



**CITY OF BLACK DIAMOND
PLANNING COMMISSION AGENDA
October 8, 2024
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) Planning Commission Meeting of September 10, 2024 and Planning Commission Special Meeting of September 24, 2024

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:

- 2) **Sign Code**
 - a. Deliberation with possible action taken.

STUDY/WORK SESSION: None

UNFINISHED BUSINESS: None

NEW BUSINESS: None

COMMUNITY DEVELOPMENT DEPARTMENT REPORT:

PUBLIC COMMENTS:

ADJOURNMENT:

This site is barrier free. People needing special assistance or accommodations should contact the Community Development Department 72 hours in advance of the meeting at (360) 851-4447



CITY OF BLACK DIAMOND
PLANNING COMMISSION MEETING MINUTES
September 10, 2024, 6:00 PM

CALL TO ORDER, FLAG SALUTE, ROLL CALL

Chairperson Morgan called the meeting to order at 6:00 p.m.

Present: Commissioner Kelley Sauskojus
Commissioner Steve Jensen joined via Zoom at 6:05 pm
Commissioner Pam McCain
Commissioner Wynstan Larsen
Chair/Commissioner Carol Morgan

Excused: Commissioner Knut Syversen
Commissioner John Olson

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

APPROVAL OF MINUTES:

1) Regular Planning Commission Meeting of August 6, 2024, and Special Planning Commission Meeting of August 20, 2024 -

There were no changes to the August 6, 2024, or the August 20, 2024, minutes and they were approved as presented.

PUBLIC COMMENT -

Kristen Bryant from Bellevue, spoke to Commissioners

Commissioner Jensen joined the meeting via Zoom at 6:05 pm

PUBLIC HEARING -

2) Marijuana Regulations – Director Davis gave highlights on the following:

- Attorney reviewed the draft regulations and the language is acceptable.
- Staff met with the Police Chief and she recommended language for mandatory security features

- Staff asked if the Commissioners would like to limit the number of stores allowed.
- **CPTED (Crime Prevention through Environmental Design)**
- Include a section on odor control.
- Change Marijuana to Cannabis to align with state law.

Extensive discussion took place between the Commissioners, Director Davis, and Andrew Love from AHBL.

Chair Morgan opened the Public Hearing at 6:25 pm; she asked three times and there were no speakers. Chair Morgan closed the Public Hearing at 6:26.

Further discussion took place between the Commissioners and Director Davis.

Motion was made by Commissioner McCain to forward the Draft as was discussed and written to the City Council for approval. **Seconded** by Commissioner Sauskojus **Vote, passed 4 – 0 – 1 (Jensen).**

STUDY/WORK SESSION - None **UNFINISHED BUSINESS –**

3) Sign Code - Director Davis turned the meeting over to Andrew Love, contract planner with AHBL who went over items since sign code last discussed at June meeting. Highlights were as follows:

- Removing the last sentence C #8 (Legal Nonconforming Signs) to make single or multiple tenants with the same guidelines.
- A letter will go out to all businesses notifying them when the sign code has been updated; helpful handouts created afterwards.
- Signs and murals on food trucks.
- Illumination of signs during business hours.
- Freestanding signs plus building-mounting signage.
- Pole signs prohibited; pylon signs still allowed.
- Sign area on buildings.
- Type 4 (temporary signs) were renamed.
- A new section, window signs, was added.

NEW BUSINESS – None

COMMUNITY DEVELOPMENT DEPARTMENT REPORT -

Director Davis reported on the following items:

- Welcomed Commissioner Larsen and thanked her for participation.
- Announced that Commissioner Syversen will not be continuing as Commissioner when his term is up. We have started the process of soliciting for a new Commissioner to begin the first of the year.
- There is a City Council Work Session this Thursday to go over the draft elements of the Comp. Plan completed to date. The full draft of the comp plan will be discussed at the October 8th Planning Commission meeting, where there will be a Public Hearing which may possibly continue to the 10/22 Special Meeting, if needed.
- The next meeting will be a Special meeting on 9/24 where Parametrix will be presenting on the Transportation Element.
- Staff anticipate a Public Hearing at the 10/22 Special Meeting on the Sign Code.
- Staff will still need to provide code amendments on BESS, which is anticipated to occur after the first of the year.
- At the beginning of the new year, Middle Housing will be a topic of discussion again. Staff will also be bringing code amendments to coincide with the goals and policies of the updated comp plan.
- Director Davis attended the Director's Conference in Chelan last week.
- In regard to staffing, our Building Inspector retired at the end of August so that position is open, as well as the Permit Tech/Asst. Planner position.

PUBLIC COMMENTS – None

ADJOURNMENT -

Commissioner McCain moved to adjourn, **second** Commissioner Sauskojus **Vote**, motion **passed 5 - 0**. Meeting adjourned at 7:15 p.m.

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

ATTEST:

Carol Morgan, Chairperson

Carina Thornquist, Planning
Commission Secretary



CITY OF BLACK DIAMOND
PLANNING COMMISSION SPECIAL MEETING MINUTES
September 24, 2024, 6:00 PM

CALL TO ORDER, FLAG SALUTE, ROLL CALL

Chairperson Morgan called the meeting to order at 6:00 p.m.

Present: Commissioner Kelley Sauskojus
Commissioner Pam McCain
Chair/Commissioner Carol Morgan
Commissioner John Olson
Commissioner Steve Jensen

Excused: Commissioner Knut Syversen
Commissioner Steve Jensen
Commissioner Wynstan Larsen

Staff: Community Development Director, Mona Davis
Deputy City Clerk, Carina Thornquist
IT Staff, Jake Kapsandy
Public Works Director, Scott Hanis
MDRT/Economic Development Director, Andy Williamson

APPROVAL OF MINUTES: None

PUBLIC COMMENT –

Kristen Bryant from Bellevue, spoke to Commissioners

PUBLIC HEARING - None

STUDY/WORK SESSION - None

UNFINISHED BUSINESS –

- 1) **Draft Transportation Element** – Director Davis introduced Rachel Graff and Alex Atchison from Parametrix and turned the meeting over to Rachel who went through a PowerPoint presentation giving a high-level update. The highlights are as follows:

- What's included in the Transportation Element
 - Travel Forecasting
 - Existing Transportation Network
 - Future Transportation Network
 - Transportation Goals and Policies
 - Transportation Improvement Project List

A back-and-forth discussion between the Commissioners, Director Davis, Ms. Graff, and Ms. Atchison took place.

Andy Williamson, the city's Director of the Master Development Review Team was asked to speak to transportation and the MPD.

A back-and-forth discussion between the Commissioners and Director Williamson took place.

Director Davis gave a recap, status of where we are at, and the upcoming schedule.

NEW BUSINESS – None

COMMUNITY DEVELOPMENT DEPARTMENT REPORT - None

PUBLIC COMMENTS – None

ADJOURNMENT -

Commissioner Olson moved to adjourn, **second** Commissioner McCain **Vote**, motion **passed 4 - 0**. Meeting adjourned a 6:31 p.m.

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

ATTEST:

Carol Morgan, Chairperson

Carina Thornquist, Planning
Commission Secretary

Chapter 18.82 SIGN CODE

- 18.82.010 Scope and purpose.
- 18.82.020 Permits—general regulations.
- 18.82.030 Exemptions.
- 18.82.040 Permit application requirements.
- 18.82.050 General sign standards and conditions.
- 18.82.060 Maintenance and inspection.
- 18.82.070 Measurement of sign area.
- 18.82.080 Sign illumination.
- 18.82.090 Sign types permitted by zone.
- 18.82.100 Freestanding signs.
- 18.82.110 Building-mounted signs.
- 18.82.120 Digital and changeable-copy sign integration.
- 18.82.130 Temporary signs.
- 18.82.140 Windows signs.
- 18.82.150 Variance application to sign regulations.
- 18.82.160 Prohibited locations.
- 18.82.170 Prohibited signs.
- 18.82.180 Administration and enforcement.
- 18.82.190 Severability.
- 18.82.200 Definitions.

18.82.010 Scope and purpose.

- A. Scope. This chapter establishes regulations for all permanent and temporary signs in the city that are visible, from a public right-of-way. This chapter does not apply to signs erected by the city or other government agencies 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, 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 a consistent community and business climate. The regulations for signs have the following specific objectives:
 - 1. To protect public safety and welfare by ensuring that signs are designed, constructed, installed, and maintained according to uniform, nondiscriminatory, and content-neutral standards that promote a high quality, comprehensive system of standards and requirements.
 - 2. To provide for the orderly and reasonable removal of signs that do not conform to the objectives and regulatory requirements of this chapter.

18.82.020 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. A permit is not required for temporary signs (see Section 18.82.130).
- B. Permits for multi-business signs. A single permit application 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. 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.

18.82.030 Exemptions.

The following shall not require a sign permit; 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. 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.
- B. Decorations customary for holidays and special occasions erected entirely on private property.
- C. Flag poles except that they shall comply with the applicable height provisions of the zoning and building codes.
- D. Gravestones and similar memorial plaques and monuments outside of public right-of-way.

-
- E. 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. 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. Signs and sign structures that cannot be seen from a public right-of-way, parking lot, alley, or drive aisle. Such signs must, however, comply with all applicable building codes and inspection requirements.
 - G. 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.
 - H. 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.
 - I. Private driveway signs, limited to one per driveway entrance, to distinguish private access driveways from public rights-of-way.
 - J. On-premises 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 six square feet in commercial and industrial zones.
 - K. Building Name Signs. Historic Signs that (1) advertise the name of the building, year built, and/or historical references, or designated as a historic landmark, and (2) are not associated with the name of any individual business, provided they meet the standards below.
 - 1. Maximum quantity: one sign per building entrance.
 - 2. Maximum sign area: 6 square feet.
 - 3. Maximum height above existing grade: 6 feet.
 - 4. Digital message signs are not allowed as building name signs.
 - L. Any sign on a mobile food vendor/food truck unless such sign is prohibited pursuant to Section 18.82.170.
 - M. Murals, except when advertising a business, product, service, or activity that portion of said mural is regulated as a wall sign and shall require a permit.

18.82.040 Permit application requirements.

- A. Applications for sign permits are processed as Type 1 decisions in accordance with Chapter 18.08 BDMC.
- B. Applications and fees. Applications for a sign permit or a sign variance request pursuant to this Chapter shall be accompanied by all submittal requirements outlined in the Sign Permit & Sign Variance Checklist found on the City website. The city will notify the applicant of any needed revisions within 30 days.
- C. Permit decision. Upon receipt of any requested revisions to the initial submittal, the community development department shall issue a decision on the sign permit application, which may include conditions, within 30 days after receipt of all required information.

18.82.050 General sign standards and conditions.

- A. General Regulations.
 - 1. The structure and installation of all signs shall comply with the city’s building codes (BDMC 15.04.030).
 - 2. Exposed braces and angle irons are prohibited. Guywires are prohibited unless there are no other practical means of supporting the sign.

-
3. All signs, together with all their supports, braces, guys, and anchors, shall be maintained in good repair and in a safe, neat, clean, and attractive condition.
 4. 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.
 5. 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.
 6. All illuminated signs shall obtain an electrical permit and inspection by the State of Washington Department of Labor and Industry.
- B. Abandoned or Vacated Businesses and 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. 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 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.
 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 until December 31, 2034. No structural alterations to the nonconforming pole or pylon sign may be made after December 31, 2024.

18.82.060 Maintenance and inspection.

A. Maintenance.

1. All signs, including signs previously 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.
 - c. Graffiti shall be removed from signs within five calendar days.

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

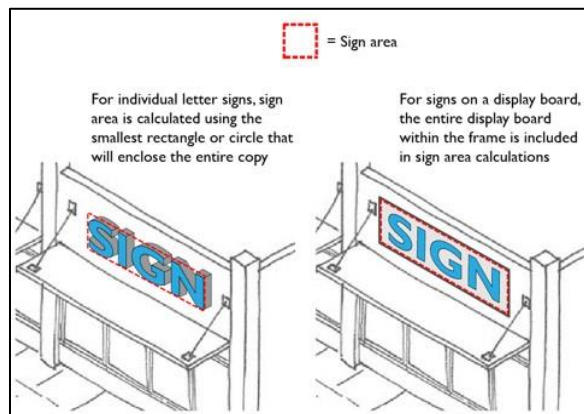
18.82.070 Measurement of sign area.

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 based on 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 18.82.070-A below for additional examples and clarification.

Figure 18.82.070-A

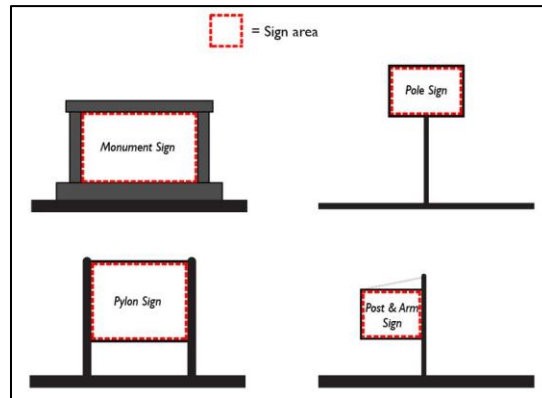
Clarifying sign area measurement for wall signs.



- 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. For freestanding signs, the entire display board shall be included in the sign area calculation. Where the display board includes a visible frame, only the area inside the frame shall be included in the sign area calculations. See Figure 18.82.070-B below for examples on how to calculate the measurements of freestanding signs.

Figure 18.82.070-B

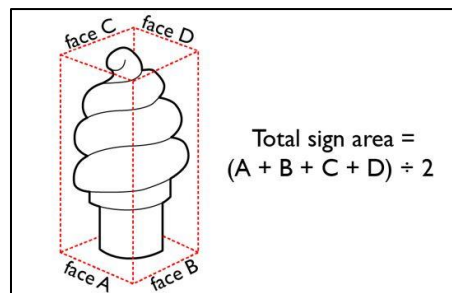
Clarifying sign area measurement for freestanding signs.



- C. Two-faced signs (front and back) 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.
- D. Three 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. Signs with greater than four polyhedron faces are prohibited. See Figure 18.82.070-C below for clarification of 3D sign area measurement.

Figure 18.82.070-C

Clarifying 3D sign area measurement.



18.82.080 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. Lighting 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 Section 18.82.120.C.
 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.
- B. Hours of Illumination.
1. Non-residential zones. There are no restrictions on hours of sign illumination in non-residential zones.
 2. Residential zones. Any sign shall only be illuminated between the hours of 6:00 a.m. and 10:00 p.m. in residential zones. Neighborhood entrance signs that otherwise meet all other requirements of this section are exempt from the 6:00 a.m. and 10:00 p.m. limitation.
- C. Permitted Sign Illumination Types. Table 18.82.080 below specifies permitted sign illumination types by zone and other requirements.

Table 18.82.080
Permitted sign 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 or monument sign
Reverse channel letter. Letter faces are opaque and light source provides halo effect through backlighting.		All nonresidential zones	May be incorporated into a permitted wall, projecting, or monument sign
Push-through. Letters are cut out of an opaque sign face. Interior light shines through letter faces only. May include a halo effect.		All nonresidential zones	May be incorporated into a permitted wall, projecting, or monument sign

Illumination Type and Description	Example	Permitted Zones and Overlays	Other Requirements
Neon.		All nonresidential zones	May be incorporated into a permitted wall, projecting, interior, or monument sign
Internally illuminated cabinet signs. Sign face is illuminated through translucent casing. This includes internally illuminated changeable copy signs.		All commercial zones	May be incorporated into a permitted wall, 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 signs
Internally illuminated awning signs. The awning face is illuminated through the awning material.		Not allowed in any zone	
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.

18.82.090 Sign types permitted by zone.

- A. Non-residential. There are no restrictions to the types of signs allowed in commercial, industrial, or public zones. All other regulations of this Chapter apply, including but not limited to maximum types of freestanding signs, maximum types of building-mounted signs, and Section 18.82.160, prohibited signs.
- B. Residential. Table 18.82.090 below 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 18.82.090

Signs Permitted by Development or Use Type in Residential Zones.

Sign Type	Development or Use Type			
	Single-Family Subdivision	Multifamily Complex	Home Occupation	Other Permitted Nonresidential Use ¹
<i>Freestanding Signs</i>				
Monument sign	p ²	p ²		p ³
Pylon sign				p ³
Post and arm sign			p ⁴	p ³
Internal wayfinding sign		P		p ³
<i>Building-Mounted Signs</i>				
Wall sign			p ⁴	P
Projecting sign				
Awning sign				P
Under-canopy sign				P

NOTES:

¹ Where sign standards are established as part of a CUP, those standards apply.

² 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 24 square feet in sign area and four feet in height.

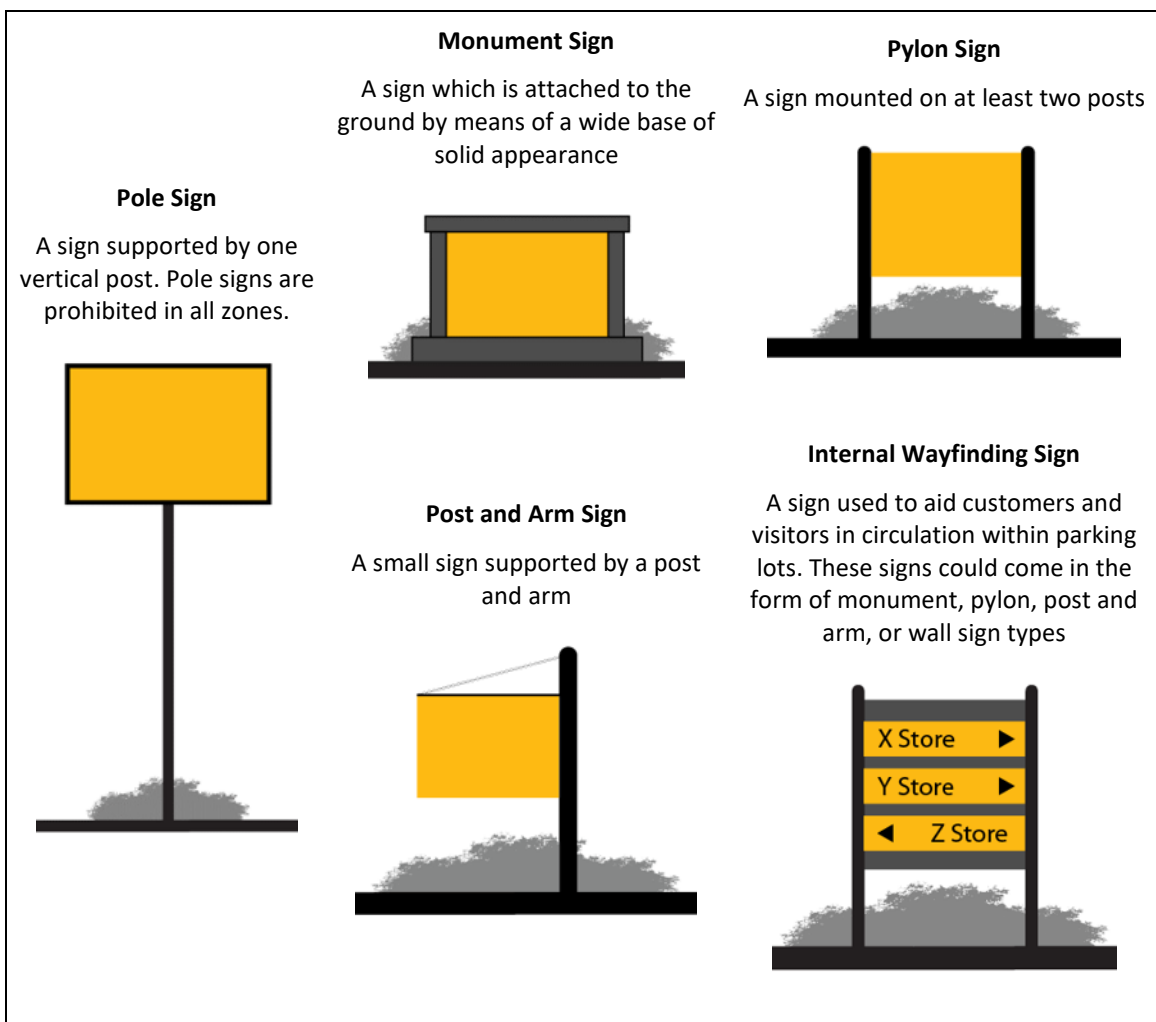
³ Signs must comply with size and height standards set forth in this chapter, but no more than one sign per lot frontage and signs may not be larger than 24 square feet in sign area and no taller than six feet in height.

⁴ Home occupations may either have one non-illuminated post and arm sign or one non-illuminated wall sign. Home occupation wall signs are limited to six square feet in sign area.

18.82.100 Freestanding signs.

Freestanding signs include pole signs, monument signs, pylon signs, post and arm signs, and internal wayfinding signs. When allowed under Section 18.82.090, businesses or developments are limited to one type of freestanding sign, not including internal wayfinding signs. This means a business or development cannot apply for monuments signs, pylon signs, and post-and-arm signs. See Figure 18.82.100-A below for visual examples and descriptions of all freestanding sign types.

Figure 18.82.100-A
Freestanding sign types.



A. Pole Signs. Poles signs are prohibited in all zones.

B. Monument Signs.

1. Maximum Quantity. One sign per 150 feet of lot frontage.
2. Minimum Setback. Five-foot minimum setback to property lines, rights-of-way, or private drives from the closest element of the sign structure.
3. Minimum Base Height. The copy shall be at least one-foot above grade. See Figure 18.82.100-B below.

Figure 18.82.100-B

Minimum base height for sign copy.



4. Maximum Height and Sign Area. Table 18.82.100-A below illustrates two ways to calculate the maximum allowable sign area and height for monument signs. Applicants may choose either the length of right-of-way frontage or the size of the property to determine the applicable sign area and height standards.

Table 18.82.100-A

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

Length of right-of-way frontage¹	Size of Property	Maximum Sign Area (per face if two-sided)	Maximum Height
Less than 100 feet	Less than 15,000 square feet	32 square feet	8 feet
100 to 199 feet	15,000 to 43,559 square feet	48 square feet	10 feet
200 to 299 feet	1 to 2.49 acres	64 square feet	12 feet
300 feet or more	2.5 acres or more	84 square feet	14 feet

NOTE:

¹ For parcels with multiple frontages, the standards of this table apply to each frontage individually and may not be combined.

-
5. Sign Form. At least 40 percent of the total sign width shall meet the ground plane. See Figure 18.82.100-C below.

Figure 18.82.100-C

Minimum ground anchoring provisions for monument signs.



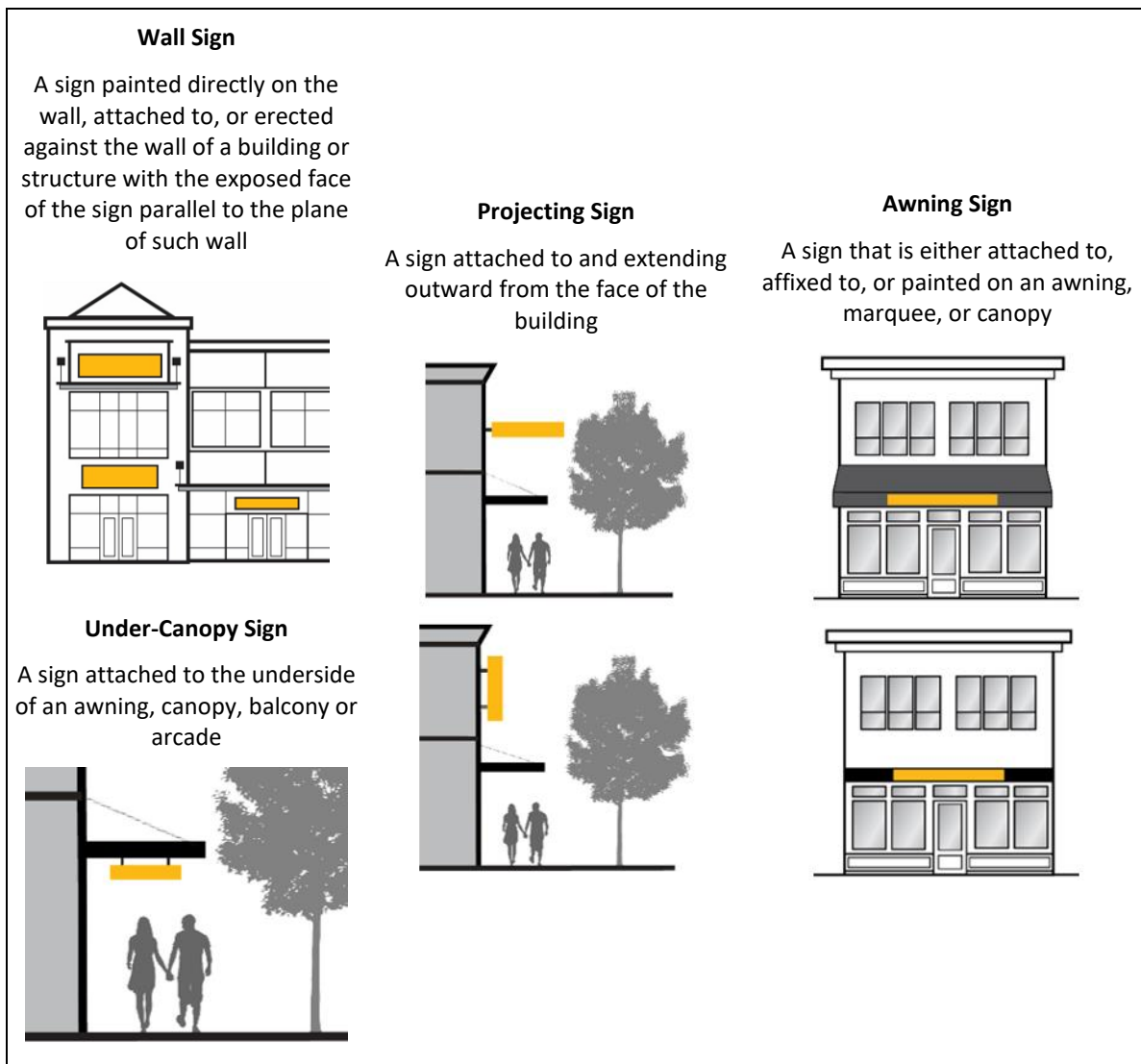
6. Materials and Design. Monument signs in commercial zones shall include durable high-quality materials such as stone, brick, concrete, or steel and a design that relates to and/or complements the design of on-site buildings and/or is coordinated with other site design elements (such as distinctive lighting, monuments, and/or internal wayfinding signs).
- C. Pylon Signs.
1. Maximum Quantity. One sign per 150 feet of lot frontage.
 2. Minimum Setback. 5-foot minimum setback to property lines, rights-of-way, or private drives from the closest element of the sign structure.
 3. Maximum Height and Sign Area. Monument sign standards apply per subsection B.4 of this section.
- D. Post and Arm Signs.
1. Maximum Quantity. One sign per 150 feet of lot frontage.
 2. Minimum Setback. 5-foot minimum setback to property lines, rights-of-way, or private drives from the closest element of the sign structure.
 3. Maximum Height. 6 feet.
 4. Maximum Sign Area. 6 square feet (per face if two-sided).
- E. Internal Wayfinding Signs.
1. Purpose. To aid visitors in finding the location of a business, use, or building on large commercial development sites.
 2. Maximum Quantity. The appropriate number of signs needed to provide directional assistance, given size of site and circulation pattern, as determined by the community development director.
 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. Maximum Height. See respective sign type standards.
 5. Maximum Sign Area. 20 square feet (per face if two-sided), except that when such sign types are mounted on buildings, they are limited to a maximum of 12 square feet.

6. 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 preferred.

18.82.110 Building-mounted signs.

Building-mounted signs include wall signs, projecting signs, awning signs, and under-canopy signs. When allowed under Section 18.82.090, businesses or developments are limited to wall signs or awning signs and projecting or under-canopy signs. For example, this means a business could never have both a wall sign and an awning sign, nor a projecting sign and an under-canopy sign. The applicant would have to choose between the two. could have the maximum amount of wall sign and the maximum amount of projecting sign but would not be eligible for an awning sign or under-canopy sign. See Figure 18.82.110-A below for visual examples and descriptions of all building-mounted sign types.

Figure 18.82.110-A
Building-mounted sign types.



A. Wall Signs.

1. Maximum Quantity. 1 sign per tenant façade that is visible from an adjacent street, customer parking lot, or alley.
2. Maximum Width. Wall signs shall be no wider than two-thirds the width of the individual facade. This standard also applies to upper-level businesses.
3. Location. Wall signs shall 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.
4. Maximum Sign Area. Table 18.82.110-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 18.82.110

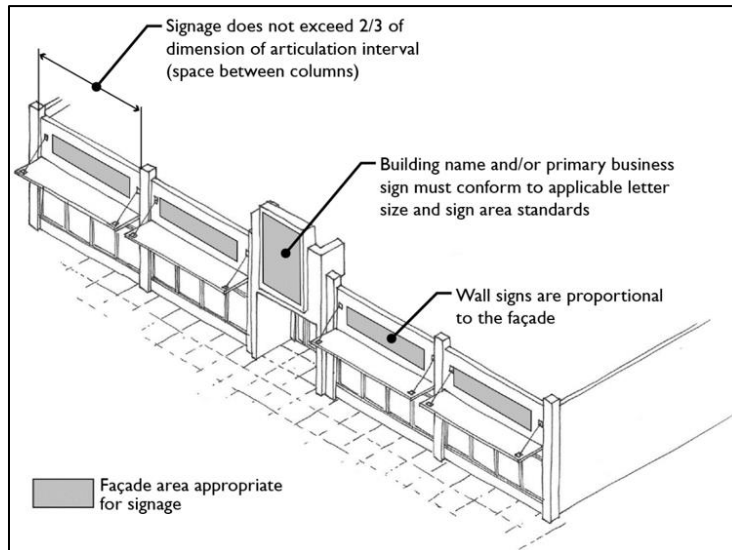
Sign area standards for wall and awning signs for each tenant's facade.

Tenant Facade Area	Maximum Sign Area (for Tenant's Facade)
Below 1,000 square feet	15% of the facade
1,000 square feet and over	10% of the facade

5. Mounting. Wall signs should be mounted exactly vertical 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.
6. 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 18.82.110-A above, provided they are designed and sized in proportion to the façade. See Figure 18.82.110-B below.

Figure 18.82.110-B

Illustrating wall sign standards.



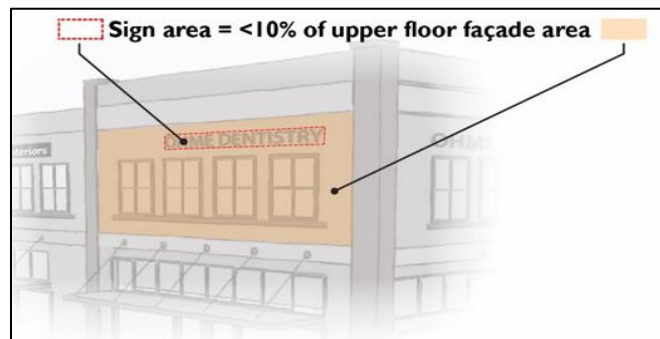
- b. Signs shall be placed near the top of the facade and generally centered on the architectural features of the building. See Figure 18.82.110.A.6.a above.

7. Supplemental Standards.

- a. 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.
- b. Each sign may be up to 10 percent of the applicable upper floor facade. Figure 18.82.110-C 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.

Figure 18.82.110-C

Illustrating maximum wall sign area for upper floor façades.

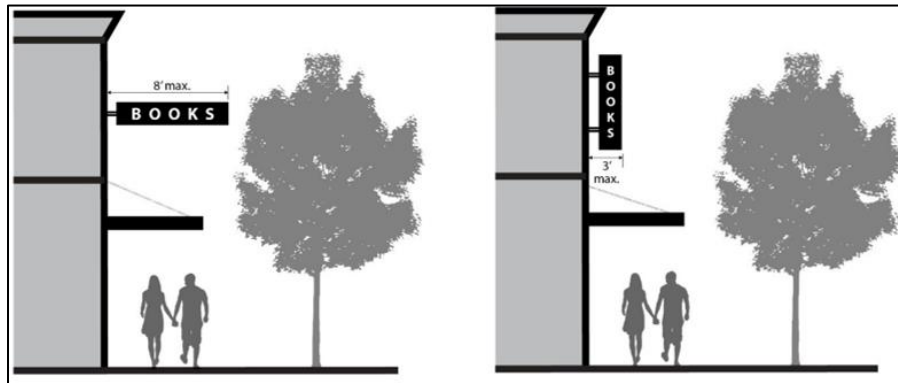


- B. **Projecting Signs.** Projecting signs meeting the following conditions are allowed for commercial uses adjacent to and facing a street or drive aisle. Projecting signs may be either vertical or horizontal oriented. They may be used in addition to wall and awning signs provided they meet the applicable standards below.

1. Maximum Quantity. 1 sign per facade that is visible from a street, alley, or customer parking lot.
2. Minimum Vertical Clearance. 8 feet above sidewalk or pathway and 14 feet when within 5 feet of a roadway.
3. Maximum Sign Area. Projecting signs are not based on sign area standards, but on the dimensional standards below.
 - a. Maximum Projection.
 - i. Horizontally oriented signs: 8 feet. See Figure 18.82.110-D below.
 - ii. Square or vertically oriented signs: 3 feet. See Figure 18.82.110-D below.

Figure 18.82.110-D

Maximum projection for horizontally oriented (left) and square or vertically oriented (right) projecting signs.



- iii. Signs may project into public right-of-way for storefront buildings but shall not extend over the curb into the travel lane.
- b. Maximum Height.
 - i. Horizontally oriented signs: 3 feet.
 - ii. Vertically oriented signs: shall not extend above the building parapet, soffit, the eave line or the roof of the building.
4. Supplemental Standards.
 - a. Projecting signs shall not be located directly over windows or in conflict with other signs or architectural features of the building.
 - b. Projecting signs within right-of-way are subject to additional public works standards.
 - c. Projecting signs shall not extend above the building roof line.

C. Awning Signs.

Figure 18.82.110-E

Awning sign examples and standards.



1. Maximum Quantity. 1 sign per awning that is visible from a street, alley, or customer parking lot.
2. Maximum Width. Awning signs shall not exceed 2/3 of the individual awning width.
3. Maximum Sign Area. Table 18.82.110 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.
4. Supplemental Standards. Signs within right-of-way are subject to additional public works standards.

D. Under-Canopy Signs.

Figure 18.82.110-F

Under canopy standards and example.



1. Maximum Quantity. 1 sign per entrance that is visible from a street, alley, or customer parking lot.
2. Minimum Vertical Clearance. 8 feet above sidewalk or pathway.
3. Minimum Horizontal Clearance. 1 foot from the building and canopy edge.
4. Maximum Height. 2 feet.
5. Maximum Sign Area. None. The maximum sign area is dependent on the maximum height and maximum clearances above.

18.82.120 Digital and changeable-copy sign integration.

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

- A. One hundred percent of allowed monument sign copy area may be used for digital or changeable copy signage, provided the standards of this chapter are met.
- B. Any form of technology may be used for the digital and changeable-copy 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.
- C. Management Program. In addition to the permitting requirements of BDMC 18.82.040, 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.

18.82.130 Temporary signs.

- 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.
- B. Illumination Prohibited. Temporary signs may not be directly illuminated or be provided with any electric service.
- C. Types of Temporary Signs. Subsections (1) through (4) of this subsection describe four 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 – Small Temporary Signs. 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 residential real estate, political campaigns, and event announcements. Type 1 signs include, but are not limited to, sandwich board signs, residential real estate signs, and yard signs. See subsection E.1 of this section for standards on small temporary signs.
 - 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 on banners.
 - 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 on large yard signs.

-
4. Type 4. Signs in this category are wind-powered or inflatable, typically used to advertise grand openings or special events. Types include fixed aerial displays, balloons, pennants, spinners, feather or sail signs, strings of flags, streamers, and other devices affected by the movement of the air or other atmospheric or mechanical means. These types of signs shall be setback so as not to interfere with vehicular or pedestrian travel. See subsection E.4 of this section for standards.

D. Location.

1. Property Type. General temporary sign location is on private property or public rights-of-way.
2. General Restrictions.
 - a. Except for public right-of-way, property owner permission is required for temporary signs on public or private property. 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.
 - b. Temporary signs shall not be placed within any roadway median, traffic circle, traffic island, or roundabout.
 - c. Temporary signs attached to building walls shall not be placed in a manner that obstructs any door, fire department sprinkler connection, or address numbers.
 - d. 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.
 - e. 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 through the granting of a right-of-way use permit.
 - f. Temporary signs in the public right-of-way shall be located at least five feet from any other temporary sign.
 - g. 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.

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 special community events are in subsection (6) of this subsection.

1. Type 1 – Small Temporary Signs.

- a. Location. May be located in any zone.
- b. Quantity.
 - i. Commercial signs.
 - (A) Private property. Two per business.
 - (B) Public right-of-way. 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.
 - ii. Non-commercial signs.
 - (A) Private property. Two signs per lot may be displayed for each single noncommercial purpose.
 - (B) Public right-of-way. 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 temporary 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.
 - i. Commercial signs.
 - (A) Private property. 90 days per individual sign for a single commercial purpose per calendar year.
 - (B) Public right-of-way. No limit except may not be displayed between 30 minutes after sunset and 30 minutes before sunrise. Signs must be placed within 15 feet of a customer entrance.
 - ii. Non-commercial signs.
 - (A) Private property. No limit.
 - (B) Public right-of-way. 180 days per individual sign for a single non-commercial purpose per calendar year.
2. Type 2 – Banners.
- a. Location. Banners may be located on any non-residential property, except where noted in subsection (h) of this subsection.
 - 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 banners is 18 square feet (per face if two-sided).
 - d. Height. Maximum height of banners using supports is six feet above grade. Building-mounted banners may exceed six feet in height but shall not be placed on or above the roof of a building.
 - 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 nonresidential property, banners may be displayed for a maximum 45 calendar days per year. A maximum of four 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. Residential Adjustments. One banner up to 18 square feet in size may be displayed on residential property for no longer than 45 consecutive calendar days per year.
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:
 - i. No limit to duration on properties that are undeveloped or vacant.
 - ii. 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 – Wind-Powered and Inflatable Signs.
- a. Location. May only be displayed on non-residential properties or adjacent rights-of-way and shall not be placed upon the roof of any structure.
 - 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. Height. Wind-powered and inflatable signs have a maximum height of 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. 90 days per individual sign per calendar year.
 - f. Residential Adjustments. Inflatable decorations, string lights, balloons, and other decorations can be displayed on any residential property on a temporary basis for holidays and special events. Inflatable decorations can be illuminated. See also: Exemptions, Section 18.82.030.B.
5. Adjustment of Standards for Certain Commercial Temporary Signs.
- 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. 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 through 4.
 - 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. Location. Businesses may only display exterior event signs on-site.
 - iv. Size. Based on limits set forth for Types 1 through 4 in subsection E of this section, but no more than 20 square feet per sign.
 - 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. 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 three "Open House," "For Sale," or "For Rent" signs may be used at any street intersection for any one developer, broker, seller, or owner.
 - (D) Sign Area. Maximum size of four 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 per sign face.
 - 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.
6. 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. Duration. Beginning 14 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.

18.82.140 Window signs.

- A. The combination of all window signs, temporary and permanent, shall not exceed 25 percent of the total window area.
- B. The combination of additional graphics, artwork, photos, decorations shall not exceed an additional 25 percent, for a total of 50 percent window area.
- C. Exceptions. When a space is empty, unoccupied, or under construction, then its windows may be fully obscured though art, decoration, or graphics.

D. Exemptions.

1. Window signs such as open/closed, store hours, address, and other necessary direction and information signs shall be exempt from total area limitations.
2. Privacy treatments like frosted glass or blank window coverings shall be exempt from total area limitations.

18.82.150 Variance application to sign regulations.

- A. Any person may apply for a variance from the requirements of the Sign Code pursuant to the permit application requirements in section 18.82.040. Before any variance can be granted, the community development director shall make findings of fact setting forth and showing that the following circumstances exist:
1. The signage of the property in question cannot be adequately met under the literal interpretation and strict application of this chapter; and
 2. The granting of the variance is necessary because of special circumstances relating to property location, topography, shape and size, site distance, and limited view to property; and
 3. The granting of the variance would not be contrary to the objectives of this chapter or materially detrimental to the property owners in the vicinity and the variance sought is of minimum sign size, height, and scope to meet the conditions and needs of the applicant.

18.82.160 Prohibited locations.

- A. 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.
1. Any location within or projecting over a city right-of-way, unless otherwise permitted in this chapter or BDMC Chapter 12.04 for rights-of-way use permits.
 2. Any public utility pole, utility structure, streetlight, 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.
 3. Any location that will obstruct a sight triangle at any intersection or the view of any authorized traffic sign, signal, or other traffic control device.
 4. 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.

18.82.170 Prohibited signs.

- A. The following signs are prohibited in all zones throughout the city and are subject to removal by the city at the owner's expense:
1. Abandoned signs.
 2. Animated signs. 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/or spinners, except as authorized for Type 4 temporary signs.
 3. Any sign affixed to or painted on trees, rocks, other natural features, or utility poles.
 4. Balloons and other inflated objects, with the following exceptions:

-
- a. Balloons and inflatable decorations are allowed on a temporary basis on private property in residential zones for holidays and special occasions.
 - b. As authorized for Type 4 temporary signs.
 - c. Inflatable tube dancers are still prohibited in all instances.
 5. Billboards.
 6. Human directionals.
 7. Off-premises signs, with the following exceptions:
 - a. 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. 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-premises sign.
 - b. Off-premises signs explicitly authorized in other portions of this chapter.
 8. Pole signs.
 9. Portable signs exceeding six square feet each side.
 10. Roof signs.
 11. Signs that have blinking, flashing, fluttering, or moving lights or other illuminating devices that have a changing light intensity or color, provided, however, temperature and/or time signs that conform in all other respects to this chapter are allowed.
 12. Signs that by reason of color, shape, wording, or location interfere or conflict with traffic control signs or devices, or that reasonably could be confused with any authorized traffic signal or device.
 13. Signs that emit smoke, visible vapors, visible particles, sounds, flames, or odors.
 14. Signs with mirrors or other highly reflective surfaces.
 15. Signs that the public works director 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.

18.82.180 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 Chapter 8.02 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 14 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 14 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 per the city's most recently adopted fee schedule.
 - 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 8.02.070.
 - 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.

18.82.190 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.

18.82.200 Definitions.

Abandoned Sign. A permanent sign that no longer identifies or advertises an operative business, product, event, service, or activity conducted at 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.

A-Frame Sign. See Sandwich Board Sign.

Alteration A change in the height, size, shape, or display format of an existing sign. Alteration includes adding illumination, animation, or electronic messaging to an unilluminated, motionless, or non-electronic 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.

Animated Sign. A sign employing actual motion, or light and/or color changes achieved through mechanical, electrical, or electronic means. Animated signs, which are differentiated from changeable signs as defined and regulated by this chapter, include the following types:

- A. **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.

-
- B. 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.
 - C. 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:
 - 1. 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 non-illumination. 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.
 - 2. 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.

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; Canopy, Attached; and Canopy, Freestanding.

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.

Awning Sign. A sign displayed on or attached flat against the surface or surfaces of an awning. See also: Wall Sign. An awning that contains a “sign” section or copy area shall comply with the applicable sign area requirements for wall signs. 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.

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.

Banner Sign. A sign utilizing a banner as its display surface.

Billboard. See Off-Premises Sign and Commercial Outdoor Advertising Sign.

Building Façade. 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.

Building-Mounted Sign. Any sign attached to or otherwise displayed on the face of a building or canopy, including wall signs, awning signs, projecting signs, and under-canopy signs.

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 Sign.

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.

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.

Changeable Sign. A sign whose content may be changed by means of manual or remote input, and includes the following types:

-
- A. Manually Activated - Changeable sign whose message copy or content can be changed manually on a display surface.
 - B. 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.

Channel Letter. May be open faced, internally illuminated, or reverse:

- A. 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.
- B. 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.
- C. 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.

Commercial Outdoor Advertising Sign. See Off-Premises Sign.

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 Section 18.82.070 herein for computational methodology.

Dimensional Letter, Symbol, or Graphic. A letter, symbol, or graphic that is three dimensional in character, containing height, width, and depth.

Dwell Time. The amount of time a message and/or graphic is displayed on an Electronic Message Sign.

Electric Sign. Any sign activated or illuminated by means of electrical energy.

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.

Fascia Sign. See Wall Sign.

Feather Sign. See Portable Sign.

Flashing Sign. See Animated Sign, Electrically Activated.

Freestanding Sign. A sign principally supported by one or more columns, poles, or braces placed in or upon the ground. Freestanding sign types include pole signs, monument signs, pylon signs, post and arm signs, and internal wayfinding signs. Refer also to Table 18.82.100 herein for visual reference examples.

Ground Sign. See Freestanding Sign.

Historic Sign. Signs recognized by the City of Black Diamond, King County Historic Preservation, or the National Register 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 premise or business.

Human Directionals. Human directionals shall include sign twirlers, sign spinners, and human sign holders, and shall mean a person or persons promoting a specific business, product, or event by seeking to capture the attention of passing motorists or pedestrians.

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).

Interior Sign. Any sign placed within a building, except window signs as defined by this chapter. Interior signs are not regulated by this ordinance.

Internal Wayfinding Sign. A freestanding sign used to aid customers and visitors in circulation within parking lots. These signs could come in the form of monument, pylon, post and arm, or wall sign types.

Legal Nonconforming Sign. Any sign that had been erected, installed, or placed prior to the effective date of this chapter.

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).

Mansard. A roof-like facade comparable to an exterior building wall.

Marquee or Marquee Sign. See Canopy, Attached and Canopy Sign.

Monument Sign. A freestanding sign that is attached to the ground by means of a wide and solid base of solid. Also referred to as ground signs. See also: Freestanding Sign.

Multiple-Faced Sign. A sign containing three or more faces.

Mural. 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.

Non-Residential Properties. These sites are generally commercial, industrial, public, or open space sites that are may be developed or vacant. See also: Residential Properties.

Off-Premises 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.

On-Premises 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.

Outdoor Advertising Sign. See Off-Premises Sign.

Parallel Sign. See Wall Sign.

Parapet. The extension of a building facade above the line of the structural roof.

Permanent Sign. Any sign that is not a temporary sign, as defined in this section.

Pole Sign. A freestanding sign supported by one vertical post. See also: Freestanding Sign.

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 banners, sandwich board signs, and feather signs.

Post and Arm Sign. A small, freestanding sign support by a post and arm. See also: Freestanding Sign.

Projecting Sign. A sign other than a Wall Sign that is attached to or projects more than 18 inches from a building face or wall or from a structure whose primary purpose is other than the support of a sign.

Pylon Sign. A freestanding sign mounted on at least two posts. See also: Freestanding Sign.

Residential Property. A site improved with residential structures, vacant properties zoned for residential uses, or tracts within a residential subdivision. See also: Non-Residential Properties.

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.

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.

Sandwich Board Sign. 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. See also: Portable Sign and Temporary Sign.

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 communicate a message or 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.

Sign Area. The area of the smallest geometric figure, or the sum of the combination of regular geometric figures, that constitute 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 50 percent of the sum of the area of all faces of the sign. See BDMC 18.82.070 herein for computational methodology for various sign area configurations.

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.

Sign Face. The surface upon, against, or through that 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 BDMC 18.82.070 herein for sign face computational illustrations.

- A. 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.
- B. 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 constituting the sign copy, but not the open space between separate groupings of sign copy on the same building or structure.
- C. 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.

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

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.

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

Wall 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 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.

Wayfinding Sign. A sign, frequently off-premises, specifically designed to provide direction, orientation, and/or destination information for pedestrian or vehicular traffic. See also Internal Wayfinding Sign and/or Off-Premises Sign.

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