#### ORDINANCE NO. 380

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, REPEALING CHAPTER 19.75 "SIGNS" OF THE UNIVERSITY PLACE MUNICIPAL CODE AND ADOPTING A NEW CHAPTER 19.75 "SIGNS" IN ITS PLACE IN ORDER TO IMPLEMENT THE COMPREHENSIVE PLAN, IMPROVE THE FORMAT, CHANGE THE AMORTIZATION PERIOD, AND ADDRESS COMMUNITY CONCERNS.

- WHEREAS, the University Place City Council adopted a GMA Comprehensive Plan on July 6, 1998 which became effective July 13, 1998; and,
- WHEREAS, the Revised Code of Washington 36.70A.040 requires the City to adopt development regulations which are consistent with and implement the comprehensive plan; and
- WHEREAS, in March 5, 2001, the Planning Commission began work to develop a new sign code that would be consistent with and implement the comprehensive plan; and
- WHEREAS, a request for comments was sent to over three hundred commercial property owners special interest groups, business owners and individuals, including but not limited to the Master Builders Association, University Place School District, the Chamber of Commerce, and sign companies; and
- WHEREAS, the proposed draft sign code was submitted for State agency 60-day review period pursuant to RCW 36.70A.106 on March 13, 2003. City received no comments from state agencies; and
- WHEREAS, on March 17, 2003 the City issued a SEPA Determination of Nonsignificance with a 14-day appeal period ending on March 31, 2003; and
- WHEREAS, the City Council on November 4, 2002, January 13, February 10, and March 3, 2003 held public meetings to deliberate on the recommended amendments; NOW THEREFORE
- THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DO ORDAIN AS FOLLOWS:
- Section 1. Chapter 19.75 Signs. Chapter 19.75 "Signs" of the University Place Municipal Code is hereby repealed and replaced with a new Chapter 19.75 "Signs" (Exhibit "A").
- Section 2. Providing for the Continuance of Non-Conforming Sign and Prohibited Sign Regulations. The non-conforming sign and prohibited sign provisions in the old Chapter 19.75 as repealed under section 1 above and as just adopted in the new Chapter 19.75 in section 1 above are substantially similar. Therefore, all non-conforming signs that were entitled to protection under Chapter 19.75 that is repealed by section 1 above shall continue to be protected under the new Chapter 19.75 adopted by section 1 above. Similarly, signs that were illegal under the old Chapter 19.75 shall continue to be illegal under the new Chapter 19.75.
- **Section 2.** Copy To Be Available. One copy of this ordinance shall be available in the office of the City Clerk for use and examination by the public.

**Section 3.** <u>Severability.</u> If any section, sentence, clause, or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

**Section 4.** <u>Publication And Effective Date.</u> A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON MAY 12, 2003.

Jean Brooks, Mayor

ATTEST:

Catrina Craig, City Clerk

APPROVED AS TO FORM:

imothy X. Sullivan, City Attorney

Date of Publication: May 15, 2003 Effective Date: May 20, 2003

### Exhibit A – Ordinance No. 380

## CHAPTER 19.75 SIGNS

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### 19.75.010 Purpose

The purpose of this Chapter is to provide for the reasonable display of signs necessary for public service or the conduct of business. The regulations enacted herein are necessary to protect the safety and welfare of the public and to maintain an attractive appearance in the community. This Chapter authorizes and regulates the use of signs visible from a public right-of-way and/or adjacent property to:

- Provide a reasonable balance between the right of an individual to identify a business and the right of the public to be protected against the unrestricted proliferation of signs; and
- 2) Support the economic well being of businesses by allowing businesses to identify their premises and advertise products and services; and
- 3) Provide minimum standards to safeguard life, health, property and the general welfare by regulating and controlling the design, quality of materials, construction, location, electrification and maintenance of all signs and sign structures; and
- 4) Insure that signs are compatible with adjacent land uses; and

- 5) Protect the public from hazardous conditions resulting from signs that are structurally unsafe, obscure vision of motorists, distract motorists, or interfere with traffic signs and signals; and
- 6) Minimize overhead clutter for drivers and pedestrians; and
- 7) Provide for types and sizes of signs appropriate to the land uses and zoning districts of the City; and
- 8) Encourage well-designed signs that are compatible both with surrounding land uses and the buildings to which they are appurtenant; and
- 9) Provide for the orderly and reasonable elimination of existing signs that are not in conformance with this Chapter to protect the public health, safety, and welfare; and
- 10) Provide a reasonable amortization period for businesses which have made a substantial investment in signs prior to the adoption of this Chapter; and
- 11) Implement the goals and policies of the City of University Place Comprehensive Plan; and
- 12) Protect property values by encouraging signs that are appropriate in both scale and design to surrounding buildings and landscape and by discouraging a needless proliferation in the number of signs.

## 19.75.020 Scope

This Chapter may be referred to as the Sign Code. This Chapter applies to all signs in the City. This Chapter regulates the type, size, location and number of signs. This Chapter shall be administered by the Director.

### 19.75.030 Definitions

A) General Definitions. Words not defined herein have their common meaning. The terms described below have the following meaning within this Chapter:

"Building Code" means codes adopted by the City including, but not limited to, UPMC 14.05.

"Building Official" means the City official responsible for administration of the Building Code or a duly authorized deputy.

"Change of Use" means a sign advertising a business, service, commodity, product or activity that is no longer operating or being offered or conducted on the site.

"Freestanding letters" means a sign comprised of individual letters, characters, or marks, whether fastened directly against a wall or erected upon a steel framework for support.

"Internal Illumination" means a source of lighting concealed entirely within a sign that illuminates the sign graphics by the transmission of light through a translucent or semi-translucent material.

"Landscaping" means any material used as a decorative feature for a sign, such as shrubbery, native vegetation, grass, flowers, decorative ground cover, planting materials, planter boxes, or brick work. Landscaping does not include any material that displays advertising copy.

"Marquee" means a permanent-roofed structure attached to and supported by a building to provide protection from the weather.

"Nonstructural trim" means the molding, battens, caps, nailing strips, latticing, and cutouts, attached to a sign structure.

"Sign Owner" means any person with a legally protected interest in a sign or a sign structure including, but not limited to, a legal owner of a sign, a sign user, and the owner or lessee of property on which a sign or sign structure is located.

"Silhouette Lighting" means lighting being emitted from a pan-channel sign graphic which has the open side of the channel facing the wall or sign face it is mounted to, thereby silhouetting the sign graphics. This is sometimes called "halo lighting".

"Sign structure" means the supports, uprights, braces, and framework for a sign.

"Special Event" means events regulated under Chapter 5.10 UPMC.

"Special displays" means displays of merchandise, animals, balloons, cars, airplanes, or other objects used to attract attention for purposes of advertising.

B) *Types of Signs*. The terms described below have the following meanings within this Chapter:

"A-Board" or "Sandwich Sign" means a temporary portable sign, usually constructed of two pieces of wood, plastic or similar material attached to each other at the top edge, that stands like an "A" or is worn by a person such that one sign face is visible on either side of the sign.

"Address Sign" means a sign displaying only an address.

"Animated Sign" means a sign using movement or change of lighting, either natural or artificial, to depict action or to create special effects or scenes. All digital sign, except those displaying the time and temperature, are animated signs.

"Awning Sign" means a sign attached to an awning, canopy or other similar structure that is comprised of fabric, plastic or similar materials and is located over an entrance, a window or an outdoor service area at a place of business. An awning sign is a type of wall sign. A marquee sign is an awning sign.

"Banner" means a temporary sign usually made of cloth, nylon or plastic that is hung by rope, cable or similar materials from a building or another sign structure.

"Billboard" means a preprinted or hand painted changeable advertising copy sign which directs attention to businesses, commodities, services, or facilities which are not primarily sold, manufactured, or distributed from the property on which the sign is located. The term "billboard" includes both the structural framework that supports a billboard and any billboard faces attached thereto.

"Bus Shelter Signs" means advertising signs mounted to bus shelters in the right-ofway.

"Changing Message Sign" means an electronic or mechanical sign, with the ability to change the sign message electronically. Time and temperature signs are not considered changing message signs.

"Charitable Event Sign" means a sign that advertises an event for a charity.

"City Gateway Sign" means a sign constructed and maintained by the City to welcome citizens and visitors to our community. Gateway signs are usually installed along major arterial streets leading into our community.

"Construction Sign" means a sign designating the contractor(s), architect(s), and/or engineer(s) participating in a construction project underway on the premises.

"Directional Sign" means a sign solely to direct pedestrian or vehicular traffic while entering, exiting, or traveling on the property where the sign is located.

"Freestanding Sign" means a sign supported on a structure used exclusively for the support of the sign or for a group of signs, including pedestal, pylon, pole, and monument signs.

"Flashing Sign" means an illuminated sign which lights suddenly or intermittently. A strobe light used to attract attention to a business is a flashing sign.

"Garage or Yard Sale Sign" means a temporary sign used to direct people to a sale of personal household possessions.

"Home Occupation Sign" means a sign advertising a home occupation.

"Identification Sign" means a sign located in an R1, R2, MF, or PF zone or PF overlay advertising uses other than residential or home occupation.

"Incidental Sign" means a sign that is not visible either from a right-of-way or off of the property on which the sign is located. Incidental signs typically inform the public about goods, facilities, or services available on the premises including, but not limited to, restrooms, hours of operation, acceptable credit cards, property ownership or management, phone booths or recycling containers.

"Emergency Medical Sign" means a sign advertising the location where emergency services are located.

"Menu Sign" means a menu board at the entrance to a drive through lane at a restaurant or an automobile service facility listing menu items or services for sale at the establishment. Car washes or automobile lubrication facilities typically display a menu sign.

"Monument Sign" means a freestanding sign that is attached directly to the ground with a decorative base made of wood, masonry or other similar material. Monument signs may have posts comprised of wood, masonry, or metal so long as the posts are completely surrounded by the decorative base.

"Mural" means a large decorative image, not an advertisement, that is painted or drawn on an exterior wall of a structure.

"Nameplate" means a sign displaying only an occupant's name or the name or address of premises.

"New Residential Development Sign" means a sign advertising new homes for sale.

"Nonconforming Sign" means a sign that does not conform to the provisions of this Chapter.

"Off-Premise Sign" means a sign advertising a business, product, activity or service that is not sold at the site where the sign is located.

"Painted Signs" means a sign painted on a wall, fence or other structure and not lighted by internal illumination.

"Pan-channel" means a sign graphic that is constructed of a three-sided metal channel, usually having a light source contained within the channel. The open side may face inward, resulting in silhouette lighting, or it may face outward to allow full illumination. The open side of the channel may be covered with a translucent material.

"Personal Message Sign" means a sign displaying a political, religious, or other personal noncommercial message.

"Pole Sign" means a sign hung from or supported by vertical standing pipe(s), wood beam(s) or other material(s) that are affixed to the ground at one end and to the sign at the other end if the support(s) are clearly visible.

"Political Sign" means a sign relating to candidate for political office or measure on the ballot at any election.

"Portable Sign" means a sign not permanently attached to the ground or to an other permanent structure, or a sign designed to be transported including, but not limited to signs designed to be transported by means of wheels whether by trailer or on its own wheels even though the wheels of such sign may be removed. This definition includes A-boards, T signs, and menu or sandwich signs and mobile reader boards.

"Projecting Sign" means a sign affixed at an angle or perpendicular to the wall of any building in such a manner to read at an angle or perpendicularly to the wall on which it is mounted.

"Promotional Sign" means posters, pennants, banners or streamers, balloons, searchlights, clusters of flags, strings of twirlers or propellers, flares, and other displays of a carnival nature used to promote a grand opening or sales event.

"Public Safety Sign" means a sign advertising a location where public safety services are available.

"Reader Board Sign" means a sign with characters, letters or illustrations that can be changed or rearranged without altering the face or surface of the sign. A sign on which the message changes more than four (4) times a day shall be considered an animated sign rather than a reader board sign.

"Real Estate Sign" means a temporary sign directing attention to the availability for sale, lease, or rent of particular premises.

"Religious Sign" means a sign or symbol either freestanding or wall mounted which identifies a religious institution and may include hours of services offered or sponsored programs or events.

"Residential Development Sign" mean a sign identifying a subdivision or multi-family complex.

"Revolving sign" means a sign that revolves or partially revolves by mechanical means.

"Roof sign" means a sign erected upon or above a roof or parapet of a building or structure.

"Sign" means any device, fixture, or placard that is visible from a public right-of-way or surrounding properties and uses graphics, symbols, logos, or written copy for the purpose of advertising or identifying any establishment, product, goods, service or activity. A sign may have multiple faces and advertise multiple establishments, businesses, products, services, or activities. This definition does not include any flag of any country, state or local jurisdiction. Unless the context clearly provides to the contrary, a "sign" as used in this Chapter also includes the "sign structure."

"Street Banners – Decorations" means any street banners, decorations, and/or other similar items located in the City right-of-way.

"Temporary Sign" means any sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other similar materials, with or without a frame, intended to be displayed for a limited time only. Holiday decorations and other special events shall be considered temporary signs.

"Time and Temperature Signs" means a digital sign displaying solely the time and temperature.

"Wall Sign" means a sign erected against the wall of a building or other structure with the sign face parallel to the plane of the wall. Examples of wall signs include a marquee, a painted sign or a sign supported by a fence.

"Window Sign" means a sign on a window or located inside and in such close proximity to the window so as to be easily and readily viewed from outside the window.

## 19.75.040 Permits Required

- A) Sign Display Permits. It shall be unlawful to erect or display a sign in the City without a sign display permit issued by the Department. Nothing in this Chapter modifies any provision of Chapter 14.05 UPMC, which requires a building permit to erect, modify or demolish certain signs and sign structures.
- B) Temporary Signs Display Permits. The Director may issue temporary sign display permits and attach reasonable conditions to the issuance of a permit as may be necessary to ensure timely discontinuance of the use and to ensure substantial compliance with this Chapter.
- C) Applications for Sign Permits. Any person submitting an application for a sign display permit or a temporary sign display permit shall make application on forms provided for that purpose at the Department.
- D) Additional Information. The Director may require the filing of plans or other pertinent information as necessary to insure compliance with this Chapter.

### 19.75.050 Permit Issuance

- A) Permit Issuance. It shall be the duty of the Director, upon the filing of an application for a permanent sign permit or a temporary sign permit, to review the application and to issue, issue with conditions, or deny the permit in accordance with the provisions of this Chapter.
- B) *Permit Fees*. Required fees are set forth in the City's fee resolution as adopted or hereafter amended.
- C) Temporary Signs--Deposit. Prior to the issuance of a temporary sign permit, a deposit equal to the permit fee shall be submitted by the applicant. All temporary signs must

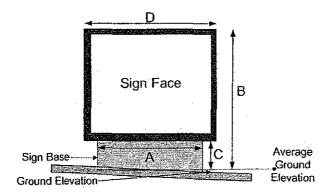
be removed within three working days after the expiration of the permit. If the applicant fails to remove the sign in the time required, the deposit shall be forfeited and the applicant will not be eligible for another temporary sign permit for 12 months.

D) A sign permit shall be processed as a Type I Permit under Title 22 UPMC.

## 19.75.060 Design and Construction

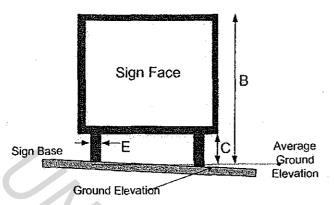
All signs shall be erected in accordance with the following design and construction standards and other requirements of this Chapter.

- A) Obstructing Signs. No sign or sign structure shall be constructed in such a manner or at such location that it will obstruct access to any fire escape or other means of ingress or egress from a building or any exit corridor, exit hallway, or exit doorway. No sign or supporting structure shall cover, wholly or partially, any window or doorway in any manner that it will substantially limit access to the building in case of fire.
- B) Visibility. No sign or sign structure shall be placed or erected in any place or manner where by reason of its position it will obstruct safe visibility for vehicular or pedestrian traffic.
- C) Construction Standard for Permanent Signs. No sign shall be constructed, erected, or maintained unless the sign and sign structure is so constructed, erected, and maintained as to be able to withstand the wind, seismic and other requirements as specified in the Building Code. Permanent free standing signs shall also be subject to the following design standards:
  - 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) Dimensional and design standards:
    - Pedestal, Pole or Pylon Signs. The following drawings illustrate the dimensional standards for pedestal, pole or pylon signs:



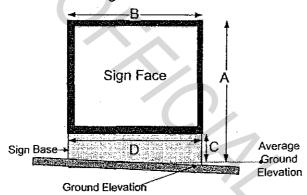
B = Height of sign A  $\geq$  50% of B A  $\geq$  50% of D

C ≥ 20% of B



B = Height of sign  $C \ge 20\%$  of B  $E \ge 4$  inches

ii) Monument Signs. The following figures illustrate the dimensional standards for monument signs:



A: Maximum height of sign

B: Maximum = 200% of A

C: Minimum = 20% of A

D: Equal to 100% of B

### 3) Design criteria.

- i) Sign base. The base of the sign must be constructed of 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. Materials that differ from the primary structure are subject to the Director's approval. No visible gap shall be allowed between the sign base and the finished grade or between the sign face or cabinet and the sign base except as provided in this Chapter.
- ii) Except as provided in this Chapter all pole or pylon signs shall be supported by two or more supports.
- iii) 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.
- D) Minor deviations. Minor deviations from the dimensional standards for signs, except for maximum sign height, may be approved by the Director upon finding that the resulting sign does not significantly change the relative proportion of the sign base to the sign face.
- E) Electric Signs. Electric Signs shall be constructed and inspected in accordance with applicable electrical codes.
- F) Public right-of-way. Signs in the public right of way shall be regulated by Title 13, UPMC and require a valid right-of-way use permit pursuant to Title 13 UPMC. Any signs located in a public right-of-way without a valid right-of-way permit is hereby

- declared a public nuisance. Any unlawful sign may be removed from a public right-ofway immediately.
- G) Planter boxes Bumper guards Shrubs Plants. No planter box or bumper guard designed to protect or beautify a sign structure shall extend beyond the property line. Planter boxes shall not be more than 36 inches above average finished grade.
- H) *Utility lines Clearance*. Horizontal and vertical clearance of signs or sign structures from utility lines shall be determined by the appropriate service provider.

## 19.75.070 General Sign Requirements

The size and placement of signs are regulated to maintain a safe and attractive community and to facilitate attention to their messages. The following standards are intended to aid the sign user, sign maker and the Department in determining the maximum size and appropriate location of permitted signs.

### A) General Sign Requirements

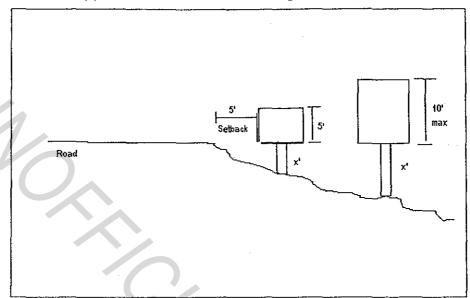
1) Area of Signs.

 The area of a sign means the area within a continuous perimeter enclosing the outer limits of the sign face, but not including structural elements, which are not a part of the display.

b) When two identical sign faces are placed back to back the sign area shall be computed by the measurement of one of the sign faces. No more than two faces are permitted per freestanding sign. The area of a spherical, cubical or polyhedral sign equals one-half the total surface area.

- Area of Freestanding Letters. Freestanding letters and/or characters forming a sign or message shall be considered to occupy two-thirds of the combined overall background area.
- 3) Height of Signs. Maximum height of all free standing signs or any part of the free standing sign structure shall be ten (10) feet above average finished grade. Sign height shall be measured from the average finished grade at the sign foundation. The average finished grade for signs on grades lower than the adjacent right-of-way shall be considered the same as the average grade of the adjacent right-of-way. See the diagram following the subsection for Grade Exemptions.
- 4) Width of Signs. The maximum width of a freestanding sign structure shall be twelve (12) feet. Sign width shall be measured on the face side of the sign from one side of the face or any part of the sign structure to the farthest point on the opposite side of the face or part or the sign structure.
  - 5) Setbacks for Signs. All signs are permitted a zero foot setback, except as provided in this Chapter, provided the owner demonstrates to the City by reasonable evidence that the sign will not obstruct the clear sight zone as specified in Title 13, UPMC.
  - 6) Illumination: External sign illumination shall be directed only towards the sign face or free standing letters and shall be shielded in ways to prevent light and glare on adjacent properties.

7) Grade Exception: When the elevation at the base of a freestanding sign is at least five (5) feet below the elevation of the adjacent road, a single pole may be used to support the sign provided the portion of the sign above the elevation of the adjacent roadway has the appearance of a monument sign. See figure below.



- 8) Maintenance of Signs: All signs shall be maintained in a safe condition and in good repair. Any sign that is damaged shall be restored to a safe condition and good repair no later than ninety (90) days after the event that caused the damage. Failure to maintain a sign in a safe condition and in good repair shall be grounds for revocation of a sign permit.
- 9) Establishment of property lines. It shall be the responsibility of the property owner or an authorized representative to establish and clearly mark out any property line from which a sign setback measurement shall be taken. In the event of a dispute or discrepancy in the establishment of the property lines involved, the Director may order an independent survey to insure compliance with this Chapter. The survey cost shall be charged to the sign applicant.
- B) Optional Standards for two year permit extension. The following landscaping and illumination standards apply to those nonconforming signs for which the sign owner has applied for a two year extension and chosen landscaping or illumination as a condition of that extension.
  - 1) Landscaping. Freestanding signs shall have a landscaped area.
    - a) The number of trees, shrubs, and size of landscape area are as follows:

Size of Sign Face (sq. ft.)	Trees	Shrubs	Landscape Area (sq. feet)
Up to and including 32	0	3	60
> 32 to ≤ 40	1	4	80
> 40 to ≤ 50	2	5	100

- b) Size of trees and shrubs and ground cover are pursuant to 19.65.190.
- c) Perennial and annual flowers may be used in lieu of ground cover requirements and shall have a minimum coverage of 50%.

- d) Plantings shall be located immediately adjacent to the base of the sign.
- e) The plantings or the landscaped area shall be located so as to shield illumination sources.
- f) Landscaping shall be installed in the planting season closest to the date of the sign permit issuance. Signs installed after the planting season shall be landscaped no later than the following planting season.
- 2) Illumination Requirements:
  - All illumination shall be a steady, continuous burning bulb or light with the exception of time and temperature signs.
  - External Illumination. Signs may be externally illuminated. The light source must be shielded so that the light is not visible from adjacent properties or the public right-of-way.
  - c) Internal Illumination. Internally illuminated signs should conform to the following:
    - 1) Individual pan-channel sign graphics and emblems;
    - 2) Individual sign graphics using "halo" or "silhouette" lighting;
    - 3) Only text and graphics may be internally illuminated; the sign face must remain opaque, and be sealed at the seams to avoid light leaks.
    - 4) Internally illuminated awning signs. Awning material must be completely opaque. Only the sign graphics on awnings may be translucent.
  - d) Wall signs may be internally illuminated if:
    - 1) The background does not emit light;
    - 2) The background constitutes a minimum of 80% of the sign area;
    - 3) The illumination source is shielded.

# 19.75.080 Specific Sign Requirements Table

The following requirements apply to specific sign types. The Director may prescribe reduced area and height, more controlled illumination and greater setback as a condition of any special use permit approval.

Residential (R1,	R2, MF),	Public F	acility (P	F) Zones	, and PF Overl	ay
Type of Sign	Permit :: Required	Area (sq. ft.)	Height (feet)	Setback* (feet)	Number of Signs	Other Requirements
Address	No			0		Numbers & letters ≤ 10" high
Bus Shelter	Yes					Subject to Pierce Transit agreement
Charitable Event	Yes (temporary)	16	10	0	1 per site	Non-illuminated; may be placed 7 days prior to event; removed 2 days following the event
City Gateway	No	≤ 32	≤10	0	≥1	Greater height, number, and size subject to Director approval
Construction	No	16	≤ 5	5	2 per street frontage	May be placed on site upon filling complete and valid land use or building permit application has been submitted to the City, may be in place until project has received final approval
Directional	No	6	3	0	1 per entrance or exit	
Flags	No	20	10	0		Non-governmental flags subject to stated requirements; Government flags are exempt from requirements
Historic Markers/ Plaques/ Gravestones	No					
Home Occupation	No	2	10	0	1	May be freestanding, placed on primary structure, or placed in window
Identification in PF Zones or PF overlay	Yes	36	10	0	2	Only one may be a pole mounted reader board
Identification in Residential Zones	Yes	36	10	0	1 per street frontage	
Incidental	No	2				Size limitation shall not apply to signs providing directions, warnings or information when established and maintained by a public agency
Kiosks **	Yes	20	8	0		Number reviewed and approved on individual basis
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<sup>\*</sup> The sign owner must provide proof that the sign will not adversely impact the Clear View Triangle as specified in Title 13, UPMC. \*\*Additional requirements are listed in Specific Sign Requirements.

Residential (R1,	R2, MF)	Public F	acility (Pl	F) Zones	, and PF Overla	ay
Type of Sign	Permit     Required	Area (sq. ft.)	Height (feet)	Setback* (feet)	Number of Signs	Other Requirements
Nameplates	No	6		0		
New Residential Development	Yes (temporary)	16	10	0	1 per street frontage	Two-year period
Official Legal Notices	No			0		Notices issued & posted by public agency or court
Personal Message	Yes	3	≤ 5, if free- standing	0	1 per lot	Non-illuminated
Plaques, Tablets, or Inscriptions	No	3				Non-illuminated; Indicates name of building, date of erection, or commemorative information; Integral part of building structure or attached flat to face of building
Political **	No	3	3	0		Area and height requirements apply only to signs at the edge of public right-of-way
Real Estate	No (temporary)	6	6	0	1 per tax lot,	Non-illuminated; must be removed 15 days after sale, lease, or rental of property
Religious	Yes	36	10	0	1 per street frontage	
Religious Symbols	No			0		
Residential Development	Yes	20	10	0	1 per entrance; two at main entrance	
Residential Open House A-boards	No	. 5		0	1 per street frontage, 3 off premise for any single development	Permitted during daylight hours only; A realtor, seller, or agent must be on property
State, City, or Public Service Company	No					Signs indicating danger, aids to service or safety
Traffic Control	No					Traffic direction signs or Adopt-A-Road litter control program signs
Yard Sale **	No	3	3	0	1 on-premise, 3 off-premise	

<sup>\*</sup> The sign owner must provide proof that the sign will not adversely impact the Clear View Triangle as specified in Title 13, UPMC.

\*\*Additional requirements are listed in Specific Sign Requirements.

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Type of Sign	Permit Required	Area (sq. ft.)	Height (feet)	Setback* (feet)	Number of Signs	Other Requirements
A-board **	Yes (temporary)	12 per face	44.33 (1 <b>56</b> 1) # 18	5 to 20	1	Setback 5 from ROW, Setback 20 from intersections
Banner **	Yes (temporary)	24			1	
Billboard	Prohibited					
Bus Shelter	Yes					Subject to Pierce Transit agreement
Changing Message	Yes		10	0 200	1	Allowed only NC zone; 200' setback measured from center line of any controlled intersection
Charitable Event	Yes (temporary)	16	10	0	1 per site	Non-illuminated; May be placed 7 days prior to event; removed 2 days following the event
City Gateway	No	≤ 32	≤ 10	0	≥ 1	Greater height, number, and size subject to Director approval
Construction	No	16	5	5	2 per street frontage	May be placed on site upon filing complete and valid land use or building permit application; May be in place until project has received final approval
Directional	No	6	3	0	1	1 per entrance or 1 per exit
Flags	No	20	10	0	1	Non-governmental flags subject to stated requirements; Government flags are exempt from requirements
Freestanding Single Tenant	Yes	32	≤ 10	0	1 to 2	1abutting street of highest classification, if signs are 100' apart a second sign is permitted on secondary street
Freestanding Two to Five Tenants	Yes	40	≤ 10	0	1 to 2	abutting street of highest classification, if signs are 100 apart a second sign is permitted on secondary street
Freestanding Six or More Tenants (Commercial Centers)	Yes	50	≤ 10	0	1 to 3	1 abutting street of highest classification, if > 300' street frontage a second sign place 100' from first sign is permitted, an additional sign is also permitted on a secondary street
Historic Markers/ Plaques/ Gravestones	No					
Incidental	No	2	1			Size limitation shall not apply to signs providing directions warnings or information when established and maintaine by a public agency
Kiosks	Yes	20	8	0		Reviewed and Approved on individual basis
Medical Emergency/ Public Safety	Yes	≤ 20	≤ 10	0	1	Greater height, number, and size subject to Director approval
Menu	Yes	45	7	0	2	N/A

<sup>\*</sup> The sign owner must provide proof that the sign will not adversely impact the Clear View Triangle as specified in Title 13, UPMC.

\*\*Additional requirements are listed in Specific Sign Requirements.

Commercial Zoi	nes (TC	NC, MU,	MU-O, C.	LIBP)		
Type of Sign	Permit Required	Area (sq. ft.)	Height (feet)	Setback* (feet)	Number of Signs	Other Requirements
Murais	No					Commercial messages or business identification is not permitted
Nameplates	No	6				
New Residential Development	Yes (temporary)	16	10	15	1 per street frontage	Two-year period
Official Legal Notices	No	Exempt	Exempt			Notices issued & posted by public agency or court
Off-Premise Advertising	No	≤ 25% of on-premise sign	10	0		Permitted only as subordinate use to a properly permitted existing on-premise sign located on abutting property
Political **	No	3	3	0		Area and height requirements apply only to signs at the edge of public right-of-way
Personal Message	Yes	3	≤ 5, if free-standing	0	1 per lot	Non-illuminated
Plaques, Tablets, or Inscriptions	No	3				Non-illuminated, indicates name of building; Date of erection, or commemorative information; Integral part of building structure or Attached flat to face of building
Projecting	Yes	20	Height of building	10	1	In lieu of freestanding sign, Project ≤ 5' from building wall, Extend no more than 2' from face of curb, Clearance ≥ 10'
Promotional	Yes (temporary)			5 to 20	No limit	Setback 5 from ROW; Setback 20 from intersections; 5 day time period, may be approved in conjunction with temporary sign under same permit fee
Real Estate	No (temporary)	12	6	0	1 per tax lot	Non-illuminated, Removed 15 days after sale, lease, or rental of property
Religious	Yes	36	10	0	1 per street frontage	
Religious Symbols	No					
Residential Development	Yes	32	10	ó	1	

<sup>\*</sup> The sign owner must provide proof that the sign will not adversely impact the Clear View Triangle as specified in Title 13, UPMC.

\*\*Additional requirements are listed in Specific Sign Requirements.

Commercial Zo	nes (TC	NC, MU,	MU-O, C	LIBP)		
Type of Sign	Permit Required	Area (sq. ft.)	Height (feet)	Setback* (feet)	Number of Signs	Other Requirements
Residential Open House A-boards	No	5, ≤2 faces		5 from ROW	1 to 4	Permitted during daylight hours only; A realtor, seller, or agent must be on property; 1 per street frontage, 3 off premise for any single development
Roof	Yes	≤ 15% of building facade	Shall not project above building	0		Prohibited unless placed on parapet or incorporated into building to provide overall finished appearance.
State, City, or Public Service Company	No					Signs indicating danger, aids to service or safety
Street Banners— Decorations	Yes					Permitted in accordance with Title 13, UPMC
Special Event	Yes (temporary)	30 4		5	5 on-premise 6 off-premise	45 day time period for each event, This time is included in the limit for temporary signage
Street Banners **	No			0	·	
Strings of in- candescent Lights	No			0		Lights shall not exceed 25 watts per bulb
Traffic Control	No					Traffic direction signs or Adopt-A-Road litter control program signs
Temporary Use	Yes	12 per face		5	1 A-Board	Subject to temporary sign requirements,
	(temporary)	24			1 Banner	Displayed for duration of permitted temporary use
Under- Marquee	Yes	7	8' clear- ance, sign ≤12"	2	1 per business	8' clearance from sign to walking surface below, sign height ≤12", sign must swing
Wall	Yes	≤ 15% of building facade		0		≤ 18" in thickness
Window	Yes	≤ 20% of window	,	0		7 day time period; > 30 days is considered wall sign and subject to wall sign standards
Yard Sale **	No	3	3	0	1 on-premise, 3 off-premise	

<sup>\*</sup> The sign owner must provide proof that the sign will not adversely impact the Clear View Triangle as specified in Title 13, UPMC. \*\*Additional requirements are listed in Specific Sign Requirements.

Exemption from the sign permit provisions of this Chapter shall not be deemed to grant authorization for any sign constructed, erected or located in any manner in violation of the provisions of this Chapter or any other laws or ordinances of the City or the state of Washington, including the prohibition against placing signs upon City right-of-way.

## 19.75.090 Specific Sign Requirements

- A) A-Board or Sandwich Signs.
  - 1) Signs may not be displayed for longer than 60 days in a year.
  - 2) Signs shall be removed at the close of each business day.
  - 3) Signs must be removed within three working days after the expiration of the permit. Failure to remove signs will forfeit use of a temporary sign permit for a period of 12 months.
  - 4) Signs may not be permanently attached to the ground, building, or other structure.
- B) Banners.
  - 1) Banners may not be displayed for longer than 60 days in a year.
  - 2) Banners are not permitted in the right-of-way without the express permission of the City engineer.
- C) Kiosk. Kiosks may be placed at public facilities or within the right-of-way to provide information on facility events, rules, or public announcements.
- D) Marquee Canopy Awnings.
  - 1) Awnings shall project not less than three feet and not more than seven feet from the face of the supporting building, when over public property.
  - 2) No portion of any awning or canopy shall extend nearer than two feet to the face of the nearest curb line.
- E) *Political Signs*. The placement of signs is limited to a reasonable time before the election. Signs for a successful primary candidate may remain in place until after the general election. The exemption of political signs from City regulation is limited by the following provisions:
  - Signs relating to the nomination or election of any individual for a public political office or advocating any measure to be voted on at any special or general election are political signs and exempt from the sign permit requirement; provided, that such political signs shall be removed 10 days after the date of the election for which they are intended. If political signs are not removed within the specified time, they will be subject to removal by the City in addition to any other remedies provided in this Chapter. The City will notify the candidates or their designated representatives of sign removal and a designated location for picking up signs that have been removed. When these appropriate individuals cannot be contacted or do not respond within five working days, the signs will be destroyed.
  - 2) No political sign shall be erected upon any private property without permission of the resident or owner thereof.
  - 3) Political signs may be placed along the edge of the right-of-way shall not exceed three square feet in area per sign face nor three feet in height, and shall not obstruct safe visibility of any mobile or pedestrian traffic, nor interfere with routine

maintenance and other common uses of the right-of-way such as public parking, pedestrian and bicycle traffic or access to utilities.

### F) Roof Signs.

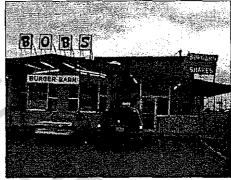
Acceptable Roof Signs:





2) Unacceptable Roof Signs:





- G) Yard Sale Signs. Off-premise signs posted at locations away from the location(s) of the sales are subject to the following provisions:
  - The signs may be placed adjacent to the right-of-way with the property owner's permission.
  - 2) Yard sale signs shall not be posted sooner than 5:00 p.m. on the day prior to the sale and shall be removed immediately following the end of the sale.
  - 3) Yard sale signs must include the address where the yard sale is located and a date or dates of the sale.
  - 4) Signs for yard sales shall not be allowed for more than 3 successive calendar days in a 30-day period and shall be limited to advertising not more than 3 yard sale events in the same calendar year at the same location.
  - 5) A fine of \$100.00 per yard sale sign, which exceeds these provisions maybe levied against the property owner where the sales are held.

## 19.75.100 Removal of Sign for Vacant Premises

Within thirty (30) days of the vacancy or change in tenancy of any property, the sign face of any sign advertising the former tenant, or product or activity sold by the former tenant shall be removed or changed. If the removal or change of the sign face exposed any structural, electrical, or illumination fixtures, an opaque covering, or other material approved by the Director, shall be placed over the exposed fixtures.

## 19.75.110 Nonconforming Signs

### A) Nonconforming Sign Inventory

The Director shall, as soon as practicable, survey the City for signs, which do not conform to the requirements of this code. Upon determination that a sign is nonconforming or illegal, the Director shall use reasonable efforts to so notify in writing, the sign owner and where practicable the owner of the property on which the sign is located. Notification shall include:

- 1) Whether the sign is conforming, nonconforming or illegal;
- 2) Whether the sign may be eligible for a nonconforming sign permit.

If the identity of the sign owner cannot be determined after reasonable inquiry, the notice may be affixed in a conspicuous place on the sign or on the business premises with which the sign is associated.

### B) Nonconforming Sign Permits

- 1) Eligibility. An on-premise nonconforming sign may be issued a nonconforming sign permit. Nonconforming sign permits shall not be issued for off-premise, illegal, prohibited, or temporary signs.
- 2) Permit Required. A nonconforming sign permit is required for all eligible nonconforming signs in commercial zones. The sign owner shall obtain the permit within 180 days of notification by the City. Applications for a nonconforming sign permit shall contain the name and address of the sign user, the sign owner, and the owner of the property upon which the sign is located, and such other pertinent information as the Director may require to ensure compliance with the Chapter. The Director may waive specific submittal requirements determined to be unnecessary for review of an application.
- Permit Issuance. Any person submitting an application for a nonconforming sign permit shall use the forms provided by the Department. The Director shall issue nonconforming sign permits upon a determination of eligibility. The Director may require the filing of plans or other pertinent information where such information is necessary to determine compliance with this Chapter. Fees for nonconforming sign permits shall be set by separate resolution as adopted or hereafter amended. Appeals shall be filed in accordance with UPMC 22.02.
  - Permit Expiration. The nonconforming sign permit shall expire on March 4, 2009.
     Any nonconforming permit extension granted under subsection below shall expire on March 4, 2011.

### C) Amortization

- 1) All legal nonconforming signs in residential zones (R1, R2, and MF), public facility zones or public facility overlay (PF) and all nonconforming signs for which a nonconforming sign permit has been issued shall be removed or made conforming on or before March 4, 2009.
- 2) Billboards. All billboards shall be removed on or before July 1, 2004. New billboards are prohibited in the City.
- 3) Amortization Extension. Nonconforming signs in commercial zones (TC, NC, MU, MU-O, C, LIBP) that are eligible for a nonconforming sign permit may obtain a permit extension of two years to March 4, 2011. Permit issuance is upon the

condition that at least three of the following improvements are made to the nonconforming sign within six months of receipt of the nonconforming sign permit.

- 1) Paint the sign;
- 2) Install landscaping per this Chapter;
- 3) Reduce height of sign to 10 feet;
- 4) Replace sign face with a dark background and light lettering;
- 5) Add paneling to single poles (create a pylon or monument look);
- 6) Change illumination per this Chapter.
- D) Loss of Legal Nonconforming Status

Nonconforming signs shall either be removed or immediately brought into compliance with this Chapter upon the occurrence of one or more of the following events:

- When a nonconforming sign permit is required but not obtained within 180 days of Notice of Nonconformance: or
- 2) A change of use has taken place; or
- An application is granted for a major tenant improvement to the structure for which the nonconforming sign is an accessory use; or
- 4) A special use permit or administrative use permit is granted for the lot on which the nonconforming sign is located; or
- 5) A vacancy occurs for more than nine months at any property for which a nonconforming sign is an accessory use; or
- 6) Damage of twenty-five percent or more in the value of either the nonconforming sign or the structure to which it is affixed.
- E) Maintenance. Ordinary maintenance and repair of a sign, including a sign face or message change that does not increase the sign face area, shall be permitted without loss of nonconforming status if the cost of the maintenance or repair is less than 50% the cost of replacing the sign.

## 19.75.120 Prohibited Signs

Except as indicated by this Chapter, the following signs or displays are prohibited:

- A) Billboards.
- B) Bus bench signs.
- C) Obscenities. No sign shall bear or contain statements, words, or pictures in which the dominant theme of the material, taken as a whole, appeals to the prurient interest in sex or is patently offensive because it affronts the contemporary community standard relating to the description or representation of sexual material that is utterly without redeeming social value.
- D) Off-premises signs except as authorized by this Chapter.
- E) Posters, pennants, banners or streamers, flashing lights, strobe lights, balloons, searchlights, clusters of flags, strings of twirlers or propellers, flares, and other displays of a carnival nature; except as architectural features or on a limited basis as seasonal decorations or as provided for in this Chapter as promotional signs for grand opening displays or special sales events.

- F) Portable signs including, but not limited to, sandwich/A-frame signs and mobile reader board signs except when permitted as provided in this Chapter as temporary signs.
- G) Public address systems or sound devices used in conjunction with any sign or advertising device except as part of a drive-through menu sign.
- H) Signs mounted on roofs except on a parapet or when incorporated into a building providing an overall finished appearance.
- Signs attached to or placed upon a vehicle or trailer parked in such a way as to serve as a sign on public or private property. This does not prohibit the identification of a firm or principal products on a vehicle operating during the normal course of business.
- J) Signs on light or utility poles.
- K) Signs which, by reason of their size, location, movement, content, coloring or manner of illumination either distract vehicular traffic or cause confusion with traffic control signs or signals, including, but not limited to, signs containing words such as "stop," "look," and "danger."
- L) Three-dimensional statue, caricature or representation of persons, large inflatable balloons and other inflatable displays including characters, animals, merchandise and dirigibles, or merchandise as a sign.
- M) Merchandise such as shoes or donuts may be incorporated into the sign structure. Barbershop poles are excluded from this provision.

### 19.75.130 Enforcement

- A) Penalty for violations.
  - It shall be unlawful for any person, firm or corporation to erect, construct, paint, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use or maintain any sign or sign structure in the City, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this Chapter;
  - 2) Any person, firm or corporation violating any of the provisions of this code shall be subject to a civil violation as defined in Chapter 1.20 UPMC, Enforcement.
- B) Right of entry. Upon proper presentation of credentials including court orders if appropriate, the Director may enter at reasonable times any building, structure or premises within the City to perform any duty imposed by this code.
- C) Liability. The provisions of this Chapter shall not be construed as relieving or limiting in any way the responsibility or liability of any person or persons erecting or owning any sign from personal injury or property damage resulting from the willful acts or negligence of such person, its agents, employees or workman, in the construction, maintenance, repair or removal of any sign or sign structure erected in accordance with a permit issued under this Chapter. Nor shall it be construed as imposing upon the City or its officers or employees any responsibility or liability by reason of the approval of any sign, materials or devices under the provisions of this code.
- D) Revocation of permits. The Director is authorized and empowered to revoke any sign permit issued in error or on the basis of incorrect information, or in violation of the

provisions upon failure of the holder thereof to comply with any provision or provisions of this code.

E) Nuisance declared – Abatement. Signs constructed, altered or maintained in violation of the provisions of this code are declared to be public nuisance.

