

**ORDINANCE NO. 024-17**

**AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, RELATING TO LAND USE AND ZONING; ADOPTING A NEW CHAPTER 20.132 SIGN CODE; PROVIDING FOR SEVERABILITY AND CORRECTIONS; AND SETTING AN EFFECTIVE DATE.**

**WHEREAS**, a 2015 decision of the United States Supreme Court (Reed v. Town of Gilbert) necessitated a review of the City's sign regulations; and

**WHEREAS**, the Reed decision ruled that, in most instances, local government sign regulations must be "content neutral;" and

**WHEREAS**, many of the city's sign regulations became unenforceable as a result of the Reed decision; and

**WHEREAS**, to study the issue of signage and make a recommendation, the mayor assembled an advisory committee that met 6 times between September 2016 and April 2017; and

**WHEREAS**, the sign advisory completed its review of a draft sign code and recommended approval of their draft sign code to the Planning Commission and City Council; and

**WHEREAS**, the Planning Commission began its review of the draft sign code and the advisory committee recommendation in May 2017; and

**WHEREAS**, the Planning Commission made minor revisions to the sign advisory committee's recommendation before voting unanimously on June 6, 2017 to recommend approval of a new sign code; and

**WHEREAS**, on June 12, 2017, the Economic Development Committee reviewed the Planning Commission recommendation and recommended that the full Council discuss certain items at its June 20, 2017 work study meeting prior to considering the ordinance at its June 27, 2017 regular meeting; and

**WHEREAS**, a SEPA DNS was issued on the proposed sign code adoption on June 5, 2017; and

**WHEREAS**, on March 29, 2017, the City provided the Washington State Department of Commerce a 60-day notice of proposed adoption for updates to the development regulations including the proposed sign code; and

**WHEREAS**, the proposed Sign Code implements numerous comprehensive plan goals and policies including:

Policy LU-3 Update and establish building and site design standards that support an attractive and functional built environment in all areas of the City.

Policy LU-25 Incorporate the following principles in planning for commercial areas:

- Create lively and attractive places at a human scale.
- Support a mix of retail, office, and residential uses in multistory structures.
- Create transitions between commercial areas and surrounding residential neighborhoods.
- Protect residential areas from excessive noise, exterior lighting, glare, visual nuisances, and other conditions that detract from the quality of the living environment.
- Encourage multi-modal transportation options, especially during peak traffic periods.
- Promote an intensity and density of land uses sufficient to support effective transit and pedestrian activity.
- Promote a street pattern that provides through connections, pedestrian and vehicular access.
- Establish urban and architectural design standards that support an attractive and functional pedestrian environment, such as block size limits and requiring street-facing windows and doors.
- Encourage pedestrian travel to and within commercial areas by providing:
  - Safe and attractive walkways.
  - Close groupings of land uses.
  - Parking lot design that provides safe walking routes and pedestrian connections between adjacent properties.
  - Off-street surface parking to the backs or sides of buildings to maximize pedestrian access from the sidewalk(s).

Policy CN-20 Adopt design standards for Gateways.

Policy CN-24 Create an aesthetically pleasing entryway to the City with the use of high-quality signs, artwork, and landscaping.

Housing Goal 6: Formulate and implement innovative development regulations and design standards that maintain and strengthen neighborhood character.

Policy HS-19: Consider commercial building design standards that establish and protect neighborhood character.

Policy ED-29: The City shall encourage the redevelopment of strip commercial areas through changes to the land use code, landscaping code, and signage code.

Transportation Goal 18. Provide aesthetically pleasing streets.

Policy TR-81 Develop design guidelines and standards for street wise landscaping, sidewalks, and maintenance within new developments.

Policy TR-82 Street Design Guidelines: Reflect the more urban nature of roadways within the City and within residential developments by encouraging, where appropriate, crosswalks and sidewalks, street trees and landscaping, traffic-calming strategies; and

**WHEREAS**, the City Council desires adopt a new chapter 20.132 titled "Sign Code" as presented; now, therefore,

**THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**SECTION 1. Findings.** The City Council hereby adopts the above recitals as findings in support of this ordinance.

**SECTION 2. New Chapter 20.132 Adopted.** The new development regulations, to be codified under POMC Chapter 20.132 Sign Code, attached as Exhibit 1 hereto and incorporated fully herein by this reference, is hereby adopted in its entirety.

**SECTION 3. Severability.** If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful 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. Publication.** This Ordinance shall be published by an approved summary consisting of the title.

**SECTION 5. Effective Date.** This Ordinance shall take effect and be in full force and effect five days after publication, as provided by law.

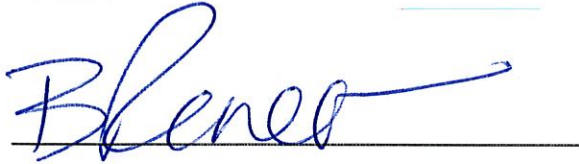
PASSED by the City Council of the City of Port Orchard, APPROVED by the Mayor and attested by the Clerk in authentication of such passage this 27<sup>th</sup> day of June 2017.



Robert Putaansuu, Mayor



ATTEST:



Brandy Rinearson, CMC, City Clerk

SPONSOR:



Clancy Donlin, Councilmember

APPROVED AS TO FORM:



Sharon Cates, City Attorney

PUBLISHED: July 7, 2017  
EFFECTIVE DATE: July 12, 2017

## EXHIBIT 1

### CITY OF PORT ORCHARD SIGN CODE

#### **Part I. General Provisions.**

- 20.132.010 Intent and Purpose.
- 20.132.020 Applicability and Interpretations.
- 20.132.030 Exemptions.
- 20.132.040 Prohibited Signs.

#### **Part II. Permitting.**

- 20.132.050 Sign Permits.
- 20.132.060 Master Sign Plans.
- 20.132.070 Sign Variances.
- 20.132.080 Nonconforming Signs, Maintenance, Removal and Enforcement.

#### **Part III. Sign Standards Applicable to All Signs.**

- 20.132.090 Sign Illumination.
- 20.132.100 Sign Materials.
- 20.132.110 Sign Placement and Location Restrictions.
- 20.132.120 Sign Area Measurements.
- 20.132.130 Sign Height Measurements.
- 20.132.140 Sign Structure and Installation.

#### **Part IV. Sign Types.**

- 20.132.150 Accessory Signs.
- 20.132.160 Awning or Canopy Signs.
- 20.132.170 Building Mounted Wall Signs.
- 20.132.180 Changeable Copy Signs.
- 20.132.190 Digital Signs.
- 20.132.200 Electronic Message Center (EMC) Signs.
- 20.132.210 Freestanding Signs.
- 20.132.220 Portable Signs.
- 20.132.230 Projecting Signs.
- 20.132.240 Roof-Mounted Signs.
- 20.132.250 Service Island Signs.
- 20.132.260 Sign Walkers.
- 20.132.270 Temporary Signs.
- 20.132.280 Window Signs.

#### **Part V. Definitions, Chart of Sign Types.**

- 20.132.290 Definitions.
- 20.132.300 Chart of Sign Types.

## **PART I**

### **Section 20.132.010 Intent and Purpose.**

A. Intent. Signs have a strong visual impact on the character and quality of the community. As a prominent part of the scenery, they attract or repel the viewing public, affect the safety of vehicular traffic, and their suitability or appropriateness helps to set the tone for the neighborhood. Because the City relies upon its scenery and physical beauty to attract commerce, aesthetic considerations assume economic value. It is the intent of the City, through this Chapter, to protect and enhance the City's historic and residential character and its economic base through the provision of appropriate and aesthetic signage. In addition, it is the intent of the City to limit the size, type and location of signs in order to minimize their distracting effect on drivers and thereby improve traffic safety.

B. Purpose. The purpose of this Chapter is to promote the public health, safety and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral and nondiscriminatory sign standards and requirements. This Chapter has also been adopted to:

1. Promote and accomplish the goals, policies and objectives of the City's Comprehensive Plan and Zoning Code;
2. To provide minimum standards in order to safeguard life, health, property and public welfare, and promote traffic safety by controlling the design, quality of materials, construction, illumination, size, location and maintenance of sign and sign structures;
3. Recognize free speech rights by regulating signs in a content-neutral manner;
4. Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to, cluttered, distracting and/or illegible signage;
5. Protect the beauty of the City's built environment by encouraging signs that are compatible with the architectural style, characteristics and scale of the building to which it may be attached, and to encourage signs that are compatible with adjacent buildings and businesses;
6. Protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the streetscape;

7. Provide consistent sign design standards;
8. Protect and encourage creative and innovative approaches to signage, and signs that are of a quality design, pleasing in appearance and are appropriate in size, materials and illumination to the surrounding neighborhood;
9. Provide an improved visual environment for the citizens of and visitors to the City;
10. Adopt clear, understandable regulations which enable the fair and consistent enforcement of this Chapter; and
11. Address emerging trends in digital and electronic sign technologies and provide regulations that facilitate use of such technologies while ensuring protection of motorists and pedestrians from the hazards of glare, startling bursts of light, and use of virtual movement and animation intended to attract driver attention, to hold driver gaze, and/or to otherwise distract drivers from the safe operation of their vehicles. Protect neighborhoods, surrounding development and the night sky from the nuisance factors associated with such glare, movement and animation of digital and electronic signs.

**Section 20.132.020 Applicability and Interpretations.**

A. This Chapter applies to all signs as defined in Section 20.132.290 (Definitions), within the City which are visible or audible from any street, sidewalk or public place, regardless of the type or nature. A sign permit shall be required prior to the installation or modification of any sign defined in section 20.132.290 unless the installation or modification of the sign is explicitly listed as exempt from sign permit requirements under Section 20.132.030 or if a requirement to obtain a sign permit is explicitly waived in another section of this chapter. Regardless of whether or not a sign is exempt from sign permit requirements, all signs shall comply with the standards of this Chapter.

B. This Chapter is not intended to, and shall not be interpreted to, restrict speech on the basis of its content, viewpoint, or message. Any classification of signs in this Chapter which purports to permit speech by reason of the type of sign, identity of the sign user or otherwise, shall be interpreted to allow commercial or non-commercial speech on the sign. No part of this Chapter shall be construed to favor commercial speech over non-commercial speech. To the extent that any provision of this Chapter is ambiguous, the term shall be interpreted not to regulate speech on the basis of the content of the message.

**Section 20.132.030 Exemptions.** The following signs or activities relating to signs are exempt from the sign permit requirements of this Chapter.

A. Changes to the face or copy of changeable copy signs, digital signs, electronic messaging signs, provided such changes do not change the material or appearance of the sign as originally permitted by the City.

B. The normal repair and maintenance of conforming or legal nonconforming signs.

C. Temporary signs on private property or public property, meeting the requirements in Section 20.132.270 (Temporary Signs).

D. Building identification numbers as required pursuant to this Code (Chapter 15.24 POMC) or any other City or State regulation.

E. Governmental signs. Signs installed by the City, County, or a federal or state governmental agency for the protection of the public health, safety and general welfare, including, but not limited to, the following:

1. Emergency and warning signs necessary for public safety or civil defense;
2. Traffic and/or wayfinding signs erected and maintained by an authorized public agency;
3. Signs required to be displayed by law;
4. Signs showing the location of public facilities; and
5. Any sign, posting, notice, or similar sign placed by or required by a governmental agency in carrying out its responsibility to protect the public health, safety and general welfare.

F. Flags. Any flags, provided that they conform to all provisions of this chapter for signs.

G. Certain stone or cement plaques and cornerstones with engraved or cast symbols and permanently embedded in the building's foundation or masonry siding materials, provided that none of these exceed four (4) square feet in area.

H. Interior signs. Signs or displays located entirely inside of a building and located at least three (3) feet away from transparent doors and windows.

I. Non-visible signs. Signs and associated sign support structures not visible or audible beyond the boundaries of the lot or parcel upon which they are located, or from any public right-of-way.

J. Vehicle with signs. Any sign on a vehicle, unless such vehicle is parked or stationed near an activity for the primary purpose of attracting public attention to such activity, or unless such vehicle or mobile unit is regularly parked in any prominently visible location for the primary purpose of attracting public attention to the sign.

K. Temporary signs in windows. Any temporary sign taped or otherwise affixed to the inside of a window, in such a manner as to be easily removed, provided that the total area of such sign in any one window does not exceed the size limitations in Section 20.132.280 (Window Signs) and Section 20.132.270 (Temporary Signs).



L. Bench signs. Any outdoor bench or furniture with any signs other than plaques one square foot or less in area.

M. Privately-maintained traffic control signs in a subdivision with private roads or signs in a parking lot.

**Section 20.132.040 Prohibited Signs.** No person shall erect, alter, maintain or relocate any of the following signs in the City.

A. Animated signs. A rotating or revolving sign or signs where all or a portion of the sign moves in some manner. This includes any sign animated by any means, including: fixed aerial displays; balloons; pennants; spinners, propellers, whirling, or similar devices designed to flutter, rotate or display other movement under the influence of the wind, including flag canopies and feather signs not otherwise allowed in this chapter; streamers, tubes, or other devices affected by the movement of air or other atmospheric or mechanical means. This does not include historic signs and historic replica signs where the applicant is able to prove, through documentation or other evidence, that the original historic sign produced the same motion/movement and is proposed in the same location. A flag, as defined in this chapter, shall not be considered an animated sign.

B. Nuisance signs. Any signs which emit smoke, visible particles, odors and sound, except that speakers in drive-through facilities shall be permitted.

C. Bench or furniture signs greater than one (1) square foot in area.

D. Flashing signs or lights. A sign that contains an intermittent or flashing light source, or a sign that includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source. Flashing light sources are prohibited. Signs with an exposed light source, exceeding the equivalent of 25-watts per incandescent lamp, including clear light bulbs which do not flash on a theater marquee except for neon incorporated into the design of the sign are also prohibited. Electronic message center signs and digital signs are allowed under the provisions of Section 20.132.200 (Electronic Message Center Signs).

E. Hazardous signs. Any sign that constitutes a traffic hazard or detriment to traffic safety by reason of its size, location, movement or method of illumination, or by obstructing the vision of drivers, or by distracting from the visibility of an official traffic control device by diverting or tending to divert the attention of drivers or moving vehicles from traffic movements on streets, roads, intersections or access facilities. No sign shall be erected so that it obstructs the vision of pedestrians or by glare or method of illumination constitutes a hazard to pedestrians or traffic. No sign may interfere with, mislead or confuse traffic.

F. No sign may impede free ingress and egress from any door, window or exit way required by building and fire regulations.

G. Permanent signs on vacant lots, parcels or easements. No permanent sign shall be located on a vacant lot, parcel or easement. No permanent sign shall be located on a lot, parcel or easement as the principal use of that lot, parcel or easement. Signs may only be established as an accessory use to a principally permitted use.

H. Portable signs on wheels (trailer signs), changeable copy portable signs and illuminated portable signs.

I. Abandoned signs.

J. Signs on utility poles or trees.

K. Off-site controlled signs. Any sign that is programmed and/or controlled off-site.

## PART II

### Section 20.132.050 Sign permits.

A. Permit Required. No person shall erect, alter or relocate any sign requiring a permit under this Chapter without first submitting a sign permit application and receiving approval of the sign permit from the City, unless the sign is identified as exempt under Section 20.132.030 (Exemptions). Some sign types may be regulated under other codes adopted by the City, which may require additional permits that are subject to additional regulations, including, but not limited to, the Building Code (Chapter 15.04 POMC) and Street Use Permits (Chapter 12.24 POMC). Signs for which permits are not required shall nonetheless comply with all applicable provisions of this Chapter.

B. Review Procedures. A sign permit is a Type I permit application pursuant to Chapter 20.22.030 POMC, and the requirements of that section shall be followed in the processing of sign permit applications:

Refer to Chapter 20.24 POMC for general application, review and approval procedures; specific application requirements for sign permits are below.

C. Application Requirements. A complete sign permit application shall consist of the following:

1. Application form. A completed sign permit application, including the applicant's name, address, phone number, and e-mail address. If the applicant is not the property owner, then the property owner must be identified, and the application must include an affidavit from the property owner, verifying that the property owner has given permission to the applicant for the submission of the sign permit application and for the installation/posting of the sign on the property owner's property.

2. Other permit applications. A completed building permit application, if required under the City's Building Code; a completed Street Use permit application, if required under Chapter 12.24 POMC; a completed Special Event permit application, if required under Chapter 5.94 POMC.

3. Building elevation/site plan. Signs proposed to be mounted on a building require a building elevation drawn to scale that specifies the locations and size of existing signs on the building, the location and size of new signs proposed on the building, the dimensions of the wall plane upon which the signs will be placed, and drawings or photographs which show the scale of the sign in relation to surrounding doors, windows and other architectural features. Free-standing signs require a site plan indicating the proposed sign location as it relates to property lines, surrounding landscaping, adjacent streets, driveways, and adjacent buildings.

4. Detailed description of sign. A scaled colored rendering or drawing of the sign and its associated support structure, including dimensions of all sign faces, and descriptions of materials to be used on the sign and associated trim caps, fixtures, and support structure; description of the sign face illumination and methods used to ensure that only text, graphics and logo shields are internally illuminated.

5. Scaled installation drawing. A scaled drawing that includes the sign description, proposed materials, size, weight, manner of construction and method of attachment, including all hardware necessary for proper sign installation, and, if applicable, foundation design.

6. Lighting. A drawing indicating the location and fixture type of all exterior lighting for the proposed signs. The drawing shall specify wattage and lamp type to ensure compatibility with the lighting standards in Section 20.132.090 (Sign Illumination).

7. Master Sign Plan. If the sign is subject to a Master Sign Plan as described in Section 20.132.060 (Master Sign Plans), a Master Sign Plan must be included as part of a complete sign permit, unless a Master Sign Plan for the site or building has already been approved, is current, and is on file with the City.

8. Fees. Payment of the appropriate sign permit fee (and all other fees, such as building permit fees).

D. Criteria for Approval.

1. Sign permit applications shall be reviewed by the Community Development Director for consistency with the standards in this Chapter, according to sign type and other applicable regulations. A sign permit shall not issue unless the Director makes findings that the criteria applicable to each sign type, as well as the general standards in this Chapter, are satisfied. Building permit applications associated with signs shall be reviewed by the Building Official for consistency with the Building Code. If the sign requires a Street Use or Special Event permit, the application shall be submitted with the sign permit application for review by the Public Works Director or City Clerk.

2. A sign permit shall not issue unless the Director makes findings that the criteria applicable to each sign type in this Chapter are satisfied, and further, that the sign does not exceed the limits in this subsection for the business or use set forth below:

(a) Calculation of Maximum Size Allowance. The maximum total aggregate sign area of all signs permitted for a business or use shall not exceed one (1) square foot of sign area for each one (1) foot of principal building frontage occupied by such business or use. In addition, one square foot of sign area for each two hundred (200) square feet of gross floor area occupied by such business may be included in the calculation of the total area permitted. The total aggregate sign area is the combined total

display area of all types of signs located on the premises measured in square feet, but not including exempt or temporary signs.

(b) Building Setback from Street. The tenants of a building which is set back one hundred (100) feet or more from the street may increase the wall sign area otherwise permitted to face such street by twenty-five (25) percent, provided that the total sign area on any one building frontage still does not exceed two hundred (200) square feet.

(c) Buildings with More than One Frontage. Any business which has more than one building frontage may have one hundred sixty (160) percent of the sign surface area permitted on the principal frontage by the provisions of subsection 20.132.050(D)(2)(a). The permitted sign surface area may be distributed in any manner on the front and adjacent sides of the building which have frontage subject to the placement limitations of subsection 20.132.050(D)(3), but in no event shall the sign surface area on any building façade exceed one hundred (100) percent of the sign surface area permitted by subsection 20.132.050(D)(2)(a). Building frontage opposite the principal frontage may have additional sign area calculated in the same manner and subject to the same size and placement regulations as for the principal frontage, as long as two adjacent frontages do not exceed one hundred sixty (160) percent of the permitted sign surface area.

3. Other criteria for approval. In addition to the above, the Director shall make written findings that the sign meets all of the criteria in this Chapter for sign placement, maximum height, location on the property, zone, etc.

E. Notice of Final Decision. A Notice of Decision incorporating the decision on the sign permit application shall issue not more than 120 days after issuance of the Determination of Completeness. This deadline shall not apply if a Street Use permit or Special Event permit is required.

F. Expiration of Sign Permit. Once the sign permit for the sign issues, the sign must be installed within 180 days or the sign permit will expire. Building permits and Street Use permits shall expire in accordance with other applicable code provisions. No sign may be erected if the sign permit has expired, even if the associated building permit and/or Street Use permit has not expired.

### **Section 20.132.060 Master Sign Plans.**

A. Approval required. Before the City will issue any sign permit relating to space in a proposed new mixed use, nonresidential, multi-tenant building(s), or multi-tenant site development, the City must first approve a Master Sign Plan for the building(s) and/or site development. In addition, a master sign plan may be voluntarily developed and maintained by the owner or agent of any new or existing non-residential use.

B. Review procedures. A master sign plan is a Type I permit per POMC 20.22.030. The Community Development Director shall make the decision on the Master Sign Plan

without a hearing. Refer to Chapter 20.24 POMC for application, review and approval procedures.

C. Application requirements. A complete Master Sign Plan application shall consist of the following:

1. A complete Master Sign Plan application, including the applicant's name, address, phone number and e-mail address. If the applicant is not the property owner(s), then the property owner(s) must be identified and the application must include an affidavit from the property owner(s), verifying that the property owner(s) has given permission to the applicant for the submission of the Master Sign Plan application. No sign may be placed upon real property without the consent of the real property owner(s).

2. A site plan drawn to legible scale, indicating the location of all buildings, driveways and pavement areas, landscape areas, abutting streets and proposed freestanding signs on the site;

3. Elevation drawings of each building on a site that indicates proposed sign locations on each of the buildings;

4. Maximum allowable signage on each elevation based upon a five (5) percent calculation of all facades;

5. The Master Sign Plan application shall identify the sign features and sign types proposed to be used on each building and the proposed location. In addition, a statement shall be included which describes the manner in which the building or site owner wishes to allocate allowable signage among tenants and where specific tenant signage shall be located;

6. A narrative description of the development to demonstrate that the master sign plan meets the required design standards of this chapter; and

7. Fees. Payment of the appropriate fee for a Master Sign Plan.

D. Criteria for Approval. All signs in the Master Sign Plan must meet the criteria for approval in Section 20.132.050 (Sign Permits). In addition, all of the signs in the Master Sign Plan:

1. Shall be architecturally similar and visually related to each other through the incorporation of common design elements. Up to two sign types may be used on any one building. All sign cabinets, trim caps and all sign supports such as poles and braces shall be of a common color;

2. Shall be architecturally integrated with the buildings included in the Master Sign Plan; and

3. Must not obscure the view of other signs which are consistent with this Chapter.

E. Notice of Final Decision. See, Section 20.132.050 (Sign permits).

F. Expiration of Master Sign Plan. Once a Master Sign Plan is approved, the signs depicted in the approved Plan must be installed within 180 days or the Master Sign Plan will expire. The director may grant a 180 day extension to the master sign plan if such a request is made in writing prior to the expiration of the master sign plan and provided that the sign plan remains consistent with the sign regulations. Building permits and Street Use permits for any signs shown in the Master Sign Plan shall expire in accordance with other applicable code provisions. No sign may be erected under an expired Master Sign Plan, even if the associated sign permit, building permit or Street Use permit has not expired.

G. Amendment to Master Sign Plan. An application for an amendment to an approved Master Sign Plan may be made at any time, subject to the same limitations, requirements and procedures as those that apply to an original application in this Section. Tenants whose signs are included in the amendment application need the property owner's consent to file such application. In order to approve any such Amendment, the Director shall consider the existing signs on the building(s) subject to the approved Plan when determining whether the application meets the criteria for approval in subsection D of this Section.

#### **Section 20.132.070 Sign Variances.**

A. Approval Required. A variance may be granted from the strict application of the regulations in this Chapter which apply to: (a) sign placement on a parcel or building frontage; (b) sign area; or (3) sign height, as regulated in this Chapter. A variance may not be granted to allow any prohibited signs or prohibited sign features, as described in Section 20.132.040, or for any other purpose not listed in this subsection A. The variance procedure in this Section does not apply to any Street Use permit or Building permit.

B. Need for Sign Permit, Consolidation of Processing. A sign variance application may be submitted before or concurrent with the associated sign permit application. No sign permit application requiring a variance for issuance will be processed without a sign variance application unless the applicant specifically requests that the application be processed without a variance.

C. Review Procedures. Refer to Chapter 20.24 POMC for application requirements and permit processing steps.

D. Application Requirements. A complete sign variance application shall consist of the following:

1. Application form. A completed sign variance application, including the applicant's name, address, phone number and e-mail address. If the applicant is not the property owner, then the property owner must be identified and the application must include an affidavit from the property owner, verifying that the property owner has given permission to the applicant for the submission of the sign variance application and for the installation/posting of the sign on the property owner's property.

2. Sign Permit Application. A completed sign permit application containing all of the materials required by Section 20.132.050 (Sign Permits). However, the applicant may submit a variance application without a sign permit application as provided in subsection B above.

3. A narrative report which describes the requested variance in detail. The report shall identify all of the sections of this Chapter from which the applicant is requesting the variance, as well as the nature and extent of the variance (in area, location on the property, height).

4. The narrative report shall also include the applicant's description of the manner in which the sign variance satisfies all of the variance criteria in subsection E below.

5. Fees. Payment of the appropriate sign variance application fee.

E. Variance Criteria for Approval. Sign variance applications shall be reviewed by the Community Development Director to determine whether all of the following criteria are satisfied. In order to approve any sign variance, the Director must make written findings to show that all of the following criteria have been met:

1. The request for a sign variance is due to unusual conditions pertaining to sign visibility needs for a specific building or lot; and

2. The sign will not create a hazard; and

3. The sign will not violate any state statute or any City Code provision (other than the ones identified in this Chapter relating to signs); and

4. The sign will not negatively affect adjacent property; and

5. The sign will be in keeping with the general character of the surrounding area and the granting of the variance would not result in an alteration of the essential character of the surrounding area; and

6. The proposed variance is consistent with the purposes and intent of the Zoning Code and the purposes of this Chapter; and

7. The variance is consistent with the City's Comprehensive Plan; and



8. The applicant has established that there are practical difficulties in complying with the provision(s) of this Chapter and that the proposed sign is a reasonable use of the property. Economic considerations alone do not constitute practical difficulties; and

9. The plight of the applicant is due to circumstances unique to the property, which were not created by the applicant or landowner; and

10. The variance will not permit any sign or use that is not allowed in the zoning district where the affected land is located, nor will it allow any sign or sign feature prohibited under Section 20.132.040 (Prohibited Signs).

F. First Amendment Exception/Variance. Where an applicant can demonstrate that the strict application of the regulations in this Chapter would violate his/her First Amendment rights, the City may grant a variance that does not conform to all of the variance criteria in subsection E above. However, the applicant shall submit an application which provides his/her response to each of the variance criteria in subsection E. The City need not make findings that all of the variance criteria have been satisfied, but the City shall grant such variance only to the extent reasonably necessary to protect the applicant's First Amendment rights. If a First Amendment Exception is granted, it shall be treated as an approval of a variance for purposes of this Chapter.

G. Notice of Final Decision. A Notice of Decision incorporating the decision on the variance application shall issue not more than 120 days after issuance of the Determination of Complete Application.

H. Expiration of Variance. If the variance is approved, the sign identified in the variance must be installed within 180 days or the variance will expire. No sign may be erected if there is no sign permit for the sign, or if the variance or the sign permit has expired, even if the applicant has received associated building permits or a Street Use permit, and the latter have not expired.

#### **Section 20.132.080 Nonconforming signs, Maintenance, Removal and Enforcement.**

A. Nonconforming signs. Any lawful nonconforming sign may be continued, as long as it is maintained only in the manner and to the extent that it existed at the time it became nonconforming. Illegal signs shall not be considered nonconforming signs. Nonconforming signs are subject to the provisions of Chapter 20.54 POMC (Nonconforming Uses and Structures).

B. Maintenance. It is unlawful for any owner of record, lessor, lessee, manager or other person having lawful possession or control over a building, structure or parcel of land to fail to maintain any signs on the building, structure or parcel in compliance with this Chapter, Building Code and the Zoning Code. Failure to maintain a sign constitutes

a violation of this Chapter, and shall be subject to enforcement under the provisions of chapter 20.12 (Code Enforcement).

1. *Sign maintenance.* All signs, whether or not in existence prior to adoption of this Chapter, shall be maintained. Maintenance of a sign shall include periodic cleaning, replacement of flickering, burned out or broken light bulbs or fixtures, repair or replacement of any faded, peeled, cracked or otherwise damaged or broken parts of a sign, removal of signs for businesses that no longer occupy a building or site, and any other activity necessary to restore the sign so that it continues to comply with the requirements and contents of the sign permit issued for its installation and provisions of this Chapter.

2. *Landscape maintenance.* Required landscaped areas shall receive regular repair and maintenance. Plant materials that do not survive after installation in required landscape areas are required to be replaced within six (6) months of the plant's demise or within the next planting season, whichever event first occurs.

C. Removal. Any vacant and/or unused sign support structures, angle irons, sign poles or other remnants of old signs which are currently not in use, or are not proposed for immediate reuse by a sign permit application for a permitted sign, shall be removed. In addition to the remedies in chapter 20.12 (Code Enforcement), the Director shall have the authority to require the repair, maintenance or removal of any sign or sign structure which has become dilapidated or represents a hazard to the safety, health or welfare of the public, at the cost of the sign and/or property owner.

D. Enforcement. Violations of the provisions of this Chapter shall be enforced according to chapter 20.12 (Code Enforcement).

## PART III

### Section 20.132.090 Sign illumination.

A. General. No temporary sign may be illuminated. No sign located in a residential zone may be illuminated, except that on parcels two (2) acres in size or greater, signs may be halo illuminated or illuminated as necessary for allowable digital signs. Permanent signs allowed by this Chapter may be non-illuminated, or illuminated by internal light fixtures, halo illuminated, or have external indirect illumination, unless otherwise specified. All illuminated signs shall comply with the time limitations of subsection 22.65.090(D) below.

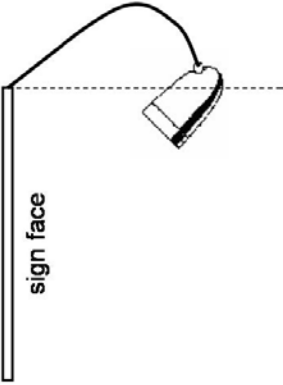
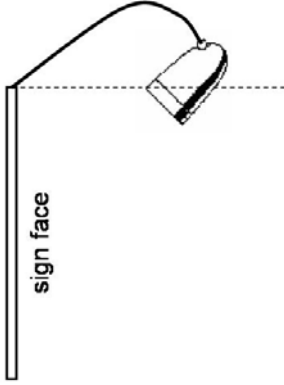
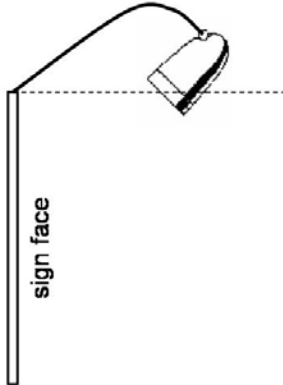
B. Externally illuminated signs.

1. Except as provided in this Subsection, externally illuminated signs shall be illuminated only with steady, stationary, fully shielded light sources directed solely onto the sign without causing glare. Light shielding shall ensure that the lamp or light source is not visible beyond the premises and shall further ensure that the light is contained within the sign face.

2. A light fixture mounted above the sign face may be installed with its bottom opening tilted toward the sign face, provided:

(a) The bottom opening of the light fixture is flat (*i.e.*, it could be covered by a flat board allowing no light to escape); and

(b) The uppermost portion of the fixture's opening is located no higher than the top of the sign face, as shown in Figure 1 below. Light fixtures aimed and installed in this fashion shall be considered fully shielded.

<p align="center"><b>Figure 1</b>  <b>External Sign Lighting Configurations</b>  <b>Permitted and Prohibited External Sign Lighting Configurations</b></p>		
Allowed	Allowed	Not Allowed
 <p>sign face</p> <p>Fully Shielded</p>	 <p>sign face</p> <p>Fully Shielded</p>	 <p>sign face</p> <p>Unshielded</p>

C. Internally illuminated signs.

1. Internally illuminated signs shall be constructed with an opaque sign face background with translucent text and symbols and/or logo shields. If the sign owner desires to have the entire sign face visible at night, an external light source may be used to illuminate the sign, subject to the illumination standards in this Chapter.

2. In no case may an internally illuminated sign, a digital sign or an electronic message center sign exceed a light output of 50 nits in a residential zone or 100 nits in a non-residential zone during nighttime hours.

3. Neon sign lighting is allowed in non-residential zones only and shall not exceed 100 nits per sign face. An example of a neon sign is shown in Figure 2 below.

**Figure 2**  
**Neon Sign**



D. Time limitations. All signs over three (3) square feet in area shall be turned off by 11:00 p.m., or when the business closes, whichever is later. Signs subject to time limitations are required to have functioning and properly adjusted automatic shut-off timers.

**Section 20.132.100. Sign Materials.**

A. Temporary signs. The construction of temporary signs is described in the definition of “temporary sign” in Section 20.132.290 (Definitions). However, temporary signs may be made of any material, provided that the temporary sign otherwise conforms to the requirements of this Chapter, including, but not limited to Section 20.132.270 (Temporary signs).

B. Permanent signs. Permanent signs must be manufactured of durable materials that withstand the effects of water and wind. The following additional requirements apply to any permanent signs larger than thirty (30) square feet, except for window signs located inside glass:

1. Paper-faced sign, including vinyl-coated paper and those applied with adhesives, are not allowed. Canvas or vinyl signs must be made of minimum twenty (20) oz. materials with polymeric plasticizers for durability.

2. Sign faces made of canvas, fabric, vinyl or similar pliable materials that are attached to permanent sign structures must be mounted behind a perimeter frame or trim cap so that the edges of the sign face are not exposed, except that flags made of 100% spun polyester are exempt from this requirement.

**Section 20.132.110. Sign Placement and Location Restrictions.**

A. City right-of-way. No sign may be placed within the roadway portion of the city's right-of-way, except as otherwise permitted in this Chapter. If a sign is allowed within a city right-of-way, a Street Use permit or Special Event permit may be required.

B. Attached to vehicles on private premises. No sign may be mounted, attached or painted on a trailer, boat or motor vehicle, which is parked, stored or displayed conspicuously on private premises in a manner intended to attract the attention of the public. (This excludes signs that are permanently painted or wrapped on the surface of the vehicle, or adhesive vinyl film affixed to the interior or exterior surface of a vehicle window, or signs magnetically attached to motor vehicles or rolling stock that are actively used in the daily conduct of business. However, such vehicles shall be operable and parked in a lawful or authorized manner.)

C. Attached to other fixtures. No sign may be painted, attached or mounted on fuel tanks, storage containers and/or solid waste receptacles or their enclosures, except for information required by law.

D. Freeway-oriented signs. Freeway-oriented signs are prohibited, except in the following instances:

1. Building mounted wall signs (Section 20.132.170), window signs (Section 20.132.280) and temporary signs (Section 20.132.270) as otherwise allowed by this Chapter may face the freeway if:

(a) they are installed by a business that has its primary customer entrance facing the freeway; and

(b) the wall, window or temporary sign also faces an intervening parking lot or frontage road that serves the business.

2. Free-standing signs as otherwise allowed by this Chapter are allowed for businesses located on and facing frontage roads along freeways, even if such signs are incidentally visible from the freeway.

**Section 20.132.120 Sign Area Measurements.** Sign area for all sign types is measured as follows:

A. Background panel or surface. Sign copy mounted, affixed or painted on a background panel or surface distinctively painted, textured or constructed as a background for the sign copy, is measured as that area contained within the smallest rectangle, parallelogram, triangle, or circle that will enclose the sign copy and the background.

B. Individual letters or graphics. Sign copy mounted as individual letters or graphics against a wall, fascia, mansard or parapet of a building or surface of another structure, that has not been painted, textured or otherwise altered to provide a distinctive background for the sign copy, is measured as the sum of the smallest square, rectangle,

parallelogram, triangle or circle that will enclose each word, name, sentence and complete message, and each graphic in the sign.

C. Illuminated surface. If sign copy is mounted, affixed or painted on an illuminated surface or illuminated element of a building or structure, the sign area is measured as the entire illuminated surface or illuminated element, which contains sign copy. Such elements may include, but are not limited to, illuminated canopy fascia signs and/or interior illuminated awnings.

D. Backlit translucent panels. Backlit translucent panels and spandrels, with or without text or graphics, are measured as the area of the height and width of any internally illuminated translucent panel or spandrel, including the side panels if the structure or spandrel is greater than six (6) inches in width.

E. Multi-face signs. Multi-face signs, as shown in Figure 8, are measured as follows:

1. Two face signs: If the interior angle between the two sign faces is 45 degrees or less, the sign area is of one sign face only. If the angle between the two sign faces is greater than forty-five (45) degrees, the sign area is the sum of the areas of the two sign faces.

2. Three or four face signs: The sign area is fifty (50) percent of the sum of the areas of all sign faces.

3. Spherical, free-form, sculptural or other non-planar sign area is measured as fifty (50) percent of the sum of the areas using only the four (4) vertical sides of the smallest four (4) – sided polyhedron that will encompass the sign structure. Signs with greater than four polyhedron faces are prohibited.

**Section 20.132.130 Sign height measurement.** Sign height is measured as follows:

A. Freestanding signs. Sign height is measured as the vertical distance from natural grade at the base of a sign to the top of the sign, including the sign support structure; except that signs within twenty-five (25) feet of an adjacent road may be measured as follows:

1. If natural grade at the base of a sign is higher than the grade of the adjacent road, sign height shall be measured from the base of the sign.

2. If natural grade at the base of the sign is lower than the grade of an adjacent road, the height of the sign shall be measured from the top of curb or road-grade elevation, provided that fill is placed between the curb and the sign and extends at least five (5) feet beyond the base of the sign in all directions.

**Section 22.65.140 Sign Structure and Installation.**

- A. Support elements. Any angle iron, bracing, guy wires or similar features used to support a sign shall not be visible from publicly accessible areas.
- B. Electrical service. When electrical service is provided to freestanding signs or to signs located on a wall within a landscaped area, all such electrical service is required to be underground and concealed. Electrical service to building mounted wall signs, including conduit, housings and wire, shall be concealed or, when necessary, painted to match the surface of the structure upon which they are mounted. An electrical permit must be issued prior to the installation of any new signs requiring electrical service.
- C. Raceway cabinets. Raceway cabinets, where used as an element of building mounted wall signs, shall match the building color at the location of the building where the sign is located. Where a raceway cabinet provides a contrast background to sign copy, the colored area is considered part of the sign face and is counted in the aggregate sign area permitted for the site or business. Examples of raceway cabinets are shown in Figure 3.

**Figure 3**

**Raceway Cabinets**



- D. Limitation on attachments and secondary uses. All permitted sign structures and their associated landscape areas shall be kept free of supplemental attachments or secondary uses including, but not limited to, supplemental signs not part of a permitted sign, light fixture, newspaper distribution racks or trash container. The use of sign structures and associated landscape areas as bicycle racks or support structures for signs that are not permitted is prohibited.



## PART IV

**Section 20.132.150 Accessory Signs.** The installation or modification of an accessory sign shall require a sign permit unless the activity related to the sign installation or modification is listed as exempt under Section 20.132.030. No permit shall be issued for an accessory sign which does not comply with the following standards:

- A. Number. A maximum of one (1) sign at each vehicle point of entry or egress, not to exceed four (4) accessory signs per parcel.
- B. Location. Flexible, provided that the number of signs in Subsection A is not exceeded provided that the signs comply with the setback standards for freestanding signs in chapter 20.132.210.
- C. Zones. Not allowed in residential zones.
- D. Design. Non-illuminated or internal illumination only. Any accessory sign with electronic display must conform to all digital sign and/or electronic message center sign standards in Section 20.132.190 (Digital Signs) and 20.132.200 (Electronic Message Center Signs).
- E. Size. Maximum sign area: three (3) square feet per face; may be double-sided.
- F. Height: Mounting height:
  - 1. Building Mounted Wall Sign (Section 20.132.170): Maximum of eight (8) feet; must be flat against a wall of the building.
  - 2. Freestanding Sign (Section 20.132.210): Maximum of three (3) feet from grade.

**Figure 4**  
**Accessory Signs**



G. Drive-Through Large Accessory Signs. In addition to the accessory signs allowed for vehicle points of entry, and in addition to free-standing signs otherwise allowed under Section 20.132.210, large accessory signs are allowed for each point of entry to a drive-up window, subject to the following standards:

1. Maximum sign area per drive-up point of entry: forty-five (45) square feet.
2. Maximum sign size: fifty (50) square feet.
3. Maximum sign height: Five (5) feet, six (6) inches, including the associated sign structure.
4. Orientation: Large accessory signs must be oriented so that the sign face is not visible from the view of the street or public-right-of way.
5. Screening: All sides of large accessory signs must be screened from the view of the street or public right-of-way with landscaping or walls of brick, stone or siding materials that match the principal walls of the building to which the sign applies. If landscaping is used for screening, it must provide full screening at maturity and must be large enough at planting to provide at least seventy (70) percent screening of the sign.
6. Audio. No sound or amplification may be emitted that is audible beyond the site.

**Section 20.132.160 Awning and Canopy Signs.** The installation or modification of an awning or canopy sign shall require a sign permit unless the activity related to the sign is listed as exempt under Section 20.132.030. No permit shall be issued for an awning or canopy sign which does not comply with the following standards:

A. Number. One (1) awning or canopy sign is allowed for each primary entrance to a building or tenant space. In addition, one (1) awning or canopy sign may be allowed on a secondary entrance which faces a public street or on-site parking area. (As used in this subsection, “street” shall include freeways, but exclude alleys and service ways.) The awning/canopy sign may only be placed on the ground floor level facade of the building.

B. Area. The sign area on the primary elevation shall not exceed one (1) square foot of sign area per lineal foot of awning or canopy width. A maximum of forty (40) percent of an awning or canopy on which signage is proposed may be of an angle greater than sixty (60) degrees from horizontal.

**Figure 5**  
**Awning/Canopy Sign**



C. Location.

1. An awning/canopy sign may not be mounted higher than a maximum of twenty-five (25) feet above grade or the sidewalk adjacent to the ground floor.

2. An awning/canopy sign shall not project above, below or beyond the edges of the face of the building wall or architectural element on which it is located.

3. No part of the sign, as a part of, or displayed on the vertical surface of an awning/canopy, shall project beyond the edges of the awning/canopy surface on which it is displayed. If an awning/canopy is placed on multiple store fronts, each business or tenant space is permitted signage no greater than sixty (60) percent of the store width or tenant space.

4. The awning/canopy shall not extend horizontally a distance greater than sixty (60) percent of the width of the awning/canopy or valance on which it is displayed.

D. Zone. Not allowed in residential zones.

E. Illumination. If sign letters or logos are to be backlit or internally illuminated, only the face area containing the letters or logos may be illuminated. All illumination must be internal behind the surface of the awning/canopy. The sign may also be externally illuminated as allowed by Section 20.132.090.

**Section 20.132.170 Building Mounted Wall signs.** The installation or modification of a building mounted wall sign shall require a sign permit unless the activity related to the sign installation or modification is listed as exempt under Section 20.132.030. No permit shall issue for a building mounted wall sign which does not comply with the following standards:

A. Residential Zones. The maximum building mounted wall signage allowed in residential zones is as follows:

1. *Size of Parcel or Site*. Wall signs are not allowed on sites smaller than two (2) acres, except for address numbers as required by law.

2. *Area*. Four (4) square feet total.

3. *Design*. Non-illuminated.

4. *Development Type*. A mixed-use building (i.e., containing residential and non-residential uses) shall be regulated as a non-residential use for signage according to this chapter.

B. Non-residential Zones.

1. *Size of Parcel or Site*. No restrictions.

2. *Area*. The total signage may be up to five (5) percent of the area of the façade upon which the sign is placed. Width: Not to exceed sixty (60) percent of the width of the wall plane upon which the sign is placed or the width of the tenant space. Height: Not to exceed seventy (70) percent of the height of the blank wall space or fascia

on which the sign is mounted. In the absence of a building height measurement, the city will assume 10 feet in height per story excluding basements.

3. *Location on Building.* Signs may not cover or obscure important architectural details of a building, such as stair railings, windows, doors, decorative louvers or similar elements intended to be decorative features of a building design. Signs must appear to be a secondary feature of the building façade.

4. *Illumination, flush or tight mounted.* All individual letter signs shall be installed to appear flush-mounted. If the letters are illuminated and require a raceway, the letters shall be installed tight against the raceway, which shall be painted to match the color of the surface to which the raceway is mounted. For new construction, the raceway shall be recessed to allow letters to be flush with the wall surface.

5. *Design.* Where more than one (1) sign is allowed for a business or tenant space, all signs shall be consistent in design, style, color and method of illumination. Where there are multiple businesses or tenants on a site, all signs shall conform to a Master Sign Plan, if applicable, consistent with Section 20.132.060.

**Figure 6**

**Standards for Building Mounted Signs**



**Section 20.132.180 Changeable Copy Sign.** Changeable copy signs may be either wall-mounted or freestanding; roof mounted changeable copy signs are not permitted. Changeable copy signs shall comply with the requirements, including permitting requirements, of the underlying sign type according to Section 20.132.170 (Building Mounted Wall Signs) or Section 20.132.210 (Freestanding Signs), as well as the following additional requirements:

A. Number. No more than one (1) changeable copy sign shall be allowed for each parcel, except that additional changeable copy signs are permitted as follows:

1. the additional changeable copy sign(s) must be placed at least one hundred (100) feet from abutting streets or rights-of-way; and
2. when the area, height and quantity of additional changeable copy signs are added to the first changeable copy sign, the total changeable copy sign(s) must not exceed the total maximum area, height, and quantity standards otherwise applicable to any free-standing or building mounted wall signs on the parcel.

**Figure 7**

**Changeable Copy Sign**



B. Area. No more than twenty (20) percent of the allowed wall sign area or fifty (50) percent of a freestanding sign face may be changeable copy (this does not apply to signs required by law). Wall mounted changeable copy signs placed at least one hundred (100) feet from abutting street frontages may be a maximum of fifty (50) percent of permitted wall sign area.

C. Placement/Location. Allowed only as an integral part of a building mounted wall sign or a freestanding sign.

D. Zones. Changeable copy signs are allowed in all zones, but shall not be allowed on properties containing a residential land use unless the residential use is part of a mixed use development when the principal use of the parcel is non-residential. (Home businesses shall be considered a secondary use (or accessory use) for the purposes of this section).

E. Design. Non-illuminated changeable copy signs are allowed in all zones. Internally or indirectly illuminated changeable copy signs are allowed in non-residential zones subject to the illumination standards in Section 20.132.090.

**Section 20.132.190 Digital Signs.** A Digital Sign is not a separately allowed sign type. The purpose of this section is to regulate the manner in which digital sign technology can be applied to sign types that are otherwise allowed in this Chapter. It is not intended to allow more signs or larger signs than otherwise permitted in this Chapter. No permit shall be issued for a digital sign which does not comply with the following standards:

A. Maximum size: thirty (30) square feet, or as otherwise limited by the size limits of this chapter.

B. Density: One digital sign per one hundred (100) feet of street frontage in non-residential zones, not to exceed one (1) sign per parcel.

C. Zoning: Allowed in non-residential zones only.

D. Maximum luminance: Fifty (50) nits during nighttime hours.

E. Motion limits: No motion allowed except for instantaneous change of message.

F. Minimum hold between messages: eight (8) seconds.

G. Programming: to ensure that digital signs are programmed and continue to operate according to local standards, digital signs shall be designed for local on-site control and programming.

**Section 20.132.200 Electronic Message Center (EMC) Signs.** An EMC Sign is not a separately allowed sign type. The purpose of this section is to regulate the manner in which EMC sign technology can be applied to sign types that are otherwise allowed in

this Chapter. It is not intended to allow more signs or larger signs than otherwise permitted in this Chapter. No permit shall issue for an EMC sign which does not comply with the following standards:

- A. Maximum size: thirty (30) square feet.
- B. Density: One EMC sign per one hundred (100) feet of street frontage, not to exceed one (1) per business and tenant space.
- C. Zoning: Prohibited in residential zones.
- D. Minimum parcel size per sign. One acre.
- E. Maximum Luminance.
  - 1. Daytime: 5000 nits.
  - 2. Nighttime (one-half hour before sunset to one-half hour after sunrise): 100 nits. EMC signs shall comply with POMC 20.132.090 (D) concerning time limitations (i.e. EMC signs shall be turned off by 11:00pm or when the business closes, whichever is later).
  - 3. Signs shall include auto-dimming features with light-sensory capabilities to dim the sign to allowable luminance levels during nighttime hours.
- F. Motion limits: No motion except for a fade in of the next message with the fade transition being no more nor less than 1.5 seconds. Fade transition is required rather than instantaneous message changes to avoid sudden or startling flashes of light.
- G. Minimum hold between messages: ten (10) seconds, plus 1.5 second transition fade.
- H. Programming. To ensure that EMC signs are programmed and continue to operate according to local standards, EMC signs shall be designed for local on-site control and programming. The applicant shall provide a written certificate from the sign manufacturer that the nighttime light intensity has been factory pre-set not to exceed allowable levels under this Section, and that this setting is protected from end-user modification by password-protected software or other method that ensures compliance.

**Section 20.132.210 Freestanding Signs.** The installation or modification of a freestanding sign shall require a sign permit unless the activity related to the sign installation or modification is listed as exempt under Section 20.132.030. Freestanding signs, as defined in this Chapter, include monument signs, pole signs, and other signs permanently mounted or supported on the ground by posts or braces. No sign permit shall be issued for a freestanding sign which does not comply with the following standards:

- A. Number.



1. The number and type of freestanding signs for single and multiple tenant uses are derived from the use, zone, location and length of development site frontage as described in this Section.

2. One freestanding sign is allowed for each site frontage. Flag lot sites with frontage on a public street are permitted one (1) freestanding sign on the frontage providing primary access to the site.

3. Where more than one (1) freestanding sign is proposed on a site with multiple frontages, a minimum of sixty (60) linear feet shall separate each sign.

B. Location.

1. No freestanding sign shall be permitted on any site that does not have street frontage.

2. Freestanding signs shall be set back a minimum of five (5) feet from the street-side property line, a minimum of twenty-five (25) feet from any interior side lot line and a minimum of thirty (30) feet from any residential zoned property.

3. No freestanding sign shall be located in the triangular area(s) measured fifteen (15) feet by fifteen (15) feet where a driveway enters onto a street, or in any other area which may obstruct the vision of motorists so as to create a safety hazard. The short legs of the triangular area shall be measured along the site frontage and perpendicular to the site frontage at the intersecting driveway. Additionally, all signs are subject to the Public Works Standards regarding sight distances.

4. A freestanding sign may not be approved in conjunction with a roof-mounted sign, or where a roof-mounted sign exists.

C. Height, Support Width, and Area by Freestanding Sign Type.

1. Top Mounted Pole Signs.



Figure 8 – Pole Sign

Top Mounted Pole Signs shall meet the following sign area, height, and support width requirements which shall be based on site frontage:

<b>Site Frontage</b>	<b>Maximum Area per face</b>	<b>Maximum Height</b>	<b>Minimum Support Width</b>
< 50 feet	24 square feet	6 feet	40% of Sign Width
50 – 99 feet	36 square feet	10 feet	40% of Sign Width
100 feet and over	50 square feet	12 feet	40% of Sign Width

2. Pole and Mast Arm Hanging Signs:



Figure 9 – Pole and Mast Arm Sign

Pole and Mast Arm Hanging Signs shall meet the following sign area, height, and support width requirements which shall be based on site frontage:

<b>Site Frontage</b>	<b>Maximum Area per face</b>	<b>Maximum Height</b>
< 50 feet	16 square feet	10 feet
50 – and over	16 square feet	10 feet

3. Double Post Mounted Freestanding Sign



**Figure 10 - Double Post-Mounted Freestanding Sign**

Double Post Mounted Freestanding Signs shall meet the following sign area and height requirements which shall be based on site frontage:

<b>Site Frontage</b>	<b>Maximum Area per face</b>	<b>Maximum Height</b>
< 50 feet	30 square feet	6 feet
50 – 150 feet	42 square feet	7 feet
150 feet and over	56 square feet	8 feet

4. Monument Freestanding Signs



**Figure 11 - Monument Freestanding Sign**

Monument Freestanding Signs shall meet the following sign area, base width and height requirements which shall be based on site frontage:

<b>Site Frontage</b>	<b>Maximum Area per face</b>	<b>Maximum Height</b>	<b>Minimum Sign Base Width</b>
< 50 feet	30 square feet	6 feet	100% of Sign Width
50 – 150 feet	42 square feet	7 feet	100% of Sign Width
150 feet and over	56 square feet	8 feet	100% of Sign Width

**D. Design Requirements.**

1. Freestanding signs shall be of a style, material, and design compatible with the associated building.
2. Berming shall not be used to exceed the maximum allowable height of freestanding signs.
3. For monument signs or signs surrounded by a framework, the area of the surrounding structure shall not exceed the allowable sign area by more than 20 percent.
4. Freestanding signs should be sited so that they integrate with the location of street trees and other site landscaping, and to avoid obscuring the view of adjacent freestanding signs.

5. Landscaping at the base of a freestanding sign is required, providing a landscaped area equal to square footage of one face of the freestanding sign; however, this provision does not apply to temporary freestanding signs.
6. If a sign is proposed in a landscaped area, either an existing landscaped area or required landscaping for new development, the sign shall be compatible with the existing or proposed landscaping, and shall be shown on the landscaping plan if applicable.



**Figure 12 - Landscaped Monument Freestanding Sign**



**Figure 13 - Landscaped Pole and Mast Arm Hanging Freestanding Sign**

**Section 20.132.220. Portable Signs.** The installation or modification of a portable sign shall require a sign permit unless the activity related to the sign installation or modification is listed as exempt under Section 20.132.030. No permit shall be issued for a portable sign (including sandwich boards and pole mounted signs) which does not comply with the following standards:

- A. Zone: Allowed only in non-residential zones, except that temporary portable signs are allowed in residential zones, subject to the provisions of Section 20.132.270 (Temporary Signs).
- B. Design and Materials: Must be designed with durable materials, otherwise they will be regulated as temporary signs under Section 20.132.270. Portable signs must be designed to withstand wind and include a heavy weighted base for pole-mounted signs, and a heavy weight suspended between the opposing faces of a sandwich board sign.



**Figure 14 – Portable Signs**

C. Size and Height. Sandwich board signs: Maximum of four (4) feet in height, maximum of three (3) feet in width. (Note: sandwich board sign height is measured in the open standing position, rather than in closed standing position.) Pole-mounted signs: Maximum of three (3) feet in width, maximum of four (4) feet in height.

D. Number:

Single Tenant Lots: Not more than one (1) portable sign ((2) signs if the lot has more than 120 linear feet of street frontage) may be displayed per street frontage.

Multi-Tenant Lots: Not more than one (1) portable sign may be displayed per business, per tenant space.

E. Location:

Single Tenant Lots: Must be located at least ten (10) feet from a side lot line.

Multi-Tenant Lots: Must be located at least ten (10) feet from a side lot line, and no farther than ten (10) feet from the primary building or suite occupied by the business unless otherwise approved as part of a master sign program in accordance with this Chapter.

No portable sign may be located on or overhanging the city right-of-way (which includes the sidewalk), without a Street Use Permit. Signs shall not be located within the sight distance triangle of a driveway or street intersection or create a public safety hazard, and if located on a sidewalk or other pedestrian access, must be compatible with ADA requirements for unobstructed passage width.

F. Display Hours: Portable signs, including temporary portable signs may be displayed during business or operating hours only.

G. Type: Portable signs may not illuminated in any manner.



**Section 20.132.230 Projecting signs.** The installation or modification of a projecting sign shall require a sign permit unless the activity related to the sign installation or modification is listed as exempt under Section 20.132.030. No permit shall be issued for any projecting sign which does not comply with the following standards:

A. Number. One (1) projecting sign may be allowed per tenant space or building frontage. Projecting signs are permitted in addition to allowable wall signage.

B. Sign size.

1. Non-residential zones: The face of a projecting sign shall not exceed twelve (12) square feet in area.

2. Residential zones: The face of a projecting sign shall not exceed one and one-half (1.5) square feet in area.



**Figure 15 - Projecting Sign**

C. Location.

1. Projecting signs may extend a maximum of four (4) feet from the building and shall be hung a minimum of six (6) inches from the building.

2. No projecting sign shall be located higher than the first story level of the building.

3. Projecting signs may be located in all residential and non-residential zones.

D. Design.

1. In non-residential zones, projecting signs may be illuminated, internally or indirectly. In residential zones, projecting signs may not be illuminated.

2. A projecting sign shall be perpendicular to the building wall to which it is affixed.

3. Projecting signs shall not exceed four (4) inches in thickness.

4. Projecting signs shall be supported by or suspended from solid rods or otherwise tethered or reinforced to avoid movement in wind.

F. Suspended Signs. Signs suspended from the underside of an awning, or attached to the underside of an awning or other cover above a sidewalk or walkway shall be considered projecting signs. This definition includes the downtown marquee located on Bay Street between Orchard Ave and Harrison Ave.

G. Projecting signs overhanging public property. Projecting signs overhanging public property, including city right-of-way, shall be regulated as follows:

1. If a projecting sign is suspended from a marquee or awning, no part of the sign shall be located lower than seven (7) feet above the grade of the right-of-way located beneath the sign, including any sidewalk.

2. Projecting signs suspended from a marquee or awning over a public sidewalk shall not extend into or occupy more than two-thirds (2/3) of the width of the sidewalk as measured from the adjacent building face.

3. Projecting signs attached to a building or suspended from a marquee or awning shall be separated by at least ten (10) feet unless otherwise approved by the Director.

4. Projecting signs attached to a building or suspended from a marquee or awning shall be suspended by chains, cables, or rods of a sufficient gauge to ensure public safety.

5. Any sign that overhangs right-of-way or other public property shall be required to obtain a Street Use Permit and/or a Public Property Use Permit, in addition to a sign permit.



**Figure 16 - Projecting Sign beneath the Downtown Marquee**

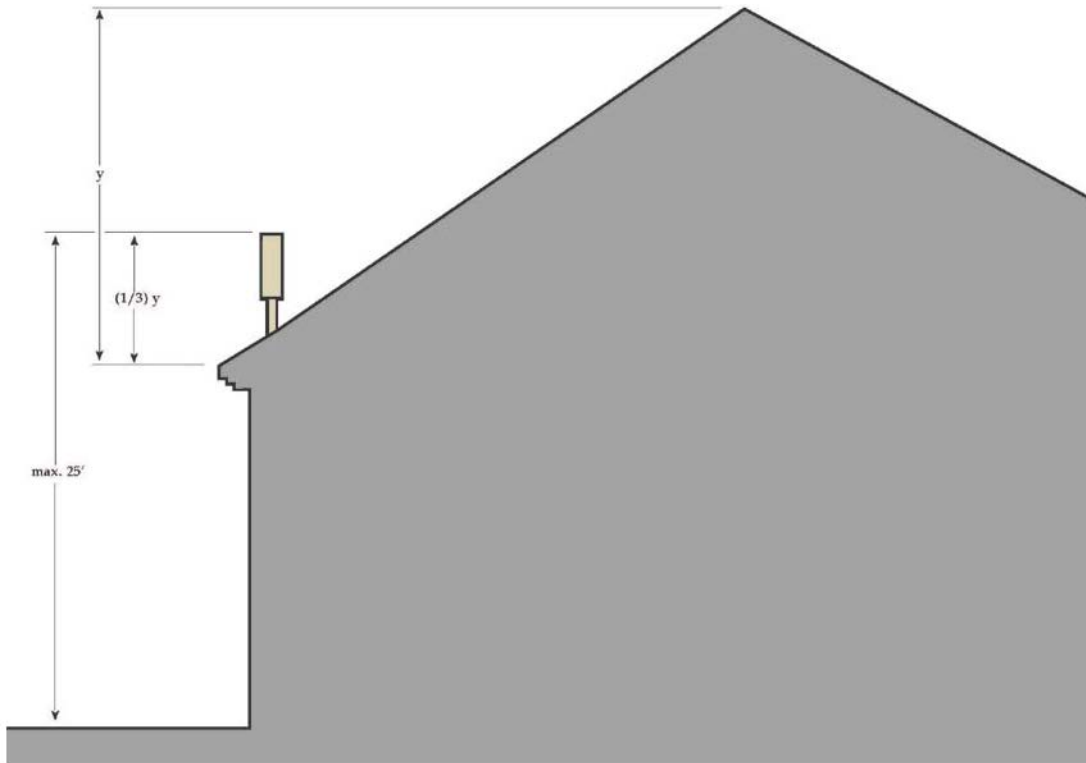
H. Projecting signs on private property. Projecting signs located on private property that do not overhang public property (including right-of-way) shall be regulated as follows:

1. If a projecting sign is suspended from a marquee or awning, no part of the sign shall be located lower than seven (7) feet above the grade of the sidewalk, street, driveway or parking lot located beneath the sign.
2. Projecting signs attached to a building or suspended from a marquee or awning shall be separated by at least ten (10) feet unless otherwise approved by the Director.
3. Projecting signs attached to a building or suspended from a marquee or awning shall be suspended by chains, cables, or rods of a sufficient gauge to ensure public safety.

**Section 20.132.240 Roof-Mounted Signs.** The installation or modification of a roof-mounted sign shall require a sign permit unless the activity related to the sign installation or modification is listed as exempt under Section 20.132.030. A roof-mounted sign may be permitted in lieu of some or all of the wall-mounted signage that would otherwise be allowed on a particular building or parcel according to this Chapter. No permit shall be issued for a roof-mounted sign which does not comply with the following standards:

A. Number. No more than one (1) roof-mounted sign shall be allowed for each building.

**Figure 17 - Roof-Mounted Sign**



B. Area. The total area of the roof-mounted sign, and any wall-mounted sign(s) located on the building façade above which the roof-mounted sign is located, shall not exceed the total amount of wall sign area that would be allowed for that building façade according to Section 20.132.170.

C. Location and Height. Allowed on the slope of peaked/sloped roofs only, at a minimum slope of 3:12, and only on the lowest one-third (1/3) of the slope of the peaked roof. Roof-mounted signs shall be installed so that the structural supports of the sign are minimized. Angle irons, guy wires, braces or other secondary supports shall appear to be an integral part of the roof or roof-mounted sign. Roof-mounted signs shall in no case exceed twenty-five (25) feet in height above the average grade immediately adjacent to the portion of the roof to which the sign is affixed.

D. Zone. Roof-mounted signs are permitted in nonresidential zones only.

E. Design. Roof-mounted signs may be non-illuminated, internally illuminated or indirectly illuminated, provided that the light is limited to the sign face only.

**Section 20.132.250 Service Island Signs.** The installation or modification of a service island sign shall require a sign permit unless the activity related to the sign installation or modification is listed as exempt under Section 20.132.030. No permit shall be issued for a service island sign which does not comply with the following standards:

A. Number and Size.

1. Island canopies. One (1) sign on the canopy fascia per street frontage, not to exceed twenty (20) percent of the area of canopy fascia to which the sign is mounted.

2. Spandrel signs and canopy support signs. Spandrel signs shall not exceed twenty (20) percent of the spandrel area, and both spandrel signs and signs attached to canopy support columns shall be deducted from allowable wall signage on the associated principle building on the site.

B. Zone. Not allowed in residential zones.

C. Design. Service island signs and spandrel signs may be internally illuminated, subject to the illumination standards of 20.132.090. Signs attached to canopy support columns shall not be illuminated.

**Section 20.132.260 Sign walkers.** Sign walkers are allowed and do not require a sign permit but are subject to the following standards:

A. Permit. A permit is not required for a sign walker, but the sign walker shall comply with all the applicable requirements of this Chapter.

B. Number. No limit.

C. Area. The sign walker's sign shall not exceed eight (8) square feet in area, and shall not exceed eight (8) feet in height when held in place.

D. Zone. Allowed in nonresidential zones only.

E. Design. The sign walker's sign cannot be illuminated or made of reflective materials. Sign walkers shall be limited to daylight hours only. A sign walker's sign may not include any element of a prohibited sign as described in Section 20.132.040 (Prohibited Signs).

F. Location. Sign walkers are restricted to a minimum of thirty (30) feet from a street or driveway intersection, measured from the back of the curb or edge of pavement if no curb exists, and shall not be located in any of the following places:

1. On any public property or within public right-of-way, although sign walkers are allowed on public sidewalks;

2. In parking aisles or stalls;

3. In vehicle or pedestrian travel pathways of private streets, including shoulder, bike lane and sidewalk;
4. On fences, walls, boulders, planters, other signs, vehicles, utility facilities or other structures; or
5. In a manner which results in a sign walker physically interfering with or creating a hazardous distraction to motorists, pedestrians or bicyclists.

**Section 20.132.270 Temporary Signs.**

- A. No Permit required. A temporary sign does not require a sign permit but shall comply with the following standards:
- B. Removal. Temporary signs shall be removed if the sign is in need of repair, is worn, dilapidated or creates a public nuisance.
- C. Materials. See Section 20.132.100 (Sign Materials) and the definition of “temporary sign” in Section 20.132.290 (Definitions).
- D. City property (excluding city right-of-way). Temporary signs on city-owned property (excluding city right-of-way) are allowed only in conjunction with an approved Special Event permit.
- E. City Right-of-Way outside of the Roadway. Temporary signs are prohibited in the roadway. Temporary signs on city right-of-way placed outside of the roadway, must comply with the following requirements:
  1. *Location.* Allowed only between the property line and the back of the nearest curb, or where no curb exists, between the property line and the nearest edge of the roadway pavement. Signs may not be placed on sidewalks, driveways or other paved areas designed for pedestrian or vehicular use, in roundabouts or center medians, or as conditioned in a Street Use Permit.
  2. *Approval of abutting owner.* Approval of the abutting owner is recommended.
  3. *Type.* Signs on stakes that can be manually pushed or hammered into the ground are allowed. All other signs are prohibited, unless specifically allowed by a Street Use Permit.
  4. *Size and height.* Limited to four (4) square feet, and three (3) feet in height.
  5. *Dilapidated or nuisance signs.* Any temporary sign in the right-of-way that is dilapidated or a nuisance, shall be removed by the person responsible for placement of the sign.

6. *Other signs.* The city may allow permanent or oversize signs in city rights-of-way with a Street Use Permit.

F. Residential zones. Temporary signs may be placed on property residentially zoned in accordance with the requirements of this Section and the following:

1. *Window signs.* Limited to no more than one (1) temporary window sign per residential unit, not to exceed four (4) square feet.

2. *Freestanding signs (includes post-mounted, stake and portable signs).*

(a) *Single-family zones:* Each temporary free-standing sign shall not exceed four (4) square feet in size and five (5) feet in height, if the sign is mounted on the ground, and not to exceed three (3) feet in height if the sign is stake-mounted or portable. No more than (32) square feet of temporary freestanding signage may be located on any one site.

(b) *Multi-family zones:* Each temporary free-standing sign shall not exceed six (6) square feet in size and five (5) feet in height if the sign is post mounted on the ground, and not to exceed three (3) feet in height if the sign is stake-mounted or portable. No more than (32) square feet of temporary freestanding signage may be located on any one site.

3. *Surface-mounted signs.* Limited to sites two (2) acres or larger:

(a) *Size.* The total amount temporary of signage on a site, whether in one sign or multiple signs, must equal no more than thirty-two (32) square feet.

(b) *Location.* Must be flatly affixed to walls below the fascia or parapet line, or flatly affixed to on-site fences either facing or abutting the street, or facing inward to the subject site. Signs shall not be attached or tethered to other site improvements.

G. Non-residential zones. Temporary signs are allowed on non-residentially zoned property in accordance with the requirements of this Section and the following:

1. *Window signs.* Limited to twenty-five (25) percent of the window area, subject to the window sign requirements of Section 20.132.280 (Window Signs).

2. *Freestanding signs (including post-mounted, stake and portable signs).* Size/height: Limited to four (4) square feet and five (5) feet in height if the temporary sign is mounted on the ground, and not to exceed three (3) feet in height if the temporary sign is portable.

3. *Surface-mounted signs.*

(a) **Size.** The total amount of temporary signage on a site, whether in one sign or multiple signs, must equal no more than thirty (30) square feet.

(b) **Location.** Must be flatly affixed to walls below the fascia or parapet line, or flatly affixed to on-site fences either facing the abutting street, or facing inward to the subject site. Signs shall not be attached or tethered to other site improvements.

H. Temporary signs on large properties, residential or non-residentially zoned properties. The following temporary signs may be placed on any site at least two (2) acres in size, in accordance with the requirements of this Section and the following:

1. *Type.* Any type.
2. *Size/height.* Not to exceed sixty-four (64) square feet and up to eight (8) feet above ground level.
3. *Exclusivity.* The sign allowed under this subsection is in lieu of and shall not be displayed with or be in addition to other temporary signs allowed by this Section.

**Section 20.132.280 Window Signs.** A Window signs does not require a sign permit but shall comply with the following standards:

A. Number: No more than one (1) permanent window sign may be placed in a single window.

**Figure 18 - Window Signs**





- B. Window Coverage. Window signs (temporary and permanent combined) shall not exceed twenty-five (25) percent of the area of the window on which they are displayed.
- C. Location. No higher than second (2<sup>nd</sup>) story windows for permanent window signs.
- D. Zone. Allowed in all zones.
- E. Design. Permanent window signs are limited to individual painted or vinyl letters and graphics, or neon signs constructed with or without a solid or opaque background.

## Part V

**Section 20.132.290 Definitions.** The words and phrases used in this Section shall be construed as defined in this Chapter, unless the context clearly appears otherwise. Unless specifically defined in this Section, the definitions set forth in other provisions of this Code shall likewise apply to this Chapter.

“A”

“Abandoned sign” means a sign, the face of which has been removed or is broken and is not refaced within 180 days thereafter. Abandoned signs shall also include signs with rusted, faded, peeled, cracked or otherwise deteriorated materials or finishes that have not been repaired within 90 days after the City provides notice of the sign’s deteriorated condition under the City’s enforcement chapter (Chapter 20.12).

“Accessory sign” means a permanent, freestanding sign of limited height and size that provides supplemental opportunity for free standing signage on a site.

“Aerial sign” means a free-floating balloon, kite or similar object not directly secured to property within the city.

“A-frame sign” *see also*, portable sign or sandwich board sign, means signs capable of standing without support or attachment.

“Alter” means to change the copy, color, size, shape, illumination, position, location, construction or supporting structure of a sign, not including ordinary maintenance.

“Area of a sign” means the smallest square, rectangle, parallelogram or circle that will enclose the extreme limits of writing, representation, logo, or any figure of similar character, together with any frame, background area, structural trim, or other materials or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. The supports or uprights on which any such sign is supported shall not be included in determining the sign area. The area of signs with two (2) faces shall be considered to be the area of the largest face. The area of signs with three (3) or more faces shall be considered to be the area of the largest face or one-half (1/2) the area of all of the faces, whichever is less.

“Awning or Canopy sign” means a sign affixed to or imprinted on an attached shelter composed of non-rigid materials such as an awning or a permanent architectural projection, such as an awning or canopy, composed of non-rigid materials on a supporting framework, affixed to the exterior wall of a building, extending over a door, entrance, window or outdoor service area. This definition does not apply to gas station canopies and similar permanent, rigid structures, which shall be regulated in the same manner as other buildings according to zoning and land use requirements.

“B”

“Business activity” means an enterprise offering goods, services, or other consideration to the public, in legal occupancy of a site or of a specific portion of a site and under separate and distinct management from any other enterprise located on the same site.

“Business frontage” means the horizontal dimensions of a building or individual business elevation measured at ground level.

“C”

“Canopy or Awning sign” – see definition under “Awning or Canopy sign” above.

“Changeable copy sign” means a sign or portion thereof which is designed to have its message or copy readily changed manually or by remote or automatic means without altering or replacing the face or surface. Changeable copy signs support hard-copy text or graphics and do not use digital or electronic text or images.

“D”

“Digital sign” means a changeable copy sign with monochrome LED (light emitting diodes) text, graphics or symbols over a black, non-illuminated background.

“E”

“Electronic message center sign” means an electrically activated changeable copy sign having variable message and/or graphic presentation capability that can be electronically programmed by computer or handheld device from a remote location. EMC signs typically use light emitting diodes (LED’s) or liquid crystal display (LCD) as a lighting source.

“Elevation” means the visible vertical plane of the side of a building from ground level to the roof line.

“Elevation, primary” means the side of a building directly abutting either a street or a parking area. A business owner may choose which elevation is considered the primary elevation, except that in a multi-tenant building, the elevation which is contiguous to other businesses shall be the primary elevation.

“Elevation, secondary” means any elevation of a building not determined to be a primary elevation.

## “F”

“Façade” means the elevation of a building extending from the ground level up to the bottom of the fascia on a pitched roof building, and up to the top of the wall or parapet on a flat roof building. The area of a façade for purposes of calculating allowable wall signage includes the area of the windows and doors but excludes openings that do not have solid coverings, such as breezeways, colonnades and gateways that extend to the backside of the building.

“Fascia” means an architectural term for a vertical frieze or board under a roof edge or which forms the outer surface of a cornice, visible to an observer.

“Feather sign” means a freestanding type of attention-getting device that resembles a sail made of fabric or nylon affixed to a single lightweight pole used for promotional or advertising purposes.

“Flag” means a flat piece of cloth, with distinctive colors, patterns or symbols, having one end of the cloth attached to a vertical staff (directly or by rope and pulley mechanism) and all other ends free-flowing under natural movement of wind.

“Flag canopy” means a line of flags, or a series of lines of flags, suspended above a site.

“Flashing sign” means an electric sign or portion thereof, except electronic message center signs, which changes light intensity in a sudden transitory burst, or which switches on and off in a constant pattern in which more than one-third (1/3) of the non-constant light source is off at any one time.

“Freestanding sign” means any sign which is supported by a solid base, posts, poles or braces located in or upon the ground, and which is independent from any building or other structure.

“Freeway” means a limited access highway, state route or interstate.

“Freeway oriented sign” means a sign within 150 feet of a freeway right-of-way that has its sign face parallel to, perpendicular to, angled toward, or otherwise readable from the freeway right-of-way.

“Frontage” means the property line of an individual lot, tract or parcel that abuts a public or private street right-of-way, excluding alleys and private driveways. The number of frontages on a lot is the same as the number of public or private street rights-of-way that the lot abuts.

## “G”

“Gross leasable space” means area of a single leasable space, regardless of the number of tenants or leases within the space.

“H”

“Halo illuminate” means a light source placed behind totally opaque letters or symbols so that the light reflects off the wall or background to which the letters or symbols are mounted, rather than emanating through the letters or symbols, creating a halo effect that leaves the letters or symbols viewable in silhouette form only.

“Height of sign” means the overall height of the sign above grade directly below or at the base of the sign.

“I”

“Illegal sign” means a sign which does not conform to the requirements and standards of this Chapter and which does not meet the criteria of a nonconforming sign as defined in this Definitions Section.

“Integrated development site” means any commercial or noncommercial development site, regardless of the number of lots or individual tenants, that is developed with common parking, layout, architecture or design features.

“Item of information” means a word, figure, logo, abbreviation or other symbolic representation.

“L”

“Logo” means a design of letters, colors or symbols used as a trademark or for identification in lieu of, or in conjunction with, other signs.

“Logo shield” means a logo contained within an area no greater than four (4) square feet, incorporated into a larger sign face or designed as an individual sign or component of a sign containing individually mounted sign graphics.

“Lot line” means a line that separates two lots.

“Luminance” means the photometric quality most closely associated with the perception of brightness. Luminance is measured in candelas per square meters or “nits.”

“M”

“Mansard” means a roof with two slopes on each side of the four sides, the lower steeper than the upper.

“Master Sign Plan” means a coordinated sign plan which includes the details of all signs (not including exempt or temporary signs) which are or will be placed on a site.

“Monument sign” means a freestanding low profile sign with the sign width greater than the sign height and designed with a solid base and background.

“Motion” means the depiction of movement or change of position of text, images or graphics. Motion shall include, but not be limited to, visual effects such as dissolving and fading text and images, running sequential text, graphic bursts, lighting that resembles zooming, twinkling or sparkling, changes in light or color, transitory bursts of light intensity, moving patterns or bands of light, expanding or contracting shapes and similar actions.

“Multitenant development” means a development consisting of three (3) or more leasable spaces.

“N”

“Natural grade” means the topographic condition or elevation of a site or portion of a site over the past five years, or the finished grade of an approved site development plan. Changes to grade or elevation resulting from fill, mounding or berming within five (5) years preceding any requested permit other than a site development plan shall not be considered natural grade for permitting purposes.

“Neon sign” means a sign with illumination affected by a light source consisting of a neon or other gas tube which is bent to form letters, symbols or other shapes.

“Night-time hours” means from one-half hour before sunset to one-half hour after sunrise.

“Nits” means a unit of measure of brightness or luminance. One (1) nit is equal to one (1) candela/square meter.

“Nonconforming sign” means any sign, which at one time conformed to all applicable requirements and standards of this Chapter, including all permit requirements, but which subsequently ceased to so conform due to changes in such requirements and standards.

“Nonresidential zone” means, in the context of this Chapter, any zone that does not include residential dwelling units except for mixed use zoning districts where residential units are located above or behind nonresidential uses and the ground floor streetscape is characterized by commercial and other nonresidential uses.

“O”

“Opaque” means a material that does not transmit light from an internal illumination source.

“P”

“Painted sign” means a sign painted directly on a building or on material which is then attached to a building. *See also*, “wall sign.”

“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 enclosed with a translucent material.

“Parapet” means a protective wall or barrier projecting above any canopy, balcony or roof.

“Permanent sign” means a sign constructed of weather resistant material and intended for permanent use and that does not otherwise meet the definition of “temporary sign.” Wall mounted sign holders designed for insertion of signs and posters shall be considered permanent signage and subject to all standards of this chapter.

“Pole sign” means a sign mounted on a pole that is permanently inserted into or affixed to the ground..

“Portable sign” means a freestanding sign that is readily moveable and not permanently affixed to the ground, including A-frame or sandwich board signs, pole signs mounted on weighted bases, and similar signs that are used on more than a temporary basis.

“Projecting sign or Projection sign” means a sign attached to a building with the face not parallel to the vertical surface of the building. Projecting signs include signs projecting directly from walls, or signs hanging from porch ceilings or other support structures.

“R”

“Raceway” means a box-type conduit to house electrical wires for signs and used to support and/or affix signage on a wall.

“Right-of-way” is the strip of land platted, dedicated, condemned, established by prescription or otherwise legally established for the use of pedestrians, vehicles and/or utilities.

“Roadway” means that portion of the street improved, designed, or ordinarily used for vehicular travel and parking, exclusive of the sidewalks and shoulder. Where there are curbs, the roadway is the curb-to-curb width of the street.

“Roof line” means the uppermost edge of the roof or the top of the parapet, excluding mechanical equipment screens, whichever is highest. Where a building has several roof levels, the roof line shall be the one belonging to that portion of the building on which the sign is located.

“Roof mounted sign” means a sign which has a point of attachment to the roof or mansard of a building. Architectural projections, including mechanical equipment screens, above any parapet or roof line whose sole function is a background for signs shall be considered a sign structure. A sign on such an architectural projection shall be considered a roof sign.

“S”

“Sandwich board sign” – *see* “A-frame sign” definition.

“Service Island sign” means a permanent sign displayed on the service island canopy of a gas station, bank, carwash, or other use that provides a canopy cover for vehicles. Service island signs are not the same as awning or canopy signs as otherwise defined by this chapter.

“Sign” means letters, figures, symbols, trademarks, or logos, with or without illumination, intended to identify any place, subject, person, firm, business, product, article, merchandise or point of sale. A sign also includes balloons attached to sign structures, products, streamers, spinners, pennants, flags, inflatables or similar devices intended to attract attention to a site or business, as well as architectural or structural forms, illuminated panels, spandrels, awnings and other structural or architectural features not common to classic vernacular or non-corporate regional architecture and that are intended to convey a brand, message or otherwise advertise a location or product, whether or not such features include text or graphics and whether or not they serve other practical purposes such as lighting, covering or enclosure of persons or products. A sign includes any device which streams, televises or otherwise conveys electronic visual messages, pictures, videos or images, with or without sound or odors. Refer to Section 20.132.040 (Prohibited Signs) for a list of prohibited signs.

“Signable area” means the area of the largest rectangular portion of a face of a building to which a sign is affixed or proposed to be affixed, which can be included within parallel, vertical and horizontal lines uninterrupted by significant architectural features of the building.

“Sign walker” means a sign carried by a person.

“Site” means a unit of land, together with all improvements thereon, determined as follows:



1) a unit of land which may be conveyed separately from any and all adjacent land without the requirement of approval of a boundary line adjustment, short plat or a preliminary plat.

2) Two (2) or more buildings or business activities that are or will be related to each other physically or architecturally, such as by sharing off-street parking facilities, so as to form an integrated development, such as a shopping center, industrial park, or office complex.

“Spandrel” means a panel or box-type structure that spans between and/or is connected to the support columns of a porch, colonnade or canopy, usually for architectural embellishment and/or signage purposes.

“Special event sign or temporary sign” means signs or advertising displays or a combination thereof which advertise or attract public attention to a special one-time event, including but not limited to the opening of a building or business activity, the sale of goods and services at discounted or otherwise especially advantageous prices, or similar event.

“Static” means without motion.

“Story” means that portion of a building included between the upper surface of a floor and the upper surface of the floor or ceiling next above.

“Suspended sign” means a sign mounted above a sidewalk adjacent to a business, affixed to a beam, overhang, roof or other fixture that is an integral part of a building.

“T”

“Temporary sign (which may include special event sign)” means any sign that is used temporarily and is not permanently mounted, painted or otherwise affixed, excluding portable signs as defined by this Chapter, including any poster, banner, placard, stake sign or sign not placed in the ground with concrete or other means to provide permanent support, stability and rot prevention. Temporary signs may only be made of non-durable materials including, but not limited to, paper, corrugated board, flexible, bendable or foldable plastics, foamcore board, vinyl canvas or vinyl mesh products of less than 20 oz. fabric, vinyl canvas and vinyl mesh products without polymeric plasticizers and signs painted or drawn with water soluble paints or chalks. Signs made of any other materials shall be considered permanent and are subject to the permanent sign regulations of this Chapter.

“Tenant space” means the entire building which encompasses a building or use on a site; or in buildings designed for multi-tenant occupancy, it is the space between demising walls and which has an independent entrance to common corridors or to the outside. Portions of tenant spaces that are sublet to or otherwise allowed to be used by persons or businesses other than the principle person or business of a tenant space are not considered tenant spaces in the context of this Chapter.

“U”

“Unshielded lighting” means an external illumination source which is exposed to view from a publicly accessible area.

“W”

“Wall sign” means a sign which is attached parallel to or painted on a wall, including parapet or canopy fascia, or a building.

“Width of sign” means the total horizontal dimension of a sign, including all frames or structures.

“Window” means the entire window unit including individual sashes or panes that might otherwise divide the area between the head, jamb and sill; except that in commercial storefront window assemblies, a single “window” is the glass area between each mullion that divides the window assembly, whether installed as a single piece of glass or as multiple pieces of glass divided by muntins.

“Window sign” means a sign that is attached to or is intended to be seen in, on or through a window of a building and is visible from the exterior of the window.

**NOTICE OF CITY OF PORT ORCHARD  
ORDINANCE**

The following is a summary of an Ordinance approved by the Port Orchard City Council at their regular Council meeting held June 27, 2017.

**LEGAL NOTICE OF ORDINANCE NO. 024-17**

**AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, RELATING TO LAND USE AND ZONING; ADOPTING A NEW CHAPTER 20.132 SIGN CODE; PROVIDING FOR SEVERABILITY AND CORRECTIONS; AND SETTING AN EFFECTIVE DATE.**

Copies of Ordinance No. 024-17 are available for review at the office of the City Clerk of the City of Port Orchard. Upon written request a statement of the full text of the Ordinance will be mailed to any interested person without charge. Thirty days after publication, copies of Ordinance No. 024-17 will be provided at a nominal charge.

City of Port Orchard

Brandy Rinearson  
City Clerk

Published: Friday, June 30, 2017