



**CITY OF BLACK DIAMOND
PLANNING COMMISSION AGENDA
October 11, 2022
Council Chambers, 25510 Lawson St., Black Diamond**

THIS IS OFFERED AS A HYBRID MEETING AND MAY BE ATTENDED IN PERSON AT THE ABOVE NOTED ADDRESS OR BY JOINING VIRTUAL/TELEPHONICALLY. CALL IN AND JOINING INFORMATION FOLLOWS:

Zoom link to join meeting:

<https://zoom.us/j/4254157187?pwd=RE9OV0VoU1RFc3psSHdjem9mMk9hdz09>

Meeting ID: 425 415 7187

Password: PC

Telephone dial in options:

+1 206 337 9723 US (Seattle)

+1 253 215 8782 US (Tacoma)

Meeting ID: 425 415 7187

Password: 941820

6:00 P.M. - CALL TO ORDER, FLAG SALUTE, AND ROLL CALL

APPROVAL OF MINUTES:

- 1) Minutes from Regular Planning Commission Meeting on July 12, 2022 and Special Planning Commission Meeting on September 13, 2022

PUBLIC COMMENTS: Persons wishing to address the Planning Commission regarding items of new business are encouraged to do so at this time. Please use the "raise your hand" feature and once recognized by the Chair, you may unmute and state your name and city for the record. Please limit your comments to 3 minutes. For those dialing in, please press *9 to raise your hand and *6 to unmute yourself.

PUBLIC HEARINGS: None

STUDY/WORK SESSION: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

- 2) Sign Code in Black Diamond Municipal Code 18.82 and Prepare for Code Amendment

COMMUNITY DEVELOPMENT DEPARTMENT REPORT:

PUBLIC COMMENTS:

ADJOURNMENT:



CITY OF BLACK DIAMOND
PLANNING COMMISSION MEETING MINUTES
*REVISED 10/10/22
July 12, 2022, 6:00 PM

CALL TO ORDER, FLAG SALUTE, ROLL CALL

Chairperson Olson called the meeting to order at 6:10 p.m.

Present: Commissioner Steve Jensen
Commissioner Knut Syversen
Commissioner Pam McCain
Commissioner Carol Morgan (via zoom)
Chair/Commissioner John Olson
Absent: Commissioner Felicia Wheatfall (excused)
Resigned: Commissioner La Conte
Staff: Community Development Director, Mona Davis
Deputy City Clerk, Carina Thornquist

APPROVAL OF MINUTES

1) Regular Meeting of June 7, 2022

The regular meeting minutes of June 7, 2022 were adopted under unanimous consent

PUBLIC COMMENT

Kristen Bryant from Bellevue spoke to Commission

PUBLIC HEARING - None

STUDY/WORK SESSION - None

UNFINISHED BUSINESS - None

NEW BUSINESS –

2) Discussion and any needed updates to the “Rules and Procedures of the City of Black Diamond Planning Commission”

- ❖ **Item:** Regular meetings. The Planning Commission meets regularly on the first Tuesday evening following a regularly scheduled City Council meeting, commencing at 6:00 p.m. in the City Council Chambers. Meetings may also be conducted via video conference when appropriate. Regular City Council meetings are held on the first and third Thursday of each month.

Commissioner Olson **moved** to approve edits to Section 1.A. Regular Meetings as presented tonight to clarify the hybrid meeting process; **second** Commissioner Syversen.

Roll Call Vote: Jensen, **yes**; Syversen, **yes**; McCain, **yes**; Wheatfall, **absent**; Morgan, **yes**; Olson, **yes**. Motion **Passed** 5-0

- ❖ **Item:** *Add new section – “Virtual Participation”*

Commissioner Syversen **moved** to approve the addition of a new section titled ‘Virtual Participation in meetings’ which communicates Planning Commissions expectations and allowances concerning electronic participation, as presented tonight into bullet point 1.B and to re-order the following bullet points as appropriate.; **second** Commissioner Jensen.

Roll Call Vote: Jensen, **yes**; Syversen, **yes**; McCain, **yes**; Wheatfall, **absent**; Morgan, **yes**; Olson, **yes**. Motion **Passed** 5-0

- ❖ **Item:** Appearance of Fairness.

Director Davis suggested that this item be run through the attorney before making a motion to approve this item. The Planning Commissioners were in agreement to wait and discuss it at the next meeting after hearing what the attorney said.

- ❖ **Item:** Open Meeting Requirements and Notification. The open meeting requirements of State law (RCW 42.30) shall apply to all Planning Commission meetings. Notification procedures shall follow the requirements of applicable sections of Black Diamond Municipal Code or standard City practice as established by the City Clerk.

Commissioner McCain **moved** to add verbiage into newly titled section 1.E (from previous addition re-order) regarding the Open Meeting Requirements and its application as presented tonight; **second** Commissioner Syversen.

Roll Call Vote: Jensen, **yes**; Syversen, **yes**; McCain, **yes**; Wheatfall, **absent**; Morgan, **yes**; Olson, **yes**. Motion **Passed** 5-0

❖ **Item: Section 2. Officers**

- A. The Planning Commission shall have a Chair, Vice-Chair and any other such officer as the Commission may, by majority vote, approve. Officers shall be elected by majority vote of present Commission members.
- B. Temporary Chair. If both the Chair and Vice Chair are absent from a meeting, the Planning Commission shall, by a majority vote of those members present, elect a temporary Chair for that meeting.
- C. Election. The election of officers shall occur annually at a regularly scheduled meeting in the month of January. The term of office of each officer shall run until the subsequent election.

Commissioner Syversen **moved** to remove the word 'present' from Section 2.A and to add the sentences 'The nominee receiving the majority vote of those present shall be declared elected and will assume their duties immediately. Elections shall only be held when a minimum of five members are in attendance' to Section 2.C; **second** Commissioner Jensen.

Roll Call Vote: Jensen, **yes**; Syversen, **yes**; McCain, **yes**; Wheatfall, **absent**; Morgan, **yes**; Olson, **yes**. Motion **Passed** 5-0

- ❖ **Item: Duties of Officers.** The duties and powers of the Chair and Vice Chair shall be as follows; the duties and powers of any other officer shall be as defined by the Commission at the time the position is created.

Chair:

- a. To preside at all meetings of the Planning Commission.
- b. To call special meetings of the Planning Commission.
- c. To sign documents on behalf of the Planning Commission.
- d. To appoint Planning Commission members to serve on other City committees, advisory groups and task forces when requested to do so by the City Council.
- e. To create temporary committees of one or more members.
- f. The Chair shall be considered as a member of the Commission and have full right to have his/her own vote recorded in all deliberations. Unless otherwise stated, the Chair's vote shall be considered to be affirmative for the motion.

Commissioner Olson **moved** to remove the sentence “Unless otherwise stated, the Chair’s vote shall be considered to be affirmative for the motion” from 2.E.f; **second** Commissioner Jensen.

Roll Call Vote: Jensen, **yes**; Syversen, **yes**; McCain, **yes**; Wheatfall, **absent**; Morgan, **yes**; Olson, **yes**. Motion **Passed** 5-0

❖ **Item: Section 3. Secretary**

The Community Development Director or his/her appointee, shall act as the Secretary of the Planning Commission and shall keep and retain a record of all meetings of the Commission and its committees.

Commissioner Olson **moved** to edit Section 3 Secretary to better clarify the Secretary’s role as presented tonight; **second** Commissioner Syversen.

Roll Call Vote: Jensen, **yes**; Syversen, **yes**; McCain, **yes**; Wheatfall, **absent**; Morgan, **yes**; Olson, **yes**. Motion **Passed** 5-0

❖ **Item: Section 5. Absence of Members**

In the event of a member being absent for three (3) consecutive regular meetings, or being absent from 25% of the regular meetings during any calendar year, without being excused by the Chair, the Commission may request the Mayor to ask for his or her resignation. To be excused from a meeting, members must inform the Chair or Secretary in advance of a scheduled meeting or by the end of the next business day following the meeting.

Commissioner Olson **moved** to amend section 5. Absence of members to clarify excused and unexcused absences of Planning Commissioners as presented; **second** Commissioner McCain.

Roll Call Vote: Jensen, **yes**; Syversen, **yes**; McCain, **yes**; Wheatfall, **absent**; Morgan, **yes**; Olson, **yes**. Motion **Passed** 5-0

❖ **Item: Section 8. Conduct of meetings**

- A. General. The Chair has broad authority over all matters regarding the conduct of meetings. He/she shall exercise this authority to promote the fullest possible presentation of information and discussion of matters before the Commission, while permitting the orderly and timely completion of Planning Commission business.
- B. Use of Roberts Rules of Order. The Planning Commission may refer to the applicable provisions of Roberts Rules of Order for guidance for items not addressed by these Rules and Procedures.

Commissioner Olson **moved** to add three paragraphs to Section 8 Conduct of meetings to clarify the Chair's general protocol as presented tonight; **second** Commissioner Syversen.

Roll Call Vote: Jensen, **yes**; Syversen, **yes**; McCain, **yes**; Wheatfall, **absent**; Morgan, **yes**; Olson, **yes**. Motion **Passed** 5-0

❖ **Item: Add new section 8.E – “Training”**

Chair Olson **moved** to approve the addition of a new section ‘Training: Commission members shall attend any training required by the City and to re-order the following bullet points as appropriate; **second** Commissioner McCain.

Roll Call Vote: Jensen, **yes**; Syversen, **yes**; McCain, **yes**; Wheatfall, **absent**; Morgan, **yes**; Olson, **yes**. Motion **Passed** 5-0

❖ **Item: Section 9. Order of Business**

An agenda shall be prepared by the Secretary for each meeting and will generally consist of the following order of business:

- A. Call to order/roll call/establishment of quorum
- B. Approval of minutes of previous meetings
- C. Public comment on any topic that is not the subject of a public hearing to be considered on the agenda.
- D. Public hearings.
- E. Study/work sessions.
- F. Unfinished business.
- G. New Business
- H. Report of the Community Development Department.
- I. Public comments from the audience, limited to 3 minutes per speaker.
- J. Adjournment.

The order of business may be changed or amended during the meeting by the Chair with the consent of the majority of Commission members present.

Commissioner Olson **moved** to edit Section 9 Order of business to clarify the preparation and processing of the Planning Commissions agenda as presented tonight; **second** Commissioner Syversen.

Roll Call Vote: Jensen, **yes**; Syversen, **yes**; McCain, **yes**; Wheatfall, **absent**; Morgan, **yes**; Olson, **yes**. Motion **Passed** 5-0

❖ **Item: Section 13. Communications as Planning Commission members.**

The Planning Commission serves in an advisory role to the City Council and makes decisions in the form of recommendations to the Council. All Commission recommendations are forwarded to the Council for its consideration, whether a recommendation to approve or deny.

In communicating with the City Council or members of the public, Commission members need to clarify whether they are speaking as individual citizens or as a member of the Commission. If speaking as a member of the Commission, only the official, voted recommendation of the Commission should be discussed, provided that, a member can speak on behalf of a minority opinion for which the Commission has agreed it may be officially communicated.

Commissioner Syversen **moved** to edit Section 13's 2nd paragraph to say "In communicating with the City Council or members of the public, a member will not appear to speak for the Commission except as authorized by the Chair. In any public or private statements, members may indicate whether they are speaking for the Commission or for themselves as needed"; **second** Commissioner McCain.

Roll Call Vote: Jensen, **yes**; Syversen, **yes**; McCain, **yes**; Wheatfall, **absent**; Morgan, **yes**; Olson, **yes**. Motion **Passed** 5-0

❖ **Item: Add new section 13 – “Suspension of Rules”**

Commissioner Olson **moved** to add new section titled “Suspension of Rules” into #13 which states “Any provision of these rules not governed by the City code may be temporarily suspended by an affirmative vote of a majority of the Commission members.” and to renumber the section titled Validity to #14; **second** Commissioner Jensen.

Roll Call Vote: Jensen, **yes**; Syversen, **yes**; McCain, **yes**; Wheatfall, **absent**; Morgan, **yes**; Olson, **yes**. Motion **Passed** 5-0

**Red-lined version along with the final clean version of Rules and Procedures of the City of Black Diamond Planning Commission attached to these minutes.*

COMMUNITY DEVELOPMENT DEPARTMENT REPORT –

Director Davis reported on the following items:

- Thanked Chair Olson for doing research for the Policies and Procedures
- She was sad to hear that Commissioner La Conte resigned; working on replacement for Position #1 to fill term which ends 12/31/22
- Docket items presented to Council June 9th
- Low staffing and in-process of training new employees. She hopes to fill a couple more positions soon (Permit Tech and Senior Planner).
- Permit submittals are up from last year
 - June 2022 - 78 permits (June 2021 - 69 permits)
- 2022 Fee Schedule – Capital School Fees recently updated
- New Business (Gravity Coffee) has opened
- Weed treatment will be done in August on Lake Sawyer. Notices were mailed out to residents on the lake.
- King County is holding a workshop on lake weed control on Thursday, 7/14 at 5:30 pm at Lake Sawyer boat launch
- Miner’s Day event being held this weekend 7/16 and Community Development booth will be located next to the Police Department
- Recommending cancelling the August meeting since some Commissioners had reported they would be on vacation, which the Commissioners were in agreement with.
- Gave update on Comp Plan Amendments and SEPA appeals
- Business coalition of local businesses is currently forming in the city and a potential grant with Port of Seattle would assist in partnership and support
- Working on grants for the skatepark

PUBLIC COMMENTS

ADJOURN

The meeting was adjourned by Chair Olson under unanimous consent at 7:43 p.m.

These minutes were respectively recorded by Carina Thornquist, Deputy City Clerk

ATTEST:

John Olson, Chairperson

Planning Commission Secretary

RULES AND PROCEDURES OF THE CITY OF BLACK DIAMOND PLANNING COMMISSION

The following Rules and Procedures are adopted by the City of Black Diamond Planning Commission to facilitate the performance of its duties and functions as empowered in Chapter 2.24, Black Diamond Municipal Code.

Section 1. Meetings

A. Regular meetings. The Planning Commission meets regularly on the first Tuesday evening following a regularly scheduled City Council meeting, commencing at 6:00p.m. in the City Council Chambers. Meetings are offered as a hybrid meeting; the public may attend in person, or by joining virtual/telephonically. Meetings may also be conducted via video conference when appropriate. Regular City Council meetings are held on the first and third Thursday of each month.

A-B. Virtual Participation in Meetings – Members of the Commission may participate in meetings electronically, through the platform provided by the City. Electronic participation in meetings shall be used on a limited basis; it should be used to accommodate members whose physical presence at the meeting is prevented due to unforeseen circumstances. Members who wish to participate in such a meeting must notify staff before the scheduled start time for the meeting, allowing adequate time for staff to make necessary preparations. Participation in such a meeting shall constitute presence in person at such meeting, and that presence shall count toward a quorum of the Commission for all purposes.

B-C. Special meetings. The Planning Commission shall meet for special meetings at the call of the Chair or by majority vote of the Commission. A minimum of 24 hours notice shall be provided to each Commission member and the public for special meetings.

D. Cancellation. If no matters over which the Planning Commission has jurisdiction are pending upon its calendar, a meeting may be canceled at the notice of the Chair and Secretary/Community Development Director, or designee, provided at least 24 hours in advance. A majority vote of the Commission may also result in cancellation of a meeting.

C-E. Open Meeting Requirements and Notification. The open meeting requirements of State law (RCW 42.30) shall apply to all Planning Commission meetings. All meetings must be open to the public and communications or discussions of official business in person, by email, phone, or text messages, amongst a quorum of governing body members can be considered a public meeting. Such an exchange that is not open to the public is a violation of the OPMA since public notice has not been given and attendance by the public is not possible. Notification procedures shall follow the requirements of applicable sections of Black Diamond Municipal Code or standard City practice

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as established by the City Clerk.

Special meetings shall be noticed by: a) delivering written notice personally by mail, fax or by electronic mail at least 24 hours in advance to Planning Commission members; b) delivering written notice personally by mail, fax or electronic mail at least 24 hours in advance to the official City newspaper and also to each media publication and individual which has filed a written request with the City to be notified of Planning Commission meetings and c) posting the notice on the City's website.

D.F. Record. All public hearing procedures shall be recorded. This record will normally be an audio recording by means of electronic equipment. Recording of work/study sessions is not required.

E.G. Minutes. The Community Development Department staff will prepare written minutes of all meetings that includes pertinent information, motions, decisions made, and actions and votes taken.

Section 2. Officers

- A. The Planning Commission shall have a Chair, Vice-Chair and any other such officer as the Commission may, by majority vote, approve. Officers shall be elected by majority vote of ~~present~~ Commission members.
- B. Temporary Chair. If both the Chair and Vice Chair are absent from a meeting, the Planning Commission shall, by a majority vote of those members present, elect a temporary Chair for that meeting.
- C. Election. The election of officers shall occur annually at a regularly scheduled meeting in the month of January. The nominee receiving the majority vote of those present shall be declared elected and will assume their duties immediately. Elections shall only be held when a minimum of five members are in attendance. The term of office of each officer shall run until the subsequent election.
- D. Vacancies. A vacancy of the office of the Chair caused by his or her resignation shall be filled by the Vice-Chair. A vacancy of the office of Vice-Chair or any other office of the Planning Commission shall be replaced by majority vote of the Planning Commission at the next regular scheduled meeting after the vacancy occurs.
- E. Duties of Officers. The duties and powers of the Chair and Vice Chair shall be as follows; the duties and powers of any other officer shall be as defined by the Commission at the time the position is created.

Chair:

- a. To preside at all meetings of the Planning Commission.
- b. To call special meetings of the Planning Commission.
- c. To sign documents on behalf of the Planning Commission.
- d. To appoint Planning Commission members to serve on other City committees, advisory groups and task forces when requested to do so by the City Council.
- e. To create temporary committees of one or more members.
- f. The Chair shall be considered as a member of the Commission and have full right to have his/her own vote recorded in all deliberations. ~~Unless otherwise stated, the Chair's vote shall be considered to be affirmative for the motion.~~

Vice-Chair: During the absence of the Chair or upon request of the Chair, the Vice-Chair shall exercise all the duties and be subject to all the responsibilities of the Chair.

City Council Liaison: The Chair shall act as a liaison between the Planning Commission and the City Council and other City entities. The Chair may appoint an alternate liaison as needed.

Section 3. Secretary

The Community Development Director or his/her appointee, shall act as the Secretary of the Planning Commission and shall provide proper and legal notice for all public hearings; prepare and post the agendas of all regular and special meetings, and draft and sign routine correspondence of the Commission. The Secretary shall record and retain, by electronic means, each meeting of the Planning Commission and any of its committees. The Secretary shall prepare summary minutes, which must be approved by the Commission and maintain a file of all studies, plans, reports, and recommendations for the official record. keep and retain a record of all meetings of the Commission and its committees.

Section 4. Quorum

A simple majority of the appointed members shall constitute a quorum for the transaction of business. A quorum must be in attendance in order to conduct a meeting, to transact any business or to render a recommendation. Every motion of the Planning Commission requires approval of a majority of the Planning Commission members present to pass.

Section 5. Absence of Members

Members are expected to attend all regular and special meetings and to fully participate in and contribute to the work of the Commission. Any member who is absent from three consecutive meetings without being excused or six meetings in a calendar year, whether excused or unexcused, may be deemed to have forfeited the position and the Chair may recommend to the Mayor that a new member be appointed to fill the unexpired term. In the event of a member being absent for three (3) consecutive regular meetings, or being absent from 25% of the regular meetings during any calendar year, without being excused by the Chair, the Commission may request the Mayor to ask for his or her resignation. To be excused from a meeting, members must inform the Chair or Secretary in advance of a scheduled meeting or by the end of the next business day following the meeting.

Section 6. Vacancies

Should any vacancy occur among the membership of the Planning Commission by reason of death, resignation, disability, or otherwise, the Secretary shall immediately notify the City Clerk and request the Mayor to appoint a replacement at the earliest possible time.

Section 7. Disqualification

No member of the Planning Commission should participate in any discussion or vote on any matter in which the member has a direct and substantial personal or financial interest potentially sufficient to create a conflict between the interest in serving the public good and the other interest. The other interest may be private gain, financial or personal, and it may benefit the member, a relative, a friend, or employer. The member should publicly indicate the potential conflict of interest and leave the meeting room until the

matter is disposed. The minutes shall show that the member left the room and abstained on any vote.

Section 8. Conduct of meetings

- A. General. The Chair has broad authority over all matters regarding the conduct of meetings. He/she shall exercise this authority to promote the fullest possible presentation of information and discussion of matters before the Commission,

while permitting the orderly and timely completion of Planning Commission business.

As a general protocol, the Chair of the meeting should introduce the agenda topic, provide for a staff presentation and questions from the Commission, and call for discussion among the Commission members.

The Chair should generally provide for each Commission member to offer a comment prior to weighing in on an issue. The Chair should ensure that all members have an opportunity to speak.

The Chair should also expedite the discussion in a timely manner and summarize the recommendation or direction from the Commission as appropriate

- B. Use of Roberts Rules of Order. The Planning Commission may refer to the applicable provisions of Roberts Rules of Order for guidance for items not addressed by these Rules and Procedures.
- C. Executive sessions. Executive sessions can only be held in accordance with the State Open Public Meetings Act.
- D. Public comment. On specific agenda items, other than public hearings, the Chair may allow comments from the audience with the consent of the Commission. Audience members must be recognized by the Chair in order to speak.
- D-E. Training: Commission members shall attend any training required by the City.

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Section 9. Order of Business

The agenda shall be prepared by the Secretary in consultation with the Chair. Members of the Commission who wish to add any item to the agenda shall first notify the planning staff and Chair of their request at least fifteen (15) days prior to the meeting. An agenda shall be prepared by the Secretary for each meeting and will generally consist of the following order of business: The preferred order of the Planning Commission agenda shall be as follows:

- A. Call to order/roll call/establishment of quorum
- B. Approval of minutes of previous meetings
- C. Public comment on any topic that is not the subject of a public hearing to be considered on the agenda.
- D. Public hearings.
- E. Study/work sessions.
- F. Unfinished business.
- G. New Business
- H. Report of the Community Development Department.
- I. Public comments from the audience, limited to 3 minutes per speaker.
- J. Adjournment.

The order of business may be changed or amended during the meeting by the Chair with the consent of the majority of Commission members present.

Section 10. Rules of Procedures for Public Hearings

Periodically, the Planning Commission conducts public hearings on various issues as required by ordinance. The following procedures shall be used for conducting all public hearings:

- A. The Chair shall declare the Public Hearing open and ask for a staff presentation.
- B. Staff shall provide a presentation of the matter under consideration.
- C. Individual Commission members may ask clarifying questions of staff.
- D. The Chair shall then call for public testimony, either for or against. Testimony must be called for three times. The Chair retains the right to establish a time limit on the length of individual testimony.
- E. Written comments may be submitted to the Community Development Department by noon of the day of the hearing or to the Chair during the hearing. These comments will become part of the official record and shall be considered by the Commission in its action.

- F. The purpose of public testimony is to provide comments to the Commission, not ask questions of staff. All members of the public shall address the Commission. Staff will only respond to inquiries if asked to do so by the Chair. Commission members may question a speaker on any matter related to his/her comments.
- G. At the discretion of the Chair, individuals may be allowed to speak more than once, time permitting.
- H. Based upon the testimony, the Commission may ask questions of staff.
- I. Chair closes the public hearing. The hearing may be reopened by motion to accept additional testimony.
- J. The Commission shall then consider all the information presented and deliberate on the matter. Clarifying and procedural questions may be asked of staff, but public comment is not allowed unless the hearing is reopened per (I) above.
- K. After continuation, the Commission may:
 - 1. Make a recommendation to the City Council by motion and approval of a majority of those member present; or
 - 2. Leave the written record open for a specified time period; or
 - 3. Continue the hearing to a time and date certain. At that time, the Commission may consider whether to allow additional public testimony.
- L. For any non-legislative matter, the Commission shall make Findings and Conclusions that support its recommendation.

Section 13. Communications as Planning Commission members.

The Planning Commission serves in an advisory role to the City Council and makes decisions in the form of recommendations to the Council. All Commission recommendations are forwarded to the Council for its consideration, whether a recommendation to approve or deny.

In communicating with the City Council or members of the public, a member will not appear to speak for the Commission except as authorized by the Chair. In any public or private statements, members may indicate whether they are speaking for the Commission or for themselves as needed.~~Commission members need to clarify whether they are speaking as individual citizens or as a member of the Commission. If speaking as a member of the Commission, only the official, voted recommendation of the Commission should be discussed, provided that, a member can speak on behalf of a minority opinion for which the Commission has agreed it may be officially communicated.~~

Section 12. Amending the Rules of Procedure

The rules of procedure may be amended at any regular meeting of the Planning Commission by a majority vote of the appointed members.

Section 13. Suspension of Rules

Any provision of these rules not governed by the City code may be temporarily suspended by an affirmative vote of a majority of the Commission members.

Section ~~43~~14. Validity

If any portion of these rules and procedures are found to be invalid, that part or parts will not invalidate the remainder of the rules.

INITIALLY ADOPTED by the Planning Commission March 10, 2009.
AMENDED FEBRUARY 21, 2012.
AMENDED APRIL 6, 2021

John Olson, Chair

Pam McCain, Vice-Chair

Attest:

Mona Davis, Community Development Director

RULES AND PROCEDURES OF THE CITY OF BLACK DIAMOND PLANNING COMMISSION

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- A. Regular meetings. The Planning Commission meets regularly on the first Tuesday evening following a regularly scheduled City Council meeting, commencing at 6:00p.m. in the City Council Chambers. Meetings are offered as a hybrid meeting; the public may attend in person, or by joining virtual/telephonically.
- B. Virtual Participation in Meetings – Members of the Commission may participate in meetings electronically, through the platform provided by the City. Electronic participation in meetings shall be used on a limited basis; it should be used to accommodate members whose physical presence at the meeting is prevented due to unforeseen circumstances. Members who wish to participate in such a meeting must notify staff before the scheduled start time for the meeting, allowing adequate time for staff to make necessary preparations. Participation in such a meeting shall constitute presence in person at such meeting, and that presence shall count toward a quorum of the Commission for all purposes.
- C. Special meetings. The Planning Commission shall meet for special meetings at the call of the Chair or by majority vote of the Commission. A minimum of 24 hours notice shall be provided to each Commission member and the public for special meetings.
- D. Cancellation. If no matters over which the Planning Commission has jurisdiction are pending upon its calendar, a meeting may be canceled at the notice of the Chair and Secretary/Community Development Director, or designee, provided at least 24 hours in advance. A majority vote of the Commission may also result in cancellation of a meeting.
- E. Open Meeting Requirements and Notification. The open meeting requirements of State law (RCW 42.30) shall apply to all Planning Commission meetings. All meetings must be open to the public and communications or discussions of official business in person, by email, phone, or text messages, amongst a quorum of governing body members can be considered a public meeting. Such an exchange that is not open to the public is a violation of the OPMA since public notice has not been given and attendance by the public is not possible. Notification procedures shall follow the requirements of applicable sections of Black Diamond Municipal Code or standard City practice as established by the City Clerk.

Special meetings shall be noticed by: a) delivering written notice personally by mail, fax or by electronic mail at least 24 hours in advance to Planning Commission members; b) delivering written notice personally by mail, fax or electronic mail at least 24 hours in advance to the official City newspaper and also to each media publication and individual which has filed a written request with the City to be notified of Planning Commission meetings and c) posting the notice on the City's website.

- F. Record. All public hearing procedures shall be recorded. This record will normally be an audio recording by means of electronic equipment. Recording of work/study sessions is not required.
- G. Minutes. The Community Development Department staff will prepare written minutes of all meetings that includes pertinent information, motions, decisions made, and actions and votes taken.

Section 2. Officers

- A. The Planning Commission shall have a Chair, Vice-Chair and any other such officer as the Commission may, by majority vote, approve. Officers shall be elected by majority vote of Commission members.
- B. Temporary Chair. If both the Chair and Vice Chair are absent from a meeting, the Planning Commission shall, by a majority vote of those members present, elect a temporary Chair for that meeting.
- C. Election. The election of officers shall occur annually at a regularly scheduled meeting in the month of January. The nominee receiving the majority vote of those present shall be declared elected and will assume their duties immediately. Elections shall only be held when a minimum of five members are in attendance. The term of office of each officer shall run until the subsequent election.
- D. Vacancies. A vacancy of the office of the Chair caused by his or her resignation shall be filled by the Vice-Chair. A vacancy of the office of Vice-Chair or any other office of the Planning Commission shall be replaced by majority vote of the Planning Commission at the next regular scheduled meeting after the vacancy occurs.
- E. Duties of Officers. The duties and powers of the Chair and Vice Chair shall be as follows; the duties and powers of any other officer shall be as defined by the Commission at the time the position is created.

Chair:

- a. To preside at all meetings of the Planning Commission.
- b. To call special meetings of the Planning Commission.
- c. To sign documents on behalf of the Planning Commission.
- d. To appoint Planning Commission members to serve on other City committees, advisory groups and task forces when requested to do so by the City Council.
- e. To create temporary committees of one or more members.
- f. The Chair shall be considered as a member of the Commission and have full right to have his/her own vote recorded in all deliberations.

Vice-Chair: During the absence of the Chair or upon request of the Chair, the Vice-Chair shall exercise all the duties and be subject to all the responsibilities of the Chair.

City Council Liaison: The Chair shall act as a liaison between the Planning Commission and the City Council and other City entities. The Chair may appoint an alternate liaison as needed.

Section 3. Secretary

The Community Development Director or his/her appointee, shall act as the Secretary of the Planning Commission and shall provide proper and legal notice for all public hearings; prepare and post the agendas of all regular and special meetings, and draft and sign routine correspondence of the Commission. The Secretary shall record and retain, by electronic means, each meeting of the Planning Commission and any of its committees. The Secretary shall prepare summary minutes, which must be approved by the Commission and maintain a file of all studies, plans, reports, and recommendations for the official record.

Section 4. Quorum

A simple majority of the appointed members shall constitute a quorum for the transaction of business. A quorum must be in attendance in order to conduct a meeting, to transact any business or to render a recommendation. Every motion of the Planning Commission requires approval of a majority of the Planning Commission members present to pass.

Section 5. Absence of Members

Members are expected to attend all regular and special meetings and to fully participate in and contribute to the work of the Commission. Any member who is absent from three consecutive meetings without being excused or six meetings in a calendar year, whether excused or unexcused, may be deemed to have forfeited the position and the Chair may recommend to the Mayor that a new member be appointed to fill the unexpired term. To be excused from a meeting, members must inform the Chair or Secretary in advance of a scheduled meeting

Section 6. Vacancies

Should any vacancy occur among the membership of the Planning Commission by reason of death, resignation, disability, or otherwise, the Secretary shall immediately notify the City Clerk and request the Mayor to appoint a replacement at the earliest possible time.

Section 7. Disqualification

No member of the Planning Commission should participate in any discussion or vote on any matter in which the member has a direct and substantial personal or financial interest potentially sufficient to create a conflict between the interest in serving the public good and the other interest. The other interest may be private gain, financial or personal, and it may benefit the member, a relative, a friend, or employer. The member should publicly indicate the potential conflict of interest and leave the meeting room until the matter is disposed. The minutes shall show that the member left the room and abstained on any vote.

Section 8. Conduct of meetings

A. General. The Chair has broad authority over all matters regarding the conduct of meetings. He/she shall exercise this authority to promote the fullest possible presentation of information and discussion of matters before the Commission, while permitting the orderly and timely completion of Planning Commission business.

As a general protocol, the Chair of the meeting should introduce the agenda topic, provide for a staff presentation and questions from the Commission, and call for discussion among the Commission members.

The Chair should generally provide for each Commission member to offer a comment prior to weighing in on an issue. The Chair should ensure that all members have an opportunity to speak.

The Chair should also expedite the discussion in a timely manner and summarize the recommendation or direction from the Commission as appropriate

- B. Use of Roberts Rules of Order. The Planning Commission may refer to the applicable provisions of Roberts Rules of Order for guidance for items not addressed by these Rules and Procedures.
- C. Executive sessions. Executive sessions can only be held in accordance with the State Open Public Meetings Act.
- D. Public comment. On specific agenda items, other than public hearings, the Chair may allow comments from the audience with the consent of the Commission. Audience members must be recognized by the Chair in order to speak.
- E. Training: Commission members shall attend any training required by the City .

Section 9. Order of Business

The agenda shall be prepared by the Secretary in consultation with the Chair. Members of the Commission who wish to add any item to the agenda shall first notify the planning staff and Chair of their request at least fifteen (15) days prior to the meeting. The preferred order of the Planning Commission agenda shall be as follows:

- A. Call to order/roll call/establishment of quorum
- B. Approval of minutes of previous meetings
- C. Public comment on any topic that is not the subject of a public hearing to be considered on the agenda.
- D. Public hearings.
- E. Study/work sessions.
- F. Unfinished business.
- G. New Business
- H. Report of the Community Development Department.

- I. Public comments from the audience, limited to 3 minutes per speaker.
- J. Adjournment.

The order of business may be changed or amended during the meeting by the Chair with the consent of the majority of Commission members present.

Section 10. Rules of Procedures for Public Hearings

Periodically, the Planning Commission conducts public hearings on various issues as required by ordinance. The following procedures shall be used for conducting all public hearings:

- A. The Chair shall declare the Public Hearing open and ask for a staff presentation.
- B. Staff shall provide a presentation of the matter under consideration.
- C. Individual Commission members may ask clarifying questions of staff.
- D. The Chair shall then call for public testimony, either for or against. Testimony must be called for three times. The Chair retains the right to establish a time limit on the length of individual testimony.
- E. Written comments may be submitted to the Community Development Department by noon of the day of the hearing or to the Chair during the hearing. These comments will become part of the official record and shall be considered by the Commission in its action.
- F. The purpose of public testimony is to provide comments to the Commission, not ask questions of staff. All members of the public shall address the Commission. Staff will only respond to inquiries if asked to do so by the Chair. Commission members may question a speaker on any matter related to his/her comments.
- G. At the discretion of the Chair, individuals may be allowed to speak more than once, time permitting.
- H. Based upon the testimony, the Commission may ask questions of staff.
- I. Chair closes the public hearing. The hearing may be reopened by motion to accept additional testimony.
- J. The Commission shall then consider all the information presented and deliberate on the matter. Clarifying and procedural questions may be asked of staff, but public comment is not allowed unless the hearing is reopened per (I) above.
- K. After continuation, the Commission may:
 - 1. Make a recommendation to the City Council by motion and approval of a majority of those member present; or
 - 2. Leave the written record open for a specified time period; or
 - 3. Continue the hearing to a time and date certain. At that time, the Commission may consider whether to allow additional public testimony.
- L. For any non-legislative matter, the Commission shall make Findings and Conclusions that support its recommendation.

Section 13. Communications as Planning Commission members.

The Planning Commission serves in an advisory role to the City Council and makes decisions in the form of recommendations to the Council. All Commission recommendations are forwarded to the Council for its consideration, whether a recommendation to approve or deny.

In communicating with the City Council or members of the public, a member will not appear to speak for the Commission except as authorized by the Chair. In any public or private statements, members may indicate whether they are speaking for the Commission or for themselves as needed.

Section 12. Amending the Rules of Procedure

The rules of procedure may be amended at any regular meeting of the Planning Commission by a majority vote of the appointed members.

Section 13. Suspension of Rules

Any provision of these rules not governed by the City code may be temporarily suspended by an affirmative vote of a majority of the Commission members.

Section 14. Validity

If any portion of these rules and procedures are found to be invalid, that part or parts will not invalidate the remainder of the rules.

INITIALLY ADOPTED by the Planning Commission March 10, 2009.

AMENDED FEBRUARY 21, 2012.

AMENDED APRIL 6, 2021

AMENDED JULY 12, 2022

John Olson, Chair

Pam McCain, Vice-Chair

Attest:

Mona Davis, Community Development Director



CITY OF BLACK DIAMOND
PLANNING COMMISSION
SPECIAL MEETING MINUTES
September 13, 2022, 6:00 PM

CALL TO ORDER, FLAG SALUTE, ROLL CALL

Chairperson Olson called the meeting to order at 6:02 p.m.

Present: Commissioner Kelley Sauskojus
Commissioner Steve Jensen
Commissioner Knut Syversen (via Zoom)
Commissioner Pam McCain
Commissioner Wheatfall (via Zoom)
Commissioner Carol Morgan
Chair/Commissioner John Olson

Staff: Community Development Director, Mona Davis
Deputy City Clerk, Carina Thornquist

APPROVAL OF MINUTES - None

PUBLIC COMMENT - None

PUBLIC HEARING - None

STUDY/WORK SESSION – Review Sign Code in Black Diamond Municipal Code 18.82 and Prepare for Code Amendment

Director Davis explained that staff was working with the City attorney's office to draft new sign code regulations and didn't get the draft completed in time for this meeting due to an appeal that took priority, but it will be ready at the next meeting for Commissioners to review. She also felt it was unproductive to go over the old sign code when there will be so many amendments to bring our current sign code into conformance with current laws..

UNFINISHED BUSINESS – Finalize Rules and Procedures; no additional action was taken

NEW BUSINESS – None

COMMUNITY DEVELOPMENT DEPARTMENT REPORT –

Director Davis reported on the following items:

- 2022 Comprehensive Plan Amendment
- 3 separate rezone applications (7 parcels) from Palmer Coking Coal
- Public Works constructed a new coal cart on Hwy. 169 at north end
- Sawyer's Landing applications
- Application for new subdivision adjacent to the MPD
- Gravity Coffee is now open and carwash is still in the works and should be completed soon and ready to open after power is undergrounded along frontage.
- A lot of interest from businesses wanting to come to Black Diamond

PUBLIC COMMENTS

Kristen Bryant from Bellevue spoke to Commissioners

ADJOURN

Commissioner McCain **moved** to adjourn, **second** Commissioner Seversen. **Vote**, motion **passed 7-0**.

Meeting adjourned at 7:24 p.m.

These minutes were respectively recorded by Carina Thornquist, Deputy City Clerk

ATTEST:

John Olson, Chairperson

Planning Commission Secretary



CITY OF BLACK DIAMOND

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Black Diamond, WA 98010

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Fax: (360) 851-4501
www.blackdiamondwa.gov

MEMO TO: Planning Commissioners
FROM: Mona Davis, Community Development Director
DATE: October 4, 2022
SUBJECT: Sign Code Update

Dear Commissioners,

The draft sign code in your packet is a very preliminary version that is a substantial amendment to the current sign code. In discussions with our City Attorney, there have been recent legal cases that require a complete deep dive and rewrite of our current sign code outlined in BDMC 18.82.

This new language includes removing content-based distinctions (non-profits, religious, political, sporting events) for enforcing our sign code; however, we can regulate the type, size, shape, placement, illumination, and materials for signage within the various zoning designations of the city.

You will note that this new draft version provides drawings and illustrations that assist with understanding the various types of signage and provide both good and unacceptable examples of various sign types. Additionally, this draft expands the definition section quite substantially.

Commissioner McCain provided some examples of recent sign code updates for our neighboring cities in Maple Valley and Covington at our last meeting. It would be helpful for you to read through those handouts, our current sign code, and the proposed draft in advance of our meeting next week.

Please contact me with any questions or concerns. We may want to consider a joint workshop with the Council prior to the Planning Commission making a recommendation, and possibly a community meeting to gather public input, in addition to the public hearing process. I look forward to working through this code chapter with you in upcoming meetings.

Thank you,
Mona

Chapter 18.82 SIGN CODE

18.82.010 Scope and purpose.

- A. Scope. This chapter applies to all permanent and temporary signs in the city that are visible, or intended to be viewed, from a public right-of-way, unless specifically exempted by another provision of this chapter. This chapter does not apply to signs erected by the city or other government agencies or public utilities or signs mandated by state or federal law.
- B. Purpose. Signs perform an important function in identifying, promoting, and directing members of the public to businesses, events, ideas, messages, services, and other matters of public interest. It is the purpose of this chapter to protect the public health, safety, and welfare and to promote a quality visual environment by establishing reasonable standards for the size, placement, height, and other characteristics of signs placed within the city. The regulations established in this sign code are intended to protect and promote free speech while encouraging and maintaining an attractive community and business climate. The regulations for signs have the following specific objectives:
 - 1. To ensure that signs are designed, constructed, installed, and maintained according to uniform, nondiscriminatory, and science-based standards that protect the public safety and welfare;
 - 2. To prohibit the erection of signs in such numbers, sizes, designs, illuminations, and locations as may conflict with official traffic control devices or otherwise create a hazard to pedestrians and motorists using the public rights-of-way;
 - 3. To reflect and support the desired quality of life, ambience, and development patterns of the various zoning districts and overlay areas;
 - 4. To avoid excessive conflicts from large or multiple signs in close proximity, so that permitted signs serve their intended communicative function while minimizing visual clutter and confusion;
 - 5. To allow for adequate and effective signs whose dimensional characteristics further the interests of public safety for pedestrians and motorists, where signs are viewed from a public street or right-of-way;
 - 6. To establish a process for the prompt review and approval of sign permit applications;
 - 7. To ensure that the constitutionally guaranteed right of free expression through the use of signs is protected, consistent with state and federal law; and
 - 8. To provide for the orderly and reasonable elimination of signs that do not conform to the objectives and regulatory requirements of this chapter.

18.82.020 Definitions.

- A. Abandoned Sign - A permanent sign that no longer identifies or advertises an ongoing business, product, event, service, or activity conducted on the premises on which the sign is located. A sign that identifies a business, product, event, service, or activity that has not been active for at least 180 days shall be presumed abandoned.
- B. Alteration – A change in the size or shape of an existing sign. Copy or color change of an existing sign is not an alteration. Changing or replacing a sign face or panel is not an alteration.

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- C. Animated Sign - A sign employing actual motion, the illusion of motion, or light and/or color changes achieved through mechanical, electrical, or electronic means.
- D. Animated signs, which are differentiated from changeable signs as defined and regulated by this Code, include the following types:
1. Environmentally Activated: Animated signs or devices motivated by wind, thermal changes, or other natural environmental input. Includes spinners, pinwheels, pennant strings, and/or other devices or displays that respond to naturally occurring external motivation. **[what about feather signs or inflated signs that ripple in the wind?]**
 2. Mechanically Activated: Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.
 3. Electrically Activated: Animated signs producing the illusion of movement by means of electronic, electrical, or electromechanical input and/or illumination capable of simulating movement through employment of the characteristics of one or both of the classifications noted below:
 - a. Flashing: Animated signs or animated portions of signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of nonillumination. For the purposes of this chapter, flashing will not be defined as occurring if the cyclical period between on-off phases of illumination exceeds four (4) seconds.
 - b. Patterned Illusionary Movement: Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.
- E. Architectural Projection - Any projection from a building that is decorative and/or functional and not intended for occupancy, and that extends beyond the face of an exterior wall of a building but that does not include signs as defined herein. See also: Awning; Back-lit Awning; and Canopy, Attached and Freestanding.
- F. Awning - An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable.
- G. Awning Sign - A sign displayed on or attached flat against the surface or surfaces of an awning. See also: Wall or Fascia Sign. An awning that contains a "sign" section or copy area shall comply with the applicable sign area requirements for parallel signs (see _____). Only the sign or copy area displayed on an awning shall be used to determine the permitted sign area; the entire awning shall not be included in a Sign Area calculation. Refer also to _____ for visual reference example.
- H. Backlit Awning - An awning with covering material exhibiting the characteristic of luminosity obtained by means of a source of illumination contained within its framework.
- I. Banner – Any cloth, paper, plastic, or other flexible substrate on which text, symbols, images, or graphics may be displayed and which is anchored on two or more edges or at four corners to any structure, pole, wire, or framing device.
- J. Banner Sign - A sign utilizing a banner as its display surface.
- K. Bench Sign – A sign applied or affixed to the seat or back of a bench.
- L. Billboard - See: Off-Premise Sign and Commercial Outdoor Advertising Sign.
- M. Building Facade - That portion of any exterior elevation of a building extending vertically from grade to the top of a parapet wall or eaves and horizontally across the entire width of the building elevation.
- N. Building Sign – A sign that is applied or affixed to a building.

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- O. Candela – The basic unit of measurement of light in SI (metric) units.
- P. Canopy (Attached) - A multi-sided overhead structure or architectural projection supported by attachment to a building on one or more sides and either cantilevered from such building or also supported by columns at additional points. The surface(s) and/or soffit of an attached canopy may be illuminated by means of internal or external sources of light. Similar to a Marquee.
- Q. Canopy (Freestanding) - A multi-sided overhead structure supported by columns, but not enclosed by walls. The surface(s) and or soffit of a freestanding canopy may be illuminated by means of internal or external sources of light.
- R. Canopy Sign - A sign affixed to the visible surface(s) of an attached or freestanding canopy. May be internally or externally illuminated. Similar to a Marquee Sign. Refer also to _____ herein for visual reference example.
- S. Changeable Sign - A sign whose content may be changed by means of manual or remote input, and includes the following types:
1. Manually Activated - Changeable sign whose message copy or content can be changed manually on a display surface.
 2. Electrically Activated - Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices; or it may be from an external light source designed to reflect off the changeable component display. See also: Electronic Message Center.
- T. Channel Letter – May be open faced, internally illuminated, or reverse:
1. Open faced – A dimensional letter with a back and sides but no face at the front of the letter. Open Faced Channel Letters may be non-lit, externally illuminated, or illuminated by a light source contained inside the open channel of the letter itself, such as a neon tube.
 2. Internally illuminated – A dimensional letter with a back, sides and a translucent front face capable of transmitting light from an internal light source within the letter.
 3. Reverse – A dimensional letter with a face and sides but no back, opposite to an Open-faced Channel Letter. A Reverse Channel Letter has an open channel facing the wall or building to which it is affixed. A Reverse Channel Letter may contain a source of illumination designed to project lighting against the surface behind the letter, commonly referred to as a backlit channel Letter; also referenced as a halo or silhouette lighted channel letter. The face of a Reverse Channel Letter does not illuminate.
- U. Cladding – A non-structural covering designed to conceal the actual structural supports of a sign. See also pole or pylon cover.
- V. Commercial Outdoor Advertising Sign – See Off-Premise Sign.
- W. Copy Area of Sign - The area of the sign's text and graphical content as applied to any background. Copy area on any individual background may be expressed as the sum of the geometrically computed shape or shapes encompassing separate individual letters, words, or graphic elements on the background. See _____ herein for computational methodology.
- X. Dimensional Letter, Symbol, or Graphic – A letter, symbol, or graphic that is three dimensional in character, containing height, width, and depth.
- Y. Directional Sign - Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.
- Z. Display Time – The amount of time a message and/or graphic is displayed on an Electronic Message Sign.

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- AA. Dissolve – A mode of message transition on an Electronic Message Sign accomplished by varying the light intensity or pattern, in which the first message gradually appears to dissipate and lose legibility with the gradual appearance and legibility of the second message.
- BB. Double-faced Sign - A sign with two faces, back to back.
- CC. Dynamic Frame Effect – An Electronic Message Sign frame effect in which the illusion of motion and/or animation is used.
- DD. Electric Sign - Any sign activated or illuminated by means of electrical energy.
- EE. Electronic Message Center or Sign (EMC) - An electrically activated changeable sign whose variable message and/or graphic presentation capability can be electronically programmed by computer from a remote location. Also known as an EMC. EMCs typically use light emitting diodes (LEDs) as a lighting source.
- FF. Fade – A mode of message transition on an Electronic Message Sign accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.
- GG. Fascia Sign - See Wall Sign
- HH. Flashing Sign - See Animated Sign, Electrically Activated.
- II. Foot Candle – An English unit of measurement of the amount of light falling upon a surface (illuminance). One foot candle is equal to one lumen per square foot. Can be measured by means of an illuminance meter.
- JJ. Foot Lambert – An English unit of measurement of the amount of light emitted by or reflecting off a surface (luminance) equivalent to 3.4262591 candelas per square meter.
- KK. Frame – A complete, static display screen on an Electronic Message Sign.
- LL. Frame Effect – A visual effect on an Electronic Message Sign applied to a single frame. See also Dynamic Frame Effect.
- MM. Freestanding Sign - A sign principally supported by one or more columns, poles, or braces placed in or upon the ground. May also be referenced as a Ground or Monument Sign. Refer also to _____ herein for visual reference examples.
- NN. Ground Sign - See Freestanding Sign.
- OO. Illuminance – The amount of light falling upon a real or imaginary surface, commonly called “light level” or “illumination”. Measured in foot candles (lumens/square foot) in the English system, and lux (lumens/square meter) in the SI (metric) system.
- PP. Illuminated Sign - A sign characterized by the use of artificial light, either projecting through its surface(s) [Internally or trans-illuminated]; or reflecting off its surface(s).
- QQ. Interior Sign - Any sign placed within a building, except window signs as defined by this chapter. Interior signs are not regulated by this ordinance.
- RR. Listed Sign – A sign manufactured and labeled in accordance with specifications promulgated by a recognized testing laboratory designed to assure compliance with applicable American National Standards (ANSI) and/or the National Electric Code (NEC).
- SS. Luminance – The light that is emitted by or reflected from a surface. Measured in units of luminous intensity (candelas) per unit area (square meters in SI measurement units or square feet in English measurement units.) Expressed in SI units as cd/m^2 , and in English units as foot lamberts. Sometimes also expressed as “nits”, a colloquial reference to SI units. Can be measured by means of a luminance meter.
- TT. Mansard - A roof-like facade comparable to an exterior building wall. See _____ herein for visual reference

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- UU. Marquee or Marquee Sign - See Canopy (Attached) and Canopy Sign.
- VV. Multiple-Faced Sign - A sign containing three (3) or more faces.
- WW. Non-Conforming Sign - A sign that was legally installed by permit in conformance with then-applicable regulations but which no longer complies with current regulations.
- XX. Off-Premise Sign – A permanent sign erected, maintained, or used in the outdoor environment to display commercial messages or advertising not directly relating to the products or services sold on, the use of, or the sale or lease of, the property on which it is displayed. May also be referred to as a billboard, outdoor advertising sign, or commercial outdoor advertising sign.
- YY. On-Premise Sign - A sign erected, maintained, or used in the outdoor environment to display commercial messages or advertising directly relating to the products or services sold on, the use of, or the sale or lease of, the property on which it is displayed.
- ZZ. Outdoor Advertising Sign – See Off-Premise Sign.
- AAA. Parallel Sign – See Wall Sign.
- BBB. Parapet - The extension of a building facade above the line of the structural roof.
- CCC. Permanent sign – Any sign that is not a temporary sign, as defined in this section.
- DDD. Pole Cover or Pylon Cover – An enclosure designed to conceal poles and/or other structural supports of a sign. See also Cladding.
- EEE. Pole Sign - See Freestanding Sign.
- FFF. Political Sign - A temporary sign intended to advance a political statement, cause, or candidate for office.
- GGG. Portable Sign - Any sign designed to be moved and not permanently attached to the ground, a building, or other structure, and that can be placed in and removed from its location without the use of tools. Examples of portable signs include:
1. Banners
 2. Sandwich Board Signs – A self-supporting, portable, temporary sign consisting of two faces connected and hinged at the top at an angle of 179 degrees or less. Also referred to as an A-frame sign.
- HHH. Projecting Sign - A sign other than a Wall Sign that is attached to or projects more than eighteen (18) inches from a building face or wall or from a structure whose primary purpose is other than the support of a sign. See _____ herein for visual reference example.
- III. Pylon Sign – See Freestanding Sign.
- JJJ. Real Estate Sign - A temporary sign advertising the sale, lease, or rental of the property or premises upon which it is located.
- KKK. Revolving Sign - A sign that has the capability to revolve three hundred and sixty degrees (360°) about an axis. See also: Animated Sign, Mechanically Activated.
- LLL. Roof Line - The uppermost line of the roof of a building or, in the case of an extended facade or parapet, the uppermost point of said facade or parapet.
- MMM. Roof Sign - A sign mounted on the main roof portion of a building or on the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such building. Signs mounted on mansard facades, pent eaves, and architectural projections such as canopies or marquees shall not be considered to be roof signs. Refer also to Section 9 (see Page 26) for visual reference example of roof signs, and comparison of differences between roof and fascia signs.

NNN. Scroll – A mode of message transition on an Electronic Message Sign in which the message appears to move vertically across the display surface.

OOO. Sign - Any device, structure, or fixture for communicating by text, symbols, graphics, or images, or any combination thereof, which is intended to (1) convey any message or idea; (2) identify, or attract attention to, a building, use, business, or event; or (3) promote the sale of products, goods or services. A painted wall design or pattern that serves only as artistic decoration or ornamentation and that does not signify or represent a product, service, or registered trademark is not a sign for purposes of this chapter. Likewise, text, symbols, or images carved into an exterior structural component of a building (such as a cornerstone or pediment) do not constitute a sign for purposes of this chapter.

PPP. Sign Copy – The words, letters, numbers, images, and symbols appearing on a sign, but excluding the physical address of the property where the sign is located.

QQQ. Sign Structure - Any structure designed for the support of a sign.

RRR. Sign Area - The area of the smallest geometric figure, or the sum of the combination of regular geometric figures, which comprise the sign face. The area of any double-sided or “V” shaped sign shall be the area of the largest single face only. The area of a sphere shall be computed as the area of a circle. The area of all other multi-sided signs shall be computed as fifty (50) percent of the sum of the area of all faces of the sign. See _____ herein for computational methodology for various sign area configurations.

SSS. Sign Face - The surface upon, against, or through which the sign copy is displayed or illustrated, not including structural supports, architectural features of a building or sign structure, nonstructural thematic or decorative trim, or any areas that are separated from the background surface upon which the sign copy is displayed by a distinct delineation, such as a reveal or border. See _____ herein for sign face computational illustrations.

1. In the case of panel or cabinet type signs, the sign face shall include the entire area of the sign panel, cabinet or face substrate upon which the sign copy is displayed or illustrated, but not open space between separate panels or cabinets.
2. In the case of signs painted on a building, or individual letters or graphic elements affixed to a building or structure, the sign face shall comprise the sum of the geometric figures or combination of regular geometric figures drawn closest to the edge of the letters or separate graphic elements comprising the sign copy, but not the open space between separate groupings of sign copy on the same building or structure.
3. In the case of sign copy enclosed within a painted or illuminated border or displayed on a background contrasting in color with the building or structure, the sign face shall comprise the area within the contrasting background, or within the painted or illuminated border.

TTT. Temporary Sign – A portable sign constructed of cloth, canvas, vinyl, paper, plywood, fabric, plastic, or other lightweight material that is not intended or suitable for long-term or permanent display due to its construction, materials, or method of installation or erection. Any sign not covered by this definition is a permanent sign.

UUU. Travel – A mode of message transition on an Electronic Message Sign in which the message appears to move horizontally across the display surface.

VVV. Under-Canopy Sign – A sign attached to the underside of a canopy, balcony, or marquee.

WWW. Wall or Fascia Sign - A sign that is in any manner painted or affixed to any exterior wall of a building or structure and that projects not more than eighteen (18) inches from the building or structure wall. Also includes signs painted or affixed to architectural projections that project from a building provided the copy area of such signs remains on a parallel plane to the face of the building facade or to the face or faces of the

architectural projection to which it is affixed. See _____ herein for visual reference examples and comparison examples of differences between wall or fascia signs and roof signs.

XXX. Wayfinding Sign – A sign, frequently off-premise, specifically designed to provide directional or destination information. See also, Off-Premise Sign.

YYY. Window Sign - A sign affixed to the surface of a window with its message visible to the exterior environment.

18.82.030 Permits—General regulations.

- A. Permit required for permanent signs. Except as otherwise allowed by this chapter, no permanent sign shall be installed, constructed, erected, structurally altered, posted, affixed, applied, or relocated without first obtaining a sign permit.
- B. Permits for multiple signs. A single permit shall be required for each group of permanent signs on a single supporting structure installed simultaneously. Thereafter, each additional permanent sign erected on the structure must have a separate permit.
- C. Ownership of sign location. The applicant for a sign permit must certify that the applicant has ownership or control of the property on which the sign is to be located, or provide the signed, written consent of the property owner.
- D. Maintenance and repair. No sign permit shall be required for repainting, cleaning, or other normal maintenance and repair of a sign, nor shall a permit be required to change the sign copy. However, a sign permit is required for any change to the sign's size or sign area, modifications to the sign structure, or any change to or addition of visual effects such as illumination, motion, or animation.
- E. Temporary signs.
 - 1. On private property and public rights-of-way. No permit shall be necessary before a temporary sign is placed or installed on private property or in a public right-of-way, but temporary signs remain subject to the requirements of BDMC 18.82.____.
 - 2. On city property. No temporary sign may be placed or installed on city property, other than a public right-of-way, without a special event permit. Such signs remain subject to the requirements of BDMC 18.82.____.

18.82.040 Prohibited locations.

Except where specifically authorized elsewhere in this chapter, signs are prohibited in the locations described below. Signs in prohibited locations are subject to removal by the city at the owner's expense.

- A. Any location within or projecting over a city right-of-way, unless otherwise permitted in this chapter.
- B. Any public utility pole, utility structure, street light, tree, fence, fire hydrant, bridge, curb, sidewalk, park bench, statue, or memorial, except when approved as part of a special event permit on city property.
- C. Any location that will obstruct the view of any authorized traffic sign, signal, or other traffic control device.
- D. Any location that obstructs a sight triangle at any intersection.
- E. Any location that prevents or unreasonably inhibits free ingress to or egress from any door, window, or point of entry or exit from a building, structure, or property.

18.82.050 Exemptions.

The following types of signs are not subject to the regulations contained in this chapter:

-
- A. Signs and sign structures that cannot be seen from a public right-of-way. Such signs must, however, comply with all applicable building codes and inspection requirements.
 - B. Signs required by county, state, federal, or local law or regulation, and signs erected on public property or public rights-of-way by government agencies or public utilities.
 - C. Flags, so long as the following conditions are met:
 - 1. Flags may be no larger than ____ square feet in residential areas or ____ square feet in commercial and industrial areas.
 - 2. Flag poles in residential zones shall not exceed ____ in height as measured from ground level at the base of the pole. Flag poles in commercial and industrial zones shall not exceed ____ in height as measured from ground level at the base of the pole. Flags may also be mounted on the side of a residential structure horizontally or at an angle so long as the top of the supporting structure does not extend above the roof line.
 - D. Signs displaying the addresses of the property on which they are located, and which may include the name of the occupants of a residence, so long as the sign does not exceed two square feet in area per side and does not include any commercial advertising.
 - E. Decals affixed to glass door or window panels of a building, such as would be typical to indicate membership in a business group, trade association, or credit card network.
 - F. Private driveway signs, limited to one per driveway entrance, to distinguish private access driveways from public rights-of-way.
 - G. On-premise signs warning the public of prohibited uses, such as “no trespassing,” “no soliciting,” or “no hunting,” so long as such signs do not exceed two square feet in area in residential zones, and five square feet in commercial and industrial zones.

18.82.060 Permit application.

- A. Applications and fees. A complete application for a sign permit shall consist of the following:
 - 1. A completed form provided by the community development department, signed by the applicant;
 - 2. Two site plans showing the location of the affected lot, building(s), and sign(s), showing all existing and proposed signs;
 - 3. Two copies of a scale drawing of the proposed sign or sign revision, including size, height, proposed copy, structural and footing details, material specifications, method of attachment, illumination, front and end views of canopies or marquees, calculations for dead load and wind pressure, photographs or building elevations marked to show where the sign(s) or marquee(s) is(are) proposed and any other information required to ensure compliance with appropriate laws;
 - 4. If the applicant is not the owner, a written statement of consent signed by the owner of the building, structure, or property where the sign is to be erected; and
 - 5. The sign permit fees provided in the city’s fee schedule.
- B. Contractor license. The city shall ascertain that the sign installer has a valid Washington State contractors license, unless the sign is being installed by the owner of the sign.
- C. Determination of completeness. The community development department shall review the application and notify the applicant within 28 days of receipt whether the application is complete or whether additional information is required to process the application. If the city has not notified the applicant of any deficiencies within 28 days after receipt, the application shall be deemed complete as of the day of filing.

-
- D. Permit decision. The community development department shall issue a decision on the sign permit application, which shall be either a denial or an approval of the permit with or without conditions, within ____ days after receipt of a complete application.

18.82.070 General sign standards and conditions.

A. General Regulations.

1. No sign or any part of a sign shall be designed or constructed to be moving by any means, and shall not contain items such as streamers and spinners, except as authorized for temporary signs.
2. Exposed braces and angle irons are prohibited. Guywires are prohibited unless there are no other practical means of supporting the sign.
3. No sign shall have blinking, flashing, fluttering or moving lights or other illuminating device which has a changing light intensity or color; provided, however, temperature and/or time signs that conform in all other respects to this chapter are allowed.
4. The structure and installation of all signs shall comply with the latest adopted edition of the Uniform Building Code.
5. All signs, together with all of their supports, braces, guys and anchors, shall be maintained in good repair and in a safe, neat, clean, and attractive condition.
6. The light directed on, or internal to, any sign shall be so shaded, shielded, and/or directed so that the intensity or brightness shall not adversely affect safe vision of operators of vehicles moving on private or public property or pedestrians on a public right-of-way. Electric signs shall not use incandescent bulbs for internal illumination. Lighted signs visible from nearby residences shall have low or soft illumination or be shielded in a manner to not adversely affect such residents.
7. Portable signs shall not exceed twelve square feet in sign area and no more than one such sign may be displayed per business.
8. All permanent signs shall be constructed of durable materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.
9. All permanent signs and sign support frames shall be mounted and attached to a building or the ground in a secure manner and shall be maintained in good repair for safety and appearance.
10. All wiring, fittings, and materials used in the construction, connection, and operation of electrically illuminated signs shall be in accordance with the provisions of the National Electric Code or the local electric code in effect. All such signs require an electrical permit and inspection by state of Washington Department of Labor and Industry, Electrical Division or equivalent inspection.

B. Defunct businesses and vacated premises.

1. If a sign advertising a business that moves from or ceases operations on the subject premises, the owner of said premises shall be responsible for removing all the sign copy relating to the business prior to a new use or business opening.
2. If a building, structure, or premises is vacated for six months or longer, the owner of said premises shall be responsible for removing all nonconforming on-site signs.

- C. Historic signs. Signs recognized by _____ as having a significant historical value to the community are not subject to removal as an abandoned sign or due solely to a vacated or defunct premises or business.

- D. Legal nonconforming signs. Any sign that had been erected, installed, or placed prior to the effective date of this chapter and that was either nonconforming under the city's previous sign code or was made nonconforming as a result of adoption of this chapter may remain in use only under the following conditions:
1. The sign is not altered in any manner that increases the nonconformance of the sign.
 2. The burden of establishing a sign to be legally nonconforming under this section rests upon the sign owner.
 3. Changes to the sign copy and replacement of the sign face are permitted for the existing business of record, but conversion of a **nondigital sign to a digital sign is prohibited**.
 4. If the sign is structurally altered, then it shall come into conformance with the provisions of this chapter. Structural alteration means any action that changes the height, size, or shape of the sign or any action that affects the base or support(s) of the sign. Billboards shall not be converted to any other type of sign.
 5. The footprint of a building containing a business or activity associated with a nonconforming sign may not be increased by 100 percent unless the sign is brought immediately into conformance with this chapter.
 6. If the use of a property containing a legal nonconforming sign changes from one individual use to another, then the sign shall be brought into conformance with this chapter. This provision does not apply to signs that advertise more than one tenant. Table 18.82.070.D below clarifies under what circumstances a legal nonconforming sign may be retained.

Table 18.82.070.D
Clarifying when legal nonconforming signs can be retained.

Situation	Can sign be retained? (provided only changes to the sign copy or the replacement of a sign face occurs)
Individual business/use erects legal sign that becomes nonconforming with subsequent sign code update	Yes*
Individual business/use erects legal sign that becomes nonconforming with subsequent sign code update; subject business/use sells to another owner, but new owner retains business/use name	Yes*
Owner of multi-tenant center erects legal sign to allow advertising for multiple tenants; subject sign becomes nonconforming with subsequent sign code update; individual tenant ceases operation and new business moves in and wants sign changed to add business name	Yes*
Individual business/use erects legal sign that becomes nonconforming with subsequent sign code update; subject business ceases operation and same owner or new owner opens new business/use using existing building	No
Individual business/use erects legal sign that becomes nonconforming with subsequent sign code update; subject business/use is rebranded (including a change in the name of the business/use); subject rebranded business/use may have same owner or new owner	Yes
Individual business/use or multi-tenant center erects legal sign that becomes nonconforming with subsequent sign code update; subject business/use/center ceases operation; building is demolished and site is redeveloped with a new version of the old business/use or a separate new business or multi-tenant center	No
*Assuming other applicable regulations are satisfied.	

-
7. A legal nonconforming sign may be removed for maintenance for periods not to exceed 60 calendar days. If removed for a longer period, the sign shall comply with the provisions of this chapter upon reinstallation.
 8. Pole and Pylon Sign Amortization. Notwithstanding any other provisions of this title, an existing nonconforming pole or pylon sign may continue to be used for a period of 10 years after _____. No structural alterations may be made after _____, and said pole or pylon signs must be brought into conformity by removal before 10 years after _____. Nonconforming multi-tenant pole signs or multi-tenant pylon signs are exempted from the amortization provisions of this section.

18.82.080 Maintenance and inspection

A. Maintenance.

1. All signs, including signs heretofore installed, shall be constantly maintained in a state of security, safety, appearance and repair.
 - a. The premises surrounding a free-standing sign shall be free and clear of rubbish and the landscaping area shall be maintained.
 - b. If any sign is found not to be so maintained or is insecurely fastened or otherwise dangerous, it is the duty of the sign owner to repair or remove the sign within five calendar days after receiving notice from the city.

B. Inspection. All sign owners shall permit the periodic inspection of their signs by the city upon city request.

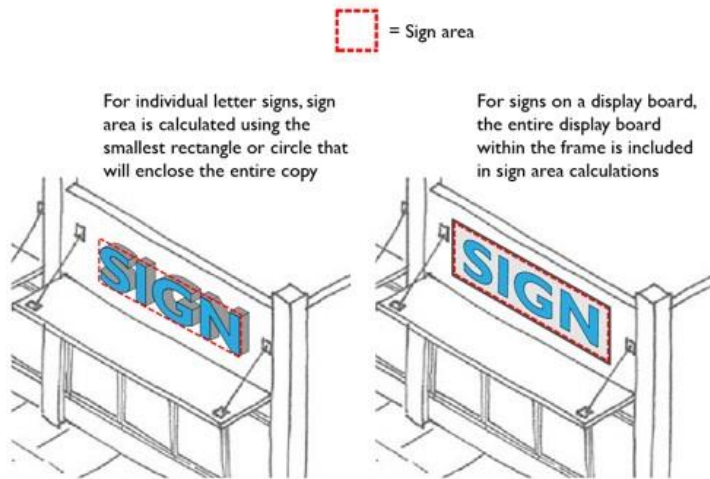
18.82.090 Measurement of sign area.

Sign area for all sign types is measured as follows:

- A. The area of painted signs, individual letter signs, and other indirectly illuminated signs is calculated on the basis of the smallest rectangle, circle or spherical figure that will enclose the entire copy area of the sign. Any such calculation shall include the areas between letters and lines, as well as the areas of any devices, illuminated or nonilluminated, which are intended to attract attention. See Figure 18.82.090.A for examples and clarification.
- B. Where signs are placed on a display board attached to a wall or awning, the entire display board shall be included in the sign area calculations. Where the display board includes a visible frame, only the area inside the frame shall be included in the sign area calculations. See Figures 18.82.090.A and -.B for examples and clarification.
- C. For freestanding signs, the entire display board shall be included in the sign area calculations. Where the display board includes a visible frame, only the area inside the frame shall be included in the sign area calculations.
- D. Multiple-faced signs shall have each face measured separately. The sign area allotment for each sign type applies to just one side of the sign. For example, if the maximum size for a certain monument sign is 25 square feet, then each face of the monument sign may be up to 25 square feet.
- E. Four or more faced signs, spherical, free-form, sculptural or other nonplanar sign area is measured as 50 percent of the sum of the areas using only the four vertical sides of the smallest four-sided polyhedron that will encompass the sign structure, as shown in Figure 18.82.090.C. Signs with greater than four polyhedron faces are prohibited.

Figure 18.82.090.A

Clarifying sign area measurement for wall signs.



The dashed outline indicates how the irregular shaped signs below would be calculated



Figure 18.82.090.B

Clarifying sign area measurement for freestanding signs.

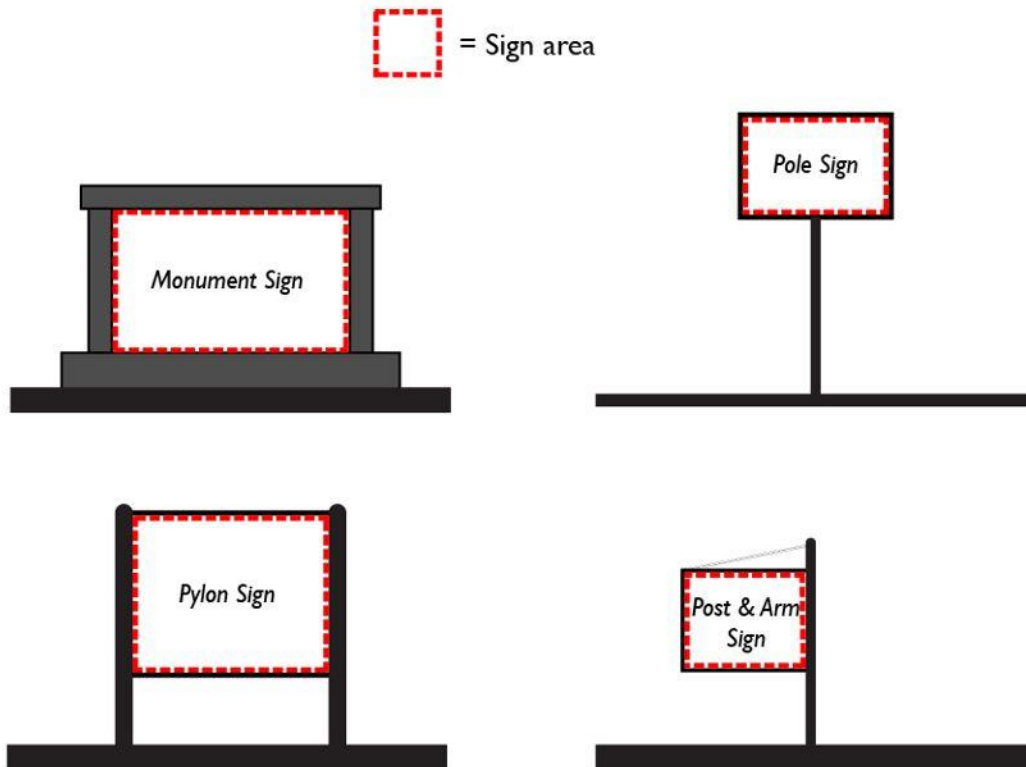
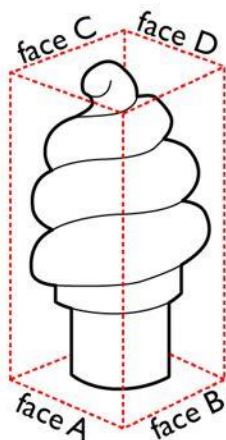


Figure 18.82.090.C
Clarifying 3D sign area measurement.



$$\text{Total sign area} = (A + B + C + D) \div 2$$

18.82.100 Sign illumination.

A. General Illumination Standards.

1. For purposes of illumination, all lights attached to a sign in any manner shall not extend more than five feet from the sign structure.

2. Externally illuminated signs shall be arranged so that no direct rays of light are projected from such artificial source into residences, business, or any street right-of-way.
3. External sign light fixtures shall complement the design of the sign and building facades or structures associated with the sign.
4. External sign lighting shall be “full cutoff” and shall not result in direct illumination of the sky and adjacent properties and structures, and shall be designed to minimize reflected glare to adjacent properties and structures.
5. All internally lit signs are subject to the same brightness limits applied to digital signs, as set forth in _____.

B. Hours of Illumination.

1. Any illuminated sign located on a lot adjacent to or across the street from any residential district and that may be visible within 200 feet of any residential zoning district or overlay shall not be illuminated between the hours of 10:00 p.m. and 7:00 a.m.
2. Any illuminated sign in a **mixed use district** shall only be illuminated during normal business hours.

C. Permitted Sign Illumination Types. Table 18.82.100 below specifies permitted sign illumination types by zone and other requirements.

Table 18.82.100
Permitted signs illumination types.

Illumination Type and Description	Example	Permitted zones and overlays	Other requirements
Channel letter. Light source is internal and light is emitted through the front or face of the letters.		All nonresidential zones	May be incorporated into a permitted wall, pole, or monument sign
Reverse channel letter. Letter faces are opaque and light source provides halo effect through backlighting.		All zones	May be incorporated into a permitted wall, projecting, pole, or monument sign
Push-through. Letters are cut out of an opaque sign face. Interior light shines through letter faces only.		All zones	May be incorporated into a permitted wall, projecting, pole, or monument sign

Illumination Type and Description	Example	Permitted zones and overlays	Other requirements
May include a halo effect.			
Neon.		All nonresidential zones	May be incorporated into a permitted wall, projecting, window, pole, or monument sign
Internally illuminated cabinet signs. Sign face is illuminated through translucent casing. This includes internally illuminated changeable copy signs.		All commercial zones except ____ & ____	May be incorporated into a permitted wall, pole, pylon, or monument sign
Digital message signs.		not allowed in any residential zone except for permitted nonresidential uses)	Only allowed to be integrated on permitted monument and pole signs per WCC 10.50.110
Internally illuminated awning signs. The awning face is illuminated through the awning material.		Not allowed in any zone	

Illumination Type and Description	Example	Permitted zones and overlays	Other requirements
Externally illuminated sign.		All zones	Illumination techniques shall focus the light on the sign and avoid glare to the sky, streets, sidewalks, and other public spaces, and adjacent uses.

18.82.110 Sign types permitted by zone.

- A. Nonresidential. In nonresidential zones, all sign types are permitted unless otherwise noted in BDMC _____.

Table 18.82.110.A

Signs permitted in nonresidential zones.

Sign Type	Commercial Zones						Mixed-Use Zones			Overlay Zones					
Freestanding Signs															
Refer to _____ and _____ for freestanding sign design standards.															
Pole sign		p ¹				p ¹									
Monument sign	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Pylon sign	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Post and arm sign	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Internal wayfinding sign	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Building-Mounted Signs															
Refer to _____ and _____ for building-mounted sign design standards.															

Sign Type	Commercial Zones						Mixed-Use Zones			Overlay Zones					
Wall sign	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Projecting sign	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Awning sign	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Under-canopy sign	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

B. Residential. Table 18.82.100.B illustrates the types of signs that are allowed for different development/use types in residential zones. Interpretation:

1. The letter “P” indicates permitted sign types.
2. A blank cell indicates the particular sign type is not permitted.
3. A number in the cell refers to a condition, listed below the table.

Table 18.82.110.B
Signs permitted in residential zones.

Sign Type	Development or use type			
	Single-family subdivision	Multifamily complex	Home occupation	Other permitted nonresidential use ⁴
Freestanding Signs				
Refer to _____ and _____ for freestanding sign design standards.				
Pole sign				
Monument sign	p ¹	p ¹		p ³
Pylon sign				p ³
Post and arm sign				p ³
Internal wayfinding sign		P		p ³
Building-Mounted Signs				
Refer to _____ and _____ for building-mounted sign design standards.				

Sign Type	Development or use type			
	Single-family subdivision	Multifamily complex	Home occupation	Other permitted nonresidential use ⁴
Wall sign			p ²	P
Projecting sign				
Awning sign				P
Under-canopy sign				P

NOTES:

¹ Single-family subdivisions and multifamily complex. One monument sign is permitted per entrance (and may be located anywhere along the access street), provided said signs do not exceed 25 square feet in sign area and five feet in height.

² One nonilluminated building-mounted sign up to six square feet is permitted for a home occupation.

³ Signs must comply with size and height standards set forth in this chapter, but no more than one sign per lot frontage and signs may not be larger than 25 square feet in sign area and no taller than six feet in height.

⁴ Where sign standards are established as part of a CUP, those standards apply.

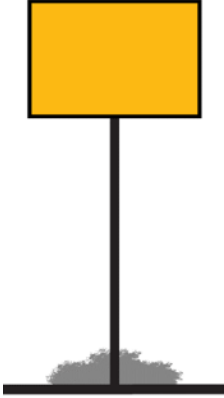
18.82.120 Sign types and standards.

A. Freestanding Sign Types and Standards. The standards below apply to the specific sign types, where permitted in the applicable districts per _____.

Table 18.82.120.A

Freestanding sign types and standards.

Sign type	Location and setback	Maximum quantity	Maximum height above existing grade	Maximum sign area
Pole sign A sign supported by one vertical post	Only allowed on properties adjacent to highways and north of the Wenatchee River 5' minimum setback to	1 pole sign per property street frontage	30'	Same as for monument signs as set forth in _____

Sign type	Location and setback	Maximum quantity	Maximum height above existing grade	Maximum sign area
	property lines, rights-of-way, or private drives from the closest element of the sign structure			
Monument sign A sign which is attached to the ground by means of a wide base of solid appearance See BDMC _____ for supplemental design standards 	5' minimum setback to property lines, rights-of-way, or private drives from the closest element of the sign structure	1 monument sign per property street frontage, except for large properties: Speed limit less than 35 mph: 1 monument, pylon, or post and arm sign per 150' of property street frontage Speed limit 35 mph or greater: 1 monument, pylon, or post and arm sign per 200' of property street frontage	See BDMC _____ On properties adjacent to highways north of the Wenatchee River, and within 50' of a highway right-of-way, the height limit is 30'	See BDMC _____

Sign type	Location and setback	Maximum quantity	Maximum height above existing grade	Maximum sign area
Pylon sign A sign mounted on at least two posts 	5' minimum setback to property lines, rights-of-way, or private drives from the closest element of the sign structure	Speed limit less than 35 mph: 1 monument, pylon, or post and arm sign per 150' of lot frontage Speed limit 35 mph or greater: 1 monument, pylon, or post and arm sign per 200' of lot frontage	Monument sign standards apply, per BDMC _____, except pylon signs are limited to 8' in height On properties adjacent to highways, 30'	Monument sign standards apply per BDMC _____ On properties adjacent to highways, 1 sf per linear foot of highway frontage, up to a maximum of 75 sf
Post and arm sign A small sign supported by a post and arm 	5' minimum setback to property lines, rights-of-way, or private drives from the closest element of the sign structure	Speed limit less than 35 mph: 1 monument, pylon, or post and arm sign per 150' of lot frontage Speed limit 35 mph or greater: 1 monument, pylon, or post and arm sign per 200' of lot frontage	5'	10 sf
Internal wayfinding sign A sign used to aid customers and visitors in circulation within parking lots. These signs could come in the form of	May be located in landscaped areas or on pathways provided the sign	Appropriate number of signs to provide directional assistance	8'	15 sf When such sign types are mounted on buildings,

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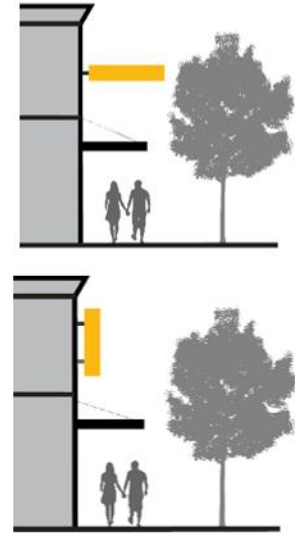
Sign type	Location and setback	Maximum quantity	Maximum height above existing grade	Maximum sign area
monument, pylon, post and arm, or wall sign types See BDMC _____ for supplemental design standards See BDMC _____ for size-based exemptions 	does not inhibit pedestrian movement When such sign types are mounted on buildings, they shall be oriented to a pathway	given size of site and circulation pattern as determined by the director		they are limited to a maximum of 10 sf

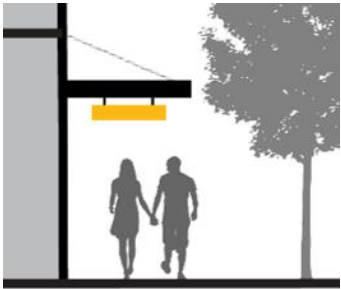
B. Building-Mounted Sign Types and Standards.

Table 18.82.120.B

Building-mounted sign types and standards.

Sign type	Location	Maximum quantity	Maximum sign area	Maximum sign height
Wall sign A sign painted directly on the wall, attached to, or erected against the wall of a building or structure with the exposed face of the sign parallel to the plane of such wall See BDMC _____ for supplemental design standards	See BDMC _____	1 sign per tenant facade that is visible from an adjacent street, customer parking lot, or alley 1 wall sign is allowed per facade facing a waterfront provided the requirements of the	See Table _____	Signs shall not extend above the building roof line

Sign type	Location	Maximum quantity	Maximum sign area	Maximum sign height
		shoreline master program are met See BDMC _____ for additional quantity standards		
Projecting sign A sign attached to and extending outward from the face of the building See BDMC _____ for supplemental design standards 	Minimum 8' vertical clearance above sidewalk or pathway, and minimum 14' minimum vertical clearance when within 5' of a roadway Shall not be located directly over windows or in conflict with other signs or architectural features of the building Signs within right-of-way are subject to additional public works standards	1 sign per facade that is visible from a street, alley, or customer parking lot	See BDMC _____	Signs shall not extend above the building roof line

Sign type	Location	Maximum quantity	Maximum sign area	Maximum sign height
Awning sign A sign that is either attached to, affixed to, or painted on an awning, marquee, or canopy See BDMC _____ for supplemental design standards 	Minimum 8' vertical clearance above sidewalk or pathway May be placed on the front, above, or below the awning Signs shall not exceed 2/3 of individual awning or awning width Signs within right-of-way are subject to additional public works standards	1 sign per awning that is visible from a street, alley, or customer parking lot Awning signs may be used as an alternative to a wall sign (both may not be used on same facade)	Same as wall sign standards, see Table _____	See BDMC _____
Under-canopy sign A sign attached to the underside of an awning, canopy, balcony or arcade See BDMC _____ for examples 	Minimum 8' vertical clearance above sidewalk or pathway Minimum 1' horizontal clearance from the building and canopy edge Signs within right-of-way are subject to additional public works standards	1 sign per entrance that is visible from a street, alley, or customer parking lot	None	2'

18.82.130 Supplemental freestanding sign design standards.

- A. Landscaping. The base of all freestanding signs shall be landscaped at a ratio of one and one-half square foot of landscaped area per one square foot of sign area.
1. Landscaping shall be planted at or surrounding the base of the sign.
 2. On monument signs, landscaping shall be located and visible from the sides and behind the face of the sign with low lying ground cover in front of the sign per BDMC ____.
 3. The landscaping area shall be a minimum of 36 square feet with no dimension less than six feet.
 4. Sign landscaping may be counted toward other required landscaping, provided the landscaping meets the applicable requirements of Chapter ____ BDMC, Landscaping Standards.
 5. Deviations per BDMC ____ will be considered provided the landscaping design complements other site landscaping and enhances the pedestrian environment.
- B. Monument Signs.
1. Sign Form. At least 40 percent of the total sign width shall meet the ground plane.

Figure 18.82.130.B.2

Minimum ground anchoring provisions for monument signs.



2. Materials and Design. Monument signs in commercial, mixed use, and overlay zones shall be designed as an integrated architectural feature of the site. Specifically:
 - a. Framing. Monument signs shall include design elements that effectively frame the sign on both faces. Alternatively, signs that have a substantial framing element on one side will meet this provision. Deviations per BDMC ____ will be considered provided the design meets other provisions herein, integrates a distinctive, one-of-a-kind design that contributes to the visual character of the area.

Figure 18.82.130.B.2.a

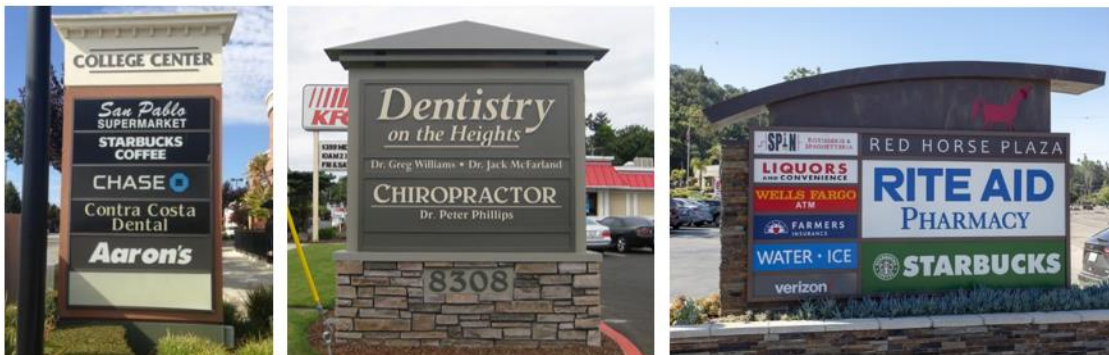
Good examples of monument signs with framing elements on one side.



- b. Top/Middle/Bottom. Monument signs shall integrate a top, middle, and bottom element. The top could include a distinctive sign cap and/or include the name of a multi-tenant center. The middle can include a consistent framing technique for an individual sign or multiple signs in a multi-tenant center. The bottom could include a distinctive base design with special materials and/or design. See the figures below for examples that meet this requirement. Signs less than six feet tall are exempt from this provision.
- c. Materials and Design. Monument signs shall include durable high-quality materials such as stone, brick, concrete, or steel and a design that relates to and/or complements the design of on-site buildings and/or is coordinated with other site design elements (such as distinctive lighting, monuments, wayfinding signs).

Figure 10.50.090(2)(b)(ii)

Good examples of monument signs with top-middle-bottom elements.



Each of these three signs includes a frame, top/middle/bottom components, and feature high quality materials that relate to and/or complement the design of on-site buildings and/or is coordinated with other site design elements.

Figure 18.82.130.B.2.c

Unacceptable examples of monument signs.



3. Minimum Base Height. The copy shall be at least one foot above grade.

Figure 18.82.130.B.3

Minimum base height for sign copy.



4. Maximum Size and Height. Table 18.82.130.B.4.a and Table 18.82.130.B.4.b illustrate two ways to calculate the maximum allowable sign area and height for monument signs. Applicants may choose either table to determine the applicable size and height standards.

Table 18.82.130.B.4.a

Maximum allowable sign area and height for monument signs based on length of right-of-way frontage.

For parcels with multiple frontages, the standards of this table apply to each frontage individually and may not be combined.				
Length of right-of-way frontage	White or Very Light-Colored Backgrounds		Bonus for Shaded or Dark-Colored Backgrounds	
	Sign Sign		Sign Sign Sign	
	Only apply if the standards of WCC 10.50.090(2)(e) are met.			
	Allowable Sign Area	Maximum Height	Allowable Sign Area	Maximum Height
Less than 100 feet	30 sq. ft.	6 feet	40 sq. ft.	7 feet

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For parcels with multiple frontages, the standards of this table apply to each frontage individually and may not be combined.				
Length of right-of-way frontage	White or Very Light-Colored Backgrounds		Bonus for Shaded or Dark-Colored Backgrounds	
	Allowable Sign Area	Maximum Height	Allowable Sign Area	Maximum Height
100 – 199 feet	40 sq. ft.	8 feet	50 sq. ft.	10 feet
200 – 299 feet	60 sq. ft.	12 feet	70 sq. ft.	14 feet
300 feet or more	80 sq. ft.	16 feet	100 sq. ft.	20 feet

Table 18.82.130.B.4.b

Maximum allowable sign area and height for monument signs based on size of property.

Size of property	White or Very Light-Colored Backgrounds		Bonus for Shaded or Dark-Colored Backgrounds	
	Allowable Sign Area	Maximum Height	Allowable Sign Area	Maximum Height
Less than 15,000 sq. ft.	30 sq. ft.	6 feet	40 sq. ft.	7 feet
15,000 sq. ft. – 43,559 sq. ft.	40 sq. ft.	8 feet	50 sq. ft.	10 feet
1 – 2.49 acres	60 sq. ft.	12 feet	70 sq. ft.	14 feet
2.5 acres or more	80 sq. ft.	16 feet	100 sq. ft.	20 feet

- Sign Color. Monument signs that employ shaded or dark background and light-colored lettering for at least 50 percent of the sign copy are allowed larger sign areas, as they are found to be less visually intrusive than signs incorporating white or very light-colored background. To qualify for the bonus, the

background on at least 50 percent of the sign copy must be darker than the lettering and create demonstrable contrast between the background and lettering. See Figure 18.82.130.B.5 for examples.

Figure 18.82.130.B.5

Examples of signs with shaded or dark backgrounds and light-colored lettering.



6. Multi-Tenant Center Bonus. Properties in commercial and mixed-use zones designed or used for multiple tenants (via building shape/dimensions, interior walls/design, and/or facade/entry designs) may increase sign area and height by 20 percent above the standards in subsection B.4 of this section. If a legally established multi-tenant center using this bonus becomes single tenancy for a period of 24 months or more, this bonus no longer applies and the sign is legally nonconforming per BDMC _____.

Figure 18.82.130.B.6

Multi-tenant center sign size bonus example.

Single Tenant or Business

Maximum Sign Area: 40 square feet

Maximum Height: 8 feet

20% Bonus

Multiple Tenants or Businesses

Maximum Sign Area: 48 square feet

Maximum Height: 9.6 feet



C. Internal Wayfinding Signs.

1. Purpose. To aid visitors in finding the location of a business, use, or building on large commercial development sites.
2. Sign Content. Signs may include only the name of the business, use, or building together with the directional guidance information.

3. Sign Types. Internal wayfinding signs may come in the form of monument, pylon, or post and arm sign types, except that signs placed along pathways may be placed on buildings.
4. Design. Signs shall be designed in a uniform manner (within individual subdivision or center) using consistent background color and typeface colors. Dark background colors with light colored text are required. See BDMC _____ for how dark colors are measured. See Figure 18.82.130.C for examples.

Figure 18.82.130.C

Internal wayfinding sign examples.



Note the consistent design themes using dark backgrounds with light colored text.

- D. Building Name Signs. Signs located in the college district, that advertise the name of the building and are not associated with the name of any individual business, are exempt from the standards in WCC 10.50.080(1) and subsections (1) and (2) of this section provided they meet the standards below. Signs that include more information than the building name shall not be considered building name signs.
 1. Maximum quantity: one sign per building entrance.
 2. Maximum sign area: 15 square feet.
 3. Maximum height above existing grade: four feet.
 4. Located within 20 feet of a pedestrian path or area.
 5. Located within 100 feet of the building the sign is advertising.
 6. At least 100 feet from the nearest freestanding building name sign.
 7. Digital message signs are not allowed as building name signs.
 8. Five-foot minimum setback to property lines, rights-of-way, or private drives from the closest element of the sign structure.

18.82.140 Supplemental building-mounted sign standards.

Building-mounted signs include wall signs, projecting signs, awning signs, and under-canopy signs.

A. Wall Signs.

1. Permitted Number of Signs. See Table _____. Supplemental standards:
 - a. In multi-story buildings, businesses above the ground floor that feature a street facade are limited to one wall sign per business, except that a business with frontage on more than one street may have one sign facing each street. Applicable wall sign standards for upper level businesses:

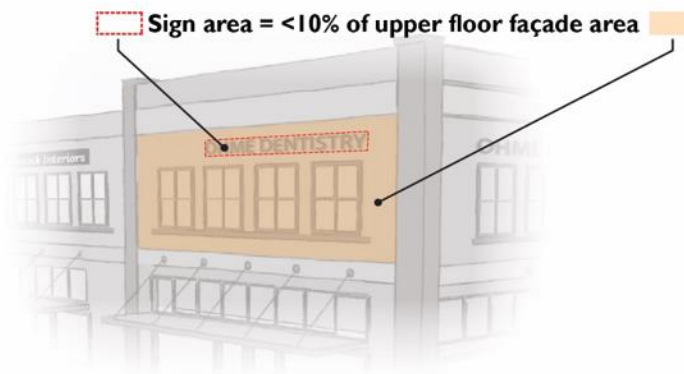
- (i) See BDMC _____ for basic wall sign parameters.
- (ii) Internally lit wall signs are not permitted.
- (iii) Maximum Sign Area. Up to 10 percent of the applicable upper level street facade of the tenant. For tenants occupying more than one floor of the street facade, only one floor may be used for the purpose of determining the signage allowance.
- (iv) All other wall sign location and design standards set forth in subsection A.2 of this section apply, except where in conflict with the sign area provisions above.

Figure 10.50.100(1)(a)(i)

Clarifying sign standards for businesses above the ground floor that include a street facade.



In the example above, Ohme Dentistry occupies the corner second floor office space and are thus allowed signs along each street frontage. Saddlerock Interiors occupies the interior second floor space to the left. Each sign may be up to 10 percent of the applicable upper floor facade. The graphic below illustrates how the upper floor facade is calculated. Note that the upper parapet area is excluded from the calculations (as it extends above the interior of the second floor office space).



- b. In a multi-tenant building with businesses on upper floors and/or in interior spaces having no street facade on which to place a sign, a building directory listing businesses in the building which does not

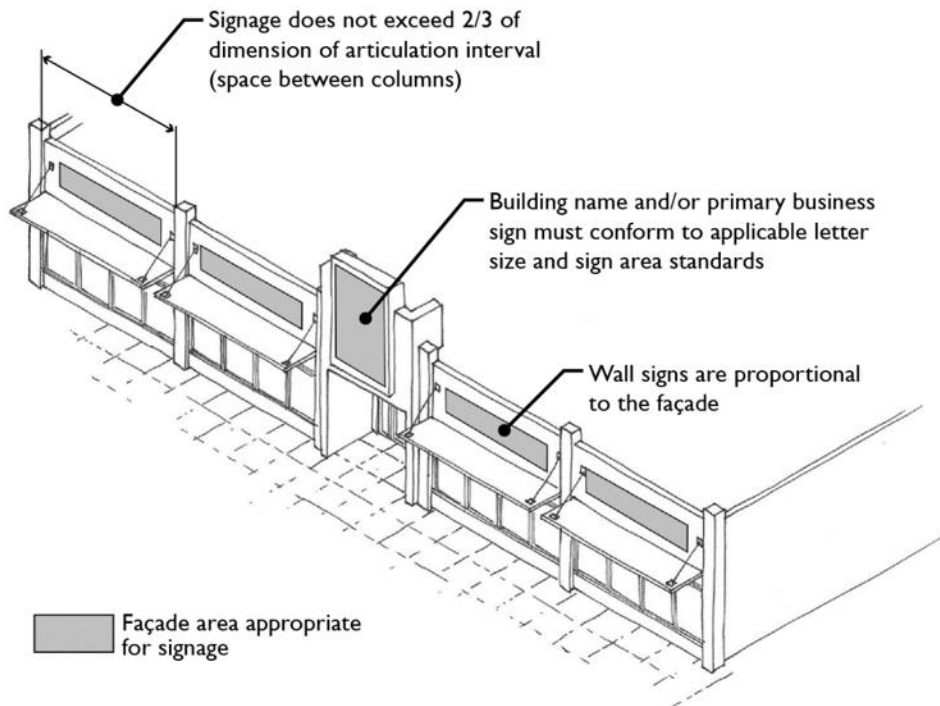
exceed 12 square feet may be located on the building wall at each primary entrance. This directory may be in addition to the sign area permitted for the building.

2. Location and Design.

- a. Wall signs shall be proportional to the facade. They shall be no wider than two-thirds the width of the individual facade. This standard also applies to upper-level businesses.
- b. Wall signs may not cover windows, building trim, an existing building name sign, or special ornamentation features. Preferred areas for installation of wall signs include blank areas above awnings, areas between vertical piers or columns, blank areas on a gabled roof, or upper reaches of a false fronted building.
- c. Stacked words on wall signs are permitted. Generally, the primary business name is encouraged to be provided on one line, with additional text on rows above and/or below providing supporting information about the business in smaller fonts.

Figure 18.82.140.A.2

Illustrating wall sign standards.



3. Maximum Size for Individual Tenants That Occupy Space on the Building Facade. Table 18.82.140.A.3.a below provides standards for the maximum amount of wall or awning sign area on each tenant's facade. For building elevations that include signs for upper level businesses, the standards apply to the entire building elevation.

Table 18.82.A.3.a

Sign area standards for wall and awning signs for each tenant's facade.

Tenant facade area	Maximum sign area (for tenant's facade)	
	Sign with internal lighting	Sign without internal lighting
Below 200 sf	15% of the facade	25% of the facade
200 – 349 sf	14% of the facade	22.5% of the facade
350 – 499 sf	13% of the facade	20% of the facade
500 – 999 sf	12% of the facade	17.5% of the facade
999 – 1,499 sf	11% of the facade	15% of the facade
1,500 –1,999 sf	10% of the facade	12.5% of the facade
Over 2,000 sf	10% of the facade	10% of the facade

Figure 18.82.140.A.3.b

Clarifying the calculations of maximum sign area for tenant wall, canopy, or awning signs.

 Tenant Facade Area = 320 SF



Figure 18.82.140.A.3.c

Acceptable wall sign examples.



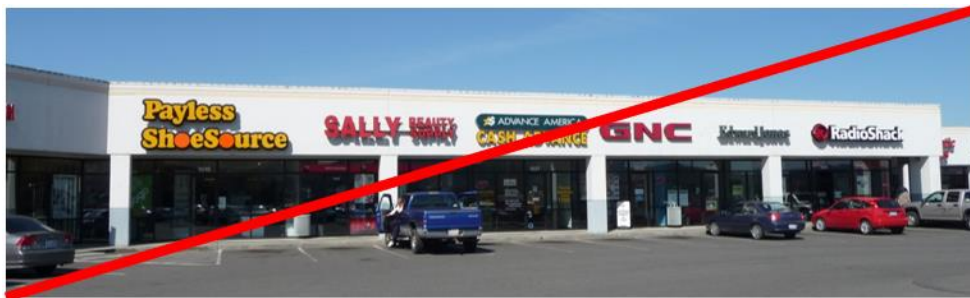
Note the different styles of signs and use of stacked (both left images) and supplemental text (lower left).



More acceptable wall sign examples.

Figure 18.82.A.3.d

Unacceptable wall sign example.



Most or all of these signs clearly exceed two-thirds of the width of their respective individual storefronts.

4. Mounting. Wall signs should be mounted plumb with the building, with a maximum protrusion of one foot plus up to four inches for mounting, unless the sign incorporates sculptural elements or architectural devices.
5. Building Name Signs.
 - a. Signs that advertise the name of the building and not associated with the name of any individual business are exempt from the sign area standards in Table _____ above, provided they are designed and sized in proportion to the facade (see Figure _____ for an example).
 - b. Signs shall be placed near the top of the facade and generally centered on the architectural features of the building.
 - c. Deviations per BDMC _____ will be considered provided the sign is located in a place that is independent from individual businesses on the building and helps to provide identity for the particular building.

Figure 18.82.140.A.5

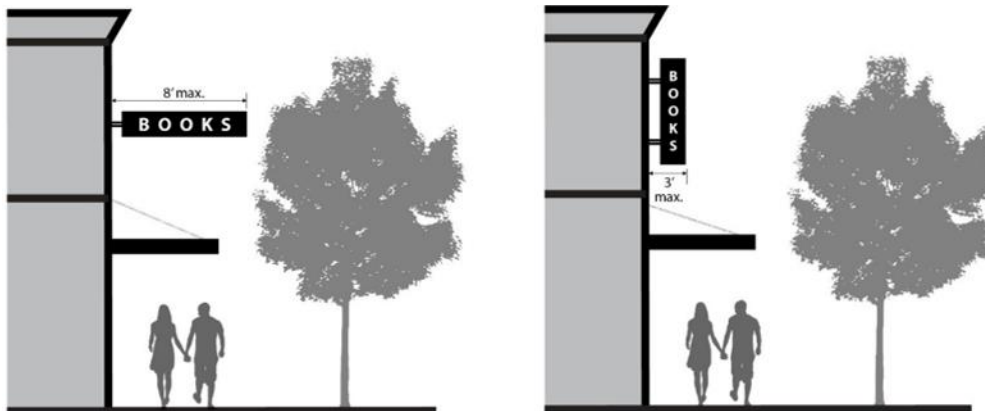
Acceptable building name sign.



- B. Projecting Signs. Projecting signs meeting the following conditions are allowed for commercial uses adjacent to and facing a street or alley. They may be used in addition to wall and awning signs provided they meet the applicable standards below.
1. Sign Area. Projecting signs are not based on sign area standards, but on the dimensional standards below. Projecting signs may be either vertical or horizontal oriented.
 - a. Projection.
 - i. Horizontally oriented signs: no more than eight feet.
 - ii. Square or vertically oriented signs: no more than three feet.
 - iii. Signs may project into public right-of-way for storefront buildings, but shall not extend over the curb into the travel lane.
 - iv. Signs in alleys are subject to additional public works standards.
 - b. Height.
 - i. Horizontally oriented signs: no more than three feet.
 - ii. Vertically oriented signs: shall not extend above the building parapet, soffit, the eave line or the roof of the building.

Figure 18.82.140.B.1.b

Dimensional standards for horizontal (left) and vertically oriented (right) projecting signs.



- c. Deviations per BDMC _____ to the provisions in subsections B.1 and B.2 of this section will be considered provided the sign design is compatible with the design of the building in terms of location, scale, and design elements, does not create a public safety hazard, and provides a positive contribution to the streetscape.

Figure 18.82.140.B.1.c

Acceptable and unacceptable projecting sign examples.



The example on the right includes two complementary projecting signs that are separated enough that they do not conflict or cause visual clutter. The second sign is smaller and advertises the lounge that is within the restaurant.



Both examples include signs that project over the roofline. In the right example there are far too many signs that visually conflict and create unwanted sign clutter.

- C. Awning Signs. Awning signs may be used in place of permitted wall signs provided they meet the following conditions:
1. Sign Form and Size.
 - a. Signs consisting of individual letters placed on the outside edge of the awning or above the awning are limited to 200 percent of the height of the vertical dimension of the awning. For example, if the vertical dimension of the awning is 12 inches, the letters may be up to 24 inches high. Such signs shall be no wider than two-thirds the width of the individual awning or no more than 20 feet, whichever is less.

- b. Sign boards may be placed on the vertical edge of an awning provided the height of the sign board is no more than 200 percent the height of the vertical dimension of the awning. For example, if the vertical dimension of the awning is 12 inches, the sign board may be up to 24 inches high. Such signs shall be no wider than two-thirds the width of the individual awning or no more than 20 feet, whichever is less.
 - c. Signs placed on the vertical edge of awnings are limited to 80 percent the height of the vertical edge of the awning. Where signs are placed on sloping portion of the awning, they shall be sized proportional to the architectural features of the building and are limited to two feet in height. Such signs shall be no wider than two-thirds the width of the individual awning or no more than 20 feet, whichever is less.
2. Number of Signs. For individual facades that include multiple awnings, secondary business signs may be included on separate awnings provided such signs meet applicable dimensional standards herein.

Figure 18.82.140.C

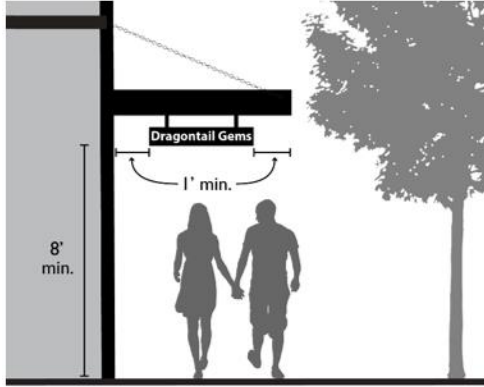
Awning sign examples and standards.



- D. Under-Canopy Signs. Under-canopy signs are placed under awnings, marquees or canopies and placed perpendicular to the storefronts and thus oriented to pedestrians on the sidewalk or an internal pathway.

Figure 18.82.140.D

Under canopy standards and example.



18.82.150 Digital and changeable copy sign integration.

Digital and changeable copy sign elements may be integrated into any pole or monument sign permitted in this chapter, subject to the following standards:

- A. One hundred percent of allowed pole and monument sign copy area may be used for digital or changeable copy signage, provided the standards of this chapter are met.
- B. No building-mounted sign copy area may be used for digital signs.
- C. Any form of technology may be used for the sign elements described herein, provided they meet the following standards:
 1. Maintain a four second minimum dwell time for the directory and any images. Changes in directory and images may be instantaneous and or faded. Animation, movement, or video imaging is prohibited.
 2. Brightness Limits.
 - a. Integrate automatic dimming capability that adjusts to the brightness of ambient light at all times of the day and night.
 - b. Daytime: 5,000 maximum nits.
 - c. Nighttime: 150 maximum nits. This applies between 30 minutes after sunset and 30 minutes before sunrise.
 3. Light Trespass Standard. Maximum 0.1 foot-candles at the property line of any park or residential property.
- D. Management Program. In addition to the permitting requirements of BDMC _____, applications for digital and changeable copy signs shall include a sign management program that demonstrates compliance with the size, dwell time, and lighting standards of this section.

18.82.160 Temporary sign standards.

- A. Applicability. A sign permit is not required for temporary signs, but all temporary signs are subject to the placement, size, and height requirements of this chapter, and the requirements of the underlying zone. The content of temporary signs is not regulated.

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- B. **Illumination Prohibited.** Temporary signs may not be directly illuminated or be provided with any electric service.
- C. **Types of Temporary Signs.** Subsections (a) through (e) of this subsection describe five types of temporary signs. Subsection D of this section describes the location where each type is allowed for commercial and noncommercial use.
1. **Type 1.** Signs in this category consist of small, temporary signs inserted in or placed on the ground that are typically associated with (but not limited to) the advertisement of real estate, political campaigns, and event announcements. Type 1 signs include, but are not limited to, small A-frame signs, sandwich board signs, and yard signs. See subsection E.1 of this section for standards.
 2. **Type 2.** Signs in this category are typically referred to as “banners” that are typically associated with (but not limited to) the announcement of community events. These may be freestanding (supported by posts on either end) or building-mounted. See subsection E.2 of this section for standards.
 3. **Type 3.** Signs in this category are large yard signs typically associated with (but not limited to) the advertisement of land sales, construction activity, and commercial and industrial buildings for rent. See subsection E.3 of this section for standards.
 4. **Type 4.** Signs in this category are feather signs (also referred to as sail signs). See subsection E.4 of this section for standards.
 5. **Type 5.** Signs in this category include fixed aerial displays, balloons, pennants, spinners, strings of flags, streamers, tubes, and other devices affected by the movement of the air or other atmospheric or mechanical means. See subsection E.5 of this section for standards.
- D. **Location.**
1. **Property Type.** General temporary sign location requirements for private property and public right-of-way are shown in Table 18.82.160.D.1 below. See subsection D.2 of this section for other general requirements and subsection E of this section for specific location requirements by zone, signs on sidewalks, relation to business entries, etc.

Table 18.82.160.D.1

Temporary sign property location.

	Commercial		Noncommercial	
	Private property	Public right-of-way	Private property	Public right-of-way
Type Allowed	1, 2, 3, 4, 5	1	1, 2, 3, 4, 5	1

2. **General Restrictions.**
 - a. With the exception of public right-of-way, temporary signs may only be located on public or private property with the property owner’s permission.
 - b. Temporary signs attached to building walls shall not be placed in a manner that obstructs any door, fire department sprinkler connection, or address numbers.
 - c. Temporary signs shall not be placed on the roof of a building, or affixed to a permanent sign or its structure, tree, utility pole, or street sign.

- d. Temporary signs shall not be attached to the ground, a building, or to any other structure more securely than necessary to prevent loss, wind damage, or safety problems.
 - e. Temporary signs shall not be placed in any public park, trail, open space, or other public space unless expressly authorized by the government, agency, or organization that owns or maintains the land.
 - f. No part of a temporary sign may overhang a paved roadway, bicycle path, parking space, driveway, loading area, or wheelchair access unless approved by the public works director pursuant to a right-of-way use permit.
 - g. Temporary signs shall not be placed within any roadway median, traffic circle, traffic island, or roundabout.
 - h. Temporary signs in the public right-of-way shall be located at least five feet from any other temporary sign.
 - i. Temporary signs in the public right-of-way shall be located at least 25 feet from traffic signs, signals, wayfinding signs, and other traffic control devices erected by the city or other public authority.
 - j. Refer to BDMC _____ for other location restrictions.
- E. Temporary Sign Requirements by Sign Type. Below are standards for a wide variety of temporary sign types based on the site's zoning, land use, or context. Adjusted standards for certain activities and events are in subsection (6) of this section.
- 1. Type 1 – Small Temporary Signs.
 - a. Location. May be located in any zone.
 - b. Quantity. Refer to Table 18.82.160.E.1.b.

Table 18.82.160.E.1.b
Type 1 temporary sign quantity.

Commercial		Noncommercial	
Private property	Public right-of-way	Private property	Public right-of-way
Two per business.	One sign may be displayed per customer entrance, and no more than two signs may be displayed per business. Signs must be placed within 15 feet of a customer entrance.	Two signs per lot may be displayed for each single noncommercial purpose.	No limit.

- c. Size. Maximum sign area is six square feet (per face if two-sided).
- d. Height. Maximum height of the sign, including supports, is 42 inches above grade, except that post-and-arm style signs may be up to six feet above grade.
- e. Placement. Signs placed on a pathway or sidewalk shall be placed to one side of the sidewalk or pathway and provide a minimum of four feet of unobstructed sidewalk or pathway width. Signs shall not be placed on sidewalks or pathways less than four-feet in width.

- f. Duration. Refer to Table 18.82.160.E.1.f.

Table 18.82.160.E.1.f
Type 1 temporary sign duration.

Commercial		Noncommercial	
Private property	Public right-of-way	Private property	Public right-of-way
90 days per individual sign for a single commercial purpose per calendar year.	No limit except may not be displayed between 30 minutes after sunset and 30 minutes before sunrise.	No limit.	180 days per individual sign for a single noncommercial purpose per calendar year.

2. Type 2 – Banners.

- a. Location. May be located in the commercial, mixed-use, and overlay zones.
- b. Quantity. One sign may be displayed per property, except properties larger than one acre may have two Type 2 signs, and properties larger than five acres may have three Type 2 signs.
- c. Size. Maximum sign area for freestanding signs is 18 square feet (per face of two-sided signs). The maximum sign area for building-mounted signs is the same as for wall signs (with internal lighting), established in Table _____ and based on the size of the facade.
- d. Height. Maximum height of freestanding signs, including supports, is six feet above grade. Building-mounted signs shall not be placed on or above the roof of a building and shall not be placed over any windows.
- e. Material. The sign face shall be composed of a flexible material (typically vinyl).
- f. Mounting. Signs may be supported by posts or stakes which are anchored to the ground or securely attached to the face of a building.
- g. Duration. For each property, signs may be displayed for a maximum 45 calendar days per year. A maximum of six separate displays are permitted each year, with a minimum of 10 calendar days of separation between displays. Exception: Type 2 signs may be used for temporary business signs for new businesses (prior to placement of permitted permanent freestanding or building-mounted signs for the property) for a single period of up to 180 days.
- h. Noncommercial Adjustments. Noncommercial community banner signs up to 18 square feet in size may be displayed on residential property for a special occasion and for no longer than seven consecutive days.

3. Type 3 – Large Yard Signs.

- a. Location. May be located in any zone under the following conditions:
 - i. The parcel upon which the sign is displayed has a minimum of 100 feet of lot frontage.
 - ii. The parcel does not contain a permanent freestanding sign with digital or changeable copy.
- b. Quantity. One sign may be displayed per property.

-
- c. Size. Maximum sign area is 24 square feet (per face if two-sided).
 - d. Height. Maximum height of the sign, including supports, is eight feet above grade.
 - e. Material. The sign face shall be composed of a rigid material.
 - f. Mounting. Signs must be mounted and supported by posts or stakes that are securely attached to the ground.
 - g. Duration. Unless otherwise specified in this section for the particular location, use, or context:
 - (A) Type 3 temporary signs may be displayed without limit to duration on properties that are undeveloped or vacant.
 - (B) In all other cases, signs may be displayed a maximum of one year, with a minimum of 60 calendar days of separation between displays. The minimum separation period applies regardless of whether the previous display reached the maximum duration of display.
4. Type 4 – Feather Signs.
- a. Location. May only be displayed on properties in a commercial or mixed-use zone.
 - b. Quantity. One sign may be displayed per site/property. For sites/properties with more than 100 feet of street frontage, multiple signs are allowed provided there is at least 100 feet of separation between signs.
 - c. Size. Maximum height is 13 feet.
 - d. Design. Signs shall be designed in a uniform manner, including consistent size and shape, where more than one sign is permitted.
 - e. Duration. Ninety days per individual sign per calendar year.
5. Type 5 – Aerial Displays. Such signs are prohibited except when used for an exterior event sign (see subsection 6.b of this section).
6. Adjustment of Standards for Certain Commercial Temporary Signs. Temporary signs associated with construction, special events, real estate sales and rentals, and other commercial uses have the following adjustments from the standards in BDMC 18.82.160.E.
- a. Construction Signs. On commercial properties with active construction, temporary signs shall meet the following requirements:
 - i. Permitted Sign Types. Types 2 and 3.
 - ii. Quantity. One nonilluminated, double-faced temporary sign is permitted for each lot frontage.
 - iii. Duration. Temporary signs shall be removed by the date of the issuance of final occupancy for all units on the property.
 - b. Exterior event signs, such as grand opening signs, sale signs, promotional signs, exhibitions, quitting business signs, and other nonpermanent exterior signs used to advertise an event.
 - i. Permitted Sign Types. Types 1-5.
 - ii. Quantity. There is no limit to the number of exterior event signs that may be displayed at any one time for any one business or tenant.
 - iii. Applicability and Location. Businesses may only display exterior event signs on-site.
 - iv. Sign Area Limits. Based on limits set forth for Types 1 through 5 in subsection E of this section, but no more than 20 square feet in size.

-
- (v) Duration. Exterior event signs (individual signs and/or groups of signs) may be displayed for no more than 60 cumulative days per calendar year per business or tenant.
 - c. Residential Real Estate. Signs associated with residential properties for sale or rent shall comply with the following:
 - i. On Site.
 - (A) Permitted Sign Type. Type 1 only.
 - (B) Quantity. Limited to one sign per lot frontage on the subject property being sold or rented.
 - (C) Duration. Shall be removed within five calendar days of the final sale closing or rental.
 - (ii) Off-Site Residential (within a public right-of-way).
 - (A) Permitted Sign Types. Type 1 only.
 - (B) Location. No further from the subject property than the nearest arterial street intersection.
 - (C) Quantity. No more than one “For Sale” or “For Rent” sign may be used at any street intersection for any one developer, broker, seller, or owner.
 - (D) Sign Area. Maximum size of two square feet.
 - (E) Duration. Shall be removed between 30 minutes after sunset and 30 minutes before sunrise.
 - d. Commercial and Industrial Real Estate. Signs associated with commercial and industrial properties for sale or rent shall comply with the following:
 - i. Permitted Sign Types. Types 1 through 3.
 - ii. Location and Quantity. Limited to one sign per lot frontage on the subject property.
 - iii. Sign Area. Based on limits set forth for Types 1 through 3 in subsections E.1 through E.3 of this section, but no more than 16 square feet.
 - iv. Height. Based on limits set forth for Types 1 through 3 in subsections E.1 through E.3 of this section, but no more than eight feet above grade for properties adjacent to highways and six feet above grade in all other areas.
 - v. Duration. Shall be removed within five calendar days of the final sale closing or rental.
 - e. Commercial Temporary Signs in a Residential Zone. Permitted commercial temporary signs in residential zones are limited to:
 - i. Residential real estate signs as established in subsection 6.c of this subsection.
 - ii. Home occupation signs as established in Table _____.
 - 7. Special Community Event Signs. The purpose of this provision is to provide for a periodic increase in the number of temporary signs that may be displayed for special community events in the city.
 - a. Qualifying Events. Events sponsored by the city, or by any group of city-based businesses or organizations, that are intended to attract tourism activity in the city.
 - b. Period of Applicability. Beginning 10 calendar days prior to the date of the event (or beginning date of a multi-day event) and ending 24 hours following the conclusion of the event.
 - c. Additional Temporary Signs Permitted. An unlimited number of temporary signs may be displayed in the _____ zones during the period of applicability.
 - d. During the period of applicability, all other temporary sign regulations remain in effect.

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- e. Maximum duration shall be from one month before the event to five calendar days after the event.

18.82.170 Permits not required when.

The following shall not require a permit; provided, however, these exemptions shall not be construed as relieving the owner from the responsibility to comply with the provisions of this chapter or any other law or ordinance:

- A. The changing of the advertising copy or message on a lawfully erected, painted or printed sign, reader-board or similar sign specifically designed for the use of replaceable copy;
- B. Painting, repainting, or cleaning of a lawfully erected sign or the changing of the sign copy thereof and other normal maintenance unless a structural or electrical change is made;
- C. Temporary decorations customary for special holidays erected entirely on private property;
- D. Gravestones and similar memorial plaques and monuments;
- E. One lot identification sign with the total area not to exceed: (a) two square feet per residential dwelling unit, not to exceed a maximum of eighteen square feet for multifamily projects; and (b) eighteen square feet for nonresidential uses.
- F. Temporary signs shall not require a sign permit under this chapter. However, issuance of a special event permit issued by the city is required before a temporary sign may be placed on city-owned property (other than the rights-of-way).

18.82.180 Prohibited signs.

The following signs are prohibited in all zones throughout the city and are subject to removal by the city at the owner's expense:

- A. Signs which by reason of color, shape, wording, or location interfere or conflict with traffic control signs or devices, or which reasonably could be confused with any authorized traffic signal or device.
- B. Signs which the director of public works determines to be a safety hazard for pedestrian or vehicular traffic, including signs that obstruct the sight-distance triangle at any intersection or that extend into the traveled roadway.
- C. Flashing signs or signs illuminated with flashing or strobe lights.
- D. Animated signs.
- E. Portable signs exceeding six square feet each side.
- F. Signs attached to or placed on a vehicle or trailer parked on public or private property; however, this provision shall not be construed as prohibiting the identification of a firm or its products on a vehicle operating during the normal course of business. Franchised buses and taxis are exempt from this provision.
- G. Off-premise signs, with the following exceptions:
 - 1. Properties with 20 feet or less of public street frontage (including properties with no public street frontage) may share signage with an adjacent or other nearby property that has applicable street frontage, provided that all other standards of this chapter are met. [What size limitations apply if this exception is used? The limits that apply to the property with public street frontage? Or something larger because of the shared signage?] This exception may also be granted by the

community development director to properties with more than 20 feet of public street frontage, if the applicant demonstrates that its street frontage is encumbered by utilities or other encumbrances that are outside the applicant's reasonable control and preclude reasonable placement of a permanent, on-premise sign.

2. Off-premise signs explicitly authorized in other portions of this chapter.
- H. Any sign affixed to or painted on trees, rocks, or other natural features or utility poles.
 - I. Roof signs.
 - J. Abandoned signs.
 - K. **Signs affixed or mounted on vehicles** to advertise a product, service, business, or commercial organization not directly related to or affiliated with the use of the vehicle. This prohibition does not apply to the use of commercial logos and business identification information painted or applied to a vehicle used for transportation in connection with the business whose logo and/or identification information is displayed.
 - L. **Balloons and other inflated objects**, except that balloons are allowed on a temporary basis on private property in residential zones for special occasions.
 - M. Signs that emit smoke, visible vapors, visible particles, sounds, flames, or odors.
 - N. Signs with mirrors or other highly reflective surfaces.

18.82.190 Administration and enforcement.

The community development director, or the director's designated code enforcement officer, shall be responsible for enforcing the provisions of this code.

- A. Compliance with other applicable codes. All signs erected or altered under this chapter must comply with all applicable federal, state, and local regulations governing signs, including without limitation the provisions of the International Building Code as adopted by the city. If any provision of this code conflicts with any provision of any other zoning, building, fire, safety, or public health ordinance or code of the city, the provision that establishes the more restrictive standard shall govern.
- B. Sign maintenance. All permanent and temporary signs must be kept in good repair, clean appearance, and safe condition at all times. The sign owner must repair damaged or deteriorated signs within 30 days of notification by the city. The area around freestanding signs must be kept free of litter and debris at all times.
- C. Inspection. Code enforcement officers are authorized to inspect any sign covered by this chapter for the purpose of inspecting the sign, its structural condition, and its electrical connections to ensure compliance with all applicable code requirements. Such inspections shall be carried out during business hours except in cases of emergency.
- D. Abatement. In addition to the abatement authority provided under Title ___ BDMC, the city's code enforcement officers and agents may summarily remove without notice any abandoned sign or any sign placed or allowed to remain on a public right-of-way or other public property in violation of this chapter.
- E. Disposal of signs. When a sign has been removed by the city as authorized in this section, the city shall hold the sign for at least seven days. The city shall have no obligation to try to ascertain the owner of the sign or who placed it in violation of applicable codes. After seven days, the city may dispose of the sign without notice. The city shall not be responsible for damage or loss during removal or storage of any signs that were determined to be in violation of applicable codes. Sign owners who wish to reclaim

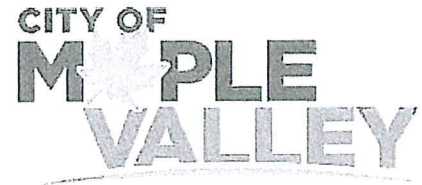
possession of removed signs prior to disposal shall pay the city its reasonable costs of removal and storage, in addition to an administrative charge of _____.

- F. Rather than abating any sign determined to be in violation of this chapter, the community development director, or the director's designated code enforcement officers, may choose to issue a notice to owner of the sign and/or underlying property owner to take corrective action, pursuant to BDMC _____, in which case the _____
- G. Cumulative Civil Penalty. Any person found in violation of this chapter shall incur a cumulative civil penalty in the amount of one hundred dollars per day from the date set for correction thereof until the violation is corrected.

18.82.200 Severability.

If any section, sentence, clause, phrase, word, portion, or provision of this chapter is held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect, impair, or invalidate any other section, sentence, clause, phrase, word, portion, or provision of this chapter which can be given effect without the invalid provision. The invalidation of the application of any section, sentence, clause, phrase, word, portion, or provision of this chapter to a particular property or structure, or any particular properties or structures, by any court of competent jurisdiction shall not affect the application of such section, sentence, clause, phrase, word, portion, or provision to any other property or structure not specifically included in said invalidation.

[DO WE WANT TO PROVIDE A PROCESS FOR SEEKING A VARIANCE OR WAIVER?]



General Signage Information

Maple Valley Municipal Code Section 18.50.010

Prohibited signs in the right-of-way:

- Signs of any kind in round-a-bouts or medians
- Signs which block sight distance (intersections/driveways)
- Signs that create a traffic hazard or safety hazard to the public
- Abandoned or obsolete signs
- Signs may not be placed on vehicular travel lane, sidewalk, bike lanes, or driveway aprons
- All commercial signage (except as described below)
- All real estate signs that advertise properties or developments outside the city limits

Permitted signs in the right-of-way:

- Real estate signs
 - Off-Site Signs - Open House Signage
 - Maximum 5 signs permitted per property
 - Minimum of 200 lineal feet is required between each sign (except if directional turn is required).
 - Maximum 6 square feet per sign face (e.g., A-board)
 - No toppers may be added onto signage that would increase the sign's maximum square footage.
 - Signs can be placed up to 1 hour prior to the event, no sooner
 - Signs must be removed within 1 hour after the event, no later
 - Any directional signs (total 3 maximum of 5 permitted) must be no larger than 2 square feet in size
 - To enforce these regulations by City staff, each sign must identify the property address and open house date/time to which it pertains. This information can be placed with masking tape on the interior of the A-board.
 - On-Site Signs (on-going for sale signage in front of residence to be sold)
 - Maximum of 1 sign per residence
 - Must not exceed 6 square feet in size
- Non-commercial signs (those not selling or advertising a service, product or business)
 - Must not exceed 8 square feet in area and 42 inches in height
- Garage sale and yard sale signs
 - Must not exceed 6 square feet in size
 - Must be removed at the end of the event
 - Limited to 5 per event
- Development directional signs for new residential developments in the City limits.
 - Only 3 off-site directional signs permitted per development
 - Maximum size of 16 square feet per face
 - Must be removed at buildout

Any sign violating the above regulations may be removed by the City without notice to the owner of the sign. Confiscated signs are destroyed after 15 days. Owners may recover signs within that time period. Owners can call the Community Development Department at 425-413-8800 to inquire about a confiscated sign.

18.50.010 Signs.

A. Scope and Purpose. This chapter establishes regulations governing the installation, alteration, relocation, maintenance, use and removal of all signs in the City. It is recognized that the businessperson's right to identify their business contributes to the economic well-being of the community; however, that right should be exercised in a way as to bring benefit to the businessperson without affecting the welfare of the public. In general, this City takes the view that signs should be scaled to the building and property frontage to which the sign is related. The purpose of these regulations is to accomplish the following:

1. To encourage commercial communication that is responsive to the needs of the public in locating a business establishment by identification, address, product and/or service information;
2. To protect business sites from the loss of prominence and reduced effectiveness of individual signs resulting from unregulated number, size, and location of signs;
3. To enhance the visual character and identity of the City;
4. To reduce clutter and visual distraction;
5. To ensure that signs in the City do not adversely affect traffic safety by obstructing vehicle sight distance, interfering with official traffic signs, signals and devices, and unduly directing a driver's attention away from the demands of safe driving; and
6. To protect the public health, safety, and welfare by regulating the placement, removal, installation, maintenance, size, and location of signs.

B. Definitions. The following words, terms and phrases, when used in this code, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"A-frame or A-board sign" means a portable sign consisting of two sign faces hinged at the top and separated at the bottom to make it self-standing.

"Abandoned or dilapidated sign" means any sign remaining in place that has not been maintained appropriately, as defined in subsection (G) of this section, or if the activity conducted on the subject property ceases for 180 consecutive days. For the purpose of this section, "dilapidated" shall mean a condition of decay, deterioration or partial ruin especially through neglect or misuse.

"Administrator" means the Director of Community Development or his/her designated representative.

"Animated sign or display" means a sign or display that uses movement or the appearance of movement through the use of patterns of lights, changes in color or light intensity, computerized special effects, video displays, or through any other method; except for the scrolling of a static message or scene onto or off a sign board in one direction per message.

"Awning or canopy sign" means a sign on the vertical surface or flap that is printed on, painted on, or attached to an awning or canopy.

"Balloon" means a decorative inflatable device, into which a gas (typically helium) is inserted in order to cause it to rise or float in the atmosphere. (See also "Inflatable advertising device.")

"Banner" means a sign made of fabric or any nonrigid material with no enclosing framework.

"Billboard" means a permanent off-site outdoor advertising sign containing a message, commercial or otherwise, unrelated to any use or activity on the subject property on which the sign is located, but not including civic event signs, government signs, or instructional signs.

"Building-mounted sign" means any sign attached to the face of a building including without limitation wall signs, marquee signs, under canopy signs and projecting signs.

"Buildout" indicates the time when all lots are sold in a subdivision or buildings are completed and a certificate of occupation is issued for other types of development.

"Bulletin board" means a permanent sign box attached to a building facade containing no permanent advertising copy and designed to conform to the requirements of subsections (l)(4)(f) and (g) of this section.

Canopy Sign. See "Awning or canopy sign."

"Center identification sign" means a building-mounted or freestanding sign that identifies the name and/or logo of a development containing more than one office, retail, institutional or business park use or tenant and which may separately identify the tenants.

"Changeable copy sign" (other than electronic changeable message sign) means a sign whose informational content can be changed or altered (without changing or altering the sign frame, sign supports or electrical parts) by manual or mechanical means.

"City" means the City of Maple Valley unless the context clearly indicates otherwise.

"City-sponsored event signs" and "civic event signs" are signs associated with an event that has been approved by City Council resolution or are directly related to a City-endorsed activity.

"Clear view zone" means the definition set forth in MVMC 18.40.090 for sight distance requirements.

"Code Enforcement Officer" means the City Building Official or his/her designee.

"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.

"Construction sign" means a temporary sign identifying a construction project including, but not limited to, a planned new commercial or residential building, and may include the project lender, architect, contractor, subcontractor, and/or material supplier participating in construction on the property on which the sign is located.

"Copy" means the graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.

"Directional sign, on-site" means a sign giving directions, instructions, or facility information and which may contain the name or logo of an establishment but no advertising copy (e.g., parking, exit or entrance signs).

"Drive-through business sign" means any sign intended to give information on product selection and pricing as used in a drive-through business, such as a menu sign, but not primarily intended to advertise the business.

"Electrical sign" means a sign or sign structure in which electrical wiring, connections, or fixtures are used.

"Electronic changeable message sign" means an electronically activated sign whose message content or display, either in whole or in part, may be changed by means of electrical, electronic or computerized programming. A sign or portion of a sign on which the message or display is an electronic indication of fuel price shall be considered an electronic changeable message sign. A sign on which the sole message or display is an electronic indication of time and/or temperature shall be considered an electronic changeable message sign. Drive-through business/menu signs are not considered electronic changeable message signs.

"Exposed building face" means the building exterior wall of a single-occupant building or the building exterior wall of an individual tenant's leased space in a multi-tenant complex, including the vertical distance between the eaves and ridge of a pitched roof above it, used for sign area calculation for building-mounted signs.

"Facade" means the entire building front including the parapet.

"Festoons, pennants, or blinking lights" means a string of ribbons, tinsel, small flags, pinwheels, or similar items that attract attention through movement, reflection, or illumination.

"Flag" means any piece of cloth of individual size, color and design used as a symbol, signal, emblem or for decoration.

"Flashing sign" means a sign of which any portion of it changes light intensity, switches on and off in a constant pattern, or contains moving parts or the optical illusion of motion caused by use of electrical energy or illumination, with a display that appears for less than one and one-half consecutive seconds.

"Freestanding sign" means a sign supported permanently upon the ground by poles, pylons, braces or a solid base and not attached to any building. Freestanding signs include those signs otherwise known as "pedestal signs," "pole signs," "pylon signs," and "monument signs."

"Frontage" means the length of the property line along any public right-of-way on which it borders.

"Frontage, building" means the length of an outside building wall on a public right-of-way.

"Fuel price sign" means a sign or portion of a sign displaying only the price of fuel for motorized vehicles or equipment. The portion of a freestanding sign that displays corporate identity or text unrelated to the price of fuel is not a fuel price sign and is subject to sign permit requirements.

"Garage or yard sale sign" means a temporary sign announcing an event, use or condition of personal concern to the sign user, including but not limited to "garage sale," "yard sale" or "lost animal" signs.

"Government sign" means any temporary or permanent sign erected and maintained by any city, public utility, county, state, or federal government for designation of or direction to any school, hospital, historical site, property, or facility, including without limitation traffic signs, directional signs, warning signs, informational signs, and signs displaying a public service message.

"Graffiti" means the inscription of symbols, words, or pictures by painting, spray painting or other means of defacing public or private property.

"Height" (of a sign) means the vertical distance measured from the highest point of the sign face to the grade of the adjacent street or the surface grade beneath the sign, whichever is less.

"Holographic sign or display" means any sign or display that creates a three-dimensional image through projection.

"Human sign" means a sign that is worn (including costumes) or held by a human for commercial advertising or promotion purposes.

"Identification sign" means a sign whose copy is limited to the name and address of a building, institution, or person and/or to the activity or occupation being identified.

"Identification sign" (residential) means a freestanding or wall sign identifying a recognized subdivision, condominium complex, or residential development.

"Illuminated sign" means a sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

"Incidental sign" means a small sign, emblem, or decal informing the public of goods, facilities or services available on the premises (e.g., a credit card sign or a sign indicating hours of business).

"Inflatable advertising device" means an advertising device that is inflated by some means and used to attract attention, advertise, promote, market or display goods and/or services. These devices include large single displays or a display of smaller balloons connected in some fashion to create a larger display.

"Instructional sign" means a sign which designates public information including, without limitation, public restroom signs, public telephone signs, exit signs and hours of operation signs.

"Kiosk" means a freestanding sign, which may have a round shape or which may have two or more faces, and which is used to provide directions, advertising or general information.

"Maintenance" means the cleaning, painting and minor repair of a sign in a manner that does not alter the basic copy, design or structure of the sign.

"Marquee sign" means any sign attached to or supported by a marquee, which is a permanent roof-like projecting structure attached to a building.

"Monument sign" means a freestanding sign having the appearance of a solid base of landscape construction materials such as brick, stucco, stonework, textured wood, tile or textured concrete materials compatible with the materials of the primary structure on the subject property.

"Moving sign" means any sign that uses movement, by either natural or mechanical means, or change of lighting, either natural or artificial, to depict action to create a special effect or scene; or signs that rotate or have a part(s) that moves or revolves (except the movement of the hands of a clock).

"Multi-tenant complex" means a commercial development containing two or more uses or businesses.

"Mural" means a design or representation that is painted or drawn on the exterior surface of a structure and that does not advertise a business, product, service, or activity.

"Nameplate" means a nonilluminated building-mounted identification sign giving only the name, address, and/or occupation of an occupant or group of occupants of the building.

"Neon (outline tubing) sign" means a sign consisting of glass tubing, filled with neon gas, or other similar gas, which glows when electric current is sent through it.

"Nonconforming sign, legal" means any sign that was legally in existence on December 13, 1999, or the effective date of these sign regulations, but does not comply with these sign regulations or any other ordinances as adopted by the City of Maple Valley.

"Obsolete sign" means a sign that advertises a product that is no longer made, a business that is no longer in operation or an activity or event that has already occurred, except for historical signs or markers.

"Off-site sign" or "off-premises sign" means a sign relating, through its message and content, to a business activity, use, product, or service not available on the subject property on which the sign is located with the exception of signs for schools, community centers, Chamber of Commerce, and government agencies as described in subsection (H)(3)(a) of this section.

"On-site sign" means a sign which contains only advertising strictly applicable to a lawful use of the subject property on which the sign is located, including without limitation signs indicating the business transacted, principal services rendered, and goods sold or produced on the subject property, or name of the business and name of the person occupying the subject property.

"Pedestal sign" means a freestanding sign supported permanently upon the ground by one or more solid bases, which base or bases shall be equal to at least 50 percent of the sign area.

"Person" means any individual, corporation, association, firm, partnership, or other legal entity.

"Point of purchase display" means advertising of a retail item accompanying its display (e.g., an advertisement on a product dispenser, tire display, etc.).

"Pole or pylon sign" means a freestanding sign supported permanently upon the ground by poles or braces and not attached to any building.

"Projecting sign" means a sign, such as a blade sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

"Public right-of-way" means land owned, dedicated or conveyed to the public, used primarily for the movement of vehicle, wheelchair, bicycle, and pedestrian traffic, or land privately owned, used primarily for the movement of vehicle, wheelchair, bicycle, and pedestrian traffic, so long as such privately owned land has been constructed in compliance with all applicable laws and standards for a public right-of-way.

Public Uses. For the purpose of the sign code, "public uses" shall mean publicly owned or funded facilities including but not limited to public schools, libraries, City Hall, community centers, museums,

fire stations and performing arts centers. Religious institutions and grange halls are excluded from this definition.

"Real estate, off-site sign" means a portable or temporary sign announcing the proposed sale of property other than the property upon which the sign is located and providing directions to the subject property.

"Real estate, on-site sign" means a sign placed on the subject property and announcing the sale or rental of the subject property.

"Roof sign" means any sign erected above the eaves or on the roof of a building or structure.

"Scrolling displays" means the vertical movement of a static message or display on an electronic changeable message sign.

"Sign" means any device, structure, fixture, or placard that uses colors, words, letters, numbers, symbols, graphic designs, logos, or trademarks for the purpose of: (1) providing information or directions; or (2) identifying or advertising any place, establishment, product, good, or service and includes all supports, braces, guys and anchors associated with such sign.

"Sign area" means the entire area of a sign on which graphics, letters, figures, symbols, trademarks and/or text is to be placed, excluding sign structure, architectural embellishments and framework. Sign area is calculated by measuring the perimeter enclosing the extreme limits of the module or sign face containing the graphics, letters, figures, symbols, trademarks, and/or text; provided, however, that individual letters, numbers or symbols using a canopy, awning or wall as the background, without added decoration or change in the canopy, awning or wall, have sign area calculated by measuring the perimeter enclosing each letter, number or symbol and totaling the square footage of these perimeters.

"Sign face" means the area of a sign on which the graphics, letters, figures, symbols, trademark or text is placed.

"Simulation of traffic signs" means any sign using the words "stop," "look," or "danger," or any other words, symbols, characters, color or shape in such a manner as to interfere with, mislead, or confuse pedestrian or vehicular traffic.

"Snipe sign" means a sign or poster placed on trees, fences, light posts, or utility poles, except those posted by a government or public utility.

"Temporary sign" means a sign constructed and intended for short-term use. "Temporary signs" include, but are not limited to, portable signs designed to be moved easily and not permanently affixed to the ground or to a structure or building, e.g., A-board, T-frame, swing-frame, etc.

"Tenant directory sign" means a sign for listing the tenants or occupants of a multi-tenant building or center.

"Time and temperature sign" means any sign that displays the current time and temperature, without any commercial messages.

"Traveling displays" means the horizontal movement of a static message or display on an electronic changeable message sign.

"Under canopy sign" means any sign intended generally to attract pedestrian traffic, suspended beneath a canopy or marquee, which is at a 90-degree right angle to the adjacent exposed building face and which contains no commercial messages other than the name of the business.

"Vehicle sign" means any sign attached to or placed on a parked vehicle or trailer used principally for advertising purposes, rather than transportation, but excluding signs relating to the sale, lease, or rental of the vehicle or trailer and excluding signs which identify a firm or its principal product on a vehicle operated during the normal course of business.

"Wall sign" means either a sign applied with paint or similar substance on the surface of a wall or a sign attached essentially parallel to and extending not more than 24 inches from the wall of a building with no copy on the sides or edges.

"Warning sign" means any sign which is intended to warn persons of prohibited activities such as "no trespassing," "no hunting," and "no dumping."

"Window sign" means any sign affixed to the inside of a window and intended to be viewed from the exterior of the structure.

C. Permits.

1. Permit Requirements. No sign governed by the provisions of this code shall be erected, moved, enlarged, altered or relocated by any person without a permit issued by the City unless such sign is expressly excluded from this permitting requirement pursuant to subsection (C)(3) of this section. An applicant shall pay the permit fees set forth in the City's fee schedule except that, in cases where a legal nonconforming sign is being voluntarily replaced by a sign that conforms to the current sign regulations, permit fees shall be waived by the Community Development Department. No new permit is required for signs which have valid, existing permits and which conform with the requirements of this code on the date of its adoption unless and until the sign is altered or relocated. Signs which, on the date of adoption of this code, have permits but do not conform to this code's requirements may be eligible for characterization as nonconforming signs.

2. Permit Applications. Applications for permits shall be made on the forms provided by the City of Maple Valley Community Development Department.

3. Permit Exceptions.

a. Maintenance and Operation. A sign permit is not required for maintenance of a sign or for operation of a changeable copy sign and/or an electronic changeable message sign.

b. Exempt Signs. A sign permit is not required for the following signs:

i. Address identification with numbers and letters not more than 10 inches in height.

ii. Barber poles.

iii. A change to center identification signs or tenant directory signs when the change is of an individual tenant's identification on an existing sign. This exemption includes copy changes to conforming signs that do not involve enlarging the sign or structurally altering the sign.

iv. Temporary signs as set forth in subsection (E) of this section.

v. Content identification for separate purpose devices such as phone booths, product dispensers, recycling containers, collection containers, gas pumps, etc., indicating only the contents or purpose of the device.

vi. Directional signs, on-site. Each sign shall not exceed four square feet in sign area if the directional sign is indicating one direction and shall not exceed eight square feet in sign area if such sign is indicating more than one direction. Center or complex names or logos shall comprise not more than 20 percent of the total sign area.

vii. Drive-through business sign. Signs shall be limited in number to two per business, and limited to locations abutting the drive-through lane. Signs shall not exceed five feet in height, and shall not exceed 45 square feet per sign face. Menu sign lettering, logos and photos shall be limited in size for viewing from the drive-through lane only.

viii. Flags of any nation, government, educational institution, or noncommercial organization. One flag containing the name or corporate logo of a business. Decorative flags without corporate logos or other forms of advertising are also excluded from permit requirements. Decorative flags must be spaced a minimum of 50 feet apart. Each flag may be a maximum of 20 square feet.

ix. Fuel price signs. Signs shall be located on the property where fuel is sold, shall be limited to one monument sign per street frontage, not to exceed five feet in height, and

sign area shall not exceed 20 square feet per sign face. The portion of a freestanding sign that displays corporate identity or text unrelated to the price of fuel is not a fuel price sign and is subject to sign permit requirements. Electronic changeable fuel price signs are permitted.

x. Government signs. The City must approve the location, number and the content of such signs.

xi. Gravestones or other memorial displays associated with cemeteries or mausoleums.

xii. Historical site plaques and signs integral to a historic building or site.

xiii. Holiday decorations and/or decorative lights displayed in conjunction with recognized holidays.

xiv. Incidental signs attached to a structure or building, providing that the total of all such signs per use or business shall not exceed two square feet.

xv. Instructional signs.

xvi. Integral design features when such features are an essential part of the architecture of a building (including religious symbols) and when such features do not represent a product, service, or registered trademark.

xvii. Interior signs located completely within a building or structure and not intended to be visible from outside the structure, exclusive of window signs.

xviii. Nameplates not to exceed two square feet per sign face, and permanently affixed to the building in which the tenant is located.

xix. Nonblinking small strings of lights, which are part of decoration to be used in association with landscaped areas and trees.

xx. Signs required by law. Signs required by law meeting the current design standards of Washington State, the Uniform Building Code and the Uniform Sign Code.

xxi. Under canopy signs not exceeding the width of the canopy and eight square feet in size; and provided, that a minimum separation exists between such signs equal to 20 lineal feet or the distance between the building entrance or entrances for each business to which the sign relates, whichever is less.

xxii. Warning signs.

xxiii. Window signs – internal. Up to 20 percent of window area.

D. Prohibited Signs. The following signs or displays are prohibited in all zones within the City. Prohibited signs are subject to removal by the City at the owner's or user's expense. Confiscated signs are destroyed after 15 days. Owners may recover their signs within that time period by paying a fine prescribed in the fee schedule.

1. Abandoned or obsolete signs;
2. Signs which constitute a safety hazard to the public;
3. Animated signs or displays;
4. Banners, except as expressly allowed as temporary signage pursuant to subsection (E) of this section;
5. Billboards and all other types of off-premises signs, except as expressly permitted in subsection (C)(3)(b) of this section;
6. Flashing signs or displays;
7. Graffiti;
8. Holographic signs or displays;
9. Inflatable advertising devices, except as expressly allowed as temporary signage pursuant to subsection (E) of this section;
10. Balloons for commercial purposes except as expressly permitted in subsection (E) of this section;
11. Moving signs;
12. Signs that obstruct or interfere with free access to or egress from a required exit from a building or structure or along a pedestrian or vehicular route;
13. Festoons, pennants, or blinking lights;
14. Portable signs, except as expressly allowed in subsection (E) of this section;
15. Real estate signs advertising properties or developments located outside the City;
16. Signs in a public right-of-way, except temporary signs as expressly permitted in subsection (E) of this section;
17. Roof signs;

18. Scrolling displays;

19. Simulations of traffic signs;

20. Snipe signs;

21. Traveling displays; and

22. Vehicle signs including any sign attached to or placed on a parked vehicle or trailer used principally for advertising purposes, rather than transportation, but excluding signs relating to the sale, lease, or rental of the vehicle or trailer and excluding signs which identify a firm or its principal product on a vehicle operated during the normal course of business.

E. Temporary Signs. No temporary signs shall be located within center medians, roundabouts, or the amenity zone along the outside turning edge of a roundabout, traffic circle, or island. Temporary signs shall not obstruct sight distances or create traffic hazards. Temporary signs shall not be illuminated. The following temporary signs are allowed. Only on-site commercial temporary signs and off-site directional development signs require a sign permit.

1. Noncommercial Temporary Signs. All noncommercial temporary signs on public right-of-way or private property shall be regulated as follows:

a. Noncommercial temporary signs must not exceed eight square feet in area and shall not exceed 42 inches in height.

b. On roads that only have a shoulder and no sidewalk, noncommercial temporary signs must be placed beyond the edge of the asphalt, and may not be placed so that any part of the sign extends over the asphalt.

c. Noncommercial temporary signs shall not be placed in a manner that negatively affects the health of trees, shrubs or other landscaping.

d. Placement of off-premises noncommercial temporary signs on private property is subject to the landowner's authorization.

2. Commercial Temporary Signs. Commercial temporary signs shall be regulated as follows:

a. Real Estate Signs.

i. Off-Site – Individual Property or Residences. The number of off-site real estate signs (open house signs) shall be limited to five per property, per agent; provided, however, that there shall be a minimum separation of 200 lineal feet between such signs.

Exceptions to the 200-foot separation are allowed when a directional turn is required at

distances less than 200 feet. The area of such signs shall be no greater than six square feet per sign face. All off-site real estate signs must be removed each day at the conclusion of the open house or other sales event when the seller or the agent is in attendance at the subject property. Signs may be placed one hour before the event and must be removed within one hour of the conclusion of the event. Directional signs shall be limited to three per property and be no larger than two square feet in size. At no time shall the number of off-site signs total more than five signs per property.

ii. On-Site. The number of on-site real estate signs shall be limited to one per agent per street frontage or public entrance if no street frontage exists. For dwelling units, the area of the sign shall be no greater than six square feet per sign face. For other uses and developments, the size shall not exceed 32 square feet per sign face. All on-site real estate signs must be removed when the sale closes, or in the case of a rental or lease, when the tenant takes possession.

b. On-Premises Temporary Signs in Commercial Zones.

i. Shall not exceed six square feet per side and 42 inches in height.

ii. Shall not be located in the City right-of-way.

iii. No more than one temporary sign may be utilized per entity and/or business.

iv. All signs shall be located on the premises to which they are advertising and/or located.

v. Only permitted during business hours and must be removed each day upon the close of business.

c. Garage and Yard Sale Signs. The sign may be an off-premises sign and shall be limited to six square feet per sign face; the sign must be immediately removed at the end of an event. There shall be no more than five such signs advertising an event. Banner signs no larger than 32 square feet in size may be placed on a neighborhood monument sign or placed on stakes at the entrance to a neighborhood to advertise a yearly neighborhood garage sale. The banner sign may be placed up to five days in advance of the event no more than one time per year.

d. Construction Signs. Such signs are limited to two signs per project and each sign does not exceed 32 square feet per sign face and 12 feet in height. Construction signs for the project, commercial and residential, shall not be displayed prior to issuance of a building permit and shall be removed prior to buildout or the issuance of a certificate of occupancy for the project.

e. Special Sale Signs. Special sale or promotional signs are limited to banner signs only. Special sale or promotional signs, designed to advertise or promote, for short time frames, specific events, merchandise and/or prices, shall be permitted in all zones; provided, that such signs are displayed no more than 90 days in any 12-month period. All such signs must be attached to the facade, wall or window of the building occupied by the business conducting the sale or event advertised, or affixed to posts securely anchored to the ground on the premises. No business shall have more than two signs for each facade or wall of the building to which they are attached, or two banner signs affixed to posts. The total sign size shall not exceed 50 percent of the size of the allowed building-mounted sign or 50 percent of the size of the allowed freestanding sign.

f. Grand Opening Signs. Grand opening signs (which include business name changes) may include banners, searchlights, inflatable advertising devices and portable reader board signs. Searchlights, inflatable advertising devices and portable reader board signs are limited to a maximum of five days. Banners are limited to a total of 14 days. Grand opening signs allowed shall be in addition to the 90-day time frame identified in subsection (E)(2)(e) of this section, Special Sale Signs.

g. Bulletin Board. A business may install a permanent bulletin board in addition to permanent wall signage. The bulletin board shall not exceed 50 percent of the total allowed permanent wall sign area; provided, each tenant is allowed a minimum of 15 square feet; and further provided, the maximum size of a bulletin board shall not exceed 32 square feet. Temporary signage may be placed at any time within the confines of the bulletin board. An initial permit is required for the installation of the bulletin board, but no subsequent permits are required for placement of temporary signage therein.

h. Human Signs. Human signs as defined in subsection (B) of this section are considered a temporary sign and are subject to permit requirements. Human signs are limited to five days in a 12-month period per property, location or business. Human signs are not allowed in the public right-of-way.

i. Development Directional Signs and Flags. New residential developments inside the City of Maple Valley shall be allowed to place three off-site directional signs. The area of such signs shall be limited to 16 square feet per sign face and 32 square feet total per sign and shall be removed at buildout. Decorative flags for new developments containing corporate logos or the name of the development are allowed on site. Decorative flags must be spaced a minimum of 50 feet apart and shall be removed at buildout.

3. City-Sponsored Event or Civic Event Signage. All signage, including banners, located on City facilities are permitted only in conjunction with a City-sponsored event or a civic event. Signage

may be placed up to 30 days in advance of the event and must be removed within five days of the close of the event.

F. Legal Nonconforming Signs – Loss of Legal Nonconforming Status. A nonconforming sign shall immediately lose its legal nonconforming designation if:

1. The sign is structurally altered in any way or the gross floor area of any structure that houses or supports the use with which the legal nonconforming sign is associated is increased;
2. The applicant is making any change, alteration or performing work other than normal maintenance to any structure that houses or supports the use with which the nonconforming sign is associated and the fair market value of those changes, alterations or other work exceeds 25 percent of the assessed value of the structure as determined by the King County Assessor;
3. The subject property containing the sign is abandoned for 90 or more consecutive days or the activity conducted on the subject property related to the legal nonconforming sign(s) ceases for 180 consecutive days;
4. The applicant is making changes, alterations or performing any work to the legal nonconforming sign other than regular and normal maintenance. Prohibited sign alterations include relocating or replacing the sign; provided, however, that replacing any individual tenant's identification sign in either a center identification sign which separately identifies the tenants or in a tenant directory sign shall not result in the loss of such sign's legal nonconforming status;
5. Signs have not been maintained and meet the definition of "abandoned sign" in subsection (B) of this section;
6. Any legal nonconforming sign for a business or use undergoes a name change, or a sign has 20 percent or more of the text (except billboards, changeable copy signs, and tenant directory signs) or structure changed. Such signs shall be immediately brought into compliance with current sign regulations;
7. Any legal nonconforming sign that is damaged in excess of 50 percent of the current replacement value of the sign. Such sign shall be immediately brought into conformance with current sign regulations.

G. Sign Regulations – All Zoning Districts.

1. Applicability. The regulations of this section shall apply in all zoning districts and to all signs governed by this code, subject to the specific regulations of each zoning district.
2. Structural Requirements. The applicable provisions of MVMC Title 15, Building and Construction, shall govern the structure and installation of all signs within the City.

3. Maintenance. All signs, together with all of their supports, braces, guys and anchors, shall be maintained in good repair and in a safe, neat, clean, and attractive condition.
4. Illumination. The light directed on, or internal to, any sign shall be so shaded, shielded and/or directed so that the light intensity or brightness shall not adversely affect surrounding or facing properties or adversely affect safe vision of operators of vehicles moving on private or public roads, highways, or parking areas, or adversely affect safe vision of pedestrians on a public right-of-way. Light shall not shine upon nor reflect into residential structures.
5. Landscaping. At the time of installation, all freestanding signs shall include landscaping and curbing around the base of the sign to prevent vehicles from hitting the sign structure and to improve the overall visual appearance of the structure. Landscaping shall be in proportion to the size and height of the signs, with a minimum of one square foot of landscaping for each square foot of sign area, up to a maximum of 64 square feet per sign, and shall be maintained throughout the life of the sign.
6. Combined Sign Package. Businesses on split-zoned lots or on different, but abutting, lots may combine their signage. Abutting lots include lots separated by a vehicular access easement or tract. In such cases, the lot frontage and other measurements used to determine sign dimensions shall be taken from the combined frontage or other relevant measurements of the split-zoned or abutting parcels. The zoning at the location of the proposed sign shall control which sign requirements apply. The provisions for multi-tenant complexes shall control sign height and sign area for freestanding signs.
7. Decorative Mounting Structures. Decorative mounting structures or framework with no commercial content may be used around a sign and may add up to 24 inches to the width and height allowed pursuant to subsection (H) of this section.
8. Permission of Property Owner. Permission of the property owner is required for placement of all signage. Documentation shall be required for permit application.

H. Regulations by Zoning District.

1. Residential Zoning Districts. The following regulations shall apply to all residentially zoned property within the City and properties designated residential or public use within a Master Planned Community zone:

a. Residential Development Signs.

- i. Multifamily Complex Identification Sign. Multifamily residential developments shall be permitted two monument identification signs per entrance. The identification signs shall not exceed 32 square feet per entrance, shall not exceed a height of six feet and shall

not be internally illuminated. Sign location is limited to the on-site entrances of the development.

ii. Subdivision Identification Signs. Residential subdivisions shall be permitted two monument identification signs per entrance. The identification signs shall not exceed 32 square feet per entrance, shall not exceed a height of six feet and shall not be internally illuminated. Sign location is limited to the on-site entrances of the development.

b. Commercial and Institutional Signs.

i. Legally nonconforming and conditionally permitted commercial and institutional uses shall each be permitted one monument sign for each street frontage providing direct vehicle access to the site. Sign location is limited to the on-site entrances of the development. The sign area shall not exceed 64 square feet for the total of all faces and no one sign face shall exceed 32 square feet. The height for monument signs shall not exceed six feet.

ii. Public Uses as Defined in Subsection (B) of This Section. One changeable copy pylon sign is allowed in addition to the commercial and institutional sign described in subsection (H)(1)(b)(i) of this section. The changeable copy sign area shall not exceed 50 square feet for the total of all faces and no one face shall exceed 25 square feet. For sites with frontage greater than 150 feet on a public street one square foot of additional sign area shall be allowed for each 10 feet of frontage over and above 150 feet, up to a maximum of 100 square feet with no one face exceeding 50 square feet. Changeable copy signs are limited to 12 feet in height.

Sign Regulations – Residential Zoning Districts

Sign Provision	Multifamily Complex	Single-Family Subdivision	Commercial/ Institutional	Public Uses
Number and Type	2 monument signs per entrance	2 monument signs per entrance	1 monument sign per street frontage providing direct vehicular access	Same as Commercial/ Institutional, plus 1 changeable copy pylon sign
Maximum Sign Area	32 SF/entrance	32 SF/entrance	64 square feet total, 32 SF/face	Pylon sign 50 SF total, 25 SF/face. If frontage > 150 feet, 1 SF additional sign area/10 feet frontage above 150 feet, up to 100 SF total, 50 SF/face.
Height	6 feet	6 feet	6 feet	12 feet (pylon sign)

2. Commercial (CB, NB, TC, RLTC and REC) Zoning Districts. The following regulations shall apply to all Commercial zoned property within the City:

a. Sign Types. Freestanding and building-mounted sign types are allowed in Commercial, Regional Learning and Technology, and Regional Employment Center zoning districts.

b. Sign Height. The height of a freestanding sign shall be calculated at the rate of one-half foot in sign height for every five lineal feet of frontage on a public right-of-way; provided, however, that sign height shall be calculated at the rate of one foot in sign height for every five lineal feet of frontage on a public right-of-way for any multi-tenant complex; and provided further, that such sign in no case shall exceed a maximum height of 12 feet. Every applicant is entitled to a minimum height of five feet. The height of a building-mounted sign shall be limited so as not to project above the roofline of the exposed building face to which the sign is attached.

c. Sign Area – Freestanding Signs. For any multi-tenant complex, the sign area allowed shall be calculated at the rate of two square feet per lineal foot of frontage on a public right-of-way not to exceed a maximum sign area of 128 square feet for the total of all sign faces with no one face exceeding 64 square feet. For other uses, allowed sign area shall be calculated at the rate of one square foot per lineal foot of frontage on a public right-of-way not to exceed a maximum sign area of 80 square feet for the total of all sign faces with no one sign face exceeding 40 square feet.

Notwithstanding the foregoing sign area calculations, every applicant is entitled to a minimum sign area of 50 square feet for the total of all faces with no one sign face exceeding 25 square feet.

d. Sign Area – Building-Mounted Signs. The total sign area of a building-mounted sign for all businesses or tenants, excluding under canopy signs, shall not exceed 15 percent of the exposed building face to which they are attached; provided, however, that no individual sign shall exceed 120 square feet and every applicant is entitled to a minimum sign area of 30 square feet.

e. Number and Location of Signs. A property in a Commercial, RLTC or REC zoning district may have one freestanding sign per frontage on a public right-of-way, as defined by subsection (B) of this section, providing direct vehicular access. For businesses having frontage on two or more streets, the location of the freestanding sign is limited to the street providing direct vehicular access. In instances where distance, topography or visual obstructions interfere with signage, the freestanding sign shall contain limited directional information or symbols, and may be located on the street frontage not providing direct vehicular access. If the visual obstruction is later removed the sign must be relocated to the

entrance providing vehicular access. This provision does not allow additional signage. Building-mounted signs are limited to two per business or tenant.

f. Illumination. Signs in the Commercial, RLTC and REC zoning districts may be internally illuminated except in situations where the MPC, commercial or business park sign would create spillover lighting on a residential zoning district or residential use. In such cases, signs may only be illuminated with indirect lighting. Illumination must be in accordance with the provisions of subsection (G)(4) of this section.

**Sign Regulations – Commercial (CB, NB, TC)
and RLTC and REC Zoning Districts**

Sign Type	Maximum Height	Maximum Sign Area	Number of Signs
Freestanding	12 feet	Single tenant: 1 SF per LF of street frontage, not to exceed 80 SF total, 40 SF/face Multiple tenant: 2 SF per LF of frontage, not to exceed 128 SF total, 64 SF/face	1 per street frontage
Building-Mounted	Top of roofline	15% of exposed building face to which the sign is attached, up to 120 SF	2 per business or tenant

3. Parks, Recreation and Open Space, Public, and Commercial Zones.

a. Digital Message Signs. Digital message signs are allowed for those properties owned by the school, community center, Chamber of Commerce, the City, and other government entities as follows:

- i. The digital message sign shall be considered a freestanding sign.
- ii. The digital message sign shall not exceed a height of 12 feet in the PRO, CB, and TC zones and 14 feet in the PUB zone.
- iii. The digital message sign shall not exceed 60 square feet in area. The electronic portion shall not exceed more than 60 percent of the total sign area.
- iv. The digital message sign shall be a monument sign.

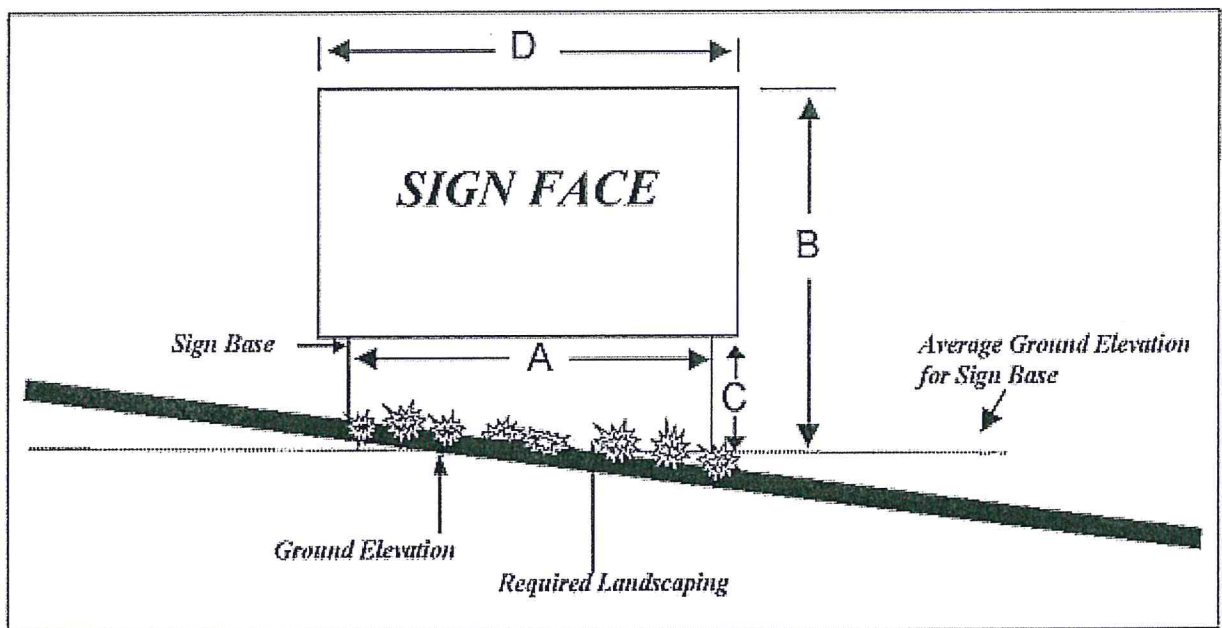
I. Construction Standards.

1. Structural Components. To the maximum extent possible, signs should be constructed and installed so that angle irons, guy wires, braces and other structural elements are not visible. This limitation does not apply to structural elements that are an integral part of the overall design such as decorative metal or wood.

2. Sign Setback Requirements. The required setback from the property lines for all signs six feet or less in height shall be zero feet. Signs greater than six feet in height shall be set back from the property line not less than six feet in all zones. No sign shall be placed so as to interfere with required sight triangles or which creates a safety hazard.

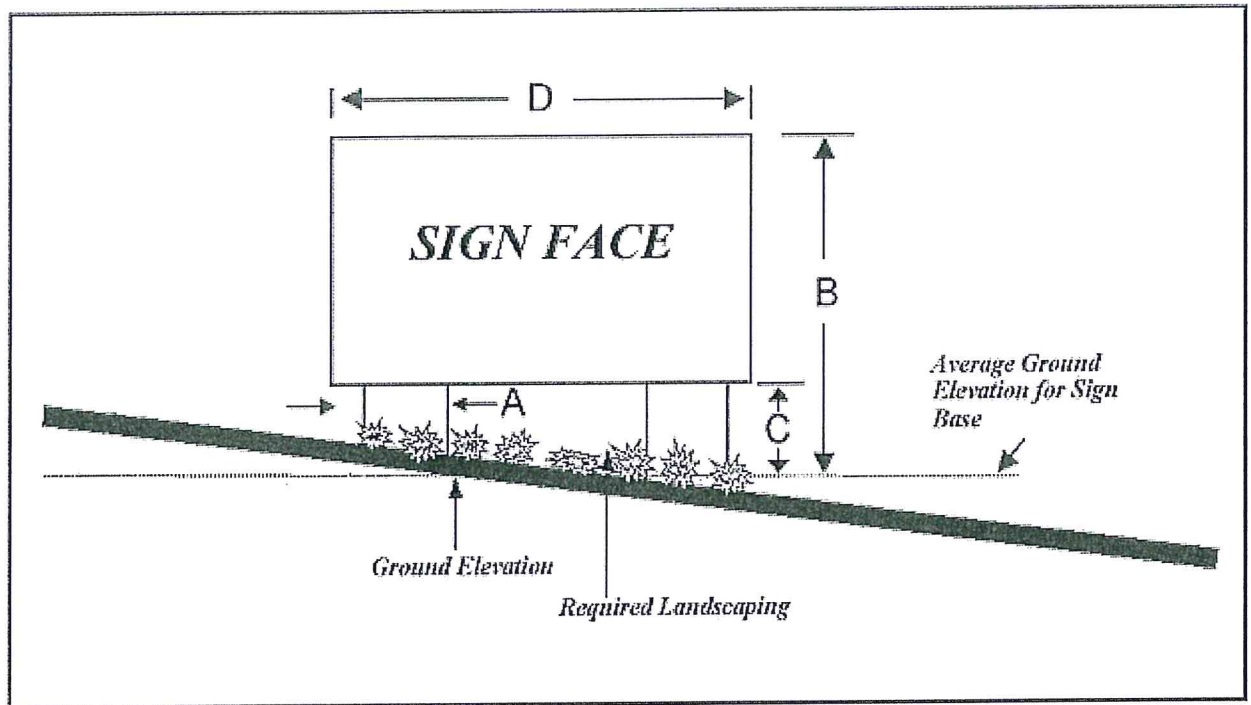
3. Dimensional and Design Standards. The following drawings illustrate the dimensional standards for pedestal, pylon and monument signs. The average ground elevation for sign base shown below shall be measured from the grade of the finished sidewalk or street, whichever is higher.

a. Pedestal Sign.



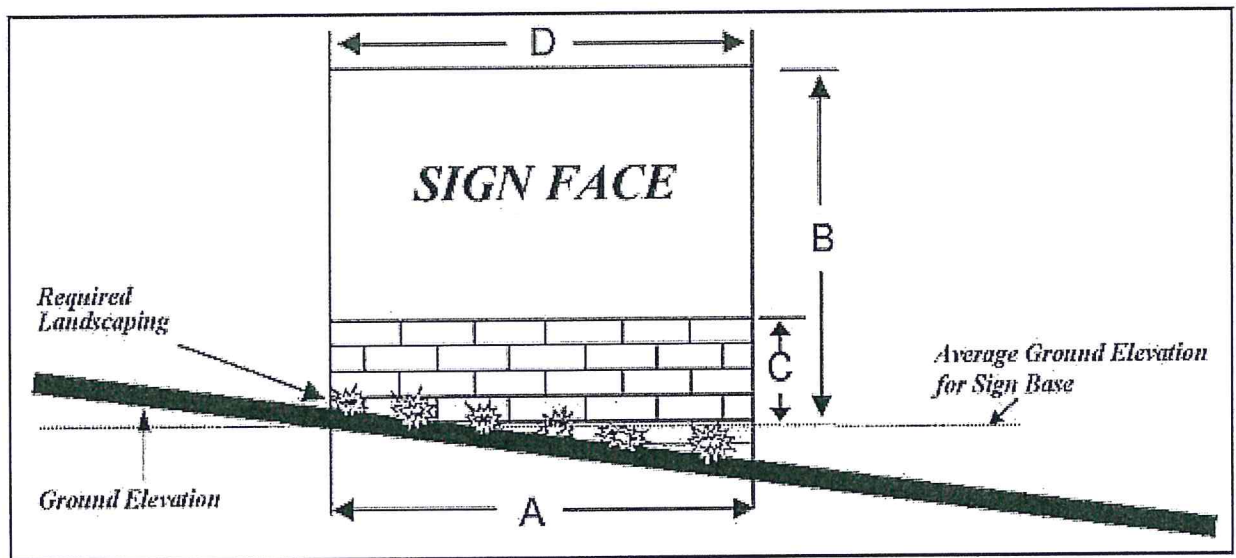
$A > 50\%$ of B and $A > 50\%$ of D , B = Height of Sign, $C > 20\%$ of B , D = Width of Sign

b. Pole or Pylon Sign.



$A > 20\%$ of B , B = Height of Sign, $C > 20\%$ of B , D = Width of Sign

c. Monument Sign.



$A = 100\%$ of D , B = Height of Sign, $C > 20\%$ of A , D = Width of Sign

4. Design Criteria.

a. Sign Base. The base of the sign must be constructed from landscape materials such as brick, stucco, stonework, textured wood, tile or textured concrete or materials that are harmonious with the character of the primary structures on the subject property and subject to the Community Development Director's approval. No visible gap shall be allowed between the sign base of a monument or pedestal sign and the finished grade.

b. Sign Face. The color, shape, material, lettering and other architectural details of the sign face must be harmonious with the character of the primary structure.

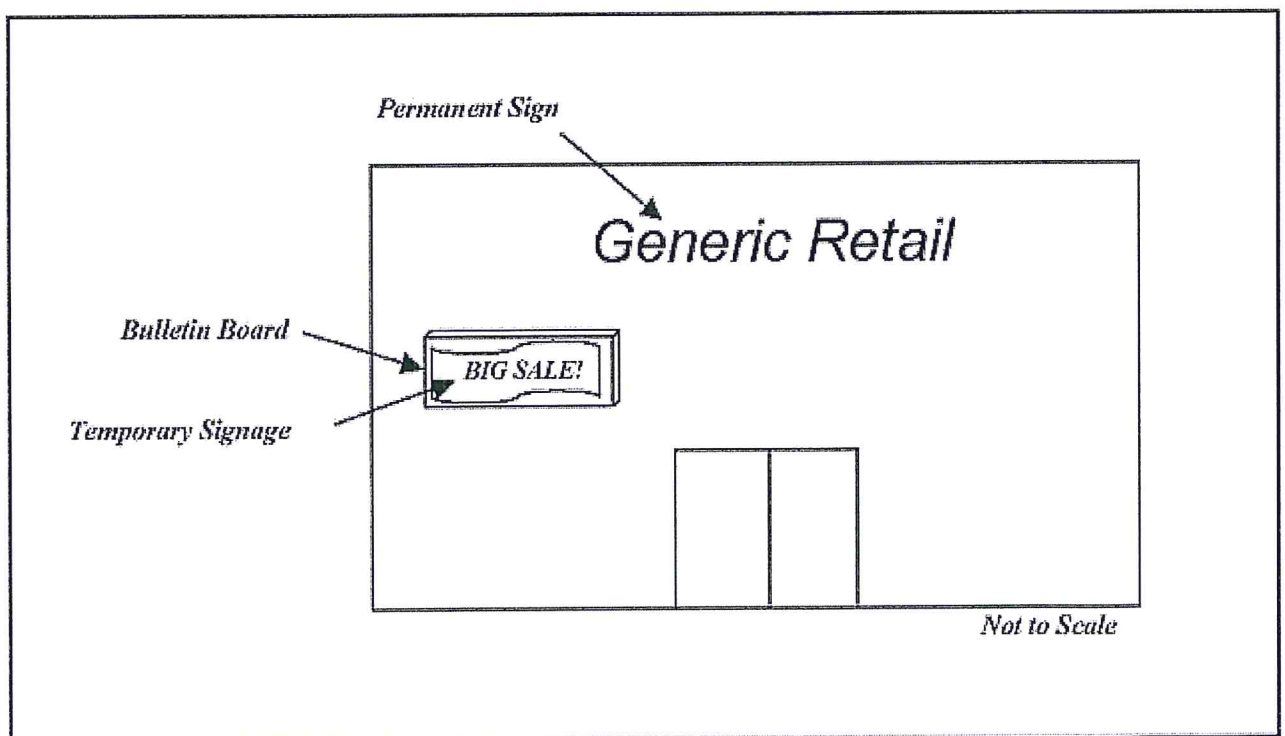
c. Minor Deviations. The Community Development Director may approve minor deviations from the dimensional standards for signs, except for maximum sign height, if he or she concludes that the resulting sign does not significantly change the relative proportion of the sign base to the sign face.

d. Location. No sign shall be located so as to physically obstruct any door or exit from a building. No sign shall be located so as to be hazardous to a motorist's or pedestrian's ingress to or egress from buildings or parking areas. No sign shall be located within the clearview zone.

e. Landscaping around Freestanding Signs. To improve the overall appearance of the sign and to reduce the risk of motor vehicles hitting the sign or supports of the sign, an area adjacent to the base of each freestanding sign must be landscaped equal to the sign area; provided, however, that the City will not require more than 128 square feet of landscaped area. This landscaping must include vegetation and may include other materials and components such as brick or concrete bases, planter boxes, pole covers or decorative framing, subject to approval by the Community Development Department.

f. Bulletin Board. Bulletin board construction must be of durable material that is harmonious with the character of the building upon which it is to be placed. The entire sign face must be enclosed within a transparent case constructed from weatherproof material.

g. Example of Bulletin Board.



J. Variance from Sign Code.

1. Scope. This section establishes the procedure and criteria the City will use in making a decision upon an application for a variance from the provisions of the sign code.
2. Required Review Process. The City will review and decide upon applications for a variance to any of the provisions of this code using Process 2 (as described in Chapter 18.100 MVMC).
3. Criteria. A variance to any provision(s) of this code may be granted only if appropriate findings are made relative to all of the following:
 - a. The literal interpretation and strict application of the provisions and requirements of the sign regulations would cause undue and unnecessary hardship because of unique or unusual conditions pertaining to the specific building, parcel or subject property;
 - b. A sign package consistent with the provisions of this section would not provide the use or the business with effective signage;
 - c. The variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property to provide it with use rights and privileges permitted to other properties in the vicinity and zone in which the subject property is located;
 - d. The variance is not granted for the convenience of the applicant or for the convenience of regional or national businesses that wish to use a standard sign;
 - e. The special circumstances of the subject property are not the result of the actions of the applicant, the owner of the property or a self-induced hardship; and
 - f. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and in the zone in which the subject property is located.
4. Conditions and Restrictions. As part of any approval of a request for a variance under this section, the City may impose any conditions, limitations or restrictions it considers appropriate under the circumstances. This may include, but is not limited to, requiring that the owner of the subject property sign a covenant or other written document to be filed with the County to run with the property by which, at a time certain or upon specific events, the signs on the subject property would be brought into compliance with all applicable City regulations then in effect. (Ord. O-20-691 § 1; Ord. O-17-611 § 1 (Exh. A); Ord. O-14-550 § 1; Ord. O-12-499 § 9; Ord. O-12-490 § 9; Ord. O-11-441 § 1; Ord. O-03-228 § 1; Ord. O-99-109 § 1).

Article I. General Provisions

18.55.010 Intent and purpose.

- (1) *Intent.* Signs have a strong visual impact on the character and quality of our community. As a prominent part of the scenery, they attract or repel the viewing public, affect the safety of vehicular traffic, and their suitability or appropriateness helps to set the tone for our community. The City relies upon its physical setting and beauty to attract commerce and aesthetic considerations assume economic value. The intent of this chapter is to protect and enhance both the City's residential character and its economic base using appropriate and aesthetic signage.
- (2) *Purpose.* The purpose of this chapter is to promote the public health, safety, and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory sign standards and requirements that:
- (a) Promote and accomplish the goals and policies of the City's comprehensive plan and zoning code, and the City Council's vision, mission, and goals statement;
 - (b) Provide minimum standards to safeguard life, health, property, and public welfare, and promote traffic safety by controlling the design, quality of materials, construction, illumination, size, location, and maintenance of signs and sign structures and discouraging excessive numbers of signs;
 - (c) Recognize free speech rights by regulating signs in a content-neutral manner;
 - (d) Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by or which may be fully or partially attributable to cluttered, distracting, and/or illegible signage;
 - (e) Promote a positive visual image of the City and protect the beauty of the City's built environment by encouraging signs that are compatible with the architectural style, characteristics, and scale of the building to which they may be attached; appropriate to the size of the subject property and amount of street frontage adjacent to the subject property; and compatible with adjacent buildings and businesses;
 - (f) Protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the City's streetscape;
 - (g) Provide consistent sign design standards;
 - (h) Protect and encourage creative and innovative approaches to signage and signs that are of a quality design, pleasing in appearance, and are appropriate in size, materials, and illumination to the surrounding neighborhood or commercial district;
 - (i) Provide an improved visual environment for the citizens and visitors of the City;
 - (j) Adopt clear, understandable regulations that will assure equal protection and fair treatment under the law through consistent application of the regulations and consistent enforcement of this chapter;

- (k) Balance both public and private business needs with the specific objectives of creating a community with an unmatched quality of life and a strong focus on economic well-being, aesthetics, community and family, the environment, and public infrastructure;
- (l) Support and enhance the economic well-being of all businesses within the City and recognize the needs of all businesses to identify their premises and advertise their products and services; and
- (m) Recognize that the aesthetic value of the total environment affects economic values and that an unrestricted proliferation of signs detracts from the economic value of the community. (Ord. 08-18 § 2 (Exh. A))

18.55.020 Applicability and exclusions.

- (1) *Applicability.* This chapter applies to all signs within the jurisdictional limits of the City, regardless of the type or nature.
- (2) *Exclusions.* The following are exempted from the regulations and requirements of this chapter, but may be subject to regulation under other portions of the CMC:
 - (a) Signs that are not visible from any public right-of-way, public space, or another property.
 - (b) Signs inside a building; however, signs inside windows are not exempt.
 - (c) Signs required by local, State, or Federal law if the sign is no more than 32 square feet in area or is painted directly on a pavement.
 - (d) Signs installed by a City, County, State, or Federal governmental agency for the protection of the public health, safety, and general welfare, including, but not limited to, the following:
 - (i) Emergency and warning signs necessary for public safety or civil defense;
 - (ii) Traffic and/or wayfinding signs erected and maintained by an authorized public agency;
 - (iii) Signs required to be displayed by law;
 - (iv) Signs showing the location of public facilities; and
 - (v) Any sign, posting, notice, or similar sign placed by or required by a governmental agency.
 - (e) Any sign on a vehicle, unless such vehicle is regularly parked in any prominently visible location from a public right-of-way or other public space for the primary purpose of attracting public attention to the sign, which is prohibited pursuant to CMC 18.55.050.
 - (f) Public art, as defined by CMC 18.55.040.
 - (g) Utility art/wrap on utility boxes/equipment displaying noncommercial copy only.

- (h) Temporary signs located on fences for screening of a construction site, as long as there is an active development permit, grading permit, or building permit approval that includes external work or modifications of the site.
- (i) Historic or memorial plaques and gravestones.
- (j) String lights on private property.
- (k) Signs placed on, worn by, or held by a person. (Ord. 08-18 § 2 (Exh. A))

18.55.030 Interpretation.

- (1) This chapter is not intended to, and shall not be interpreted to, restrict speech based on its content, viewpoint, or message.
- (2) No part of this chapter shall be construed to favor commercial speech over noncommercial speech. (Ord. 08-18 § 2 (Exh. A))

18.55.040 Definitions.

The following words, terms, and phrases, when used in this chapter, shall have meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Any word, term, or phrase used in this chapter that is not defined in this section shall have the meaning ascribed to it in Chapter 18.20 CMC. Any word, term, or phrase used in this chapter that is not defined in this section or Chapter 18.20 CMC shall have its normal dictionary meaning:

"Abandoned sign" means any sign remaining in place after such sign has not been maintained or, if the activity conducted on the subject property ceases, for 180 or more consecutive days.

"Animated sign" means any sign, or any portion of the sign, affected by the movement of air or other atmospheric or mechanical means, or that uses natural or artificial changes of lighting, to depict action or create a special effect or scene. Animated signs include, but are not limited to, flashing signs, inflatable signs, rotating signs, pennants, streamers, balloons, searchlights, spinners, and propellers. Changeable copy signs and electronic changeable copy signs are not considered animated signs for the purposes of this chapter.

"Athletic field" means facilities used for sporting activities such as softball, baseball, football, soccer, running track, tennis, and other nonmotorized sports. Athletic fields may include bleachers, concession stands, lights, restrooms, and other supporting facilities.

"Awning or canopy sign" means a nonelectric sign that is printed on, painted on, or attached to the vertical surface or flap of an awning or canopy.

"Banner" means a sign composed of flexible material, such as fabric, pliable plastic, or other similar nonrigid material, with no enclosing framework or electrical components and that is supported or anchored on two or

more edges or at all four corners, or along either one edge or two corners with weights installed that reduce the reaction of the sign to wind.

"Building-mounted signs" means any sign attached to the face of a building, including, without limitation, wall signs, marquee signs, under canopy signs, and projecting signs.

Canopy Sign. See "Awning or canopy sign."

"Changeable copy sign" means a sign with copy that can be changed or altered by manual, electric, electromechanical, or electronic means and without changing or altering the sign frame, sign supports, or electrical parts. A sign on which the copy changes more than eight times in a 24-hour period shall be considered an electronic changeable copy sign, and not a changeable copy sign, for the purposes of this chapter.

"Commercial sign" means any sign, display, or device designed, intended or used to encourage or promote purchase or use of goods or services.

"Comprehensive sign plan (CSP)" means a coordinated program of all signs, including exempt and temporary signs for a business, or businesses if applicable, located on a development site. The sign program shall include, but not be limited to, indications of the locations, dimensions, colors, letter styles, and sign types of all signs to be installed on a site.

"Copy" means the graphic content of a sign surface, including, but not limited to, graphics, letters, numbers, figures, symbols, and trademarks.

"Electric sign" means a sign or sign structure in which electrical wiring, connections, or fixtures are used.

"Electronic changeable copy sign" means an electronically activated sign with a copy that is changed, either in whole or in part, more than eight times in a 24-hour period by means of electronic programming.

"Exposed building face" means the building exterior wall of a single occupant building or the building exterior wall of an individual tenant's leased space in a multi-tenant complex, viewed as a vertical plane between the finished grade and the roofline. This vertical plane will be used to calculate the sign area for building-mounted signs. In the case of an interior business without a separate exterior entrance, the exposed building face will be the vertical plane of the entrance wall measured between the floor and ceiling. As an option, for those businesses having oblique walls, the exposed building face is that area between the finish grade and the roofline that is shown on the elevation drawing submitted with the required drawings for a building permit.

"Flag" means any piece of cloth of individual size, color, and design, hoisted on a pole permanently affixed to the ground or displayed via a pole bracket permanently affixed to a building. If any single dimension of a flag is more than three times greater than any other single dimension, for the purposes of this chapter such a flag is classified and regulated as a banner, regardless of how it is anchored or supported.

"Flashing sign" means an electric sign or any portion of an electric sign that changes light intensity in sudden transitory bursts, or switches on and off in a constant pattern (e.g., strobe lights). Changeable copy signs and electronic changeable copy signs are not considered flashing signs for the purposes of this chapter.

"Freestanding sign" means a sign on a frame, pole, or other support structure that is not attached to any building.

"Frontage, building" means the length of an outside building wall.

"Frontage, property" means the length of the property line along the public right-of-way or private street on which it borders.

"Graffiti" means writing or drawings scribbled, scratched, or sprayed illicitly on a wall or other surface in public right-of-way or public space, or on a private property viewable from a public right-of-way, public space, or another private property.

"Height" means the vertical distance measured from the highest point of the sign to either the grade of the adjacent street or the surface grade beneath the sign, whichever is less.

"Illuminated sign" means a sign with an artificial light source incorporated internally or externally for illuminating the sign.

"Inflatable sign" means any object enlarged or inflated that floats, is tethered in the air, is activated by air or moving gas, or is located on the ground or on a building with or without copy or other graphics. These signs include large single displays or a display of smaller inflatable items, such as balloons, connected in some fashion to create a larger display.

"Institutional property" means property developed as governmental, educational, health, cultural and recreational centers, places of worship, and cemeteries. They may include government owned and operated facilities or be privately owned and operated.

"Kiosk" means a small structure in a public area used for providing information, often incorporating an interactive display.

"Lawn sign" means a freestanding sign made of lightweight materials such as cardboard or vinyl that is supported by a frame, pole, or other support structure placed directly in the ground without foundation or other anchors.

"Maintenance" means the cleaning, painting, and minor repair of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

"Marquee sign" means any sign attached to or supported by a marquee, which is a permanent roof-like projecting structure attached to a building.

"Monument sign (ground sign)" means a freestanding sign having the appearance of a solid base that is 100 percent or greater of the sign face width, made of landscape construction materials such as brick, stucco, stonework, textured wood, tile, or textured concrete, which are harmonious with the materials of the primary structure on the subject property.

"Multi-tenant complex" means a complex containing two or more uses or businesses.

"Neon (outline tubing) sign" means a sign consisting of glass tubing, filled with neon gas or other similar gas, which glows when an electric current is sent through it.

"Noncommercial sign" means a sign which contains no message, statement, or expression related to commercial interests. Noncommercial signs include, but are not limited to, signs expressing political views, religious views, or information about and/or announcements of nonprofit organizations.

"Nonconforming sign" means any sign that was constructed, erected, and maintained in conformance with all King County or City of Covington rules and regulations in effect at the time the sign was established and that no longer conforms to the rules and regulations of this chapter.

"Pedestal sign" means freestanding signs supported permanently upon the ground by one or more solid bases, which base or bases shall be of a width equal to or greater than 50 percent of the sign width.

"Pole or pylon signs" means freestanding signs supported permanently upon the ground by one or more solid bases, which base or bases are less than 50 percent of the sign width.

"Portable sign" means a sign that is not permanently affixed and that is designed for or capable of being moved, except those signs explicitly designed for people to carry on their persons or that are permanently affixed to motor vehicles. Portable signs include, but are not limited to, A-frame signs, portable reader boards, lawn signs, and similar signs.

"Projecting sign" means a sign, other than a wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

"Public art" means original artwork that is accessible to the public and/or public employees and has been approved as public art by the City.

"Right-of-way" means land owned, dedicated, or conveyed to the public and used primarily for the movement of vehicles, wheelchair, and pedestrian traffic, and land privately owned and used primarily for the movement of vehicles, wheelchair, and pedestrian traffic, so long as such privately owned land has been constructed in compliance with all applicable laws and standards for a public right-of-way.

"Roadway" means the portion of a street that is improved for motor vehicle or bicycle travel. Roadway includes vehicle travel lanes and on-street parking areas. Roadway does not include area devoted to curbs, parking strips, or sidewalks.

"Roofline" means that lowest portion of a pitched or flat roof visible from a public right-of-way or adjacent property.

"Rotating sign" means a sign that revolves on a fixed axis.

"Sign area" means the entire area of a sign on which copy is placed, excluding the sign's structure, architectural embellishments, and framework. Sign area is calculated by measuring the perimeter enclosing the extreme limits of the module or sign face containing the copy; provided, however, that separated copy using a canopy, awning, or wall as the background and that is without added decoration or change in the canopy, awning, or wall shall have a sign area calculated by measuring the perimeter enclosing the separate copy and totaling the square footage of all such perimeters included as part of the sign.

"Sign face" means the area of a sign on which the copy is placed.

"String light" means small electric lights spaced evenly along a cable and used for decoration.

"Temporary sign" means any sign not permanently affixed or attached to the ground or a structure.

"Tenant space" means a portion of a structure occupied by a single commercial leaseholder with its own public entrance from the exterior of the building or through a shared lobby, atrium, mall, or hallway and separated from other tenant spaces by walls.

"Vacant lot" means any parcel of land that is without a primary use or structure.

"Wall sign" means either a sign applied with paint or similar substance on the surface of a wall or a sign with no copy on the sides or edges and attached essentially parallel to and extending not more than 12 inches from the wall of a building.

"Window signs" mean all signs located inside and affixed to a window and intended to be viewed from the exterior of the structure. (Ord. 08-18 § 2 (Exh. A))

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The Covington Municipal Code is current through Ordinance 08-22, passed July 26, 2022.

Disclaimer: The City Clerk's Office has the official version of the Covington Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: www.covingtonwa.gov

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