

ORDINANCE NO. 4039

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE CITY'S SIGN CODE, AS CODIFIED IN CHAPTER 20.60 OF THE EDMONDS COMMUNITY DEVELOPMENT CODE

WHEREAS, the city's planning board was asked to review the sign code, and particularly the regulations relating to temporary portable signs; and

WHEREAS, the planning board had several discussions on options for temporary portable signs, including their meetings of April 27 and May 11, 2016; and

WHEREAS, the planning board held a public hearing on May 25, 2016 to gather input on three options dealing with temporary (e.g. A-frame) signs in the downtown area, including (1) banning temporary portable signs such as A-frames, (2) allowing them as temporary signs for sixty days only (same as current code), or (3) allowing them as a form of permanent signage with restrictions on time, place and manner; and

WHEREAS, the proposed amendments also address a number of other minor clarifications and code language updates; and

WHEREAS, at the June 8, 2016 planning board meeting, the planning board indicated a preference for Option 3 and requested that staff prepare a recommendation to city council for Option 3; and

WHEREAS, the city council received a briefing on the planning board's recommended sign code changes on July 5, 2016; and

WHEREAS, the city council held a public hearing on the recommended sign code changes on July 19, 2016; and

WHEREAS, following the public hearing on July 19, 2016, the city council voted to use the recommended changes as a basis for discussion and any further amendment;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO ORDAIN
AS FOLLOWS:

Section 1. Chapter 20.60 of the Edmonds Community Development Code, entitled “Sign Code,” is hereby amended to read as set forth in **Attachment A** hereto, which is incorporated herein by this reference as if set forth in full (new text is shown in underline; deleted text is shown in ~~strike-through~~).

Section 2. Severability. If any section, subsection, clause, sentence, or phrase of this ordinance should be held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:


MAYOR DAVE EARLING

ATTEST/AUTHENTICATED:


CITY CLERK, SCOTT PASSEY

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
JEFF TARADAY

FILED WITH THE CITY CLERK: July 29, 2016
PASSED BY THE CITY COUNCIL: August 2, 2016

PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.

August 7, 2016
August 12, 2016
4039

SUMMARY OF ORDINANCE NO. 4039

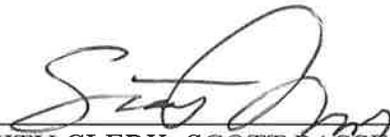
of the City of Edmonds, Washington

On the 2nd day of August, 2016, the City Council of the City of Edmonds, passed Ordinance No. 4039. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS,
WASHINGTON, AMENDING THE CITY'S SIGN
CODE, AS CODIFIED IN CHAPTER 20.60 OF THE
EDMONDS COMMUNITY DEVELOPMENT CODE

The full text of this Ordinance will be mailed upon request.

DATED this 3rd day of August, 2016.


CITY CLERK, SCOTT PASSEY

Attachment A

Chapter 20.60

Sections:

20.60.000	Purpose.
20.60.005	Definitions.
20.60.010	Permit required.
20.60.015	Design review procedures.
20.60.020	General regulations for permanent signs.
20.60.025	Total maximum permanent sign area.
20.60.030	Wall signs – Maximum area and height.
20.60.035	Window signs – Maximum area.
20.60.040	Projecting signs – Maximum area and height restrictions.
20.60.045	Freestanding signs – Regulations.
20.60.050	Wall graphic and identification structures.
<u>20.60.055</u>	<u>Pedestrian signs.</u>
20.60.060	Campaign signs.
20.60.065	Real estate signs.
20.60.080	Temporary signs.
20.60.070	Construction signs.
20.60.090	Prohibited signs.
20.60.095	Exempt signs.
20.60.100	Administration.

20.60.000 Purpose.

The purpose of this chapter is to enact regulatory measures to implement those goals and policies stated in the Edmonds Comprehensive Policy Plan and to achieve the following objectives:

- A. Protect the public right-of-way from obstructions which would impair the public's use of their right-of-way.
- B. Minimize the hazard to the public represented by distractions to drivers from moving, blinking, or other similar forms of signage or visual clutter.
- C. Provide for distinct signage for each distinct property.
- D. Encourage the use of graphics/symbols to reduce the visual clutter associated with overly large letters or extensive use of lettering.
- E. Minimize potential for view blockage and visual clutter along public rights-of-way. [Ord. 3461 § 2, 2003].

20.60.005 Definitions.

For the purposes of the enforcement of this chapter, the following definitions shall apply:

“Attached sign” is any sign attached or affixed to a building. Attached signs include wall signs, projecting signs, and window signs.

“Boxed cabinet sign” is a permanent sign that is mounted on the face of a building that is roughly rectangular in shape and provides for internal illumination and changing the message of the sign by replacing a single transparent or translucent material such as a Plexiglas/lexan face. This definition is meant to distinguish between a cabinet sign that is essentially a rectangular box and one that follows the outlines of the letters of the sign, or an “outline cabinet sign.”

“Building ID/historic sign” is a permanent sign that identifies or names a building and assists in creating landmarks in the city. Examples include dates, “1890”; names, “Beeson Building”; or addresses.

“Campaign sign” is a temporary sign displaying a message relating to a candidate, political party, or issue that is registered or certified for an upcoming election.

“Commercial sign” is a sign displayed for the purpose of identifying a commercial use, or advertising a service, product, business or venture that is offered for trade or sale.

“Community event banner” is a noncommercial sign composed of cloth, fabric, canvas or similarly flexible material that promotes a temporary community event endorsed, operated or sponsored wholly or in part by a local public entity the jurisdiction of which includes the city of Edmonds. “Community events” are nonprofit, governmental or charitable festivals, contests, programs, fairs, carnivals or recreational contests conducted within the city.

“Construction sign” is a permanent or temporary sign displayed on premises where any physical excavation, construction, demolition, rehabilitation, structural alteration or related work is currently occurring, pursuant to a valid building permit.

“Directional symbols” are small in size (two square feet or less) and intended to provide on-site directions to specific locations or areas (such as parking areas, drive-through facilities, ATMs and entries and/or exits), hours of operation, parking limitations, warnings of hazards, prohibition of activities (such as “no parking”), historical markers and similar public information. Directional symbols are not considered to be signage as regulated in this chapter.

“Fixed sign” is any sign attached or affixed to the ground or any structure in such a manner so as to provide for continuous display for an extended or indeterminable period of time. Fixed signs include, but are not limited to, freestanding signs and wall signs.

“Freestanding sign” is any sign that is not attached or affixed to a building. Freestanding signs can be further described as “monument signs” or “pole signs.”

“Governmental sign” is a sign owned, operated or sponsored by a governmental entity, and which promotes the public health, safety or welfare. Governmental signs include, but are not limited to, traffic signs, directional and informational signs for public facilities, publicly sponsored warning or hazard signs, and community event banners displayed by a governmental entity on public property.

“Group sign” is a sign or signs on one sign structure serving two or more businesses sharing a parking facility.

“Halo sign” is a sign where the light source is concealed behind an opaque face and the rays of illumination are projected outward around the edges of the sign or directed against the surface behind the sign forming a silhouette or halo effect. Halo signs are not considered to be internally illuminated signs for the purposes of this chapter.

“Identification structure” is a structure intended to attract the attention of the public to a site, without the use of words or symbols identifying the businesses. Examples include fountains, sculptures, awnings, and totem poles.

“Internally illuminated signs” include any sign where light shines through a transparent or semi-transparent sign face to illuminate the sign’s message. Exposed neon is considered to be a form of internal illumination.

“Marquee” or canopy is a permanent roofed structure attached and supported by the building.



“Marquee sign” is any sign attached to or made a part of a building marquee. A marquee sign is a form of projecting sign.

“Monument signs” are freestanding signs that have integrated the structural component of the sign into the design of the sign and sign base.

“Noncommercial sign” is a sign that is intended to display a religious, charitable, cultural, governmental, informational, political, educational, or artistic message, that is not primarily associated with a good, product, or service offered for sale or trade. Noncommercial signs include signs advertising incidental and temporary commercial activities conducted by churches and nonprofit businesses, clubs, groups, associations or organizations.

“Off-premises sign” is any sign that advertises or relates to a good, product, service, event, or meeting, that is offered, sold, traded, provided, or conducted at some location or premises other than that upon which the sign is posted or displayed. Off-premises signs include all signs posted or displayed in the public right-of-way.

“On-premises sign” is any sign that advertises or relates to a good, product, service, event, or meeting that is lawfully permitted to be offered, sold, traded, provided, or conducted at the location or premises upon which the sign is posted or displayed. On-premises signs also include signs not related to any particular location or premises, such as signs displaying religious, charitable, cultural, governmental, informational, political, educational, or artistic messages that are intentionally displayed by the owner of the property or premises upon which the sign is displayed.

“Outline cabinet sign” is a permanent sign that is mounted on the face of a building that roughly follows the shape of the text or symbology of the sign and provides for internal illumination. This definition is meant to distinguish between a cabinet sign that follows the outlines of the letters of the sign and one that is essentially a rectangular box or a “boxed cabinet sign.” An “outlined cabinet sign” will be treated more like an “individual letter sign” where the area of the sign is calculated based on the actual outlined shape of the sign.

“Permanent sign” is a fixed or portable sign intended for continuous or intermittent display for periods exceeding 60 days in any calendar year.

“Pole signs” are freestanding signs where the structural support for the sign is one or more exposed pole(s). Pole signs may include community event banners where the banner is supported by at least two poles that are permanently attached to the ground (“pole-mounted community event banners”). However, pole signs with two poles that are not more than six (6) feet in height are considered to be monument signs.

“Portable sign” is any sign that is readily capable of being moved or removed, whether attached or affixed to the ground or any structure that is typically intended for temporary display. Portable signs include, but are not limited to:

1. Signs designed and constructed with a chassis or support with or without wheels;

2. Pedestrian signs, including signs such as A-frame (sandwich board), stanchion, easel, or post-style signs intended as free-standing signs in pedestrian environments Menu and “sandwich” board signs;



Left: Stanchion sign

3. “A” and “T” frame signs;

4. Wooden, metal, or plastic “stake” or “yard” signs;
5. Posters or banners affixed to windows, railings, overhangs, trees, hedges, or other structures or vegetation, except for pole-mounted community event banners;
6. Signs mounted upon vehicles parked and visible from the public right-of-way, except signs identifying the related business when the vehicle is being used in the normal day-to-day operation of the business, and except for signs advertising for sale the vehicle upon which the sign is mounted;
7. Searchlights;
8. Inflatables.

“Premises” is the actual physical area of the lot upon which a sign is posted or displayed, ~~except within the boundaries of the BC or BD zone in the downtown activity center as defined in the comprehensive plan, where “premises” shall include any portion of the public sidewalk which fronts upon the lot.~~

“Projecting sign” is any sign attached or affixed to a building or wall in such a manner that its leading edge extends more than 12 inches beyond the surface of such building or wall.



“Reader board sign” is a sign that is designed to allow for a change in the message, either by adding or removing plastic letters, or by means of electronics and lights. Reader boards do not include signs which have a changeable message where the sign does not change more than once per day and where the changeable features are integrated with the background and overall design of the sign, including the sign’s typefaces, colors and symbology. Individual letters or numbers placed on a solid colored background is considered to be a reader board.

Two signs at left: Acceptable changeable message sign;

Two signs at right: A reader board.



“Real estate sign” is a sign displaying a message relating to the sale or rent of real property.

“Sign” is any structure, device or fixture that is visible from a public place, that incorporates graphics, symbols, or written copy for the purposes of conveying a particular message to public observers, including wall graphics or identification structures.

“Sign area” is the maximum actual area of a sign that is visible from any single point of observation from any public vantage point. Supporting structures which are part of a sign display shall be included in the calculation of the sign area area of a sign on which copy is to be placed, as set forth in ECDC 20.60.020(A).

“Temporary sign” is an allowed portable sign intended for short-term display, not to exceed 60 calendar days in any calendar year. Window signs meeting the requirements of ECDC 20.60.035 are not regulated as temporary signs.

“Wall graphic” is a wall sign, including murals, in which color and form, and primarily without the use of words, is a part of the overall design on the building(s) where the wall graphic is proposed. A wall graphic may be painted or applied (not to exceed one-half inch in thickness) to a building as a part of its overall color and design, but may not be internally lighted. Internally lighted assemblies, including those which project from the wall of the structure, or which are located on any accessory structure on the site, shall be considered wall signs and comply with the requirements of this chapter.

“Wall sign” is a sign that is attached or affixed to a wall and that is parallel to and not projecting more than 12 inches at any angle from such wall. Wall signs include signs that are painted directly upon a wall.

“Window sign” is a sign that is attached or affixed to a window, or a sign displayed within 24 inches of the inside of a window in such a manner as to be visible from any public place. [Ord. 3800 § 1, 2010; Ord. 3631 § 1, 2007; Ord. 3628 § 8, 2007; Ord. 3561 § 1, 2005; Ord. 3514 § 1, 2004; Ord. 3461 § 2, 2003].

20.60.010 Permit required.

A. Except as provided in this chapter, no permanent sign may be constructed, installed, posted, displayed or modified without first obtaining a sign permit approving the proposed sign’s size, design, location, and display as provided for in this chapter.

B. Design approval is not required for the posting of permanent signs in residential zones; provided, that the restrictions and standards of this chapter are met. If additional signage is requested for conditional or nonconforming uses in residential zones, the property owner shall apply for design review. Design review is not required for any sign which does not require a building permit.

C. A sign modification shall include, but is not limited to, relocations, modifications to size, design, height or color scheme, or the replacement of 25 percent or more of the structural material in the sign area. Normal and ordinary maintenance and repair, and changes to the graphics, symbols, or copy of a sign, without affecting the size, structural design, height, or color scheme, shall not constitute modifications for purposes of this section. [Ord. 3514 § 2, 2004; Ord. 3461 § 2, 2003].

20.60.015 Design review procedures.

A. Staff Approval. Except as referred to the architectural design board pursuant to subsection (A)(1) of this section, and except as provided in subsection (B) of this section, the planning manager, or designee, shall review all applications for design review under this chapter, and shall approve, conditionally approve or deny the application in accordance with the policies of ECDC 20.10.000, ~~the criteria set forth in ECDC 20.10.070,~~ and the standards and requirements of this chapter; provided, that for murals and artwork the planning manager or designee shall review the application in accordance with the criteria set forth in subsection (C) of this section. The decision of the planning manager on any sign permit application shall be final except that signs reviewed by the architectural design board are appealable to the Hearing Examiner, reviewable as a Type II appeal (See ECDC 20.01.005) established in Chapter 20.105 ECDC for appeal of staff decisions and signs reviewed under subsection (A)(1) of this section are appealable as provided therein.

1. The planning manager or designee may refer design review applications to the architectural design board for the types of signs listed below, where the planning manager determines that the proposed sign has the potential for significant adverse impacts on community aesthetics or traffic safety:

- a. Any sign application for an identification structure as defined by this chapter;
- b. Any sign application for a wall graphic as defined by this chapter;
- c. Any proposed sign that the planning manager determines to be obtrusive, garish or otherwise not consistent with the architectural features of the surrounding neighborhood.

B. Review by Architectural Design Board. The architectural design board shall review those signs listed below in subsection (B)(1) and any sign permit referred by the planning manager pursuant to subsection (A)(1) of this section. ~~The architectural design board shall approve, conditionally approve or deny such sign permit applications in accordance with the policies of ECDC 20.10.000, the criteria set forth in ECDC 20.10.070, and the standards and requirements of this chapter. The decision of the architectural design board on any sign permit application may be appealed to the city council pursuant to the procedure established in ECDC 20.10.080 for appeal of architectural design board decisions.~~

1. The ADB shall review any Any sign permit application that requests a modification to any of the standards prescribed by this chapter. The ADB shall only approve modification requests ~~that meet all of the following criteria that arise from one of the following two situations:~~

a. The request is for signage on a site that has a unique configuration, such as frontage on more than two streets or has an unusual geometric shape or topography;

b. The request is for signage on a building that has unique architectural elements or features or details that substantially restrict the placement or size of signage relative to other buildings in the vicinity.

~~b. The subject property, building, or business has site conditions that do not afford it the opportunity to provide signage consistent with or similar to other properties in the vicinity;~~

2. The ADB may approve the requested modification only if it meets the following criteria:

ea. The design of the proposed signage must be compatible in its use of materials, colors, design and proportions with development throughout the site and with similar signage in the vicinity;

db. In no event shall the modification result in signage which exceeds the maximum normally allowed by more than 50 percent.

C. Staff Review of Murals and Artwork. When a proposed wall graphic is proposed as a mural or artwork, the planning manager or designee shall review and approve, conditionally approve, or deny the application in accordance with the following criteria. While a separate sign permit is required for each wall graphic, the staff may make a single design review decision on wall graphics that consist of related murals or artwork. Related murals or artwork may include multiple proposals for sites within reasonable proximity to each other that are related by theme, style, materials used, and/or context. The decision of the staff on any design review application containing a mural or art as a wall graphic may be appealed to the city council pursuant to the procedure established in Chapter 20.06 ECDC.

1. Art, like other exercises of First Amendment rights, may be limited by reasonable time, place, and manner restrictions. In this case, these criteria will be utilized to enhance the aesthetics of the city and to ensure quality and maintenance standards are observed. No recommendation shall be based upon the content or message expressed by an artist or in a work of art. Applicants are encouraged to coordinate their artwork with the design or architectural elements of the building and the historic and pedestrian-oriented character of the downtown area.

2. Specific submission requirements for design review include, but are not limited to:

a. Site sketch showing locations of artwork;

b. Minimum one-fourth-inch scale color drawings of the art concept or art component;

c. Material/color samples;

d. Written Proposal. A written proposal in eight-and-one-half-inch-by-11-inch format to include a description and summary of a final design proposal for the artwork; detailed maintenance requirements; a schedule for development, fabrication, and completion; artist's resume; and evidence of assumption of liability by applicant or designee; and

e. When required pursuant to ECDC 20.45.050, a certificate of appropriateness shall be obtained from the historic preservation commission for murals on designated historic structures or within a designated historic district.

3. Review Criteria. Review criteria for the design review include:

a. Quality of the materials used to create the artwork. Materials should be resistant to fading; no fluorescent paints;

b. Durability and permanence, including ability to withstand age, vandalism, and weathering. Consideration should be given to anti-graffiti coating; and

c. Compatibility of the artwork with architectural elements, other elements of the street, and adjacent structures. Compatibility shall be determined by relationships of the elements of form, proportion, scale, color, materials, surface treatment, and size and style of lettering. Lettering shall be minimized, but may be considered for inclusion when necessary to the artistic content.

D. Notwithstanding the provisions of subsections (A), (B), and (C) of this section, sign permit applications shall not be referred to or reviewed by the architectural design board if the proposed sign constitutes a modification to an existing sign and involves no significant alteration or modification to the size, height, design, lighting or color of the existing sign. Sign permit applications for such sign modifications shall be processed and subject to review in the same manner as provided for staff review in subsection (A) of this section. [Ord. 3800 § 1, 2010; Ord. 3736 § 60, 2009; Ord. 3461 § 2, 2003].

20.60.020 General regulations for permanent signs.

A. Sign Area. The area of a sign shall be calculated as follows:

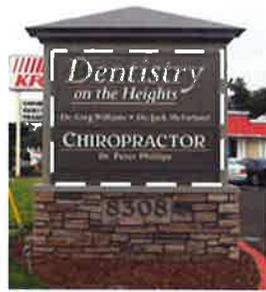
1. The area of a sign is maximum actual area of a sign that is visible from any single point of observation from any public vantage point. The sign area is normally the smallest rectangle that encloses the entire copy area of the sign.
2. Individual letters, numbers or symbols applied directly to a wall or structure and used to form the sign shall be calculated individually;
3. Supporting structures which are part of a sign display shall be included in the calculation of the sign area, except that the supporting structure of a monument sign or pole sign shall not be included when calculating the sign area.



Left: Sign Area = X * Y



Right: Applied individual letters are calculated separately



Monument sign: the base is not included in the calculation of sign area (dashed rectangle)

A. When located on a wall or mansard roof, no sign may extend above the highest point of the wall or mansard roof when the mansard roof is on a one-story building, or above the eave or drip line of a pitched roof on which it is located. Other than a mansard roof on a one-story building, A-a sign may not be attached above the eave or drip line on a pitched roof.

B. Except for pole-mounted community event banners, no sign or any part of a sign may be designed or constructed to be moving by any means and shall not contain items such as banners, ribbons, streamers and spinners. Signs with type that is movable to change the message (reader boards) are allowed, subject to the specific requirements detailed elsewhere in this chapter.

C. ~~No signs shall~~ Signs that extend into or over a public right-of-way ~~unless an encroachment permit has been approved (seeshall comply with~~ Chapter 18.70 ECDC).

D. Exposed braces and angle irons are prohibited unless they are part of a decorative design that is integral to the design of the sign. Guywires are prohibited unless there are no other practical means of supporting the sign.

E. No sign shall have blinking, flashing, fluttering or moving lights or other illuminating device which has a changing light density or color; provided, however, temperature and/or time signs that conform in all other respects to this chapter are allowed. Electronic reader boards may have messages that change, however, moving messages are not

allowed. Messages that change at intervals less than 20 seconds will be considered blinking or flashing and not allowed.

F. No light source which exceeds 20 watts shall be directly exposed to any public street or adjacent property.

G. No illumination source of fluorescent light shall exceed 425 milliamps or be spaced closer than eight inches on center.

H. No commercial sign shall be illuminated after 11:00 p.m. unless the commercial enterprise is open for business and then may remain on only as long as the enterprise is open.

I. No window signs above the first floor shall be illuminated.

J. Sign height shall be determined as follows:

1. For attached signs, sign height is the vertical distance from the highest point on the sign to the average finished grade.

2. For freestanding signs, sign height is the vertical distance from the highest point of the sign area or its support to the average elevation of ~~undisturbed soil~~ the finished grade at the base of the supports.

K. Portable signs may not be used as permanent signage; only fixed signs are permitted.

L. The following matrix summarizes the types of signs permitted in each neighborhood/district within the city:

Sign Type	Downtown ¹	SR-99 ²	Westgate/SR-104 ³	Neighborhood Commercial (BN, BP and FVMU Zones)	Business Uses in RM Zones
Wall-mounted	P	P	P	P	P
Monument	C	P	P	C	C
Pole	N	P	N	N	N
Projecting	P	P	P	P	P
Internal Illumination	C	P	P	C	N
Reader Boards	C	C	C	C	C
Individual Letters	P	P	P	P	P
Boxed Cabinet	N	P	C	C	N
Building ID	P	P	P	P	p
Sandwich Boards Pedestrian	P	N	N	N	N
Wall Graphics	C	C	C	C	C

¹ Downtown includes all properties within the Downtown Activity Center defined in the Comprehensive Plan.

² SR-99 includes all properties within the Medical-Highway 99 Activity Center and the Highway 99 Corridor defined in the Comprehensive Plan.

³ Westgate/SR-104 includes all properties within the Westgate Corridor, the Edmonds Way Corridor, and within the Westgate Community Commercial area, as defined in the Comprehensive Plan.

Note: In the above table, P = Permitted; N = Not permitted; C = Conditionally permitted through design review if consistent with the standards itemized in ECDC 20.60.020(M).

M. The following standards clarify how some signs identified as “conditionally permitted” must be installed to be permitted in the city of Edmonds.

1. Monument signs over six feet in height must be reviewed to ensure that the materials, colors, design and proportions proposed are consistent with those used throughout the site.
2. Internally illuminated signs in the downtown area and neighborhood commercial areas may only light the letters or logos/symbols. The background of a sign face may not be illuminated.
3. Internally illuminated signs in the downtown area and the neighborhood commercial areas must be mounted on the wall of the building. They may not be mounted on or under an attached awning.
4. Internally illuminated signs that use exposed neon may only be located in the interior of buildings in the downtown area and the neighborhood commercial areas.
5. Internally illuminated signs in the downtown area shall not be permitted to be higher than 14 feet in height.
6. Reader board messages are limited to alphanumeric messages only.
7. Reader boards are only permitted for public uses or places of public assembly. Public uses and places of assembly include, but are not limited to, schools and churches as well as local and regional public facilities.
8. The background color of a boxed cabinet sign face must be coordinated with and compliment the colors used on the building.
9. The background color of a boxed cabinet sign face must be opaque and not allow any internal illumination to shine through. [Ord. 3631 § 2, 2007; Ord. 3461 § 2, 2003].

20.60.025 Total maximum permanent sign area.

A. Business and Commercial Zone Districts (BN, BP, BC, BD, WMU, CW and CG).

1. The maximum total permanent sign area for allowed or permitted uses in the BN, BC, BD and CW zones shall be one square foot of sign area for each lineal foot of wall containing the main public entrance to the primary building or structure located upon a separate legal lot.
2. The maximum total permanent sign area for allowed or permitted uses in the CG zone shall be one square foot of sign area for each lineal foot of building frontage along a public street and/or along a side of the building containing the primary public entrance to a maximum of 200 square feet. The allowable sign area shall be computed separately for each qualifying building frontage, and only the sign area derived from that frontage may be oriented along that frontage. Sign areas for wall-mounted signs may not be accumulated to yield a total allowable sign area greater than that permitted upon such frontage, except that businesses choosing not to erect a freestanding sign may use up to 50 percent of their allowable freestanding sign area for additional attached sign area. Use of the additional area shall be subject to the review of the architectural design board.
3. The maximum total permanent sign area may be divided between wall, projecting, and freestanding signs, in accordance with regulations and maximum sign area and height for each type of sign, as provided in ECDC 20.60.030 through 20.60.050. Projecting signs (including blade signs) of four square feet or less and Window window signs meeting the requirements of ECDC 20.60.035 do not count against the total permanent sign area permitted.
4. The maximum number of permitted permanent signs is three per site, or three per physically enclosed business space on commercial sites with multiple business tenants. A site with more than one street frontage

is allowed a maximum of five (5) signs. Projecting (including blade) signs of four square feet or less and Window window signs meeting the requirements of ECDC 20.60.035 do not count against the total number of permitted permanent signs. Multi-tenant sites are allowed one additional group sign per street frontage identifying the individual subtenants at the site. The total sign area of all signs permitted on site must also comply with the maximum total permanent sign area specified in this chapter.

5. Where permitted, pedestrian signs do count against the permanent sign area and the number of signs permitted.

B. Residential Zone Districts (RS, RM).

1. The maximum allowable signage area for individual residential lots shall be four square feet per street frontage, except as provided in subsection (B)(2) of this section.
2. The maximum allowable signage area for formal residential subdivisions, planned residential developments (PRD), or multifamily structures containing at least 10 dwelling units shall be 10 square feet per main street entrance into the subdivision or PRD. Only one sign may be provided at each main entrance.
3. The maximum total permanent sign area may be divided between wall and freestanding signs, in accordance with regulations and maximum sign area and height for each type of sign, as provided in ECDC 20.60.030 through 20.60.050. Window signs meeting the requirements of ECDC 20.60.035 do not count against the total permanent sign area permitted.
4. Signage in excess of that provided in subsections (B)(1) and (2) of this section for lawful nonconforming or conditional nonresidential uses in residential zones may be approved through the issuance of a sign permit pursuant to ECDC 20.60.010, subject to the maximum area and height limitations established for signs in the BN zone.
5. The maximum number of permitted permanent signs is one, except that multifamily sites with more than one vehicular entrance may have one permanent sign per entrance. The total sign area of all signs (excluding incidental signs) permitted on-site must also comply with the maximum total permanent sign area specified in this chapter. [Ord. 3805 § 1, 2010; Ord. 3628 § 9, 2007; Ord. 3461 § 2, 2003].

20.60.030 Wall signs – Maximum area and height.

A. The maximum area of any wall sign shall be as follows:

Zone	Maximum Area of Sign
RS, RM	4 square feet
BN, <u>BP</u> , BC, BD, CW, <u>CG</u> , <u>WMU</u> , <u>FVMU</u>	1 square foot per lineal foot of attached wall

B. The maximum height of any attached sign shall be as follows:

Zone	Maximum Height of Sign
RS, RM	6 feet
BN, <u>BP</u> , BC, BD, CW, <u>CG</u> , <u>WMU</u> , <u>FVMU</u>	14 feet or the height of the face of the building on which the sign is located, consistent with ECDC 20.60.020(A)

[Ord. 3628 § 10, 2007; Ord. 3461 § 2, 2003].

20.60.035 Window signs – Maximum area.

The maximum area of any window sign shall be as follows:

Zone	Maximum Area of Sign
RS, RM	4 square feet
BN, BP , BC, BD, CW, CG, WMU, FVMU	1 square foot per each lineal foot of window frontage

[Ord. 3628 § 11, 2007; Ord. 3461 § 2, 2003].

20.60.040 Projecting signs – Maximum area and height restrictions.

A. The maximum area of any projecting sign shall be as follows:

Zone	Maximum Area of Sign
RS, RM	Not permitted
BN, BP , BC, BD, CW, WMU, FVMU	16 square feet
CG	32 square feet

B. The maximum height of any projecting sign shall be as follows:

Zone	Maximum Height of Sign
RS, RM	Not permitted
BN, BP , BC, BD, CW, CG, WMU, FVMU	14 feet <u>Height of the wall to which the sign is attached</u>

~~C. The bottom of the sign area of projecting signs shall be at least eight feet in height and at least 11 feet in height if it projects over a vehicle-traveled right-of-way.~~ The sign area of a marquee sign may not exceed two feet in vertical dimension. [Ord. 3628 § 12, 2007; Ord. 3461 § 2, 2003].

20.60.045 Freestanding signs – Regulations.

A. Regulation. Permanent freestanding signs are discouraged. Freestanding signs shall be approved only where the applicant demonstrates by substantial evidence that there are no reasonable and feasible alternative signage methods to provide for adequate identification and/or advertisement.

B. Maximum Area. The maximum area of a freestanding sign shall be as follows:

Zone	Maximum Area of Sign
RS, RM	10 square feet (subdivision, PRD, multifamily) 4 square feet (individual residence sign)
BN, BP	24 square feet (single) 48 square feet (group)
BC, BD, WMU, FVMU	32 square feet (single) 48 square feet (group)
CW	32 square feet (single) 48 square feet (group)
CG	Sign area shall be governed by subsection (C) of this section

C. Allowable Sign Area for Freestanding Signs – CG Zone. The total allowable sign area for freestanding signs on general commercial sites shall be 56 square feet or one-half square foot of sign area for each lineal foot of street frontage, whichever is greater, up to a maximum of 160 square feet of freestanding sign area. Multiple business or tenant sites shall further be allowed an additional 24 square feet of freestanding sign area for each commercial tenant or occupant in excess of one up to a maximum sign area of 160 square feet. Corner lots choosing to accumulate sign area under the provisions of subsection E of this section shall be limited to 160 square feet.

D. Maximum Height. The maximum sign height of freestanding signs shall be as follows:

Zone	Maximum Height of Sign
RS, RM	6 feet
BN, <u>BP</u> , BC, BD, CW, <u>WMU</u> , <u>FVMU</u>	14 feet
CG	25 feet

E. Location. Freestanding signs shall be located as close as possible to the center of the street frontage on which they are located. Except for pole-mounted community event banners, freestanding signs may not be located on public property. Sites on a corner of two public streets may have one sign on the corner instead of a sign for each frontage. Monument signs not more than six feet in height may be located in a zoning setback, but not less than five (5) feet from a property line.

F. Number. In all zones, each lot or building site shall be permitted no more than one freestanding sign, except in the business and commercial zones where a lot or site has frontage on two arterial streets, in which case there may be permitted one sign per street frontage subject to the restrictions on area contained within this chapter.

G. Landscaping.

1. Each freestanding sign shall have a landscaped area twice the size of the sign area at the base of the sign. The landscaping and sign base shall be protected from vehicles by substantial curbing.

2. The applicant shall provide a landscape performance bond in the amount of 125 percent of the estimated costs of the landscaping, or \$1,000, whichever is more. The bond shall be processed in accordance with Chapter 17.10 ECDC. [Ord. 3631 § 3, 2007; Ord. 3628 § 13, 2007; Ord. 3461 § 2, 2003].

20.60.050 Wall graphic and identification structures.

There are no area restrictions on wall graphics or identification structures. [Ord. 3461 § 2, 2003].

20.60.055 Pedestrian signs.

Pedestrian signs are only permitted on private property and in the adjacent right-of-way in the BC, BD, CW, and CG zones located within the Downtown Waterfront Activity Center, as defined in the Comprehensive Plan. Pedestrian signs are only permitted if they meet the following requirements.

1. Pedestrian signs may be permitted to be located either (1) between the business storefront and the public right-of-way, or (2) on the sidewalk in front of the business storefront if the pedestrian sign meets the following standards.
 - a. Only one pedestrian sign is permitted per ground floor storefront;
 - b. Businesses may make arrangements to rotate their pedestrian signs provided they meet the one sign-per-storefront standard;

- c. The sign shall be located within 10 feet of the building entry, unless it is placed in a location that better preserves public pedestrian and vehicular access, and must be placed within two feet of the building. Any deviations from this standard must be submitted to the Architectural Design Board for review and approval per 20.60.015(B)(1);
- d. A business located on a corner property shall have no more than one pedestrian sign, regardless of the number of streets the business fronts on;
- e. If located on or near a sidewalk, building entry or pedestrian way, the sign shall be located to provide a minimum of five feet of clearance for pedestrians to pass;
- f. Pedestrian signs cannot be left outside during hours that the business is closed to the public.
- g. Pedestrian signs are limited to:
 - six (6) square feet in area, 2-1/2 feet in width, and 3-1/2 feet in height for A-frame or sandwich board signs; and
 - six (6) square feet in area, 2-1/2 feet in width, and 4-1/2 feet in height for stanchion, easel or other types of pedestrian signs.

20.60.060 Campaign signs.

A. On-premises campaign signs are permitted as a form of temporary signage in all zones, subject to the maximum sign size limitations set forth in ECDC 20.60.080.

B. Off-premises campaign signs are permitted as a form of temporary signage in the public right-of-way; provided, that the following requirements are met:

1. All campaign signs shall be posted in accordance with the regulations set forth in ECDC 20.60.080(B).
2. All off-premises campaign signs shall be removed within 10 days after the primary, general, or special election to which they pertain.
3. Off-premises campaign signs shall be posted and displayed no earlier than upon declaration of candidacy in accordance with Chapter 29.15 RCW, or other formal registration or certification of the candidate, party, initiative, referendum or other ballot issue for an upcoming election, or 60 days prior to the election, whichever time period is greater.

C. There is no maximum number of off-premises campaign signs that may be posted. [Ord. 3461 § 2, 2003].

20.60.065 Real estate signs.

A. On-premises real estate signs are permitted as a form of temporary signage in residential and commercial zones, subject to the maximum signage area and sign number limitations set forth in ECDC 20.60.080.

B. Off-premises real estate signs are permitted as a form of temporary signage, subject to the following requirements:

1. Two and only two types of off-premises real estate signs shall be permitted:
 - a. An off-premises real estate directional sign is a sign displaying a directional arrow and either a company or logo, or an indication that the property is for sale by its owner, and installed for the purpose of directing the public to the property.
 - b. An off-premises open house sign is a form of temporary off-premises sign indicating the property is currently open for viewing.

2. All off-premises real estate signs shall be posted in accordance with the regulations set forth in ECDC 20.60.080(B).

3. The maximum number of off-premises real estate signs allowed per property shall only be the number reasonably necessary to direct people to the premises. An agent or owner shall be permitted no more than one off-premises real estate directional sign per intersection and five in total. No more than one off-premises open house sign shall be displayed per intersection and no more than five in total.

a. Each off-premises real estate directional sign shall bear a legible tag located on the sign or supporting post indicating the date of posting and the address of the property to which it pertains.

b. Off-premises real estate open house signs shall only be posted during daylight hours when the real estate agent or owner is in attendance at the property for sale or rent, and shall be removed immediately upon the termination of an "open house" or other similar property display event.

4. No off-premises real estate signs shall be fastened to any traffic control device, public structure, fence, rock, tree or shrub.

C. All on-premises and all off-premises real estate directional signs shall be removed within seven days after the closing of the sale or lease of real property to which the sign pertains. [Ord. 3461 § 2, 2003].

20.60.070 Construction signs.

Construction signs shall, irrespective of their duration, conform to the general regulations for permanent signs specified under ECDC 20.60.020. Notwithstanding any other provision of this chapter, the maximum area of a construction sign in any zone shall be 32 square feet. No sign permit is required for the posting of construction signs; provided, that all construction signs shall be removed from the premises within 10 days of the cessation of the excavation, construction, demolition, rehabilitation, structural alteration or related work on site.

Zone	Maximum Area of Signage (per Street Frontage)
RS	16 square feet, or 32 square feet if one sign is displayed for a project consisting of building permits issued for four lots or more. Only one sign may be displayed per project.
All other zones	32 square feet

The preceding square footages shall be in addition to any other temporary signage permitted by ECDC 20.60.080. [Ord. 3514 § 3, 2004].

20.60.080 Temporary signs.

A. On-Premises Temporary Signs. On-premises temporary signs are permitted in residential and commercial zones, in addition to any allowed or permitted permanent signage, subject to the following restrictions and standards:

1. Residential Zones (RS, RM).

a. Only portable, freestanding or attached signs may be used as temporary signage.

b. Commercial on-premises temporary signage is not permitted, except for real estate signs as defined by ECDC 20.60.065.

c. Maximum number is one attached or freestanding sign.

2. Commercial Zones (BN, BP, BC, BD, WMU, FVMU, CW, CG).

a. Only ~~portable, freestanding or~~ attached signs may be used for temporary signage; ~~provided, that "sandwich board" or "A" frame portable signs shall only be permitted in the BC, BD and CW zones. "Attached" signs may be affixed to any existing building or sign structure that is permitted as a permanent structure on the property. New temporary structures whose sole purpose is to display the temporary sign are not otherwise permitted.~~

b. Maximum duration of display is 60 days in any calendar year for the cumulative posting of all temporary commercial signage upon each commercial location or premises. A permit is required, specifying the duration and location of display.

c. Maximum number of temporary signs is one freestanding sign per property street frontage, and one attached sign per building.

3. The total maximum area of on-premises temporary signage shall be as follows:

Zone	Maximum Area of Temporary Sign
RS, RM	6 square feet
BN, BP , BC, BD, CW, WMU, FVMU	20 square feet
CG	30 square feet

4. The total maximum area for each allowed on-premises temporary sign shall be as follows:

Zone	Maximum Area of Temporary Sign
RS, RM	6 square feet (freestanding and attached)
BN, BP , BC, BD, CW, WMU, FVMU	6 square feet (freestanding) 20 square feet (attached)
CG	6 square feet (freestanding) 30 square feet (attached)

5. The maximum height of any allowed on-premises temporary sign shall be as follows:

Zone	Maximum Height of Sign
RS, RM	6 feet (freestanding and attached)
BN, BP , BC, BD, CW, CG, WMU, FVMU	2 feet (freestanding) 14 feet (attached)

6. In no case shall temporary signage be posted, located, or displayed in violation of the regulations for permanent signs set forth in ECDC 20.60.020 through 20.60.050.

B. Off-Premises Temporary Signage. Off-premises temporary signs are allowed in residential and commercial zones, in accordance with the restrictions and standards set forth below:

1. Commercial off-premises temporary signage is prohibited, except for real estate signs as permitted by ECDC 20.60.065; provided, that such off-premises real estate signs shall be posted, displayed, and removed as provided for in that section, in addition to the provisions of subsections (B)(5) through (9) of this section.

2. Noncommercial off-premises signs are permitted in the public right-of-way; provided, that the posting and display of off-premises signs in the public right-of-way shall require a street use permit where required pursuant to Chapter 18.70 ECDC.
3. Maximum duration of display for all temporary off-premises signs is a cumulative of 60 days in any calendar year, except as otherwise provided in ECDC 20.60.060 for campaign signs. Display may be continuous or intermittent, except as otherwise provided in this section.
4. Except for campaign signs as provided in ECDC 20.60.060, all off-premises noncommercial signs relating to a specific meeting, event, or occurrence shall be removed within 48 hours following the conclusion of the meeting, event, or occurrence to which they relate.
5. Only portable freestanding signs may be used as temporary off-premises signage; provided, that the following types of portable freestanding signs are prohibited from use as an off-premises sign:
 - a. Signs with a vehicular chassis or support with or without wheels;
 - b. Posters and banners;
 - c. Signs mounted upon vehicles;
 - d. Searchlights;
 - e. Inflatables.
6. Maximum number of allowed off-premises signs to be displayed simultaneously shall be one sign per sign poster except as provided in ECDC 20.60.060 for campaign signs and in ECDC 20.60.065 for real estate signs.
7. Maximum allowable sign area for all temporary off-premises freestanding signs is six square feet.
8. Maximum allowable sign height for all permitted off-premises signs is three feet.
9. All off-premises temporary signage shall be posted and displayed in accordance with the following restrictions:
 - a. Off-premises signs may not be placed in any portion of the public right-of-way typically used by motor vehicles in a lawful manner.
 - b. Off-premises signs shall be placed so as not to impede pedestrian, bicycle, or handicapped travel or access.
 - c. Off-premises signs shall not be posted in a manner or location which impairs traffic safety by unreasonably blocking line of sight at intersections.
 - d. Off-premises signs shall be constructed of suitable material and design to adequately withstand the reasonably expected normal or average weather conditions during the intended display period of the sign.
 - e. Off-premises signs shall be regularly inspected to ensure that they have not been damaged or destroyed by natural forces or vandalism. Damaged and destroyed signs shall be immediately removed or repaired so as to avoid threats to public health and safety or the accumulation of unclaimed refuse upon the public rights-of-way.
 - f. Off-premises signs shall not be posted upon public property other than the public right-of-way, and shall further not be posted within or upon planter boxes and flower beds within the publicly maintained landscaped portions of the public right-of-way. [Ord. 3628 § 14, 2007; Ord. 3461 § 2, 2003].

20.60.090 Prohibited signs.

A. General. All signs not expressly permitted by this chapter are prohibited.

B. Hazards. Signs which the director of public works determines to be a hazard to vehicle or water traffic because they resemble or obscure a traffic control device, or because they obscure visibility needed for safe traffic passage, are prohibited. These signs shall be removed if they already exist.

C. Confiscation of Prohibited Signs in Public Rights-of-Way. All signs which are located within a public right-of-way and that have been improperly posted or displayed are hereby declared to be a public nuisance and shall be subject to immediate removal and confiscation.

D. Any signs confiscated by the city shall be held for 10 working days after which such signs may be destroyed or otherwise disposed of. The owner of any confiscated signs may recover the same upon payment of a \$25.00 fee to cover the cost of confiscation and storage. [Ord. 3461 § 2, 2003].

20.60.095 Exempt signs.

The following types of signs are exempted from regulations of this chapter, except that the dimensional and placement standards shall apply unless variance is required by other provisions of local, state or federal law:

A. Governmental signs.

B. Signs required by provision of local, state, or federal law.

C. Official public notices required by provision of local, state, or federal law.

D. Signs not visible from a public location.

E. Seasonal and holiday displays not incorporating the use of written copy or graphics to convey a message.

F. Gravestones. [Ord. 3461 § 2, 2003].

20.60.100 Administration.

A. General. The community development director is responsible for administering and enforcing the provisions of this chapter. He or she shall adopt application requirements for sign permits. Fees shall be as stated in Chapter 15.00 ECDC.

B. Installation Permits. Many signs require installation permits under Chapter 19.45 ECDC and may require plan checking fees as well.

C. Notice of Violation. Whenever the planning director becomes aware of a violation of the provisions of this chapter, the planning director shall cause a notice to be sent to the alleged violator informing him or her of the violation, the applicable code section, and a time within which to remedy the violation. The notice shall also advise of the penalties for continued violation of the code as specified in this chapter. If the violation has not been corrected within the time limit specified, the planning director shall refer the matter to the city attorney's office for institution of appropriate legal action.

D. Penalty. Any person violating any provision of this code shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of \$25.00 for each day of continued violation. [Ord. 3461 § 2, 2003].