

ORDINANCE NO. 149964

An Ordinance amending Title 33, Planning and Zoning, of the Code of the City of Portland, Oregon, by amending Chapter 33.74 to regulate signs on recently annexed property, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Section 33.24.080, Signboard Control Zone, Termination of Non-Conforming Signs, provides in part, as follows:

"(a) A sign, signboard or symbol existing at the time the area is included in an S Zone, which is not allowed without approval under the provisions of section 33.74.030 or is not specially approved under section 33.74.040, shall not be continued longer than ten years from the effective date of inclusion in an S Zone."

2. This section provides a ten year grace period for non-conforming signs to which the S Zone is applied. Outdoor advertising signs are prohibited in the S Zones.
3. Surrounding counties also regulate outdoor advertising signs and some have established time periods for amortization and removal of these signs.
4. Signs being annexed to the city which by City Code are prohibited and which under prior zoning were prohibited, should be allowed a maximum of ten years grace period to exist as non-conforming signs.
5. Whereas, existing code would permit ten additional years for the life of these signs, the grace period enjoyed prior to annexation should be taken into account.

NOW, THEREFORE, the Council directs:

- a. Title 33, Planning and Zoning, of the Code of the City of Portland, Oregon, hereby is amended by an amendment to Chapter 33.74 to be numbered and read as follows:

"33.74.080 Termination of non-conforming signs.

(a) A sign, signboard, or symbol existing at the time the area is included in an S zone, which is not allowed without approval under the provisions of Section 33.74.030 or is not specially approved under Section 33.74.040, except for signs described in subsection (e) hereof, shall not be continued longer than ten years from the effective date of inclusion in an S zone."

(b) If a sign, signboard or symbol within an S zone existed or was allowed under the provisions of Section 33.74.030, or if its continuance or erection was specially approved under the provisions of Section 33.74.040, and the sign review committee determines that in its opinion circumstances have permanently changed so that such sign, signboard or symbol could be permitted if newly erected only with special approval under Section 33.74.040, then the sign review committee shall cause the owner of such sign to be notified of the changed conditions and the requirement of special approval. The owner may then request special approval for which no fee shall be required, or may

remove the sign, signboard or symbol. Such request shall be handled in the same manner as any other request for special approval under this chapter. Unless such approval is requested and granted within five years after committee determination of changed circumstances, the sign shall be removed, provided, however, the committee may extend such removal date for an additional period not exceeding five years in case of special hardship."

"(c) A sign, signboard or symbol within an S zone which is not within the provisions of Section 33.74.030 or 33.74.040 as a result of circumstances which the sign review committee finds have permanently changed shall be notified by the committee of such fact and shall not be continued longer than five years from the date of such notification, unless the sign review committee extends such time for not more than an additional five years in the case of special hardship. Such sign, signboard or symbol and the structure, supporting it, if any, shall be removed by the owner thereof."

"(d) As soon as practicable after January 1, 1970, the sign review committee shall cause a survey to be made of non-conforming signs in S zones, and as soon as practicable after subsequent inclusion within an S zone of property, the committee shall cause a survey to be made of non-conforming signs in such areas. If it appears that non-conforming signs are subject to removal or special approval, the committee shall send to the owner of the property where each non-conforming sign is located a written notice calling the attention of the owner to the date of inclusion of the property in an S zone and the non-conformance of the particular sign, with notice of the date of conformance or removal. If the committee finds that the non-conforming sign would be permitted if specially approved, it shall advise the owner of the provisions of this title relating to such approval. Additional notice shall be given at least six months prior to the conformance or removal date. Failure to give the first notice shall not relieve the owner of the sign, signboard or symbol from the requirements of this title. Failure to give the six months notice, however, shall extend the time for removal an additional thirty days after notice by the committee or by the Bureau of Buildings that such sign must be removed. This extension provision, however, shall not apply to requirements of this title for removal during 1969, or council extension."

"(e) Notwithstanding the ten year period mentioned in subsection (a) above, when the city creates an S zone on annexed land, any sign, signboard or symbol existing at the time of annexation by the city which:

"(1) would not be allowed without approval under the provisions of Section 33.74.030 or would not be specially approved under Section 33.74.040; and

"(2) was subject to removal within a specific period of time under the most recent prior zoning.

"shall be permitted to remain only for a period of time equal to ten years, less the number of years it has been maintained since notice was first given that the sign would be subject to removal, under prior zoning. For example, if prior zoning made the sign, signboard or symbol subject to removal in five years and three of those years had elapsed at the time of annexation to the city, the sign, signboard, or symbol would be permitted to remain under the "S" zone for seven more years, for a total of ten years prior to removal. In all other respects these signs, signboards and symbols would be subject to the subsections above."

Calendar No. 2437

ORDINANCE No. 149964

Title

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THURSDAY

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie		
Jordan		
Lindberg		
Schwab		
McCready		

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

Filed JUN 27 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By Gordon Crull
Deputy

INTRODUCED BY
Mayor Connie McCready

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration <i>C.M. [Signature]</i>
Safety
Utilities
Works

BUREAU APPROVAL
Bureau: Planning Bureau
Prepared By: Mary Vytlačil Date: April 17, 1980
Budget Impact Review: <input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>Frank Frost</i> Frank Frost, Acting Director

NOTED BY
City Attorney
City Auditor
City Engineer <i>[Signature]</i>