50.040 Tree Preservation Standards.

- A. [No change]
- B. Exemptions. The following are exempt from the tree preservation standards of this Section:
 - 1. On portions of sites located within an IH, IG1, EX, or CX, ~~CS~~, ~~or CM~~ zone.[Remainder of Section is not changed]
- C. [No change]

Commentary

11.50.050.B On-site Tree Density Standards.

Amending the code to eliminate reference to exemptions for *CS* and *CM* zones, which will not exist in the zoning code or map. There are not direct replacements for the *CS* and *CM* zones, only best matches. Development on lots in other existing zones that allow extensive lot coverage (*CX*, *EX*, *IG1* and *IH*) will continue to be exempt.

Recommended Code Amendments

(added text is underlined, deleted text is shown with ~~strikethrough~~)

11.50.050 On-Site Tree Density Standards.

- A.** [No change]
- B.** Exemptions.
 - 1.** The following development activities are exempt from the on-site tree density standards:
 - a.** Additions or exterior alterations to existing development with a project valuation less than the non-conforming upgrade threshold noted in Title 33, Planning and Zoning.
 - b.** A specific condition of land use review approval exempts the site from these density standards;
 - c.** The site is within the Portland International Airport Plan District or Cascade Station/Portland International Center Plan District and is subject to the Airport Landscape Standards; see Title 33, Planning and Zoning.
 - d.** On portions of sites located within an IH, IG1, EX, or CX, ~~CS~~, ~~or CM~~ zone.
 - e.** Work conducted under Demolition, Site Development, or Zoning Permits.
 - 2.** [No change]
- C.** [No Changes]

Commentary

TITLE 18 NOISE CONTROL

18.04.040 Definitions.

The amendments to this title change the reference to existing Commercial zones that are being deleted to new Commercial/Mixed Use zones adopted in the 2035 Comprehensive Plan that are the closest fit to existing in terms of scale and use allowances. This generally follows the approach in the table below, however there are exceptions:

Old Zone	New Zone
CN1, CN2, CO1	CM1,
CS, CM, CO2	CM2
EX, CX	CM3
CG	CE
Non-conforming C uses in R5, R2.5	CR (in limited cases)

The Commercial Residential (CR) zone is proposed to be included with the Residential group, as the zone is applied in limited areas within residential neighborhoods and is replacing R5 and R2.5 zones with nonconforming commercial uses.

Adding references to Commercial/Mixed Use (C), Campus Institutional (CI) and Institutional Residential (IR) zones where appropriate.

The Campus Institutional 1 (CI1) zone is more residential in character, and is proposed to be included with the Residential zones in 18.04.040.FF.

The Campus Institutional 2 (CI2) zone is more commercial/mixed-use in character, and is proposed to be included with the Commercial zones in 18.04.040.FF.

Recommended Code Amendments

(added text is underlined, deleted text is shown with ~~strikethrough~~)

**TITLE 18
NOISE CONTROL**

18.04.040 Definitions.

(Amended by Ordinance Nos. 159276, 164010, 175772 and 184101, effective October 8, 2010.) The following words shall have the meanings ascribed to them in this Section:

A.-EE. [No Changes]

FF. Zone: A classification of area of the City of Portland as described in Title 33 of the City Code, relating to the use to which property may be put. For the purposes of this title, the zones are based upon the Land Use Zones, as defined in Title 33 as follows:

Category	Zones
Open Space	Open Space
Residential	Residential Farm/Forest Residential 20,000 Residential 10,000 Residential 7,000 Residential 5,000 Residential 2,500 Residential 3,000 Residential 2,000 Residential 1,000 High Density Residential Central Residential <u>Commercial Residential</u> Institutional Residential <u>Campus Institutional 1</u>

Commentary

18.04.040 Definitions.

The amendments to this title change the reference to existing Commercial zones that are being deleted to new Commercial/Mixed Use zones adopted in the 2035 Comprehensive Plan that are the closest fit to existing in terms of scale and use allowances. This generally follows the approach in the table below, however there are exceptions:

Old Zone	New Zone
CN1, CN2, CO1	CM1,
CS, CM, CO2	CM2
EX, CX	CM3
CG	CE
Non-conforming C uses in R5, R2.5	CR (in limited cases)

The Commercial Residential (CR) zone is proposed to be included with the Residential group, as the zone is applied in limited areas within residential neighborhoods and is replacing R5 and R2.5 zones with nonconforming commercial uses.

Adding references to Commercial/Mixed Use (C), Campus Institutional (CI) and Institutional Residential (IR) zones where appropriate.

The Campus Institutional 1 (CI1) zone is more residential in character, and is proposed to be included with the Residential zones in 18.04.040.FF.

The Campus Institutional 2 (CI2) zone is more commercial/mixed-use in character, and is proposed to be included with the Commercial zones in 18.04.040.FF.

Recommended Code Amendments

(added text is underlined, deleted text is shown with ~~strikethrough~~)

Commercial/Mixed Use

~~Neighborhood Commercial 1~~
~~Neighborhood Commercial 2~~
~~Office Commercial 1~~
~~Office Commercial 2~~
~~Mixed Commercial Residential~~
~~Storefront Commercial~~
~~General Commercial~~
Commercial/Mixed Use 1
Commercial/Mixed Use 2
Commercial/Mixed Use 3
Commercial Employment
Central Commercial
Campus Institutional 2

Industrial

General Employment 1
General Employment 2
Central Employment
General Industrial 1
General Industrial 2
Heavy Industrial

Commentary

18.10.010 Land Use Zones.

The text and Figure 1 are amended to add references to Commercial/Mixed Use zones where appropriate.

Recommended Code Amendments

(added text is underlined, deleted text is shown with ~~strikethrough~~)

18.10.010 Land Use Zones.

(Amended by Ordinance Nos. 159276, 163608, 164010, 175775 and 184101, effective October 8, 2010.) Except as specifically provided for elsewhere in this Title, no person shall cause or permit sound to intrude into the property of another person which exceeds the limits set forth below in this Section. For purposes of this Section, “day hours” shall be between 7 a.m. and 10 p.m., and “night hours” shall be between 10 p.m. and 7 a.m.

- A. The sound levels established are as set forth in Figure 1 before any adjustments are applied:

FIGURE 1
 PERMISSIBLE SOUND LEVELS
 (7 am-10 pm, otherwise minus 5 dBA)

Zone Categories of Source	Zone Categories of Receiver (measured at property line)			
	Residential	Open Space	Commercial/ <u>Mixed Use</u>	Industrial
Residential	55	55	60	65
Open Space	55	55	60	65
Commercial/ <u>Mixed Use</u>	60	60	70	70
Industrial	65	65	70	75

- B. [No Changes]
- C. If a dwelling unit or noise sensitive receiver is in a nonresidential zone of the City, the nonresidential standard shall normally apply, unless:
 - 1. a complaint is received, and
 - 2. the dwelling unit or noise sensitive receiver type use predates that of the noise source. In that case, the permissible sound level, as measured at the lot line of the dwelling unit or other noise sensitive receiver, shall be 65 dBA in a commercial/mixed use zone, and 70 dBA in an employment or industrial zone, each subject to the adjustments of Section 18.10.010 B., F., and G.

D.-H. [No Changes]

Commentary

18.10.035 Leaf Blowers.

Amended to add references to Commercial/Mixed Use (C) zones where appropriate.

Recommended Code Amendments

(added text is underlined, deleted text is shown with ~~strikethrough~~)

18.10.035 Leaf Blowers.

(Replaced by Ordinance No. 177767, effective September 1, 2003.)

- A. For purposes of Section 18.10.035, “leaf blower” means any portable device designed or intended to blow, vacuum, or move leaves or any other type of debris or material by generating a concentrated stream of air. “Leaf blower” shall include any devices or machines that accept vacuum attachments.
- B. General operating restrictions.
 - 1. Commercial/Mixed Use and other zones. No person shall operate a leaf blower in commercial/mixed use, industrial, and open space zones, or in the adjoining public right-of-way, between the hours of 9:00 pm and 7:00 am the following morning, seven days a week, unless the leaf blower meets the requirements of Section 18.10.010 A. - F. and H.
 - 2. Residential zones. No person shall operate a leaf blower in residential zones, or in the adjoining public right-of-way, between the hours of 7:00 pm to 7:00 am the following morning, seven days a week.
 - 3. For purposes of Section 18.10.035 B., right-of-way adjoining residential zones and any other zone shall be considered as being within residential zones.

C.-D. [No Changes]

Commentary

TITLE 32 SIGNS AND RELATED REGULATIONS

The amendments to this title change the reference to existing Commercial zones that are being deleted to new Commercial/Mixed Use zones adopted in the 2035 Comprehensive Plan that are the closest fit in terms of scale and use allowances. This generally follows the approach in the table below, however there are exceptions:

Old Zone	New Zone
CN1, CN2, CO1	CM1
CS, CM, CO2	CM2
EX, CX	CM3
CG	CE
Non-conforming C uses in R5, R2.5	CR (in limited cases)

The Commercial Residential (CR) zone is proposed to be included with the Residential group, as the zone is applied in limited areas within residential neighborhoods and is replacing R5 and R2.5 zones with nonconforming commercial uses.

Adding references to the appropriate Commercial/Mixed Use (C/MU), and Campus/Institutional (CI) zones that were adopted as part of the 2035 Comprehensive Plan, as appropriate.

TITLE 32
SIGNS AND RELATED REGULATIONS

32.12.020 Exemptions.

(Amended by Ordinance Nos. 178946 and 182962, effective July 31, 2009.) The following are exempt from the regulations of this Title, but may be subject to other portions of the City Code:

- A. Signs which are not visible from a right-of-way or another property; however signs located within malls and atriums must comply with all provisions of this Title except Chapters 32.30 through 32.38;
- B. Signs inside a building. However:
 - 1. In the OS, RF through RH, ~~and CII, CR, and IR~~ CII, CR, and IR zones, illuminated signs in windows are not exempt; and
 - 2. Signs located within malls and atriums must comply with all provisions of this Title except Chapters 32.30 through 32.38;
- C. Signs carved into a building;
- D. Signs required by federal or state law if the sign is no more than 32 square feet in area or is painted directly on pavement;
- E. Flags;
- F. Signs required by city law if the sign is no more than 32 square feet in area. Such signs include building addresses, development review or construction review public notices, and commercial parking facility postings;
- G. Painted wall highlights;
- H. Illuminated wall highlights;
- I. Public Art as defined in Chapter 5.74; and
- J. Permitted Original Art Murals as defined in Title 4.

Commentary

32.32.010 Standards in the Residential Zones, Campus Institution 1, Commercial Residential, and Open Space Zone.

The amendments to this title change the reference to existing Commercial zones that are being deleted to new Commercial/Mixed Use zones adopted in the 2035 Comprehensive Plan that are the closest fit in terms of scale and use allowances. This generally follows the approach in the table below, however there are exceptions:

Old Zone	New Zone
CN1, CN2, CO1	CM1
CS, CM, CO2	CM2
EX, CX	CM3
CG	CE
Non-conforming C uses in R5, R2.5	CR (in limited cases)

Table 1 is amended to include the CR and CI1 zones. The Commercial Residential (CR) zone is proposed to be included with the Residential group, as the zone is applied in limited areas within residential neighborhoods and is replacing R5 and R2.5 zones with nonconforming commercial uses. The Campus Institutional 1 (CI1) zone is more residential in character, and is proposed to be included with the Residential zones.

Adding references to the appropriate Commercial/Mixed Use (C/MU), and Campus/Institutional (CI) zones that were adopted as part of the 2035 Comprehensive Plan, as appropriate.

The term "nonconforming" is removed from the reference to Commercial and industrial uses in the Use Category/Structure Type column because some commercial uses in CR zones will be conforming, and the distinction of "nonconforming" may be superfluous in the context of this regulation.

The RX zone is replacing the CN zone reference in Table 1, footnote [5], and 32.32.010.B, because the allowances for CN and RX are the same in Table 2.

Recommended Code Amendments
(added text is underlined, deleted text is shown with ~~strikethrough~~)

Chapter 32.32

BASE ZONE REGULATIONS

Sections:

- 32.32.010 Standards in the Residential Zones and Open Space Zone.
- 32.32.020 Standards in the Commercial/Mixed Use, Employment, and Industrial Zones.
- 32.32.030 Additional Standards in All Zones.

32.32.010 Standards in the Residential Zones, Campus Institution 1, Commercial Residential, and Open Space Zone.

- A. General standards. The standards for permanent signs in the RF through RH zones and for the IR, CI1, CR and OS zones are stated in Table 1. The sign standards for the RX zone are stated in Table 2. All signs must conform to the regulations of Section 32.32.030.

Table 1 Standards for Permanent Signs in <u>CI1</u> , <u>CR</u> , IR, OS and RF Through RH Zones [1]					
Use Category/Structure Type[2]	Number of Signs	Max. Sign Face Area	Types of Signs Allowed	Maximum Sign Height	Additional Signs Allowed [3]
Household Living/ Houses, Duplexes, Attached Houses.	1 per site	1 sq. ft.	Fascia, Painted Wall Freestanding	Top of wall, or 10 ft. whichever is less. 6 ft.	lawn signs, directional signs
Household Living/ Townhouse, Multi-dwelling Group Living, Day Care, Nonresidential category uses not listed below.	1 per building	10 sq. ft.	Fascia, Awning, Painted Wall Freestanding	Top of wall 10 ft.	lawn signs, directional signs
Subdivisions, PUDs, Houseboat Moorages, Mobile Home Parks, Agricultural Uses. [4]	1 per entrance	32 sq. ft.	Monument	10 ft.	lawn signs, directional signs
Parks and Open Areas [5]	1 per street frontage	10 sq. ft.	Monument	10 ft.	lawn signs, directional signs
Colleges, Community Service, Medical Centers, Religious Institutions, Schools, Commercial Outdoor Recreation, Major Event Entertainment, and nonconforming uses in Commercial and Industrial use categories.	The sign standards of the CNRX zones <u>applies</u> . See Section 32.32.020.				

Commentary

32.32.010 Standards in the Residential Zones, Campus Institution 1, Commercial Residential, and Open Space Zone.

Continued from previous commentary.

Recommended Code Amendments

(added text is underlined, deleted text is shown with ~~strikethrough~~)

Notes:

- [1] Temporary signs are regulated by 32.32.030 K, Temporary Signs.
- [2] See 32.30.030, Uses, Use Categories, and Structure Types.
- [3] These signs are allowed in addition to other signs when they meet the standards of 32.32.030 H.-J.
- [4] These signs are allowed in addition to those for individual buildings.
- [5] Signs in, or adjacent to and facing, a sports fields associated with Parks and Open Areas are subject to the standards of the ~~CNRX~~ zone. See 32.32.020.

- B.** Sign features. Signs in the RF through RH zones and in the IR, CI1, CR, and OS zones, except for those subject to the ~~CNRX~~ zone sign standards, are subject to the standards of this subsection. Illuminated signs placed in windows are subject to these sign regulations. Extensions into the right-of-way are prohibited. Changing image sign features are prohibited and only indirect lighting is allowed.

Commentary

32.32.020 Standards in the Commercial/Mixed Use, Campus Institution 2, Employment, and Industrial Zones

The amendments to Table 2 change the reference to existing Commercial zones that are being deleted to new Commercial/Mixed Use zones that are the closest fit in terms of scale and use allowances. This generally follows the approach in the table below, however there are exceptions:

Old Zone	New Zone
CN1, CN2, CO1	CM1
CS, CM, CO2	CM2
EX, CX	CM3
CG	CE
Non-conforming C uses in R5, R2.5	CR (in limited cases)

Table 2:

Column 2: The CO2 and CG zones are deleted and the new CE and CM3 zones are included.

Column 3: The CS zone is deleted and the new CM2 and CI2 zones are included.

Column 4: The CO1, CN1&2 and CM zones are deleted and the CM1 zone is included.

Note on zone assignments:

Former CG zone: Much of the area currently/formerly zoned CG will be rezoned to CE, but some formerly CG sites will also become CM1, CM2, or CM3 which will affect sign allowances.

CM3 zone: Much of the area currently zoned EX will be rezoned to CM3. The sign standard for CM3 is proposed to be the same as the current EX. This is intended to minimize nonconforming situations. However, the characteristics of development and signage in the CM3 zone is intended to be more in keeping with mixed commercial and housing development, rather than the employment focus of the EX zone, and this should be revisited in a more comprehensive sign code update.

Recommended Code Amendments

(added text is underlined, deleted text is shown with ~~strikethrough~~)

32.32.020 Standards in the Commercial/Mixed Use, Campus Institution 2, Employment, and Industrial Zones.

A. General standards and sign features. The standards for permanent signs and sign features in the C, E, and I zones are stated in Tables 2 and 3. All signs must conform to the regulations of Section 32.32.030.

Table 2 Standards for Permanent Signs in Nonresidential Zones and RX Zone [1] (Amended by Ordinance No. 176469, effective July 1, 2002.)			
CE, CM3, CO2, CG, EG1&2, EX, IG1&2, IH		CN1&2, CO1, C12, CM2, CS, CX CM, CM1, RX	
Signs Attached to Buildings			
Size Allocation	<ul style="list-style-type: none"> • 1 sq. ft. per 1 ft. of primary bldg. wall if a freestanding sign is also on the same street frontage • 1-1/2 sq. ft. per 1 ft. of primary bldg. wall if there is no freestanding sign on the same street frontage 	Same	Same
Maximum Number	No limit within size allocation	Same	Same
Maximum Area Per Sign	200 sq. ft.	100 sq. ft.	50 sq. ft.
Min. Guaranteed Sign Area For A Ground Floor Tenant Space	32 sq. ft.	Same	Same
Types Allowed			
Fascia, Awning, Marquee, Pitched Roof, Painted Wall	Yes	Yes	Yes
Projecting	Yes, but no projecting signs if a freestanding sign is also on the same street frontage	Same	Same
Rooftop	No	No	No
Freestanding Signs			
Maximum Number	1 per site or 1 per 300 ft. of arterial street frontage and 1 for each additional 300 ft. or fraction thereof [2].	1 per arterial street frontage [3]	1 per arterial street frontage [3]
When Not Allowed	Not allowed if there is already a projecting sign on the same site frontage, or if existing signs attached to buildings exceed the limit of 1 sq. ft. to 1 ft. of primary building wall	Same	Same
Size Allocation For All Freestanding Signs	1 sq. ft. per 1 ft. of arterial street frontage. Local street frontage can be used if there are not arterial site frontages.	Same	Same
Size Limit	200 sq. ft.	100 sq. ft.	50 sq. ft.
Maximum Height	25 ft. [4]	20 ft. [4]	15 ft. [4]
Additional Signs Allowed [5]			
Directional Signs, Portable Signs, Lawn Signs	See Subsections 32.32.030 G-J		

Yes = Allowed

No = Prohibited

Notes:

- [1] Temporary signs are regulated under 32.32.010 K, Temporary Signs.
- [2] On sites with frontages longer than 300 feet, sign area earned from the first 300 feet may not be used on the second sign. For example, a 350 foot street frontage may have a 200 sq. ft. and a 50 sq. ft. freestanding sign. Regional Trafficways that are not also Major City Traffic Streets are not considered arterial streets for purposes of this Title.
- [3] Where a site has no arterial street frontage, one freestanding sign is allowed.
- [4] This height limit is for the total height of the combined sign face and sign structure.
- [5] These signs may be allowed in addition to signs attached to buildings and freestanding signs when they meet the standards of 32.32.030 G-J.

Commentary

32.32.020 Standards in the Commercial/Mixed Use, Campus Institution 2, Employment, and Industrial Zones

The amendments change the reference to existing Commercial zones that are being deleted to new Commercial/Mixed Use zones adopted in the 2035 Comprehensive Plan that are the closest fit in terms of scale and use allowances. This generally follows the approach in the table below, however there are exceptions:

Old Zone	New Zone
CN1, CN2, CO1	CM1
CS, CM, CO2	CM2
EX, CX	CM3
CG	CE
Non-conforming C uses in R5, R2.5	CR (in limited cases)

Table 3

Column 2: The CO2, CS, CG zones are deleted and the new CE, CI2, CM2, CM3 are added.

Column 3: The CN1&2, CO1, zones are deleted and the new CM1 zone is added.

Notes on zone assignments:

The CM1 zone is a small scale zone intended for lower intensity area and may often be found in the context of residential areas.

Recommended Code Amendments
 (added text is underlined, deleted text is shown with ~~strikethrough~~)

Table 3 Sign Features for All Signs In Table 2		
	CO2, CS, CG <u>CE, CI2, CM2, CM3, CX, EG1&2,</u> <u>EX, IG&2, IH</u>	CN1&2, CO1, CM1, RX
Changing Image Sign Features (see 32.32.030.D)	Yes [1]	No[2]
Lighting	Direct, Indirect, or Internal	Same
Maximum Distance Extending Into R-O-W (see 32.32.030.C)	6-1/2 ft. or 2/3 of distance to roadway, whichever is less	Same
Maximum Area Extending into R-O-W (see 32.32.030.C)	30 sq. ft.	Same

Yes = Allowed No = Prohibited

Notes:

- [1] Changing image sign features are allowed in the ~~CO2, CS, CG~~ CE, CI2, CM2, CM3, CX, EG1 &2, EX, IG1 &2, and IH zones if they meet the standards of 32.32.030 D., Changing image sign features.
- [2] Changing image sign features are prohibited in the RX, ~~CN, CO1, CI1~~ and CM1 zones; except, changing image sign features are allowed in these zones if the sign is in, or adjacent to and facing, a sports field and meets the standards of 32.32.030 C, Changing image sign features.

B. Signs adjacent to freeways or bridges. [No Changes]

C. Pedestrian districts. [No Changes]

Commentary

32.32.030 Additional Standards in All Zones.

The amendments change the reference to existing Commercial zones that are being deleted to new Commercial/Mixed Use zones adopted in the 2035 Comprehensive Plan that are the closest fit in terms of scale and use allowances. This generally follows the approach in the table below, however there are exceptions:

Old Zone	New Zone
CN1, CN2, CO1	CM1
CS, CM, CO2	CM2
EX, CX	CM3
CG	CE
Non-conforming C uses in R5, R2.5	CR (in limited cases)

Adding references to the appropriate Campus/Institutional (CI) zones that were adopted as part of the 2035 Comprehensive Plan, as appropriate.

Recommended Code Amendments

(added text is underlined, deleted text is shown with ~~strikethrough~~)

32.32.030 Additional Standards in All Zones.

(Amended by Ordinance Nos. 176469 and 185915, effective May 1, 2013.)

- A. Where these regulations apply. [No Changes]
- B. Sign placement. [No Changes]
- C. Signs extending into the right-of-way. [No Changes]
- D. Changing image sign features.
 - 1. Size. Where allowed under this Title, changing image sign features are limited to a total combined area of 20 square feet per site. No single sign may have more than 10 square feet of changing image sign features unless those features cover less than 60 percent of the face of the sign. Each area of changing image feature on each sign face is included in the total for the site. Section 32.24.010 B, Backed Signs, may not be applied to changing image sign features.
 - 2. Brightness. Changing image sign features are subject to the glare standards of Chapter 33.262, Off-site impacts.
 - 3. Signs subject to the standards of the ~~CN~~ C11, or CM1 zone. If the sign is subject to the standards of the ~~CN~~ C11, or CM1 zone, changing image sign features are allowed if the sign meets the standards of a. and b., below. All other changing image sign features are prohibited.
 - a. Location. The sign must be in, or adjacent to and facing, a sports field.
 - b. Duration. The changing image sign features may be turned on no sooner than one hour before scheduled events and must be turned off no later than one hour after scheduled events.
 - 4. Modifications or adjustments to the size standard. Modifications through design review or historic resource review or adjustments to this regulation are prohibited, except as stated in paragraphs 4.b. through 4.d., below:
 - a. Purpose. The character, scale and special communication needs of bright lights districts, sports fields and Major Event Entertainment uses may support the use of changing image sign features that are larger than 20 square feet. The scale, multiple use and special communication needs of sites with major event entertainment uses may support the use of changing image sign features that are substantially larger than 20 square feet.

Commentary

32.32.030 Additional Standards in All Zones.

The amendments change the reference to existing Commercial zones that are being deleted to new Commercial/Mixed Use zones adopted in the 2035 Comprehensive Plan that are the closest fit in terms of scale and use allowances. This generally follows the approach in the table below, however there are exceptions:

Old Zone	New Zone
CN1, CN2, CO1	CM1
CS, CM, CO2	CM2
EX, CX	CM3
CG	CE
Non-conforming C uses in R5, R2.5	CR (in limited cases)

Adding references to the appropriate Campus/Institutional (CI) zones that were adopted as part of the 2035 Comprehensive Plan, as appropriate.

Commentary

32.32.030 Additional Standards in All Zones.

The amendments change the reference to existing Commercial zones that are being deleted to new Commercial/Mixed Use zones adopted in the 2035 Comprehensive Plan that are the closest fit in terms of scale and use allowances. This generally follows the approach in the table below, however there are exceptions:

Old Zone	New Zone
CN1, CN2, CO1	CM1
CS, CM, CO2	CM2
EX, CX	CM3
CG	CE
Non-conforming C uses in R5, R2.5	CR (in limited cases)

Adding references to the appropriate Campus/Institutional (CI) zones that were adopted as part of the 2035 Comprehensive Plan, as appropriate.

Recommended Code Amendments

(added text is underlined, deleted text is shown with ~~strikethrough~~)

- G.** Portable signs.
- 1.** General standards. Portable signs that meet the standards of this subsection are allowed in the RX, C, CI, E and I zones and are not counted in the total square footage of permanent signage allowed on the site. Adjustments or modifications to the standards of this subsection are prohibited.
 - 2.** Number.
 - a.** General. One portable sign is allowed per public entrance to buildings.
 - b.** Commercial parking. One portable sign is allowed for each vehicle entrance to a commercial parking facility, but in no case more than four portable signs for the facility.
 - c.** Tenant spaces without public entrances. Where a ground floor tenant space or portable cart does not have any public entrance and only provides customer service through a window, one portable sign is allowed for each ground floor tenant space or portable cart.
 - 3.** Size. Portable signs may be up to 12 square feet in area. Only one side of a portable sign will be counted. The vertical dimension of the sign including support structure may be no greater than 42 inches. Portable signs extending into the right of way must comply with the size standards of Subsection 32.32.030 C, Signs extending into the right-of-way.
 - 4.** Features. Electrical signs and changing image sign features are prohibited.
 - 5.** Placement. Portable signs must be entirely on private property or they must meet the placement standards of Subsection 32.32.030 B, Signs extending into the right-of-way.
 - 6.** Portable signs that do not meet the standards of this subsection. Portable signs that do not meet the standards of this subsection must meet the standards for freestanding signs or for temporary signs.
- H.** Directional signs. [No Changes]
- I.** Permanent banners. [No Changes]
- J.** Lawn signs. [No Changes]
- K.** Temporary signs.

Commentary

32.32.030 Additional Standards in All Zones.

The amendments change the reference to existing Commercial zones that are being deleted to new Commercial/Mixed Use zones adopted in the 2035 Comprehensive Plan that are the closest fit in terms of scale and use allowances. This generally follows the approach in the table below, however there are exceptions:

Old Zone	New Zone
CN1, CN2, CO1	CM1
CS, CM, CO2	CM2
EX, CX	CM3
CG	CE
Non-conforming C uses in R5, R2.5	CR (in limited cases)

Adding references to the appropriate Campus/Institutional (CI) zones that were adopted as part of the 2035 Comprehensive Plan, as appropriate.

Recommended Code Amendments

(added text is underlined, deleted text is shown with ~~strikethrough~~)

1. Relationship to permanent sign standards. Signs that meet the standards of this subsection are exempt from the standards for permanent signs and are not counted in the total square footage of signage allowed on the site. Signs that do not meet the standards of this subsection are subject to the standards for permanent signs. Adjustments or modifications to this subsection are prohibited.
2. Sign features. Temporary signs may not have direct or internal illumination. Changing image sign features and electronic elements are prohibited.
3. Temporary banners. Temporary banners are subject to the following regulations:
 - a. Banners on lots with houses, duplexes, and attached houses. In all zones, temporary banners are not allowed on sites with houses, duplexes, and attached houses.
 - b. OS, R, ~~CN, CO1CR, and CM1 and CI1~~ and CI1 zones. In OS, R, ~~CN, CO2CR, and CM1 and CI1~~ and CI1 zones, up to three banners no larger than 32 square feet in size are allowed per site. Only one of these banners may be hung on each building wall or on each separate structure. Additional banners, or banners larger than 32 square feet in size, must meet the standards for permanent signs.
 - c. ~~CS~~ CM2, CI2, CM3, and CX zones. In the ~~CS~~ CM2, CI2, CM3, and CX zones, up to three banners no larger than 32 square feet in size are allowed per site. Only one of these banners may be hung on each building wall or on each separate structure. Additional banners, or banners larger than 32 square feet in size, must meet the following standards:
 - (1) In no case may a site have more than four temporary banners.
 - (2) Up to one temporary banner larger than 32 square feet in size is allowed per site. This banner may be no larger than 50 square feet in size.
 - (3) Banners larger than 32 square feet in size, or in excess of three banners, may be hung for up to 180 days per calendar year.
 - (4) Banners that do not meet the regulations of this subparagraph, must meet the standards for permanent signs.

Commentary

32.32.030 Additional Standards in All Zones.

The amendments change the reference to existing Commercial zones that are being deleted to new Commercial/Mixed Use zones adopted in the 2035 Comprehensive Plan that are the closest fit in terms of scale and use allowances. This generally follows the approach in the table below, however there are exceptions:

Old Zone	New Zone
CN1, CN2, CO1	CM1
CS, CM, CO2	CM2
EX, CX	CM3
CG	CE
Non-conforming C uses in R5, R2.5	CR (in limited cases)

Adding references to the appropriate Campus/Institutional (CI) zones that were adopted as part of the 2035 Comprehensive Plan, as appropriate.

Recommended Code Amendments

(added text is underlined, deleted text is shown with ~~strikethrough~~)

- d. ~~CO2, CGCE~~, E, and I zones. In the ~~CO2, CGCE~~, E, and I zones, up to three banners no larger than 32 square feet in size are allowed per site. Only one of these banners may be hung on each building wall or on each separate structure. Additional banners, or banners larger than 32 square feet in size, must meet the following standards:
- (1) In no case may a site have more than four temporary banners.
 - (2) Up to one temporary banner larger than 32 square feet in size is allowed per site. This banner may be no larger than 100 square feet in size.
 - (3) Banners larger than 32 square feet in size, or in excess of three banners may be hung for up to 180 days per calendar year.
 - (4) Banners that do not meet the regulations of this subparagraph, must meet the standards for permanent signs.
4. Balloon signs. One balloon sign is allowed per site for a maximum of one week per calendar year in the RX, C, CL, E, and I zones. Temporary balloon signs may be located on a building rooftop. The vertical dimension of the balloon may not exceed 25 feet.
5. Temporary fascia signs. One temporary fascia sign is allowed per street frontage in the RX, C, CL, E, and I zones. Temporary fascia signs may be up to 32 square feet in area. Temporary fascia signs may not extend above roof lines. Extensions into the right-of-way are prohibited. A temporary fascia sign may be hung for two continuous periods of up to 180 days per year. A temporary fascia sign may be installed for an additional 360 days if it meets the registration requirements of 32.62.010.

Commentary

32.32.030 Additional Standards in All Zones.

The amendments change the reference to existing Commercial zones that are being deleted to new Commercial/Mixed Use zones adopted in the 2035 Comprehensive Plan that are the closest fit in terms of scale and use allowances. This generally follows the approach in the table below, however there are exceptions:

Old Zone	New Zone
CN1, CN2, CO1	CM1
CS, CM, CO2	CM2
EX, CX	CM3
CG	CE
Non-conforming C uses in R5, R2.5	CR (in limited cases)

Adding references to the appropriate Campus/Institutional (CI) zones that were adopted as part of the 2035 Comprehensive Plan, as appropriate.

Recommended Code Amendments

(added text is underlined, deleted text is shown with ~~strikethrough~~)

6. Temporary freestanding signs. One temporary freestanding sign is allowed per site in the RX, C, CL, E, and I zones. However, larger sites may install one temporary freestanding sign per 300 feet of arterial street frontage. Temporary freestanding signs may be up to 32 square feet in area. Temporary freestanding signs may have an additional face up to 32 square feet in size if the angle between the sign faces is less than 90 degrees. Extensions into the right-of-way are prohibited. A temporary freestanding sign may be up for two continuous periods of up to 180 days per year. A temporary freestanding sign may be installed for an additional 360 days if it meets the registration requirements of 32.62.010.
7. Temporary portable signs.
 - a. Temporary portable signs are allowed in all zones.
 - b. Size. Temporary portable signs may be up to 4 square feet in area. Only one side of a temporary portable sign will be counted. The vertical dimension of the sign including support structure may be no greater than 24 inches.
 - c. Placement. Temporary portable signs must be entirely on private property or they must meet the placement standards of Subsection 32.32.030 C., Signs extending into the right-of-way.
 - d. Hours of use. Temporary portable signs are allowed only between the hours of six (6) p.m. Friday and eight (8) p.m. Sunday, and the hours of six (6) a.m. and one (1) p.m. on Tuesdays.

Commentary

32.34.020 Additional Standards in Overlay Zones.

Design Overlay Zone and Historic Resource Overlay Zone

Assigning the RX zone standards for signs for projects using the Community Design Standards in the Design overlay zone or in the Historic Resources overlay zone. The RX zone is the most direct replacement for the CM zone currently referenced in the code.

32.34.020.A Buffer Overlay Zone

City Council amended the Recommended Draft to retain the Buffer overlay zone and references in Title 33 and this related amendment in Title 32. The section is retained and renumbered accordingly.

Recommended Code Amendments

(added text is underlined, deleted text is shown with ~~strikethrough~~)

32.34.020 Additional Standards in Overlay Zones.

(Amended by Ordinance Nos. 176469, 178172, 179092 and 185915, effective May 1, 2013.) Overlay zones are shown on the Official Zoning Maps.

A. Buffer Overlay Zone

1. Where this regulation applies. The regulation of this subsection applies to signs within the Buffer Overlay Zone.
2. Regulation. Signs are prohibited in the Buffer Overlay Zone.

B. Design Overlay Zone

1. Where these regulations apply. The regulations of this subsection apply to exterior signs in excess of 32 square feet within the Design Overlay Zone, and all signs within the South Auditorium plan district. However, signs are not required to go through design review if they meet one of the following standards:
 - a. The sign is a portable sign, lawn sign, directional sign or temporary sign; or
 - b. The sign is a part of development exempt from design review under Section 33.420.045, Exempt from Design Review.
2. Awnings. Awnings within the Design Overlay Zone are subject to Chapter 33.420. Awnings must also meet the requirements of Chapter 32.52 of this Title.
3. Regulations.
 - a. Generally. Signs must either meet the Community Design Standard in Subparagraph B.3.c., below or go through Design Review, as described in this paragraph. The Community Design Standards provide an alternative process to design review for some proposals. Where a proposal is eligible to use the Community Design Standards, the applicant may choose to go through the discretionary design review process set out in Chapter 33.825, Design Review, or to meet the objective standards of Subparagraph B.3.c., below. If the proposal meets the Community Design Standards, no design review is required. Proposals that are not eligible to use the Community Design Standards, that do not meet the Community Design Standards, or where the applicant prefers more flexibility, must go through the design review process.

Commentary

32.34.020 Additional Standards in Overlay Zones.

Design Overlay Zone and Historic Resource Overlay Zone

Assigning the RX zone standards for signs for projects using the Community Design Standards in the Design overlay zone or in the Historic Resources overlay zone. The RX zone is the most direct replacement for the CM zone currently referenced in the code.

Recommended Code Amendments

(added text is underlined, deleted text is shown with ~~strikethrough~~)

- b.** When Community Design Standards may be used. See Chapter 33.420, Design Overlay Zone.
- c.** Community Design Standard for signs. In the C, E, and I zones, signs must meet the sign regulations of the CM RX zone. Signs with a sign face area of over 32 square feet may not face an abutting regional trafficway or any Environmental Protection Overlay Zone, Environmental Conservation Overlay Zone, or River Natural Greenway Overlay Zone that is within 1,000 feet of the proposed site.

C. Historic Resource Overlay Zone

- 1.** Where these regulations apply. The regulations of this subsection apply to signs on sites with the historic resource overlay zone. However, signs are not required to go through historic resource review if they meet one of the following standards:
 - a.** The sign is a portable sign, lawn sign, or temporary sign; or
 - b.** The sign is exempt from historic resource review under Sections 33.445.140, Alterations to a Historic Landmark; 33.445.230, Alterations to a Conservation Landmark; 33.445.320, Development and Alterations in a Historic District; or 33.445.420, Development and Alterations in a Conservation District.
- 2.** Regulations.
 - a.** Generally. Signs must either meet the Community Design Standards in Subparagraph C.2.c., below, or go through historic resource review, as described in this paragraph. The Community Design Standards provide an alternative process to historic resource review for some proposals. Where a proposal is eligible to use the Community Design Standards, the applicant may choose to go through the discretionary historic resource review process set out in Chapter 33.846, Historic Resource Reviews, or to meet the objective standards of Subparagraph C.2.c. If the proposal meets the Community Design Standards, no historic resource review is required. Proposals that are not eligible to use the Community Design Standards, that do not meet the Community Design Standards, or where the applicant prefers more flexibility, must go through the historic resource review process.

Commentary

32.34.020 Additional Standards in Overlay Zones.

Design Overlay Zone and Historic Resource Overlay Zone

Assigning the RX zone standards for signs for projects using the Community Design Standards in the Design overlay zone or in the Historic Resources overlay zone. The RX zone is the most direct replacement for the CM zone currently referenced in the code.

Recommended Code Amendments

(added text is underlined, deleted text is shown with ~~strikethrough~~)

- b.** When Community Design Standards may be used. See Chapter 33.445, Historic Resource Overlay Zone.
 - c.** Community Design Standard for signs. In the C, E, and I zones, signs must meet the sign regulations of the RXCM zone. Signs with a sign face area of over 32 square feet may not face an abutting regional trafficway or any Environmental Protection Overlay Zone, Environmental Conservation Overlay Zone, or River Natural Greenway Overlay Zone that is within 1,000 feet of the proposed site.
- D.** Scenic Resource Overlay Zone [Renumbering Only]

Commentary

32.34.030 Additional Standards in Plan Districts

Assigning the RX zone standards for signs for projects in the Open Space zone within the Central City Plan District. The RX zone is the most direct replacement for the CN zone currently referenced in the code.

Recommended Code Amendments

(added text is underlined, deleted text is shown with ~~strikethrough~~)

32.34.030 Additional Standards in Plan Districts.

(Amended by Ordinance Nos. 176469, 179092 and 182072, effective August 22, 2008.)
Plan districts are shown on the Official Zoning Maps.

- A. Albina Community plan district. [No Change]
- B. Central City plan district
 - 1. Purpose. Signs in the Open Space zone are limited in keeping with the low intensity of most uses in the zone. However, the more intense uses allowed in Central City plan district Open Space zones necessitate more visible signage. These regulations are tailored to those uses.
 - 2. Sign standards. The following regulations apply to sites in the Open Space zone.
 - a. The sign regulations of the CX zone apply to sites with allowed Major Event Entertainment and Commercial Outdoor Recreation uses.
 - b. The sign regulations of the ~~CN~~ RX zones ~~apply~~applies to sites with allowed Retail Sales and Service uses.
- C. Columbia South Shore plan district [No Change]
- D. Hillside plan district. [No Change]
- E. Macadam plan district [No Change]
- F. Portland International Raceway plan district [No Change]
- G. South Auditorium plan district [No Change]
- H. Cascade Station plan district. [No Change]
- I. Hollywood plan district. [No Change]
- J. North Interstate plan district.
 - 1. Purpose. Encouraging retention of the mid-century signs identified in this subsection will represent Interstate Avenue Corridor's rich past as US Route 99, which was the West Coast's major north-south highway before Interstate 5 was built. Because their current locations may preclude desired development, allowing them to move to other locations along the corridor is necessary to ensure preservation.

Commentary

32.34.030 Additional Standards in Plan Districts.

The amendments change the reference to existing Commercial zones that are being deleted to new Commercial/Mixed Use zones adopted in the 2035 Comprehensive Plan that are the closest fit in terms of scale and use allowances. This generally follows the approach in the table below, however there are exceptions:

Old Zone	New Zone
CN1, CN2, CO1	CM1
CS, CM, CO2	CM2
EX, CX	CM3
CG	CE
Non-conforming C uses in R5, R2.5	CR (in limited cases)

Adding references to the appropriate Campus/Institutional (CI) zones that were adopted as part of the 2035 Comprehensive Plan, as appropriate.

Recommended Code Amendments

(added text is underlined, deleted text is shown with ~~strikethrough~~)

2. Where these regulations apply. The regulations of this subsection apply only to signs in the North Interstate plan district listed in Paragraph J.4.
3. Relocation allowed. The special signs listed in Paragraph J.4, below, may be relocated as follows:
 - a. The sign may be moved to another location on the site where it is currently located, or to another location that meets the requirements of this subsection;
 - b. The receiving site must have frontage on North Interstate Avenue between N. Argyle St. and N. Fremont St.;
 - c. The receiving site must be zoned either ~~EX, CX,~~ CI1, CI2, CM2, or CM3~~CS, or IR~~;
 - d. Signs removed from their sites may be stored elsewhere before relocation;
 - e. Relocated signs are subject to discretionary Design Review. Design review will consider the location of the sign on the site, the visual relationship of the sign structure to other development on the site, and the visual relationship to North Interstate Avenue; in a content-neutral manner as provided in Section 32.38.010;
 - f. Relocated signs that are nonconforming as to size, height, lighting, or area of changing image do not have to come into conformance with the requirements of Chapters 32.30 through 32.38. However, they may not move further out of conformance with the size, height, and lighting regulations unless an adjustment or modification is approved. Increases to the area of changing image on a relocated sign are only allowed as provided in Section 32.32.030;
 - g. Relocated signs do not count towards the maximum sign allocation on the receiving site; and
 - h. Relocated signs are subject to the other requirements of this Title.
4. Special signs. [No Change]

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